

**DEPARTMENT OF THE INTERIOR, ENVIRONMENT,
AND RELATED AGENCIES APPROPRIATIONS
FOR FISCAL YEAR 2018**

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON APPROPRIATIONS

UNITED STATES SENATE

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

ON

H.R. 3354

AN ACT MAKING APPROPRIATIONS FOR THE DEPARTMENT OF THE IN-
TERIOR, ENVIRONMENT, AND RELATED AGENCIES FOR THE FISCAL
YEAR ENDING SEPTEMBER 30, 2018, AND FOR OTHER PURPOSES

**Department of the Interior—Office of the Secretary
Environmental Protection Agency
Indian Health Service
Nondepartmental Witnesses
United States Forest Service**

Printed for the use of the Committee on Appropriations



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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2018

WEDNESDAY, JUNE 7, 2017

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 9:33 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Lisa Murkowski (Chairman) presiding.

Present: Senators Murkowski, Hoeven, Daines, Capito, Udall, Tester, Merkley, and Van Hollen.

UNITED STATES FOREST SERVICE

STATEMENT OF TOM TIDWELL, CHIEF

ACCOMPANIED BY SHERI ELLIOT, ACTING DIRECTOR, OFFICE OF STRATEGIC PLANNING, BUDGET AND ACCOUNTABILITY

OPENING STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Good morning, everyone. The subcommittee will come to order.

Today marks the first hearing of the Interior Appropriations Subcommittee to review the President's fiscal year 2018 budget request. Today, we will be reviewing the proposal for the Forest Service.

I am pleased to welcome back to the subcommittee Chief Tom Tidwell. I would also like to welcome Sheri Elliot, who serves as the Acting Director of the Office of Strategic Planning, Budget and Accountability at the Forest Service, and is accompanying the Chief today. Thank you both for being here.

As a reminder to colleagues, we will adhere to the "early bird rule" for recognizing Members for questions. I will call on Members in the order in which they arrive, going back and forth between the Majority and Minority. We will do 6-minute rounds; hopefully have an opportunity for two, perhaps even three rounds.

I do recognize that we have a vote that I believe is scheduled at 10:30 this morning. We will work around that.

FOREST SERVICE FISCAL YEAR 2018 BUDGET REQUEST

Now, the budget request itself. The budget request for the Forest Service for fiscal year 2018 is \$4.7 billion. This is \$880 million less than fiscal year 2017 when you factor in the \$342 million in emer-

gency funding Congress provided above the 10-year average in the event of a severe fire season.

The request for the Wildland Fire Management Program is \$2.495 billion, with fire suppression funded at the full 10-year average of \$1.057 billion.

The budget does not propose a wildfire cap adjustment or any type of “fix” for fire borrowing. However, buried in the proposal is a statement that the administration “Will work with the Congress during the 2018 budget cycle to develop a responsible approach that addresses risk management, performance accountability, cost containment, and the role of State and local government partners in ensuring adequate funds are available for wildfire suppression without undue disruption to land management operations.”

I think the Chief knows that Senator Udall and I just returned from a meeting this morning with the Secretary of Agriculture, and spent extended discussion about just this issue.

Chief, as you are painfully aware, the cycle of borrowing and repayment and the accompanying lack of budget certainty and discipline is not helping to improve the health of our Nation’s forests.

I am pleased that this administration recognizes the problem, and look forward to working with the Forest Service and the Office of Management and Budget to address this issue during this budget cycle in a fiscally responsible and politically feasible way.

As I had mentioned to the Secretary, it kind of feels like this is Ground Hog’s Day on this issue. Every year, we come back before the subcommittee and hear the same issues raised repeatedly. So, being able to address this needs to be a priority.

Chief, this budget request is very different from the previous administration’s proposals for your agency. Rather than a wish list of spending paid for with budget gimmicks, this budget proposes some very real cuts to programs. The worthiness of the cuts kind of runs the gamut here. Some are worth consideration, some I find very troubling, and some are in direct contradiction to other proposals in the budget.

For example, the timber target is again set at 3.2 billion board feet, a level that is not as high as I would like to see it. I am concerned that the 73 percent proposed cut to capital improvement and maintenance will make that target difficult if not impossible to achieve.

Without adequate funding for road maintenance and construction, the agency will be unable to provide necessary access for timber purchasers while also meeting legally required environmental standards.

I am also concerned about the impacts of those proposed cuts on many other forest management activities, from firefighting to hazardous fuels reduction.

The request acknowledges that it is the primary responsibility of the Forest Service to manage the national forests. When making tough funding decisions, we need to make certain we are meeting our basic forest health needs before we invest in other programs. While many of the funding levels are lower than I would like, I do appreciate that this budget proposal makes investing in national forest management needs its top priority.

I am pleased that the request recognizes the importance of hazardous fuels management, and I am eager to hear more about the proposal to move the funding for that activity out of the fire program and into the National Forest System account.

I am concerned, however, by the \$12 million reduction to the recreation programs. Many communities rely on this program to help diversify their economies, particularly in Southeast Alaska.

Again, I had the opportunity this morning with Senator Udall and Senator Cantwell to discuss the Secretary's vision for the Forest Service, and given the importance of the agency to the people and the economy of Alaska, I am hopeful that under his leadership the Forest Service will do more to make our forests the economic engines they should be, and not just in Alaska, but really all over the country.

While Alaska paints a very stark picture of the need for robust and responsible uses of our national forests, the need is nationwide. Recreation, tourism, and forest products can and must coexist for us to have thriving and healthy communities and forests.

This will take not only financial investments, but substantial leadership investments as well, and I hope the Forest Service is prepared to dedicate the time and the energy required to make this vision a reality.

I thank you again, Chief, for being here. I look forward to your testimony. At this time, we will hear from the Ranking Member, Senator Udall.

STATEMENT OF SENATOR TOM UDALL

Senator UDALL. Chairwoman Murkowski, thank you so much, and Chief Tidwell, thank you for being with us for our first subcommittee hearing on the President's fiscal year 2018 budget request.

I am particularly pleased that you are here, Chief Tidwell, because your presence speaks to the important work that the agency staff does even when political administrations change. Thank you.

Before we dive into the Forest Service budget itself, I want to note my concerns about the Trump administration's overall budget request. It is my guess that many of the decisions to shortchange key priorities in the Forest Service budget were made because the President has proposed to enact more than \$54 billion worth of cuts to non-defense programs next year, a very unwise move, I believe.

The decision to propose these massive cuts reverberates through programs that Members on both sides of the aisle care about, and virtually every agency. Within the Interior Subcommittee's jurisdiction alone, the budget proposes more than \$5 billion in cuts compared to fiscal year 2017.

What does that mean? It means a 30 percent cut to programs that preserve clean air and clear water within the Environmental Protection Agency's budget. It means a budget that slashes nearly \$700 million from Tribal programs, ignoring this Nation's trust and treaty obligations for American Indians and Alaskan Natives.

It means a 13 percent cut to the Interior Department, and it means devastating cuts to the Forest Service programs, the budget that we have today before us, that is what it does.

In light of these irresponsible and callous cuts, I believe that this budget is dead on arrival. Luckily, we have an Appropriations Committee in the Senate that is committed to a bipartisan process of producing spending bills that reflect the true needs of our constituents.

I look forward to working with my colleagues on both sides of the aisle on this year's bill.

Now, for the Forest Service. The President has proposed to cut nearly \$900 million in funding from the agency's budget. That does not leave enough funding to fight wildfires. It does not allow the agency to perform core land management functions. It provides virtually no funding for the Land and Water Conservation Fund, and it cuts grant programs nearly in half.

Even programs that support some of this administration's stated priorities are on the chopping block. For example, the President has said that his focus is building infrastructure and creating jobs in rural America, and in many areas of the West, this means jobs related to public lands, yet the budget proposal cuts capital improvements by 84 percent to just \$100 million.

How do we sustain the \$10 billion generated by visitors to our national forests and the 143,000 jobs they create if we do not have roads to access the forests or safe and accessible facilities, or hiking trails for visitors to use once they are there.

COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM

Just as important, the budget also proposes to zero out the Collaborative Forest Landscape Restoration Fund, known as the CFLR. The CFLR program is a collection of 23 projects across the country, including two in New Mexico, that were selected to receive 10 years of funding to build a coalition of local support to restore healthy and resilient forests.

Eliminating this program just does not make any sense. Many of these projects require only a few more years of funding to complete. In the meantime, these projects are focused on leveraging local support to create jobs and reduce fire risks.

These are the kind of win-win activities that we should be investing in, not subjecting to shortsighted budget cuts.

WILDLAND FIRE MANAGEMENT BUDGET

Finally, I want to discuss the wildland fire budget. For the last several years, the Obama administration requested funding for firefighting activities at a new forecasted level, the amount expected to be spent rather than the 10-year average, which has proved to be insufficient to cover firefighting costs.

The previous administration also proposed a disaster cap adjustment to ensure the public that sufficient funding would be available for fire suppression going forward.

So, the agency would no longer be required to borrow from non-fire accounts and put construction, land acquisition, and restoration projects on hold. Although we have not yet been successful in enacting the disaster cap, Congress has provided additional funding in each of the past two Interior bills to cover actual forecasted needs, including \$407 million in emergency funding. I added to this

bill last year as an amendment with bipartisan support from Chairman Murkowski and other Members of this subcommittee.

I am very disappointed, Chief Tidwell, that the President's budget makes no attempt to provide supplemental funds to shore up the 10-year average or to address the longer term structural problems with the wildland firefighting budget.

I very much agree with Chairman Murkowski. We had a very good meeting with the Secretary of Agriculture. Senator Cantwell was also there. The two of them really educated him on what had gone on in the past, and he seemed to be very agreeable to try to help out on things. I hope he does. It seems like you educated him on some of these issues, too.

Chief, you have said in the past that you were concerned that the agency, to which you have devoted your career, will turn into the Fire Service rather than the Forest Service.

This budget with more than 60 percent of funds devoted to wild-fire prevention and response is a dangerous step in that direction. It concerns me deeply.

Wildfire season is well underway in New Mexico. We have had several fires so far this year. Two of them are currently burning as we speak, the Abaca fire in the Heeland National Forest, and the Monument fire in the Lincoln National Forest. So far, we have not faced any major threats to communities or catastrophic burns this year, but the risk is always very real.

I hope to discuss this issue more in depth during our conversation this morning. Again, thank you for joining us, Chief Tidwell, and I look forward to hearing your testimony.

Senator MURKOWSKI. Thank you, Senator Udall. Chief, if you would begin with your comments, and then we will have an opportunity to ask our questions and have a response back and forth. Welcome to the subcommittee.

SUMMARY STATEMENT OF CHIEF TOM TIDWELL

FISCAL YEAR 2018 BUDGET REQUEST

Mr. TIDWELL. Madam Chair, Ranking Member Udall, also Members of the subcommittee, once again, thank you for giving me the opportunity to be here to discuss the fiscal year 2018 budget request.

As you mentioned, this budget focuses on our highest priority work, and that is to maintain and restore the forests' health, at the same time, to reduce the threat, the wildfire threat, to communities, and to sustain rural America.

We do that by increasing our work on the ground. We are going to be restoring over 2.4 million acres with this budget, and it will produce 3.4 billion board feet. We are also going to be treating those 1.7 million acres in the Wildland-Urban Interface.

This budget request also provides for the necessary suppression resources, the large air tankers, the helicopters, the engines and the crews, that are necessary for us to be able to maintain our success rate of suppressing 98 percent of our fires during initial attack.

It also requests funding for the 10-year average. I want to once again thank you for your leadership and your hard work in finding a solution to this.

The thing I want to point out, the 10-year average from fiscal year 2016 to fiscal year 2018 increases \$156 million. It is just another point of the urgency to be able to resolve this.

As you mentioned, this budget request also proposes some very difficult reductions in some very important programs. However, it does allow us to focus on the highest priority work, and at the same time for us to be able to maintain our relationships by supporting our States.

I also just want to thank you for your support with the fiscal year 2017 budget, the overall budget, and especially the additional funding to deal with wildfire suppression.

I also want to let you know that we are already implementing some actions to improve our budget accountability, to do a better job to ensure that we are spending the appropriated money every year that it is received, and we are putting different controls in place to ensure that there is less of unobligated balances from prior years, and we can actually get more work done every year.

With that, I appreciate the time here, and I look forward to your questions.

[The statement follows:]

PREPARED STATEMENT OF CHIEF TOM TIDWELL

Madam Chairman and Members of the subcommittee, thank you for inviting me here today to testify on the President's fiscal year 2018 budget request for the Forest Service. I appreciate the support this subcommittee has shown for the Forest Service in the past and I look forward to working with you in the coming months and years as we continue to improve our Nation's forests and grasslands; increase our focus on the active management of our lands; and work with Congress on actions or options to address longstanding wildland fire funding concerns.

The 2018 President's budget for Forest Service is nearly \$5.2 billion, of which \$467 million is mandatory funding, and is a good investment for the American public. The funding and related work will support between 340,000 and 370,000 jobs in the economy and contribute more than \$30 billion in Gross Domestic Product. The administration's commitment to rural communities, jobs creation, shared stewardship, and the production of goods and services from National Forest System lands is demonstrated by the funding level of Forest Products and the movement of Hazardous Fuels from the Wildland Fire Management to the National Forest System. Through the use of tools like the Good Neighbor and other Farm Bill authorities utilizing funding within permanent and trust accounts, the Forest Service will sell 3.2 billion board feet of timber while improving the resilience of more than 1.7 million acres of National Forest System lands through hazardous fuels removal.

The budget strengthens the agency's financial accountability and increases predictability in its budget planning and execution process at both the National and Regional level. Starting in fiscal year 2018, Forest Service firefighters will charge all base hours (the first 8 hours of each day) to Preparedness and, when fighting fires, charge any hours over eight per day to Suppression. The agency is continuing to strengthen its financial accountability and credibility through the implementation of policies that reinforce timely obligation of funds, the management of prior year unobligated balances, and quarterly review of unliquidated obligations.

THE PRESIDENT'S 2018 BUDGET

The fiscal year 2018 request focuses on: acquiring knowledge to better manage forests and expand markets for wood and biomass; high priority projects on State and Private Forests; active forest management, as well as building agency capacity for active management. To address these focus areas, the budget makes key investments in the following program areas:

—*Forest Inventory and Analysis* (\$77 million, an increase of \$2.14 million from the fiscal year 2017 annualized Continuing Resolution level)—to continue to imple-

- ment the annualized inventory program in all 50 States (including interior Alaska), the affiliated Pacific islands, Puerto Rico, and the U.S. Virgin Islands.
- Forest Health Management* (\$90.390 million, a decrease of \$9.021 million from the fiscal year 2017 annualized Continuing Resolution level)—to continue to treat prioritized areas to reduce the potential for new outbreaks; protect these areas from damaging insects, diseases, and invasive plants; and reduce the risks of undesired mortality from wildfire.
- Forest Stewardship* (\$20.5 million, a net decrease of \$2.492 million from the fiscal year 2017 Annualized Continuing Resolution level)—to provide assistance to private landowners seeking to manage their forest lands. Better management of private lands supports the maintenance of nearby national forest and grasslands, and provides an economic contribution to local economies.
- Forest Products* (\$359.1 million, the same as the fiscal year 2017 Annualized Continuing Resolution level)—to sell 3.2 billion board feet of timber and continue to build internal capacity in our workforce.
- Capital Improvement and Maintenance* (\$99.7 million, a decrease of \$263.8 million)—to maintain a workforce that will implement critical infrastructure maintenance projects on National Forest System lands and remain ready to implement additional improvements that could be funded through the Administration's infrastructure initiatives.
- Hazardous Fuels* (\$354.3 million, a decrease of \$20 million below the fiscal year 2017 Annualized Continuing Resolution level)—As most hazardous fuels work takes place on NFS lands, the agency will be able to administer this program more efficiently and effectively if managed as part of the National Forest System. With the funding, fuels treatments in the wildland/urban interface will reduce the risk of catastrophic fire on 1.7 million acres.
- Preparedness* (\$1.34 billion, an increase of \$259.1 million from the fiscal year 2017 annualized Continuing Resolution level)—this increase funds all base 8 costs with Preparedness. This is not new funding, but was shifted from Suppression where a portion of base 8 costs have been charged since 2004. The Forest Service and the Department of the Interior are now using the same business rules.
- Suppression* (\$1.057 billion, an increase of \$247.4 million from the fiscal year 2017 annualized Continuing Resolution level)—this amount fully funds the 10-year average costs for fire suppression.
- The budget for wildland fire management will fund up to 20 airtankers under exclusive use contracts. In 2018, these contracts will be funded with both Preparedness and Suppression funding.
- The budget does not include a proposal for a fire funding fix, but I look forward to working with the Department of the Interior, Office of Management and Budget and you to develop a responsible approach that addresses risk management, performance accountability, cost containment, and the role of State and local government partners in ensuring adequate funds are available for wildfire suppression without undue disruption to land management operations.

LEGISLATIVE PROPOSALS

In connection with the fiscal year 2018 President's budget, we propose several key legislative changes to improve our effectiveness in delivering programs and services:

- Federal Lands Recreation Enhancement Act*. The 2018 budget proposes general provision language for a 1 year reauthorization of the Federal Lands Recreation Enhancement Act (FLREA) which is currently scheduled to expire on September 30, 2018. The Forest Service receives approximately \$65 million annually in recreation fee revenue. Ninety-five percent of the recreation fees collected on a national forest stay at that national forest to be reinvested in recreation sites and services. If FLREA expires without reauthorization, the agencies will have no recreation fee authority for operations and maintenance of recreation facilities or for payment for the National Recreation Reservation System.
- Small Tracts Act Conveyance Authority*. We propose increasing the maximum value of the land that could be conveyed, from \$150,000 to \$500,000, to better align with current land values.
- Extension of Grazing Permits*. We propose that the terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), which regard grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2018. This would address recent amendments to section 402 of the Federal Land Policy and Management Act and pub-

lic concerns that the amendments do not apply to grazing permits issued by the Forest Service on the national grasslands and on eastern national forests.

—*Forest Service Facilities Realignment and Enhancement Act.* We propose a 1 year reauthorization of the Forest Service Facilities Realignment and Enhancement Act of 2005 (FSREA). FSREA would allow the Secretary to convey administrative sites that the Forest Service no longer needs, and retain the proceeds from the sales for the acquisition, improvement, maintenance, reconstruction, or construction of facilities. Reauthorization would allow for better utilization of existing resources, increase the agency's ability to address health and safety issues, and enhanced service to the public.

—*Communications Site Program.* The Forest Service seeks authority to retain \$4.5 million annually to better manage the growing use of Forest Service lands for communications facilities. This will result in an increased annual return on investment to the Treasury within 2 years. This proposal will result in reduced processing time for new applications to provide better customer service (currently it takes 1 to 3 years to process a new application); enhanced and expanded telecommunications provided to rural communities via broadband, personal communications systems, and emergency services; and increased safety of visitors, agency staff, and first responders through additional communications capacity.

Our budget request focuses on sustaining jobs (especially in rural America), increasing economic contribution, sharing responsibility for the stewardship of our natural resources, and more effective and efficient delivery of products and services. Our requested budget will enable us to continue to make progress addressing the growing extent and magnitude of our management challenges on National Forest System lands. Through strategic partnerships, we can accomplish more work while also yielding more benefits for all Americans, for the sake of all generations to come. I look forward to working with this subcommittee to fulfill the President's goals and our key responsibilities for the long term benefit of Nation's forests and grasslands and all Americans. I will be glad to answer questions you may have at this time.

TONGASS INVENTORY

Senator MURKOWSKI. Thank you, Chief. I will begin with a question on where we are with the Tongass inventory. As you will recall, back in 2015, the TAC, the Tongass Advisory Committee, recommended that the Forest Service complete a comprehensive stand level inventory of young growth and old growth on the Tongass in order to determine the volume available and really to figure out how we can transition in a way that works, not only on paper, but on the ground.

In July of 2015, the State and USDA entered into a \$4 million challenge cost share agreement to inventory a sample of young growth and old growth on Prince of Wales, \$2.5 million to be used to improve forest resource inventory information and \$1.5 million to support workforce development.

It is my understanding that approximately 11,000 acres of young growth and 11,000 acres of old growth have been surveyed thus far. The next field season is now gearing up.

I have made very clear throughout all these discussions that I believe very strongly that this inventory should have been done prior to the Tongass plan being locked in, but the question for you this morning is just an update on that.

When do you expect the inventory sample to be completed? Do you have the resources that you need in this fiscal year 2018 proposal to complete the inventory? Do you have any preliminary results as to that inventory at this point in time?

Mr. TIDWELL. Madam Chair, we are moving forward. This year, we are doing another 13,000 acres of inventory. Within our budget request, we will be able to continue to move forward with that in fiscal year 2018.

At this time, I do not have any of those results, but I would be glad to get back to you on that to show you what we are learning as we move forward.

[The information follows:]

The Tongass Advisory Committee recommended the Forest Service “complete a thorough analysis of young growth inventory at the stand level in the first 3 years of the transition and to more accurately predict the young growth timing and supply to complete the transition.” The stand-level inventory currently being conducted under the Challenge Cost Share agreement between the Forest Service and the State of Alaska includes both young growth and old growth. The information gained from this inventory, along with other existing information, is of sufficient scope and depth to plan project-level timber sales. We believe that the amount of data being collected during 2016–2018 will be sufficient to complete a comprehensive inventory for the Tongass.

Preliminary results of the inventory are not yet available. The focus of the fiscal year 2016 and fiscal year 2017 field seasons has been on the collection of the data (plots) as well as meeting the other deliverables in the agreement (workforce development and all lands/all hands southeast Alaska-wide engagement). The forest expects to post the raw survey data online soon. Verified stream data is critical in determining fall down acreages.

Mr. TIDWELL. Our commitment is to do 70,000 acres.

Senator MURKOWSKI. Do you still think that 70,000 is a reasonable sampling?

Mr. TIDWELL. I do. When I think about how many years of work it will take us to get through that 70,000 acres, and then also based on what we learned from the inventory that will also provide additional information as to if we need to be doing more, or even if we need to change how we are doing the inventory, if we need to adjust how many plots we are putting out there, et cetera.

It is an ongoing process. We will be glad to share the information not only with you but with everyone, with the members of the public, so they can see what we are learning as we move forward with this transition.

Senator MURKOWSKI. I think that would be helpful in terms of sharing the information, but also making sure that as we are moving forward, again, the resources are there to allow for the level of inventory that we are all talking about.

Do you have any sense as to how much additional funding the Forest Service will need to complete the full inventory? Do you have any lead on that?

Mr. TIDWELL. From the work that we are doing and now that we have the staff trained up and working through the challenge cost share with the State, I feel comfortable that we have adequate funding to move forward and be able to complete this work.

Senator MURKOWSKI. Well, that is in fiscal year 2018, you have what you need to get to the 70,000, but I am talking about a complete inventory, not just our sample here.

Mr. TIDWELL. Well, based on what we learn from the 70,000 acres, that is what will determine what additional inventory we need to do as we move forward, but it is going to be part of our ongoing work, but at the same time to also be able to focus on actually getting some projects implemented.

That is also part of the learning that needs to occur, not only with the inventory but as we move forward with various projects, that we can be working with the industry to be able to find the

right package, the right economic package, that makes this economically viable so we can sustain our communities.

It is going to be an ongoing process, not only with the inventory, but also from as we implement projects what we can learn.

I want to share with you that one of the big projects this year is being done by the States through the Good Neighborhood Authority. We are actually having State personnel out there doing sales prep for that project.

TIMBER SALES

Senator MURKOWSKI. Let me ask you about the sales prep. You know that we continue to receive complaints from the industry that for a variety of reasons, the Forest Service is having trouble laying out and offering timber sales that result in a profit, and this whole issue of the appraisal process itself.

What are you doing to improve that sales planning and to solve the appraisal issues that we are dealing with?

Mr. TIDWELL. Well, there are two things. One, we are reviewing our appraisal process, and not only in Alaska but throughout the country, so that we can do a better job to make sure we are getting the work done.

The second thing is that through the Good Neighborhood Authority, by being able to use State personnel and being able to use State practices, it gives us an opportunity to also learn that through some of the State approaches, if that may be a better way for us to be able to move forward.

So, those are the two things that are ongoing. I am optimistic that as we move forward that we can make the adjustments in our appraisal system so that we are able to get more projects done.

Last year, we had 500 million board feet of no-bid sales across the country, including some in Alaska. A lot of that is just driven by current markets. Our job is to get the work done regardless of what the markets are. Part of that is to be able to make the right adjustments in our appraisal system so we can actually make it economically viable for folks who do the work.

Senator MURKOWSKI. As we have had this conversation before, this is key in terms of those issues that just drive folks nuts. It is what is happening with the appraisal process here. Let's be working on that one.

My time has expired. I will turn to Senator Udall.

Senator UDALL. Senator Tester has a pressing engagement.

Senator TESTER. Thank you, Madam Chairwoman. I want to thank the Ranking Member very much. Chief Tidwell, it is good to have you here. We have been in this position many, many times before.

I know quite frankly the administration and Congress puts restrictions on you on dollars that certainly you have to work under, and certainly puts you in a bad position, and I can tell you often times we come in here and we blame you for our actions, and I just want to say thank you for your service, thank you for what you are doing. You are a career man, and I certainly appreciate your commitment to the Forest Service and the job you have done.

TIMBER TARGETS

That being said, I would be less than honest with you if I did not tell you that this budget was a wreck. I will tell you why. Forest fighting costs since 1995, they were 16 percent. You know these figures. Today, they are 52 percent. They will be 67 percent in another 8 years if we do not do something.

The share of the Forest Service budget for fighting fires, as the Ranking Member pointed out, continues to increase, and as it continues to increase, are you going to be able in fact to meet those timber harvest targets, and we have to be honest with ourselves. If you are spending money for fighting fires, that is less money you spend for doing management. Can you meet those targets?

Mr. TIDWELL. Senator, from what we see this year and the work that we are doing planning for next year, I am optimistic that we can meet that target. We have actually increased it from 3.2 to 3.4 based on the additional funding that you provided in fiscal year 2017 for us to actually be able to get some additional planning done.

Our folks work very hard on it, but we also want to be very straight, and we do not try to stretch, but I am confident we will be able to reach that target.

OUTFITTERS AND GUIDE PERMITS

Senator TESTER. The outdoor industry in Montana, because we have 10 national forests in our State, amounts to a good chunk of our economy, \$6.4 billion, 64,000 jobs. A lot of that has to do with guides and outfitters. Are they going to be able to get their permits in a timely manner under this budget?

Mr. TIDWELL. It will be more challenging, but the changes that we are making in our dealing with special use permits, including outfitter and guide permits, we are finding new efficiencies, so that we can make sure we are working closely with our outfitters and guides, and all of our special use permittees to be able to make sure they can go to work.

INFRASTRUCTURE PLAN

Senator TESTER. As the Ranking Member pointed out, when it comes to infrastructure, there is an 84 percent cut, and correct me if it is wrong, for roads, trails, and facilities. One of the things my office hears a lot on is trail maintenance. I think we had a scrap last year on the cuts and you fixed it. Thank you.

Are we going to be able to have proper maintenance for trails, for access to our national forests under this budget?

Mr. TIDWELL. Under this budget request, we are going to focus on ensuring we maintain our staff and expertise so that when the infrastructure plan moves forward, we will be well positioned to be able to implement projects, not only those roads that are not only essential for access for our timber work, but also it is essential for our recreating public, as you just mentioned.

That is how we are moving forward with it. We are going to focus on maintaining our staff and expertise so we are well positioned to be ready to respond to an infrastructure plan.

FIRE FIGHTING AND THE FISCAL YEAR 2018 BUDGET REQUEST

Senator TESTER. There is debate on this subcommittee and there is debate in Congress whether we ought to treat wildfires as a natural disaster. I think we should. I think we ought to just admit that the fire seasons are getting more intense. They are getting longer.

If we can free up dollars for you to do the work you need to do in the Forest Service, long term, not in the short term, not in the next couple of years but in the next 10 years, I think the fire risk could potentially go down.

So, that has an impact on your budget. I can tell you that the Land and Water Conservation Fund being zeroed out, the CFLRs being zeroed out, infrastructure being cut by 84 percent, I am going to tell you there is a move in this country to sell our public lands, to privatize our public lands.

My concern with this budget, as we do not have access to trails, as the roads are not being done, as the facilities are not being kept up, as the trees are not being managed in a way that makes sense for next generation, it just gives more ammunition to those short-sighted people out there that want to turn our land over to the private sector. They want to sell it and do away with our \$6.4 billion recreation economy in the State of Montana, and make Montana and a lot of other States into a different place.

As we go forth with this budget, I hope you keep that in mind, as I started out, we put restrictions on you, you have to live within the restrictions, and then we complain to you when we do not have trails opened up because we do not have enough money for them.

Keep that in mind, and I would just hope that when you come to subcommittees like ours, and I know it is tough to speak truth to power, but you need to tell us this is not working. You need to tell us I do not have the money for road maintenance because we are spending it all on fighting fires. We know it. We smell the smoke every year in Montana.

We also blame litigants out there for stopping the forest cuts, and part of that is for people who do not want to see a tree cut, but another part of it is you do not have the resources you need to do the management practice ahead of time to make sure the cuts are straight up.

Mr. TIDWELL. Senator, I appreciate your understanding the importance of our public lands and our national forests to Americans. There is one reason we have national forests in this country, and it is simply that the people want them.

Our job is to be able to work with our communities, to be able to manage it in a way that meets their needs and desires.

I will point out again that the sooner we can find a fix to dealing with the fire funding is the sooner you have more flexibility to be able to provide funding to address the needs of our constituents.

Senator TESTER. Thank you for your service, Chief, and thank you, Ranking Member and Chairwoman.

Senator MURKOWSKI. Thank you, Senator Tester. Senator Daines.

FISCAL YEAR 2018 BUDGET REQUEST

Senator DAINES. Thank you, Senator Murkowski, Ranking Member Udall. Chief Tidwell, good to see you again. I was very pleased to have Secretary Sonny Perdue, our new Ag Secretary, and again Ag and Forestry Secretary, out in Montana.

We had a summit there. They had huge attendance. Forest management reform was also an important part of that conversation because timber is a renewable resource. It is actually a crop; it just takes longer to grow it. Very pleased to have Sonny Perdue out.

We had a roundtable with some of our folks from the wood products industry. Once again, we are hearing the dismal state that the industry is in. They are running single shift. We are down to just eight now active mills on Montana, 30 when I was a kid growing up, now down to eight. They are down to single shift.

The left would tell you that the reason it is single shift is because there is no demand. That is absolutely false. The reason we are at single shift is we cannot get enough logs. We are bringing logs in from Canada, bringing logs in from hundreds of miles away from other States to try to keep our mills afloat right now.

In fact, they told me—we had press there. I said report the truth. The press heard that demand has never been stronger for our products, but we cannot get logs to the mills.

It is a sad, sad state of affairs, and it is because of these extreme environmental groups who are litigating many of our sales that we have right now in Montana, and we are not taking care of the forest, and then we see them burn, and we can reduce the wildfire risk as we know by actively managing our forests.

I will tell you this. There is new optimism amongst the folks back in Montana if they heard Secretary Perdue talk about how he was going to engage and work on policies going forward, it is the first time they have been optimistic in a long time. I was grateful to have Sonny out in Montana.

I also want to echo your call for wildfire funding reform. It is crucial that Congress gets this done. I want to voice my concern with the budget proposed cuts that are to recreation and road development, the latter of which are important to carrying out forest projects. Both proposals are harmful to Montana's national forests and our way of life.

COTTONWOOD ENVIRONMENTAL LAW CENTER/LYNX AMENDMENT

Chief Tidwell, Senator Tester and I have introduced legislation to statutorily reverse the disastrous Ninth Circuit Court decision in the Cottonwood Environmental Law Center versus U.S. Forest Service.

According to the Obama administration, this decision has the potential to cripple Federal land management across Ninth Circuit States. Citing the Cottonwood decision, courts have already halted four forest health projects in Montana.

Does the Forest Service support the bipartisan efforts to statutorily reverse this decision?

Mr. TIDWELL. Senator, first of all, thank you for your work, your bipartisan work with Senator Tester to introduce that legislation. Yes, we support that, and we need your help on this.

It would be one thing if we just needed to reinitiate consultation. We would be glad to be able to do that. Our employees are working through that now. The way this court decision came down, it creates a continuous procedural loop, so we are never done. Even when we do say the Lynx Amendment and we consult on that, it is not considered completed.

Any time there is new information, and there is constantly new information, it can even be like a Master's thesis, maybe not even peer reviewed, that is new information. That could create a need to reinitiate consultation.

So, we want to consult, of course, and we want to do what we need to to be able to provide for Lynx habitat, and work very closely with Fish and Wildlife Service, which we are.

This is just one of those cases—I need to really stress this goes way beyond Lynx. It goes way beyond the State of Montana. Fifty-two percent of the National Forest System land is in the Ninth Circuit. We had a different ruling out of the Tenth Circuit.

This is one where we need your help to be able to resolve this so that we can do our job to consult, take care of habitat, but at the same time, be able to do the work.

Senator DAINES. Thank you. I just will be pleased with our Chair and my fellow Senators to join Senator Tester and myself on this piece of legislation. It is bipartisan already. The Obama administration was with us on this. The Forest Service clearly has both feet planted to help us on this, and we need to get this done. There is a statutory remedy that will solve this specific problem with Cottonwood, and we need to get this moved across the finish line here in the U.S. Senate. Thank you for your support.

SECURE RURAL SCHOOLS

Chief Tidwell, I want to shift to Secure Rural Schools. I am a co-sponsor of legislation to reauthorize the SRS Program. It remains critical to our timber counties in Montana. Just last week in these roundtables we had, we had county commissioners from counties in Montana that had 90 to 92 percent of their acreage in their counties that are Federal lands.

The SRS is critical there, of course, because the Federal Government does not pay taxes. I hear over and over again that we need to extend SRS, and they want Congress to pass strong reforms additionally to restore active management to the national forests.

They all rely now on PILT and SRS. They would much rather be seeing the revenues coming off our national forests because we are actively managing them than having to be dependent on PILT and SRS. Having said that, it is the state of affairs that we live in today, and we need to reauthorize these programs when we simply must address this litigation issue in Montana.

It is a missed opportunity, and I hope we can bring together maybe an SRS long term funding proposal in conjunction with long term litigation reforms, where we really start solving the problem and what created SRS and PILT in the first place.

The President's budget does not mention SRS. Does the administration support reauthorizing this program, and do you believe increasing pace and scale management must be a priority in addition to this program?

Mr. TIDWELL. Well, first of all, I have been up here every year talking about the need to increase the pace and scale of restoration to be able to maintain and restore our Nation's forests. There is no question we need to do that part.

I want to work with you to find ways to also provide some certainty for counties. There is always going to be fluctuation in markets. There is always going to be fluctuations in the amount of revenue that is generated on any year. That is very challenging for counties to be able to budget that way.

We need to first continue our work to be able to increase managing our national forests, but at the same time I want to work with you to find a solution that provides some certainty for the counties.

Senator DAINES. Thank you, Chief.

Senator MURKOWSKI. Thank you, Senator Daines. Senator Udall.

QUESTIONS FOR THE RECORD

Senator UDALL. Before we get into the budget, I would like to confirm, Chief Tidwell, that you will continue the long-standing practice of responding to the written questions and correspondence from both Majority and Minority Members of this subcommittee as quickly as possible.

Mr. TIDWELL. Yes.

FIRE FUNDING

Senator UDALL. Great. Thank you. Chief, as I mentioned in my opening statement, I am incredibly concerned by this budget's failure to adequately fund firefighting.

It is no secret of the historic method used to budget for wildland firefighting. The rolling average of firefighting costs is not enough to fully fund actual firefighting needs in the most fiscal years and frequently leads to the agencies running out of funds and being forced to borrow from other programs.

Yet, your budget fails to request any funding to supplement the 10-year average and fails to offer a legislative proposal to address the long-term challenges of the fire suppression budget.

Chief, since you know the 10-year average does not cover actual firefighting costs most years; can you explain why you chose not to request the actual forecasted need? Can we expect the administration to support emergency supplemental funding if the amounts proposed in the budget prove insufficient to cover actual firefighting expenses?

What is the administration's plan to propose a solution to address fire borrowing and the adequacy of the 10-year average? Is the disaster cap adjustment proposed by President Obama a non-starter for this administration?

Mr. TIDWELL. Senator, first of all, I think everything needs to stay on the table as far as all options to be able to resolve this. You all have worked so hard over the last few years to find a solution to it. I recognize how challenging that is. I think all solutions need to stay on the table.

With our budget request, it does follow the agreement to fund the 10-year average, but it also, I believe, provides the emphasis

that we need to find a solution, and once and for all to be able to find a way to be able to cover that.

It is really now 1 percent of fires that contribute often to 20 to 30 percent of our costs. We can easily handle the 98 to 99 percent of all fires we respond to within a budget.

It is really impossible for us to forecast what we need in fiscal year 2018. I can tell you today, in fiscal year 2017, we are somewhere between \$1.1 billion to \$2 billion. I am 90 percent confident that is where we will end up this year.

When you think about next year, with our scientists, what they have come up with is a range of \$442 million to \$1.5 billion. How do you budget for something like that? Even today, here it is June, and we still have almost \$1 billion range.

That is why I think it is essential that if there is anything you need, additional information that you need from us to be able to help you, but we stand committed to finding a solution for this once and for all.

It goes back to the point that has been raised; over 50 percent of our budget now is in our fire programs. Earlier in my career, back in 1998, it was 16 percent, and yes, we forecast it to go to 67 percent by 2025.

We need to find a solution so that we can be able to maintain a program of work that over time we can not only reduce the threat to our communities but we do see a severity of wildfire on the landscape.

We have the science. We know what we need to do. It is just getting more of that work done, and as long as every year you have to put more and more money into dealing with fire suppression, it just limits your flexibility to provide for the public needs out there.

Senator UDALL. Chief, really, what you are saying is if you took those larger fires, that two percent, and you treated them like natural disasters, that would really stabilize the budget situation?

Mr. TIDWELL. It would. Once again, within the appropriated funds, the 10-year average, we can easily handle that 98 percent of our fires. It is just that 1 to 2 percent, and I would be glad to provide the list from last year, but I know even the top 10 fires that occurred last year, I think, were close to almost \$300 million, just with 10 fires. We have 7,000 fires every year on the national forests.

VALUING PEOPLE AND PLACES INITIATIVE

Senator UDALL. Chief, I understand you have launched a pilot program called "Valuing People and Places," and that you have been doing work on that in New Mexico. How are you engaging these unique community groups through your Valuing People and Places initiative?

What have you learned from this and other outreach to Tribes, land grants, and acequia, and how can we work together to better incorporate the needs of these communities into the Forest Service planning process? Do you plan to expand the initiative in this new administration?

Mr. TIDWELL. That effort was a program we put into place to require our employees to sit down with the various communities, and not to come there with a proposal or with an agenda, but to actu-

ally come in there and listen, to hear from them so that we could create a greater understanding of their concerns, their values, so that we could do a better job to be able to meet their needs.

Those are the things that have come out of this, and it is somewhat unique because normally when we pull people together, we ask them to come there, we will have a proposal we want them to respond to. This effort was focused just on one thing, and that is just to increase our understanding of the importance of their values, their concerns, so that we could factor that into our management.

So, this has been an ongoing program. There has actually been a lot of good success. This occurred in your State. I have heard it directly from our employees the things they have learned. Also, how just the communities appreciated it, for us just to show up there without an agenda, with one purpose, to listen.

Senator UDALL. I have heard the same thing, and very much appreciate your effort on this. Thank you, Madam Chair.

Senator MURKOWSKI. Thank you, Senator Udall. Senator Capito.

Senator CAPITO. Thank you, Madam Chair, Ranking Member. I am pleased to be on the subcommittee this year, so thank you very much.

PIPELINE PERMITTING PROCESS

Welcome, Chief Tidwell. I am very happy to hear what you are saying. I wanted to go into sort of a different topic. During the last Congress, I introduced some legislation that was included in our Senate passed energy bill, thanks to Senator Murkowski's leadership, that would improve the permitting process for interstate natural gas pipelines.

I am not interested in skipping any of the permitting processes. I am interested in more efficient considerations so that we can make decisions more quickly that are of national interest.

It is important to a State like West Virginia; we have these new proven very large deposits of natural gas reserves in the Marcellus and Utica shale place, so we are excited about that.

In West Virginia and elsewhere, the Forest Service is frequently a cooperating agency on projects on which FERC is the lead agency. Can you explain the priority that the Forest Service puts on making sure it efficiently exercises its roles in these energy projects, and any other things you might want to comment on in terms of the pipeline permitting process?

Mr. TIDWELL. We take our role very seriously, that we want to work closely with the Federal Energy Regulatory Commission (FERC), so that we are never the impediment or the agency that slows down the process. By working closely to raise concerns that we may have, to also identify if we need to be able to make an amendment to forest plans and to be able to approve the construction of the pipeline.

We work upfront on that, and we work very closely with the process. Are there things we need to continue to learn on this? Yes. We have a couple of projects actually in your State now we are working through. We are learning how we can improve our process so that we are more in sync, so that we can get all of the work done

so that when FERC makes their decision, we can quickly follow up with our decisions and the pipelines can be built.

Senator CAPITO. Right. We have the Atlantic Coast Pipeline and we also have the Mountain Valley Pipeline. As we all know, these can be quite controversial. At the same time, I think they are very achievable, and some of it is just kind of foot dragging or it seems the process becomes very, very slow, after a lot of input from locals.

I guess with the FAST Act, there is a FAST-41 list of major infrastructure projects. Do you look to that when you are looking at this, or do you let FERC be sort of your guideline on all of this?

Mr. TIDWELL. We do both. We track the FAST-41 list very closely. Also, even with projects that are not on that list, we want to be responsive, but definitely that list has priority.

RURAL BROADBAND

Senator CAPITO. Yes, good. In your statement, you did not mention this in your comments, but I was reading through your statement, very interested in rural broadband and the deployment of rural broadband. Most of us have big rural areas, and this is a huge issue for all of us.

I noticed in your last bullet point, you talk about seeking several millions of dollars to manage the growing use of Forest Service lands for communications facilities. Is that an interagency communications build out you are doing? Are you working with communities that are in these rural areas? What kind of technologies are you using? I am very interested in this aspect of your responsibilities.

Mr. TIDWELL. So, our proposal is to be able to retain the fees from these communications sites so that we could actually do a better job, to be more responsive, to quickly turn around the applications, and to be able to permit the additional facilities that need to be built.

As you can imagine, especially in your State, those mountain tops are very valuable when you are dealing with every type of communication, and not only for emergency but just everything down to cell towers.

We believe that within 2 years, by retaining those fees, we will more than recover that additional revenue back to the Treasury. That is the magnitude of the work that needs to be done. We also have a lot of sites that not everything is currently under permit, and not every permit is up to date.

It will really allow us to be more responsive because it is just essential that we provide those communications, not only the emergency, but just everything that is needed just for commerce in this country.

Senator CAPITO. So, this is a public/private kind of partnership thing, it is not just within the Forest Service itself?

Mr. TIDWELL. Yes. We issue the permits, and the authorization for private companies to build their towers and to put their communications lines in.

They need that high ground, especially, but they also need access for cabling and that sort of thing.

Senator CAPITO. Do you have a backlog? Is that the issue, that you do not have enough manpower at this point and funding to move these through as quickly as you would like?

Mr. TIDWELL. Yes, exactly, that is the problem. We receive over 6,000 special use applications every year, which goes beyond just communications sites. Our employees work very hard to be able to respond to the applications, but through this legislative proposal, we would be able to increase our staffing, and also work with contractors. We could be much more responsive.

I would think the industry would see a significant improvement with how quickly their applications can be approved.

Senator CAPITO. That is something I think I certainly would be supportive of, and I think you would find a lot of support here to help manage that. Not only are you going through the forest, but there is always something on the other side, you know, private landowner businesses or whatever, schools, to be able to make that connection.

That is important to those of us in rural America who are still on the short end of the high speed Internet and other kinds of communications.

Thank you very much.

Mr. TIDWELL. Thank you.

Senator MURKOWSKI. Thank you, Senator Capito. Senator Merkley.

SECURE RURAL SCHOOLS

Senator MERKLEY. Thank you, Madam Chair, and thank you, Chief. I want to echo Senator Daines' comments on secure rural schools. There is a piece of that, title III, that people were kind of caught in an awkward place by a GAO report in 2012, which essentially said the funding for search and rescue has to be spent on the actual search and rescue as opposed to preparing for the search and rescue.

Can you work with us to try to remedy and clarify that so folks can actually get the equipment they need for the search and rescue, and not have these funds stranded?

Mr. TIDWELL. Senator, we would be glad to work with you on improving the search and rescue. The intent was to be able to provide the funding for all aspects of the search and rescue, but it is one of the things we all learned through implementing that.

Senator MERKLEY. Thank you. I would appreciate your support on that, and again, I certainly hope we can support the continuation of the SRS Program.

INFRASTRUCTURE PLAN

Our outdoor recreation economy in Oregon is a very big deal, and there is a lot of concern about this massive cut in capital improvement and maintenance, from \$364 million to just \$100 million in the President's budget.

I think what I heard you say earlier was well, we will wait for the infrastructure budget to be able to get funding to do the basic capital maintenance. Did I understand that correctly?

Mr. TIDWELL. Yes. We are going to focus on maintaining our staff and expertise so we are well positioned to respond to an infrastructure plan.

Senator MERKLEY. Well, I encourage an alternative strategy, which is that we actually fund capital improvement and maintenance because we do not know what the infrastructure bill will look like. The President has talked a lot about public/private partnerships in terms of toll roads. Out West, we call them "freeways," rather than calling them "tollways."

Really, it is just an ongoing part of making sure that the assets that we have are available and in good shape for the public. It should not depend upon a once in a decade infrastructure bill. I just want to encourage that.

SUDDEN OAK DEATH

We have a big problem in Oregon called "sudden oak death." California has it as well. It is a water mold that affects a lot of nursery plants, but there is a version of it, a North American or NA1 version and a European EU1 version. The EU1 version can affect conifers.

I come from Douglas County which is perhaps maybe grows conifers better and faster than any county in the country. We are very concerned about this. Can we work with you to find a way to find some piece of the programs that we are funding, some funds to try to address both the research of taking this on and the treatment?

Mr. TIDWELL. Senator, we want to work on that issue along with all the other insect and disease and invasive plants that are impacting the Nation's forests. As you mentioned, one has a significant impact on your part of the country and has the potential to spread.

Those are the things that our research and scientists are focused on, to find solutions to be able to address this. We will continue to do our work there.

We have a long list of these issues that we are dealing with across the country that we want to make sure that we can maintain our progress in finding solutions.

COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM

Senator MERKLEY. Thank you. I would appreciate your help on that. The threat to both the timber industry and the nursery stock industry is massive. We should be trying to wipe it out right now rather than risking it spreading across the Nation.

I want to turn to the Collaborative Forest Landscape Restoration Program. We have three of these collaboratives that are producing, if you will, a "truce," or a collaboration between the environmental side and the timber side, making forests healthier while at the same time producing a steady supply of saw logs for our mills.

This program is zeroed out in the President's budget, which was quite a shock. We have such division, that when we have a successful program of bringing two sides together and staying out of the courts, producing jobs and producing healthier forests, is that not the type of win-win we should actually be doubling down on in this contentious world?

Mr. TIDWELL. The CFLRP projects, as you mentioned, have proven to be very successful. This long-term commitment of funding for large landscapes at a minimum of 50,000 acres has produced that collaborative environment, where people have come together and are able to get a lot more work done.

However, we can continue to do that without the specific funding for this program. It is actually the way we should be working across the landscape. The challenge we have moving forward is these 23 projects that we have had have been very successful, and they will now compete along with the rest of our projects to be able to have this funding.

This concept of being able to focus on large landscapes is the way that we need to be doing our work. We can continue to still address that without having specific funding for the program.

Senator MERKLEY. My concern is in being in competition with a diminishing supply of resources, these programs will be damaged. I am hoping we cannot damage a model that really lays out a vision for solving a paralysis that has affected so much of our public lands.

I want to turn to the wildfire reform and echo the comments of my colleagues who have stressed the need for us to adopt a different model. I had not heard the kind of 2 percent strategy that you mentioned. Certainly, an interesting way of looking at it, budgeting some and having more of a FEMA style response to the few really large fires. Any direction we could move on that would be great.

FIREFIGHTING CREWS

Last question. When we hire crews—again, coming from Douglas County where people are intimately connected to the timber economy, we were very disturbed when we got a lot of funding for forest restoration, and there was some in the stimulus, we have some in our annual budgets, that crews were getting the low bid contracts from the Forest Service because they were hiring from out of the country, bringing in H-2B crews, when there were thousands of Oregonians who wanted these jobs, but they were self-certifying that there was no one available, a complete fabrication.

The Forest Service was giving these contracts to the low-priced bids with out of country crews because they were less expensive. Can you work with us to make sure that when Americans want these jobs in the woods, they get full notice and opportunity to apply, and the Forest Service just does not blindly hire and fund teams that are hiring from outside the country?

Mr. TIDWELL. Yes, Senator, you have my commitment to work on that. I will look into this issue. As I understand, that is a requirement, if there are individuals, local Americans, that are willing to do the work, they do the work.

Senator MERKLEY. That is a requirement, but it is a self-certification that there is no one available, and it is being wildly abused. I would like your help in taking that on. Thank you.

Senator MURKOWSKI. Senator Merkley that is a very interesting issue. I was not aware there was this process where those outside the country, those with H-2Bs, could come in and effectively be the fire crews. We have some hot shot crews out of our villages, and

these villagers, for them, this is their job as much as anything in terms of a yearlong source of income.

We have some issues where they say they have not met all the criteria, whether it is a Type 1, Type 2, but if we are utilizing those with H-2Bs rather than our local crews that have clearly developed a level of expertise, that is something I certainly am interested in as well. I appreciate your raising that.

Senator MERKLEY. I might say I have seen less evidence of this on the fire crews than on the forest health crews.

Senator MURKOWSKI. We will look into that. Chief, I appreciated the conversation you had with the issue raised by Senator Capito about the telecom opportunities and the role that the Forest Service can play in helping to facilitate better connectivity.

As you know, in my State, we have a lot of dead zones that are out there, and certainly as you and I flew over the Tongass a couple of years back, you can look down and see.

It was interesting, your comments, about needing access for more cabling, access for installation of the cell towers or the receiving towers. It just kind of caused me to wonder what the impact is to an area like the Tongass, where we have the roadless rule in place, where once again, we do not have the ability to have a road, to either do the install or the maintenance, so whether it is limiting our opportunities to build out renewable energy resources within the Tongass area or communications kind of activities, the roadless rule is, as you know, just an extraordinary barrier to us in so many different ways, and exactly the reason why we need to roll that back within Alaska.

ALASKA MENTAL HEALTH TRUST LAND EXCHANGE

I want to raise a couple of more Alaska specific issues with you. You know we just signed into law the Alaska Mental Health Trust Land Exchange. That was part of the omnibus this past year. I want to thank the Forest Service for working with us to make sure that did become law.

Now, we have to implement it. The law requires that the Forest Service complete the exchange of the first 2,400 areas within 1 year, by May 5, 2018, and then it has another year to complete the exchange.

What is happening now is the Forest Service and the Trust have to select an appraiser and issue appraisal instructions within 90 days of passage, by August 4.

So, the question this morning is whether or not the Forest Service is going to be able to meet these time lines, select the appraiser, so that they can get out in the field this summer, and second to that, whether or not the Forest Service has the financial resources to complete this land exchange as required by law.

Mr. TIDWELL. Madam Chair, we are on track to get the appraisals, the appraiser identified, and get that work done, and we are on track to complete the first phase this year. I want to first of all thank you for giving us this authority, and we are making a commitment to whatever resources are necessary.

I want to use this as a model about how to do land exchanges, especially when we are working between a State and say the Forest Service. I think we can show that when we are dealing with

a State agency and the Forest Service, we can have a more expedited process that still meets all the concerns of the communities and at the same time meets all of our requirements, but do it in a much more shortened timeframe.

Senator MURKOWSKI. If we had waited for the administrative solution, we would be waiting a long while here. We would appreciate the cooperation there. Do you have the resources that you need to do this?

Mr. TIDWELL. We do.

LAND ACQUISITION

Senator MURKOWSKI. Okay. Let me ask about Shee Atika and the Cube Cove land acquisitions. In the fiscal year 2018 budget, I see no money proposed for new land acquisitions, only \$8.4 million to complete land acquisitions in process.

As you know, with the Shee Atika, we are in that process of kind of completing this. I am told hopefully we are going to be able to finish the acquisition of another 6,000 acres, but it does mean the Forest Service has about another seven tracts covering about 9,100 acres, costing another \$9 million to complete the agreement.

I am wondering if the purchase of the last seven tracts here that the Forest Service committed to back in 2015 is considered completion of land acquisitions in process, or are these considered new acquisitions that are not eligible for funding under the current terms of the fiscal year 2018 proposal.

Mr. TIDWELL. Madam Chair, we are on track to complete the next part of the purchases this year, but following that, to be able to finish this acquisition, it will have to be postponed until some time in the future when there is additional funding.

Senator MURKOWSKI. So, why would these not be considered land acquisitions in process, since it is effectively the plan that was laid down back in 2015? These are not anything new, it is just there is a multi-year process for completion.

Why are you considering them new acquisitions, thus, subject to this fiscal year 2018 proposal that says no new acquisitions?

Mr. TIDWELL. They are not new, it is just no funding available. The limited funds that we have in our fiscal year 2018 budget request would be to be able to finish up all the work that we have implemented with the current funds.

So, there is not a new project, it is just there would not be any funding available to complete the rest of it.

Senator MURKOWSKI. If it is not a new project and you recognize it as something that has been committed to, how can we prioritize this so that we complete this land acquisition as was laid out over 2 years ago now?

Mr. TIDWELL. Well, we have the list of land acquisitions that we provided in the fiscal year 2017 budget request. That is our priority list, which includes completing the next two phases of Cube Cove, and we will finish that work, but without additional funding in fiscal year 2018, the rest of it will have to be put on hold.

Senator MURKOWSKI. Right. You can see my concern here. We have an administration that has basically said no money for new land acquisitions, and we are saying this is not a new land acquisition, this is something that was agreed to some time ago, we need

to complete it. I do not want us to be in this category of nothing will be allowed because we have a view within the administration that we are just not going to have new acquisitions coming forward.

I am going to continue to press on this and ensure that the Forest Service keeps the commitment that was made some time ago. Senator Udall.

FEDERALLY RECOGNIZED TRIBES

Senator UDALL. Thank you, Madam Chair. Chief, building on the previous line of questioning around unique local community associations, another area that can always be improved is meaningful government-to-government consultation, with the 23 federally recognized Tribes in the State of New Mexico.

I have heard from Tribes that it seems like the Forest Service does not understand why Tribes may want to protect information from the public, like the location of their cultural resources and sites, or understand how Tribal consultation is different from engagement with other stakeholders.

As you know, federally recognized Tribes are not simply stakeholders, they are sovereign governments. What are you doing to better inform all Forest Service employees about the best practices for engagement with Tribal partners in developing management plans that reflect meaningful consideration of Tribal input? How is the Forest Service working to consult with Tribes in a meaningful way and respect their wishes?

Are there other resources the Forest Service needs in order to fully comply and carry out government-to-government consultation?

Mr. TIDWELL. Well, Senator, we have always understood the importance of our consultation with our Tribes, and one of the things that came out of our Sacred Sites Report that was completed a few years ago was a need for us to provide additional training.

We have actually put together some training tools to be able to share what we have learned, as we sat down with the Tribes across this country, so we could do a better job with consultation.

We are going to continue to implement that training, to ensure that our employees understand the significance and importance, and also how to do this; to be able to show that respect as we do our consultation, and to also understand why at times it is probably not going to be shared exactly where these places are, where these sites are, because of the concern of the Tribes.

We need to respect that. We need to be able to recognize that. That is some of the things that came out of this report that we put together over the last few years. It is one of the things we are moving forward so we can continue to carry out our responsibility to do our consultation with all the Tribes, and do it in a way where they definitely feel the respect they deserve.

Senator UDALL. Are there other resources that might be needed to do this, Chief?

Mr. TIDWELL. This is ongoing work. One of the things we are looking at is how to have a better understanding of all the consultation. For some of our Tribes, it is just almost weekly that we are reaching out to them to consult on our various projects.

We are looking at ways of how can we maybe get better organized so that there is less of a burden on them but at the same time they are getting the time they need with us, and the information they need in our proposals.

To somehow lessen the burden that we put on our Tribes due to this consultation. That is the thing that we are working on. It is one of the things that came out of this report. There are various Tribes that are just inundated with the amount of consultation we are doing.

We are looking to find a better way to be able to do that so it is a more efficient process, but more important, it is what the Tribes need. We are working very closely with them as we move forward to design some different approaches.

ENDANGERED SPECIES ACT

Senator UDALL. Thank you, Chief. I have heard, Chief, of complaints from stakeholders in New Mexico that when consultation is required for an Endangered Species Act on national forest lands, rather than coming to the table to work through concerns, after the Fish and Wildlife Service has done their informal assessment, the Forest Service points the finger at the Fish and Wildlife Service and tells constituents to go talk to them.

There is often a sense that the Forest Service does not offer any flexibility to work through options and come to a reasonable solution for all interests.

As you and I both know, the process of Section VII consultation is best performed through collaborative consultation, where the affected agencies and as appropriate stakeholders sit down and work through how best to implement the recommendations of the Fish and Wildlife Service to avoid jeopardy for a species, keeping local interests in mind.

We all want to find what is best for the species, the forests, and New Mexicans within the law. Can you commit to me to helping to steward these issues in New Mexico, and work with the region to bring stakeholders together to address ESA concerns, not just sending them to another Federal agency and passing the buck?

Mr. TIDWELL. Senator, you have my commitment. I will reach out to leadership in this agency to ensure that we continue to work very closely with the Fish and Wildlife Service.

In your State especially, we have some great relationships, and people are sitting down working together. I understand some of the challenges. When I look at the track record, I think we have a pretty good track record in our favor. However, I am sure there are opportunities for us to improve, so I will look into that.

We are also finding the efficiencies that I believe are possible through our consultation when it comes to Section VII.

We did some work up in the Pacific Northwest in the last few years with the Fish and Wildlife Service where the Director and I went out and met with our employees together to be able to share our commitment about how we need to work together, to not only protect the species, provide that habitat, but at the same time to get the work done on the ground that in so many cases is what protects that habitat.

That is the sort of thing we need to probably expand, and I look forward to seeing what we can do in your part of the country.

Senator UDALL. Thank you so much, Chief. Thanks, Madam Chair.

Senator MURKOWSKI. Thank you, Senator Udall. Senator Hoeven.

GRAZING PERMITS

Senator HOEVEN. Thank you, Madam Chairwoman, Chief Tidwell. Good to see both of you here, thanks so much for appearing.

Chief, in your testimony you referenced a legislative proposal regarding the extension of grazing permits. Obviously, grazing permits are very important to our State. Please tell me how that would impact North Dakota grazers.

Mr. TIDWELL. Our request is just so that all grazing east of the Mississippi, including the grasslands, would be considered.

Senator HOEVEN. You said east of the Mississippi?

Mr. TIDWELL. East of the Mississippi and all of the grasslands would be treated the same as the rest of grazing on national forests, so that we could continue to renew the grazing permits, even when we have not met the rescission schedule.

We just believe we need that. It has worked out well on the national forests out West. We are asking just for what I think is a technical change so that the grassland permits and grazing permits east of the Mississippi would all be treated the same, and we can always be able to renew those permits.

Senator HOEVEN. The only thing I would be careful about, because I have run into this with natural resources management in a variety of agencies and a variety of capacities, not everything is the same. The same thing with energy development.

The way we produce oil and gas, we are bringing it up from two miles down, very far from any potable water sources, a lot different than they do it in the Utica and other parts, Marcellus, for example.

In the same way, our terrain is different; our climatology is different and so on and so forth. You have to have the ability to do what makes sense, common sense, on the ground, regardless of where you are.

I am a little concerned about—I sometimes find that lawyers in Washington, DC get enamored with consistency across the entire United States. It is a big country, more than 300 million people, and you have to be able to exercise common sense and good judgment on the ground depending where you are at.

Mr. TIDWELL. Senator, just let me clarify again what we are asking for is so that when a grazing permit with an association say on the grasslands, it comes up for renewal, that we are able to renew that permit even if we have not met the NEPA schedule and the rescission plan.

It is just essential that we are able to always renew those permits. We have that authority on the national forests west of the Mississippi; we just are asking to have that authority for the grasslands and for the grazing in the East.

Senator HOEVEN. I have found that you are an individual willing to exercise good judgment. I want to make sure you have the flexibility and authority to do so.

ACCESS TO SECTION LINES

In North Dakota, we have a section line law. Actually, I think it goes to our constitution. For every square mile, on every single section line, we have county roads. Those county roads are open to public access unless closed by the county commission.

On some of the grasslands, we are running into situations where you and your people are restricting access to those section lines. We think that violates our law and constitution in the State of North Dakota.

Mr. TIDWELL. Senator, I will have to get back to you on that. I am not aware of the status. I know there has been some long-standing litigation on this issue. I will have to get back to you on that.

[The information follows:]

Regarding access to section lines, this matter is currently under litigation. At this time, and until resolved, we are unable to provide any further details.

Senator HOEVEN. Okay. As usual, and we have had you out there a number of times, we may have to have you come out again. In the summer, it is always a nice visit for you, is it not?

Mr. TIDWELL. It is.

Senator HOEVEN. We love having you. Our cowboys love seeing you. They have kind of gotten to know you.

Mr. TIDWELL. Can we go right now, today?

Senator HOEVEN. Yes, actually, that would be great today. We may have to have you come back. We may need your help on it. In the past, you have been very responsive when these kinds of issues have come up, and I appreciate it, but we seem to be bumping into this jurisdictional issue, so we may need your help again.

FIRE FUNDING

I apologize, knowing our Chairwoman, she has probably already asked you about this, so this could be a redundant question but I have to ask you about funding for forest fires.

Do you have adequate funding for forest fires, and will you once again tell me about your thoughts and I hope commitment to working with volunteer efforts and helping the State funding efforts.

Obviously, in rural areas, we rely very heavily on our State, rural, and volunteer firefighters out there in a lot of these places. It is the volunteers that get there and fight the fires. They may get reinforcements, but they are first on the scene, and we need to make sure we are helping them. So, if you could just address that.

Mr. TIDWELL. In the fiscal year 2018 budget request, we are asking for full funding of the 10-year average cost of fire suppression. However, we also recognize that we need to work with Congress to find a solution for the cost of fire suppression.

It is one of the things we are going to need both, the 10-year average covers about 98–99 percent of the fires we have every year, but it is that 1 to 2 percent of our fires that when we have a very active fire season, it goes way beyond our capability to handle it within our appropriations.

It is one of the things we are looking forward too. We need your help and ongoing leadership.

Also, when it comes to volunteers, they are essential. They are often the first responders to fires, not only in your State but in most of our States. With our budget, we do provide funding for State fire assistance. However, it is one of the programs that there is a reduction in. I know that is going to be challenging. We want to work with the States to be able to get as much as we can to provide the support they need, the equipment they need.

Senator, I also just need to thank you for your leadership, the meetings that I have attended that you have asked me to come out to your State, through your leadership, it has made a significant difference. I believe that we have better relationships, especially with a lot of our grazing associations today, better than ever. I give you the credit for taking the time to be there and the way you conduct those meetings. Thank you for that.

Senator HOEVEN. I appreciate that, Chief. You know, our cowboys there are an independent breed. They are out there come any kind of weather taking care of their livestock. It does take you coming out to kind of win their approval and acceptance, and I thank you for your willingness to do that. Appreciate it.

FIRE ASSISTANCE PROGRAM CUTS

Senator MURKOWSKI. Thank you, Senator Hoeven. The discussion about the State fire assistance, that is also an area that I would certainly have concerns with. In fiscal year 2015, when we saw over 10 million acres burned nationally, 5.1 million of those acres were in Alaska. What we received through the State fire assistance and the volunteer assistance programs, as you know, Chief, is great support for us.

When we look at these proposed cuts, we see that it hits Alaska pretty hard with regards to that support for fire staff in leadership positions, as well as the initial attack firefighters.

I guess the question to you as we are looking at this budget proposal is why not propose to make larger investments in these programs, again, in order to save the costs up front? It just seems to me that when we are talking about how we tackle these fires, that money up front is money well spent.

Mr. TIDWELL. Madam Chair, I agree with you about making the upfront investment, and with this budget request, we had to prioritize what was the highest priority work, and that is the work on the national forests, reducing threats to communities, and yes, there are some tradeoffs.

I will point out again when I think of the \$156 million increase in the 10-year average, if we had a solution to that, where you did not have to provide that level of increase in funding, it would go a long way to resolve a lot of these other issues that we have with our budget.

These are very difficult reductions that we are proposing to very important programs. It is just a matter of priorities.

ROAD FUNDING

Senator MURKOWSKI. I think you have clearly heard that just about every Member who has been here this morning has raised this issue. It was again almost the exclusive subject of conversation between us as appropriators and me on the authorizing side with

Senator Cantwell this morning with the Secretary. Working with the administration to finally resolve this, I think, has got to be key. As I look to your budget and the budget proposals, so much of this is really contingent on getting a fix, finally resolving this.

I mentioned the decrease in my opening statement in the capital improvement and maintenance road funding. I look at this and am really quite concerned as to whether or not you have sufficient funding to keep open the roads that you currently have throughout the system, and whether or not you have sufficient resources to maintain the infrastructure, to help facilitate the recreation that we have been talking about, the restoration projects, the timber sales, so again, getting this right.

I want to ask specifically on the question of the roads, and whether or not you believe you have the funding necessary in this budget proposal for the existing roads and keeping them open.

We have a situation in Alaska. This is near Excursion Inlet. This is in Northern Southeast. We have a situation where there is a bridge there, which is in pretty tough shape, and it has caused that bridge to be shut down, apparently, indefinitely.

The problem is that this bridge is the only way to get to a water source that is needed by a nearby cannery. This cannery employs 600 people there. It is basically the sole source of income or revenue generated for this community.

You have fishermen that are impacted, process workers that are impacted, the local government's tax base, and it is all because you have a small little bridge here that you all cannot seem to maintain.

We have a situation in that case where the local government has found half of the money, an additional \$350,000 is needed to make the repairs. In this day and age, \$350,000 should be pretty easy to round up and find, and yet because we have not been able to bridge this gap, excuse the pun, you have a local economy that is absolutely at risk.

I look at this as a specific example and say how, given this budget and the reduction that you have proposed in the capital improvement and maintenance account—how are you keeping things open? What are you going to do here out in Excursion Inlet?

Mr. TIDWELL. Well, with this budget request, we are going to focus on maintaining our staffing and our expertise to be able to respond to the infrastructure plan, so that we can provide that access, maintain the access for not only recreation but also all the management of the national forests.

Senator MURKOWSKI. I need to make sure I understand exactly what that means. It means you want to make sure you have sufficient staff; correct?

Mr. TIDWELL. Yes.

Senator MURKOWSKI. If you have sufficient staff but you do not have the funding for the staff to work, why do we even need to keep the staff? You see my problem here. We have to have both. You have to have the manpower, obviously, but you have to have the resources to do that operation and that maintenance.

Mr. TIDWELL. Yes. If an infrastructure plan comes together and we do not have that expertise, we are not going to be able to move forward to implement it.

INFRASTRUCTURE PLAN

Senator MURKOWSKI. Are you banking on the President's soon to be released infrastructure package to be the end all and be all to solve things like a small little bridge maintenance issue in Northern Southeast? Are you looking to that to basically be your capital projects fund?

Mr. TIDWELL. The infrastructure plan could provide funding for that. Your bridge situation is not the only one.

Senator MURKOWSKI. I understand, and that is the reason I raise it, I know it is but one small, small example. Having recognized that, it speaks to the much larger problem, and again, if the view is rather than including funding in a budget proposal that would really help facilitate capital improvements and maintenance, instead of funding that, we are going to bank on a larger national infrastructure project, my concern is the big bridge, wherever it may be, will get that funding, but that \$350,000 that is going to have an extraordinary ripple effect in this small community will be overlooked because it is not big enough potatoes.

I think we all want to see what this infrastructure package will yield, but on the same hand, you do not want our departments to basically be viewing that as this will be the fund and the source for ongoing maintenance and operations of our existing infrastructure.

Do you see my point?

Mr. TIDWELL. I do.

Senator MURKOWSKI. I am well over my time. Let me go to Senator Udall.

FIRE ASSISTANCE PROGRAM CUTS

Senator UDALL. Thank you, Madam Chair. The State and volunteer fire assistance are proposed for cuts of 11 and 23 percent, respectively. Can you elaborate on the impacts of those cuts? How many fewer fire engines or equipment our State and local partners will be able to purchase and outfit?

Mr. TIDWELL. Senator, I do not have an estimate on the number of engines, but there is no question there will be less funding, less grant money available that we provide through the States to these volunteers.

We are going to continue to do what we can to not only maintain our relationships but also to provide excess equipment to especially our volunteers who rely on that excess equipment that we are able to provide.

It is one of the things that I am hopeful we can maintain that level of equipment, but there will be tradeoffs. There is just no question. If we make some very difficult choices with this budget, these are some of the things that we want to be able to be as responsive to the States' needs as we have been in the past.

LAND AND WATER CONSERVATION FUND (LWCF)

Senator UDALL. Thank you. I want to work with Chairman Murkowski to restore the Land and Water Conservation Fund, including funds for both new and continuing acquisitions.

As you know, Chief, the Forest Legacy Program, part of the LWCF, has also been incredibly successful in the 25 years it has existed, thanks largely to the work of our Vice Chairman, Senator Leahy.

States submit projects and a selection committee of State foresters prioritizes the submissions. All the funds go to the States to be cost shared and are responsible so far for keeping over 2.6 million acres of non-Federal forest lands from being developed into non-forest uses.

These lands continue to be working for us, providing sustainable timber and jobs and all other benefits that come from forests. In fiscal year 2017, the first phase of the Brazos Cliffs project in New Mexico was funded but it requires an additional \$2 million in Federal funds to complete conservation of the property.

Why does the budget eliminate such a valuable program, what outreach is the Forest Service doing to determine what impacts these funding cuts will have on State forest conservation plans without Forest Legacy funding or other State or private forestry programs eliminated by this budget, how will the Forest Service assist the States in preventing the fragmentation of environmentally significant forests?

Mr. TIDWELL. Senator, our budget request focuses on carrying and maintaining the lands that we currently have within the national forests and grasslands. So, that is our number one priority.

Programs like the Forest Legacy and LWCF that have proven to be very helpful in the past, to be able to help landowners to keep their ranches, farms, forests as working lands has also been successful.

However, with just tough choices, that is one of the things we need to focus on, taking care of the lands that we have. That is the rationale behind our budget request.

Senator UDALL. Senator Murkowski, I look forward to working with you on the Land and Water Conservation Fund and some of these projects that are moving along and have been in process.

COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM

Another proposed elimination I mentioned in my opening statement is dedicated funding for the Collaborative Forest Landscape Restoration Program. I think you mentioned this, Chief, in talking with Senator Merkley.

This program funds 23 projects across the country. We have two in New Mexico, Southwest Jemez and Zuni Mountains. These projects have brought together public and private land managers, conservationists and Pueblos in a way that benefits both forest ecosystems and local economies.

As you described, this is a really good partnership, good collaboration. If this budget were adopted, would current CFLR projects receive the funding that was committed to them when their agreements were signed?

Mr. TIDWELL. Those projects will have to now compete with all the other projects we have, but we can still go forward.

The other thing I would point out with CFLRP is that where it has been very effective in parts of the country where we have hazardous fuels issues, we were not able to use that program in other

parts of the country, whether it is in the lake States or places in Alaska where we still have the need to be able to make that long-term commitment for large landscapes.

It has shown us the right way to work, the right way to be able to do it, it was limiting to those areas where we needed to have a hazardous fuels concern to be addressed.

So, we are committed to moving forward and using this model beyond what we have done in the past. The reality is those ongoing projects are going to have to compete, and I suspect many of them will be able to compete very well.

CAPITAL IMPROVEMENT AND MAINTENANCE PROGRAM CUTS

Senator UDALL. That is good. Given the President's bold statements about supporting rural jobs and building infrastructure, one of the most surprising cuts to the Forest Service budget is within the capital improvement and maintenance program, properly maintain facilities, roads and trails are necessary for the public to access and enjoy their public lands, not only that forest roads are necessary for contractors to implement fuels reduction projects and for logging companies to remove merchantable timber.

I do not understand how a \$100 million reduction in road construction will allow the administration to maintain the 3.2 billion board feet level of timber sales that we have seen in the last several years, let alone meet many of the agency's multiple use mandates.

Can you tell me what the rationale was for the cut to this program which creates jobs and supports the core functions of the agency? How do you plan to distribute such a paltry amount of funding for these activities? Will you continue to spread the funds proportionately across all of the regions, or will you focus on specific forests or initiatives?

Mr. TIDWELL. With our budget request, it does provide our ability to be able to maintain our staffing and expertise, to be able to respond to the infrastructure plan. If that does not occur, then we will have to look at our highest priority work across the country. There is no question there will be definitely less road construction.

I need to stress that it is not new construction. These funds are really focused on maintaining our existing road system. We build a few new roads every year, primarily in Alaska, but even there, it is very few. This is work to be able to maintain the system that provides the access.

We remain optimistic on the infrastructure plan, that we have proven in the past when additional funding has been made available to this agency, that we have been able to quickly respond, to be able to implement those projects, to be able to not only maintain our system but also deal with some of the deferred maintenance.

I also think we can make a very strong case where our road system, our infrastructure, our bridges, our facilities, our campgrounds, it is a good investment. We have the economic information where we can show that by making this investment, there is a good return not only to providing the community access but also just providing the economic activity.

Senator UDALL. Thank you, Chief. Thank you, Madam Chair.

Senator MURKOWSKI. Thank you. Chief, you might notice that we did not take a break at 10:30 for a vote. It has been moved to this afternoon, which is good for us, maybe bad for you. It has allowed us to be efficient as we have moved through the questions. I just have a couple more.

HAZARDOUS FUELS MANAGEMENT

On the hazardous fuel side of things, we have invested significant resources over the years. I am told over \$1.4 billion since fiscal year 2014. Now, what you are doing is proposing to move hazardous fuels spending out of wildland fire management and into the National Forest Service budget.

I think you have heard a little bit of the frustration from folks here today on the pace and scale of hazardous fuels management within the national forests.

I am a little concerned that the increase for national forest management is almost entirely made up of bringing over the hazardous fuels from the wildland fire account.

Walk me through this strategy. Is this a cohesive strategy that somehow or another is going to allow us to better manage our national forests? Does it make us more efficient, more effective? How are we making sure that we are placing a priority on those acres that are most in need of hazardous fuel reduction?

Give me the thought behind this, and why it is going to make management better.

Mr. TIDWELL. Our thinking behind this proposal is just to increase the integration between our hazardous fuels work and our forest management work. I will use the Ranking Member's State, when we are out there doing a timber sale, thinning out those forests, we are reducing hazardous fuels. There is a dual benefit.

It is just to promote strengthening that integration. On the ground, when you get down to the ranger district level, this is already occurring.

Our proposal is to be able to try this in a way so that we can actually increase the efficiencies and increase the integration and actually do a better job to be able to establish the highest priority work, and not only to deal with hazardous fuels work and wildland-urban interface, but also to do hazardous fuels reduction that is beyond wildland-urban interface, and at the same time to be able to increase the work, accomplishing this through our stewardship contracts and through timber sales.

That is the purpose of this, just to increase our integration. I look forward to being able to report back to you on increased efficiencies. It is one of the things that we are going to track very closely as we move forward, if we get this change.

I am optimistic that it will just strengthen our integration and allow us to be able to get more work done, and also make it a little easier to do those projects. So many of our projects have a combination of reducing hazardous fuels, they have timber sales, so as we have talked in the past about the regions where we have the pilot authority with the Integrated Resource Restoration (IRR) program, this will help us to be able to gain some of those efficiencies throughout the rest of the agency.

Senator MURKOWSKI. We are all about efficiency and making sure things work. I look at it, and call me a skeptic now, but if you can demonstrate this actually does get us to the place that you have outlined here, efficiencies are good.

RECREATION PERMITS

Let me ask my final question here about recreation funding. This summer I am going to be blessed again, as a child of the Tongass, to be able to go back to my roots. When I go to Wrangell, everybody wants to know where are we on making sure that some of these recreation permits are moving through.

You have a 4 percent decrease in this category here, this is less than some of the other decreases, I understand that. Again, even that hits pretty hard in some of these communities where this is a real big part of their economy here.

In recent years, we have had some discussions about what we have seen within the State of Alaska for their recreation funding, and we have seen dollars allocated to Region 10 that have generally increased, but we continue to hear concerns regarding administration of the specific recreation programs in Alaska.

It is an ongoing problem, unfortunately. I have been assured over the years that things were getting better, but I am told the Forest Service overall is touting a 31 percent cut in the recreation permit backlog, that is what I understand as I am talking to folks. They have not seen that yet.

Making sure the Forest Service is continuing to modernize and to really make progress with the demand that is out there remains a priority of mine. I would ask for just an update from you in terms of how you feel this proposed level funding is going to impact the processing of permits, what assurances can I give so many in the Tongass that again are relying on an expeditious process in advancing these permits?

Mr. TIDWELL. Madam Chair, we made a significant investment this year to be able to modernize how we issue our special use permits, and the recreation permits are also the land use permits.

We are going through that effort this year. You will start to see the real benefits of that starting next year.

MODERNIZATION

Senator MURKOWSKI. You know how that scares so many of us? Because when we hear the term "modernize," what that means is it is a central facility located somewhere in Maryland, not that Maryland is bad but it is a long way from Wrangell, Alaska. That modernization, that efficiency, does not necessarily translate well to the person on the ground.

I do not mean to interrupt you there, but that is a concern. I understand we need to get to a more efficient system.

Mr. TIDWELL. Well, I will choose a different term in the future.

Senator MURKOWSKI. Okay.

Mr. TIDWELL. The effort is for us to really identify so many of our activities really have no impact out there on the land, and yet we still require the applicants to go through a very lengthy process, so we are identifying those types of activities so that we can quickly provide that permit.

Over time, we are going to be moving to e-permitting, so where folks have that connectivity in the future, they are going to be able to do this through say the Internet or ideally on their telephone for a lot of the permits that take up a lot of time.

Senator MURKOWSKI. It takes me back to that roadless rule and how we still cannot get that connectivity on our Smartphones in so many places. We will work with you on that.

Mr. TIDWELL. That is what this is about. It will free up our staff's time to really focus on the bigger proposals that we need to put the time into, do the public comment period, be able to sit down with the public.

That is our effort to basically improve our processes and really identify a lot of things that we currently permit. We ought to be able to just quickly turn that around and make it very easy on the applicants, and then free up our time to really work on the more significant proposals that come in.

Those are the things that we are working on this year. We made that significant investment to be able to have the staff spend the time on it this year so we can move forward with it next year.

FISCAL YEAR 2018 BUDGET REQUEST

Senator MURKOWSKI. With the funding cuts in the budget, will they impact what you are trying to do there as you are modernizing or updating this?

Mr. TIDWELL. There is no question when it comes to recreation, we have a tremendous backlog, not only in permits but in our facilities, and just being responsive and providing those outdoors experiences.

I am hopeful that the efficiencies we can gain through this can offset the reduction we see in the budget. We are also expanding our work with partners to be able to get more people to come to the table to help us on this work.

Those are the ongoing efforts. I wish we were in a different scenario. The reality of it is what we are trying to do is focus on the highest priority work, gain efficiencies through our processes so that we can continue to be as responsive as possible, and really do a much better job when it comes to a lot of our special use permits, and especially with the recreation activities.

It is the number one economic activity off the national forests throughout the country, and it is not only the jobs that are provided, but it is just that quality of life. People want to have access. Groups want to be able to go out. That is one of the things we want to really change, how we deal with applications for groups that want to go out on the national forests, whether it is a church group, a scouting group, a city supported program, and to find ways that we are going to be much more efficient in being able to process those and actually eliminate a lot of the process that these folks have had to go through in the past.

Senator MURKOWSKI. Do not get me wrong. I am supportive of greater efficiencies and anything that would allow for an easier opportunity to access. I do think that has been limiting, and I think it has been unduly burdensome at times.

Working to get this right is something that I appreciate. We have had this conversation before where you have had a history in a re-

gion of being able to derive and maintain a local economy because of the availability to harvest on our national forests. Our policies have moved us away from that.

The Forest Service says look to tourism from our national forests, use that as your more sustainable economy. We have individuals that go that direction, and yet they are stymied with their ability to get a permit to do just that.

When you are a community like Ketchikan, .03 percent of the Ketchikan borough is available as a taxable land base because everything else is part of our national forests, you basically have been told by your national forest you cannot cut trees, go ahead and engage in tourism, but we cannot get you the permits to do the tourism. Where do you go as an economy?

So, this is the frustration. It is nothing new, it just continues. When you talk about gaining efficiencies, know that I want to work with you on that, but you cannot talk about it and say this is the direction we are going, and then reduce your budget. It does not allow you to get there.

We will work with you on that. I have way exceeded my time, Senator Udall. Please proceed.

QUALIFIED PILOTS

Senator UDALL. Thank you. I just have one final question, Chief, and thank you so much for your testimony today.

This is in regard to aviation and fighting fires from the air. Additional planes in the pipeline, converted Coast Guard C-130Hs, there is a schedule that is working out there. I understand there is some talk about having not enough qualified pilots for the number of aircraft you expect to operate when you are outfitted with a full complement of your contractor and government air tankers.

Are these concerns legitimate, and do you share them?

Mr. TIDWELL. Senator, I am not aware of concerns. I will get back to you on that. I have not heard that.

[The information follows:]

The USDA Forest Service does not expect problems in hiring enough qualified pilots for its C-130 large airtanker fleet. In the summer of 2015, the Forest Service published a Request For Information in FedBizOpps.gov for the programmed fleet of C-130 large airtankers. There were five companies that responded they would be able to provide the necessary pilots for the program. The responses included companies currently under contract with the Forest Service as well as companies not under contract. It included different approaches to staffing such as taking current airtanker pilots and training them in the C-130 as well as hiring experienced C-130 airtanker pilots. We do not expect significant changes in industry's ability to provide pilots.

Mr. TIDWELL. As we move forward to bringing on the C-130Hs, we are going to contract the operation of those out, and I do not expect we are going to have any problems. I know our contractors that are providing the large air tankers, they seem to have pilots that are capable of flying those aircraft.

If there is an issue here, I will get back to you, but I am not aware of one.

Senator UDALL. Thank you very much, appreciate it. Thank you, Madam Chair. I look forward to working with you.

Senator MURKOWSKI. I do as well, Senator Udall. I appreciate it. Chief, I appreciate your time here today. Ms. Elliot, we did not ask

you any questions. The Chief was able to handle himself adeptly, which we appreciate.

We clearly have a lot of work to do. I think you have genuine commitment from this committee as well as others on the Energy Committee, and working with the Secretary to address how we are going to deal with the issue of fire and fire budgeting. We have to get that behind us. I think that will help to address some of the concerns that have been raised today.

ADDITIONAL COMMITTEE QUESTIONS

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED TO CHIEF TOM TIDWELL

QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

TONGASS FOREST INVENTORY

Question. In the winter of 2015, the Tongass Advisory Committee (TAC) recommended the Forest Service complete a comprehensive stand-level inventory of young growth and old growth (to come up with bridge timber) on the Tongass in order to determine the volume of timber available to transition the timber program to young growth in the artificial timeframe called for by our last Secretary of Agriculture.

In July 2015 the State of Alaska and USDA State & Private Forestry have entered into a \$4 million challenge cost share agreement to inventory a sample of young growth (and old growth) on Prince of Wales Island. Two and a half million dollars will be used to improve forest resource inventory information and \$1.5 million will be used to support workforce development, improve forest industry infrastructure, and support young growth forest management practices.

It is my understanding that approximately 11,000 acres of young growth and 11,000 acres of old growth have been surveyed so far and the next field season is gearing up. I want to be clear, I still believe this work should have been done before the Tongass Land Plan was amended to lock in the last Secretary's transition timeline and I hope this administration will wait to move forward with the transition until it has this information.

Given that you have finished more than a third of the 70,000 acres that are part of the sample inventory what are the preliminary results? Is there any "fall down" in the timber availability estimates because of timber harvest prescriptions or additional land set-a-sides needed to meet current Forest Service environmental standards and guidelines?

Answer. Preliminary results of the inventory are not yet available. The focus of the fiscal year 2016 and fiscal year 2017 field seasons has been on the collection of the data (plots) as well as meeting the other deliverables in the agreement (workforce development and all lands/all hands southeast Alaska-wide engagement). The forest expects to post the raw survey data online soon. Verified stream data is critical in determining fall down acreages.

Question. How much additional funding, if any, will the Forest Service need to complete the comprehensive inventory called for by the TAC of all timber resources (not just this sample study underway) and does the Forest Service plan to move forward to accomplish that work?

Answer. The Tongass Advisory Committee recommended the Forest Service "complete a thorough analysis of young growth inventory at the stand level in the first 3 years of the transition to more accurately predict the young growth timing and supply to complete the transition." The stand-level inventory currently being conducted under the Challenge Cost Share agreement between the Forest Service and the State of Alaska includes both young growth and old growth. The information gained from this inventory, along with other existing information, is of sufficient scope and depth to plan project-level timber sales. We believe that the amount of data being collected during 2016–2018, as funded by the Challenge Cost Share agreement, will be sufficient to complete a comprehensive inventory for the Tongass.

Question. Do you have enough money in your budget to implement another TAC recommendation that the Forest Service fund a "cut up" study to determine if there

are products that can successfully be made and marketed using the quality of Young Growth that grows in the Tongass? Is production of Cross Laminated Timbers (CLTs) for construction a likely market for Tongass Young Growth?

Answer. There is currently sufficient funding in the fiscal year 2017 budget to complete the remaining layout and conduct all necessary plot measurements in advance of harvesting. The “cut-up” study is being designed by the Pacific Northwest Research station in Juneau. Sites have been selected and verified on the ground. The study plan calls for harvesting, sorting, transporting, and milling to occur via a separate contract in the spring of 2018. Funding early in fiscal year 2018 would be necessary to ensure implementation during 2018.

Production of cross laminated timber (CLT) could be a future option for Tongass young growth, and would depend on reliability of the timber supply; cost of power needed for drying, dressing, laminating, and pressing the timbers; and whether the end product can be cost effectively transported into the market stream. While demand for CLT is growing throughout the United States, with more than 100 CLT buildings in planning stages at this time, additional analysis needs to be done on supply and demand for CLT to see if it is a viable future option for Tongass young growth.

HAZARDOUS FUELS

Question. Is moving Hazardous Fuels funding out of Wildland Fire Management and into National Forest System part of a cohesive strategy that will improve management of our national forests and lead to healthier ecosystems and less catastrophic fire?

Answer. Yes. Hazardous fuels treatments will be better coordinated with other National Forest System treatments, which should improve effectiveness and allow the Forest Service to improve our ability to achieve integrated outcomes in a financially constrained reality.

Question. How will it make the program more effective or more efficient?

Answer. Because hazardous fuels management occurs primarily on National Forest System lands, this shift will allow for hazardous fuels work to be better coordinated and integrated with other treatments.

Question. Will the ecological underpinnings of the program be maintained as it is moved into a budget system that has a landscape level approach?

Answer. Yes. The Hazardous Fuels program will continue its ecological approach to reduce wildfire risk and develop resilient ecosystems.

Question. What is being done to make certain that the highest priority acres are the ones that are treated?

Answer. Assessments of fuels treatment effectiveness show that 91 percent of treatments were effective in changing fire behavior and/or helping to control wildfire in fiscal year 2016. Hazardous fuels treatments are prioritized to focus on areas with highly valued resources like communities, areas of high fire potential, and areas where the agency could alleviate risk most effectively. The agency continues to evaluate the risk to communities and monitors the effectiveness of fuels treatments to ensure highest priority acres were addressed.

Question. How does the Forest Service plan to prioritize cross-boundary treatments?

Answer. The Hazardous Fuels program emphasizes cross-boundary work through efforts such as the Joint Chiefs’ Landscape Scale Restoration program with the Natural Resources Conservation Service as well as selecting projects that reduce wildfire risk where communities are actively engaged. The Forest Service will continue to prioritize funding where multiple efforts are working to treat the landscape across ownerships.

COLLABORATIVE FOREST LANDSCAPE RESTORATION (CFLR) PROGRAM

Question. The fate of the individual CFLR projects is unclear in the budget documents. Given that CFLR projects historically are also funded with dollars outside the CFLR line, does the budget propose to eliminate the individual CFLR projects or would it keep the collaboratives in place?

Answer. Although the fiscal year 2018 budget proposal includes the elimination of this program, existing CFLRP projects, and the collaboratives they support, will remain in place and will be funded through other agency programs that do restoration work. The Forest Service will continue to promote collaborative forest management and landscape scale restoration strategies within our other programs.

Question. Do you have updated information to quantify how the CFLR program reduced unit costs, either for acres treated or per unit of wood produced; how CFLR project areas have reduced NEPA costs and increased the speed with which NEPA

analysis is completed; how many actual acres have been treated in CFLR project areas compared with non-CFLR acres since 2010; and, how those numbers compare with the unit's pre-CFLR performance?

Answer. The Forest Service does not maintain information on the cost per acre or unit of wood sold by CFLR. While the funds appropriated through the CFLR authorization cannot be spent on NEPA analysis, we have learned that collaboration can result in NEPA efficiencies. Agency-wide in 2016, completing the NEPA analysis (defined as from Notice of Intent to signed Finding of No Significant Impact or Record of Decision), took 730 days for Environmental Assessments (EAs) and 1,373 days for Environmental Impact Statements (EISs). CFLR projects increased community support for large scale projects, reduced number of objections to projects and—for the most part—eliminated lawsuits. Preliminary data show CFLR projects completing NEPA analyses in less time:

—In Colorado, the Escalante Landscape Restoration Stewardship EA took 192 days.

—In Colorado, the Dove Vegetation Management Project EA took 615 days.

—In Oregon, the Magone EIS took 808 days.

—In Idaho, the Lost Creek Boulder Creek EIS took 557 days.

CFLR projects also increased community support for large-scale projects, reduced number of objections to projects and—for the most part—eliminated lawsuits. The five forests with CFLR projects averaged a 43 percent increase in hazardous fuels treatment after starting CFLR. As a point of comparison, over the same period, the Region as a whole experienced a 10 percent increase, and without the CFLR projects, the Region actually declined. The five forests with CFLR projects showed a 14 percent increase in timber volume sold, compared to a 7 percent increase across the Region over the same time period.

Increase in Performance Measure Outputs After CFLR	Region 6 CFLR Forests	Total Region 6
Hazardous fuels treatments	43 percent increase	10 percent increase
Timber volume sold	14 percent increase	7 percent increase

WILDLAND FIRE MANAGEMENT PREPAREDNESS FUNDING CHANGES

Question. The Forest Service proposes to move funding for the first 8 hours of work per day for a firefighter, known as “base 8” pay, out of fire suppression and into preparedness. This certainly reflects a more accurate and disciplined approach for funding firefighter pay and puts the agency in-line with practices at other agencies. How will this impact the Forest Service? Will switching to this type of accounting be seamless or do you anticipate this change causing a significant disruption?

Answer. The Base 8 shift moves the Forest Service to a more disciplined budget structure because salaries for all firefighters are planned for in full, rather than making assumptions about how often during a fire season they will be deployed to an incident. This will improve national and regional accountability, as well as budget planning to support appropriate levels of firefighting resources. We are preparing to implement this change officially starting October 1, 2017 and do not expect this change to cause significant disruption.

QUESTIONS SUBMITTED BY SENATOR TOM UDALL

NATURAL RESOURCES AND ENVIRONMENT

Question. On May 11, Secretary Purdue announced a reorganization at USDA, which included moving the Natural Resources Conservation Service out of the Undersecretary of Natural Resources and Environment's portfolio, leaving only the Forest Service within his or her purview. What are the benefits to the Forest Service and its employees in this organizational shift?

Answer. The Under Secretary for Natural Resources and Environment will be able to focus attention on the mission of the Forest Service and the agency's employees, giving more attention to the crucial task of managing our national forests and ensuring Federal land managers are good and helpful neighbors to surrounding private land owners.

FOREST AND RANGE RESEARCH

Question. How will the proposed decreases in the President's budget for research related to wildland fire & fuels, invasive species recreation, resource management,

water, air & soil, and wildlife & fish support the fiscal year 2018 budget's stated goal to acquire knowledge to better manage forests and expand markets for wood and biomass?

Answer. Forest Service research will continue to provide the foundation to manage forests for resiliency to a variety of forest threats, including fire, insects and diseases, and drought. The agency will focus research and monitoring efforts on targeted and immediate needs of National Forest System land managers so we continue to meet management objectives. Research investments that do not contribute to immediate National Forest System land management needs will be reduced. The Forest Service will continue economic evaluations, data collection, and development of management tools necessary for National Forest System managers. This enables them to assess and address wildfire risk, detect and respond to invasive species, conduct watershed condition assessments, write NEPA impact statements, and document air quality status and trends as part of the Clean Air Act's New Source Review/Prevention of Significant Deterioration program that protects Class I Wilderness Areas. The agency will also continue to work with non-government organizations and solicit industry input to grow new markets and support research on mass timber products.

STATE & PRIVATE FORESTRY

Question. Do the proposed reductions and eliminations of State & Private Forestry programs represent a retreat from the "all lands, all hands" focus of previous years?

Answer. Partnerships are critical in implementing and delivering State and Private Forestry (SPF) programs. Through a coordinated effort in management, protection, conservation education, and resource use, SPF programs help facilitate sound stewardship of lands across all ownerships on a landscape scale. Meanwhile, they offer flexibility to individual forest landowners to pursue their objectives. The fiscal year 2018 President's budget reduces funding for some SPF activities to focus resources on maintaining existing national forests and grasslands, including elimination of funding for the Urban and Community Forestry and Landscape Scale Restoration programs. This budget will require greater shared stewardship of the land between the Forest Service, other Federal agencies, and State and local communities to achieve our goals.

Question. It is often said that the Chief of the Forest Service is the "Chief Forester for America's Forests." And, the role of the Forest Service is to apply its direct and indirect role to the management, protection and use of all forests, including the 138 million acres of urban forests. Does the proposed President's budget enable the Forest Service to carry out this "all-lands" stewardship responsibility? If not, what is required of the agency to achieve this mission-directed responsibility?

Answer. While the fiscal year 2018 budget focuses Forest Service resources and activities on the maintenance of the National Forest System lands, the agency will continue to work with State, Tribal, and private partners to the extent possible in support of the all-lands approach to sustaining and restoring the Nation's forests. This budget will require greater shared stewardship of the land between the Forest Service and State and local communities to achieve our work.

Question. What outreach is the Forest Service doing to States to determine the impact of the proposed funding cuts in State & Private Forestry on implementing State forest conservation plans?

Answer. States are in the early stages of updating their State Forest Action Plans, which should be completed by 2020. The Forest Service is in close, ongoing coordination with State agencies, who are aware of the potential impacts of the fiscal year 2018 budget on State programs.

Question. How will the administration fulfill its commitment to working more closely with States and assisting them with their forest action plans with the President's budget proposal to eliminate the Landscape Scale Restoration Program, which funds the top national priorities in States' forest action plans?

Answer. The fiscal year 2018 President's budget reduces funding for some activities to focus resources on maintaining existing national forests and grasslands. This resulted in the elimination of funding for programs on and off National Forest System lands, including the Landscape Scale Restoration program. This budget will require greater shared stewardship of the land between the Forest Service and State and local communities to achieve our forest management goals.

Question. Community and urban trees can be considered critical infrastructure for both rural communities and cities and State Foresters utilize the Community and Urban Forestry Program to make communities more livable, healthier, energy efficient and vibrant by funding seed money for the planning, planting, and long-term care of trees. How does the elimination of funding for this program in the Presi-

dent's budget advance the administration's goals of building infrastructure and assisting states and underserved communities?

Answer. The fiscal year 2018 budget enables the Forest Service to focus on the maintenance of the National Forest System lands. This resulted in the elimination of funding for programs off National Forest System lands, including the Urban and Community Forestry program. This budget will require greater shared stewardship of the land between the Forest Service and State and local communities to achieve our work and to reach underserved communities.

Question. Last year, over 80 percent of the Nation's wildfires and almost half of the acres burned occurred on State and private lands. The State Fire Assistance, Volunteer Fire Assistance, Cooperative Forest Management, and Hazardous Fuels programs all provide significant resources for non-Federal partners to prevent and suppress fire, which knows no boundaries. Will the President's budget's proposed cuts to these programs increase or decrease the potential costs of Federal fire-fighting and wildfire devastation?

Answer. In fiscal year 2018, the budget request proposes \$69.4 million to assist State and local response agencies in providing wildland fire response through the State Fire Assistance program. Funding at this level will assist State and local agencies in implementing pre-fire prevention and mitigation programs and to develop and maintain an effective wildfire suppression capability as described in a State's Forest Action Plan.

The fiscal year 2018 budget request proposes \$11.6 million to provide financial assistance to communities of 10,000 or fewer residents to strengthen and maintain fire suppression capacity. Program funding helps Federal, State, and local agencies deliver a uniform and coordinated response to wildfire by training, equipping, and organizing volunteer fire departments. Through this program, the agency provides support that helps rural communities prepare for, mitigate, and respond to natural and human-caused fires to prevent the fires from spreading to lands managed by other jurisdictions.

Many factors, including increasing temperatures, the unpredictability of precipitation, and vegetative fuel accumulation, are amplifying the effects and costs of wildfires. It is very difficult to predict the percentage of wildfire occurring in a given year on a particular land ownership. Further, more development is taking place in the wildland-urban interface, leading to increased densities of people and infrastructure. This makes management more complex and requires more firefighting assets to ensure an appropriate, safe, and effective response that protects lives and property.

Question. Without Forest Legacy funding, or the other State & Private Forestry programs eliminated by this budget, how will the Forest Service assist States in preventing the fragmentation of environmentally significant forests?

Answer. The fiscal year 2018 President's budget reduces funding in some programs to focus resources on maintaining existing national forests and grasslands. This resulted in the elimination of funding for programs on and off National Forest System lands, including the Forest Legacy Program. This budget will require greater shared stewardship by States, communities and private land owners to accomplish valuable forest management goals, including preventing forest fragmentation.

The Forest Service will maintain its responsibility to execute and monitor Forest Legacy projects funded to date, including 20 projects funded through fiscal year 2017. The Forest Service will continue to work with States as they update required State Forest Action Plans and seek to develop strategies with States to utilize other Federal and non-profit funds.

NATIONAL FOREST SYSTEM

Question. The Forest Products budget line is kept at the fiscal year 2016 enacted level, which is estimated to allow for 3.2 billion board feet of timber. However, every other National Forest System and Capital Improvement and Maintenance line item necessary to achieve projected forest product outputs is proposed for reduction. How will the Forest Service meet its objectives for timber sales with these cuts?

Answer. Building and maintaining roads in support of the timber program remains a high priority for the agency. The budget proposal requests \$75.2 million for roads, which will be sufficient to maintain a workforce ready to implement priority work. For the purpose of timber harvest, the Forest Service will focus on leveraging mandatory funding sources where appropriate, such as Timber Salvage Sales, which can offset some of the cost for design and administration of timber haul roads.

Question. What impacts will the reduced funding levels in the President's budget have on the ongoing effort to modernize and improve the outfitter-guide permitting

system? Will these proposed cuts result in the elimination of staff positions needed to administer the permitting system?

Answer. Within the fiscal year 2018 request, modernizing and improving the outfitter-guide permitting system remains a high priority. There will be no impact on this modernization effort. There will not be cuts to staff working on permit modernization. As we prioritize this work, we will ensure the project has sufficient staff to succeed.

CAPITAL IMPROVEMENT AND MAINTENANCE

Question. What is the current dollar total of the Forest Service deferred maintenance backlog? Will the President's budget request reduce or increase that backlog, and by how much?

Answer. The current deferred maintenance backlog totals approximately \$5.5 billion. The budget proposes \$99.7 million for Capital Improvement and Maintenance. If no other investments are made towards the agency's roads, trails, and facilities, the agency's deferred maintenance backlog will grow, but the amount of growth is not known.

Question. The Forest Service estimates that recreation on National Forests sustains 143,000 jobs and contributes roughly \$10 billion to the economy. What will be the economic costs in jobs and dollars of the proposed cuts to Capital Improvement and Maintenance line items?

Answer. The Forest Service remains committed to supporting rural infrastructure needs which support visitor spending and small businesses that depend on recreation. The fiscal year 2018 budget proposal allocates \$99.7 million for Capital Improvement and Maintenance, \$11.7 million for facilities, \$12.7 million for trails and \$75.2 million for roads. This requested funding will maintain a workforce to perform critical work and improvements.

We will work to maximize the use of our \$60–70 million collected annually in recreation fees, but the use of these fees is circumscribed—95 percent of fees must be used on the forest where they are collected, and fees are limited to uses relating to improving the recreation experience. We are already using these fees, and collections are relatively flat.

Question. How will the elimination of the Legacy Roads and Trails program impact the Forest Service's statutory responsibility to protect water quality on National Forest lands and how will the Forest Service ensure the impacts on water quality from roads continue to be addressed?

Answer. Maintaining water quality and quantity remains an important priority for the agency. The Forest Service remains committed to doing priority work under our regular (non-Legacy) roads and trails programs, including maintenance and decommissioning of roads and trails as appropriate. The Forest Service will prioritize roads and trails work based on managing existing infrastructure and maintaining public safety and needed access, and defer other projects as needed, including those impacting water quality.

Question. What programs besides Legacy Roads and Trails are uniquely designed to address the impacts on water quality from forest roads?

Answer. We do not have another program uniquely designed to address water quality issues resulting from roads. However, under our multiple statutory authorities to protect clean water, we will continue work to restore degraded and at-risk watersheds and address road-related impacts to water quality. In addition we will continue work to maintain or improve the condition of those watersheds in good or better condition. These efforts are supported by a number of Forest Service programs, such as maintaining and decommissioning roads through our Roads program. We will also address water quality impacts through the Hazardous Fuels, Vegetation and Watershed Management, and Wildlife and Fish Habitat Management programs.

LAND ACQUISITION

Question. Why is the Forest Service proposed for zero funding for Land Acquisition, apart from \$7 million in acquisition management, when the Interior bureaus did receive program funding for inholdings, emergencies, and hardship projects?

Answer. The fiscal year 2018 President's budget focuses resources on maintaining existing National Forests and Grasslands, rather than acquiring new Federal lands or interests in lands. Based on that rationale, the budget proposes completing land acquisitions that Congress previously appropriated. The Forest Service and the Interior bureaus have different missions and rationale for their budgets and the Forest Service cannot comment on another bureau's decisionmaking process.

WILDLAND FIRE MANAGEMENT

Question. How will the increase to the 10-year average and the commensurate reductions to management programs that reduce wildfire suppression costs over the long term further exacerbate the risk of catastrophic wildfire?

Answer. Due to the shift of base 8 funding (the first 8 hours per day worked by a firefighter) from Preparedness to Suppression in the fiscal year 2018 President's Budget, the 10-year average cost of fire suppression decreased. As a whole, however, Wildland Fire Management costs now consume greater than 50 percent of the Forest Service budget. The ongoing shift in resources necessary to fund wildland fire management has had an impact on many aspects of land management, including capital investment, deferred maintenance, and forest restoration projects that help reduce the risk of future fires. These are dollars lost to the fire program before a single fire even starts and cannot be regained through transfer repayment. They are permanently shifted to fire and away from essential land management activities that could be accomplished.

Question. What changes need to occur now and in the near future to stop the increasing proportion of the Forest Service budget that is devoted to wildland fire management? What is the current leadership of the agency doing to effect that change?

Answer. The administration recognizes budget challenges for ensuring sufficient resources to fight fire. The administration is committed to finding a solution that addresses the growth of fire programs as a percent of the agency's budget, and also ends the practice of transferring funds from non-fire programs when suppression funds fall short before the end of the fiscal year. We are reviewing potential administrative actions and legislative options to address longstanding wildland fire funding concerns. Principals at USDA and the Department of the Interior will work with the Office of Management and Budget to develop a responsible approach that addresses risk management, performance accountability, cost containment, and the role of State and local government partners in ensuring adequate funds are available for wildfire suppression without undue disruption to land management operations.

Question. What aspects of the President's budget will assist the Forest Service in implementing the National Cohesive Wildland Fire Management Strategy, including using fire as an "essential ecological process" and to "actively manage the land to make it more resilient to disturbance?"

Answer. The foundation of the National Cohesive Wildland Fire Management Strategy (Cohesive Strategy) is that the active involvement of all levels of government and non-government organizations, as well as the public, is necessary to seek national, all-lands solutions to wildland fire management. The fiscal year 2018 President's budget supports several programs and authorities that assist the agency in implementing the Cohesive Strategy, including (but not limited to):

- A robust Preparedness program will ensure that fire management assets, such as large air tankers, helicopters, hot shot crews and smokejumpers, are available to support response operations on National Forest System, other Federal, State, and private lands. These response efforts will reduce threats to life and values at risk, promote ecosystem integrity, and be consistent with land management objectives laid out in the Cohesive Strategy.
- The State Fire Assistance Program will continue to provide financial assistance through partnership agreements with State Foresters to help homeowners and communities in fire-prone areas take responsibility for fire protection. The program contributes to the Cohesive Strategy, ensuring strong collaboration among government and non-government organizations to seek all-lands solutions to wildland fire management. This is important because first responders on almost 75 percent of wildfires are local fire departments or State agencies.
- The Volunteer Fire Assistance VFA program will continue to provide technical and financial assistance to qualifying local volunteer fire departments that protect communities with populations of 10,000 or fewer. Volunteer fire departments play a key role in educating constituents about fire adaptation and the need for mitigation, and they help meet expanded fire protection needs within the wildland-urban-interface in the context of the Cohesive Strategy.
- The Hazardous Fuels program is a key component of the Cohesive Strategy. In fiscal year 2018, the program will continue to contribute to restoring and maintaining resilient landscapes, creating fire adapted communities, and improving response to wildfires.

Question. How does the President's budget enable the Forest Service to adequately address the pace and scale necessary to restore America's forests and begin reducing the dominating focus of the Service on fire suppression?

Answer. The fiscal year 2018 President's budget focuses resources on maintaining national forests and grasslands and reduces funding for other activities. The administration recognizes budget challenges for ensuring sufficient resources to fight fire; it is committed to finding a solution that addresses the growth of fire programs as a percent of the agency's budget, and also ends the practice of transferring funds from non-fire programs when suppression funds fall short before the end of the fiscal year. Principals at USDA and DOI will work with the Office of Management and Budget to develop a responsible approach that addresses risk management, performance accountability, cost containment, and the role of State and local government partners in ensuring adequate funds are available for wildfire suppression without undue disruption to land management operations.

Question. The current Wildland Fire Management program has two primary components: operations, focused on preparedness and suppression; and a hazardous fuels program that has strong ecological and natural resource management components. Given the real concern of the Forest Service becoming the Fire Service, why purposefully isolate fire operations functions by transferring the hazardous fuels program to the National Forest System appropriation?

Answer. Hazardous fuels treatments will be better coordinated and integrated with other National Forest System treatments, which should improve effectiveness and allow the Forest Service to achieve integrated outcomes.

Question. The fiscal year 2018 budget proposes to pay for firefighters' base salary and benefits within the Preparedness program rather than the Suppression program. Why is this change being made?

Answer. The base salary and benefits shift moves the Forest Service to a more disciplined budget structure because the salaries for all firefighters are planned for in full, rather than making assumptions about how often during a fire season they will be sent to an incident. This will improve national and regional accountability, as well as budget planning to support appropriate levels of firefighting resources. We are preparing to implement this change officially starting October 1, 2017.

OTHER OPERATIONS

Question. What is the purpose of moving the Hazardous Fuels reduction program to the National Forest System appropriation? Does this proposal in any way change the emphasis or the distribution of funds for the fuels program?

Answer. Because hazardous fuels management occurs primarily on National Forest System lands, hazardous fuels treatments will be better coordinated with other National Forest System treatments, which should improve effectiveness and allow the Forest Service to improve our ability to achieve integrated outcomes. The intent is to improve coordination and integration and we don't anticipate any change in emphasis or distribution of funds at this time.

Question. Why does the budget move only the Hazardous Fuels program, but not the other research or grants programs created by the National Fire Plan, that have also been funded within Wildland Fire Management over the last 15 years?

Answer. Because hazardous fuels management occurs primarily on National Forest System lands, hazardous fuels treatments will be better coordinated with other National Forest System treatments, which should improve effectiveness and allow the Forest Service to improve our ability to achieve integrated outcomes in a financially constrained reality. The National Fire Plan Research and Development program conducts research to support management of fire-affected landscapes to sustain forest health, reduce the risk of fire, and ensure public and firefighter safety. The State Fire Assistance and Volunteer Fire Assistance programs provide financial assistance to State and qualifying volunteer fire departments to protect Federal, State, and private forestlands threatened by wildfire and to ensure an all-lands approach to wildland fire management. These programs are closely aligned and coordinated with the Preparedness and Suppression programs that continue to be housed within Wildland Fire Management.

Question. State and Volunteer Fire Assistance are proposed for cuts of 11 and 23 percent respectively. How many fewer fire engines or equipment will State and local partners be able to purchase and outfit?

Answer. State Fire Assistance funding is allocated to the State forestry agencies and they use it, among other purposes, for the purchase of engines, dozers, equipment, training and hiring of personnel for their State forestry agencies. Of the portion of the funds spent on engines (which are generally replaced on a 5–6 year cycle), a Type 3 engine generally costs \$280,000 and a Type 6 engine generally costs \$150,000 each, so the number of engines going unpurchased would be based on the needs of States and cannot be quantified for this response.

Volunteer Fire Assistance (VFA) funding supports volunteer fire departments (VFDs). VFDs do not purchase new engines with VFA funding but use the funding to convert surplus military trucks into wildland engines at a cost of approximately \$30,000 each. At this cost, approximately 45 fewer surplus trucks would be converted for service in 2018.

Question. The budget zeroes out the Joint Fire Science program, which is a partnership between Forest Service and the Interior Department, stating that it is duplicative of other fire research. However, Interior does not eliminate their funding for this program. Will the Forest Service provide other funds to this joint endeavor, or will it rely on Interior to pay for it all?

Answer. The President's budget proposes to eliminate the Forest Service's participation in the Joint Fire Science Program (JFSP). The agency will complete existing JFSP-funded projects but will not contribute additional funds to the program. Out of its appropriation, the Forest Service will continue management-driven fire research that is similar to or complements JFSP research.

QUESTIONS SUBMITTED BY SENATOR ROY BLUNT

MARK TWAIN NATIONAL FOREST—COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM

Question. Mr. Tidwell, I have previously communicated with you regarding the management of the Mark Twain National Forest (MTNF) and specifically actions taken under the Collaborative Forest Landscape Restoration Program (CFLRP). In recent years, management actions performed at MTNF have seemed to focus almost exclusively on environmental restoration and less on collaborative approaches with input and involvement from local communities. Unfortunately, this lack of cooperation has led to decreased forest health and less opportunities for the forest products industry workforce. One such example can be seen in the fact that MTNF experiences annual hardwood mortality equivalent to 200 million board feet. These are resources that our forest products industry and local communities can and want to harvest in a sustainable manner. Unfortunately, because of misguided programs and bureaucratic inefficiencies, MTNF has only seen a maximum of 70 million board feet of timber harvested a year or 1/3rd of the total mortality volume alone. I am encouraged that your budget calls for the elimination of the CFLRP.

Can you elaborate on the decision to propose the elimination of this program?

Answer. CFLRP outcomes and outputs were duplicative with other Forest Service programs. By eliminating CFLRP, the fiscal year 2018 budget proposal reduces duplication among Federal programs and refocuses how the Forest Service is managing national forests and grasslands. The Forest Service can work collaboratively on projects without a separate CFLR program and will continue to promote collaborative forest management and landscape scale restoration strategies within our other programs.

Existing CFLRP projects, and the collaboratives they support, will remain in place, and will be funded through other agency programs that do restoration work. The Forest Service will continue to promote collaborative forest management and landscape scale restoration strategies within our other programs.

Question. Can you describe how eliminating this program will reduce duplication with other Forest Service programs?

Answer. Other Forest Service programs also do restoration work on National Forest System lands, including the Integrated Resource Restoration (IRR) program, which includes the Forest Products program, the Hazardous Fuels program, and activities funded under the Vegetation and Watershed Management and Wildlife and Fisheries Management programs. While existing CFLRP projects can be funded at the forest, regional and national levels, we will continue to promote collaborative forest management and better integration in pursuit of outcomes across all our programs.

FOREST PRODUCTS PROGRAM

Question. The fiscal year 2018 budget request call for bolstering the Forest Products Program with a planned sale target of 3.2 billion board feet of timber. I believe it is important to not only set a reasonable sale target for this year, but to also take actions that reinforce the timber sale pipeline to take full advantage or future increases in timber sales.

Can you tell me any actions the Forest Service is taking, or planning to take, to strengthen the timber sale pipeline?

Answer. The agency is taking a number of steps to build capacity and address other issues that have hindered our efforts to reach higher output levels.

Greater utilization of the Good Neighbor Authority will help leverage our capacity without adding additional permanent positions. A total of 95 Good Neighbor agreements in 29 States have been used to perform a variety of restoration services.

The Forest Service has developed and is implementing a strategy to address the issue of timber sales that receive no bids. Regions are re-evaluating the logging and haul costs to develop more accurate data. Regional Office appraisal specialists are reviewing a higher percentage of appraisals prior to advertisement and working with the forests to develop feasible timber sales.

The Forest Service is addressing mill capacity by reviewing available mill locations and increasing restoration investments there. We are encouraging local industry to participate in the NEPA/sale planning process and coordinating with entrepreneurs who are looking to invest in infrastructure (shavings plants, pellet manufacturing) that could help absorb some of the low value material on some timber sales. Industry across the country is investing in new products/markets such as Glulam and cross laminate beams.

Question. Do you foresee the potential for an increase in the sales target in coming years?

Answer. Yes. The agency is taking a number of steps to increase our capacity and ability to achieve greater timber outputs over the next several years. We are investing in Indefinite Delivery/Indefinite Quantity (IDIQ) contracts to increase NEPA and sale preparation capacity. Training courses are being developed for NEPA, Stewardship Contracting, and the use of other Farm Bill authorities, including Designation by Prescription which increases the efficiency of timber sale preparation. We expect to continue utilizing all of the Farm Bill authorities, including Good Neighbor, Stewardship Contracting, and Insect and Disease Designations to increase our ability to reach higher output levels.

PUBLIC PRIVATE PARTNERSHIPS

Question. Public Private Partnerships are a key feature of many of the administration's infrastructure and transportation proposals. Looking at how the Forest Service interacts with industry, I think there is an opportunity to explore expansion of public private partnerships through stewardship agreements, timber sales, or other innovative initiatives. Utilizing the private sector can provide dual benefits of improving forest management while creating jobs and increasing economic activity.

Is the Forest Service currently working on any new initiatives that would allow the Forest Service to better utilize the private sector for forest management or other functions?

Answer. The Forest Service is exploring the potential use of innovative financing mechanisms, such as partnerships to protect critical water sources through on-the-ground forest management and restoration, the potential for performance bonds linked to water security and wildfire/flood prevention benefits, and possible "pay for success" models to fund sustainable infrastructure. We are in the feasibility and site scoping stage of piloting some of these models.

Question. Are there existing programs that can be strengthened to allow the private sector to perform management activities that the Forest Service has not had the resources or ability to address?

Answer. The Forest Service is looking closely at how we can continue to build on private sector partnerships to achieve an array of mutually beneficial outcomes. Healthy forests can reduce costs to municipalities, utilities, and water-dependent companies and provide jobs in rural areas. We are actively exploring the use of innovative financing mechanisms to fund restoration work and are in the feasibility and site scoping stage of several promising models. The Forest Service has also seen success with more traditional partnerships, such as with the Coca Cola Company that has replenished over 1 billion liters of water within watersheds near bottling and production facilities around the country.

We continue to explore and use existing programs that strengthen our ability to perform beneficial activities using existing authorities like the Tribal Forest Protection Act, Stewardship Contracting, and Wyden Authority. Successful partnerships and collaborative efforts have led to the restoration of millions of acres of terrestrial habitat, and thousands of miles of streams.

QUESTIONS SUBMITTED BY SENATOR STEVE DAINES

COTTONWOOD DECISION

Question. Senator Tester and I have introduced legislation (S. 605) to statutorily reverse the disastrous Ninth Circuit Court decision in *Cottonwood Environmental Law Center vs. U.S. Forest Service*. According to the Obama Administration, this decision has the “potential to cripple” Federal land management across Ninth Circuit states. Citing the Cottonwood decision, courts have already halted four forest health projects in Montana.

Does the Forest Service support the bipartisan effort to statutorily reverse this decision?

Answer. Yes. The Department, working with the Office of General Counsel, provided language to resolve the Cottonwood decision in response to legislative drafting requests. Briefings have occurred with Senate and House committees as well as individual Congressional staffs.

Question. Can you elaborate on the existing and potential negative impacts of the Cottonwood decision across Ninth Circuit States?

Answer. The Forest Service Regions conducted an analysis of potential impacts of the decision and identified 80 vegetation management projects (timber sales, pre-commercial thinning, fuels treatments, prescribed burns, etc.) in the Northern Region (R1), Rocky Mountain Region (R2), and the Intermountain Region (R4) that could be litigated and/or possibly enjoined.

Projects enjoined by these lawsuits account for approximately 29 percent of R1’s planned fiscal year 2017 timber volume. The Stonewall project injunction could affect 23 timber sales on 19,459 acres, producing 246.5 million board feet under contract, and planned in fiscal year 2017. All but three sales are in Montana. More than 72,000 acres across three States and over 100 million board feet of timber could be enjoined. The decision could potentially affect more than 50 percent of the agency annual offered volume.

R1 has broad exposure from a potential blanket injunction due to strategic programming and partner investments in these landscapes. The State of Montana has invested \$290,000 over 2 years into three projects in lynx critical habitat. These projects surround or are adjacent to the communities of Missoula, Whitefish, and Red Lodge. In excess of \$5 million of supplemental hazardous fuels funding has been invested on Federal, private, State, county, and city lands adjacent to projects with lynx critical habitat. These investments could be at risk if the Forest Service is precluded from implementing vegetation treatments in lynx critical habitat until consultation is completed. Potential affected communities include Missoula, Helena, Superior, Red Lodge, West Yellowstone, communities along the I-90 corridor, and others.

Question. To be clear, do the potential impacts extend beyond just vegetation management projects in areas with lynx critical habitat?

Answer. Yes. The 9th Circuit decision in *Cottonwood Environmental Law Center v. Krueger* substantially increases Endangered Species Act (ESA) compliance procedural requirements while providing few or no benefits to listed species. The decision has broad implications that could force the agency to re-consult at programmatic levels (Forest Plans, agency rules) whenever an ESA trigger occurs: new information about a current species is received, critical habitat is designated, or there is a new listing. This new standard discounts project-level ESA compliance, adds 6–8 months of additional regulatory compliance, and may force the agency to re-consult any time new information (or other ESA triggers) is received (such as through a comment period on a project National Environmental Policy Act comment period).

The number of lawsuits relying on this 9th Circuit decision is likely to increase to not only timber sale projects, but other agency activities in lynx habitat (e.g., grazing). There are seven lawsuits to date (five in 9th Circuit). The latest litigation is *Native Ecosystems Council v. Erickson* (17–0053) (Smith Shields Forest Health Project) and *Native Ecosystems Council v. Marten* (17–00047), both filed in April, 2017. The agency has also received four additional Notices of Intent to sue (NOIs), which raise issues similar to those in Cottonwood for bull trout. We expect this trend to extend to other species such as the Northern Spotted Owl. This may affect projects across California, Oregon, Washington, Idaho, Montana, and Wyoming.

Question. Do you agree that the Cottonwood repeal legislation would still be needed even after the Forest Service completes the ongoing re-initiation of consultation concerning lynx?

Answer. Yes. As stated above, we anticipate this litigation trend to continue and spread to other species affecting numerous programs and activities across the Forest

Service. Based on litigation related to Cottonwood, the Forest Service has begun the process of reinitiating consultation on the Bull Trout Critical Habitat.

QUESTIONS SUBMITTED BY SENATOR DIANNE FEINSTEIN

TREE MORTALITY

Question. California's historic 5-year drought killed over 102 million trees across the State, and the impacts will continue to be felt for years to come. Due to the drought, bark beetles proliferated at much higher rates, and the weakened trees could not fend them off. Even with record rains this past winter, trees will continue to die, and fire risk will continue to grow unless the pace and scale of hazardous fuels removal projects is accelerated.

Additionally, the record-setting precipitation has only added to safety hazards, with oversaturation increasing the risk of dead trees falling on people, roads, critical infrastructure, and into rivers and streams. According to the Forest Service, it typically takes one to 3 years after an above-normal precipitation year before trees regain their natural defenses against bark beetles.

Forest Service Region 5, has stated there are 90,000 NEPA-ready acres in high hazard zones ready for hazardous tree removal projects.

How do you plan to address California's tree mortality crisis?

Answer. The agency's focus remains on mitigating hazards in areas where dead trees threaten life and property (high hazard zones). We also continue to focus on fuel break maintenance for fire protection.

In fiscal year 2016, the agency redirected \$43 million to remove dead and dying trees to help protect the public and employees from falling trees and wildfire risk in high hazard areas near communities, in recreation sites, along roads and trails. In fiscal year 2017, the agency will direct about \$37 million to continue to address dead tree removal in and around communities, recreation sites, along roads, trails, and other values at risk. For fiscal year 2018, the Forest Service will remove dead trees within the NEPA-ready acres in high hazard areas on the Sequoia, Sierra, and Stanislaus National Forests as funding is identified.

Question. Will you provide or reprogram additional resources to ensure Region 5 can begin tree removal work on the 90,000 NEPA-ready acres, which I understand is estimated to cost \$90 million?

Answer. The agency will look for opportunities to identify and provide additional funding to complete the remaining 90,000 NEPA-ready acres in the high hazard acres on the Sequoia, Sierra, and Stanislaus National Forests.

Question. Will additional resources be provided for the Tree Mortality Task Force to complete essential work to reduce fire risk and also improve forest health?

Answer. The Forest Service has committed to keeping tree mortality response as one of the Region's top priorities in California. Working alongside our partners on the Governor's Tree Mortality Task Force, we will continue to focus and work together to help address the health and safety concerns posed by dead trees in California. Building on the work we completed using funding provided in fiscal year 2016 and fiscal year 2017, we will continue to look for opportunities to apply additional resources towards this work.

The second phase of the agency's tree mortality response will be challenging. We will need to concurrently focus on felling hazard trees as well as ecological restoration of our forests to improve forest health, protect critical watersheds, and rebuild forest resilience.

LAKE TAHOE RESTORATION ACT IMPLEMENTATION

Question. The Lake Tahoe Restoration Act was enacted last December and renews the Federal commitment to restoring and preserving this national treasure and its basin.

With \$415 million authorized over 7 years, Federal agencies will continue to play an important role in the historic partnership between nonprofit, private sector, State, and local entities committed to combating invasive species, reducing fire risk and managing forests, managing stormwater pollution, and other important restoration goals.

How do you plan to implement the Lake Tahoe Restoration Act and provide the funds necessary to make necessary advances in restoring Lake Tahoe?

Answer. The Lake Tahoe Basin Management Unit (LTBMU) will seek opportunities to leverage non-Federal contributions and continue to move ahead with fire risk reduction projects and utilize the categorical exclusion to reduce forest fuels, as identified in the Act. The LTBMU's program of work remains aligned with regional

priorities on ecological restoration and the projects identified within the Lake Tahoe Environmental Improvement Program. Agency funds received to invest in the LTBMU, including from appropriation, the Southern Nevada Public Land Management Act, and other sources, will continue to treat five- to seven-thousand acres of hazardous fuels annually. These funds will support the ecological projects underway, which have been identified as priorities for future planning, design, and implementation.

LAKE TAHOE WESTERN SIDE TREE REMOVAL

Question. I have been visiting Lake Tahoe since childhood, and I was recently there in May. I was alarmed at the amount of dead and dying trees, especially on the western shore of the lake. As you know, California is experiencing a historic tree mortality crisis, and the Lake Tahoe Basin is no exception.

What efforts is the Forest Service undertaking to remove hazardous dead trees, especially on the western shore of the lake near people and infrastructure, where we have previously seen serious wildfires?

Answer. The Lake Tahoe Basin Management Unit (LTBMU) is addressing tree mortality and the removal of hazard trees through a variety of efforts and partnerships. The Forest Service, along with the Tahoe Fire and Fuels Team and the Tahoe Regional Planning Agency, has established the Lake Tahoe Basin Tree Mortality Task Force for coordination of tree mortality response between multiple stakeholders. Fuels reduction and forest health projects are continuing around Lake Tahoe, and within those projects we are removing dead and dying trees. Additionally, a Decision Memo was recently signed approving the West Shore Wildland Urban Interface (WUI) Fuels Reduction and Forest Health project. This project will implement fuels and forest health treatments on 4,975 acres along the west shore and will also include the removal of dead and dying trees. The LTBMU has been working to secure funding to implement that project.

In April of 2017, the LTBMU completed inventories of all developed recreation sites within the Tahoe Basin for hazard trees. Prior to opening these sites, permits were issued and trees were removed by concessionaires and partners. In addition, Forest Service crews have removed hazard trees at recreation sites not managed under permit. With assistance from the Tahoe Rim Trail Association, the LTBMU is inventorying hazard trees along forest trails on the Nevada side of the Tahoe Basin; this effort will expand to the California side, should funding become available.

Crews are patrolling National Forest System roads and inventorying hazard trees, prioritizing them for removal. Agency fire crews are removing hazards along those roads with the help of partners, such as the California Conservation Corps and Calaveras Healthy Impact Product Solutions (CHIPS)—Washoe Tribe Crew, both crews paid for with Forest Service tree mortality funding. The LTBMU is also removing hazard trees along forest boundaries adjacent to private lands as notifications are received from private parties. We are currently working with Caltrans, Liberty Energy, Nevada Energy, and Pacific Gas and Electric on tree removal projects along State highways, including State Route 89 along the west shore, and several utility corridors.

Question. How is Forest Service addressing this threat to Lake Tahoe communities?

Answer. The Lake Tahoe Basin Management Unit (LTBMU) has been a focus of the Pacific Southwest Region, along with other forests experiencing tree mortality in the region. Of the additional funding that has been reallocated in support of the region's tree mortality efforts, the LTBMU has been able to initiate agreements with partner organizations to increase a local response. Additionally, the Forest Service continues to coordinate and actively support California's statewide tree mortality task force. As additional resources are made available, priority projects, including those in Lake Tahoe, will be considered.

Additionally, in 2016, in collaboration with the National Forest Foundation, the California Tahoe Conservancy, and other partners, the Forest Service launched the Lake Tahoe West Large Landscape Collaborative (referred to as "Lake Tahoe West"). Lake Tahoe West is a stakeholder-informed collaborative effort, utilizing the best available science to develop a Landscape Resiliency Assessment, Landscape Restoration Strategy. It will also produce an environmental analysis for a series of restoration projects specifically designed to improve the resiliency of the west shore landscape to disturbances including, fire, insects and diseases, and drought.

EXPANDING MILL CAPACITY

Question. One of the recurring issues that are currently impeding dead tree removal work in California is the lack of sufficient mill capacity to process all of the dead trees.

How is the Forest Service working with local mills in California to increase capacity and accelerate transportation of harvested National Forest material to local mills as quickly as possible?

Answer. The Forest Service is taking a multi-faceted approach to remove unprecedented volumes of dead and dying trees:

1. *Statewide Wood Products Industry Opportunity Study.*—A statewide study funded by the Forest Service was completed in 2015 to explore and define feasible technology and markets that could absorb more forest thinning and non-saw log material. Results helped focus both regional Forest Service grants and State Tree Mortality Task Force market development efforts. Subsequently, Forest Service Wood Innovation Grants were awarded to study feasibility of an oriented strandboard plant to lease harvest and transport equipment and to perform product testing for biochar.
2. *Accelerate Transportation.*—Removing the trees in a timely manner will help preserve the tree value enough to help defray costs of harvest and transportation. National forests are using all NEPA tools, including NEPA streamlining authority provided in the Farm Bill Insect and Disease provision, to shorten environmental review and still comply with laws and regulations. Industry has also brought up the issue of insufficient loggers, logging equipment, and trucks due to reductions in overall timber sales and uncertainty about biomass power plant contracts.
3. *Biomass Efforts.*—The Forest Service has a strong interest in biomass development efforts and provided millions of dollars in grant funds to accelerate development of small biomass plants closer to forests. Under the State of California BioMAT (Biomass Market Adjusting Tariff) program, one plant is under construction in North Fork, near the epicenter of the tree mortality in the Sierras, and others are being developed in Wilseyville and Mariposa.

In addition, newly awarded 5-year biomass power contracts require annually increasing amounts of biomass to be sourced from CAL FIRE high hazard zones, much of it from national forests. Two of these are near the highest concentration of tree mortality: Rio Bravo Fresno (Fresno) and Pacific Ultrapower (Jamestown).

Question. What funds is Forest Service dedicating to reducing the cost of transporting material to mills once harvested from Federal lands?

Answer. The Forest Service Pacific Southwest Region estimates it would require \$31–37 million in transportation subsidies for each of the next 5 years to move about 250 million board feet, or 50,000 truckloads, of dead wood from CAL FIRE designated high hazard zones on national forests.

The Federal Government assists with transportation costs via the USDA Farm Agency's Biomass Crop Assistance Program (BCAP) matching payments, but funds were reduced nationwide from around \$12.5 million in 2014 to \$1.5 million in 2016 and 2017. Nationwide, BCAP facilitated the removal of over 288,000 dry tons (approximately 65 million board feet) of forest residue from national forests between 2014 and 2016. Fully-funded BCAP matching payments would allow that amount to increase to roughly 625,000 dry tons per year (approximately 153 million board feet).

In addition to transportation subsidies through BCAP, the Forest Service is able to provide support for transportation costs using stewardship contracts and agreements. Where low-value forest products must be removed, their transportation costs may be offset by the inclusion of higher value forest products and/or the addition of appropriated funds and stewardship retained receipts.

Investments made by the Forest Service in technologies and businesses that can absorb lower value logs and biomass, such as small biomass power plants, are expected to reduce transportation costs since they are located closer to the forest, though not to the extent of sawmills or the larger industrial biomass power plants.

Question. Is the Forest Service willing to enter into stewardship contracts longer than 10 years in order to incentivize the creation of additional mill capacity?

Answer. Yes, we would. However, current stewardship contract authority allows for a 10 year maximum.

BLUE-STAINED WOOD

Question. I understand from Forest Service studies that the blue-stained wood resulting from bark beetle infestations, is equally as strong as a live tree if harvested within the appropriate time-frame.

What, if any, actions is Forest Service undertaking to promote the use of “blue-stained” pine, both commercially and by consumers?

Answer. Blue stain wood has been an issue for the Forest Service and industry since at least the 1920s. Recently, the Forest Service has taken a number of steps to encourage more use of blue-stain lumber, both nationally and in California.

Mass Timber.—The Forest Service is active in supporting development of cross-laminated timber (CLT) and mass timber veneer to increase the markets for dimension lumber. Thirteen Forest Service 2017 Wood Innovation Grants were awarded to encourage technology and market development, including one to a university to further test incorporation of blue stain dimension lumber.

Other examples from California include:

- A pilot project to design and utilize blue stain lumber for basic conference room furniture, wall displays, and interpretive displays to be promoted inside the agency and to partners.
- Two Wood Innovation Grants, one awarded to a local non-profit to better assess the blue stain market and increase sales of strongly differentiated blue stain wood, and another to a small, portable mill collaborative to increase use of blue stain lumber and better service small, non-industrial landowners. Previous Forest Service grants have supported animal bedding, mulch, and pallet operations that can use blue stain trees.
- The Forest Service is working with CalTrans to incorporate blue stain ponderosa pine as an acceptable species to be treated and used for sign posts and potentially to be tested for use as highway guardrail posts and blocking.

GOOD NEIGHBOR AUTHORITY

Question. The Good Neighbor Authority allows the Forest Service to enter into cooperative agreements or contracts with States to allow States to perform watershed restoration and forest management services on National Forest System lands. Congress has passed two laws expanding Good Neighbor Authority: the fiscal year 2014 Appropriations Act and the 2014 Farm Bill.

How is Forest Service utilizing the Good Neighbor Authority in California to address the tree mortality crisis and reforest areas that have previously burned?

Answer. In February 2016, under the 2014 Farm Bill authority, the Forest Service in California signed a broadly focused “Master Agreement” under Good Neighbor Authority (GNA) with the California Natural Resources Agency (CANRA). It allows for Supplemental Project Agreements (SPAs) to be signed at the national forest-level with any of the CANRA associated State agencies to carry out authorized forest, rangeland, and watershed restoration. To date, two SPAs have been signed, both with CAL FIRE.

The best example of GNA being used to address tree mortality is with the Sierra National Forest and CAL FIRE in and around the High Sierra Ranger District where an executed SPA allows for CAL FIRE crews to remove standing dead trees that are a hazard to public safety (hazard trees) on National Forest System lands. Combined with a complementary Wyden Authority Agreement, which allows Forest Service crews to work on private and State lands, the Forest Service and CAL FIRE can work collaboratively on all lands, leveraging their strengths and resources over the next 5 years to treat insect and disease tree mortality areas to reduce fire risk, maintain public safety, and improve forest health. There are no funds transferred between the two agencies as part of this SPA. Only the first year’s activities were defined and subsequent work will be defined as needed, including potential reforestation of areas.

Additionally, the Eldorado National Forest and CAL FIRE have established a GNA to implement parts of the South Fork American River (SOFAR) and Fire Adapted 50 projects addressing fuels reduction and fire breaks for surrounding communities. The Lake Tahoe Basin Management Unit, along with the Humboldt-Toiyabe National Forest and the Bureau of Land Management- Nevada State Office, are in the final stages of negotiating a Master Agreement with the Nevada Department of Conservation and Natural Resources, Nevada Department of Wildlife, and Nevada Department of Agriculture. At least two other forests are working with State CANRA agencies to negotiate additional Good Neighbor Agreements this year.

In addition to areas that have been previously burned, the Forest Service’s Tree Mortality Response Team is currently identifying tree mortality areas where the GNA could be used to work across boundaries and treat larger landscapes in cooperation with our partners.

WILDFIRE BUDGET REFORM

Question. Over the last several years, the Forest Service has repeatedly sounded the alarm on the rising percentage of budgetary resources dedicated to the wildland fire management account due to longer fire seasons driven by climate change, more people living in the Wildland Urban Interface, and other factors.

There have been previous legislative proposals to create a budget cap adjustment, as well as other mechanisms, that would free up additional resources so that the Forest Service can devote more of its funding to forest health and mitigation, rather than expensive suppression activities.

As the Forest Service's own analysis shows, for every \$1 decrease in preparedness, suppression costs rise by \$1.70 on average. In the face of this challenge, the budget proposes a \$937 million decrease in the Forest Service budget with no proposal to fix the current problem of both the rising 10-year suppression average and fire borrowing.

How does the Forest Service plan on being able to fulfill its mission while requesting a 16 percent cut to its budget?

Answer. The fiscal year 2018 President's budget focuses resources on maintaining existing national forests and grasslands and has reduced duplicative efforts. We will also maximize use of our mandatory programs. This budget will require greater shared stewardship of the land between the Forest Service and State and local communities to achieve our work.

The fiscal year 2018 President's budget does not propose funding for the FLAME Wildfire Suppression Reserve Fund. There are inefficiencies in operating between two accounts for one purpose; therefore the budget proposes to fully fund the 10-year average for Suppression and not request funding in the FLAME account to maximize operational and administrative efficiencies.

The administration is committed to addressing the growth of fire programs as a percent of the agency's budget and ending the practice of transferring funds from non-fire programs when suppression funds fall short before the end of the fiscal year. Principals at USDA and the Department of the Interior will work with the Office of Management and Budget to develop a responsible approach that addresses risk management, performance accountability, cost containment, and the role of State and local government partners in ensuring adequate funds are available for wildfire suppression without undue disruption to land management operations.

Question. Why didn't the Forest Service request legislative language for the wildfire budget fix, as the previous administration did?

Answer. The administration is reviewing potential administrative actions and legislative options to address longstanding wildland fire funding concerns. Principals at USDA and DOI will work with the Office of Management and Budget to develop a responsible approach that addresses risk management, performance accountability, cost containment, and the role of State and local government partners in ensuring adequate funds are available for wildfire suppression without undue disruption to land management operations.

 QUESTIONS SUBMITTED BY SENATOR JON TESTER

Question. During the proposed budget for fiscal year 2017, the Forest Service expressed its support for Congressional reauthorization of the Secure Rural Schools and Self-Determination Act. The agency emphasized that SRS supported economic opportunities for local communities, and that Title II funds increased local participation in forest management. As we consider the budget for fiscal year 2018, SRS still hasn't been reauthorized and the Forest Service has not included a recommendation to reauthorize in its budget proposal.

Does the Forest Service continue to support Congressional efforts to reauthorize the *Secure Rural Schools and Self-Determination Act* in a way that provides funding commensurate with fiscal year 2015 levels?

Answer. The Forest Service is committed to working to find ways to provide more certainty to counties and the agency is willing to work with Congress to address this.

Question. What role does the Forest Service plan to give to Resource Advisory Committees without reauthorization of the SRS program?

Answer. Title II of the Secure Rural Schools Act provided for the establishment of resource advisory committees (RACs) to review and recommend projects to forest supervisors. RACs are chartered for title II purposes only. RACs have until September 30, 2017 to recommend title II projects from fiscal years 2014–2015. The Forest Service has not determined whether to re-charter RACs for other purposes if the SRS Act is not reauthorized.

SUBCOMMITTEE RECESS

A lot that we need to do within our national forests. We appreciate your leadership, and we stand adjourned.

[Whereupon, at 11:23 a.m., Wednesday, June 7, the subcommittee was recessed, to reconvene subject to the call of the Chair.]

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2018

WEDNESDAY, JUNE 21, 2017

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 9:30 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Lisa Murkowski (Chairman) presiding.

Present: Senators Murkowski, Udall, Merkley, Alexander, Daines, Van Hollen, Capito, Leahy, Tester, and Hoeven.

DEPARTMENT OF THE INTERIOR

STATEMENT OF HON. RYAN ZINKE, SECRETARY

ACCOMPANIED BY:

**OLIVIA BARTON FERRITER, DEPUTY ASSISTANT SECRETARY FOR
BUDGET, FINANCE, PERFORMANCE, AND ACQUISITION**

DENISE A. FLANAGAN, DIRECTOR, OFFICE OF BUDGET

OPENING STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Good morning. The subcommittee will come to order. I would like to welcome the Secretary of the Interior before our subcommittee, our subcommittee here this morning. We are going to have an opportunity to review the fiscal year 2018 budget requests for the Department of the Interior.

This morning we have Secretary Zinke. He is accompanied by Deputy Assistant Secretary for Budget, Finance, Performance, and Acquisition, Olivia Ferriter, as well as the Director of the Office of Budget, Denise Flanagan. We welcome both of you.

I had an opportunity to have the same panel before me yesterday in the Energy and Natural Resources Committee, so it is not a redo for me certainly because I have more questions, but a great opportunity for the rest of the Interior Appropriations Subcommittee to make inquiry on this budget proposal.

We will adhere to the early bird rule this morning. I will look forward to 6 minute rounds of questions. Hopefully, we will have a chance to ask more than one round as Members.

Turning to the budget request, it is \$10.6 billion for programs within the jurisdiction of the Interior Subcommittee. This is \$1.6 billion below the enacted level, a reduction of 13 percent. And as

with every President's budget request, there are portions of the budget that I support and other areas that raise concern.

Last year at the Department's budget hearing I pointed out to the previous secretary that the President's request included numerous budget gimmicks to provide additional spending for popular programs without any offsets. But, Mr. Secretary, the budget that we are looking at now, in my view, does not use gimmicks, but it does propose some real cuts to the programs. So I welcome the opportunity to look carefully at all the programs that receive appropriations in the Interior bill to evaluate whether the choices your budget makes are worthwhile.

We should consider whether reforms could help improve efficiency, whether some activities may be better performed by the States, and whether there are duplicative programs that can be streamlined. I am not in favor of the wholesale elimination of or drastic reductions to programs simply to hit a budget number.

And I have told many of your predecessors that the Secretary of the Interior is oftentimes referred to as Alaska's landlord. When we were up in the State together, you referred to us as being partners. I certainly prefer that relationship to being a landlord, but I think we recognize that when a Department has authority over 220 million acres in a State like mine, and that does not include the millions of acres of the Outer Continental Shelf waters, it certainly puts you in a unique position as Secretary. And so we want to make sure that you have got the resources that you need to meet the Department's responsibilities.

So some of the proposed reductions, as I have mentioned to you, I find troubling. For example, the State of Alaska and Alaska Natives are still waiting for the Department to convey title to millions of acres of their lands more than 50 years since statehood. So it is tough for me to accept a 34 percent reduction to the Department's programs that issues conveyances to those who have waited so long to get title to their lands.

Alaska also has one-half of all federally recognized Tribes. The BIA provides essential programs for Alaska Natives that are fundamental to the Federal Government's legal obligations to our first people. So I am concerned by many of the proposed reductions to the BIA, particularly the elimination of the Tribal Courts Program for which I secured funds for the first time in fiscal year 2016. This program provides critical resources to Tribal courts in some of the most remote villages in our State which are confronting widespread domestic violence, sexual assault, and substance abuse. So this is an area that I want to go in further with questions.

Finally, I know my western colleagues share my concern with the proposed reduction for the PILT program of \$68 million. This is a 15 percent reduction. PILT is absolutely essential for our rural areas to support roads, schools, and police.

And while there are many program reductions that trouble me, I am pleased that your request made hard choices and provided some programs with strong funding levels. The budget provides full funding for contract support costs in BIA by maintaining the indefinite appropriation language that I first included in the fiscal year 2016 Appropriations bill. This has helped provide certainty for

Tribes and protected other BIA programs in case additional funds are needed to meet the Government's legal obligations.

I am also pleased that the request includes full funding for the 10-year average for wildland firefighting. This is something that the previous administration did not do. And while the budget does not include any type of fix for fire borrowing, it does acknowledge the problem. It expresses the administration's willingness to work with Congress on a solution.

We had the Chief of the Forest Service before this subcommittee 2 weeks ago and we talked about the need, the imperative to work together on this. And I think a new administration and folks that are working earnestly to address this will hopefully allow us to finally resolve the problem of fire borrowing.

There are a number of policy proposals in the budget that I strongly support such as the opening of the 1002 area in ANWR for energy development. In Alaska today, the Department of the Interior will hold an offshore lease sale in Cook Inlet. I think this is good news for us, but it reminds me that the last administration excluded some of the most promising areas in Alaska's Arctic OCS from its 5-year leasing plan. The Department's budget request commits resources to rewriting this plan so that important areas in Alaska and elsewhere in the lower 48 will receive proper consideration.

So, Mr. Secretary, I know you have just been on the job for a short while here, but I greatly appreciate that you have taken the time already to come to Alaska, to spend time, to listen to Alaskans, to not only focus on resource issues, but to meet with so many of our native leaders, and to understand some of the considerations that relate to our people. These are challenging times when we have to make choices with budgets, but know that I look forward to working with you as we work to identify the highest priorities and making sure that you have the resources that you need to fulfill your goals for the Department.

[The statement follows:]

PREPARED STATEMENT OF SENATOR LISA MURKOWSKI

Good morning everyone. The hearing will come to order.

Today, we will review the fiscal year 2018 budget request for the Department of the Interior. I'd like to welcome our witnesses this morning: Secretary Zinke, who is accompanied by Deputy Assistant Secretary for Budget, Finance, Performance & Acquisition, Olivia Ferriter, and the Director of the Office of Budget, Denise Flanagan. I chaired a budget hearing yesterday in the Energy and Natural Resources Committee with the Secretary so I appreciate the opportunity to discuss the details of the budget request with you further this morning, Mr. Secretary.

As a reminder, we'll adhere to the "early bird rule" for recognizing Members for questions. I will call on Members in the order they arrive, going back and forth between the majority and the minority. We'll do 6-minute rounds of questions. It's my hope that we'll be able to do 2 to 3 rounds of questions in an effort to give everyone an opportunity to address the issues they wish to raise.

Turning to the budget request for the Department of the Interior—it is \$10.6 billion for programs within the jurisdiction of the Interior subcommittee. This is \$1.6 billion below the enacted level, or a reduction of 13 percent. As with every President's budget request, there are portions of the budget that I support and other areas that raise concern.

Last year at the Department's budget hearing, I pointed out to the previous Secretary that the President's request included numerous budget "gimmicks" to provide additional spending for popular programs like the centennial celebration for the National Park Service without any offsets. By contrast, your budget doesn't use gimmicks—it proposes real cuts to programs. This is a refreshing change, and I wel-

come the opportunity to carefully examine all the programs that receive appropriations in the Interior bill to determine whether the choices your budget makes are worthwhile. We should consider whether reforms could help improve efficiency, whether some activities may be better performed by the States, and whether there are duplicative programs that can be streamlined.

However, I am not in favor of the wholesale elimination of, or drastic reductions to programs simply to “hit a budget number.” I’ve told many of your predecessors that the Secretary of the Interior is often called “Alaska’s Landlord.” This is not an overstatement—the Department has over 220 million acres in Alaska under its jurisdiction and that doesn’t include the millions of acres of Outer Continental Shelf waters. The unique position of the Secretary in Alaska requires that you have the resources available to meet your Department’s responsibilities.

That’s why some of these proposed reductions are troubling. For example, the State of Alaska and Alaska Natives are still waiting for the Department to convey title to millions of acres of their lands more than 50 years since Statehood. So it’s hard for me to accept a 34 percent reduction to the Department’s program that issues conveyances to those who have waited so long to receive title to their lands.

Alaska also has one-half of all federally recognized Tribes. The Bureau of Indian Affairs provides essential programs for Alaska Natives that are fundamental to the Federal Government’s legal obligations to our First Peoples. I’m troubled by many of the proposed reductions to the BIA—particularly the elimination of the Tribal Courts program for which I secured funds for the first time in fiscal year 2016. This program is providing critical resources to Tribal courts in some of the most remote villages in our State—confronting widespread domestic violence, sexual assault, and substance abuse.

Finally, I know my western colleagues share my concern with the proposed reduction for the Payment in Lieu of Taxes (PILT) program of \$68 million, or 15 percent. PILT is absolutely essential for our rural areas to support roads, schools and police.

While there are many program reductions that trouble me, I am pleased that your request made hard choices and provided some programs will strong funding levels. The budget provides full funding for Contract Support Costs in the Bureau of Indian Affairs by maintaining the indefinite appropriation language that I first included in the fiscal year 2016 appropriations bill. This has helped provide certainty for Tribes and protected other BIA programs in case additional funds are needed to meet the Government’s legal obligations.

I’m also pleased that the request includes full funding for the 10-year average for wildland firefighting—something the previous administration did not do. While the budget does not include any type of “fix” for fire borrowing, it acknowledges the problem and expresses the administration’s willingness to work with Congress on a solution. As I told the Chief of the Forest Service 2 weeks ago, this is an issue that we must work on together. The change of administration offers a unique opportunity with new leadership to finally resolve the problem of fire borrowing in a fiscally responsible way.

There are a number of policy proposals in the budget that I strongly support such as opening of the “1002 area” of the Arctic National Wildlife Refuge for energy development. In Alaska today, the Department of the Interior will hold an offshore lease sale in Cook Inlet. This is good news, but it reminds me that the last administration excluded some of the most promising areas in Alaska’s Arctic OCS from its 5-year leasing plan. The Department’s budget request commits resources to re-writing this plan so that important areas in Alaska and elsewhere in the Lower 48 will receive proper consideration.

Mr. Secretary, you have been on the job for only a short time, but I deeply appreciate that you have already traveled to Alaska to learn more about our State. You have made several policy decisions that will help improve our economy and the lives of all Alaskans. There is genuine optimism that your leadership can make a real difference as we face a challenging economy.

This year’s budget will require the subcommittee to make tough choices. I am optimistic that we will be able to address many of the highest priority needs of Members of this subcommittee—including some of those that were not included in the President’s request. Mr. Secretary, I look forward to working with you and your staff to identify your highest priorities so that we can ensure that you have the resources you need to fulfill your goals for the Department.

Thanks to all the witnesses for being here this morning. Now I will turn to my colleague and Ranking Member from New Mexico, Mr. Udall.

With that, I will turn to my Ranking Member for his comments and then we will hear from you, Mr. Secretary.

Senator Udall.

STATEMENT OF SENATOR TOM UDALL

Senator UDALL. Thank you. Thank you, Chairman Murkowski. Good to see you again, Secretary Zinke.

Mr. Secretary, you are being asked to do a tough job by defending this budget request. I appreciate your willingness to come before this subcommittee to answer our questions this morning. I would like to thank Olivia Ferriter and Denise Flanagan from the Department. Really, appreciate you both being here. I recognize that the President's budget request is only a starting point for the fiscal year 2018 budget process, but I want to make it clear how concerned I am by the priorities expressed in this document.

In my view, a budget that cuts \$54 billion from non-defense programs is anything but balanced. Balanced means fair and equitable, but there is nothing fair or equitable about this budget request. Instead, what we have before us today is a proposal to slash more than \$1.5 billion from the Interior Department's budget. This budget claims to take care of the agency's core functions by focusing on existing Federal lands rather than grants or new land acquisitions.

The result is a budget request that cuts the payment in lieu of taxes program by 15 percent. It cuts 84 percent from land acquisition and State grants funded through the Land and Water Conservation Fund. Grants and science programs are slashed. And in the end after all the other hard choices, the budget still guts the budgets of the bureaus that care for existing Federal lands.

Funding to operate national parks is cut by almost \$200 million. BLM operations are cut by more than \$130 million. And the budget takes another \$100 million from the Fish and Wildlife Service operations. These cuts would have undeniable impacts to the landscape and to the ability of the public to access and enjoy our public lands.

I am equally troubled by the reductions in this budget for Tribal programs. Funding for the Bureau of Indian Affairs is cut by 13 percent with nearly every program on the chopping block. Indian education is cut by \$100 million. BIE school construction is zeroed out. Tribal natural resources, law enforcement, social services, and water settlement programs are slashed. Even contract support costs, payments that allow Tribes to run their own programs, get cut by 13 percent. We need to do better and I think this subcommittee will do better when it comes time to write our appropriations bills. And I look forward to working with you, Madame Chair, on that.

But even if Congress restores these budget cuts, that is not the end of the story. There are a number of policy and management issues that still need to be addressed. Secretary Zinke, I was troubled to learn of the Department's recent decision to stay provisions of the BLM methane rule despite the fact that efforts to block the rule legislatively and in the courts have failed. I simply do not understand why it is a bridge too far to ask the oil and gas industry to implement common sense measures to ensure that natural resources from our Federal lands are not being wasted.

I am also very concerned about the hostile position that this administration has adopted towards national monuments, including two monuments in New Mexico that are important economic en-

gines for the region, Rio Grande Del Norte and the Organ Mountains-Desert Peaks. It is no secret that I am disappointed by your recent recommendations for the Bears Ears National Monument as well as the process you followed to develop the interim report. I am very concerned by your decision, Mr. Secretary, to spend only one hour with Tribal members while other stakeholders received substantially more of your time.

I am also disappointed that your report ignored most of the 1 million comments you received from the public, the majority of which supported the monument designation as it stands today. I am concerned about the message that is being sent to Indian Country about how this administration views Tribal sovereignty and how the fulfillment of the Federal trust and treaty responsibilities will be handled by the Department going forward.

And finally, I am troubled by a number of recent personnel decisions that call into question the Department's commitment to its workforce and to keeping Congress informed of major changes to the day to day operations of the Department. These include the decision late last week to shuffle dozens of the Department's most senior career staff between bureaus. And your announcement just yesterday that BLM has started planning to reduce its workforce by more than 1,000 positions despite the fact that this subcommittee has not yet acted on your budget and we are months away from enacting a final bill to set funding levels for the Bureau's programs.

We obviously have a lot to discuss this morning, Secretary Zinke, but even though I just laid out a number of areas where we disagree, I also know that this subcommittee has a longstanding tradition of working closely with your Department no matter who is in charge and look forward to that relationship continuing. And thank you again for joining us today.

Senator MURKOWSKI. Thank you, Senator Udall.

Secretary, good to have you before the subcommittee. We would welcome your comments about the budget proposal in front of us. Welcome.

SUMMARY STATEMENT OF HON. RYAN ZINKE

Secretary ZINKE. Thank you, and it is a high honor to testify today in support of the President's 2018 budget for the Department of the Interior. I request permission to submit my entire statement for the record.

The budget. This is what a balanced budget would look like. Now, I say that again. This is what a balanced budget looks like. It is a starting point and obviously as a former Congressman, it is a starting point to negotiate back and forth. I understand many Members have different priorities and I certainly respect that. But if we are going to have an honest and frank discussion about our budget in the United States and continuing borrowing, this is what a balanced budget would look like in our view.

I fully appreciate and understand the Department of Interior touches the lives of more Americans than any other Department. In fact, nearly every American that lies within an hour of our public lands enjoys them and those of us in the west especially live in the legacy of Roosevelt. We deliver water to the west. We manage

the national parks and wildlife refuges across the country and provide energy development on shore and offshore.

In fact, as you know, the Department of Interior covers roughly about 20 percent of our Nation's lands and covers 12 time zones. The President's budget proposes \$11.5 billion and saves the taxpayers about \$1.6 billion. We have made strategic investments to ensure that the Nation's energy and national security are met and there are many, many difficult choices.

The President's budget is an all of the above energy strategy and does not favor coal, oil, gas over alternative energies. It is all of the above. We have a prudent focus on boosting revenues through legislative proposals to raise about \$5.8 billion.

Revenues. Everyone is focused on the \$1.6 billion in cuts. Let me for a moment talk about revenues. In 2008, the Department of the Interior made \$18 billion alone just in offshore revenue. Last year, we made \$2.6 billion. That is a drop of \$15.5 billion a year in revenue just in offshore revenue. When you add onshore timber production and the rest of the extraction and revenue sources, it gets even worse.

There was a comment about the parks. We are \$11.5 billion behind in deferred maintenance and repair. That is a priority, but we would have made that up in scale in 1 year and had \$3 billion of additional funds to invest, invest in our schools, invest in our treaty obligations, invest in making sure that our parks remain world class.

In pursuit of that, one of my first duties as a Department of Interior Secretary is I established the Royalty Policy Committee to look at revenues across the board. That includes mining, oil and gas, anything that has to do with public lands. I want to ensure the public, the taxpayer has an interest in it. We are the stakeholders, and should make sure we have appropriate revenue. That revenue should not be arbitrary. It should be in a good, best faith, Ronald Reagan way, trust but verify, but ultimately it should reflect the values and importance of the public land and public interest being served. When it comes to infrastructure, we did reduce LWCF in land acquisition because clearly we need a plan to take care of what we have now before we invest in other lands.

Since I have been Secretary, I have been to Utah, Wyoming, Montana, California, Alaska, Connecticut, Maine, New Hampshire, Massachusetts, to name a few, including the territories. What I have seen is deteriorating infrastructure, especially to the front line, whether it is in our national parks, Bureau of Reclamation, or fish and wildlife refuges. Our front line is short people while the headquarters and middle management seems to be just fine and we are shifting priority.

As a former commander, the front line makes a difference. If the front line is healthy, the force is healthy. In my judgment, the front line, has been through cost cutting measures before that have stripped authority, and have stripped resources. We are looking at a plan to push resources from middle management and headquarters back to where they belong and are most effective, to the front line.

The budget calls for a \$35 million increase for a total of \$766 million for national park infrastructure and that includes \$18 mil-

lion for the first phase of repairing the Arlington Memorial Bridge. A surprise as an Interior Secretary, is the things that Interior is responsible for outside of parks, to include the Memorial Bridge at \$262 million. I own gateways and roads. About a third of our roads are outside our parks, and about a third of our roads, when you look at the level of maintenance and repair, it is significant.

We fully fund fire suppression at a 10-year average. Fires in Great Smoky Mountain National Park and out west have cost up to \$2 billion a year. The Forest Service, which is not under the Department of Interior, has 71 million acres of dead and dying timber to remove. That is a cost.

We found savings by reducing Federal land acquisition programs, eliminating some programs, and allowing States, local communities, and private partners to take the leads in the others.

At the end of the day, the budget represents a balanced budget. It is a starting point, but it is a reflection of a balanced budget. I hope we can work together to create income streams that we can rest against some of our more priority projects which include infrastructure and making sure we honor our treaty obligations. We can and will maintain our assets. I want to make sure we have a world class experience in all our public lands and deliver savings to the taxpayers and encourage public private partnerships, and which there are many opportunities, encourage responsible energy development, and organize and reorganize the workforce to make sure that we look at what Interior should be doing in the next 100 years.

I am happy to work with you and I am thrilled to take your questions.

[The statement follows:]

PREPARED STATEMENT OF HON. RYAN ZINKE

Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee, I am pleased to appear before you today to discuss the 2018 President's budget for the Department of the Interior which provides \$11.7 billion for Interior's programs. The budget also requests \$123.9 million of discretionary Department of Defense appropriations to be transferred to the Department of the Interior to support enactment of the 2010 Compact Review Agreement with Palau.

Of Interior's total request, \$10.6 billion is within the jurisdiction of this subcommittee, a decrease of \$1.4 billion or 12 percent compared to the 2017 Annualized Continuing Resolution, and a decrease of \$1.6 billion or 13.4 percent below 2017 enacted. Because of the timing between enactment of the fiscal year 2017 Omnibus Appropriations Act and submission of the fiscal year 2018 President's budget, my statement compares requested funding to the fiscal year 2017 Annualized Continuing Resolution unless otherwise noted.

2018 BUDGET PRIORITIES

The 2018 budget for the Department of the Interior features targeted investments to further the administration's America First national energy goals. At the same time, this budget reflects the President's commitment to fiscal responsibility—proposing sensible and rational reductions and making hard choices to reach a balanced budget by 2027.

Across Interior's diverse mission, this budget emphasizes the Department's crucial role in promoting economic growth. America's lands hold tremendous job-creating assets. Visitors to our parks spend more than \$18.4 billion in local gateway communities, supporting approximately 318,000 jobs and contributing \$34.9 billion into the national economy according to the 2016 *National Park Service Visitor Spending Effects Report*.

In 2016, Interior's energy, mineral, grazing, and forestry activities resulted in \$8.8 billion in revenue to the American people, including direct revenue payments to

States, Tribes, and local communities. These same activities supported \$136 billion in economic output. In addition, direct grants and payments to States, Tribes, and local communities provided an estimated \$10 billion in economic output.

The Department's 2018 budget reflects the administration's commitment to strengthen America's economic and energy security, focus on the Nation's infrastructure, be responsible stewards of magnificent lands, encourage public access for outdoor recreation, and strengthen tribal sovereignty and support self-determination.

AMERICA'S ENERGY

The Department of the Interior is the steward and manager of America's natural resources including oil, gas, coal, hydropower, minerals and renewable energy sources. The Department has a critical role to play in the future energy security of our Nation as well as our overall economic well-being. American energy resources create jobs and generate significant revenue both to the U.S. Treasury and States. This budget proposes \$791.2 million in current and permanent funding for energy related programs across the Department, an increase of \$16.3 million from 2017. Interior's 2018 budget supports an "all-of-the-above" energy development strategy, increasing funding for onshore and offshore oil and gas, strengthening coal management activities, and sustaining the current pace of renewable energy development.

The budget reflects the importance of offshore energy production to America's economic and energy security. The 2018 budget shores up offshore oil and gas programs with appropriated funding to continue a strong offshore program. The request for the Bureau of Ocean Energy Management features a \$10.2 million increase to update the Five-Year Outer Continental Shelf Oil and Gas Leasing Program, consistent with the President's Executive Order *Implementing an America-First Offshore Energy Strategy* to expand offshore oil and gas exploration and production. The 2018 budget for the Bureau of Safety and Environmental Enforcement includes a \$1.2 million increase to focus on workforce training, permitting, and information technologies to better permit exploration, development, and production operations.

Onshore, the budget requests a \$16.0 million increase for the Bureau of Land Management's oil and gas management program, providing a total of \$75.9 million in appropriated funds focused on improving oil and gas permit application processing, streamlining leasing, and modernizing practices. The budget also includes \$19.0 million for the BLM coal management program, an \$8.0 million increase to reduce administrative processing times, simplify the lease application process, and improve the timeliness to complete lease sale fair market value determinations.

The 2018 budget includes \$78.1 million for Renewable Energy programs both on and offshore. Although a reduction from prior years, this funding level will sustain the current pace of development at a level consistent with anticipated project interest.

To ensure the public continues to receive the full value of natural resources production on Federal lands, in April, I signed a charter establishing a Royalty Policy Committee of 28 local, Tribal, State, and other stakeholders to advise me on the fair market value of and revenue collection from Federal and Indian mineral and energy leases, including renewable energy sources.

THE NATION'S INFRASTRUCTURE

Interior plays an important role in maintaining and improving the Nation's infrastructure. Interior's national role includes managing significant real property assets as well as conducting reviews and processing permits to support national infrastructure development as part of a balanced multiple land use strategy.

Interior's 2018 budget maintains the 2017 level of \$98.8 million for Fish and Wildlife Service planning and consultation activities. This level maintains the FWS capability to meet its legal consultation requirements and avoid logjams that could delay infrastructure projects and associated economic benefits. The BLM budget also directs base funding to address siting for energy transmission projects, and proposes an increase in the oil and gas management program to facilitate rights-of-way associated with energy development projects.

Interior manages an infrastructure asset portfolio with a replacement value exceeding \$300 billion, ranging from elementary and secondary schools serving Indian children, to highways and bridges serving the daily commuting needs of the Washington, D.C., metropolitan area. Interior owns approximately 43,000 buildings, 100,000 miles of road, and 80,000 structures—including iconic landmarks, as well as dams, bridges, laboratories, employee housing, and irrigation and power infrastructure. Taking care of this significant asset portfolio is a persistent challenge. Interior's deferred maintenance backlog has grown to over \$15 billion in 2016. Con-

struction and maintenance funding across the Department totals \$1.4 billion in 2018, not including the Bureau of Reclamation.

From my first day on the job, one of my top priorities has been to prioritize efforts to address the National Park Service maintenance backlog. Our National Parks have 73 percent of Interior's deferred maintenance backlog while hosting 324 million visitors last year. The 2018 budget for NPS includes \$236.3 million for construction and deferred maintenance projects, an increase of \$21.0 million from 2017. Total estimated funding for NPS maintenance and construction needs including estimated recreation fee revenue is \$765.7 million, an increase of \$34.7 million from fiscal year 2017. This increase will support targeted and measurable upgrades to a number of the NPS' highest priority assets including the first phase of repairs to the Arlington Memorial Bridge project.

AMERICA'S LANDS

In my first days in office, I issued two Secretarial Orders to expand access to public lands and increase hunting, fishing, and recreation opportunities nationwide. The 2018 budget includes \$4.4 billion for Interior's land management operations in the NPS, FWS, and the BLM, a reduction of \$354.3 million from 2017. This includes funding for operational programs as well as management and maintenance of the national parks, national wildlife refuges, and BLM's network of national conservation lands. Within land management operations, the budget prioritizes funding to protect and conserve America's public lands and natural resources, provide access to public lands for the next generation of outdoor enthusiasts, and ensure visitor safety.

To support land management priorities, funding for lower priority activities, such as Federal land acquisition projects, is reduced. The 2018 budget emphasizes taking care of our current assets, rather than adding more by purchasing new land. Accordingly, the budget for land acquisition programs is \$54.0 million, \$129.1 million below 2017. A small amount of funding is maintained in each bureau for emergencies or acquisition of inholdings needed to improve management of established areas or to increase public access.

To better manage and balance these responsibilities, the Department relies on its front-line land managers, field scientists, and partners to monitor, assess, and collect information about the status of resource conditions. Interior's U.S. Geological Survey is the Nation's leading source of expertise in earth and natural sciences and works closely with other Interior bureaus and State, local, Tribal and other Federal partners to help resource managers adapt to changing conditions on the ground. The 2018 budget includes \$922.2 million for USGS programs, to focus on core science activities including land and water resources, energy and minerals, mapping, ecosystems, invasive species, natural hazards, and environmental health.

The 2018 request budgets responsibly for the Payments in Lieu of Taxes program. The budget includes \$397 million for these payments as part of the discretionary request, to ensure continued support to the communities neighboring Interior and other Federal lands without assuming enactment of separate legislation. The 2018 level for PILT is reduced 12 percent below the 2017 CR level, consistent with the total reduction in the Interior budget.

A key component of Interior's land stewardship is management of wildland fire. The 2018 budget provides \$389.4 million for wildfire suppression—the full 10-year average of suppression expenditures. This level of funding is projected to be sufficient to meet fire suppression needs in an average fire season without the risk of needing emergency transfers from other departmental accounts.

The 2018 budget also continues efforts to address the challenges of water availability and drought conditions. Within the jurisdiction of the Energy and Water Development Subcommittee, the budget invests \$1.1 billion in Reclamation water resources to ensure millions of customers continue to receive the water and power that are the foundation of a healthy economy.

AMERICA'S TRUST RESPONSIBILITIES

Interior maintains strong and important relationships with Native and insular communities, helping to promote efficient and effective governance and to support nation-building and self-determination. The Department provides services directly, or through contracts, grants or compacts, to 567 federally recognized Tribes with a service population of nearly two million American Indians and Alaska Natives. The budget prioritizes support for programs serving the broadest service population and proposes reductions in initiatives that are more narrowly focused. The President's budget maintains the administration's strong support for the principle of Tribal self-determination, and efforts to strengthen Tribal communities across Indian Country.

The budget includes full funding for Contract Support Costs and Tribal Grant Support Costs that Tribes incur from managing Federal Indian programs.

The 2018 budget request includes \$786.4 million to continue support for core Indian education programs, including formula funding and operation and maintenance funding for elementary and secondary schools, and support for post-secondary programs. The 2018 budget continues to meet Federal responsibilities outlined in enacted land and water rights claim settlements with Indian Tribes, and includes \$160.8 million for authorized settlements and technical and legal support involving Tribal water rights, to maintain the Department's ability to complete these settlement requirements within the statutory timeframes.

In recognition of the importance of the Nation's relationship with Palau and the Pacific national security strategy, the budget requests \$123.9 million of discretionary Department of Defense appropriations to be transferred to the Department of the Interior to support enactment of the 2010 Compact Review Agreement with Palau.

MANAGEMENT AND REFORM

As part of the President's March 2017, Executive Order on a *Comprehensive Plan for Reorganizing the Executive Branch*, the administration launched a government-wide effort to create a leaner, more efficient, and more responsive government. The Order directs agencies to begin planning to operate at the funding levels in the 2018 budget and develop a broader Agency Reform Plan to address long-term workforce reductions. Interior is moving prudently with implementation and has put in place hiring controls to enable limited hiring, prioritizing filling field positions rather than office positions, and limiting hires in the Washington, D.C., and Denver, Colorado, areas. This process enables the Department to continue to fill important positions as work is underway to develop a comprehensive and thoughtful agency plan.

The 2018 budget reduces lower priority programs \$1.6 billion below 2017 and supports 59,968 full time equivalents. This represents an estimated reduction of roughly 4,000 full time equivalent staff from 2017. To accomplish this, the Department will rely on a combination of attrition, reassignments, and separation incentives. Actual attrition rates and acceptance of separation incentives will determine the need for further action to reduce staffing.

Reducing Interior's physical footprint and seeking ways to consolidate space and resources will continue to be management objectives going forward. Efforts will build on several multi-year actions to reduce Interior's nationwide facilities footprint and improve the efficiency and effectiveness of its information technology infrastructure and financial reporting capabilities. Ensuring Interior's cybersecurity strength continues to be a priority. The 2018 budget maintains \$10.0 million in the appropriated working capital fund to continue the Department's remediation of its cybersecurity systems and processes.

BUREAU HIGHLIGHTS

Bureau of Land Management.—The 2018 request for the BLM is \$1.1 billion, a decrease of \$162.7 million below the 2017 CR level and \$180.5 million below the 2017 enacted level. The budget proposes \$963.2 million for Management of Lands and Resources and \$89.8 million for Oregon and California Grant Lands, BLM's two primary operational appropriation accounts.

The BLM request features increases in oil, gas and coal management programs reflecting national energy security priorities. The budget proposes \$75.9 million for Oil and Gas Management to support permitting and rights-of-way processing, streamline leasing, and modernize practices. The budget also includes \$19.0 million to strengthen BLM's Coal Management program, an increase of \$8.0 million from 2017.

To maintain the BLM's land stewardship responsibilities, the budget includes \$67.8 million for Rangeland Management and \$70.7 million for the Wild Horse and Burro Management program. As part of a broader effort to consider all necessary options to manage the unsustainable growth of this program, the budget proposes to eliminate current appropriations language restricting the BLM's ability to use the tools provided in the Wild and Free-Roaming Horse and Burro Act and enable BLM to manage on-range herds more effectively and humanely. The budget also proposes \$47.2 million for Recreation Resources Management and \$27.7 million to continue support for the National Conservation Land areas.

The budget includes \$89.8 million for the Oregon and California Grant Lands programs. At this level, the budget prioritizes offering the allowable sale quantity in new resource management plans.

Mineral development on Federal lands is important to the national economy. However, a long-standing challenge is to provide a fair return to taxpayers for the use of these natural resources without discouraging development. To meet this challenge, the Department will conduct a study starting in 2017 to evaluate the production and development of hardrock minerals from Federal lands. The review will include an analysis of revenue recovered by other entities, including other countries, which permit mining on their land. The Department will also consult with other appropriate agencies, such as the Department of Agriculture. The findings will be considered as part of ongoing efforts to improve agency management and streamline permitting related to natural resources produced from Federal lands.

Bureau of Ocean Energy Management.—The 2018 President's budget for BOEM is \$171.0 million, slightly above the 2017 CR level, including \$114.2 million in current appropriations and \$56.8 million in offsetting collections from rental receipts and cost recoveries. The budget maintains a level program by increasing appropriated funding by \$35.5 million to address a commensurate shortfall in estimated offsetting rental receipts and cost recoveries. The 2018 budget features a \$10.2 million increase to support the development of a new Five-Year Plan for the OCS Oil and Gas Leasing Program.

Bureau of Safety and Environmental Enforcement.—The 2018 President's budget request for BSEE is \$204.9 million, slightly above the 2017 CR level, including \$112.0 million in current appropriations and \$92.9 million in offsetting collections from rental receipts, cost recoveries, and inspection fees. The budget maintains a strong offshore safety and environmental enforcement program by increasing appropriations and estimated inspection fee revenue to address anticipated shortfalls in offsetting rental receipts and other cost recoveries. The 2018 budget includes a \$1.2 million increase for technical training to expand staff development efforts for BSEE's inspector, engineer, and geoscientist workforce, and \$12.7 million for oil spill research, a reduction of \$2.2 million from 2017.

Office of Surface Mining Reclamation and Enforcement.—The 2018 budget request for OSMRE is \$129.4 million in current appropriations, \$110.7 million below the 2017 CR level. The majority of this reduction reflects the elimination of \$89.9 million for Abandoned Mine Lands Economic Development Grants. Although beneficial, funding for this pilot program overlaps with existing mandatory Abandoned Mine Lands grants which continue without any proposed changes. The budget includes \$60.2 million for State and Tribal regulatory grants, a level consistent with anticipated State and Tribal program obligations.

U.S. Geological Survey.—The 2018 budget request for the USGS is \$922.2 million, \$137.8 million below the 2017 CR level. The budget includes \$70.9 million for satellite operations, which supports continued development of the Landsat 9 ground systems, supporting a launch date in early fiscal year 2021 to replace the Landsat 7 satellite, which is reaching the end of its usable life.

The request emphasizes energy and mineral development, supporting essential hazards monitoring, and providing scientific information to support decisionmaking by resource managers and policy makers. The budget maintains support for nationwide networks of more than 8,000 streamgages and nearly 3,000 earthquake sensors. The request provides \$17.3 million for nationwide efforts to counter invasive species and wildlife diseases such as white-nose syndrome and highly pathogenic avian influenza, and the budget maintains \$17.3 million for 40 cooperative research units that support State-specific needs, particularly related to fish and game species. It continues acquisition of modern elevation data for Alaska and the 3-year cycle of topographic map updates for the contiguous United States.

The 2018 request proposes to realign the 2018 budget structure to create a new Land Resources activity to reflect focused science related to on-the-ground land management and adaptive management challenges. As part of this request, the budget proposes \$17.4 million for the National and Regional Climate Adaptation Science Centers, reflecting the proposed consolidation of eight regional centers to four.

Fish and Wildlife Service.—The 2018 President's budget requests \$1.3 billion for FWS programs, a decrease of \$202.9 million from the 2017 CR level. The budget includes \$1.2 billion for FWS operations, a decrease of \$85.3 million below 2017. Within Resource Management, the budget prioritizes funding to maintain operations and maintenance for the National Wildlife Refuge System (\$470.1 million) and the National Fish Hatchery System (\$51.9 million). Funding will continue operations for all refuge areas and hatchery sites.

The budget includes \$225.2 million for Ecological Services programs with an emphasis on species recovery and planning consultation activities. Consistent with efforts to focus adaptive management related science within the USGS, the request

proposes to eliminate funding for Science Support at \$17.0 million and Landscape Conservation Cooperatives at \$13.0 million.

The budget is \$118.6 million for FWS conservation grants including \$52.8 million for State and Tribal Wildlife Grants, \$33.6 million for the North American Wetlands Conservation Fund, \$19.3 million for the Cooperative Endangered Species Conservation Fund, \$9.0 million for the Multinational Species Conservation Fund, and \$3.9 million for Neotropical Migratory Bird Conservation. Consistent with decreases in other land acquisition programs across the Department, the request proposes to eliminate funding for Cooperative Endangered Species Conservation Fund land acquisition grants.

National Park Service.—The 2018 President's budget request for NPS is \$2.6 billion, \$296.6 million below the 2017 CR level.

The budget proposes \$2.2 billion for NPS operations. Within this account, funding is prioritized for the care and maintenance of existing resources. The budget includes \$99.3 million for repair and rehabilitation projects, which addresses the deferred maintenance backlog, as well as \$112.7 million for cyclic maintenance projects, which ensures maintenance is conducted in a timely fashion to avoid increasing the deferred maintenance backlog.

The budget proposes \$226.5 million for Construction projects, an increase of \$34.0 million to help address deferred maintenance and allow for targeted and measurable upgrades to a number of the NPS's highest priority assets. Within this request is \$18.2 million for phase one construction requirements for the Arlington Memorial Bridge. Also included in the request is \$15.0 million in appropriated funds for the Centennial Challenge program to provide the Federal match to leverage partner donations for signature projects and programs. An additional \$15.0 million from fee revenue is also anticipated for 2018 to support Centennial projects.

The request provides \$37.0 million for National Recreation and Preservation programs to support local community efforts to preserve natural and cultural resources. The budget assumes savings of \$18.8 million from the proposed elimination of payments to National Heritage Areas. The 2018 budget includes \$51.1 million for the Historic Preservation Fund core grants-in-aid programs. The budget proposes to shift support for Land and Water Conservation Fund State Grants from appropriated to mandatory funding comparable to an estimated \$90 million the program will receive from oil and gas activities from certain Gulf of Mexico offshore leases.

Indian Affairs.—The 2018 President's budget request for Indian Affairs is \$2.5 billion, \$303.3 million below the 2017 CR level. Funding for Operation of Indian Programs totals \$2.1 billion, a decrease of \$181.1 million below 2017. In 2018, priority is given to programs serving the broadest audience rather than initiatives or pilots. Within this total is \$786.4 million for Bureau of Indian Education programs where funding focuses on direct school operations and full funding for Tribal Grant Support Costs. The main operating account also includes \$349.3 million for Public Safety and Justice programs and \$277.5 million for Trust Services programs, which includes the elimination of the Tribal Climate Resilience program.

The budget fully funds Contract Support Costs at \$241.6 million, \$35.4 million below 2017, which will cover all anticipated requirements at the requested program funding level. The budget requests \$143.3 million for Construction programs. The 2018 budget prioritizes dams, irrigation projects, and irrigation systems which deliver water to aid economic development as well as protect lives, resources, and property. The budget prioritizes funding within education construction for operations and maintenance of existing facilities. The budget also includes \$14.0 million to provide payments to ongoing Indian Land and Water settlements and \$6.7 million for the Indian Guaranteed Loan Program.

Departmental Offices

Office of the Secretary.—The 2018 budget request for Departmental Operations is \$123.9 million, \$596.5 million below the 2017 CR. The majority of this reduction is \$451.1 million associated with the shift of the Payments in Lieu of Taxes program which was appropriated within Departmental Operations in 2017. In 2018, the budget proposes to fund PILT as discretionary funding within Department-wide Programs. The budget also reflects the proposed transfer of \$140.3 million associated with the Office of Natural Resources Revenue to a new appropriation within Department-wide Programs. The proposed transfer of ONRR funding will increase transparency in the budget for the Department's energy revenue programs. The 2018 request for remaining Office of Secretary programs reflects a reduction of \$4.0 million from central program management activities across the Office of the Secretary organization. Of this, \$2.6 million is associated with reductions to the Office of Valuation Services consistent with the proposed Department-wide decrease for new land acquisition.

Office of Insular Affairs.—The 2018 OIA budget request is \$84.3 million, \$19.0 million below the 2017 CR. In addition, the majority of OIA's budget proposal reflects a request to fully fund the renegotiated Compact with Palau by transferring \$123.9 million from the Department of Defense, rather than \$13.1 million in extended incremental annual payments. The Compact is an important element of the Pacific national security strategy.

Office of the Solicitor.—The 2018 budget proposes \$65.7 million for the Office of the Solicitor, the same as the 2017 CR level, to provide legal counsel, administer the Department's ethics program, and help resolve legal issues among bureaus and offices as they fulfill their duties.

Office of Inspector General.—The 2018 budget proposes \$50.0 million for the Office of Inspector General, the same as the 2017 CR level, to continue support for audit and investigations across the Department.

Office of the Special Trustee for American Indians.—The 2018 budget requests \$119.4 million for OST, \$19.4 million below the 2017 CR level. The budget proposes a \$3.7 million reduction below 2017 in Field Operations reflecting prioritization of services to continue operations at the beneficiary call center. A reduction of \$3.1 million is proposed within Historical Trust Accounting in expectation of reduced requirements. Smaller additional reductions are taken across the organization.

Department-wide Programs

Payments in Lieu of Taxes.—The 2018 budget proposes \$396.9 million in discretionary funding for PILT, a decrease of \$54.3 million from the comparable 2017 CR level of \$451.1 million appropriated in Departmental Operations in 2016. This is a reduction of 12 percent, commensurate with the Department of the Interior's overall reduction from 2017 CR budget levels.

Office of Natural Resources Revenue.—The 2018 budget request includes \$137.8 million for ONRR's receipts management programs, a decrease of \$2.5 million below the comparable 2017 CR level of \$140.3 million. The 2018 budget request proposes to transfer ONRR's receipts management program from the Office of the Secretary's Departmental Operations account to a separate appropriation within Department-wide Programs to increase transparency of the program. The request includes \$3.5 million for anticipated contract cost increases for the Minerals Revenue Management Support System.

Central Hazardous Materials Fund.—The 2018 budget requests \$2.0 million for the Central Hazardous Materials Fund, \$8.0 million below the 2017 CR. The budget request funds program management and legal staff. The program will fund the highest priority remediation projects based on the availability of recoveries and focus resources on remediation projects with potentially responsible parties.

Wildland Fire Management.—The 2018 budget request for the Wildland Fire Management Program is \$873.5 million. The total request represents a decrease of \$118.3 million from the 2017 CR level for the Wildland Fire Management and FLAME accounts. At this level the request provides \$389.4 million for Suppression Operations to fully fund the 10-year average. To streamline financial management processes and improve the efficiency in allocating suppression funding, the Department proposes to fund all suppression activities in the Wildland Fire Management account and eliminate the separate FLAME Wildfire Suppression Reserve Fund account once all current balances in the FLAME account are drawn down. The request also includes \$322.2 million for Preparedness activities, essentially level with 2017, and \$149.5 million for Fuels Management, \$20.2 million below 2017.

Natural Resource Damage Assessment and Restoration.—The 2018 request for NRDAR is \$4.6 million, a decrease of \$3.2 million below the 2017 CR level. The budget includes funding needed for ongoing damage assessments and restoration activities.

Working Capital Fund.—The 2018 budget proposes \$59.5 million for the appropriated portion of the Department's Working Capital Fund, a decrease of \$7.5 million from the 2017 CR level. The reduction is from funds requested for the Financial and Business Management System which is proposed at \$46.3 million. The request maintains \$10.0 million for Department-wide Cybersecurity needs.

LEGISLATIVE PROPOSALS

Bureau of Reclamation Title Transfer.—The administration is developing a proposal to better facilitate title transfer of Reclamation facilities to non-Federal entities when such transfers are beneficial to all parties. This proposal will allow local water managers to make their own decisions to improve water management at the local level, while allowing Reclamation to focus management efforts on projects with a greater Federal nexus.

Cancel Southern Nevada Public Land Management Act Account Balances.—The budget proposes legislation to cancel \$230.0 million in unobligated balances from the Southern Nevada Public Land Management Act program over a 3 year period. This would redirect a portion of the program balances to the Treasury for broader taxpayer use. The SNPLMA program is not proposed for elimination and viable conservation efforts will continue to be supported.

Gulf of Mexico Energy Security Act Payments.—The administration proposes to repeal revenue sharing payments to four coastal States—Alabama, Louisiana, Mississippi, and Texas—and their local governments, which are currently set to expand substantially starting in 2018. This proposal will ensure the sale of public resources from Federal waters owned by all Americans, benefits all Americans. Mandatory funding for LWCF State Grants would continue, but this legislative proposal would replace GOMESA's complicated allocation formula with a fixed annual appropriation of a comparable dollar amount, starting at \$90.0 million in 2018 and increasing to \$125.0 million in 2022 and remaining at \$125.0 million each year thereafter.

Land and Water Conservation Fund.—The LWCF receipts authorization expires at the end of fiscal year 2018 and the administration will review options for reauthorization, including consideration of a range of conservation-related investments that could be funded through the LWCF.

Oil and Gas Leasing in the Arctic National Wildlife Refuge.—The administration will propose legislation to allow oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge also known as the “1002 area.” The budget assumes lease sales would begin in 2022 or 2023, allowing adequate time for the completion of appropriate environmental reviews and an updated assessment of the State of the oil and gas market and lease bidding potential prior to scheduling specific lease sales. An additional lease sale or sales would be held in 2026 or 2027. Lease sales in the ANWR are estimated to generate \$3.5 billion in bonus bids to be split between the U.S. Treasury and the State of Alaska. The proposal is estimated to generate a net of \$1.8 billion in new revenue to the Treasury over 10 years.

Reauthorize the Federal Land Transaction Facilitation Act.—The budget assumes permanent reauthorization of FLTFA's land sale authority, allowing Interior to dispose of lands with low conservation value and use the proceeds to acquire lands with higher conservation values, consistent with the original FLTFA mandate.

Recreation Fee Program.—The budget proposes to permanently reauthorize the Federal Lands Recreation Enhancement Act, which currently expires in September 2018. As a precaution, appropriations language is also submitted with the budget proposing a 1 year extension through September 2019. The revenues collected by Interior from these recreation fees—nearly \$290 million annually—are an important source of funding for land management operations, maintenance, and improvements to recreation facilities on public lands.

Termination of EPA's Geothermal Payments to Counties.—The budget proposes to restore Federal geothermal leasing revenue allocations to the historical formula of 50 percent to the States and 50 percent to the U.S. Treasury by repealing Section 224(b) of the Energy Policy Act of 2005.

OFFSETTING COLLECTIONS AND FEES

Bureau of Safety and Environmental Enforcement Offshore Inspection Fees.—The budget includes appropriations language to amend the current fee structure for BSEE inspection fees to better align with BSEE's inspection practices and program costs. The language structures fees charged for the inspection of offshore facilities to distinguish between those “without processing equipment” or “with processing equipment” and incorporate consideration of the number of wells and water depth. These changes to the fee structure are estimated to generate \$65.0 million in 2018.

National Wildlife Refuge Damage Cost Recovery.—The budget includes appropriations language to authorize the FWS to retain recoveries from responsible parties to restore or replace damages they cause. This is similar to authorities provided to the NPS for damages to national parks and monuments.

CONCLUSION

Thank you for the opportunity to testify on the President's 2018 budget request for the Department of the Interior.

In closing, this is a responsible budget to help balance the Federal budget by 2027. It maintains core functions important to the American people, including providing the public the unique American experience that comes from visiting our parks, refuges, and public lands. It reflects tough choices to prioritize and focus limited resources where investments have the most impact, but continues to deliver access and services which are critical to Americans. I thank you again for your contin-

ued support of the Department's mission. I look forward to answering questions about this budget. This concludes my written statement.

Senator MURKOWSKI. Thank you, Mr. Secretary.

We will now turn to questions. I am going to defer to Senator Alexander who has another commitment very shortly. So, Senator Alexander, if you want to kick off the questions.

Senator ALEXANDER. Madame Chairman, I greatly appreciate your courtesy. Thank you very much. And, Mr. Secretary, welcome. It is good to see you.

FISCAL YEAR 2018 BUDGET

Respectfully, may I disagree with you about a balanced budget? This is not a balanced budget. Our budget is \$4 trillion. And I think all of us know that it is—we cannot pretend to balance the budget on the back of national defense, which you were so indispensably part of in your service to our country, national parks, national institutes of health, national laboratories. That spending is all under control. Since 2008, it has been flat. And it is projected by the Congressional Budget Office to be flat for the next several years just barely rising with inflation.

The whole budget is \$4 trillion. The part that is out of control is the mandatory spending and we need to work together to bring that under control or national defense, national parks, national laboratories, the national institutes of health will be squeezed into nothing.

CHIMNEY TOPS FIRES

But let me ask my questions quickly. In your confirmation hearing you said that you would pay close attention to the individual fire review for the 2016 Chimney Tops Fire in the Smokies, in an area you know well. What is the status of the review of the Park's response to the wildfires?

Secretary ZINKE. We owe you a report. We are late on it. I expressed my priority to get it to you by the week's end, but we are overdue on that report. I have talked to Representative Poe as well and he shared the same concerns.

Senator ALEXANDER. Right.

Secretary ZINKE. I had the same concerns, of why that report is not submitted to you.

Senator ALEXANDER. I would appreciate your focus on it because that was a traumatizing event for the people in Tennessee and North Carolina. We lost lives. It destroyed half the economy of Gatlinburg and we would like your assistance in learning the lessons that we need to learn in order to avoid something like that happening again.

JAMES K. POLK SPECIAL RESOURCE STUDY

On a more positive note, the Department has supported and recommended the second step on making the James K. Polk home in Tennessee a unit of the National Park Service. The Department supported a special resource study. It was in the energy bill that Senator Murkowski offered last year. I would think you would have a special interest in it because when James K. Polk was President

the United States acquired a lot of the land that is now Montana. So my question is does the Department continue to support the special resource study for the James K. Polk home?

Secretary ZINKE. The Department's position on it is we follow Congress. We do support it and testified in favor of it, but it is a congressional authorization. Certainly if this body authorized it, we would be glad to take it in to our holding and go forth from there.

LAND AND WATER CONSERVATION FUND

Senator ALEXANDER. Thank you, Mr. Secretary. The Land and Water Conservation Fund, in the 1960s the Rockefeller Commission recommended it. Congress enacted it. The idea was to take an environmental burden and turn it into environmental benefit. And for 50 years we have tried to do that in this country with some spectacular success.

In the mid-1980s, I was chairman of President Reagan's Commission on Americas Outdoors. We recommended permanent authorization of the Land and Water Conservation Fund. Last year Congress appropriated \$400 million for it. Should have been \$900, but it was \$400. Your budget recommends \$64 million. I thought I heard you say earlier that you supported the Land and Water Conservation Fund. What is your position on the Land and Water Conservation Fund today?

Secretary ZINKE. I do support and remain supportive of the Land and Water Conservation Fund. As you know, when you drop from \$18 billion to \$2.6 billion in revenue, the Land and Water Conservation Fund is funded primarily by offshore. I would like a permanent fix to the Land and Water Conservation Fund. The fund itself, as I understand, has about \$20 billion, and structurally it goes from offshore into Treasury. Then it needs to be appropriated before we can actually expend the funds. That appropriation process has not been particularly smooth.

Senator ALEXANDER. Right.

Secretary ZINKE. The fund keeps on building. It is the same with the Reclamation Fund. There is money that was intended to do great things in reclamation and yet that fund, over the course of time, has "accumulated" about \$18 billion.

Senator ALEXANDER. Right.

Secretary ZINKE. We need to look at using those funds as they were intended.

GREAT SMOKY MOUNTAINS NATIONAL PARK

Senator ALEXANDER. If I may ask one more in my time. I agree with you about the permanent fix to it, but it does not help to have the annual appropriation drop to \$64 million when there ought to be \$900 million. I have mentioned to you, we are very proud of our western parks and, you know, we are proud of the Smokies. Still we have the situation where the Smokies, which was given to the country, has twice as many visitors each year as the Grand Canyon, Rocky Mountain, Yosemite, and Yellowstone, but has less appropriation and no fee because when the Smokies was given to the country, part of the deal with the United States was that there would not be an entrance fee.

I hope you will continue to work with me and others from Tennessee and North Carolina to see that the Smokies receives at least the same appropriation as the western parks, especially when its total number of visitors is twice as much and when it does not have fee revenue available to help.

I want to thank Chairman Murkowski for her courtesy in allowing me to ask these questions.

Senator MURKOWSKI. Thank you, Senator Alexander. Appreciate the direction there.

Senator UDALL.

Senator UDALL. Thank you, Madam Chair.

CONGRESSIONAL INQUIRIES

Secretary Zinke, before we get to substantive issues, I wanted to raise a process concern. It is a longstanding practice for Members of this subcommittee of both parties to request information from your Department. Can you please confirm that you intend to continue the longstanding practice of responding to written questions and correspondence from both majority and minority Members of this subcommittee as quickly as possible?

Secretary ZINKE. Absolutely. And, in fact, on the House side, and I would offer the same thing with the Senate side, is I meet with House Members in a roundtable on both sides of the aisle quarterly. I intend to be the most transparent Interior Secretary in my lifetime, but I would offer the same thing to Members of the Senate in a roundtable form so we can discuss issues of significance and to be absolutely transparent and responsive. I think we should work together. That should be a policy. Public lands and the stewardship that it requires is not a partisan issue. It is an American issue.

Senator UDALL. And you will answer written questions from both minority and majority Members.

Secretary ZINKE. I look forward to it.

Senator UDALL. Okay. Well, as a follow up, I have not received answers to 11 letters that I have sent to the Department. Will you commit to reviewing those letters and to responding as soon as possible?

Secretary ZINKE. I will commit to reviewing them. If the requests are predecisional and involve executive privilege, I will talk to you about it personally, but I will be responsive.

Senator UDALL. You know, well, as far as I know, none of these have to do with executive privilege and they are overdue. You committed to answering them.

Secretary ZINKE. I will commit to answering if they do not involve predecisions or executive privilege. If I cannot answer them in writing, I will call you directly, sir, and be glad to discuss it with you.

REORGANIZATION

Senator UDALL. Thank you. Secretary Zinke, I would like to talk about your proposals to reorganize the Department and reduce your workforce. This subcommittee has an important role in shaping any future changes to the Department's organization and yet we have been left in the dark with regard to what your plans are.

I was very troubled to hear reports late last week that dozens of the Department's senior career staff including BLM State Director for New Mexico, the Southwest Regional Director for the Fish and Wildlife Service, and newly installed Director of the Bureau of Indian Affairs have been directed to take new assignments in other bureaus or regions of the country. To make matters worse, we found out about these changes from the "Washington Post" rather than hearing from your Department directly.

It is my understanding that the scale of these changes is virtually without precedent. These staff members appear to have been transferred with no clear plan regarding how or whether their current positions will be filled. And I have heard that many of these changes are set to take place quickly, potentially by the end of the months. That means almost no notice to the affected staff or the affected programs, let alone to affected States or Tribal governments.

I mentioned the BLM State Director, Amy Lueders, as an example of these staff members whose work impacts my State on a day to day basis. Amy has served as our BLM straight director for the past 2 years and she has been incredibly engaged and responsive. Quite frankly, I do not want New Mexico to lose her and I am very concerned about the impacts of the other changes as well.

These senior executives have expertise specific to their current bureaus and they manage some of the most sensitive issues that affect New Mexico and Indian Tribes, yet we have no idea why these positions were selected for reassignment or how moving these individuals out of their current positions improves the management of the Department. We also do not know how these changes fit into the larger workforce plan for the Department that you have been directed by the OMB to assemble.

Mr. Secretary, President Trump promised to run the Government like a business, but some of these personnel moves just do not make sense. It is like taking your head of marketing and putting them in charge of accounting. That is a bad business decision. Your workforce deserves better and the Congress deserves to know more about what is happening at the Department, so I would like to get some answers from you today.

First, I would like to ask you to provide for the record a list of all positions that are impacted by these reassignments and a justification for why these positions have been selected, including any input from the senior executive services executive resources board by close of business on Friday, June 23. I recognize that is a tight timeframe, but if these changes are taking place quickly this subcommittee needs to know what is happening. Will you commit to providing the information?

Secretary ZINKE. Well, first let me address the issue. The SES is far from unprecedented in moving people. The SES by definition gets moved. Secondly in the movements, we went full board in shifting people to either an area where their skills are better suited or getting people out of headquarters and moving them to the field.

We had 330 million visitors through our parks last year. It is time maybe we look at a more Powell Pinchot model of reorganizing according to ecosystems and watersheds. Clearly the importance of making sure watersheds are effectively managed, wildlife

corridors and trail systems match, and being a holistic approach because, within the Department of Interior and our sister bureaus, if you have a trout and a salmon in the same stream and that stream has irrigation or a dam on it, you have NOAA, through NMFS. You have Fish and Wildlife. You have Bureau of Reclamation. And you have the Army Corps of Engineers. If it runs past Tribal lands, you have BIA.

There are five bureaus in one stream that are likely to have opinions that are unreconcilable. We need to look at our side to make sure we can manage our forest and our rivers more effectively. We are looking at pushing more resources out of Washington, out of our major centers of regions the way they are, and aligning them to work jointly.

As far as the decisions go, I cannot give you a list because I do not know who is going to go because they have a choice. They were given notification through a board process lining up. They are given a choice and there is a privacy issue until they have made that choice. After they make the choice, I would be glad to give you a list, but until that time, until they make that decision, then I am going to honor the privacy part of it, which is part of our procedures and I believe it is under law.

Senator UDALL. Yes. So you will commit to giving me information?

Secretary ZINKE. I will commit to give the information as soon as they go through the privacy part of it, as soon as they make the decision. Then I would be glad to give you a list. But the list I can tell you—

Senator UDALL. Thank you, Mr. Secretary.

Secretary ZINKE [continuing]. The move was not unprecedented.

Senator MURKOWSKI. Thank you, Senator Udall.

OCS 5-YEAR PLAN

Mr. Secretary, I mentioned in my opening statement that BOEM is holding a lease sale in Cook Inlet this morning. It prompts discussion for potential for the Chukchi and the Beaufort. The previous administration issued a draft 5-year plan for leasing in the OCS, January 29, 2015. It included areas in the Arctic OCS, one sale in the Chukchi, one in the Beaufort. Ten days after the election on November 18, the administration issued its 5-year plan which of course excluded these areas.

So question for you this morning, the budget indicates that there will be resources to rewriting this 5-year plan, which we appreciate. Can you give me any kind of an update? You have to rewrite the entire plan. You cannot simply amend the existing one. So where do you see this in terms of timelines, in terms of resources, that will be required to process this review? Do you have an update for me on where we are with the 5-year lease sales?

Secretary ZINKE. I do. We looked at rearranging and rather than having the standard everything in sequence, which pushes the time out, we can do things simultaneously in many cases. We think the process will be about 2 and a half to 3 years, which will be less than the 5 years. We are taking the first step, which is the Federal Register Notice, asking for information and comments. It is going to be a very transparent process.

In regards to the lease sale that is coming up, there is a gap of trust that has occurred. I will give you an example on the North Shore. When Shell commits \$3.5 or \$3.1 billion to a lease and the Fish and Wildlife moves them out to unproductive waters and they dig a dry hole, there is a little lack of trust there. When compensatory mitigation forces companies to pay millions of dollars of money to get a permit outside of that permit process, there is a little bit of breach of trust in that.

We have to make sure that as partners we hold industry accountable, that we are transparent in what we are doing, but there is a reason why our revenue went from \$18 billion to \$2.6 billion, and not all of it is oil and gas price, although that is some of it. A lot of it is we were not a good partner. Our rules became arbitrary. Permits were difficult to deal with. At the last minute, something else would be thrown in, compensatory mitigation. In some circles, it is known as extortion. That had a real chilling effect in our ability to be good partners. I am working very hard in making sure industry is held accountable, that we are transparent, but also we need to work with people rather than work against.

TRIBAL COURTS

Senator MURKOWSKI. Appreciate that. Let me ask about BIA Tribal court funding. Alaska is a Public Law 280 State and prior to fiscal year 2016, Public Law 280 States like Alaska did not receive Tribal court funding. We were able to include that in the budget, which was greatly welcome. There were some issues with rollout, but I think the program is on track.

So, again, seeking an update here. You have proposed to completely eliminate a program that is getting off the ground in these Public Law 280 States, getting results, so I am a little bit confused about why there would be a specific reduction in this area where again the need is so great, so great. Also, to understand how we are doing with the initial \$10 million that was allocated in the fiscal year 2016.

TRIBAL CONSULTATIONS

And I know that with fiscal year 2017, we are just a little more than a month into this, but hoping to understand if Tribal consultation has begun, when it will begin, when the additional \$10 million will be distributed. So a little bit of an update in terms of what we have laid down in 2016 with the funding there, and now 2017 with the consultation, but would really hope to get your commitment that this is a significant priority, again, in States particularly like Alaska where Tribal courts can offer a means of enforcement in areas where we simply have none and where the local Tribal leadership can be an extraordinary assist for us.

TRIBAL COURTS

Secretary ZINKE. Well, in regards to 2016, I think we have executed about 97 percent of the funding and we are consistent on that same funding level in 2017. You are correct. This budget eliminates funding for the pilot programs for Tribal courts. I will work with you on it because I see great value with it, in my experi-

ence with the Tribes in Montana. I will work with you on it and I would be glad to do so.

TRIBAL CONSULTATION

Senator MURKOWSKI. I would love to introduce you to some of our Tribal court judges. How about the Tribal consultations that are required as part of that fiscal year 2017? Have those consultations begun?

Secretary ZINKE. They have. I think we are on consistent to execute it as we did in 2016.

Senator MURKOWSKI. Great. Thank you.

Senator Van Hollen.

BUDGET

Senator VAN HOLLEN. Thank you, Madame Chair and Ranking Member. And Secretary, welcome you and your team. And I had planned to plunge right into some questions regarding the Department of Interior, but I do want to take a moment given your comment at the outset about this is what a balanced budget looks like because I also serve on the Budget Committee.

We had testimony from the Director of OMB, Mick Mulvaney, and it became very clear in the course of that hearing, number one, that this budget is not balanced. This is a budget that would make Enron accountants blush. The reality is the administration used incredibly unrealistic projections regarding future growth. They were unsubstantiated, which we would all like to see, but there was no basis for it to reach that claim.

And to follow up on Senator Alexander's point, there are many components to the budget. Are you aware of what the Congressional Budget Office classified as the largest area of expenditures in the budget?

Secretary ZINKE. I am, sir. I was a Congressman.

Senator VAN HOLLEN. I know.

Secretary ZINKE. And I have an MBA in finance and look at it as well, but you are right and Senator Alexander, is that it is the non-discretionary side.

Senator VAN HOLLEN. Well, not only non-discretionary, but if you look at the non-discretionary side, tax expenditures, meaning special breaks and exemptions that are given to organizations more on the power they are lobbying than on the merits of their case are by far the largest even within mandatory expenditures. In other words, we spend more on tax expenditures than we do on social security on an annual basis. And yet this budget does not eliminate a single tax break, not for hedge fund owners who get a better break than the people who work for them, or anybody else. Not one penny of reduction and tax expenditures to help reduce the deficit.

It is done very harshly on the side that relates primarily to our investment in our jobs and quality of life, national parks, and that kind of thing. So I really hope you will, as part of an administration, think of that going forward.

CHESAPEAKE BAY

Now, the Chesapeake Bay is an incredible natural resource. And the States on a multistate basis and a bipartisan basis, Republican Governors, Democratic Governors, have over the years formed compacts to protect the Chesapeake Bay. In fact, the Department of Interior is a signatory to the 2014 Bay Agreement. The largest Federal agency involved in supporting Bay cleanup efforts is the EPA. This administration's budget wipes out entirely the EPA portion of Chesapeake Bay cleanup.

But another important component and a critical glue to the process is funding by the U.S. Geological Survey. About \$12.5 million that is invested in scientific monitoring of the various aspects of the health of the Chesapeake Bay, essential information for all the other players.

This budget cuts that in half. And my question is how do you expect your scientists, and you have a really good team there, to do their job and help protect the Bay with half the money?

Secretary ZINKE. First of all, I look forward to seeing the Senate version of the tax bill. Secondly, I have spent a lot of time, as you know, as a former SEAL in and out of the waters of the Chesapeake and I absolutely agree with you, it is a treasure. The USGS, which, as a geologist, I think is a terrific group of talented people. Within that, we did reduce some repetitive programs and their reduction was consistent across-the-board. You are correct that the budget includes about a \$17 million cut for Chesapeake Bay activities. I will work on it with you.

Senator VAN HOLLEN. I appreciate that.

Secretary ZINKE. I do look at the budget as a starting point and it also allows me as a Secretary to have meaningful dialogue with you on the Senate side. I know the House side much better.

Senator VAN HOLLEN. Okay.

Secretary ZINKE. But a dialogue in the Senate side to see where the priorities are and where we can work together, I think is important.

Senator VAN HOLLEN. No, I appreciate that, Mr. Secretary, because it is an essential component, the Department of the Interior funding to the health of the Bay. And there are a couple of other accounts I will not go into now. I will have some follow up questions.

ATLANTIC SEISMIC TESTING

But let me ask you about drilling in the Atlantic and seismic testing because the Bureau of Ocean Energy Management, BOEM, did a study a little while ago looking at the economies of the Eastern Shore of Maryland and other States on the mid Atlantic seaboard there and looking at Ocean City, concluded that 90 percent of the jobs there were as a result of tourism. People coming from all over Maryland, all over the region to Ocean City.

And the Ocean City Chamber of Commerce has written to our Governor, Governor Hogan, a Republican Governor, and others expressing incredible alarm about the plan to fast track an effort for seismic testing and open this area potentially for drilling.

The Obama administration, based on the Bureau of Ocean Energy Management report concluded it would be too great a risk to the livelihood of this area to open up that area for drilling and now this administration seems headed down a fast track effort to do it.

My question to you and my request is, number one, to have a conversation about whether that makes sense, but second, as you proceed down this track, can you work with us to ensure that the public is engaged? Right now not a single public hearing is scheduled as part of the effort to engage in seismic testing.

Secretary ZINKE. A couple of things. I absolutely appreciate the East Coast. I spent time recently with a fisherman in the great State of Massachusetts. They are concerned about wind and their livelihood. Tourism is a part of certain fisheries, the energy potential offshore, so the East Coast has a lot of potential.

Seismic, as a geologist part of my job as Interior Secretary is also to do an inventory of what we have. It is not my decision whether or not to go forward on drilling, per se, but I would like to know and I think we all would like to know what the assets are to include Alaska on 1002. It is not my decision whether or not to go forward with production, but it is my assessment that will give a better clarity of whether it can be mitigated or worth the effort. From a geology point of view, I do not know whether there are fields there or not. I do not know. A seismic test would give us a better clarity whether there is, whether there is gas or not. I think it is probably in our best interest to know so we can make a decision either way.

Senator VAN HOLLEN. Well, Mr. Secretary, I know my time is running out. I would like to pursue that conversation.

Senator MURKOWSKI. We will have an opportunity for a second round here.

Senator VAN HOLLEN. All right. Thank you.

Senator MURKOWSKI. Senator Daines.

BUDGET

Senator DAINES. Thank you, Madame Chair. Secretary Zinke, welcome back. I can tell you the significance of your leadership at the Department of Interior to our great State of Montana cannot be overstated as well as your service to our Nation. And it is refreshing to have a Secretary of Interior who understands the importance of returning and restoring balance to multiple use on our public lands and the important role of fostering the government to government relationship with our Indian Tribes. You also understand the critical importance of setting priorities within spending constraints. Yesterday we talked about national parks. Today I would like to explore other important areas in your budget.

As I said yesterday, I am happy to see your prioritization of energy development on public lands. We know in Montana how much our State relies on Federal coal, oil, and gas for good paying jobs, for tax revenues to support our infrastructure, teachers, schools, and our State. You mentioned yesterday that it was important to obtain a fair return for taxpayers. I sponsored a bill, an amendment in this very subcommittee last year to reinstate the royalty policy committee. I am very pleased that you have reinstated this committee and have included a request for implementation of that

committee in your budget. I am hopeful we will support that request because I think this committee is a common sense way to ensure the taxpayer gets a fair return, the process is transparent and ensures our States, our Tribes, and our other stakeholders are part of the process to ensure the return is both fair and economical.

Secretary Zinke, I have been noticing how much time you are spending out in the States, out on the front lines. It is your instincts to get out on the front lines with the folks, Federal employees who are serving this great Nation and serving the people, but importantly, out in the States to make sure the voice of the States and our Tribes is heard in these processes, and that is a breath of fresh air in the Department.

LAND AND WATER CONSERVATION FUND

Part of facilitating public use and land use in Montana is facilitating access to our public lands. The LWCF is critically important. It is a tool that ensures that access and other common sense land management solution occurs.

I understand your budget does not include any funding for new acquisitions, but does mention interest in working towards reauthorization. I will tell you I plan to work with this subcommittee to continue to fund this program in a meaningful way as we complete our appropriations. When Congress enacted the latest Omnibus Appropriations bill, incidentally what a tragedy to think we are 7 months into the fiscal year before Congress puts in place a spending bill. I hope we can do what we must do better this year.

But when Congress did enact the latest Omnibus Appropriations bill to fund this fiscal year, we included some report language to direct fellow agencies to continue to prioritize projects. So my question, Mr. Secretary, is will you work with me on a path forward for this program, LWCF, and also ensure projects move smoothly and expeditiously through the prioritization process?

Secretary ZINKE. Well, I thank you, Senator, and absolutely. I will work with you. I think the long-term fix on the LWCF is in the interest of us all to give clarity in the out years.

And to your point, I have spent a lot of time in the front line and I view Interior as being a large command and the place that the commander should be is in the front line. There are some observations. One is the front line is too thin. Our job satisfaction among even Park Service, we are at the bottom. Of land management organizations and bureaus, we rank 15 out of 15. That is the Park Service. You would think the Park Service would be the greatest job ever.

This is job satisfaction from employees. It bothers me we are not number one. I am a competitive person, but whether it has been micromanaged, the authority has been stripped from the front line, whether the resources have been regionalized up. There are a lot of reasons why. Too, in some places we have a culture of sexual discrimination and harassment. That has got to end. Zero tolerance. But I want to be number one in our Park Service and Fish and Wildlife and Department of Interior and I think as a steward of our public lands, I should demand that.

But on land acquisitions, you point out the budget zeroes land acquisitions. When we are \$11.5 billion behind in taking care of

what we have, it is hard for me to justify additional land acquisitions unless we prioritize catching up on our maintenance.

Senator DAINES. Secretary Zinke, by the way, thanks for your comments on the issue of international parks. As the Chairman of the Subcommittee on Energy and Natural Resources for our national parks, the very first hearing that I conducted was regarding the sexual harassment and bullying that is occurring right now within our national park systems, the employees there. And I applaud your leadership, using the word zero tolerance. As a SEAL Team 6 member in your past, you know that leadership starts at the top and I appreciate your leadership in that important area.

BLACKFEET WATER SETTLEMENT

I want to—my last question here as I am running out of time is regarding the Blackfeet Water Settlement. Upon your confirmation, I wrote you urging full funding of the Blackfeet Water Settlement that we worked hand in hand as a delegation last Congress to get across the finish line. I asked for \$100 million in fiscal year 2018. We were able to authorize \$4.8 million for implementation this year. As you know, the full funding must be appropriated by 2026. The question is will you work with us this year to plus up implementation of this settlement for this year and in the coming years?

Secretary ZINKE. I look forward to that. And a couple of comments. The \$4.8 million, as you know, was authorized, unfortunately not appropriated. And then I have concerns about access to the account until it gets fully funded in 2026 because if you do not allow access to the water projects, over time they could become more expensive. If it is part of their plan, as they develop their plan, is money becomes available and appropriated through the different sources. The Bureau of Reclamation has \$10 million. I would be supportive of having the Blackfeet and other water compact Tribes to have access to those funds so they can get busy on the projects.

Waiting in the out years until the fund is fully funded only assures it is going to be more expensive and it is going to be delayed. To me, it is better to put the working capital on the front line as soon as we can and give some flexibility to the Tribes to execute that plan.

Senator DAINES. All right. Thank you, Mr. Secretary. I will note that the Secretary was out in Yellowstone Park recently driving a snowplow getting the roads opened up here. So talk about the front lines. Thank you.

Senator MURKOWSKI. Well service.

Senator Merkley.

Senator MERKLEY. Thank you very much, Madame Chair, and welcome, Mr. Secretary.

SUDDEN OAK DEATH

We have a water mold pathogen in Oregon, referred to as Sudden Oak Death, and it is a huge threat to our nursery industry. It involves about 18,000 acres of BLM land that has been quarantined and there is a mutation of it that is very threatening to our conifers, the Douglas fir trees and others. And so both the nursery industry and the forest industry is very concerned about

this. Can I work with you to try to identify places where perhaps through the Forest Development Program is probably the likely place for BLM lands? I think we can get some funds to try to make this quarantine actually work effectively before it becomes a factor that either starts destroying our BLM forests or eliminates the ability to export nursery stock from some of the key ports in Oregon.

Secretary ZINKE. Thank you and go, Ducks. I was unaware of this, but you have my commitment to get on it. I am very concerned, as well as you are, about invasive species across the west, whether it is zebra mussels, pine beetles, white pine beetles, or this one. I look forward to working with you on it.

Senator MERKLEY. Thank you.

Secretary ZINKE. Because I understand the importance of it.

Senator MERKLEY. Thank you very much. Two of our key industries are very concerned about this. We have a bipartisan working group of experts, about 30 people, just immersed in holding meetings, but we need some Federal help, and thank you.

FIRE SUPPRESSION

The second thing I wanted to raise was in regard to the Fire Suppression Fund. And it is funded, as you pointed out, at the 10-year average which means half the time statistically we are going to engage in fire borrowing where we shut down so many programs in order to address the forest fires. We would like to have a buffer in that world. Is that something you could consider examining and supporting?

Secretary ZINKE. Well, as you know, the budget prioritizes the removal of dead and dying trees and fire suppression. I think those that live in the west understand that and understand the ramifications of having too many dead and dying trees, but I will work with you on it. I think part of the solution is to go back to a healthy forest, and we can define through Congress what a healthy forest should look like. But you are right. Every time we get a forest fire, the magnitude we are getting, and we borrow to fight it.

We have gotten a lot better fighting forest fires. There is some good news in there. The Joint Firefighting Unit out of Boise has done a good job between the bureaus, and that is a good model going forward.

Senator MERKLEY. Well, I will continue the discussion with you. It is simply a situation where when we do exceed the account and have to shut down other programs, then even the removing the dead and dying trees, well, the prevention side gets robbed to pay the fire suppression side.

WESTERN OREGON RESOURCE MANAGEMENT PLAN

I wanted to turn to the Western Oregon Resource Management Plan. We have resource management plans, RMPs, that look to cut about 278 million board feet, but under this budget reductions, only about 200 million board feet would be possible to plan for and harvest. We would like to see meeting those RMPs. And I guess I really do not need a lot of comment from you. I just wanted to point out that it is a concern of having the resources to plan and operate the timber sales as envisioned.

Secretary ZINKE. I agree. And, obviously 270 million board feet is not a whole lot compared to what Oregon has had in the past, so being able to review accessibility to our timber industry would be helpful. You are aware it is about stock in. These smaller mills, they do not have the availability of stock and yet we have the catastrophic forest fires. I think we need to work together to make sure we have access to responsible, sustainable yield production and give these guys an operating chance with stability of timber coming in the door.

Senator MERKLEY. Yes. Our mills really are depending on the public trees because the private trees are being exported to Japan and to China. The log decks that exist on the Columbia River and on the coast are frighteningly large and I just wish we could figure out a way to get all of those logs processed in our mills rather than them going out as raw resources.

METHANE RULE

I wanted to turn to the methane rule 2 year, I think, postpone that you have enacted. That rule on both flaring and methane leaking was one developed through about 300,000 public comments, 8 public forums, 5 years, and was sustained by the Senate. And is it your sense that—do you feel like you have the legal authority to simply set that rule aside?

Secretary ZINKE. I am not setting the rule aside. I intend to fully enforce the rule. We did put a notice to suspend on it, per the law, on it, but to be clear, my intent is to rewrite the rule because I think we both agree that flaring is wasteful. As the steward of our public lands, I just do not like to waste things. I do not know what the BTU wastes a year, but it is a lot. I would rather capture it, but you have to incentivize capture systems. You have to incentivize use. You have to incentivize injection. There are a lot of ways to capture it without it just being flared in the atmosphere and wasted.

Senator MERKLEY. So I heard two things in that sentence that I am confused about. I heard fully enforce and I heard suspend. Clarify.

Secretary ZINKE. I would have registered it as a suspend, but until that time I am going to follow the law, sir.

Senator MERKLEY. I see. Thank you. My time is expired. Thank you very much.

Senator MURKOWSKI. Senator Capito.

Senator CAPITO. Thank you, Madame Chair. And welcome and thank you for your service, Mr. Secretary.

CANAAN VALLEY NATIONAL WILDLIFE REFUGE

As I think most of us have issues within our State, so I am just going to go State specific on you. I would like to talk to you to ask to enlist your help regarding a priority of mine, which is the Canaan Valley National Wildlife Refuge. First and foremost, I would love for you to come and visit. I know you have been out and around. It is a quick, easy hop here from Washington DC.

But as you are probably aware, or at least I know the Department is aware, we are in desperate need of a new visitor's center there. This is not just my opinion or desire. It has been a priority

of the regional director and has been high up on the priority list for the last several years. We know that the refuge is a special place, but the visitor's center is really in an undesirable condition after earthquakes and fire. It is in an older kind of building and we get quite a few visitors there.

But it looks as though in the budget that you are cutting the construction funds within the Fish and Wildlife. And so I guess I would like to enlist your help here. It could be part of an infrastructure package. It is way beyond time to try to make a new commitment here at the visitor's center, so I would just like some comment on that and also your comment on the cuts on the construction part of your budget.

Secretary ZINKE. Well, on the infrastructure side, I think we were net positive on it. I would love to work with you to find a path of either onshore or looking at offshore and new monies to have a sustainable influx of revenue to address infrastructure. We dropped \$18 billion to \$2.6 billion in revenue. That is \$15.5 billion. On scale, we would have caught up everything plus had about \$3 billion worth of investment.

I am aware of the visitor's center and I am also aware that across the board our infrastructure is lacking. For those in DC, I invite you to go look at Arlington. It is hallowed ground up on top Lee's former home and is part of the national park system. It is a national disgrace. We let that building go through years of neglect. The shutters are in disrepair. The garden is in disrepair and it is hallowed ground. That is a reflection of where we are across our board.

I am prioritizing infrastructure to fix what we have and I am excited to work with you to make sure we have a revenue stream to address it. The infrastructure package from the President is aware of that and that will be part of the priorities as I understand.

Senator CAPITO. Good. Thank you. Thank you so much.

U.S. GEOLOGICAL SURVEY

The other question—another question I have is on the reductions on the U.S. Geologic Survey, particularly on the ability to help predict and monitor flood, particularly fast flood events. On Friday, we will have the first anniversary of very tragic event in our State of West Virginia. We had a really quick devastating flood where we lost over 20 lives and countless destruction. It just—I was just visiting Clendenin, one of the communities on Monday and it is still rather jarring to see even a year later.

How are you seeing that in terms of how it might impact the ability to use this data to predict floods? Do you see it as that part of it as endangered by cutting the budget or what is your perspective on that?

Secretary ZINKE. The USGS, it is amazing what we give grants to and what we do not give grants to. We are looking at every grant. We give on scale about \$5.5 billion worth of grants and payments at the Department of Interior. Some of that money comes from USGS. We are going through painstakingly each of those grants and prioritizing public safety and shifting money to where we believe is the best bang for the buck, as well as reducing some of the redundant programs. There is duplication across it.

And then focusing on core tasks and public safety at USGS as well as we are going to ask, no doubt, for a survey on our precious metals, do an inventory, and do straight stick geology 101, field geology, because we are behind on it. We have to do an inventory and some of it will be in the great State.

Senator CAPITO. Right.

Secretary ZINKE. Looking at what our inventories are offshore with seismic, onshore with what our precious metals and actually what the energy potential is in this country and where it is at. We believe that is an important core component of the USGS.

PRECIOUS METALS

Senator CAPITO. I am glad to hear that because I think that has great promise as my understanding is we are not producing those special metals, even though we know they exist in our country and we are importing at great cost. And also I think we are going to be—at some point could be held hostage in terms of being able to secure those resources.

WHITE SULPHUR SPRINGS NATIONAL FISH HATCHERY

Just additionally, since I am running out of time, I did—on the flood issue, I did want to mention that the National Fish Hatchery in White Sulphur Springs, West Virginia did suffer significant damage and it has been rebuilt amazingly quick. They still have some needs there to be able to get back and operating, but I just wanted to call your attention to the great work that those folks did to help their neighbors. Neighbors are helping neighbors in West Virginia. But also to the ability to get that hatchery back up and running again is appreciated and any additional help would be welcomed.

Thank you, Mr. Secretary.

Secretary ZINKE. Thank you.

Senator MURKOWSKI. Thank you, Senator Capito.

Senator Tester is next in line, but I think it has been agreed that Senator Leahy has a time crunch and so he will be given deference to go next if I understand correctly.

Senator LEAHY. And I apologize to Senator Tester. This is the second time this has happened. One thing of being vice-chairman of the overall committee, this happens. Senator Tester, if you had to go, you go ahead.

Senator TESTER. No, I will go later.

Senator LEAHY. Mr. Secretary, you are no stranger to Capitol Hill from your earlier—

Secretary ZINKE. Unfortunately, that is true.

Senator LEAHY. Well, fortunately or unfortunately. I think you know that on this subcommittee there is a lot of bipartisanship and a commitment to protecting our Federal lands and sometimes increasingly fragile natural resources.

CLIMATE CHANGE

We also have challenges posed by climate change. And I think this budget actually—proposal—and I realize we are cutting all

over the place, but this fails in all these areas. I think it is going to endanger our Nation's natural and cultural resources.

LAND AND WATER CONSERVATION FUND

Let me give you a couple of examples. The Land and Water Conservation Fund, the LWCF. For more than 50 years in States across the Nation, including my own of Vermont, the Land and Water Conservation Fund has been an important funding source for State and local outdoor recreation facilities. City parks serve as critical green infrastructure. Acquisition of public forests, wildlife refuges, park plants. We have benefitted from this LWCF in Vermont, but we have a lot more to accomplish.

We have to protect important inholdings. We have willing sellers who want to sell to buffer the Appalachian National Scenic Trail, Vermont's long trail. We have to create and expand close to home parks without recreation facilities, not only for our young people, but for the next generations.

During your confirmation process, you said that you wanted our parks to serve and inspire all Americans. I think every one of us agree with that. You said you would work with Congress to accomplish that goal. But with these budget cuts, how does that accomplish the goal to serve and inspire all Americans, all parts of the country, not just some.

Secretary ZINKE. Well, I appreciate the question and I appreciate being from the beautiful State of Vermont.

On the LWCF, what was zeroed was additional land acquisition. It did not affect conservation, easements, et cetera. Because the position is that as long as we are \$11.5 billion behind in maintenance and backlog, we need to take care of what we have.

Having said that, I have been a long supporter of the LWCF. I think there is a structural problem with it because the fund itself has about \$20 billion or so and every year we do not appropriate the amount that was the intention of the law, and is a little different than what has occurred. Having stability for the LWCF program long-term, certainly I look forward to working with you.

Senator LEAHY. Will you—if it has not been used adequately in the past, are you going to be taking steps to make sure it is? I mean, there are some who would like it not to be used. They would rather be exploiting some of these lands. Will you give this your own personal attention?

Secretary ZINKE. Sir, I will because I am a steadfast admirer of Roosevelt and Pinchot and as the steward of our greatest lands, I take that responsibility very seriously. I think our public lands, particularly within Interior are our greatest treasures. I want to make sure that we not only protect them, we preserve them for generations to come. I think that is not a partisan issue. That is an American issue.

INDIAN AFFAIRS PUBLIC SAFETY AND JUSTICE

Senator LEAHY. Let me go into another issue that does not often come up. Senator Crapo and I joined together a few years ago to reauthorize the Violence Against Women's Act. It was a good act, but it did not reflect adequately the needs of today. We added the LGBTQ community, we added Native Americans, and we added the

sexual trafficking of children. It passed heavily in the Senate and then was taken up in the House and it was one of those that passed in the House without changing a word of it.

Now, rates of domestic violence against Native women in Indian Country are among the highest in the United States. Both Senator Crapo and I, as bipartisan as you can get, wanted to confront this. I am deeply concerned that this budget cuts public safety and justice programs at the Bureau of Indian Affairs by more than \$36 million from the fiscal year 2017 enacted level, including a \$23.5 million cut from Tribal courts.

If you make these cuts how are we going to address the problems, the public safety problems, that continue to plague Tribal communities that come about through—long before your administration—but decades of underfunding for the Tribal criminal justice programs?

Secretary ZINKE. The budget does zero out the pilot program, but I will work with you. Again, the budget is an example of what a balanced budget would look like. It is a starting point. I certainly understand the importance of having a Tribe have flexibility within the structure to address some of the significant issues, to include education, to include drug enforcement.

Many of the Tribes, the most effective treatment is within the Tribe itself rather than sending, if the Tribes are on a reservation, rather than sending individuals off the reservation, but have communication——

Senator LEAHY. But some of the stories of domestic and sexual violence are horrendous. I was a prosecutor. I do not remember—I remember seeing some pretty bad cases, but not as bad as some of the ones that came out in the testimony that Senator Crapo and I received.

Secretary ZINKE. There has been probably, examples of at least if not the most violent, certainly competitive, in the great Crow Nation recently. Recently the Cheyenne with Assiniboine Sioux, which I am proud to be an adopted member. Some of it is socioeconomic. Some of it is drugs. A lot of the Tribes are matriarchal, so when the mother and grandmother are involved with drugs, that sends the kids over to the aunts and uncles, which has another series of problems.

You are right. In some of our Tribes the social fabric has been disrupted, and in many cases, near destroyed. I do think it is a community approach more than one size fits all.

Senator LEAHY. We are not looking for a one size fits all, but we want to have the remedies we had in the Violence Against Women Act that we all voted for to be there. And these cuts are going to make it difficult, so you and I should probably chat more.

Secretary ZINKE. And I look forward to working with you because I understand the importance of it.

Senator LEAHY. Thank you. Thank you.

Senator MURKOWSKI. Thank you, Senator Leahy. Know that I certainly support you in that endeavor and happy to work with you as well.

Senator Hoeven.

ENERGY

Senator HOEVEN. Thank you, Madame Chairman, Mr. Secretary. And to all of our guests today, thank you for being here and for your good work in the President's fiscal year 2018 budget proposal.

Mr. Secretary, you proposed \$791 million in funding for energy related programs across the Department. And that is an increase of about \$16 million versus fiscal year 2017. So for traditional energy sources in the 2018 budget, there is an increase of \$16 million. For the oil and gas program, an \$8 million for the coal management program to approve the application process, it says.

So I am just wondering how are you intending to use these funds and, you know, what actions are you taking to kind of improve and streamline the regulatory process in regard to both oil and gas and the coal management?

Secretary ZINKE. Well, one of the reasons why the budget looks at energy is the President has said energy dominance. There is a lot of reasons why that is important. For Interior, one of the many reasons is revenue. We dropped \$15.5 billion a year in revenue. While people are focused on \$1.6 billion in savings, our revenue picture across the board needs to be shored up.

Our park system entrance fees we are looking at, royalties across the board, whether it is oil, gas, wind. Anything that is commercially developed on public land, we are looking at royalties to make sure the taxpayer gets a fair value for it. The increase in energy looks at the permit process. The permitting process has too many loops in it where arbitrariness can either approve or disapprove a permit. We have to make sure that process is fair and transparent and trustworthy.

A lot of the emphasis on energy has been simply to gain revenue so we can afford to pay for the infrastructure backlog. It is a question of just simply a balance sheet. You have revenues, expenses. When you look at cuts or savings in programs, not very many people like it, but the balance of it is when you have money in the bank then you can afford to spend money in the programs that we think are important.

REVENUE AND DEFERRED MAINTENANCE

Senator HOEVEN. So are you indicating then—I know you have a deferred maintenance backlog. I think for Interior, it is about \$15 billion and national parks have 73 percent of that deferred maintenance. Are you saying that some of that revenue then can be used to help with some of your deferred maintenance challenge?

Secretary ZINKE. We are working with Members on both sides of the House to look at revenue streams, new money to carry over and directly pay for the infrastructure backlog. Yes, sir, we are. We think that is an opportunity. We are looking at public-private partnerships as part of it. I do not give judgment. The last administration did not look at revenue as the priority that I would and we are looking at that side of the balance sheet much more closely.

Like you, I love clean air, clean water, and a lot of the programs that have savings in this budget, we think are valuable. With more revenue, we can afford to fund those.

VENTING AND FLARING

Senator HOEVEN. Sounds like some, you know, good thinking in terms of creative solutions and that is much appreciated. Talk for a minute about the BLM flaring rule. The Senate came very close to passing a CRA provision that would have rescinded it. That did not happen, so I know that you are undertaking review of that rule. Can you just give us a status update on that?

Secretary ZINKE. We have noticed to suspend, although I am going to follow the law, and as a former Congressman and former Naval officer, I do follow the law. But upfront, I think the rule should have been in a CRA. It would not have been easier to rewrite it. My intent is to go through the process, although it is going to be painstakingly slow. I am going to go through the process of rewriting it to make sure we incentivize capture, we incentivize use, and de-incentivize waste.

As a public steward, I think it is wasteful to flare, but you have got to give incentives to make sure there are capture systems and it can be used for beneficial use. I look at it as a holding on public land and it is better to provide incentives either to inject, to move, to store, rather than just to flare and the rule will march along that line.

Senator HOEVEN. Do you have any estimated timeframe?

Secretary ZINKE. Well, I got sued six times in the first morning I was in the Department of Interior, so I would imagine I am going to be in Court over it. What should take 6 months will probably take a couple of years, but we will go through the process. We will do it legally and be transparent. There are going to be a number of periods, as there should, of public comment. I think that is a valuable part of our Democracy.

APPLICATIONS FOR PERMITS TO DRILL

Senator HOEVEN. There is something like 3,000 APD, Applications for Permit to Drill, on BLM lands pending. Are you willing to work with us to try to address that, streamlining that process?

Secretary ZINKE. I am and overall some of it is because we do not have personnel and there is additional budget to address that. Some of it is just a process and when the process becomes arbitrary, when you request a permit in the same basin where it has been consistently done before and that permit is viewed as a new start, that is probably not appropriate. We are looking at making sure that the process is fair, it is transparent, it is appropriate.

I am a Boy Scout. I make sure I leave the campground in as good or better condition than I found it. If you are going to operate on public lands, I expect a reclamation project and a plan to restore those lands to its condition and I think that is part of being a steward of our public lands.

Senator HOEVEN. Right. And in a lot of these cases, BLM has a minority interest of the surface acres, so in a lot of cases, particularly with directional drilling, you may not even be disrupting surface acres. And again, that goes to what you are talking about, that this can be done with very good environmental stewardship.

A final note I would point out just to kind of—from an anticipatory standpoint is I think North Dakota State plays the Ducks.

You mentioned, go, Ducks earlier. I am not sure of this year, but I think next year. So looking forward to the game. You know, we might have to have a little wager or something.

Secretary ZINKE. I would entertain a wager of an IPA.

Senator HOEVEN. That sounds great.

Senator MURKOWSKI. Thank you, Senator Hoeven.

Senator Tester, back to you, sir.

Senator TESTER. Thank you, Madame Chair. And I do not know if betting is allowed in Interior Appropriations Committee, but what the hell, you know? It is good to have you here, Secretary Zinke. Appreciate your willingness to serve.

VENTING AND FLARING RULE

Just one point of reference. If that Congressional Review Act would have passed on the methane rule you would not have been writing any rule because it would have forbid you from writing rules. So hopefully you can go by what Congress has said here and do everything you can do to note waste that resource as you have pointed out in your testimony thus far.

LAND AND WATER CONSERVATION FUND

I want to talk about LWCF because it has been talked about ad nauseum and it is good because it is being talked about because it is a good program. It is a program that works. It is a program that takes a checkerboard out of the landscape by using easements. This budget cuts it by \$350 million. It was not exactly at a stellar level before. Remember, it was \$900 million to be funded at when it was first put in.

Can you tell me how the President or you can put forth a budget that really lacks a vision by cutting this program by this kind of money?

Secretary ZINKE. I have long been a supporter of the LWCF program and you and I agree on that. Overall, the program has done great things for our country.

Senator TESTER. Yes.

Secretary ZINKE. Some has been an appropriations problem. As you know, within the account, there is about \$20 billion.

Senator TESTER. Sorry. Are you talking there is \$20 billion setting in an account right now that can be appropriated out?

Secretary ZINKE. There is \$20 billion in Treasury. And part of the issue is—there is not money in there—is that the methodology is—

Senator TESTER. Okay. I got the methodology. Years ago in 1965, we were supposed to take our offshore oil receipts and fund this program. So if you take from 1965 to today and the money that has been appropriated versus the money that was collected, you end up with \$20 billion. The question is is there \$20 billion in that account or has it been spent?

Secretary ZINKE. It is in Treasury.

Senator TESTER. So then if it is in Treasury and you want a balanced budget, it looks to me like you could have appropriated that at \$900 million.

Secretary ZINKE. Well, I do not appropriate. That would be—

Senator TESTER. You could have recommended that appropriation within your budget.

Secretary ZINKE. But this has been structurally the LWCF program offshore, 38 percent was supposed to go in the program.

Senator TESTER. Yes.

Secretary ZINKE. And appropriated to the field.

Senator TESTER. Yes.

Secretary ZINKE. It does not get appropriated.

Senator TESTER. But—

Secretary ZINKE. Structurally, to change that would be if we are going to make the law do what the intention was is that it either goes direct or put caveats on it so a long-term appropriation at the right funding would be done. And I agree with that.

Senator TESTER. Do you agree with that? So you advocate to put it back to \$900 million which is where the program was initially supposed to be?

Secretary ZINKE. What I advocate is for—and I am a supporter of it. It should have been rather than going into Treasury where now you have to get a loan to get it out of Treasury and make an offset, it would be nice structurally if it was stable where the income would go into its purpose and its purpose was the LWCF.

Senator TESTER. We had Secretary Perdue at one of these meetings last week, one of our subcommittee meetings. And I was telling him the same thing. You are Secretary of Interior. This is an important position. It is one of the reasons I supported you in this position is because of your support for LWCF, but we cannot sit here and make excuses.

Either we are for it or we are not. And you know how good this program is. You know that these landscapes probably will not be here 10 years from now. And if what we do today makes a difference for those kids sitting behind you, the next generation of leaders for this country, and if we take away their opportunities—and I think land and water conservation, lack of funding in that does that, I do not think we are doing a service. And so I agree I know you are for it, but this budget does not indicate you are for it.

Secretary ZINKE. Well, what the budget does is it zeroes out new land acquisition. It does not zero out conservation easements.

Senator TESTER. Well, there is a ton of easements that will not get funded under this budget in Montana alone. And I cannot speak to what is going on in New Mexico or Oregon or any other place, but I can tell you that folks in Montana have read this budget and said, including myself, this is not going to do it.

PAYMENTS IN LIEU OF TAXES

I want to talk about PILT. Cut—I think the Chairman talked about it or Lamar talked about. These are hand to mouth operations at county government. They do not have access unless they increase property taxes to pay for schools, roads, building operations. What was the idea behind cutting it 15 percent?

Secretary ZINKE. Well, you are on appropriations. You may recall last year the discretionary request was zero, zero. This year was the first year we actually—well, this year in many years—we added \$397 million in the discretionary request. That is a net

change of \$397 million to the positive on PILT, understanding it does not fully fund it.

Senator TESTER. In fiscal year 2017 we funded PILT at \$465 million. This year this budget says \$396 million. That is a 15 percent cut.

Secretary ZINKE. The previous President's budget had zero on PILT.

Senator TESTER. You know what? The previous President's budget, we fought with him too.

Secretary ZINKE. I understand that, but I would think it would be helpful to have \$397 million rather than \$0 as a starting point on a budget.

Senator TESTER. I think it—truthfully, if you talk to the county commissioners, and I know you have, you know what they will tell you.

Secretary ZINKE. They would say, and I would agree with them.

Senator TESTER. They would say fund it.

Secretary ZINKE [continuing]. PILT is a priority.

Senator TESTER. Yes.

Secretary ZINKE. But it is easier in this budget to have \$397 million rather than \$0 like the last President.

YELLOWSTONE MINE

Senator TESTER. I got you. One last question and it deals with the mine. We talked about this when you were a Congressman from Montana. It is the mine out of Yellowstone National Park. I understand that there are—it is open for comments at this point in time. Can you give me any indication what kind of comments you are getting on that mine on the potential that that does not ever happen?

Secretary ZINKE. As a Congressman, I stood opposed to it.

Senator TESTER. Yes.

Secretary ZINKE. I just did not see a process to go from A to point B on that mine.

Senator TESTER. Yes.

Secretary ZINKE. I will look. I have not followed the comments on that.

Senator TESTER. Okay.

Secretary ZINKE. But I will look.

Senator TESTER. If you could get back to me, I would love to know what the comments are on that. And in the end, hopefully we can get a permanent withdrawal. I have got a bill to do that.

COAL

One last thing, and I appreciate the flexibility from the Chairman, but you talked about fair revenue a number of times. And I agree with that and I think we ought to work with that, but it—I will not ask this question, but it does bring the question up. When we were doing a review of coal leases to get fair market value that has not been done in 20 years with the previous administration and I was pushing them to get it in 3 years. When you took over, you pulled that off the table and that is not doing justice to taxpayers.

Secretary ZINKE. The coal, the revenue advisory committee looks at coal revenue as well as all of the above. I am a geologist and I do not consider myself a genius, but I am a pretty smart guy. When I cannot figure out how we do it, how we evaluate and get revenues in it, either the process is not as transparent as it should be or it is an arbitrary. Coal is part of that rent and royalty review as well as everything else across-the-board we do on interior lands.

Senator TESTER. Thank you for being here.

Senator MURKOWSKI. Thank you, Senator Tester.

ARCTIC

Mr. Secretary, I was in over at a gathering this morning over at the Wilson Center focused on the Arctic. And it is always a good day when I can start my day in Washington DC talking about the Arctic. When I look at the budgets not only within Interior, but the other subcommittees, I am always looking to see where have we, as an Arctic nation, placed the priority, the funding priority, in our budgets to work towards whether it is greater access to the Arctic, whether it is better understanding and working with our indigenous peoples, and a couple of questions for you this morning about where we are on some of these Arctic specific initiatives.

POLAR BEAR CO-MANAGEMENT

And let me start first with polar bear co-management. Not too many of my colleagues get to talk about polar bears, so I think it is an important one. And had an opportunity to speak with some folks this morning just exactly about this. In the fiscal year 2017 Omnibus, we included report language related to the creation of a civil-based co-management regime for polar bears back in November of last year. The service published proposed rulemaking related to polar bears. It had two purposes. First, it solicits public comments on developing and administering a co-management partnership with Alaska Natives and it also asks for preliminary ideas as the best method to ensure that take limits established by the Polar Bear Bilateral Commission for the Alaska Chukotka population are not exceeded.

My understanding is that meetings on co-management between the Department and the Tribal governments were scheduled to take place in early June. I understand that these meetings were cancelled by the Department. I need some understanding this morning as where we stand with the co-management regime, what the timeframe is for this proposed rulemaking, and then further, making sure that I have your commitment and that of the folks within your department to work with Alaska Natives as we implement the treaty to ensure that decisions are being made on reliable, scientific information including incorporating the traditional knowledge from our Alaska Native people. So just an update on the co-management situation with our polar bear.

Secretary ZINKE. Well, I certainly appreciate and support that Alaska is different and Alaska has strategic, economic, and cultural value. In regards to the Interior Advisory Committees, I have 220 committees. I suspended them all until the different advisory committees could give me information who is on their board, what they have done in the last year, what they have done in the last 5 years,

and their mission statement. Once I have that, then I am glad to unsuspend them. I just want to know what I am responsible for.

If they had a meeting scheduled, all they had to do is ask for an exemption on it. I will see whether this particular board asked for an exemption. But if they had a critical meeting, like Acadia, there were some of them that had a meeting in June that was coming up. They wanted a meeting. Then there was a process in place that they could ask for an exemption and we would give it. Since I am responsible for 220 boards, I just want to know who is on the board and what they are doing, which was a part of that.

Senator MURKOWSKI. Well, and I understand that. Also recognize that this is a bilateral commission that we have in place with Russia. So as we talk about how we can better involve our Native peoples in the co-management, this is something that is important not only for the polar bear. We have other commissions as they relate to management of other species, whether it is walrus, whale.

WALRUS IVORY

And let me bring up the issue of walrus right now. As you know, our Alaska Native people have hunted walrus for centuries. The meat is a critical part of diet. The skins are used for skin boats for hunting. The tusks are turned into works of art. And literally it is the revenues that are derived from selling the ivory that allow so many to be able to either buy food, pay for their energy, put fuel in their boat so that they can continue hunting.

The previous administration instituted a near total ban of domestic commercial trade of African elephant ivory. I want it clear for the record we have no African elephants in Alaska. We do not engage in anything that has to do with elephant ivory. Unfortunately, what has happened is there has been unintended negative consequences on the Alaska Native arts economy. We have had some States that have put complete bans on any ivory because they apparently are concerned that you cannot recognize walrus ivory, fossilized ivory. I am wearing an ivory bracelet. I have got ivory earrings on, all from walrus.

But some States have said we are just going to avoid purchasing any walrus ivory and it has been wrongfully confiscated at some airports around the country. This is an issue that for many, many of our Native people is really very, very concerning. And at our AFN Convention last year, there was a roundtable conducted specifically on this issue.

On top of all this, the service is required to make an ESA status determination on the walrus in fiscal year 2017 because of a multi-species settlement agreement that the Obama administration entered into in 2011. So I need you to commit to working with our Alaska Native leadership to educate Fish and Wildlife service personnel on the need to treat elephant ivory different than walrus ivory. And I would ask that you consider—I know you are not a big fan of working groups right now. I understand the review that you are on, but if you could look at forming a working group on this issue to ensure that our Alaska Native artists are able to continue the sale of these important artifacts.

Secretary ZINKE. Absolutely, and the ivory ban applies only to the African elephant. I think we will look at a Secretarial order to clarify the position. I will be glad to help you with it.

Senator MURKOWSKI. That would be great.

POLAR BEAR CO-MANAGEMENT

Secretary ZINKE. On co-management, I am an advocate of co-management. I think a lot of the Native Alaskan Tribes, and in my brief introduction with them, they certainly have a culture of managing the species up there. Bears Ears is another example. I am an advocate for co-management. Part of the request was to have Congress authorize it. My understanding is I do not have the authority to authorize co-management, but you do. But I would be glad to help work with you in any way I can on legislation and certainly give our support behind co-management. I think that is the appropriate path.

Senator MURKOWSKI. Thank you, sir.

Senator Udall.

Senator UDALL. Thank you, Chair, Madame Chair. I believe Senator Merkley has a pressing other issue, so I am going to yield to you for your second round of questioning.

Senator MERKLEY. Oh, that is very gracious and thank you very much.

PAYMENTS IN LIEU OF TAXES

I wanted to echo the concerns about PILT that my colleague from Montana put forward. Very important to many of our counties in the west that have such a large percentage of Federal land.

INDIAN AFFAIRS

And then I wanted to turn to the Bureau of Indian Affairs where the public safety budget is cut by \$28 million and the Indian education by \$64 million and the overall Bureau of Indian Affairs is cut by about \$300 million, having a pretty profound effect on the 500 plus federally recognized Tribes.

I know that the Chair and the Ranking Member also work very hard on these issues related to Indian affairs. And is this an area where you would seek the wisdom of the subcommittee, taking a phrase from the Agricultural Secretary?

Secretary ZINKE. I will always work with you and because I think it is important. Upfront, again, the budget was a starting point. I think the value of the budget, quite frankly, is to have these conversations that are frank, open, and informative. The budget funds core task and treaty obligations, but not much more. Many of the members have expressed concern about it and I will work with you and I look forward to working with you on it.

INDIAN EDUCATION

Indian education is a particular concern. We spend more money per student by far than the national average and yet the results continue to lag behind.

Senator MERKLEY. I appreciate your willingness to work with us. Thank you.

KLAMATH BASIN

I want to turn to the Klamath Basin. We have a basin, agricultural basin, where the water is overallocated and adjudicated water rights have put the top rights going to the river and the lake very much a challenge for the ranchers and the farmers. And, in addition, the water rights, which are tied to the river and lake and also are tied—well, through the Tribal, the Klamath Tribe.

The Tribe also had its—so its land was condemned in 1973 and turned into a national forest and then in 1986 the Tribe was restored, so it was 13 years later. But when the Tribe was restored, the Federal Government did not return the land that they had condemned and turned into the Winema Forest. This is the only case like this in the history of our country that we are aware of where a reservation was turned into a national forest.

So the groups have been trying to work out a deal that will involve a lot of funding for water conservation so the ranchers and farmers can thrive, but use a lot less water, which will make the river and lake healthier and address the salmon issues in the river and the fish issues in the lake. And the Tribe would obtain its forest back. This is complex, difficult, nearly came to an agreement. Did come to an agreement, but we did not get it through Congress in a timely basis. If we are going to reassemble the pieces of this and save the ranching, farming and save the fish in the stream, the whole thing, we are going to need a lot of help from the Interior Department. And I would ask if members of your team would be available to assist us as we try to work through a complicated reestablishment of a deal to address these issues.

Secretary ZINKE. Well, I look forward to working with you on it. I was briefed last week and you are right. It is dams and fisheries and Tribal obligations and forest service and Crater Lake. They called in the water rights and so Crater Lake, the U.S. Park Service, is having to ship water. Certainly, I think we can work together to find a solution, as difficult as the number of pieces are. There is certainly a solution that all parties can walk away with on this and we would be glad to help you with it.

ARCTIC NATIONAL WILDLIFE REFUGE

Senator MERKLEY. I appreciate that a great deal. And then I wanted to try to understand the process on the ANWR right now. I believe that before Energy and Natural Resources you conveyed that Congress has the authority to authorize drilling, but that you have the authority to, I guess, prepare an understanding of the resources that are there. Are you planning to review seismic data or do new seismic testing or what is the plan currently?

Secretary ZINKE. It pertains only to the 1002 section, which was segregated separately by Congress. And, quite frankly, Congress has the authority and only the authority to authorize production to drilling. The 1002 is set aside. My charter is to assess. We are reviewing the U.S. Geological Survey data which has not been updated in a long time, which is my first blush at it. It is inaccurate.

As the Department of Interior Secretary, I think it is an obligation to at least inventory our holdings to give Congress a better feeling for what is there so Congress can make the decision. That

includes precious metals, rare earth. My intention is to go forward with the public process to do seismic testing off the coast of the Atlantic because I think part of my job is to make sure we inventory what we have and then it needs to be a public decision based on science on whether or not we go forward.

Senator MERKLEY. Can that seismic testing that you are planning be done in a way that will not disturb the existing wildlife in the ANWR?

Secretary ZINKE. I am fairly confident it can. I was up in the North Shore. The technology today, and I had been on a rig earlier as a geologist, it was night and day. This is the harshest of all environments. What is occurring in technology on horizontal drilling, they are going in some cases 10 miles on a horizontal drill with little or no impact on adjacent areas.

I am confident that the industry and American innovation can do things in an appropriate manner, but you have to hold people accountable too because trust, but verify, I think has been a very, very good phrase from President Reagan. I think part of the job is to make sure that, again, we are good stewards of the land and that means you return it to better condition than you found it.

Senator MERKLEY. Sorry to interrupt you. My time is over and I want to respect that. If I understood correctly, then, yes, seismic testing using various technology, but any decision to actually recover oil would still rest with Congress.

Secretary ZINKE. That is correct, sir.

Senator MERKLEY. Okay. Thank you very much.

Senator MURKOWSKI. Thank you, Senator Merkley.

Senator Udall, I will now turn to you. I am going to pop out quickly and go ask a question over in another appropriations hearing just next door. I will be back.

Senator UDALL. Okay.

Senator MURKOWSKI. So you will probably have more than 6 minutes, but I know you want to try to head over there too, so we will just swap out of here.

Senator UDALL. Okay.

Senator MURKOWSKI. Thank you.

Senator UDALL. Thank you, Madame Chair, and thank you, Senator Merkley, for that line of questioning there.

Since he started with the 1002 area, you mentioned it is 1002, or most call it the Arctic National Wildlife Refuge. I just wanted to note that there are some places that are just too special to develop and the Arctic National Wildlife Refuge I believe is one of them. I have been to the refuge. I have floated down the Hula Hula River. I have seen all the wildlife that is there, so I disagree with your budget proposal to drill there.

REORGANIZATION

I wanted to ask you one more question about reorganization. We have no idea how your large reorganization proposal will affect the Bureau of Indian Affairs or Tribal programs. I am not sure how Tribes are supposed to conduct a meaningful consultation with the Department if no one has shared any details of a plan with them and how the final notice to reorganization consultation with Tribes will take place on June 27 in the midst of the huge personnel

changes that impact multiple Indian Affairs staff, including the acting assistant secretary and the BIA director.

TRIBAL CONSULTATION

At this point, I am sure Tribes are wondering if this is consultation lip service, and rightfully so, because it seems like decisions have already been made regardless of their input. How much weight is the Department giving Tribal input received at these consultations? What changes should Tribes expect for the BIA?

REORGANIZATION

Secretary ZINKE. Well, we are finishing up the first round of listening sessions on the organization and here is where we are on it. I have talked to the Secretary of Agriculture, Secretary of Energy, the Vice-President. The organization is centered on how do we be more joint, how do we work together between the Forest Service and Department of Interior, whether it is Fish and Wildlife or Bureau of Land Management.

I understand in the different regions if we take the tact of looking at organization based on Powell and watersheds, what would that look like considering that in 1906 when Pinchot and Roosevelt were around, a lot of the holdings have changed. You do not want to truncate a forest service. But we are looking at different areas, what it would look like, and then looking at the model of how we fight forest fires with our joint command up in Boise and how would functionally we look, given that the areas are much different as well as the populations are much different.

If you go from Seattle down to San Francisco, the population is different on expectations of public lands. The watersheds are different. At the end of the day, I think that is appropriate that we work for the people and have to give some flexibility in the system.

We are putting them together, certainly and absolutely the cases we are going to coordinate with you. As soon as we have, to a degree, a first blush so we can talk intelligently about it, how the divisions will be made, what our best guess of it will be. But we should have that within about 90 days. The Tribes will be a part of it.

Not every part of Interior is going to be as affected as others. The Bureau of Indian Affairs, if you give it a grading, you know, how would you grade education? How would you grade Indian health? How would you grade our treaty obligations? You know, I would say our grades across the board have not been good.

How do we look at providing our treaty obligations of service and what are the Tribes' ambitions. Because it is a mistake to lump all the Tribes as if they are monolithic. Even in Montana, the seven Tribes are uniquely different in culture, aspirations, ideas, resources. You have to respect the Tribes across this Nation are very, very different.

Ultimately, our path to reorganization is going to honor sovereignty—it should mean something—self-determination, and respect. There is no chance that Interior is going to reorganize BIA without absolutely sitting down with the Tribes and Congress and working through what we all would agree would be a—the system

as it is in place is not working well, so how do we sit down and improve it? I think everything is on the table.

Senator UDALL. You know, and I trust what you say there. You really want to consult and have them be a part of it. I know as a Congressman you did that with the Tribes in Montana and so I take you at your word that they are going to be meaningfully involved in this.

I think if it—and you know this from dealing with Montana Tribes. I think if you go to Tribes and ask them to grade the Federal Government on consultation I think they would uniformly come out with an F on things. So we just need to—and it is a struggle because you have so many Tribes, but it is good to hear that you are going to work on that in a meaningful way.

INDIAN PROGRAMS

Just months after taking office, President Trump attached a signing statement to the fiscal year 2017 spending bill that called into question the legality of programs that benefit Native Americans, Alaska Natives, and Native Hawaiians. Coupled with proposed budget cuts that would disproportionately affect Indian Country and your own recent statements about privatizing Indian lands, Indian Country is understandably concerned about what could be perceived as an attack on key principles underlying the United States trust obligations to Tribes.

Secretary Zinke, can you give me a yes or no here on did you agree with the President's claim that Federal programs benefitting Native Americans including Native Hawaiians and Alaska Natives are potentially race-based and unconstitutional?

Secretary ZINKE. Well, first, to even allege that I would suggest privatizing is untrue. What I said, and I want to be clear about this, is the 1934 Indian Reorganization Act, which I know you are very familiar with, is that sovereignty should mean something. If a Tribe wants to go to something else, how do they do that? If a Tribe makes their own decision that they want to do something else as far as land trust, what is the process?

And so openly there is not a process in place. I do think if we are going to honor sovereignty and a Tribe agrees whether they are going to go under the Department of Interior as far as their education experience or they want to do a different vehicle, sovereignty means that they should have that decision. So I think we should honor what sovereignty should mean and give Tribes choice, but it is up to the Tribe.

It does not mean termination at all. What it means is working with the Tribes. There are some Tribes that are absolutely in a different position than others because they are not monolithic. I think you should honor the sovereignty of a Tribe, self-determination. If a Tribe feels strongly about a direction, then we should work with them as partners to accommodate that and be an advocate rather than an adversary.

All too often the one size fits all idea that we are helping people sometimes in Washington results in actually we are doing harm, whether it is unintended consequences or not. Sometimes our policies do harm when they go to the field.

Senator UDALL. Yes. Well, thank you very much for clarifying that. I think that was one of the things that I wrote you a letter about to clarify that we both spoke, I think, to that Tribal group and they had questions about that and that is one of the letters.

But could we go back to the do you agree with the President's claim that Federal programs benefiting Native Americans, including Native Hawaiians and Alaska Natives, are potentially race-based and unconstitutional? This has been a big issue up here on the Hill and many Tribes have approached us about that.

Secretary ZINKE. I am unaware of the President's statements, so in all fairness, I would have to read what the President has said and then I would have to ask him. Upfront, I think he—well, he is the greatest boss I ever worked for. He does not micromanage me. He asks me what I need. He has great respect for the Tribes. I know this to be true, but I will ask him. And I will get the statement and I will ask him on that and return.

Senator UDALL. Okay. That would be great. We will make sure you have the question and then look at the statements that were made and then give us a straightforward answer on that. We really appreciate it.

NATIONAL MONUMENTS

Secretary Zinke, we already talked a little bit about Bears Ears, so I would like to turn to my home State of New Mexico where the Organ Mountains-Desert Peaks and the Rio Grande Del Norte National Monuments are located. These two monuments were developed through decades of public input to Congress and previous administrations and they were created with overwhelming public support. You and I, I think, have had a visit about those also and how strong that public support was.

These monuments are also contributing to New Mexico's economy. Since the Rio Grande Del Norte Monument was established, BLM has reported a 21 percent boost in tax revenue for area hotels and visitation at Organ Mountains-Desert Peaks National Monument is up more than 150 percent creating up to \$34 million in new economic activity.

When you came to visit me during your confirmation we talked about this, yet your Department still chose to review the protected status of these two monuments as part of your broader review under the President's executive order. Mr. Secretary, I am sure you can see why I am concerned about the uncertainty regarding their future status. At the Energy hearing yesterday you seemed to suggest to Senator Gardner that the Canyons of the Ancient National Monument is not on the chopping block which tells me you are making progress with your internal reviews.

Given that fact, I wanted to take the opportunity to ask you about the status of New Mexico's monuments. Will you commit to me today that you will respect the wishes of the vast majority of New Mexicans and maintain the existing boundaries of these two monuments?

Secretary ZINKE. Let me go through the process. I will come out. I am scheduled to come out to New Mexico in a couple of weeks and that was at the invitation of Senator Heinrich. The President asked me to look at monuments from 1996 forward, 100,000 acres

or greater, with the first due out of Bears Ears, which I did. The recommendation on Bears Ears, and it is going to have some bearing because we are going to be consistent on the recommendation. Bears Ears was 1.5 million acres. In scale, about 1.5 times the size of Glacier. Within Bears Ears, there is a monument. There is a U.S. Forest Service holding. There is a wilderness study area. There is BLM land. Most of it is almost all Federal land.

Looking at what the Antiquities Act says is the smallest area compatible to the protection of the object, and that is the executive power. Also understand the Antiquities Act is unique. It does not require NEPA. It is singular in authority. It does not require a public review. The President has the authority to establish a monument. The first monument, as you know, was 1,200 acres. That was Devil's Tower, and controversial then. I would say over a course of time the monument's program and the law has been enormously beneficial to the United States.

So on Bears Ears, I looked at it. I think the antiquities and the objects can be identified, segregated. We have not determined the boundaries, but it can be revised, the boundaries to isolate them and protect those antiquities. Part of my responsibility is to make sure the boundaries are set where I can actually execute my duty of protection.

We are also going to ask Congress for three things: co-management, authorization to co-manage the revised boundaries. We are going to ask Congress to review the lands within the memorial or monument because some of the lands, we think, are better under national recreation and national conservation areas because there is no object, per se. But that is a congressional decision and we are going to ask Congress to review it.

Lastly, to clarify from Congress what happens when you put a monument over the top of a wilderness because a monument has its own proclamations and management, but a wilderness in many cases is more strict in its management. So what happens? What is the intent of Congress putting a monument over the top of a wilderness or wilderness study area?

In the case of New Mexico, I do not want to rip a band-aid off of a monument that is settled. I talked to the Governor. I will talk to the congressional reps. I will talk to the county commissioners as I did on Bears Ears. If it is settled and people are happy with it, I find no reason to recommend any changes. There might be a recommended change on a proclamation if the community feels like the proclamation itself is either too stringent or needs to be clarified, I would certainly look at that.

I look forward to be in the great State of New Mexico. My understanding is we are going to try to do it on a weekend. As soon as we solidify with your staff, you are certainly invited. My understanding is I might even get a horse ride through it.

Senator UDALL. I will know and we really appreciate you coming to New Mexico and we hope you will meet just like you talked about, with a wide range of stakeholders in terms of hearing what is actually happening on the ground. Thank you very much for that.

Apparently, they need me over at the SAC-D hearing, so we are going to have a short recess. There are facilities back here. Give

you a little short break and then I believe Chairman Murkowski will return here in a moment.

Secretary ZINKE. Very well.

Senator UDALL. Thank you very much, Mr. Chairman. Committee is in recess.

[Recess]

Senator MURKOWSKI. Secretary, to keep you on the hot seat. I just passed the baton with Senator Udall in the hallway. I just have a few more questions if I may this morning. I figure between what I had yesterday with you on the Energy Committee and now this, if I have not gotten all my questions presented to you, I am not talking fast enough. So I will be relatively brief here this morning.

ALASKA LEGACY WELLS

Yesterday I mentioned the issue of contaminated lands, lands that had been conveyed to our Alaska Native people that basically were transferred in a contaminated State. We did not really talk about the legacy wells. You briefly touched on the fact that we have been making some headway in plugging these legacy wells that were drilled back in the 40s on the National Petroleum Reserve.

We have got a situation, again, where we cannot complete this unless the resources are there. The question for you is whether or not you—given the resources that you have included in this year's budget, can you keep on the timeline that we have discussed with the Department about doing the necessary cleanup given the budgetary constraints that we are facing? In other words, are we going to be able to maintain momentum or are we once again slowing down because of budgetary limitations?

Secretary ZINKE. Well, I appreciate the question. The statistics I have on it is that we are down from 50 to 31. We will be at about 25 wells at the end of 2018. The budget itself had an \$8 million decrease in it. It had \$14 million in it, an \$8 million decrease because the conditions up there are difficult and it is fairly isolated and so it is expensive. The glide slope on this is that it would not be completed for 6 years. I am unaware of what the agreement was, but at the present allocation, it would be 6 to 7 years.

Senator MURKOWSKI. Well, and I appreciate that. And this is something that as we move forward, you as Secretary here, know that I am going to be on you and your folks to make sure that we have a serious commitment of resources and prioritization to clean these wells up. My concern is that we got to the low hanging fruit first, the easy ones, the ones that were less expensive. We have done that remediation. We have been able to plug them successfully and now we are at the point where it is the harder ones. You point out that they are in more remote places.

So instead of being able to do a cluster at one time and gain some efficiencies of scale, it is just more challenging. So we want to be working closely with you to see if, given the complexity of the ones that we are working on now, whether that is slowing things down, whether we need to increase these amounts, but we will work with you on that one.

U.S. GEOLOGICAL SURVEY NATURAL HAZARDS

Let me talk a little bit about USGS and I think it was Senator Capito that mentioned a little bit of what we are seeing within USGS. There is a proposal to cut \$27 million from this side. This is part of the budget that provides for early warning for certain hazards like volcanic eruptions, earthquakes, landslides. We live in a place where we see this. And Alaska is probably the most seismically active State in the country.

We have got a system of earthquake monitors called the U.S. Array. It is currently operated by the National Science Foundation. These monitors are going to be decommissioned in 2018. We have been working with USGS on the cost of transferring these stations from NSF to USGS. And in the 2017 Omnibus, we included some funding to prepare a report that looks at the cost of acquiring this equipment as well as an implementation plan on how USGS would begin to work with moving out some additional seismic stations.

So I do not know whether you are aware of this request. What we are trying to do is ensure that investments that have been made in this monitoring system are not just abandoned and looking to make sure that we are utilizing the technologies, but again this is a resource that is important and making sure that we can allow for a continuation is going to be something that we would ask for your assist on.

Secretary ZINKE. Well, I look forward to working with you on it. You know, obviously USGS, with my background, is near and dear. I think the seismic work has been overall excellent. I understand there is a program to convert the systems and I think we will move to maybe converting 10 to 16 of the systems this summer. The budget, I will work with you on the budget to make sure we prioritize, and this is under the guise of public safety.

I was briefed by the University of Oregon. The President came to the office and there is exciting technology about extending some algorithms on early warning and how that early warning results to actions in the ground, moving the people, transportation systems, and that which I think would fall under public safety. But I look forward to working with you on it.

VOLCANO HAZARDS

Senator MURKOWSKI. Good. Good. Another area is the Volcano Hazard Program. We have included in this appropriations subcommittee funding over the years for deferred maintenance work on these monitors that help us with volcano early warning. I have been asked why do we even need this. Well, if you are in an airliner and you go through a cloud of ash you can drop out of the sky about 30,000 feet as a Korean jetliner had to do some years ago. Early warning is important.

Right now we understand that some of these monitors are not in compliance with the FCC regulations and waivers may need to be submitted for analog monitors to stay in operation while we do this conversion to digital. So the Senate Interior bill included a directive for USGS to report back with a funding plan to basically do an assessment as to how many of these stations are out of compliance and then the cost of bringing them in.

I do not know if that is on your radar screen, but that is something that we are following here on the subcommittee, so I just wanted to bring that to your attention as well.

Secretary ZINKE. I am aware of it and I have talked to Department of Transportation on not just this system, but others as the President's plan to go to a different system and what are the consequences on our side because we have, you know, a fifth of the interior of the United States. We have a lot of systems out there and we have our own aviation department also that we need to be compliant.

We will run the numbers on that, what the consequence would be. I do not have the data yet, but as soon as I do, I would be glad to share it with you.

CONFIRMATIONS

Senator MURKOWSKI. Good enough. Good enough. Some of these are really quick. Again, just making sure that these are our issues that are in front of your people. And on that note, I realize you do not have a lot of your people yet. We are going to continue to push on your behalf. We would like to get Mr. Bernhardt working for you relatively quickly.

Secretary ZINKE. Madame Chairman, that has been a source of frustration, imminently qualified. He has been on the slate on or about when I was confirmed.

Senator MURKOWSKI. Yes.

Secretary ZINKE. And no progress.

Senator MURKOWSKI. We got him through the committee.

Secretary ZINKE. You did your part.

Senator MURKOWSKI. Yes.

Secretary ZINKE. We are hoping the Senate as a whole takes it up by a yay or nay vote, but it is not just that. As you know, I have critical people, Fish and Wildlife. I have Park Service. I have across the board to date I am the only confirmed member of Interior. I would have to believe it is willful to slow things down, which is disturbing because of all the departments—well, maybe not of all the departments—but certainly the Department of Interior should not be a partisan issue. Protecting our public lands should be an American issue and to have the right leadership in the right place, imminently qualified people.

I am excited about our choice in USGS. I cannot think of a better person to have in there and yet it is just—in my opinion, it is being slow rolled. It is not the White House. The White House has approved the slate to their degree. They have to go through the Office of Government Ethics, but when you have 22 rounds of questions for an individual that has TS, SBI, SCI, and has been in government service and has done orbits around the Earth, I think they are pretty qualified people.

Senator MURKOWSKI. I share your frustration. You know, there are some who says, well, the process is slowed here in the Senate, and in fairness, we do see some of that. But you and I have talked about the good men and women that have been put forward that somehow or other end up in this dark hole somewhere. And I would sure like them to come out on the other side of that so we

can move them through not this committee, but through the Energy Committee and get you the men and women that you need.

As you know from this hearing today, the one you had yesterday, your appearance over on the House side, people are expecting you to work. I need you to get moving on a 5-year lease review. We have got things that we have got to be doing when it comes to land and water conservation, management of BLM lands, all of the concerns that you hear, but I do not think you have any more hours in your day than I do and you cannot be doing it all alone. And I know you have good and able staff that are there to just help with the day to day and we appreciate that too, but we have got to get you some help, sir, so.

Secretary ZINKE. I appreciate that. I hope troops are coming.

Senator MURKOWSKI. I hope troops are coming too. So I am going to very quickly raise a couple of very parochial issues.

KAGALASKA ISLAND AND CHIRIKOF AND WOEWODSKI ISLANDS

You and I have had an opportunity to talk about hunting and I think we share a love for hunting. One of the things that I do not think is necessarily appropriate though is when our Federal agencies embark on what I would view as almost a private hunt. And I know that they would probably get offended with my description of that. But what we saw a couple of years ago with Fish and Wildlife effectively conducting a caribou hunt on Kagalaska Island with the intention that we need to eradicate these rogue caribou that had swum across a channel from Adak, population maybe nine on a small island off of Adak.

And the Fish and Wildlife Service chartered a boat to come from Kodiak all the way down to Adak. You have been out there, sir. You know that that is not a day trip. It is not inexpensive. And they basically went to go eradicate the area from these rogue caribou. We actually had to include language in the 2017 Omnibus that said, no, do not spend taxpayer dollars to do this.

Similarly, we have cattle on Chirikof and Woewodski Islands that, again, an effort to use Federal dollars to remove these cattle that have been there for decades. So I am bringing these to your attention to make sure that you know that I am not of the mind that it makes good sense to use good taxpayer money to have our Federal wildlife service go out and engage in rogue caribou hunts or the cattle removal, so.

Secretary ZINKE. Well, Madame Chairman, we will comply with the subcommittee direction and there will be no hunts on the islands in question.

KARLUK LAKE

Senator MURKOWSKI. Okay. Karluk Lake. I do not know if you have heard about Karluk Lake. This is a beautiful lake on Kodiak, in the Kodiak National Wildlife Refuge area. The fiscal year 2017 Omnibus included language that directed the service to conduct a formal compatibility determination on whether nutrient enrichment in Karluk Lake for fish rehabilitation is compatible with the refuge's comprehensive conservation plan. And this is an issue that has a long history there.

I would like to finally get some resolve here. I have asked the folks at Fish and Wildlife to revisit this. I would encourage you to work with stakeholders in Kodiak who have worked on this issue for a number of years, but I do not know if you have any updates on Karluk Lake. If you do not, I would certainly engage in discussion on that later.

Secretary ZINKE. My understanding is that, and I will see to it the Department is going to comply with the subcommittee's direction on that.

Senator MURKOWSKI. Great.

Secretary ZINKE. Because the direction is pretty clear.

COOPER LANDING BYPASS

Senator MURKOWSKI. I appreciate that. And then I am going to raise one more and this is relating to the Cooper Landing bypass. I wrote you earlier this spring to see if you could help us settle an issue, a land issue, in the State that would provide for a bypass route of the Sterling Highway at Cooper Landing. A bypass would allow for a—effectively moving away from the Kenai River, the Russian River, very popular rivers for fishing, very, very fruitful rivers. But the fear has always been because this road runs right by the river that if a truck goes off the road or there is some kind of a spill it could potentially do great damage to the great salmon that spawn in those rivers.

Fifteen years ago, Congress passed the Russian River Lands Act. It settled a dispute, but for that solution to work, the Department needs to initiate a land exchange and we need Fish and Wildlife to facilitate the land exchange and the Forest Service to also work with us on a trail issue. I have raised this with the chief of the forest service, so just need to know whether you are willing to have your staff work with Forest Service and Federal Highway Administration to finally untangle this four decade long nightmare so that we can finally get this resolved.

Secretary ZINKE. Well, I am happy to report the Secretary of Agriculture and the Secretary of Transportation, we work together, we have regular meetings, and I am happy to say that we will engage in this.

Senator MURKOWSKI. Great.

Secretary ZINKE. Forty years, it does not seem appropriate for a bypass.

KING COVE

Senator MURKOWSKI. It seems like all of the things that we work on are 40 years. You know, the issue with King Cove and my 10 mile, one-lane gravel, non-commercial use road is a 25, a 30 year old debate. ANWR has been a 35-year old debate. Quite honestly, we get tired of these decade long battles. So we would love to get some resolution on some of these.

I have talked long enough to make sure that my Ranking Member made it back, hopefully with an opportunity to ask questions in Defense across—

Senator UDALL. No, I am finished. I think the Secretary has been here long enough.

Senator MURKOWSKI. Yes.

Senator UDALL. I will ask any additional questions for the record.

Senator MURKOWSKI. Good.

Senator UDALL. I just wanted to go down and shake his hand as he was leaving.

Senator MURKOWSKI. Well, I think we are wrapped up. I think we have had a good several hours with the Secretary and his team. I appreciate his leadership. We will allow Members to submit questions for the record, and with that, we stand adjourned.

SUBCOMMITTEE RECESS

[Whereupon, at 12:04 p.m., Wednesday, June 21, the subcommittee was recessed, to reconvene subject to the call of the Chair.]

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2018

TUESDAY, JUNE 27, 2017

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 9:40 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Lisa Murkowski (Chairman) presiding.

Present: Senators Murkowski, Udall, Leahy, Daines, Tester, Van Hollen, and Capito.

ENVIRONMENTAL PROTECTION AGENCY

STATEMENT OF THE HON. SCOTT PRUITT, ADMINISTRATOR

ACCOMPANIED BY:

HOLLY GREAVES, SENIOR ADVISOR TO THE ADMINISTRATOR

OPENING STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Good morning. The subcommittee will come to order.

Today, we will review the fiscal year 2018 budget request for the Environmental Protection Agency. I would like to welcome you, Administrator Pruitt, to the subcommittee. It is good to have you back here. The Administrator is accompanied this morning by Holly Greaves, who is a Senior Advisor to the Administrator. So, again, I appreciate you being here. I look forward to a productive dialogue this morning.

As a reminder, we will adhere to the early bird rule, we will go back and forth, 6-minute rounds. So, because I'm assuming that we will have a fair amount of interest this morning, I'm going to ask Members to stick to the time limit as closely as possible. I do anticipate that we will have multiple rounds, but I recognize that the Administrator does have a hard stop at noon due to a commitment that requires travel.

The EPA's fiscal year 2018 budget request totals approximately \$5.7 billion. The proposal is a stark change from the funding levels provided in the fiscal year 2017 Omnibus and represents a substantially different vision for EPA than we saw in the previous administration, and that is not necessarily a bad thing.

For years, the Agency has overstepped its appropriate role. Rather than focusing on the core mission of cleaning up the environ-

ment, the Agency has produced rule after rule using questionable legal authority. Rather than being treated as partners, States were often treated as adversaries simply because they had a different plan to comply with environmental regulations.

I have expressed concern for years that the Agency's work on the Waters of the United States rule was very problematic for the State of Alaska because the rule would subject even the most routine projects to EPA's scrutiny and delay. Those concerns were ignored as the Obama administration advanced a flawed rule that was stayed in the courts.

So, Administrator Pruitt, I appreciate your plan to take a commonsense approach to this issue.

The Agency is currently taking a hard look at duplicative and unnecessary financial assurance requirements for hardrock mining that were advanced during the previous administration.

Administrator Pruitt, you have signaled a desire to refocus the Agency on its core mission. You have also signaled a desire to spend more time moving forward with measures that have tangible environmental benefits and less time writing rules that may or may not make a real on-the-ground difference. We should all be with you in making this commonsense approach. Ensuring that we have clean air and clean water is a serious mission that deserves support.

We can maintain responsible levels of spending at the EPA and continue our efforts to keep our air and water clean. Unnecessary regulations do not always result in a cleaner environment.

So I would like to speak to the specifics in the budget now. And given that the subcommittee has already reduced spending at the Agency, I don't believe that we can achieve the level of budget cuts proposed in the fiscal year 2018 budget and effectively move forward with a back-to-basics approach that I do support. And some of the proposed reductions and eliminations in the budget are in direct contrast to that back-to-basics approach.

For instance, the budget proposes eliminating the Alaska Native Villages program, which provides critical basic drinking water and sanitation infrastructure, basically known as flushed toilets and running water. And in so many of our Alaska Native villages, we simply do not have this basic infrastructure.

The Targeted Airshed Grants program, which was also proposed for elimination by the Obama administration, is helping clean up air pollution in places like Fairbanks with real on-the-ground measures like changing out woodstoves that are less efficient.

The radon program, which the Obama administration also proposed to eliminate, helps fight the second leading cause of lung cancer after smoking. We have rejected changes like these in the past, and I will certainly push my colleagues to do so again this year.

I am pleased that the budget proposes current funding levels for the Clean Water and Drinking Water State Revolving Funds and continues funding for the WIFIA program. I think we recognize we need to find creative ways to meet our Nation's water infrastructure challenges.

Beyond infrastructure, I'm committed to ensuring that the Agency has the resources it needs to process air, water, and pesticides

permits, as well as to implement the new TSCA law, which is a priority for the Ranking Member, and I know is a priority for you.

As with every President's budget, the fiscal year 2018 request is a proposal, and the subcommittee now has the difficult job of crafting an appropriations bill that actually directs those taxpayer dollars.

So before I close, I would like to briefly mention my hope that the new administration will work with me on a number of lower profile issues, certainly important to us, but very unique to Alaska.

And, Administrator, you and I have had an opportunity to discuss some of them, but they include things like fish grinding to PM_{2.5} in Fairbanks, to small remote incinerators. As I mentioned, I had a pretty good working relationship with Administrator McCarthy, and we were able to move the ball forward somewhat, but in several cases, we just weren't able to get it across the line. And so it's my hope that we'll be able to work together to address these environmental issues in a sensible manner. So know that I'll be asking about some of these more parochial issues in my question time.

And now I would like to turn to my Ranking Member, Senator Udall, for any comments.

STATEMENT OF SENATOR TOM UDALL

Senator UDALL. Thank you so much, Madam Chair.

And, Administrator Pruitt, I appreciate seeing you before us today, and I would like to thank Holly Greaves for joining us also. Welcome to you both.

Administrator Pruitt, the budget request before us today is downright offensive. It would slash EPA funding by nearly a third, research is cut in half, enforcement is cut by a quarter, toxic clean-up is cut by 30 percent, support for States is slashed by 45 percent, tribal support is cut by 30 percent, environmental justice programs are zeroed out, and all climate change programs are eliminated.

I cannot square this with your rhetoric about returning EPA to its core responsibilities. Nothing was spared. EPA's core is hollowed out. And let's not pretend that the Agency hasn't already sustained cuts and already been working hard to do more with less. Staffing has slid a full 10 percent over the last decade. The Agency's budget has dropped nearly 1 billion in real terms. These cuts are not an attempt to rein in spending; they are intentional steps to undermine science and ignore environmental and public health realities.

Your budget actually boasts about eliminating 60 programs, reversing real progress in every corner of our Nation, from the U.S.-Mexico Border to Chesapeake Bay. Also eliminated are the ENERGY STAR and WaterSense programs, market-based partnerships, which together have saved consumers nearly a trillion dollars on their utility bills.

Many of the programs you are proposing to eliminate have proven track records. The budget takes aim at the U.S.-Mexico Border Infrastructure Program, which has eliminated 353 million gallons of raw sewage per day from transport or watersheds, significantly reducing cases of hepatitis A, skin disorders, and gastrointestinal disease. The idea that these programs are unnecessary, redundant,

or even mature ignores real results and the need to sustain the progress we have made.

The only bright spot I see in this budget is continued funding for drinking water and clean water infrastructure for States proposed at \$2.25 billion, but the administration's support for the States goes dark after water infrastructure.

Administrator Pruitt, you have expressed your intent to return responsibility to the States, but then you propose to cut States' funding by 45 percent. States are on the front line for implementing most of our Federal environmental laws. They rely on EPA for more than a quarter of the funding needed to carry out these delegated responsibilities. States are the ones that run programs to decrease childhood lead poisoning; prevent radon poisoning in schools and homes; oversee public water systems to prevent tragedies like Flint, Michigan; reduce ozone; monitor water pollution; and ensure safe disposal of hazardous waste. In other words, cutting this funding is a backdoor evisceration of the core programs you claim to prize.

The budget also proposes to cut enforcement by 23 percent, taking cops off the beat from holding polluters accountable. We do not need to guess how this would turn out. Reagan era cuts to EPA similar to the size you propose resulted in 69 percent fewer civil cases referred to the Justice Department.

And for an administration focused on return to investment, it's surprising to see a proposal to scale back such an effective tool in EPA's toolbox. Compliance stemming from enforcement cases have generated \$60 billion in pollution control investments in just the past 5 years.

This proposal also cuts 30 percent from Superfund cleanup, by definition, the most contaminated sites in the Nation. More than 1,300 sit on a waiting list. I understand you started a task force to speed up Superfund cleanups. I welcome a fresh look at the process, but I'm worried that a focus on speed will lead to shortcuts and lax standards. Sites like the Bonita Peak Mining District, which includes the Gold King Mine, need comprehensive remediation, not a "Band-Aid."

I'm also troubled that your budget proposes to eliminate \$4 million for independent monitoring of the water still flowing every day from the Gold King Mine into areas of New Mexico. I worked hard last year to start that program. I'm committed to continuing this funding despite the administration's proposal to stop supporting the Navajo in the States in this effort. It is critical to the health of those living downstream from Gold King Mine. It's also critical that we ensure those affected by the spill receive proper compensation and continue to work to make that happen.

The budget also cuts research funding in half, which would cause ripple effects for generations. How will we identify risks? What basis will we have to mitigate the worst impacts on our health and environment? It's 2017, but I fear we are reverting to the Dark Ages.

The budget also proposes to fire 3,800 scientists and researchers, a full 25 percent of EPA's staff. This comes on the heels of 1,500 staff already lost over the last decade, a drop of nearly 10 percent. And just last week the administration handed out pink slips to

most of EPA's Board of Scientific Counselors, which ensures that EPA's research is grounded in incredible scientific evidence.

Add this to your backtracking on a growing list of critical regulations that were based on sound science for clean water, ozone, greenhouse gases, pesticides, methane, and fracking, it's clear that this administration is in a relentless pursuit to undercut and disregard science to the benefit of industry.

I was originally heartened by your commitment to toxics reform, but last week EPA announced new policies that would weaken the risk evaluations at the heart of the program. It looks like the chemical industry has punched loopholes into TSCA. Your budget appears to preserve most of the funding for the Toxics Office, but no amount of funding can overcome policies to weaken the intent of the law, and the law should be implemented in the same bipartisan, balanced way in which it was created in the past.

Finally, this budget request virtually eliminates every dollar of EPA funding related to climate change: fuel standards, international partnerships, research, all of it. Sadly, these proposed cuts go hand-in-glove with the President's decision to renege on our commitments under the Paris Agreement. Climate change is a global crisis that requires urgent global action, but this administration is choosing to isolate the United States from what scientists, national security experts, and world leaders agree is one of the greatest destabilizing forces of our time: climate change and the role of human activity in creating it. As a nation, we can't afford to stick our head in the sand and ignore scientific reality, just like we can't afford to enact many of the other irresponsible cuts included in this budget request.

Administrator Pruitt, this is a budget—this budget is dead on arrival. We agree that EPA funding needs to focus on EPA's core responsibilities. To most Americans and to me it's clear that this core responsibility is to protect public health and ensure clean air and clean water, but this proposed budget shows that the new EPA thinks its core responsibility is to cater to industry, let polluters off the hook, deny the tenets of science, and walk away from our global commitments.

We obviously have a lot to discuss this morning. Thank you for being here.

Senator MURKOWSKI. Thank you, Senator Udall.

Senator Leahy, as the Ranking Member of the full committee, has asked for a couple moments to enter an opening statement.

Senator Leahy.

STATEMENT OF SENATOR PATRICK J. LEAHY

Senator LEAHY. Thank you. And both the Chairman and I, of the full committee, are trying to organize how we will take each one of these appropriations. And, Madam Chair, the work that you and Senator Udall are doing, are going to be extremely important in that regard.

I'm afraid, Mr. Pruitt, and I enjoyed talking with you earlier this morning, but I think the Trump administration in this budget has demonstrated really contempt for the better work that the Environmental Protection Agency does to monitor, protect, and preserve our environment.

You know, this budget, this budget that you propose for us, doesn't uphold your Agency's mission. I've watched that mission for years, both Republican and Democratic administrations. We ought to be doubling down on our investment to protect our environment for the sake of our children and our grandchildren, and curb the effects of climate change. Instead, the administration is tearing down the legacies of the Clean Air Act, the Clean Water Act, when we ought to be investing in green energy and a green economy.

For example, in my State of Vermont, we have on a per capita basis more people working, well employed, in alternative energy fields than West Virginia has as coal miners. This administration, though, is eliminating programs that support science and innovation.

We have a right to clean air and clean water. We accept that as a right in America. It's troubling to countless tens of millions of Americans, from Baby Boomers to Millennials, that so much of this administration's policy and budget choice, from EPA to NIH, NOAA, climate change, are really steeped in anti-science, almost a know-nothingism. If you don't like the answers that come from science and monitoring, well, just fire the scientists. And then erase the government websites that people, both parties, have relied on. Scale back monitoring. Well, you can put your head in the sand, but that doesn't do anything for America. We wouldn't have cleaner air and water today without monitoring and regulation.

You know, a State like my State of Vermont does a superb job as a steward of our air and our water, but we're powerless to stop pollution coming in across our borders from other States. That's why you have regulations, so everybody has to be doing what we do.

You are not enforcing laws in the book. You're ignoring compelling scientific evidence. You've separated us from nearly every nation on the planet in a shared pursuit of a cleaner environment. You're at the heart of the administration's abatement of our role as the global leader in addressing the adverse effects of climate change.

As an American, I liked the fact that America was the leader, the world leader, in the environment and protecting the environment and climate change. We just gave it away. We gave it away. Look who's coming in to try to fill the place, China and European countries, saying, "America is not leading anymore. We'll take over."

Well, Americans are watching, Vermonters are watching, years, decades, of investment in the restoration and cleanup of Lake Champlain, the largest body of fresh water in the United States outside of the Great Lakes. They're threatened by this budget's elimination of the geographic program. That means lost jobs, lost economic revenue, lost progress. And even though the Lake Champlain cleanup is seen as a national model, in fact, it's studied by other countries, we're working hard to have farmers in towns implement water protection measures, but we have to have Federal resources to address nonpoint source pollutants that are harming waterways, not only at Lake Champlain, but in the Great Lakes.

Now, the American people know we can have both jobs and clean and water, and they don't accept your choice. It is a false choice. And they see you turning the EPA into a polluter protection agen-

cy. That's not what we want in Vermont. I don't think that's what most Americans want. Clean air, clean water, and the monitoring and the science to help achieve both of those, those are priorities of the American people.

Your budget is not what the American people want and deserve. They deserve better than what this budget puts forward. We have to demand better. I agree with the Senator from New Mexico, this budget is dead on arrival. And I think everybody in this subcommittee knows it is, on both sides of the aisle.

Thank you, Madam Chair.

[The statement follows:]

PREPARED STATEMENT OF SENATOR PATRICK J. LEAHY

Chairwoman Murkowski and Ranking Member Udall, this is a timely and important hearing. The Trump administration has demonstrated its clear contempt for the vital work done by the Environmental Protection Agency to monitor, protect and preserve our environment. I wonder how you can look at this Committee and defend this as a plan to uphold the Agency's mission.

Where we should be doubling down on our investment to protect our environment and curb the effects of climate change, this administration is tearing down the legacies of the Clean Air Act and the Clean Water Act. At a time when we should be investing in green energy and a green economy, this administration is recklessly eliminating programs that support science and innovation. Mr. Pruitt, Americans have a right to clean air and clean water. Your proposal undermines that right.

It is troubling to countless tens of millions of Americans, from Baby Boomers to Millennials, that so much of this administration's policy and budget choices—from the EPA, to NIH, to NOAA, to climate change—are steeped in anti-science know-nothingism. Don't like the answers that come from science and monitoring? Just fire the scientists, scrub government websites, and scale back the monitoring. That's pretty close to the definition of putting your head in the sand.

We wouldn't HAVE cleaner air and water today without monitoring and regulation. States like Vermont do a superb job as stewards of our air and water, but we are powerless to control the pollution that drifts across our borders from other States. Regulation is essential for solving problems like that.

You are choosing not to enforce the laws on the books and are ignoring compelling scientific evidence. You have separated us from nearly every nation on the planet in a shared pursuit of a cleaner, greener environment. You are at the heart of this administration's abandonment of our role as the global leader in addressing the adverse impacts of climate change.

Vermonters are watching. Americans across the country are watching. Years—decades—of investment in the restoration and cleanup of Lake Champlain are threatened by this budget's elimination of the Geographic Programs. That means lost jobs, lost economic revenue, and lost progress. Vermont's Lake Champlain cleanup effort is seen as a national model. We are working hard to help farmers and towns implement water protection measures, but we must have Federal resources available to address nonpoint source pollutants that are harming waterways like Lake Champlain and the Great Lakes.

Administrator Pruitt, the American people know that we can have both jobs, and clean air and water. They don't accept your false choice, and they reject the idea of turning the EPA into a polluter protection agency. Clean air and water, and the monitoring and the science that help achieve that, are the real priorities of the American people. Your budget is not what the American people want and deserve. They deserve better than what this budget puts forward, and we must demand better.

Senator MURKOWSKI. Thank you, Senator Leahy.

And as a reminder to the other subcommittee Members who would like an opportunity to place an opening statement in the record, the subcommittee record will be held open for an additional week. So if you would like to do so, just contact the subcommittee staff, and they'll make sure that the statements are included. The same will hold true for any questions that you are unable to ask today that you would like submitted as questions for the record.

So with that, Administrator Pruitt, welcome again to the subcommittee. And your comments this morning, please.

SUMMARY STATEMENT OF HON. SCOTT PRUITT

Mr. PRUITT. Thank you, Madam Chair, Ranking Member Udall, and Members of the subcommittee. Good morning. I thank you for the invitation to be with you this morning to talk about the EPA's proposed budget. I'm joined at the table, as indicated earlier, by Holly Greaves. She's a senior advisor to me on budget and audit.

With the budget being the focus of our discussion today, it's important to note the work we are doing as an agency to bring the EPA back to its core mission. Specifically as part of our back-to-the-basics agenda, we are focused on air attainment and air quality standards, clean water and fixing our outdated infrastructure, clean up contaminated land through Superfund and Brownfield programs, and carrying out the very important responsibilities and updates to the TSCA legislation that this body knows very well.

More generally, when I began my work at the Agency, I set three core principles by which I would operate and carry out our responsibilities.

The first is to focus on rule of law. We are reversing an attitude and approach that one can simply reimagine authority under statutes. I firmly believe that Federal agencies exist to administer the law. It's Congress who has the constitutional authority to pass statutes. Agencies, including the EPA, have a responsibility to implement those statutes pursuant to the wishes of Congress. Any action by EPA that exceeds that authority by definition cannot be consistent with the Agency's core mission.

Along with respect for rule of law, we are focused on process. Over the last several years, the Agency has engaged in rulemaking through consent decrees, sue and settle practices, and guidance. Regulation through litigation is something we will not continue at the EPA. We will make sure that process is respected and implemented so that people across the country can make their voices heard as we engage in rulemaking.

And, thirdly, we are emphasizing the importance of cooperative Federalism, respecting the role of the States. As you all know well, a one-size-fits-all strategy to achieve environmental outcomes is very difficult to achieve. What may work in Arizona may not work in Tennessee. I recognize that States have unique environmental challenges and needs, and I will continue to engage in meaningful discussions about how shared environmental goals related to these regions can be achieved.

With respect to the budget and these priorities and principles that I've shared with you this morning, I believe that we can fill the mission of our agency with a trim budget through proper leadership and management. We will work with Congress to help focus our national priorities with respect to the resources that you provide. And we will continue to focus our efforts on the core responsibilities, working cooperatively with the States to improve our air, land, and water.

As I have indicated, clean air goes to the heart of human health, and we are focused on increasing air attainment through compliance and assistance and enforcement. We've made tremendous

progress as a country through investment, through rulemaking. Since 1980, total emissions under the six criteria of pollutants that we regulate under the NAAQS program have decreased approximately 65 percent, and ozone levels have decreased almost 33 percent. We should celebrate this progress but recognize that we have much work to do, and it should be our focus at the EPA to find ways to increase the number of people living in attainment, living and working in areas that meet the National Air Quality Standards.

The President has made it clear that maintaining infrastructure is critical to this country, and at the EPA, that means ensuring we continue to make investments in drinking water, in wastewater infrastructure. We will continue to partner with the States to address sources of drinking water contamination, and these efforts are integral to infrastructure efforts because source water protection can reduce the need for additional drinking water treatment and avoid unnecessary costs.

And like President Trump, I believe we need to work with the States to understand what they think is the best way to achieve protection of the waters and the actions that they are engaged in to achieve that purpose. The EPA should only intervene when States demonstrate an unwillingness to comply with the law or do their job with regard to keeping water clean and water safe.

With regard to contaminated land, we are going to punish bad actors, and that means that our job is to punish those who violate the law to the detriment of human health and the environment. EPA's enforcement efforts have produced billions of dollars in cleanup commitments from violators and billions of pounds of pollution prevented and cleaned up as a result of those commitments today.

As States are the primary implementers of many enforcement action programs, we will work with our State partners to achieve compliance and enforcement goals, and we will focus our resources on our direct responsibilities.

When we do not stay within the law as an agency, we create inconsistency and uncertainty for the regulated community. Regulatory certainty is key to how we do our job. We need to outline exactly what is expected of our businesses and industry and citizens because when we do our job well, we create good environmental outcomes.

Madam Chair, Members of the subcommittee, I appreciate the opportunity to share briefly this positive environmental agenda. We are moving forward focused on these core priorities, and I look forward to working with you to achieve the goals of clean air, land, and water, and protecting human health as we engage in the discussion today.

Thank you, Madam Chair.

[The statement follows:]

PREPARED STATEMENT OF HON. SCOTT PRUITT

Good morning, Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee. I am joined by Holly Greaves, my senior advisor for budget and audit, and we are here today to discuss the Environmental Protection Agency's (EPA) proposed fiscal year 2018 budget.

As the Administrator of the Environmental Protection Agency, I am a firm believer in EPA's mission to protect human health and the environment and am committed to helping provide future generations with a better and healthier environment. I also firmly believe that Federal agencies exist to administer the law. Congress passes statutes, and those statutes outline the responsibilities and work that EPA must do. Any action by EPA that exceeds the authority granted to it by Congress, by definition, cannot be consistent with the Agency's mission.

At the outset, it is important to recognize the tremendous progress that has been made over the years toward a cleaner environment across the country. The proposed budget supports EPA's highest priorities with Federal funding for core work in air and water quality, contaminated land clean-ups, enforcement and ensuring the safety of chemicals in the marketplace so we can continue this progress. The President's budget aims to reduce redundancies and inefficiencies, and prioritize EPA's core statutory mission of providing Americans with clean air, land, and water.

EPA can accomplish a lot when the Agency focuses on working cooperatively with the States and Tribes to improve health and the environment. It is essential for the Federal Government, State governments, and Tribal governments to work together to provide the environmental protection that our laws demand and that the American people deserve. I strongly support cooperative Federalism, and make every effort to partner with EPA's counterparts in State, local, and Tribal governments to further these goals.

I recognize that States have unique environmental needs, and I will continue to engage in meaningful discussions about how shared environmental goals related to the regions can best be achieved. We will work collaboratively with States, Tribes and local governments to provide flexibility to address important priorities. And, I look forward to working with you all, and other Members of Congress, to ensure we meet the environmental needs of your communities.

In my testimony today, I will focus on five main areas where EPA is protecting human health and the environment: air, water, land, chemicals and enforcement. I will also outline how EPA is reducing inefficiencies and redundancies, to better serve the American people and maximize every taxpayer dollar we are allocated.

IMPROVING AMERICA'S AIR QUALITY

By funding air quality work at \$448 million, EPA will continue to perform key activities in support of protecting human health and the environment through improving the quality of the Nation's air with a focus on States achieving greater levels of attainment.

States have made tremendous progress and significant investment in cleaning up the air. Since 1980, total emissions of the six criteria air pollutants regulated under the National Ambient Air Quality Standards program have dropped by 63 percent and ozone levels have declined 33 percent. We are focused on finding ways to get more accurate measurements of the areas of the country that need help improving their air quality—and then working with States on meeting the standards set by the Agency.

Areas designated as being in "nonattainment" of the standard face consequences, including: increased regulatory burdens, restrictions on infrastructure investment, and increased costs to businesses.

EPA is working with States to give them additional time on their initial designations of nonattainment areas for the 2015 ozone standard to better understand some lingering technical questions and information needs. The agency also is looking at ways to provide greater flexibility in the development of their air quality improvement plans. And, I am establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for States to comply with the ozone standard.

My staff and I inherited an unacceptable backlog of air quality implementation plans from the previous administration. The backlog of these State Implementation Plans (SIPs) creates vast uncertainty for States and compromises air quality benefits that otherwise could be attained. I am committed to reducing the SIP backlog and have directed my staff to work with the States to reduce this backlog as quickly as possible.

The proposed budget also provides funding for the Greenhouse Gas Reporting Program which requires mandatory greenhouse gas emissions reporting to inform the annual GHG inventory, a U.S. treaty obligation. Additionally, in fiscal year 2018, the Federal Vehicle and Fuels Standards and Certification program will focus its efforts on certification decisions. The agency will conduct activities supporting pre-certification confirmatory testing for emissions and fuel economy for passenger cars.

When it comes to people living and working in areas that meet air quality standards, we are committed to working with States to do better than what was happening under the previous administration.

RESTORING THE ROLE OF STATES IN THE REGULATION OF WATER

The President has made it clear that maintaining infrastructure is critical to the foundation of this country's commerce. At EPA, this means in large part ensuring we continue to make investments in drinking water and wastewater infrastructure.

The fiscal year 2018 budget includes \$2.3 billion to capitalize the State Revolving Funds to assist our implementing partners in revitalizing and rebuilding our Nation's aging water resources. The fiscal year 2018 budget also includes \$20 million for the Water Infrastructure Finance and Innovation Act (WIFIA) program to address aging water infrastructure. The \$20 million provided for WIFIA could provide up to \$1 billion in credit assistance, which, when combined with other funding resources, could spur an estimated \$2 billion in total infrastructure investment.

Established by the Water Infrastructure Finance and Innovation Act of 2014, EPA's WIFIA program is a Federal loan and guarantee program that aims to accelerate investment in our Nation's drinking water and wastewater infrastructure by providing long-term, low-cost supplemental credit assistance for eligible projects, including those of regional or national significance. WIFIA supports projects to repair, rehabilitate, and replace aging water treatment plants and pipe systems, and construct new infrastructure including desalination, water recycling, and drought mitigation projects.

Organizations from across the country are seeking to partner with EPA to invest in their local communities and improve water infrastructure with WIFIA, with 'letters of interest' from prospective buyers across 19 States, including: Arkansas, Arizona, California, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Maine, Maryland, Massachusetts, Mississippi, Missouri, Nebraska, Pennsylvania, Tennessee, Washington, and Wisconsin.

EPA will continue to partner with States, drinking water utilities, and other stakeholders to identify and address current and potential sources of drinking water contamination, particularly in areas of significant regional and national importance. These efforts are integral to infrastructure efforts because source water protection can reduce the need for additional drinking water treatment and avoids the associated costs.

To assure the American people that their water is safe to drink, the EPA's drinking water regulatory program monitors for a broad array of contaminants, evaluates whether contaminants are of public health concern, and regulates contaminants when there is a meaningful opportunity for health risk reduction for persons served by public water systems. In addition, the EPA will work to reduce lead risks through revisions to the Lead and Copper Rule (LCR), and regulations to implement the Water Infrastructure Improvement for the Nation Act and the Reduction of Lead in Drinking Water Act.

EPA will continue to provide scientific water quality criteria information to our partners and the public, review and approve State water quality standards, and review and approve State lists of impaired waters. In fiscal year 2018, the agency will work with States and other partners on Total Maximum Daily Loads (TMDLs) as required by the Clean Water Act, as well as on other waterbody restoration plans for listed impaired waterbodies. EPA also will continue to implement and support core water quality programs that control point-source discharges through permitting and pre-treatment programs.

Like President Trump, I believe that we need to work with our State governments to understand what they think is the best way to protect their waters, and what actions they are already taking to do so. EPA should only intervene when States demonstrate an unwillingness to comply with the law or to do their job, with regard to keeping water clean and safe for families, businesses, and the public at large.

The Clean Water Act asserts Federal control over "navigable waters" without providing clarity or details about the law's scope. President Trump signed an executive order on February 28, 2017 to directing the EPA and the Corps of Engineers to review the Obama Administration's Clean Water Rule—also known as the "Waters of the U.S." or WOTUS—and propose to rescind or revise the rule as appropriate and consistent with the law and to ensure that we are meeting the original goals and policies of the Clean Water Act, as Congress has established.

To meet the objectives of the Executive order, the EPA and the Office of the Assistant Secretary of the Army for Civil Works have already begun soliciting input from States, Tribes, and other stakeholders and are following a two-step process

that will provide as much certainty as possible, as quickly as possible, to the regulated community and the public during this process.

CLEANING UP CONTAMINATED LAND TO REVITALIZE COMMUNITIES

In an effort to restore the cleanup of contaminated lands to its rightful place at the center of the EPA's core mission, I am prioritizing Superfund cleanups. EPA's Superfund program is responsible for the cleanup of some of the Nation's most contaminated areas. One of my first actions as Administrator was to visit the community of East Chicago, Indiana, a Superfund site where residents have been dealing for decades with lead contamination from a former smelter. We've installed a new ombudsman office in the community to make sure residents are kept informed, we have worked with the State and local officials on providing clean drinking water, and we have worked with some of the responsible parties to secure more money to clean up additional homes.

During my confirmation process and in my time as Administrator, I have heard from families and community members, elected officials, and business leaders that the cleanup of contaminated sites takes too long. I have already taken a number of steps to elevate these issues within the Agency and to make sure that we are doing all we can to ensure cleanups are occurring without delay, sites are being put back to productive use wherever possible, and families and nearby residents know that their communities are safe. I have changed the approval process for sites with remedies estimated to cost \$50 million or more to ensure they get the appropriate level of attention from myself and my senior staff. I have also established a Superfund task force to provide me with recommendations on how EPA can streamline and improve the Superfund program.

In addition to the Superfund program, the Brownfields grants programs will safely clean-up and restore to enable the redevelopment of contaminated land under my leadership at EPA. These programs not only return land to productive use but also help spur economic development and job creation. Brownfields grants have a community driven approach, with over 67,000 acres of idle land made ready for productive use and over 124,300 jobs and \$23.6 billion leveraged.

Land cleanup and restoration efforts will continue at a funding level of \$992 million in fiscal year 2018. When it comes to cleaning up these sites, I believe that with better leadership, and reducing inefficiencies and administrative costs, we can take steps to accelerate the pace of the clean-ups.

ENSURING THE SAFETY OF CHEMICALS IN COMMERCE

Ensuring the safety of chemicals used in commerce is a priority. Resources are needed to support efforts to minimize American exposure to pesticides, help maintain a healthy food supply and address public health concerns.

The EPA's toxics program will maintain its 'zero tolerance' goal for preventing the introduction of unsafe new chemicals into commerce. In fiscal year 2018, \$65 million is requested for the Toxic Substances Control Act (TSCA) Chemical Risk Review and Reduction Program to support the agency's significant continuing and new responsibilities for ensuring that chemicals in commerce do not present unreasonable risks to human health or the environment. New chemicals will be evaluated and decisions will be based on the best available science and the weight of evidence.

EPA reviews about 1,000 new chemicals per year, and must complete the review of each submission within a specified timeframe, resulting in about 300 chemicals under review at any given time. By January 2017, the number under review had grown to about 600.

Under my leadership, we have split by half the backlog of new chemical submissions being reviewed under TSCA, with plans to fully eliminate the backlog by the end of July. The agency is also increasing transparency for the public and the regulated community about these chemicals.

We are working with companies to gather all the relevant information early in the process, to inform safety reviews for new chemicals. Reviewing new chemicals quickly will enable those deemed safe to enter the marketplace to support jobs and our economy.

The reduction in the backlog is the result of prioritizing and implementing process efficiencies. EPA will continue to work with all stakeholders to identify additional changes to improve the quality, efficiency and transparency of the new chemical review program.

For chemicals in commerce, EPA will maintain an ambitious schedule for initiating and completing chemical risk evaluations and, where risks are identified, for initiating and completing regulatory actions to address those risks. EPA also will

implement the new mandates related to determinations on claims for confidentiality for chemical identities.

In fiscal year 2018, the agency will continue implementing TSCA activities not amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act. The agency also will provide firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts, as well as provide for the operation and maintenance of the online Federal Lead-Based Paint program database (FLPP) that supports the processing of applications for training providers, firms and individuals.

Identifying, assessing, and reducing the risks presented by the pesticides on which our society and economy rely is integral to ensuring environmental and human safety. Chemical and biological pesticides help meet national and global demands for food. They provide effective pest control for homes, schools, gardens, highways, utility lines, hospitals, and drinking water treatment facilities, while also controlling vectors of disease. The program ensures that the pesticides available in the U.S. are safe when used as directed. In addition, the program is increasing the focus on pollinator health, working with other Federal partners, States, and private stakeholder groups to stem pollinator declines and increase pollinator habitat.

In fiscal year 2018, EPA will invest resources to improve the compliance of pesticide registrations with the Endangered Species Act. A portion of the funding also will ensure that pesticides are correctly registered and applied in a manner that protects water quality.

PUNISHING BAD ACTORS

EPA will remain focused on punishing bad actors. That means enforcing civil and criminal cases in areas that address substantial impacts to human health and the environment. EPA's enforcement efforts have produced billions of dollars in cleanup commitments from violators and billions of pounds of pollution prevented and cleaned up as a result of those commitments to date.

As States are the primary implementers of many enforcement action programs, we will focus agency resources on non-delegated programs. We will rely on our State partners to achieve compliance and enforcement goals, and we will focus resources on our direct implementation responsibilities and oversight, emphasizing violations with public health and environmental impacts.

STREAMLINING

As careful stewards of taxpayer resources, we will look to attack waste by examining our programs that are unnecessary, redundant, or those that have served their purpose and accomplished their mission or are outside EPA's statutory mandates. The fiscal year 2018 budget identifies and eliminates programs so that EPA can focus on its statutory mission, achieving greater value and greater results.

In fiscal year 2018, these efforts include streamlining permitting processes and National Environmental Policy Act (NEPA) infrastructure project reviews along with the focused effort on improving Superfund processes. We will build on business process improvements by partnering with States, Tribes, and local governments to expand and support approaches across all our programs.

To help achieve its mission, EPA will develop, review and analyze program requirements and implement options to effectively align and redistribute the agency's workforce based on priorities and technological advances. The result of these analyses is expected to create a need to reshape the workforce and maintain the current hiring freeze. The agency will also offer voluntary early out retirement pay (VERA) and voluntary separation incentive pay (VSIP) in fiscal year 2018 to achieve effective reshaping.

This budget does not include plans to close regional offices, but we will continue to prioritize efforts that save taxpayer dollars through space consolidation and essential renovations to reduce and optimize our physical footprint.

The budget request also significantly reduces or eliminates funding for mature programs that no longer need a Federal presence or can be implemented by others. We will work with States and Tribes to target resources to core statutory work and provide flexibility to address particular priorities and concerns. The fiscal year 2018 President's budget identifies and eliminates programs, to save taxpayers \$1.03 billion relative to our fiscal year 2017 enacted budget.

We are committed to performing the work that is necessary to meet our mission of protecting public health and the environment. With support from our State and local partners—and by working with each of you, and your colleagues in Congress, we can make a real difference to communities across America.

I look forward to answering your questions.

STATE OF ALASKA ISSUES

Senator MURKOWSKI. Thank you, Administrator.

My first question is so easy I shouldn't even be asking it, but I will because it's a priority for folks back home. And I mentioned in my opening that I had a number of parochial interests that we've been trying to advance over the course of many years, and with the former Administrator, we were able to schedule somewhat regular meetings with her and some of her team as well as my team to basically go through a punch list on the progress that we were making. I would like to restart those types of meetings with your folks, and I would like your commitment to that today.

Mr. PRUITT. Yes, Madam Chair. As we met earlier at lunch, we started that process, and I look forward to working with you on those very important issues to the State of Alaska.

CONTAMINATED LAND ISSUES

Senator MURKOWSKI. Good. Thank you. And you had mentioned in your comments just here your commitment to ensuring that we have clean lands and a level of enforcement for those that would degrade the quality of our lands.

While not necessarily in your jurisdiction here or your lines, we had Secretary Zinke before the subcommittee just last week, and it gave me an opportunity to speak with him about some of the failures that we have seen as it relates to our own Federal Government in failing to clean up lands, whether it's the legacy wells on the North Slope of Alaska, or whether it is lands that were conveyed to Alaska Natives as part of their land claim settlement that were conveyed as contaminated properties.

Part of what we have been dealing with the contaminated lands issues is there has not been anybody that has been willing to be lead agency. I am not necessarily asking you to be lead, but I am saying that this is interagency, this is departments cooperating together, and hopefully we'll have an opportunity to sit with you, as the Administrator, and Secretary Zinke to talk about a game plan moving forward with some of these lands issues.

Mr. PRUITT. Yes. As you've indicated, Madam Chair, there are Superfund sites across the country that have Department of Defense-Department of Energy responsibility, and that interagency coordination and collaboration is very, very important. What I've noticed as I reviewed our Superfund portfolio is that many times a decision just languishes over years. I think some of that is attributable to what you've identified this morning. You have the potential responsible parties, but you also have other agencies at the Federal level, and working with those agencies sometimes is very challenging.

I've already reached out to some of my fellow members of the Cabinet with respect to these issues. I look forward to working with you to hopefully engage in a meaningful discussion on how we can work together interagency to achieve very definitive, clear processes to clean and remediate these sites.

BUDGET PRIORITIZATION

Senator MURKOWSKI. I think that will be key because if you are the individual, if you're the community, you don't care which department, which agency, has the responsibility, what you care is that it gets addressed. So I look forward to working with you on that.

You're going to hear a lot of questions I think this morning about prioritization and the fact that a budget that comes out is effectively a prioritization of what is important. And in this fiscal year 2018 budget request, you do fund the Clean Water and Drinking Water State Revolving Funds equal to what we did in fiscal year 2017 in the Omnibus.

Many other programs, again, as I have cited, and as the Ranking Member and the Ranking Member of the full committee have cited, have been chosen to be axed or reduced dramatically.

I want to give you just a moment here to explain the prioritization, why you would have prioritized, for instance, these funds in this particular category, in the clean water and the drinking water, and how that fits with the overall philosophy of where you're trying to take the EPA right now. Because you mentioned clean air, clean water; the three of us have mentioned clean air, clean water; and yet you've got some real discrepancies in what we see outlined within the budget proposal. So if you can address that.

Mr. PRUITT. Well, I think some of it depends on the area of their office. When I think through it, for instance, land contamination and the Superfund programs that we've made reference to this morning already. Senator Leahy mentioned this task force that I've established. That report is being provided to me by the end of this month, and I would be very, very happy to share that with you, Madam Chair, and other Members of the subcommittee.

Senator Leahy, to address your comment earlier, it's not really an effort to engage in quick or very expeditious-only response, it's to make decisions. What I've noticed is that we have sites across the country. I've mentioned West Lake, but there are others, it's not isolated. West Lake, just outside of St. Louis, where it's taken 27 years for the Agency just to make a decision on whether to excavate or to cap the uranium there at the St. Louis facility. That's unacceptable. That's not a matter of being quick, that's a matter of just simply a decision languishing over years and no urgency at the Agency to address that. The citizens in that community deserve better. You have those kinds of sites across the country; the Port of Portland, the Hanover site, there are many; East Chicago, which I've visited as well.

So I think, Madam Chair, with respect to air attainment and air quality under the NAAQS program, I mentioned the fact that we've achieved a 65 percent reduction in those NAAQS criteria pollutants since 1980. That's something that's very good, but we have much work to do because there's 40 percent of the country still living in nonattainment with respect to ozone, about 120 million.

So working with counties, working with local jurisdictions on compliance and assistance, and engaging in enforcement is very, very important. Getting monitored data and having that be real

time available to us as opposed to model data at times is something that we need to focus upon.

There is a backlog of State Implementation Plans at the Agency. Over 700 State Implementation Plans have been submitted to the Agency and not responded to by the EPA. That's unacceptable because that doesn't provide clarity and focus to the States on how to engage in enforcement and activity through compliance and assistance at the local level.

So there is much work through management and leadership, Madam Chair, that I think will go a long way towards improving outcomes in air, land, and water issues. Obviously, money matters, and I will let you know and advise you as we get into the Superfund program, and the cuts that are proposed under this budget. We have orphan sites in that portfolio of over 1,300, and if there is not enough money in the budget to address those, I will advise you. But I think in many instances, it's just a matter of lack of decisionmaking, management, and leadership with respect to core priorities of the Agency.

Senator MURKOWSKI. Thank you.

Senator Udall.

Senator UDALL. Thank you, Madam Chair.

RESPONSIVE COMMUNICATIONS

Administrator Pruitt, I wanted to quickly raise a process concern. It's a long-standing practice for Members of this subcommittee of both parties to request information from your department. Can you confirm that you will continue the long-standing practice of responding to all questions, including written correspondence, from both majority and minority Members of this subcommittee and do so as quickly as possible?

Mr. PRUITT. Yes, without question, Ranking Member Udall. In fact, as I went through the confirmation process, I met with roughly 40 to 45 of your colleagues, many of whom were outside of the EPW Committee, and we talked about this very issue. In the last administration, both majority and non-majority Members said that there was not as much responsiveness to certain questions and phone calls and the rest, and that's the reason we try to be proactive through our Congressional and Intergovernmental Affairs Office.

So, yes, absolutely. We will work diligently to respond to the questions that you have, provide information that you have, and I will say this to you as well, work with you on the concerns that are important to you at the State level. I mean, in going through the confirmation process, Senator Cardin and I talked about the Chesapeake Bay TMDL quite extensively, and it was very helpful to me.

So we look forward to working on issues particularly to your State, as we talked about yesterday.

STAFFING CHANGES

Senator UDALL. Yes. Thank you. And I'm sure you'll hear from Senator Van Hollen also about Chesapeake Bay. He's on this subcommittee.

We've heard about reorganization planning, Administrator Pruitt, that you're doing, and your budget proposes to shed 3,800 employees. That's a quarter of the EPA's workforce. And I want to emphasize that this is simply a proposal. Congress has not yet acted on it. And as you are keen to reiterate, you are compelled to carry out Congress's direction.

The fiscal year 2017 Omnibus provided funding in specific direction to maintain EPA's current staffing level. I understand you are planning voluntary buyouts. While I'm deeply disturbed by that step, your authorities stop there. This subcommittee will have a say in any further decisions, whether it will be through the budget or through a reprogramming process where we consider reorganization proposals.

Will you commit to heeding this subcommittee's direction on staffing changes, including potential office closures or moves and major staff reductions, instead of prejudging congressional action?

Mr. PRUITT. Ranking Member Udall, it was referenced earlier about pink slips. There are no pink slips being issued at the Agency. Through attrition, voluntary buyouts, the hiring freeze that's in place, those are the only steps that we're taking presently with respect to the personnel numbers that you make reference to.

Senator UDALL. So your answer to this question would be yes?

Mr. PRUITT. We respect the rule of Congress in that regard, yes.

PROPOSED STATE BUDGET CUTS

Senator UDALL. Yes. Okay. And talking a little bit about State budgets and the Superfund, what I have the most trouble in your request is the mismatch of your stated priorities and then the funding request. For example, you've delayed new ozone standards because some areas have yet to meet old standards, but you cut \$150 million in grants to States to reduce air pollution, including \$50 million for upgrading dirty diesel engines, and for \$30 million in grants targeted at areas with the worst air quality. I know you dismiss the problem of climate change, but these programs are about the air we breathe and having clean air.

You've said that the States and other entities should take on more, but States are still struggling to recover from the recession, as you know that with your State, I know that in my State. In fact, 19 States, including New Mexico and Oklahoma, still have far fewer revenues than before the 2009 downturn.

It looks to me like this budget proposes to create a foregone conclusion that State-delegated environmental programs die on the vine. How do you envision States would be able to make up for the drop in Federal support, that 45 percent drop you're talking about?

Mr. PRUITT. Well, those Targeted Airshed Grants, as you've indicated, have served a very useful purpose. We look forward to the discussion with this subcommittee and Congress with respect to those issues. I would say to you, Senator, that the air transport issues, you know, the attainment issues that States face, clearly there are air quality issues that cross State lines. You know, things that are going on in Texas impact Oklahoma. Senator Leahy talked about the impact in Vermont as well. We serve a very important role at those air transport issues, cross-State air pollution issues.

We look forward to working with this subcommittee and working with Congress to focus upon that to achieve better attainment.

Senator UDALL. You still haven't answered the question. How do you expect the States to do more and then cut their budgets 45 percent? I mean, as you know, what we've done with major environmental laws over the years is we have delegated them to States, and we've given them significant budgets. And so those cuts really go deeply to what the States are doing on clean air, clean water, and a number of other areas, and I don't see how you fit those two together.

Mr. PRUITT. Some of it, Senator, is better cooperation. I will say to you that my first weekend after having been sworn in on a Friday, I had 18 Governors in my office visiting about very hosted issues from Superfund issues to air attainment, compliance and assistance, and how we can better cooperate with them.

As I indicated in my earlier answer, we have over 700 State Implementation Plans that are before the Agency today that the Agency hasn't responded to, and that was before any discussion about a budget. That provides a lack of clarity and direction to the States. That doesn't provide them the steps forward to achieve attainment under the Clean Air Act.

So some of this, Senator, is truly just having more decisive approaches to working with States, cooperating with the States, making decisions, and compliance and assistance.

Now, to your point, obviously the budget proposal is something that, as we go through the discussion, we have to be mindful because I really believe that the States serve a very important role in enforcement. In fact, we joined with a State yesterday on an enforcement matter. The State of Colorado, we joined in an action against a company with respect to 3,000 tons of VOCs that had been emitted into the atmosphere there. Working with Justice, we actually have engaged in some very constructive and meaningful enforcement actions there.

So you're right, the States serve a very important role in this enforcement and compliance and assistance, and we need to be mindful of that as we go through the budget process.

Senator UDALL. Well, I'm going to do everything I can to make sure they have the budgets to do their job.

Senator MURKOWSKI. Thank you, Senator Udall.

Senator DAINES.

SUPERFUND CLEANUP

Senator DAINES. Thank you, Madam Chair, Ranking Member Udall.

Mr. Pruitt, I appreciate your interest in restoring the EPA to its core mission of protecting human health and protecting the environment. I'm very pleased that you just commented that some of your first meetings after you were confirmed were with Governors to restoring this relationship with the States, working better with the States.

One of the examples of that was really some of the main flaws of the EPA Clean Power Plan where the standards were unattainable without creating drastic economic impacts to our States. In fact, in Montana, we were harmed the most of any State. According

to the University of Montana, 7,000 jobs lost, \$140 million of lost tax revenues for our schools, our teachers infrastructure. In fact, it was called the biggest economic disaster to happen in our State in over 30 years. So thank you for your leadership on pushing back on that EPA overreach and working back with the States now.

I have some concerns about where we're headed with the Superfund program, and I want to talk about that for a moment. Montana is home to 19 National Priorities List Superfund sites, including a couple of the most infamous in the Nation. These sites impact Montanans every day through the potential hazards they pose to human health and property, through lost potential for commerce and economic developments, and the stigma they associate with some of our Montana communities and beyond. In our meeting in my office during your confirmation process, I urged you to prioritize the cleanup and return to productive use of Superfund sites in Montana and across the country.

My question is this, one of the concerns I'm hearing from Montanans with respect to Superfund cleanup is a lack of transparency and collaboration with local governments, with the citizens on the ground there, and stakeholders. Do you intend to work more closely with those impacted locally in the remediation process? And what are some other aspects of Superfund processes that you would like to improve?

Mr. PRUITT. Senator, absolutely. In fact, I will tell you it's not just a matter of working cooperatively or collaboratively with folks locally, it's just simply responsiveness. Butte, Montana, obviously is one of those sites that make up the Superfund portfolio. I would love to tell you that the sites across the country—I mentioned West Lake; Butte, Montana, is another that it's isolated, that you have some of these sites listed for a period of 25 or 30 or more years. It's just simply not the case.

The Agency, in my estimation, has not been urgent at prioritizing this cleanup of various sites across the country, and it's some of the most tangible benefits we can provide citizens across the country. So we will not only work cooperatively and collaboratively with those at the local level, we will be responsive, making sure they're involved in the process, that their voice is heard, that we incorporate their concerns with respect to the objectives of how the land is going to be used post-remediation, and get accountability with those PRPs and others that are responsible for the cleanup.

Senator DAINES. Mr. Pruitt, you brought up the community of Butte, Montana. I think you're familiar, there were a couple of news publications that ran in Montana just over this past weekend. And I was hoping you could address some of the criticisms that they had regarding the EPA.

Mr. PRUITT. Senator, you'll have to—I didn't read any articles, so maybe you can refer me—refer to the specific information.

SUPERFUND TASK FORCE

Senator DAINES. Yes. I think it's really looking at there have been some numbers thrown out there about how much money we think it will take to clean up the Superfund sites there in Butte, of \$50 million. And just I guess the question is, and maybe it goes

back to your earlier statement, how do we engage these communities that have been battling this for many, many years, are very frustrated by the lack of progress with the EPA to really restoring back to their core mission here of protecting health and human safety?

Mr. PRUITT. Well, I think that the process is such that there are many vendors that are involved in remediation activities across the country. The regions really don't have a lot of consistency. We have 10 regions, as you know, and one of the objectives that I'm engaged in, in this Superfund task force is to get more uniformity, I guess more consistency, across the 10 regions on how we respond to these Superfund sites, because you may have sites languish more in Region 8 or Region 7 or what have you than you do in other parts of the country. So some of our regions can help educate best practices, share those best practices with others across the country.

I do look forward to sharing that information with you because there is so much opportunity in this Superfund land remediation area because there are 1,330 or so Superfund sites across the country, I mentioned many of them have been on the list for decades.

Senator DAINES. Right.

Mr. PRUITT. The Agency has not been, I believe, efficient about making decisions so that we can get a path forward with those potentially responsible parties and then accountability. I mean, many of these sites, Senator—

Senator DAINES. Yes. On the path forward, maybe this—I'm going to run out of time here, there is so much to talk about, but I appreciate where you're headed here and changing the way the EPA engages with their local communities. I would like your commitment that we could—that you would review each of Montana's Superfund sites with the goal of finding a workable solution for cleanup for each one of them.

Mr. PRUITT. Absolutely. Then after we decide with the community what the cleanup should be, actually set forth a project management plan to achieve that within a certain timeframe. I've been onsite at the East Chicago Superfund site, and I've talked to quite a few folks in West Lake as well in St. Louis. Just on the ground there is just not a sense of urgency and lack of clarity on what the cleanup should be, the timeframe, and the accountability in that regard.

Senator DAINES. Yes. And I appreciate being on the ground, and we'll look forward to having you come out to Montana. I'd love to spend some time there in Butte with you so you can see it firsthand. And I appreciate your commitment and attention to these issues. There is going to be more talk about some of the cuts we're seeing right now in the EPA budget relates to concerns, how that will reconcile with our efforts for funding these Superfund remediation. But I'll be sending you a letter today which will include recommendations that I think how we could better improve the Superfund program. And I look forward to continuing to work together with you on this.

Thank you.

Senator MURKOWSKI. Thank you.

Senator Tester.

Senator TESTER. I will yield to the honorable Senator from Vermont.

Senator LEAHY. No, go ahead, go ahead.

Senator TESTER. No, go ahead. Go ahead, Patrick. Go ahead. I'll—

Senator MURKOWSKI. The only reason I'm going to Senator Tester is because—

Senator TESTER. Yes, is because we bumped me last time. That's why. Yes.

Senator MURKOWSKI [continuing]. You were actually here before Senator Leahy, but—

Senator LEAHY. He was. And I'm perfectly willing to wait.

Senator MURKOWSKI. But seniority does have its preference.

Senator TESTER. I would yield to the senior Member of the Democratic—

WATER POLLUTION CLEANUP

Senator LEAHY. Thank you. When I came here, I never expected being the Dean of the Senate. I still recall the very senior Member of the Senate, one of my first days here, told me, "Boy, around here it's based on seniority, and you ain't got none. You hear me, boy?" [Laughter.]

I went to his funeral. [Laughter.]

The EPA budget, as I said before, is really the worst I've seen. I don't think it invests in our future. I don't think it recognizes undisputed scientific evidence. Let's take what may sound parochial, but I think it's reflective of what's going on. The EPA is providing critical support for States and regions across the country working to clean up our lakes, our rivers, our estuaries.

Now, Vermont and New York join at Lake Champlain, as I said, the largest body of fresh water outside of the Great Lakes in this country. It's infected by blue-green algae blooms. In 2016, EPA adopted a strict new cleanup plan for phosphorus in Vermont. Now, we Vermonters, even though it's going to be expensive and hard, we welcome that. We also embrace the moderate assistance the EPA has given us for 25 years.

We're making progress against point and nonpoint source water pollution, due in large part to EPA's culmination of regulatory oversight and targeted financial assistance. Now, this is not only in Lake Champlain, the Chesapeake Bay, the Great Lakes, the Gulf of Mexico, and other water bodies. You propose doing away with all of these, all of this financial support around this country.

Do you believe that this proposal to terminate EPA funding will force Vermont and New York and the Lake Champlain Basin Program to shut down after all these years, is that going to be a setback to cleaning up Lake Champlain?

Mr. PRUITT. Well, Senator, you have rightly stated that nutrient pollution, harmful algal blooms, are issues that States deal with substantially. In fact, in my home State of Oklahoma, we've had similar issues, phosphorus levels in the Illinois River—

Senator LEAHY. But are your cuts going to make it hard for us to continue this—

Mr. PRUITT. I believe that these programs like Lake Champlain, Great Lakes Initiative, all have very important meaningful objec-

tives that we should seek to meet and achieve as we go through this budget process. Senator, this is the start of the process and I look forward to your input in that regard. I recognize and actually acknowledge—

Senator LEAHY. Your budget cuts the money. Your budget cuts out the money. Would that hurt the cleanup? It's a simple question.

Mr. PRUITT. I think the assistance that the EPA provides to States on nonpoint source issues particularly is something that's very important that we should continue as part of our core program in the Office of Water or through specific geographical grants, as you identify.

Senator LEAHY. Even though the budget may be cutting it out.

Mr. PRUITT. Well, as I indicated, the support and assistance we provide is important to continue whether it's part of the specific grant or part of the core programs at the Office of Water.

ELIMINATION OF EPA

Senator LEAHY. As some have said, the intent of the administration to actually dismantle the EPA as a Federal agency over the next 4 years. I remember one time years ago when they just constantly reorganized it every few months so nothing could get done, and you're cutting the budget. Is it the administration's plan to eliminate EPA within the next 4 years?

Mr. PRUITT. No, sir. As I indicated, Senator, in my confirmation process, and I said this years ago serving as attorney general, the EPA is not terribly popular in the State of Oklahoma, as you might imagine, and I said this as an elected official, there's a very important role for the EPA. There are air quality issues, water quality issues, Superfund issues, TSCA, there are many very important roles the Agency serves, will continue to serve, and it's important we fund those and that we prioritize those.

Senator LEAHY. Well, as you know and has been suggested by Senator Murkowski and Senator Udall and others, we have your budget, we will be voting on what we want to do with it. If we vote to add—to continue programs, even if they've been eliminated in the budget you present here, if we pass legislation that continues them, do I have your pledge you will follow what the Congress has done and maintain those programs?

Mr. PRUITT. Absolutely.

Senator LEAHY. Thank you.

Thank you, Madam Chair.

Thank you, Senator Tester, for your continuous help.

Senator TESTER. It's always my pleasure, Senator Leahy, always.

Senator LEAHY. I'll now go to Judiciary and have fun. [Laughter.]

Senator MURKOWSKI. Thank you, Senator Leahy.

Senator Tester, always waiting patiently.

SUPERFUND BUDGET

Senator TESTER. Thank you, Madam Chair, and Ranking Member Udall.

And thank you for being here, Director Pruitt. I want to talk about Superfund for a second. Your opening statement was solid, as was the Chairwoman's, about the core mission of cleaning up the environment. The Superfund budget, the cleanup portion, is cut

from \$718 million to \$515 million, a cut of \$203 million. I didn't do the percentages on it, but it is very, very significant.

Butte America, which you've already referenced, has a pit a mile long, a mile wide, that has been full of toxic water, high sulfuric acid, bad stuff, and bad stuff so bad that multiple times geese have landed on that lake and they're dead.

So up until now, in the last 20, 30 years, 35 years or so, it has been a mining hole full of water. Now we're getting to the point where it's going to start impacting drinking water in a big, big way. And I'm not saying that it shouldn't have been cleaned up a long time ago, but this is a big dollar project. This could eat—this would eat up your entire budget in a minute. It would eat up the whole \$515 million, and we would just be getting to it unless we can hold the folks accountable.

So here's my question. The first question is that you said earlier in your statement that you were going to punish the bad actors. One of EPA's really important jobs is to hold those bad actors accountable and make sure they come to the table with a wallet that's got some money in it, and for the EPA to do the job of clean-up. Can you tell me how this budget, in the area of Superfund site, meets your core mission?

Mr. PRUITT. Well, about 60 percent, Senator, of our Superfund sites approximately are privately funded, meaning that there are PRPs that are responsible. We've got about \$3.3 billion in accounts presently from some of those PRPs.

Senator TESTER. Yes.

Mr. PRUITT. And I think you make a very good point. There's something I've noticed already. As a former attorney general, I dealt with enforcement. I led a grand jury, and I know what it means to hold bad actors accountable. I will tell you what I have noticed with respect to how we approach Superfund, is we go to those potentially responsible parties, we negotiate, as opposed to setting what the cleanup is going to be, and going to those PRPs saying, "It's going to cost X number of dollars, and if you don't pay it, we're going to sue you." The CERCLA statute that you passed—

Senator TESTER. Yes.

Mr. PRUITT [continuing]. Is one of the strongest environmental statutes on the books.

Senator TESTER. Yes.

Mr. PRUITT. It's joint and several liability.

Senator TESTER. Yes.

Mr. PRUITT. There is substantial opportunity to go to those PRPs and say, "This is what the cleanup is going to be. Here's the timeline it's going to take place. And you're going to pay for it."

Senator TESTER. Okay. But—and I agree with that, that's great, but what happens if they say, "Sorry, we're not going to agree to that"?

Mr. PRUITT. We will sue them.

Senator TESTER. Okay. So it eventually ends up in court anyway.

Mr. PRUITT. Well, look, I mean, you have to enforce some way. That's the enforcement mechanism that you've provided, and—

Senator TESTER. Look, we don't disagree. We agree on this, Director. We agree on this.

Mr. PRUITT. Yes, yes, yes.

ENFORCEMENT NEGOTIATIONS

Senator TESTER. At some point in time you've got to hold their feet to the fire.

And there's another issue that's gone on in Butte and probably in a lot of other sites, that the EPA goes into negotiations with these companies, and you talked about working with the local community, and the local community is never told what the hell is going on with these negotiations—

Mr. PRUITT. That's right.

Senator TESTER [continuing]. And they're left out in the cold.

Mr. PRUITT. And community groups as well.

Senator TESTER. What's that?

Mr. PRUITT. And citizens, and community groups across—

Senator TESTER. That's correct.

Mr. PRUITT. Yes, correct.

Senator TESTER. No, that's correct. Can you give me some assurance that it will be not business as usual when it comes to keeping the subcommittee informed on these negotiations?

Mr. PRUITT. It's already not business as usual because I've already met with those community groups in East Chicago, those community groups that were not being responded to by the Agency.

Senator TESTER. Yes.

Mr. PRUITT. So absolutely.

Senator TESTER. Okay. Because there is always a lot of frustration that the negotiations are going on, the community is putting their input, they don't know if the negotiations are even meeting the goals that the subcommittee puts—or the community puts forward, so—

Mr. PRUITT. And what's—if I may, Senator?

Senator TESTER. Yes.

Mr. PRUITT. It's not just input from the community and they're making a decision—

Senator TESTER. Yes.

Mr. PRUITT [continuing]. It's then execution upon the record and decision to make sure it gets done in a timely fashion.

Senator TESTER. And making sure they're a part of the making of that record or decision.

Mr. PRUITT. Yes, sir.

SUPERFUND REVIEW—LIBBY, MONTANA

Senator TESTER. We have another situation in Libby: asbestos, bad stuff. We've had an asbestos mine up there. We've insulated homes throughout this country with that asbestos I might add, but Libby is particularly hard hit. And even to the fact that the trees have asbestos in it, so if we ever get a forest fire, it's going to do a whole lot more good—a whole lot more harm not only to Libby, but the entire region where that smoke will go. That's another separate Superfund site that's going to be—has been very expensive and will continue to be very expensive. And that is why I will just tell you the statement about going back to the core mission, I don't think this budget even gets you back to a core mission.

Mr. PRUITT. Well, Senator, I can say to you that as we're going through the Superfund review, if the monies are not sufficient to address that site in Montana or the orphan sites that make up the portfolio, I will be sure to advise and then make you aware of that because it is important to me and to the Agency that we actually show progress in the area of Superfund. We have not shown progress in many years on many sites across the country, and it's important that we change that direction.

Senator TESTER. So you will be here multiple times in front of this subcommittee, for sure the next time you have a budget, if not before. And you're telling me things are going to be different next time you're in front of this subcommittee.

Mr. PRUITT. That's my commitment to you, and I will make sure that the Chair, the Ranking Member, yourself, and other Members of this subcommittee, as we implement these changes to the Superfund program, if there are insufficient monies and capital to achieve the objectives that are important to the American people, I will make you aware of that.

Senator TESTER. I look forward to that meeting. Thank you.

Senator MURKOWSKI. Thank you, Senator Tester.

Senator Van Hollen.

Senator VAN HOLLEN. Thank you, Madam Chairman.

Welcome, Mr. Administrator.

Mr. PRUITT. Thank you.

CHESAPEAKE BAY—TMDL PROGRAM

Senator VAN HOLLEN. And I want to talk a little bit about the Chesapeake Bay, which is a vital national treasure, natural resource. It's also essential to have a clean Bay if we're going to have a strong economy in the State of Maryland. It's vital to our tourism industry, to our watermen, to our boating industry. That's why decades ago the six States and the District of Columbia got together with the EPA. We formed a compact.

Senator Cardin asked you about this during your confirmation hearing about your support for the EPA's role with the Chesapeake Bay and making sure that we enforce the TMDL program, the Total Maximum Daily Load program. Here's what you said in response at that hearing, I'm quoting, "I really want to emphasize to you that process," meaning the process we've got with the Bay States, "represents what should occur for States to join together and enter into an agreement to address water quality issues, and then involve the EPA to serve the role it is supposed to serve is something that should be commended and celebrated. And as it relates to enforcing the TMDL, I can commit to you that in fact I will do so." That's what you said to Senator Cardin. I understand a little earlier today you referenced those conversations as an example of EPA's relationship working with the States.

Can you explain how totally eliminating the \$73 million for the EPA's Chesapeake Bay program meets that commitment?

Mr. PRUITT. Senator, I really appreciate the summary you've provided. Senator Cardin and I did have very meaningful and good discussions through the confirmation process. And truly the Chesapeake Bay TMDL is reflective of what is good about States joining together to address point source-nonpoint source pollution in the

Chesapeake Bay. I will say to you that as we go through this process, if this subcommittee chooses to restore that funding, then that's something obviously we're going to implement and carry out our responsibilities, but even if it didn't happen, the EPA is going to work collectively with those States to ensure that that nonpoint source-point source related concerns of those six States and the DC area are addressed, whether it's in the Office of Water or in other areas of the Office to enforcement or otherwise.

Senator VAN HOLLEN. But you would agree, would you not, that eliminating the EPA's commitment and role and funding would make it harder to achieve our goals?

Mr. PRUITT. My commitment and the Agency's commitment to the Chesapeake Bay TMDL is not changing and will not change. As we go through this budget process, if it's restored, that's something that we obviously dedicate and carry out our responsibilities with the new funding, or the funding.

Senator VAN HOLLEN. Well, I can assure you we'll work very hard to restore that. I can tell you the EPA cut to the Chesapeake Bay is the one thing that has united everybody in the State of Maryland across party lines and regional lines, every member of the Maryland congressional delegation, Republicans, Democrats, and our Governor Hogan, Republican Governor.

Mr. PRUITT. It's very hard to do. It's very hard to achieve that type of cooperation and collaboration. I mean, I've worked on similar issues from the State perspective with Arkansas—

Senator VAN HOLLEN. Yes.

Mr. PRUITT [continuing]. And it's tough to get six States joined together to achieve that type of agreement. So I commend you for that. I commend the leadership in the six States. Please know you have my commitment, no matter what, we're going to do our work under the Chesapeake Bay TMDL to achieve the outcomes that have been set out.

Senator VAN HOLLEN. Got it. And I do want to point out that the Federal Government's role has been important from the start. I mean, this goes back to when people like Senator Mathias were here and others in forging that agreement.

In that regard, I understand that the Chesapeake Bay Commission has requested a meeting with you. Will you take a meeting with them?

Mr. PRUITT. Yes. And we've had representatives actually onsite meeting with those individuals already, but absolutely.

NEW YORK TIMES ARTICLE

Senator VAN HOLLEN. I appreciate that. So one of the issues that has arisen over and over in the last couple months is the integrity and accuracy of information coming out of the EPA. There was a report today in the *New York Times* you may have seen where they quote Deborah Swackhamer, who is the environmental chemist who headed the EPA's Board of Scientific Counselors. She testified on the House side back in May, and she reported that the Chief of Staff to the EPA, Mr. Jackson, called her to try to change her testimony, and I just want to quote from what she has said. She said, quote, "I was stunned that he was pushing me to correct something in my testimony," said Dr. Swackhamer, a retired Uni-

versity of Minnesota professor. I was factual, and he was not. I felt bullied.”

Do you know about this incident?

Mr. PRUITT. You know, I have not read the article, Senator. I would say to you that any emails, communications, that relate to this issue I would be happy to provide to the subcommittee and make sure that you’re fully aware of the conversations that took place between the individual you cite and the Chief of Staff.

[The information follows:]

COMMITTEE ON SCIENCE, SPACE, & TECHNOLOGY

LAMAR SMITH, *Chairman*

June 27, 2017 | Press Release

EPA EMAILS SHOW DUE DILIGENCE, SST MINORITY EMAIL SHOWS
POLITICALLY MOTIVATED AGENDA

WASHINGTON.—Chairman Lamar Smith (R-Texas) of the House Science, Space, and Technology (SST) Committee released the following statement upon reviewing all documents and official correspondence surrounding Dr. Deborah L. Swackhamer’s testimony before the Committee on May 23 in the Environment Subcommittee Hearing, *Expanding the Role of States in EPA Rulemaking* (<https://science.house.gov/legislation/hearings/environment-subcommittee-hearing-expanding-role-states-epa-rulemaking>). The Chairman has reviewed the email exchange between Swackhamer and U.S. Environmental Protection Agency (EPA) Chief of Staff Ryan Jackson in addition to the letters sent by the SST Minority to EPA Administrator Pruitt and EPA Inspector General Arthur J. Elkins.

“The truth has come out that EPA was pursuing a course of due diligence and ensuring that information provided in witness testimony before Congress was accurate and without factual error. It’s unfortunate that the Minority has tried to hijack committee hearings for their own politically motivated agenda. It is clear that the Minority invited Dr. Swackhamer to testify because she was a member of the EPA Board of Scientific Counselors, despite protestations from the Minority that she was testifying only in her ‘personal capacity.’ The American people are smart enough to see past the Minority’s highly politicized tactics. In a move to support full transparency, the emails we have obtained can now be viewed by the American public who will see that the Minority’s claims are baseless.”

Background:

At the Subcommittee on Environment hearing entitled *Expanding the Role of States in EPA Rulemaking*, the Subcommittee sought testimony from State environmental protection officials regarding the role that States play in U.S. Environmental Protection Agency rulemaking and how the States and EPA could work together to pursue common goals. The Minority invited retired University of Minnesota professor Deborah Swackhamer to testify at this hearing.

Coincidentally, Swackhamer currently serves as the Chair of the Board of Scientific Counselors (BOSC) at EPA. In the weeks prior the hearing, Swackhamer made statements to the press critical of EPA Administrator Pruitt’s decision to evaluate the current membership of the BOSC. On May 17, less than a week before the hearing, and after Swackhamer’s statements to the press, the Minority informed the Committee of its intention to invite her as a witness.

The Minority and Swackhamer contend that the testimony she provided to the Committee was done so solely in her personal capacity and not as the Chair of the BOSC. However, documents obtained by the Committee, as well as the opening statement of Ranking Member Eddie Bernice Johnson (D-Texas) at the May 23 hearing, demonstrate that the true intent of this testimony was to criticize Administrator Pruitt’s evaluation of the BOSC rather than discuss State involvement of EPA rulemaking.

On May 19, the Committee received an email from the staff of Science Committee Minority Member Congressman Don Beyer (D-Va.) inquiring about Beyer’s participation in the hearing even though he is not a member of the Environment Subcommittee. The subject line of this email referred to the hearing as “FW: ** Tuesday Subcommittee Hearing about EPA Science Board **.” The Minority’s characterization of the hearing as “about the EPA Science Board” demonstrates that it was the

Minority's intent to have Swackhamer testify to discuss the matters pertaining to the BOSC, rather than the stated purpose of the hearing to discuss State involvement in EPA rulemaking.

Furthermore, Ranking Member Johnson made clear the intent of Swackhamer's testimony in her opening statement, "The decision by EPA Administrator Scott Pruitt earlier this month to not renew 9 of the 18 members of the Agency's Board of Scientific Counselors (BOSC) is just the latest example of this Administration's efforts to silence scientists," and goes on to say, "We are fortunate that Dr. Deborah Swackhamer is here today to provide us with her perspective on these unfortunate events. Dr. Swackhamer, a Professor Emerita of Science, Technology, and Public Policy as well as a Professor Emerita of Environmental Health Sciences at the University of Minnesota brings a wealth of scientific expertise to the table. She is also the current Chair of the EPA's Board of Scientific Counselors and the former Chair of the EPA's Science Advisory Board. Although she is testifying today in her personal capacity as a scientific expert and not representing any of the EPA's science advisory boards, I am glad she has decided not to stay silent."

On June 26, Ranking Member Johnson and Members of the Minority sent a letter to EPA Administrator Scott Pruitt and EPA Inspector General Arthur Elkins accusing Ryan Jackson, the EPA Chief of Staff, of attempting to interfere with the testimony of Swackhamer before the Environment Subcommittee. The Minority contends that an email sent by Jackson to Swackhamer regarding her testimony before the Subcommittee was inappropriate and an attempt to "shape her testimony."

Upon review of the email communications referenced in the Minority's June 26 letter as the basis for its accusations, it is clear that Swackhamer failed to adhere to EPA processes for reviewing testimony and that Jackson sought to merely clarify a section of the testimony that would be provided to the Committee.

The email communications indicate the following: Swackhamer failed to adhere to established review practices set forth for testimony provided by EPA-affiliated witnesses when testifying before Congressional Committees, including submitting this testimony for review by the Office of Congressional and Intergovernmental Relations and the Office of General Counsel. Jackson attempted to discuss Swackhamer's testimony with her on the telephone, but was unable to reach her, thus prompting further email communications. Jackson sought only to clarify a point in Swackhamer's testimony regarding Administrator Pruitt's decision to evaluate the BOSC membership and did not use threatening or intimidating language in his communications as you can read in the linked exchange below. Career EPA attorney and acting General Counsel Kevin Minoli was copied on all of the email communications sent to Swackhamer pertaining to this matter.

The full email exchange between Jackson and Swackhamer, can be viewed here (<https://science.house.gov/sites/republicans.science.house.gov/files/documents/EPA%20Emails%20%281%29.pdf>).

The SST Minority email from a member of Congressman Don Beyer (D-Va.)'s staff that internally refers to the hearing as the "Tuesday Subcommittee Hearing about EPA Science Board" can be viewed here (<https://science.house.gov/sites/republicans.science.house.gov/files/documents/Minority%20Email%20%281%29.pdf>).

The opening statement of Ranking Member Eddie Bernice Johnson (D-Texas) can be viewed here (<https://democrats.science.house.gov/sites/democrats.science.house.gov/files/documents/S20Font%20Ms.%20Johnson%20Statement%20-%20Enviro%20Sub%20Hearing%20-%20EPA%20BOSC%20-%2005.23.2017.pdf>).

The written testimony of Dr. Deborah L. Swackhamer can be viewed here (<https://science.house.gov/sites/republicans.science.house.gov/files/documents/HHRG-115-SY18-WState-DSwackhamer-20170523.pdf>).

Senator VAN HOLLEN. But you agree it's really important that EPA provide accurate information to the Congress.

Mr. PRUITT. Without question. I would say to you that those members of BOSC, there's a rotation. None of those folks have been fired. Those individuals can reapply for positions on the Board; in fact, are. It's intended that as we make decisions about representation on that Board that we have geographical dispersion, and that's something that was actually mentioned to me both by Democrats and Republicans in the confirmation process, that we had folks from different parts of the country participating and providing scientific review on rulemaking that we engage in.

Senator VAN HOLLEN. I appreciate that.

Mr. PRUITT. So just please know that in that regard, any information specific to that matter we will get to you, but the integrity of the scientific review is something that I take very seriously.

CLIMATE CHANGE WEBSITE

Senator VAN HOLLEN. Thank you.

If I may, Madam Chairman, just along the lines of disclosure, why is it that you took down the climate change website at the EPA? Why did you take that—

Mr. PRUITT. Senator, there were many changes to the website that have been made that were not meant to send any particular message one way or the other. We have a job to do under the Clean Air Act, and that job is going to continue whether it's on a website or not. We have an endangerment finding from 2009. We have a Supreme Court case in 2007 from *Mass v. EPA*. The Agency tried twice to regulate carbon and failed twice with respect to the Clean Power Plan and the UARG decision involving the tailoring rule.

So there is ongoing review with respect to what authority we have under the Clean Air Act to address those issues. How it affects the website or what the website—

Senator VAN HOLLEN. Could you tell this subcommittee—could you get back to this subcommittee and tell us what you found inaccurate about that website? Because this was the compilation of a lot of information that had been vetted. You've got, you know, political conservatives, liberals, who follow this issue both saying it was the gold standard. So I would appreciate if you could tell us what you found inaccurate about it. Could you do that?

Mr. PRUITT. As part of the record, post this meeting, we'll get to you the information associated with that.

[The information follows:]

INACCURACIES IN CLIMATE CHANGE WEBSITE

The changes that were made to the website were made under the direction of the then Associate Administrator for Public Affairs to bring the website in line with current Administration priorities. A number of areas on the site, specifically the endangerment finding, remain unchanged. All of the removed material is housed in the agency's website archive and is fully accessible. Additionally, a "snapshot" of the EPA website was taken prior to the transition of Administrations, and the link can be found at the bottom of the website page.

Senator VAN HOLLEN. Thank you.

Mr. PRUITT. Thank you.

CLIMATE CHANGE—CO₂

Senator MURKOWSKI. Thank you, Senator Van Hollen.

Let me just do a little follow-up to Senator Van Hollen's question. I come from a State where we talk about the fact that we see our climate that has changed, that has seen impact with ice that is further from the shore, with erosion along our coastline and in the interior, and there is a visuality to the changing climate. And so there is a discussion about it in the State that's relatively open. When your budget came out—and Senator Van Hollen mentioned the website—there has been some directed criticism that the budget zeros out effectively all of the climate change programs.

Now, if you look through, you don't necessarily see the words "climate change" or, as I mentioned, many of these programs are ze-

roed out, but we recognize that within the mission set of the EPA, if you focus on your back-to-the-basics,” which are clean air, clean water, ultimately this works to address so much of what we’re seeing with the environmental impact that is associated with any climate change.

Can you speak to some of the commonsense parts of the proposal that you feel will have a positive impact on climate, just something that I can give the folks back home?

Mr. PRUITT. So this isn’t a question with respect to the NAAQS program and those criteria pollutants. You’re making reference to steps that we’re taking with respect to CO₂?

Senator MURKOWSKI. Just to ensure that, yes, we are making headway with——

Mr. PRUITT. I think the greatest progress we’ve made as an agency has really been obviously with mobile sources, you know, the CAFE standards. The Clean Air Act’s focus on mobile sources over the last several years, I think, has made a substantial difference with respect to GHG and CO₂.

I think we’ve also seen great progress with respect to our CO₂ footprint that industry has contributed to. We’re at pre-1994 levels right now with respect to our CO₂ footprint since 2000. From 2000 to 2014, we reduced our CO₂ footprint by 18-plus percent, you know, and that’s primarily through industry.

Sometimes we don’t recognize the technology and how it’s contributed to better outcomes. Conversion to natural gas and the generation of electricity through hydraulic fracturing and horizontal drilling have contributed to that. We have technology that’s being deployed with respect to coal generation that matters. But I think from a regulatory perspective, the areas that we’ve made the most progress is in that mobile source category.

Senator MURKOWSKI. Do you feel that the budget proposal, as we have now, allows you to continue those positive outcomes?

Mr. PRUITT. Yes. I mean, I think when you look at the CAFE standards, as an example, where the mid-term review will come in April of 2018, we’ve been in discussions, meaningful and intense discussions, over the last several months with parties with respect to that mid-term review. I think that will continue the progress we’re making with respect to the CO₂ footprint.

WATERS OF THE UNITED STATES (WOTUS)

Senator MURKOWSKI. Let me ask you about WOTUS. I mentioned it in my opening statement, Waters of the U.S. I mentioned that I am pleased that the administration is reexamining the regulation and hopefully going to be coming up with a more sensible proposal. I understand that the Office of Information and Regulatory Affairs is currently reviewing a proposal to rescind the previous administration’s rule, and what we are hearing is that it is imminent.

What I’ve learned around here is that “imminent” is a very vague term. Can you give me a better sense as to the Agency’s schedule on this and moving forward once the previous administration’s rule is rescinded?

Mr. PRUITT. I chuckle, Madam Chair, because as you asked the question, Holly has given me a little note saying, “Well, how about today?”

Senator MURKOWSKI. That's imminent. Oh, my goodness, that's really moving toward imminency.

Mr. PRUITT. I think it's in the "Federal Register" that's being published or being sent to the "Federal Register" as of today.

Senator MURKOWSKI. So that will be published—

Mr. PRUITT. That's very imminent, by the way.

Senator MURKOWSKI. That is very imminent, unusually imminent around here, so thank you for that. So then the process moving forward, can you outline some of that?

Mr. PRUITT. I think what's important with respect to this issue is the lack of clarity that the previous rule, the 2015 rule, created. I mean, it created a situation where farmers and ranchers, landowners, across the country did not know whether their stream, or dry creek bed in some instances, was actually subject, as you know, Madam Chair, to EPA jurisdiction and EPA authority. So they were facing fines that were substantial as they engaged in earthwork to build subdivisions, and it was something that created a substantial amount of uncertainty and confusion.

So what we endeavor to do is to provide clarity by withdrawing the 2015 rule, revert back to 2008, the standard that was adopted in 2008, through some guidance in that timeframe, and then have a proposed rule on a replacement to the 2015 rule by the end of this year or the first quarter of next year at the latest.

Senator MURKOWSKI. Okay. Well, I appreciate that update. And, again, we've had a discussion about the situation in Alaska, recognizing that about two-thirds of the State of Alaska is already considered a wetland. And we had asked with the previous administration to provide details on the impact of the proposal on Alaska. We weren't ever able to get that information from them.

So I would just ask that we have an opportunity to work with you, specifically to the impact of any new proposal and how it might work with the State. Again, we're one-fifth the size of the country, and two-thirds of us is either pretty wet or pretty frozen.

Mr. PRUITT. What's encouraging, Madam Chair, is that we've already engaged with Tribes and States on that issue. We've had over 150 responses, as I recall, by those States and Tribes with respect to this issue. So there is robust discussion going on, hearing from folks locally, all over the country.

Senator MURKOWSKI. Great. I appreciate that.

Senator Udall.

GOLD KING MINE SPILL

Senator UDALL. Thank you, Madam Chair.

Administrator Pruitt, we're approaching the second anniversary of the Gold King Mine spill. And as I've been saying from day one, we owe it to the Navajo Nation, the Navajo people, and others harmed by this spill to ensure that they are compensated for business losses and property damage they've suffered. EPA took full responsibility for the accident. We owe it to the Navajo and others harmed to make things right. And I will continue to work and make sure that that happens.

As you continue to learn more about this issue, can you commit to reaching out to everyone that was affected by the spill, not just those who have submitted claims?

Mr. PRUITT. Yes, Senator. I would say to you I'm not sure the Agency has taken full responsibility. I think the Agency's response to the Gold King spill, where it shirked, in my estimation, its response to help compensate claimants that were impacted or injured. I mean, that was something that we're trying to remedy and are in fact in the process of remedying. I look forward to sharing with Members of this subcommittee what you and I discussed yesterday and the EPA response. But we've been engaged in a very robust investigation on the ground, developing facts that I think demonstrate the EPA needs to do more than what was done by the end of last year in response to that Gold King situation.

NAVAJO NATION—WATER MONITORING

Senator UDALL. Well, thank you for that. And as you know, I've been advocating that for years, and I'm glad we found a place we can agree. We owe it to the Navajo and others harmed to make things right. Still I'm troubled because the fiscal year 2018 budget proposes to totally eliminate the \$4 million in water quality monitoring that I worked hard to secure in the fiscal year 2017 Omnibus. That funding was authorized into law as a 5-year effort to track the water still flowing from the mine. It's critical to the health of those living downstream from the Gold King Mine.

Can you assure us today that you will be fully committed to working with the Navajo Nation and the States to ensure that water monitoring is ramped up quickly despite the request to stop funding for these State and Tribal efforts in fiscal year 2018?

Mr. PRUITT. Yes, Senator. It's important for the Agency to do more than what it's done with respect to the Gold King situation, and I'll commit to you that we're going to do that.

TSCA

Senator UDALL. Thank you very much. Administrator Pruitt, I'm glad to hear that you've offered your support for robust implementation of TSCA, yet this proposal cuts programs that are vital to TSCA, such as the Office of Research and Development cut in half, the core Agency functions, like enforcement. We can't just build a wall around the TSCA office and expect it to perform. The same applies to clean water, clean air, hazardous waste, radon, and even childhood lead poisoning programs. Strong implementation requires a strong EPA across all of its disciplines. Given that the EPA budget is already lower than in previous years, how do you reconcile these dramatic cuts with support for a strong, timely TSCA implementation?

Mr. PRUITT. Ranking Member Udall, the way we approach it is you know we have scientific review and scientists internal to each of the offices—Office of Water, Office of Air, the Chemical Office as well—and then those individuals are supported by ORD.

To give you an example, when I came into this position, there was a backlog, as you know, of chemicals. TSCA required that any new chemicals entering into the flow of commerce needed to be approved by the Agency, and there was a backlog of roughly six to seven hundred of those as I came into this position. We actually worked—ORD and the Chemical Office—together adding FTEs to

really focus on addressing that backlog, and it's going to be clearly cleaned out by the end of next month.

So you make a very good point, and the point is that ORD, working with those program offices, needs to provide the support and assistance and partnership to achieve good rulemaking. That's going to continue. It's something we're committed to.

I would say this to you as well, ORD can provide, I think, technical assistance to the States in a way that helps them develop plans to address air attainment and water quality issues and the rest. So that mission is important to ORD as well.

Senator UDALL. I thank you for that answer. I'm also very concerned about the TSCA framework rules that you announced last week. I need your assurance that EPA is going to take a comprehensive look at chemicals and their impacts on public health and the environment, not a limited review focused solely on uses that help shield chemical companies from regulation of their products.

It feels like everything is headed towards stamping chemicals is okay for specific purposes, to shield them from State or Federal action, instead of prioritizing elimination of the biggest threats. Will you assure me that EPA will not cherry-pick conditions of use when evaluating chemicals for safety?

Mr. PRUITT. Senator, look, the Chemical Office at the EPA is working very diligently. Those three rules, we had a deadline. We met that deadline of June 22. You had the prioritization rule, you had the inventory rule, you had the risk rule. All those rules were met and addressed.

We're following the statute there. The statute, as you know, provides a risk-based assessment on these chemicals. That's what's going to be applied and we'll do so vigorously.

Senator UDALL. Yes. Thank you, Madam Chair.

FAIRBANKS NORTH STAR BOROUGH

Senator MURKOWSKI. Thank you, Senator Udall.

Administrator, we have talked about Fairbanks and the interior and the issues that they have with meeting air quality requirements within the Fairbanks North Star Borough. This is the PM_{2.5} issue. Fairbanks was fortunate. They wrote a very strong application last year under the Targeted Airshed Program Grants. They got a \$2.5 million grant to do a woodstove changeout. They're working to do that. As was mentioned here earlier by both myself and the Ranking Member, I think these Targeted Airshed Grants are important programs; you have acknowledged that as well.

Fairbanks is in a situation now because in April, they were officially reclassified, the borough was officially reclassified, from moderate to serious nonattainment, and the designation means that the State is required to submit the air quality plan by the end of this year, by December 31. And I know that EPA has been working with the State, been working with the borough, to develop a plan and provide that level of technical assistance.

So you know the issues. We've had the conversation about some of the challenges that the Fairbanks North Star Borough faces. It's not because of lack of trying, but you don't have a lot of alternatives. The geography of the area makes it very, very complicated.

So I'm hoping that again by the time we have an opportunity to meet with your team, that we've got some specifics in terms of measures that you can outline that will help us working with those in the area that are really trying to come into compliance. Nobody wants to be in a nonattainment area, they want to try to clean it, but it is a difficult set of facts, and we appreciate that.

Mr. PRUITT. You know, Madam Chair, we've interpreted and perceive that the individuals, the Alaska Department of Environmental Quality, the equivalent DEQ there, their elected leadership, they're committed to finding answers, and that's good.

Senator MURKOWSKI. Yes.

Mr. PRUITT. So we are working very cohesively with them. And you're right, there's a SIP that is due by the end of this year. It's very important, I believe, that that State Implementation Plan is actually drafted and completed by that time so there's not exposure with respect to potential litigation. We're working diligently, members of our team here in DC and through the region, with Alaska to try to achieve some good outcomes and also a very good plan going forward.

PEBBLE LIMITED PARTNERSHIP

Senator MURKOWSKI. Good. We appreciate that.

Let me ask you about the settlement agreement that was reached in May with the Pebble Limited Partnership that would allow Pebble to apply for a Clean Water Act permit from the Army Corps, and this is with regards to a mine, proposal for a mine, in Bristol Bay.

Regardless of where you may be in pro-mine or anti-mine there, I have been consistently neutral on potential development in the area, but I've supported the idea that the Pebble Limited Partnership should be allowed to apply for a Clean Water permit from the Corps before the EPA preemptively acts to prevent development within the State. I have also consistently supported local and tribal voices being heard on the issue.

So as part of the settlement agreement, EPA agreed to withdraw the proposed Clean Water determination and agreed to do so within 60 days. Now, my understanding is that as of this point in time, EPA has not yet proposed to actually withdraw that determination and that when you then do so, that's when the clock begins running on the public comment period.

The problem that we have with this is if the Agency uses the entire 60 days, the withdrawal could happen in July, which is right in the middle of the Bristol Bay commercial fishing season. It would—you go out there beginning just about now until the end of August, and this is the time when people are working 20, 24 hours a day. And I'm very concerned that this timing may inadvertently limit the participation of the folks there.

So since we have had good conversation about the importance of robust engagement of the Tribes and because the timing of this withdrawal could happen during the middle of fishing season, I would ask if you can commit to having a reasonable comment period of 90 days so that everyone in the region really has an opportunity to weigh in and participate if they choose to do so.

Mr. PRUITT. I think you make a wonderful point, Madam Chair. We're going to make sure that as we go through this process that all voices are heard. That's what we restored.

Senator MURKOWSKI. Right.

Mr. PRUITT. As you know, our decision earlier this year was not a decision on whether to grant a permit, it was simply restoration of due process. So as we open up this comment period, I can comment to you that it will be sufficient length to make sure that all voices are heard and that whether it's 90 days or whatever, that's something that we will commit to you that we will do.

Senator MURKOWSKI. I appreciate that. Thank you.

Senator Udall.

CHLORPYRIFOS

Senator UDALL. Thank you. Thank you very much.

One of the first acts as EPA Administrator was to revoke the food tolerances for chlorpyrifos, a pesticide linked to brain damage and to worker and bystander poisonings. What was the scientific basis of your sudden decision to reverse EPA's decision to ban the use of chlorpyrifos on food crops? And what new information did the EPA receive since the election that would suddenly justify the reversal of this ban? Or did you simply overrule the judgment of the professional staff?

Mr. PRUITT. A couple things Ranking Member Udall. One, there has not been a decision. The decision on what to do with chlorpyrifos will occur by October 1 of this year. You make reference to a petition to ban. That was denied, and it was based on a USDA communication to the EPA that the scientific basis that was being used by the Agency was very questionable. That was actually an interagency communication between USDA and the EPA. I've got a copy of the letter I can provide you and would be happy to do so.

[The information follows:]

UNITED STATES DEPARTMENT OF AGRICULTURE

January 17, 2017

Jack E. Housenger, Director
Office of Pesticide Programs (7501P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Mr. Housenger,

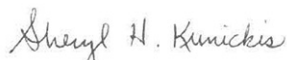
USDA appreciates the opportunity to comment on EPA's proposal to revoke chlorpyrifos tolerances, and in particular the new underlying risk assessment that was announced on November 17, 2016 ("Chlorpyrifos; Tolerance Revocations; Notice of Data Availability and Request for Comment," 81 FR 81049, Docket ID EPA-HQ-OPP-2015-0653). As you know, EPA is proposing this action in response to a petition to revoke chlorpyrifos tolerances submitted by the Natural Resources Defense Council and Pesticide Action Network North America in 2007.

USDA has both grave concerns about the EPA process that has led to the Agency publishing three wildly different human health risk assessments for chlorpyrifos within 2 years, and severe doubts about the validity of the scientific conclusions underpinning EPA's latest chlorpyrifos risk assessment. Even though use of the Columbia Center for Children's Environmental Health (CCCEH) study to derive a point of departure was criticized by the FIFRA Scientific Advisory Panel, EPA continues to rely on this study and has now paired it with an inadequate dose reconstruction approach.

In light of these developments, USDA calls on EPA to deny the NRDC/PANNA petition to revoke chlorpyrifos tolerances. This would allow EPA to ensure the validity of its scientific approach as part of the ongoing registration review process, without the excessive pressure caused by arbitrary, litigation-related deadlines.

Our detailed comments on the latest chlorpyrifos risk assessment follow. We look forward to continuing to work with EPA to ensure that pesticides remain both safe to the public and available to U.S. farmers. Please do not hesitate to contact me if you have any further questions.

Sincerely,



Sheryl H. Kunickis, Ph.D.
Director

USDA COMMENTS ON THE RISK ASSESSMENT UNDERLYING THE REOPENED PROPOSED RULE “CHLORPYRIFOS; TOLERANCE REVOCATIONS; NOTICE OF DATA AVAILABILITY AND REQUEST FOR COMMENT” (DOCKET ID EPA-HQ-OPP-2015-0653)

Science is the backbone of the EPA’s decisionmaking. The Agency’s ability to pursue its mission to protect human health and the environment depends upon the integrity of the science on which it relies. The environmental policies, decisions, guidance, and regulations that impact the lives of all Americans every day must be grounded, at a most fundamental level, in sound, high quality science.

—Excerpt from *Scientific Integrity Policy*, U.S. Environmental Protection Agency

Introduction

The “Revised Human Health Risk Assessment for Registration Review” dated November 3, 2016, is the third human health risk assessment for chlorpyrifos that EPA has released, and that USDA has reviewed and commented on, within the past 2 years. Typically, three risk assessments for the same hazard published so close together represent successive attempts at improvement and refinement, with the goal of reducing uncertainty and improving the reliability of the results. However, EPA’s three risk assessments resemble more of a scattershot approach, with the agency switching between different health outcomes and points of departure, and adopting widely varying dose measurement and reconstruction approaches.

In its latest assessment, EPA has stopped using the dose data from the Columbia Center for Children’s Environmental Health (CCCEH) study it had endorsed in its previous risk assessment just 8 months earlier, and instead has chosen to rely on a dose-reconstruction approach to identify a point of departure. This dose reconstruction approach supposedly estimates the amount of chlorpyrifos to which women in the CCCEH cohort might have been exposed in their homes around the turn of the century. It is not based on any empirical data, but rather on conversations EPA had with “several” pesticide applicators in 2016 in which they “recalled” what the “predominant” use of chlorpyrifos “in New York City apartment buildings” was 15–20 years earlier. Without any actual data as to use of chlorpyrifos in the cohort members’ apartment buildings, let alone their individual apartments, EPA is merely *guessing* that the women in the CCCEH cohort were exposed to one crack-and-crevice application of chlorpyrifos per month.

These exposure guesses are then linked to adverse health outcomes that EPA’s own Scientific Advisory Panel (SAP) has questioned as being either statistical artifacts or not caused by chlorpyrifos exposure. In addition, the latest risk assessment is still based on just the single, not replicated, and unconfirmed CCCEH study. Many weaknesses inherent in the study have been identified by the SAP and others, which undermine its suitability for determining a point of departure. These weaknesses remain unaddressed in EPA’s latest risk assessment. This cannot be the type of “sound, high quality science” the writers of EPA’s Scientific Integrity Policy envisioned as the “backbone of the EPA’s decisionmaking.” USDA has grave concerns that ambiguous response data from a single, inconclusive study are being combined with a mere *guess* as to dose levels, and the result is being used to underpin a regulatory decision about a pesticide chemical that is vital to U.S. agriculture, and whose removal from market would have a major economic impact on growers and consumers.

Our more detailed comments follow, and are divided into two sections, substantive and procedural. USDA requests a response that addresses our comments both comprehensively, and on a paragraph-by-paragraph basis.

Substantive Concerns

Over the past 2 years, USDA has observed EPA's chlorpyrifos risk assessments transition from a more traditional, incremental approach based on combining a point of departure from a well-established health outcome (10 percent red blood cell acetylcholinesterase inhibition, or 10 percent RBC AChEI) with retention of a 10X FQPA safety factor based on some new epidemiological observations, to a completely novel, even radical, approach of basing the entire risk assessment, and through it the regulatory and economic future of this major agricultural chemical, on a single limited and problematic epidemiological study.

Throughout the latest risk assessment and the accompanying notice in the Federal Register, EPA gives the impression that the Agency has addressed concerns voiced by the April 2016 SAP and is following the SAP's recommendations. For example, in the Federal Register Notice published on November 17, 2016, which announced the availability of the latest risk assessment, EPA claimed that it "modified] the methods and risk assessment . . . in accordance with the advice of the SAP" (81 FR 81050). The SAP exists to provide independent scientific advice to the Agency; as such the SAP's findings are particularly important when they disagree with an approach taken by EPA. Even though SAP reports are not legally binding on the Agency, USDA strongly encourages EPA to thoroughly consider the advice received from the SAP. An objective, comprehensive review of the meeting minutes of the SAP's April meeting, published July 20, 2016, simply does not lead to the conclusion that SAP concerns have been addressed. Instead, the latest risk assessment raises additional and more acute concerns about the viability of EPA's risk assessment approach and the reliability of its findings.

EPA's latest risk assessment rests on three central conclusions. USDA disagrees with all three.

1. EPA concludes that studies show an actual effect on working memory among children in the CCCEH cohort

In order for a study to be meaningful for deriving a point of departure, it must detect an actual health effect. EPA has chosen a 2 percent change in working memory, measured at age 7 and discussed in the Rauh et al. (2011) study of the CCCEH cohort, as the critical effect for its last two risk assessments, the first of which was reviewed by the SAP in April. There was considerable disagreement among SAP members as to whether this 2 percent change is even significant or anything more than a statistical artifact:

- "The [SAP] was conflicted with respect to the importance of a 2 percent change in working memory."
- "Some members considered a 2 percent change in working memory (less than one standard deviation in the distribution of scores in the general population) to be of questionable biological significance."
- "By definition, the [standard deviation] for an essentially unexposed population is really 15 percent. A 2 percent reduction seems to be a particularly low threshold for concluding 'abnormal.'"

Quotes from FIFRA SAP meeting minutes on chlorpyrifos (July 20, 2016)

If the Rauh et al. study failed to detect a true health effect, any further discussion on the use of this study to derive a point of departure would be moot. USDA does not deny that some SAP members did argue that a 2 percent change in working memory is a significant health effect. Rather than taking a position as to whether the observed 2 percent decrement in working memory is "real" or "significant," USDA merely wishes to highlight the considerable disagreement within the EPA SAP as to this very basic question. If the experts convened by EPA cannot even agree that a health effect (let alone an *adverse* health effect) was observed, this severely weakens the study's suitability as the sole quantitative foundation of a major, economically significant risk assessment. Equally concerning is EPA's failure to address in its most recent risk assessment the questions raised by the SAP.

2. EPA concludes that the 2 percent change in working memory was caused by prenatal exposure to chlorpyrifos

Establishing causality between the exposure of interest (in this case, prenatal chlorpyrifos exposure) and the observed health effect (in this case, a 2 percent change in working memory measured at age 7) is a crucial prerequisite to using the CCCEH cohort data in quantitative risk assessment. EPA's latest risk assessment

does nothing to address the April 2016 SAP's strongly-worded concerns regarding the lack of established causality. If anything, EPA's Federal Register Notice accompanying the risk assessment further obfuscates the SAP's conclusions. It states that "generally, however, the FIFRA SAP agreed with the overall conclusion of the CCCEH study, i.e. the *association* between prenatal chlorpyrifos exposure and neurodevelopmental outcomes in children" (81 FR 81050; emphasis added). Whether or not chlorpyrifos exposure is *associated* with the change in working memory is not the issue here; an association between chlorpyrifos exposure and change in working memory could be the result of a confounding factor or a multiple comparisons problem, and thus be meaningless for risk assessment.

Rather than association, the relevance of the CCCEH study depends on whether chlorpyrifos *caused* the change in working memory. The SAP emphatically commented on question of causality (emphases added):

- "The assumption that the impaired working memory and lower IQ measures observed [in the CCCEH study] are caused primarily by a single insecticide (chlorpyrifos) and predicted by the blood levels at time of delivery *is not supported by the scientific weight of evidence.*"
- "Some members of the [SAP] were also concerned about the lack of knowledge of the sensitive window(s) of exposure during pregnancy that would lead to neurodevelopmental outcomes. Without accurate knowledge that exposure occurred during a sensitive window, *it is impossible to derive causation.*"
- "Without any evidence in the animal literature or elsewhere of a mechanism of action that could explain how pg/g levels in blood could impair IQ and/or working memory, *there does not appear to be biological plausibility.* This is a significant uncertainty." (Biological plausibility is a crucial element for establishing causality.)
- "The [SAP] is not aware of any scientific evidence where pg/g levels in the blood would lead to deleterious neurotoxicological effects in a mammalian system. This lack of data could indicate a lack of biological plausibility."

The majority of the SAP members drew the correct logical conclusion from the absence of indicated causality, namely that use of the CCCEH study in a highly impactful risk assessment is "premature and possibly inappropriate." This is a necessary conclusion EPA refuses to draw, by continuing to rely on the CCCEH study in its latest risk assessment. Even more worrisome is EPA's willingness to portray its latest risk assessment as responsive to the SAP concerns, when in reality it is extremely difficult to see how any continued use of the CCCEH study as a basis for a point of departure is consistent with the SAP conclusions. The larger passage from the SAP minutes reads as follows (emphases added):

- "The majority of the [SAP] considers the Agency's use of the results from a single longitudinal study to make a decision with immense ramifications based on the use of cord blood measures of chlorpyrifos as a [point of departure] for risk assessment as *premature and possibly inappropriate.* The basis for this *majority view* includes: (1) an inability to either know, or confidently make assumptions about, aspects of exposure patterns, labor and delivery, and blood collection . . . [and] (5) *lack of biological plausibility* for how low cord blood (low parts per trillion) concentrations of chlorpyrifos can alter working memory and produce neurodevelopmental impairment."
- "Some Panel members stated that the reliance on single cord blood measurements from only one study (i.e. the CCCEH study) as a primary basis for a highly impactful regulatory decision *goes against standard practices of science in the field of toxicology and pharmacology.*"

EPA argues that it addressed SAP concerns about the cord blood data by no longer using them in its latest risk assessment, having replaced them with the dose reconstruction approach. In doing so, EPA misreads the SAP's concerns. While the SAP did criticize EPA for using a single measurement of cord blood, rather than deriving a time-weighted average, the SAP's fundamental disagreement centered on the fact that the risk assessment was based on just a single study with insufficient evidence of causality between exposure and effect. It is not the cord blood data per se that are the problem, and replacing them with a time-weighted average not based on any relevant exposure data does not improve the risk assessment. Rather, it is EPA's "inability to either know, or confidently make assumptions about, aspects of exposure patterns, labor and delivery, and blood collection," as well as the "lack of biological plausibility" that render the CCCEH study unusable. These criticisms are equally valid whether EPA uses the CCCEH cord blood data or a time-weighted average based on the reconstructed dose data.

EPA's reconstructed doses are not based on any additional exposure data collected from the CCCEH cohort, nor do they help overcome the fundamental lack of biological plausibility and thereby causality. In fact, the SAP criticized the use in the risk

assessment of not only the dose data (cord blood measurements), but also of the observed outcome data (change in working memory):

—“It was the Panel’s conclusion that the Agency provided insufficient justification for using cord blood chlorpyrifos levels *and associated neurobehavioral health outcomes* to derive a [point of departure]” (emphasis added).

In the end, the fatal flaw of EPA’s use of the CCCEH study is that there is insufficient evidence of causality underlying the observed association involving chlorpyrifos. The problems with the chlorpyrifos cord blood data identified by the SAP cannot be isolated from the CCCEH study as a whole. Instead, the entire study, including the cord blood data, is problematic because it fails to indicate a causal relationship between chlorpyrifos and the health effect. Replacing the cord blood data with a different (and arguably inferior) set of reconstructed dose data, as EPA did in its latest risk assessment, does nothing to improve the quality or reliability of the risk assessment, and introduces new and greater uncertainty rather than decreasing it.

The SAP meeting minutes also restated many other concerns about the CCCEH study that have been previously identified by USDA and others, and that continue to be relevant as long as EPA attempts to use the CCCEH study to derive a point of departure. These include the potential presence of numerous confounding factors that further weaken any claim of causality between chlorpyrifos exposure and the change in working memory, the lack of access by EPA or the public to the raw study data, and questions surrounding the analytical methods used to detect the very low (picogram per gram) levels of chlorpyrifos in the cord blood.

—On confounding factors: “In addition to the air sampling study and the cord blood sampling study indicating exposure of the [CCCEH] study cohort to various pesticides, the cohort was additionally exposed to multiple contaminants including PAHs, tobacco smoke, piperonyl butoxide, and phthalates. . . . The fact that the pregnant mothers were exposed to a complex mixture of chemicals, many of which induce deleterious effects on the same neurobehavioral parameters that chlorpyrifos is reported to affect, increases the level of uncertainty for using measurements of chlorpyrifos alone as the basis for the risk assessment. . . . [T]he environment where the exposure occurred contained multiple organophosphate insecticides and multiple carbamate insecticides. . . . Thus, there was the opportunity for the pregnant mothers to be simultaneously exposed to multiple cholinesterase inhibiting chemicals. *Following exposure to such a mixture, it would be biologically impossible to separate the independent effects of each chemical on a neurochemical or behavioral outcome regardless of the statistical model used*” (emphasis added).

—On raw data availability: “Finally, some [SAP] members thought the quality of the CCCEH data is hard to assess when raw analytical data have not been made available, and the study has not been reproduced.”

—On the analytical method: “A major source of uncertainty for the [SAP] was the lack of verification and replication of the analytical chemistry results that reported very low levels of chlorpyrifos (pg/g). Imputing quantitative values when the concentration of analyte falls below the level of detection (LOD) was a particular concern, especially given that a large fraction of cord blood samples included in the analyses presented with levels below LOD.”

3. EPA uses reconstructed dose estimates that are not based on any empirical data or any actual knowledge of the exposure experienced by members of the CCCEH cohort

EPA used its 2012 Residential SOPs, which are typically used to estimate exposure to a pesticide for the general population, to estimate the doses experienced by the CCCEH cohort. Exposure models, such as the Residential SOPs, are designed to produce conservative exposure estimates that are then compared to experimental dose data derived from animal or human studies. In other words, a study typically supplies actual dose values linked to actual response data, which can then be compared to modeled exposure estimates to determine whether a response is expected in the modeled population.

Dose reconstruction is usually based on an internal dose (biomarker) measurement as a starting point and uses reverse dosimetry to arrive at a corresponding external dose. In this case, EPA has no usable internal dose data, and instead is using exposure models to estimate both the doses received by the individuals in the study, as well as the exposure experienced by the general population. The problem is that there is no cause-and-effect link between the dose estimates provided by the exposure model (Residential SOPs) and the change in working memory observed in the CCCEH study. Any exposure model can produce a huge range of exposure esti-

mates due to both population variability and uncertainty. In this case, the uncertainty around any modeled dose estimate is expected to be massive, since EPA has no way of knowing when, how often, and at what levels chlorpyrifos was applied in the CCCEH cohort members' apartments, nor does EPA know the duration and intensity of exposure experienced by study participants post-application. Did they apply chlorpyrifos themselves and did they do so instead of or in addition to professional applications? How long did they spend in the apartment post-application? Were the windows open or closed? When did they shower? Were they also exposed elsewhere, for example at work?

The wide range of exposure estimates and the vast uncertainty associated with any estimate makes it impossible to identify an actual dose estimate that is linked to the rather small change in working memory observed in the CCCEH study. The fact that EPA's response to the SAP report—which highlighted in a negative way the “inability to either know, or confidently make assumptions about, aspects of exposure patterns, labor and delivery, and blood collection” and the “the lack of knowledge of the sensitive window(s) of exposure during pregnancy”—was to derive dose reconstruction estimates based on absolutely no data related to the cohort members' timing of exposure or sensitive windows, indicates a misunderstanding of the SAP's concerns. The SAP went on to criticize reliance on the CCCEH study, because the data showed “a lack of a clear dose-response relationship and evidence of temporality (i.e., two key concepts in pharmacology and toxicology).” Abandoning the CCCEH cord blood exposure data in favor of EPA's dose reconstruction estimates, which are completely devoid of actual connection to the CCCEH cohort, exacerbates this SAP concern instead of mitigating it.

In addition, EPA is using an inappropriately high level of conservatism in its dose-reconstruction effort given that its stated goal is to derive a lowest observed adverse effect level (LOAEL) dose. In the latest risk assessment, EPA references an earlier dose reconstruction that was part of the 2014 Revised Human Health Risk Assessment (2014 HHRA). The goal of the 2014 HHRA exercise was to estimate an “upper limit, bounding level exposure” and as a result it contained very conservative assumptions with regards to exposure duration and bathing frequency. By contrast, EPA states that the purpose of the dose reconstruction in its latest risk assessment is to predict “typical” product usage and behaviors, and therefore the assumptions are essentially realistic or even tend to underestimate exposure (e.g., daily shower taking place immediately after application; exposure duration of only 2 hours/day). However, EPA should be estimating upper limit exposures if its goal is to derive a LOAEL dose. Assuming for a moment that the CCCEH study did observe an actual association between chlorpyrifos exposure and change in working memory, only the most highly exposed cohort members would have experienced this adverse effect. Most cohort members were exposed to comparatively lower levels of chlorpyrifos, which did not cause a change in working memory. Therefore, exposure resulting from “typical” product usage and behaviors should not be expected to cause a response, and if used at all should be considered a no observed adverse effect level (NOAEL) dose, not a LOAEL dose. Instead, upper limit exposures, representing the most highly exposed individuals within the CCCEH cohort, would have been the only doses to be potentially associated with an adverse effect.

Taking a step back, USDA wishes to highlight a logical flaw in EPA's reasoning. In its dose reconstruction, EPA considered the exposure from the monthly residential crack-and-crevice application to be the only contributor to the chlorpyrifos doses experienced by the CCCEH cohort. In other words, EPA is assuming that the crack-and-crevice application, and only the crack-and-crevice application, is causing any adverse effects potentially observed in the CCCEH study cohort, such as a change in working memory. By implication, this indicates that the Agency considers any dietary (food or drinking water) exposure to chlorpyrifos among the CCCEH cohort to be negligible. As EPA points out in its latest risk assessment, all residential uses of chlorpyrifos were cancelled in 2000, meaning that today the only relevant exposures for the general population are food and drinking water exposures. There is no reason to believe that the population today is exposed to significantly higher levels of chlorpyrifos in the diet than the CCCEH cohort was. How then is it possible that food and drinking water exposures were not even considered in the CCCEH cohort dose reconstruction, but EPA now claims that food exposure *alone* causes some individuals to exceed the acceptable level of chlorpyrifos exposure by as much as 140 times?

CONCLUSION FOR SUBSTANTIVE CONCERNS

EPA's latest risk assessment depends on three conclusions related to the existence of a health effect, causality, and the dose-reconstruction approach. For EPA's assess-

ment to be meaningful, all three conclusions would have to be well-supported by the evidence and logically coherent. Instead, they range from questionable to unsupported by the evidence to incorrect. As a result, the latest risk assessment fails to show either a causal or a dose-response relationship between chlorpyrifos exposure and a change in working memory among the CCCEH cohort, even though causality and the existence of a dose-response relationship are two fundamental pillars of regulatory toxicology and risk assessment. USDA concludes by asking whether, before November 2016, EPA has ever derived a point of departure for pesticide risk assessment based on a single study which the Agency has concluded does not contain *any* usable dose data.

Procedural Concerns

USDA strongly urges EPA to abandon use of the CCCEH study to set a point of departure for chlorpyrifos and to return to using AChEI as the critical effect. If EPA chooses to continue to use the CCCEH study, EPA's latest risk assessment should be re-submitted to the SAP for review. USDA finds this to be absolutely crucial for maintaining public confidence in the pesticide regulatory process. Compared to the March 2016 risk assessment that the SAP reviewed, the latest risk assessment is even further beyond the "mainstream" of pesticide risk assessment. Mostly, this is due to the dose reconstruction approach that, to USDA's knowledge, has never been externally reviewed. In addition, the fact that the latest risk assessment continues to be based on the CCCEH study clearly weighs in favor of allowing the SAP to review again, in order to determine whether its earlier criticisms of the CCCEH study have been addressed or mitigated.

USDA notes that according to EPA's Peer Review Policy, "external peer review is the approach of choice" for influential scientific information intended to support important decisions. Influential scientific information in turn is characterized, *inter alia*, by its establishment of a significant precedent, model, or methodology; its material adverse effect on the economy or a sector of the economy; its addressing of significant controversial issues; its significant interagency implications; and its consideration of an "innovative" approach for a previously defined problem (EPA Peer Review Handbook, 4th Ed.). In USDA's opinion, all of these factors are present in EPA's latest chlorpyrifos risk assessment, indicating that an external peer review of the document is warranted. USDA commends EPA for having consulted the SAP three times already on the subject of chlorpyrifos. However, this latest hybrid approach is more than just a refinement or an implementation of previous SAP recommendations. A completely new risk assessment approach is being considered which will have a wide impact on the evaluation chlorpyrifos, as well as other pesticides in the future. USDA strongly urges EPA to present this latest risk assessment to the SAP. Before doing so, EPA should thoughtfully consider and publicly respond to all public comments received on the subject of chlorpyrifos since the 2014 Revised Human Health Risk Assessment was published. This will allow the public to provide an informed opinion at the next SAP meeting, and it will help the SAP in fully understanding the breadth of risk assessment approaches considered by the Agency.

USDA is aware that EPA is under a court-ordered deadline to fully respond to the PANNA/NRDC petition (by issuing a final rule, if necessary) by March 31, 2017. However, USDA strongly feels that EPA should take the necessary time to fully address the SAP concerns and to develop a robust risk assessment. To that end, USDA requests that EPA issue an order denying the petition to revoke chlorpyrifos tolerances and cancel uses. This would allow the Agency to continue its evaluation of chlorpyrifos as part of the ongoing pesticide review process and free from undue litigation-induced pressure, and would not preclude the Agency from taking mitigation action in the future if neurodevelopmental effects related to chlorpyrifos are identified and confirmed.

Senator UDALL. Thank you. No, that would be great to get that letter. But my understanding, in reading the press, is you've delayed this decision off a number of years. But you're saying now you're going to make it in October.

Mr. PRUITT. The decision process that's been defined is there will be a decision by October 1 of this year.

Senator UDALL. Yes. Okay. As you know, I mean, this has been an issue that's been studied for 30 years by exposure scientists, and there is very, very strong scientific evidence there in terms of the damage that can be done. And also the additional issue is that

there are alternatives. I mean, from everything I can tell, there are alternatives that could be used in the same way.

What are your concerns in terms of Federal law? Can you specify those in terms of chlorpyrifos?

Mr. PRUITT. I think, Ranking Member Udall, what we determined is what I shared just a minute ago, is that it was inter-agency communications between the USDA and the EPA about the scientific basis of the decision. There was a petition that was denied based upon that, and then a process set forth that a decision would be made by October 1 of this year.

Senator UDALL. Yes. And are you aware that there are more than 20 alternative chemicals available to farmers?

Mr. PRUITT. Senator, we're going through the process, and there will be a decision by October 1.

Senator UDALL. Okay.

Mr. PRUITT. Yes.

MANMADE CLIMATE CHANGE

Senator UDALL. We've heard from many administration officials a variety of statements on humans' activity and its impact on global warming and climate change, and these are quotes: it's the oceans, not humans; climate change is happening, but the jury is still out on human impact; CO₂ is not the main contributor to climate change. Those are the kinds of statements.

But what I want to ask you is, what is the official Trump administration position on accepting the scientific evidence that man-made climate change is occurring?

Mr. PRUITT. Senator, I've been consistent from my confirmation hearing through all my comments that the global warming—CO₂ is impacting the climate, that human activity contributes to it in some measure. Measuring that with precision is very difficult. But there is a very important question, what is the process as far as response?

The Clean Air Act, if you go back to the individuals, and perhaps you were here at the time, I'm not entirely sure, when the Clean Air Act was amended in 1990, there was great question about whether greenhouse gases and CO₂ were meant to be regulated. The Clean Air Act fundamentally is about regional and local air pollutants. And someone—you know, Congressman Dingell was actually quoted as saying that if the current framework was used to regulate CO₂, it would create a glorious mess, quote, unquote. So the question from a process perspective—

Senator UDALL. Administrator, you know they've settled that issue. The court settled the regulation.

Mr. PRUITT. No, they—

Senator UDALL. The court settled the regulation of CO₂.

Mr. PRUITT. *Mass v. EPA* simply said that the EPA—the 2007 case, that they had to make a decision on whether to regulate, would have imposed a risk to health, and there was an endangerment finding that followed that in 2009. It did not address whether the tools were in the toolbox. It did not address whether the Agency—because, as you know, Senator, Congress has not responded to the CO₂ issue with respect to amendments to the Clean Air Act, and the Supreme Court has said that, in the Clean Power

Plan stay as well as the UARG decision with respect to the tailoring rule.

Senator UDALL. Now, I asked you the official Trump administration position. Is that the one you stated? I know you stated your position, but what is the official position of the administration?

Mr. PRUITT. The Agency that I lead is responsible for responding to—

Senator UDALL. Do you not know of any official position?

Mr. PRUITT. That—that—I've responded to you based upon what our responsibilities are at the Agency and the CO₂.

Senator UDALL. But do you know of any official position that I can find somewhere and understand what the Trump administration official position is?

Mr. PRUITT. I think what's important, Senator, is that we are responding to the CO₂ issue through the regulation of mobile sources. We are also evaluating the steps or the tools that we have in the toolbox with respect to stationary sources, and that's our focus.

RENEWABLE FUEL STANDARD

Senator UDALL. Yes. Administrator Pruitt, the Senate Environment Committee is looking at updates to the Renewable Fuel Standard. I supported the creation of this program when I served in the House, but I'm becoming concerned with its implementation now. First, I'm concerned that it has led to widespread land conversion, to corn to produce ethanol, which Congress did not intend.

EPA is charged with reviewing and reporting on this issue, but has failed to produce the required reports. I wrote a letter, a recent letter, to you on this topic with Congressman Peter Welch. Will you respond to that letter and seek to produce the reports required by the statute?

Mr. PRUITT. Yes, Senator. And you're right, the Agency historically—there's a 3-year review process that is supposed to be submitted to this body, and that's not happened, and that's something that's being corrected.

Senator UDALL. Okay. And you will get that letter in then.

Mr. PRUITT. Yes, sir.

[The information follows:]

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

August 4, 2017

Hon. TOM UDALL
United States Senate
Washington, DC 20510

DEAR SENATOR UDALL:


Thank you for your letter of May 5, 2017, to the U.S. Environmental Protection Agency regarding the Renewable Fuel Standard (RFS) program and the status of the Triennial Report to Congress and the anti-backsliding study that are required under the Clean Air Act.

As your letter notes, EPA's Office of Inspector General (OIG) released a report titled *EPA Has Not Met Certain Statutory Requirements to Identify Environmental Impacts of Renewable Fuel Standard* (Report No. 16-P-0275) late last year. In response to this report the EPA committed to completing the next triennial report to Congress on the environmental impacts of biofuels by December 31, 2017. The agency is currently on track to complete the report by that date.

With respect to the anti-backsliding study required under Section 211(q)(1) of the Clean Air Act, EPA acknowledged our obligation under the law. EPA already has taken a number of steps that are important prerequisites for the study. However, as the OIG report correctly notes, there are multiple intermediate research steps that still need to be completed before EPA can plan, fund, and conduct a comprehensive anti-backsliding study. These steps include development of baseline, current, and projected scenarios for how renewable fuels have and might be produced, distributed, and used to fulfill the RFS requirements; generation of emissions inventories; and air quality modeling; all of which are time-consuming and resource-intensive. This work must be conducted on top of other statutorily-required actions under the RFS. EPA expects to meet the timeframe that we committed to in the OIG report.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Patricia Haman in the EPA's Office of Congressional and Intergovernmental Relations at haman.patricia@epa.gov.

Sincerely,



SARAH DUNHAM,
Acting Assistant Administrator.

Senator UDALL. Yes. Thank you.

Madam Chair, I'm over my time here, so—

BRISTOL BAY

Senator MURKOWSKI. We'll keep going back and forth here.

Let me talk about fish and fish grinding siting stuff, but for our fishermen, really important stuff. The NPDES general permit for seafood processors within the State allows for grinding and discharge of seafood waste, but the permit requires that all seafood waste be ground to a size of no more than ½ inch in any dimension.

So our seafood processors in the State have installed grinders to grind to ½ inch or smaller, but the best available technology is not out there, it doesn't exist, to achieve a ½-inch grind dimension on a consistent basis due to the fact that fish waste is different. You've got the bones, you've got the skin, you've got different things that make it that much more difficult. And the industry has spent a lot of money upgrading its waste systems in an effort to comply, but they've come to the point where achieving 100 percent of compliance all the time is not possible right yet, but this results in noncompliance reporting, it serves as a constant threat of enforcement risk and loss.

In addition, you have the situation offshore where the issue of fish grinding just has not yet been resolved. Processing vessels that are operating in offshore waters are subject to the same requirements even though there is no documented water quality issues that would require such grading. And this grinding—this issue has been going on now since 2012.

And I appreciate, Administrator Pruitt, with just about every question that you've heard from this panel, you've said, look, delays within the Agency are just not acceptable, we've got to make some hard decisions, we need to move through a process. And I hope that this is one of those areas where these long drawn-out reviews with no answers can come to a conclusion.

So know that I want to work with you to find a solution for both onshore and offshore to effectively allow onshore that the fish processors that are using the best available technology or best conventional practice are not going to be facing the fines and the threats of fines that they currently do, and then to resolve where we are with the offshore in ensuring that it's going to be the science that leads us to the appropriate regulation in this regard.

So I don't know if you have any updates for me on that, but we're in the midst of a fishing season. Bristol Bay is really going to be coming online, as I mentioned, in a week or so, and this is front of mind for a lot of folks back home.

Mr. PRUITT. Well, you have my commitment to work with you on that issue. Regulatory certainty, Madam Chair, is so important. You mentioned those in the commercial space, industry space, facing fines, not knowing whether their practices are compliant with regulatory action by the Agency or current statute. It's something that we need to be decisive and provide that clarity to them, and I look forward to working with you in that regard, both onshore and offshore.

INCINERATORS

Senator MURKOWSKI. Good. Well, and we've got other situations going on all over the State. I've mentioned our small and remote incinerators. To my Ranking Member here, one of our dilemmas is when you are working in these very remote areas, for instance, the North Slope of Alaska or some of our small villages, you create waste. You need to be able to remove them, but there is no road. And so your methods for dealing with this are basically helicopter it hundreds of miles to a place where the solid waste can be disposed of in an appropriate way.

But we have been working with EPA in search of an administrative solution on this again for a number of years. We were so close to making it happen with Administrator McCarthy. But we need to get to a situation where we're able to resolve this issue, not be in conflict with the Clean Air Act. But, again, long-standing issue causing uncertainty and cost not only to the oil and gas industry up north, but really around our State with our many remote operations.

Mr. PRUITT. Yes, I know that Alaska has requested an exemption. That's something that we are working through, Madam Chair. It's an exceptional circumstance. It's something that, as an agency, we need to be mindful of as we approach these kinds of decisions. I mean, you made reference to the incinerators. I think even the woodstove issue, you know, in Fairbanks is equal to that. You know, people are using woodstoves to stay alive, to stay warm.

So as we work through these issues locally, it's important that we truly learn from the folks on the ground and try to set forth some practical responses to achieve the outcomes that we endeavor to achieve. But it's an exceptional circumstance, and you have my commitment to work with you in that regard.

GENERATORS

Senator MURKOWSKI. Well, and oftentimes, and I know that you understand and appreciate this, but you have regulations that peo-

ple cannot comply with because the technology isn't there or because of unusual circumstances, again remoteness or cost. And we see this with the diesel generators in remote villages, and the standards now that are put in place and required under this Executive Order 13777. But instead of individuals being able to meet the upgrades, if you will, what they're doing is they're saying, "I can't do it," so they are basically rebuilding their older generators.

And if you think about the impact, the purpose of the regulation is to move us towards cleaner air, but you cannot meet the requirements of the regulation, so what you do is you just rebuild the older, dirtier model. It doesn't get you to your intended goal.

So, again, working to find some of the solutions in these areas, particularly in these remote communities where we're identifying and we're working off small microgrids that are not connected to anybody else, but making sure that we're moving forward, regulations that incent in the right way rather than provide a disincentive to stick with the older, dirtier, less efficient.

Mr. PRUITT. Yes, well said, Madam Chair. We're reviewing the Executive Order 13777. And, again, these are unique circumstances to Alaska, and it's something that we need to be mindful of as we engage in these Tier 4 standards.

LEADERSHIP POSITIONS

Senator MURKOWSKI. Well, and my final question to you kind of speaks to the fact that I have outlined some of the perhaps more unique issues in the State, and that really kind of begs the question of where we are with getting regional administrator positions filled, as you know, Region 10, pretty important to us and the State of Alaska. And the last time we talked about getting these positions filled—and, again, they're not subject to Senate confirmation, so hopefully one would think that we'd be able to advance them quicker. And the last time we talked about this, they were stuck in the bottleneck of personnel decisions.

But it's not just Region 10 where they're asking for this, and the other regions, I've had other Members contacting me saying, "When can we expect some movement here?" I know, I know full well, that you need people, and you need people not only in the confirmed spots, but you need them throughout.

So let me know if there is anything that I can do to be helpful in advancing these positions, but I think the sooner we get people in place and brought up to speed on many of these areas, where, again, I look at them as parochial, but for our fishermen, for our miners, for the people that live in these remote areas and are raising their families, these are pretty key.

Mr. PRUITT. Yes, on the substantive issues, you're exactly right. On the leadership issues, the personnel side, I believe we're making progress, and I'm hopeful that we'll have regional administrators in place soon.

Senator MURKOWSKI. Imminent?

Mr. PRUITT. Well——

Senator MURKOWSKI. I like the earlier——

Mr. PRUITT [continuing]. Not as imminent perhaps as the last date I provided you, but that would be good. We're working

through that process, and I hope to see good outcomes sometime soon.

Senator MURKOWSKI. I appreciate that. Thank you.

Mr. PRUITT. Yes.

Senator MURKOWSKI. I have no more questions, Senator Udall.

Senator UDALL. Thank you, Madam Chair.

Mr. Administrator, when we were talking about chlorpyrifos, you said you would make a decision by October 1? Was that October 1 of this year? Because your website says October 1 of 2022. The EPA website says 2022.

Mr. PRUITT. Okay. It's my understanding that it's October 1, 2022, Senator. But we'll get the clarification to you—

Senator UDALL. And the reason—whether it's 2022 or even this October, the reason is, is under Federal law, you are required to ban a pesticide if you cannot prove with reasonable certainty that the pesticide is safe. And at this point, I've had very—a large number of exposure scientists say the evidence is overwhelming over 30 years that this pesticide is not safe. And so the decision is before you to ban it.

Mr. PRUITT. Again, the only decision that's been made presently is a petition that has been denied, and that was based upon the interagency discussion between USDA and the EPA, which we will provide you that letter. And we're engaged in the process to make a determination based upon the available science and data.

RENEWABLE FUEL STANDARDS

Senator UDALL. Yes. Well, I would urge you on the available science and data to act quickly. And I think it's justified to act more quickly, even more quickly than October 1 of this year.

We were also talking about the renewable fuels earlier, and I'm concerned that the RFS is not helping produce advanced and cellulosic biofuels, as Congress intended. And now there is legislation under consideration which would allow more conventional ethanol. As EPA and Congress consider the RFS, do you agree that we should focus on what we can do to incentivize advanced biofuels rather than only promoting more conventional corn ethanol?

Mr. PRUITT. Congress has set forth four categories, you know, under the advanced and conventional banners, and the statute, as you know, sets forth, like in cellulosic, it's over 4 billion gallons. I don't remember the exact amount presently, Senator, and I think last year the waiver was down to around 300 million or so gallons.

This is something, I know that there is much effort, much work, being done in Congress on updating potentially the statute. I think that would be a good thing for Congress to do because we need clarity. This statute is very difficult to administer because Congress has been prescriptive, and as it's been prescriptive, the very specific gallons that are supposed to be blended is not being achieved in many of the advanced categories, as you know. So we need the help of Congress in responding.

My objective is to use waiver authority judiciously to be respectful of what Congress has said as far as the intent of the statute, but we will work with you, work with others in this body, to address any legislative responses to that statute.

Senator UDALL. Well, we look forward to working with you. There is real bipartisan—there is a bipartisan sweet spot on this issue if we can get the information from you and then try to move forward with some legislation.

Mr. PRUITT. I think that's important.

NEW SOURCE PERFORMANCE STANDARDS

Senator UDALL. Yes. You recently proposed a 2-year suspension for the oil and gas industry to comply with the leak detection and repair requirements of the New Source Performance Standards rule that limit methane emissions from oil and gas infrastructure. The regulation was designed to cut methane pollution by 40 to 45 percent from 2012 levels. This 2-year delay comes shortly after your earlier 90-day stay issued without advanced notice to the public or seeking public comment. The EPA recently estimated that the cost savings to the oil and gas industry from suspending the rule will be more than \$173 million.

At the same time, EPA understands that this suspension puts children's health at risk. The EPA acknowledges that children are disproportionately susceptible to air quality pollution and that they will continue to be exposed to harmful emissions for 2 years during this delay.

Does your suspension to review the methane rule signal that you will begin a formal Federal rulemaking process to replace it with a new rule that will protect the health of our children and the environment with similar or more stringent standards?

Mr. PRUITT. It's not intended to send a message in any particular way, Ranking Member Udall. The standard under the statute for a delay of implementation is insufficient information, and based upon the information provided to me, the implementation issues that need to be addressed, that's why the delay occurred. It's not indicative of one particular approach over another on a replacement or withdrawal per se, it's just simply to address data and information that's necessary for implementation of the rule.

Senator UDALL. But will you begin a formal Federal rulemaking process to replace this rule?

Mr. PRUITT. That's not been determined, Senator.

Senator UDALL. That hasn't been. And so you're—but you're not saying you're—

Mr. PRUITT. I'm not—that's just not been determined yet.

Senator UDALL. Okay. Okay. Is it your position that EPA has no role in regulating methane pollution?

Mr. PRUITT. Absolutely not. We absolutely have a role. Yes.

Senator UDALL. Madam Chair, that's my final question. I would just ask on the question that Senator Van Hollen asked with regard to the website that was taken down by the Administrator. This was a website that had been up for 16 years under Democratic Presidents, Republican Presidents. It was updated. It had the most recent science. And the person who ran that website was a guy named Jason Samenow. He is now a reporter for the "Washington Post." And he wrote an article about his position on what the Administrator did, and I would just ask that that article be put in the record.

Senator MURKOWSKI. It will be so.

[The information follows:]

[From the Washington Post, June 22, 2017]

OUTLOOK | Perspective

I WORKED ON THE EPA'S CLIMATE CHANGE WEBSITE. ITS REMOVAL IS A DECLARATION OF WAR.

(By Jason Samenow)

Jason is the Washington Post's weather editor and Capital Weather Gang's chief meteorologist. He earned a master's degree in atmospheric science, and spent 10 years as a climate change science analyst for the U.S. Government. He holds the Digital Seal of Approval from the National Weather Association.

This spring, political officials at the Environmental Protection Agency *removed the agency's climate change website*, one of the world's top resources for information on the science and effects of climate change.

To me, a scientist who managed this website for more than 5 years, its removal signifies a declaration of war on climate science by EPA Administrator Scott Pruitt. There can be no other interpretation. I draw this conclusion as a meteorologist with a specialization in climate science and as an independent voter who strives to keep my political and scientific views separate. I concede that this specific issue is personal for me, given the countless hours I spent working on the site. But it should be obvious to anyone how this senseless action runs counter to principles of good governance and scientific integrity.

Some 20 years in the making, the breadth and quality of the website's content was remarkable. It lasted through Democratic and Republican administrations, partly because its information mirrored the findings of the mainstream scientific community, including the National Academy of Sciences, other Federal agencies and the United Nations Intergovernmental Panel on Climate Change. It "presented the current understanding of the science and possible solutions in a fair and balanced way," says *Kerry Emanuel*, a world-renowned atmospheric scientist at MIT and a *political conservative*.

The site's overarching conclusion, informed by these scientific organizations and reports, was that recent warming is largely a result of human activities, specifically the burning of fossil fuels, which releases large amounts of carbon dioxide into the atmosphere.

Yet Pruitt, a lawyer who has spent much of his career fighting climate change mitigation efforts, decided that he knows more than the thousands of scientists whose decades of work support this conclusion. *These are his words* about the impact of human activity: "I would not agree that it's a primary contributor to the global warming that we see." Pruitt has championed the administration's decision to *exit the Paris climate agreement* and called for *a debate on the fundamentals of the issue*, even though there's virtually no disagreement about it among scientists. He then *effectively cleansed* the EPA's Board of Scientific Counselors, a steering committee for the agency's research.

The EPA's official line is that it is "updating" the climate change website to reflect new "priorities" under Pruitt and Trump. It has archived the old site but put nothing in its place nor announced a timetable for "updating" it. Pruitt may not accept mainstream climate science conclusions, but if he wanted to promote his alternative views, a much more defensible and transparent action would have been to leave the site up while posting his perspective as well. Instead, one of the world's best climate science sites has vanished.

In its heyday in the early 2000s, if you Googled "climate change" or "global warming," the EPA's site was the first hit. The site not only presented climate science, it was also a portal to data on warming's effects and greenhouse gas emissions, along with guidance and tools to help people, municipalities and states reduce their carbon footprints. It included a vibrant *kids' site* treasured by educators, featuring interactive teaching tools and videos, which was also taken down.

While the George W. Bush administration attempted to exert some control over the site, it was never so drastic. When Bush's political appointees filed into the EPA in 2001—coinciding with when I began managing the site—updates were put on hold for several months. For a while, we were permitted to update only one page a month, which first went through an onerous White House review process. As the site contained several hundred pages of content at that time, this was effectively a "let it rot" policy. But at least the site wasn't trashed.

During Bush's second term, the constraints on updating were lifted, and we resumed regularly posting new material. That carried on through the Obama administration (I left the EPA in 2010 to join The Washington Post).

To be perfectly clear, it is any administration's prerogative to revise or archive Web pages that relate to policies and programs it is no longer pursuing. For example, Pruitt's move to archive material on the Obama administration's Clean Power Plan was totally justified; the Trump administration has shelved the policy.

But there is no justification for political interference with authoritative, carefully vetted scientific information. Neither the National Oceanic and Atmospheric Administration nor NASA has altered its online climate science content—which is not substantively different than material on the EPA's site. They are not currently run by political appointees.

It is refreshing that governments in several cities, including *Chicago*, *Boston* and *San Francisco*, have published replica versions of the EPA's now-defunct site to keep it alive.

Pruitt's order to delete the site feels purely spiteful, as if he simply couldn't abide knowing that the agency he leads was publishing information he doesn't believe. But science is not about belief—it's about evidence. Of all people, the head of the EPA should have the utmost respect for this evidence and its transparent communication. Pruitt's choice to destroy carefully vetted scientific information rather than preserve it is a reckless and dangerous abdication of his responsibility.

Senator UDALL. Yes. And we may well have additional questions for the Administrator.

But thank you very much. Appreciate you being——

Senator MURKOWSKI. And the record will be kept open for a week then if Members choose to submit additional questions.

Administrator, we thank you for being here. And I appreciate particularly your just direct responses, clearly very well informed. I think you can tell from the issues that are raised, we care about ensuring that our air is clean and our waters are clean, whether it's Chesapeake Bay or what you heard from both Senators from Montana, they care about what's going on with the Superfund site there in Butte and otherwise, and in New Mexico. And so I think we clearly have common ground to work in so many different areas.

I particularly appreciate the imperative that you seem to be bringing to the Agency that delays in decisionmaking that go on for years do not benefit anyone. And sometimes these decisions are difficult, and we appreciate that. But when you think about the uncertainty that comes, when you don't know whether or not that site is going to be cleaned or whether or not that regulation is going to be enforced, it just adds to ongoing frustration, additional costs.

And we haven't done anything to address the issues, the back-to-the-basics, which is clean air, clean water, and what we're going to do to ensure that these mandates are met. So I appreciate your direction here this morning.

Mr. PRUITT. Thank you, Madam Chair, for the opportunity to be with you this morning. I look forward to the partnership with you and the Ranking Member.

ADDITIONAL COMMITTEE QUESTIONS

[The following questions were not asked at the hearing, but were submitted to the Agency for response subsequent to the hearing:]

QUESTIONS SUBMITTED TO HON. SCOTT PRUITT

QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

INDIAN GENERAL ASSISTANCE PROGRAM

Question. The fiscal year 2016 Omnibus contained a provision that allowed the EPA to continue “solid waste and recovered materials collection, transportation, backhaul, and disposal services” through the Indian General Assistance Program through fiscal year 2020. If this provision is not made permanent, what alternatives does the Agency have for continuing the backhaul program, which is extremely important to many in Alaska?

Answer. To address the highest hazard waste materials, EPA, the Alaska Department of Environmental Conservation and others in the Solid Waste Alaska Taskforce, have convened private sector stakeholders, government agencies, Tribes, and nonprofits to develop a plan for a Statewide Backhaul program. The goal is to have the program in place by October 1, 2020. The program is being designed to reduce backhaul costs through transportation economies of scale and increase revenue through recycling commodities in bulk quantities. Once fully implemented, the program is being designed to create a new waste transportation coordination service for the many public and private entities that generate waste in Alaska and charge economical service fees to further offset the cost of backhaul for remote communities statewide, including, but not limited to, Alaska Native Villages. EPA, ADEC, and Alaska backhaul stakeholders are assessing a variety of financing options to ensure program solvency and financial viability without the need for continued EPA funding through the Indian Environmental General Assistance Program (GAP). Through this backhaul program EPA and partners are exploring a solution to optimize waste management that will respond to concerns for protection of human health and the environment, including subsistence resources, due to disposal of wastes in these areas over time.

EPA’s management of GAP remains focused on these statutory purposes, which are to support (1) development of Tribal Government capacity “to implement programs administered by the EPA” and (2) “the development and implementation of solid and hazardous waste programs for Indian lands” in accordance with the purposes and requirements of applicable provisions of law. Indian Environmental General Assistance Program Act of 1992, 42 U.S.C. § 4368b (as amended). These Federal authorities cover core environmental programs such as water quality standards for surface waters, protecting Tribal members and natural resources from air and water pollution, delivering safe drinking water to Tribal communities, and assuring compliance with hazardous waste management requirements. Tribes across the country face a myriad of serious environmental and human health threats; contamination resulting from improper waste management is only one facet of these challenges. Tribal environmental protection programs generally lag behind the rest of the country and EPA’s management of GAP strives to support all federally recognized Tribes who are building capacity to implement the full spectrum of environmental regulatory programs currently administered by the EPA.

COAL COMBUSTION RESIDUALS FEDERAL PERMIT PROGRAM

Question. The Water Infrastructure Improvements for the Nation Act included a provision related to coal combustion residuals. Language was included as part of that provision to allow the Administrator to set up a Federal permit program for States that do not set up State permit program. However, my understanding is that it is possible that such a program must specifically be authorized in an appropriations bill. Is that the case or can the EPA move forward administratively to set up such a program?

Answer. The WIIN Act provides: “in the case of a non-participating State and subject to the availability of appropriations specifically provided in an appropriations Act to EPA to carry out a program in a nonparticipating State, the Administrator shall implement a permit program for CCR facilities.”

Thus, it is EPA’s understanding that Congress must provide a specific appropriation for EPA to carry out a permit program in a non-participating State. However, EPA is the permitting authority in Indian country.

CARBON NEUTRALITY OF BIOMASS

Question. The fiscal year 2017 Omnibus included language establishing the carbon neutrality of biomass. The bill set up a process where the EPA, USDA, and the Department of Energy would establish a consistent Federal policy related the carbon neutrality of biomass.

- What is the status of the creation of that Federal policy? Has EPA closely coordinated with DOE and USDA at this stage and what is the timeframe for moving forward?
- Will EPA take any steps to reverse the treatment of biomass in the 2010 tailoring rule, which required regulation without regard to the ongoing forest carbon cycle?

Answer. There are a variety of programs across EPA that work on aspects of the production, processing, and consumption of biomass. EPA will continue to address the use of biomass in its policies and programs in a manner consistent with the directives within the Consolidated Appropriations Act, 2017 (Public Law No: 115–31) and other legal authorities. EPA will work with our interagency partners, including the U.S. Departments of Agriculture and Energy, to establish clear and simple policies for the use of biomass as an energy solution, and striving for consistency across Federal policies and programs. EPA is committed to our ongoing work with all stakeholders, including industrial partners, States, Tribes, local governments, and non-governmental organizations.

Additionally, EPA is taking a common-sense approach to developing standards for greenhouse gas emissions from mobile and stationary sources under the Clean Air Act, including advancing its understanding of the role the use of biomass can play in affecting overall greenhouse gas emissions. EPA will continue to evaluate the use of biomass in the context of its policies and programs.

COAL REFUSE-FIRED POWER PLANTS

Question. Coal refuse-fired power plants use fluidized bed combustion technology to burn abandoned coal refuse piles in a highly controlled manner to generate electricity, and then use the alkaline coal ash produced to reclaim the site and abate the mine drainage. This eliminates the potential for uncontrolled coal waste fires, acid mine drainage and the need for Federal, State or local funds for this purpose. The reclaimed land is available for commercial and recreational purposes, including shopping centers, housing developments, industrial uses, soccer fields and pastures. In Pennsylvania, coal refuse-fired power plants have reclaimed more than 7,000 acres of land, improved or restored over 1,200 miles of polluted streams, and burned more than 200 million tons of coal refuse so far.

In promulgating New Source Performance Standards (NSPS), EPA concluded that the unique multi-media environmental benefits provided by these facilities warranted special consideration. EPA amended the NSPS so as to not discourage coal refuse facilities, recognizing that different vintage waste coal units have different capabilities relative to their ability to control sulfur dioxide (acid gas). Unfortunately, this was not done in Mercury and Air Toxics Standards (MATS) rule. Coal waste generators emit very little mercury—in fact, these facilities were used to establish the “maximum achievable control technology (MACT)” standards for mercury. However, there is no economic way for these facilities to meet the additional acid gas requirements of the current MATS rule. In fact, use of the control technology suggested by EPA would actually result in increased mercury emissions from the plants, and eliminate their ability to use coal ash to restore the abandoned mine sites.

The coal refuse fired-generators have appealed the MATS rule, which is pending before the D.C. Circuit. That proceeding has been suspended, pending a review of the rule by EPA. They have also filed comments in response to EPA’s request for comments concerning the Agency’s response to Executive Order 13777, “Enforcing the Regulatory Reform Agenda.” These generators have requested that EPA revise the MATS rule to either exempt coal refuse-fired generators from MATS or revise application of the current acid gas emission limitation for coal-refuse-fired generators.

Would you make a commitment to review this application for relief that would allow these plants to continue creating jobs and generating electricity, while eliminating toxic air and water pollution at no cost to the American taxpayer?

Answer. On February 24, 2017, the President issued Executive Order 13777 on Enforcing the Regulatory Reform Agenda. The Executive order, among other things, requires each agency to create a Regulatory Reform Task Force to evaluate existing regulations and identify any that should be repealed, replaced, or modified. To inform these recommendations, the Air and Radiation Program held a public meeting, via teleconference, on April 24, 2017, to hear from those directly impacted by these regulations, including Federal, State, local and Tribal governments, small businesses, nongovernmental organizations, and trade associations. EPA will continue to work with stakeholders to inform EPA’s Regulatory Reform efforts to comply with

Executive Order 13777. EPA also will be reviewing specific comments submitted in response to Executive Order 13777 about coal refuse units.

SUPERFUND: AUTHORITY AND SEDIMENT GUIDANCE

Question. I have been closely following your recent efforts to improve the Agency's implementation of the Superfund program, such as revising the delegation of authority procedures to require that remedies potentially totaling more than \$50 million must receive approval from the Administrator. Closer coordination with the Administrator's office throughout the process will, in your words, help ensure "increased oversight, accountability and consistency in remedy selections."

Moreover, you established a Superfund Task Force to conduct a 30-day review of the program, and to recommend any necessary changes to ensure remedies are consistent nationwide, data-driven, and efficient. Especially at large contaminated sediment sites or "mega-sites"—which demand significant Agency and Federal Government resources, including additional FTE; can effect local communities for decades; and often result in multi-million and—billion dollar cleanups—the Agency's attention to proper guidance and procedure has eroded.

These sites must be cleaned up as expeditiously as possible to revitalize urban areas and help spur economic growth and the creation of real, high-paying jobs. Since the 30-day timeframe ended on June 22, I look forward to reviewing the Task

—Does the change in delegations of authority—and your instruction to increase headquarters' involvement in site progression from initial assessment to remedy selection—apply to continuing/future actions at sites with existing Records of Decision as well as new cleanups?

Answer. Administrator Pruitt's May 22, 2017 memorandum "Prioritizing the Superfund Program" applies to future records of decision and record of decision amendments meeting/exceeding the cost threshold criterion. For more detail on the memorandum, please see: www.epa.gov/sites/production/files/2017-05/documents/prioritizing_the_superfund_program_memo_5-22-2017.pdf. For a copy of the Superfund Task Force Recommendations, please refer to the following website: www.epa.gov/superfund/superfund-task-force-recommendations.

Question. At new contaminated sediment sites and sites where existing Records of Decision are being implemented, what actions are you taking to ensure that EPA's Regional offices closely follow the principles set forth in the Agency's 2005 Sediment Guidance?

Answer. EPA's policy and technical guidance encourages selection and implementation of sound, nationally consistent remedies at contaminated sediment sites. For example, on January 9, 2017, EPA issued "Remediating Contaminated Sediment Sites—Clarification of Several Key Remedial Investigation/Feasibility Study and Risk Management Recommendations, and Updated Contaminated Sediment Technical Advisory Group Operating Procedures." This memorandum responds in part to an October 2016 Government Accountability Office report (GAO-16-777) and updates the Agency's 2005 guidance with additional recommendations, consistent with CERCLA, the NCP, and existing CERCLA guidance, for characterizing sediment sites, evaluating remedial alternatives, and selecting and implementing appropriate response actions.

Regional offices consult with headquarters on sediment cleanups exceeding a certain size threshold, and site cleanups that are large, complex, and/or controversial undergo ongoing review by the Agency's national Contaminated Sediments Technical Advisory Group. Additionally, contaminated sediment sites with proposed remedies estimated to exceed \$50 million typically also undergo review by EPA's National Remedy Review Board (NRRB). The \$50 million threshold is part of a pilot initiated in 2014 along with the regional remedy review team (RRRT) process. The RRRT review normally entails a modified NRRB review for proposed remedies between \$25 million and \$50 million. The pilot is expected to continue until the end of fiscal year 2017.

QUESTIONS SUBMITTED BY SENATOR TOM UDALL

CHLORPYRIFOS

Question. Please provide the EPA scientific analysis and recommendation presented to you on your decision to reject a petition to revoke food tolerances for chlorpyrifos.

Answer. EPA denied a petition asking the Agency to revoke all pesticide tolerances (maximum residue levels in food) for the pesticide chlorpyrifos under the Federal Food, Drug, and Cosmetic Act (FFDCA) and cancel all chlorpyrifos registrations

under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Prior to this determination, EPA took the issues raised in the petition to the FIFRA Scientific Advisory Panel (SAP) and presented approaches and proposals for evaluating recent epidemiologic data exploring the possible connection between *in utero* and early childhood exposure to chlorpyrifos and adverse neurodevelopmental effects. The SAP has reviewed experimental toxicology and epidemiology data, and their incorporation into risk assessments (2008, 2010, 2012, 2016), risk assessment approaches for semi-volatile pesticides (2009), and the evaluation of a chlorpyrifos-specific pharmacokinetic-pharmacodynamic (PBPK-PD) model (2011). The SAP's reports have offered numerous recommendations for additional study and sometimes conflicting advice for how EPA should consider (or not consider) the epidemiology data in conducting EPA's registration review human health risk assessment for chlorpyrifos.

Following a review of public comments on both the November 2015 proposal to revoke tolerances and the November 2016 notice of data availability, EPA concluded that, despite several years of study, the science addressing neurodevelopment effects remained unresolved. Further evaluation of the science during the remaining time for completion of registration review is warranted to achieve greater certainty as to whether the potential exists for adverse neurodevelopmental effects to occur from current human exposures to chlorpyrifos. Included in the comments under consideration were statements submitted by the U.S. Department of Agriculture. Those comments can be viewed at www.regulations.gov under docket numbers EPA-HQ-OPP-2015-0653-0369 and EPA-HQ-OPP-2008-0850-0833.

EPA is committed to resolving these questions through the registration review process, a program that re-evaluates all pesticides on a 15-year cycle. EPA does not believe the FFDCA petition process should serve to truncate that review. On July 18, 2017, the court rejected the petitioners' request and explained that EPA "has now complied with [the court's prior] order by issuing a 'final response to the petition' [seeking the tolerance revocation]." *In re PANNA*, Dkt. No. 65, p.4. The court also directed the petitioners to file administrative objections under the FFDCA if they wish to challenge EPA's denial of their petition. The 9th Circuit ruling affords EPA the necessary time to conduct a proper evaluation, under the law, of the science and the studies on chlorpyrifos. Currently, chlorpyrifos remains registered as the registration review continues. EPA will not complete the human health portion of the registration review or any associated tolerance revocation of chlorpyrifos without first attempting to come to a clearer scientific resolution on those issues. Congress has provided that EPA must complete registration review by October 1, 2022, a deadline the Agency intends to meet. All documents related to the registration review can be located in the chlorpyrifos registration review docket EPA-HQ-OPP-2008-0850 located at www.regulations.gov.

SUPERFUND: PROCESS, STANDARDS, AND PRIORITIES

Question. The budget proposes a cut of 30 percent to the Superfund program. The list includes 20 sites in the State of New Mexico. The areas around Church Rock Mine the site of the largest accidental radiation release in U.S. history still needs extensive cleanup. The Navajo Nation has suffered greatly from the legacy of uranium contamination for generations.

The Bonita Peak Mining District is also on the Superfund list. That area includes the Gold King Mine site that caused a toxic spill in 2015. These cleanups require funding for engineering, transportation, labor, and physical disposal.

—Will you implement a fully transparent process for any changes to the Superfund program? Will you ensure that the cleanup standards will not be lowered in order to more quickly complete sites on the list? Will EPA's efforts at Church Rock and Gold King continue to be a priority under your administration?

Answer. Consistent with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund), EPA communicates and shares information with States, Tribes, and communities on site-specific decision-making. The Superfund program will continue to use its long-standing community involvement process in future cleanup decisions at CERCLA sites. For any program-wide changes, EPA will utilize a transparent process for implementation.

EPA will continue to determine site-specific cleanup standards based on site-specific risks as the agency implements actions to expedite cleanups.

Addressing human health and environmental risks at National Priorities List sites, including the North East Church Rock Mine and Bonita Peak Mining District (of which the Gold King Mine is a part) will continue to be the Superfund program's core focus. The Administrator visited the Gold King Mine Site in early August to reinforce his commitment to the communities impacted by the release and to discuss a path forward in cleaning up the site. In this visit, he brought together local, State

and national officials and also technical experts to highlight the importance of continued remediation for the benefit of all those impacted by the discharges from the Bonita Peak area.

ANALYSIS OF ENFORCEMENT REDUCTIONS

Question. Your proposed budget would reduce funding for enforcement of Federal environmental laws 25 percent and cut one in five people on the enforcement staff.

—What analysis was conducted to assess the impact of these cuts? How many State inspections would States have to cut? Have you assessed the impact of those cut inspections on assuring compliance with the laws? How many air inspections? How many water inspections? How many hazardous waste inspections?

Answer. EPA works in partnership with State and Tribal agencies to assure compliance, protect public health and the environment, and ensure a level playing field for companies that follow the rules. In fiscal year 2018, the Agency will focus our resources on our direct implementation responsibilities and the most significant violations. For fiscal year 2018, the total number of Federal inspections and evaluations is projected to be 9,500.

Question. Companies often say they want more help understanding the regulations. How much compliance assistance would be cut, State by State, and from the Federal offices? Have you evaluated what the State by State effect would be on companies? On small businesses that particularly rely on compliance assistance? Please provide the dollar amounts of the cut and the numbers of actions that would not occur under your budget proposal.

Answer. The Agency agrees that compliance assistance is a key component of a comprehensive compliance and enforcement program. In fiscal year 2018, the Agency will work to make more effective use of the full array of tools to assist and encourage compliance, in concert with traditional enforcement approaches, while focusing on our direct implementation responsibilities and the most significant violations.

PUGET SOUND

Question. This question is submitted on behalf of Senator Patty Murray. Puget Sound recovery and restoration is critical to my home State of Washington, to the Pacific Northwest, and to the country as a whole. A healthy Puget Sound plays an essential role in the region's economy and is important to the environmental and economic future of Washington. Healthy waters and tributaries are essential to the recovery of several Endangered Species Act-listed salmon populations and the protection of Tribal treaty rights. EPA's Geographic Programs provide critical Federal support to ongoing State and local efforts to implement Washington State's Puget Sound Action Agenda, which supports our commercial, recreational, and Tribal fishery industries and outdoor recreation economy. I am extremely disappointed with the Administration's decision to eliminate the Geographic Programs and funding for Puget Sound.

—Administrator Pruitt, have you analyzed the economic and health impacts of eliminating funding for all Geographic Programs? If Congress disregards the President's misguided proposal and restores funding for Geographic Programs, do I have your commitment to implement the program?

Answer. EPA will follow the direction of Congress, and will implement the Puget Sound program if directed to do so. EPA looks forward to continued discussions with the Committee and relevant stakeholders to achieve the shared environmental goals and good outcomes for the impacted regions. EPA recognizes the significance of a healthy Puget Sound. In fact, EPA recently declined to revisit a determination that adequate pump out facilities existed in the region, thereby allowing the entire Puget Sound to be designated as a "no-discharge zone." This will be by far the largest such "no discharge zone" in the Nation.

QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

FISCAL YEAR 2018 OMB BUDGET REQUEST

Question. In your written testimony and during the hearing you repeatedly said that you want to prioritize the EPA's core statutory mission of providing Americans with clean air, land, and water. Yet your budget proposes deep cuts for health and environmental protection and the EPA's core traditional programs for air, drinking water, waste, chemical safety, pesticides, as well as enforcement and research.

—What was your original budget request to OMB for fiscal year 2018? Did you submit any appeals to OMB based on the OMB passback for the EPA and, if so, what were those appeals? Please supply these for the record.

Answer. Per Office of Management and Budget (OMB) Circular A–11, the President’s budget deliberation process is confidential.

ANALYZING CHANGES TO AGENCY REGULATIONS

Question. You have stated that you think there are too many burdensome EPA regulations and that you are extremely concerned about how much certain environmental regulations might cost some sectors of our economy. You have already taken steps towards reducing the number of EPA regulations and delaying the implementation or enforcement of other regulations. Yet revising regulations or delaying them will also require detailed analysis and a sound record, just as issuing regulations did.

—How will you analyze possible changes to regulations if you are cutting the staff of the programs and firing or retiring the agency’s experts?

Answer. Reducing inefficiencies and streamlining is good government and consistent with E.O. 13563. We are working to ensure we are creating a more effective Agency that protects human health and the environment, while also being respectful of the American taxpayer.

AIR QUALITY MANAGEMENT

Question. States depend on the EPA’s enforcement program for technical guidance and coordination. Individual States cannot take on nationwide pollution issues that affect Americans across the country, and cannot effectively tackle air and water pollutants that cross State lines. I am also concerned that industries and businesses may suffer from poorly funded, inconsistent State enforcement of Federal laws and regulations that create a patchwork situation across the country.

—With the cuts you propose to EPA’s Air Office and to the funds that support State air quality programs, what steps would you be able to take to maintain the air quality we have today, and avoid slipping back to unhealthy dirty skies?

Answer. EPA will continue to meet its statutorily-required obligations under the Clean Air Act including its Clean Air Act mandated responsibilities to administer the NAAQS by reviewing State plans, working with States to approve State Implementation Plan (SIP) submittals on a timely basis, and by developing regulations and policies to ensure continued health and welfare protection. EPA will continue to look for ways to improve the efficiency and effectiveness of programs, in partnership with State and local air agencies, to maintain and improve the air quality we have today.

LEAD PAINT PROGRAM

Question. This budget proposes to eliminate the Lead Paint Program, as well as the State grant funding for critical local implementation.

—What is your justification for doing away with the Lead Paint Program?

Answer. EPA will continue to provide firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts. EPA also will continue to provide for operation and maintenance of the online database (FLPP) that supports the processing of applications for training providers, firms, and individuals. These aspects of the lead program will be funded within the Chemical Risk Review and Reduction program. Other forms of lead exposure are addressed through other targeted programs, such as lead pipe replacement with the State Revolving Funds.

Question. Has the EPA calculated the full costs of the increased demand the U.S. would see for medical intervention and special education services, and the decrease in academic and lifetime earning potential for poisoned children with brain damage if the EPA’s lead poisoning prevention program is eliminated?

Answer. EPA’s Lead Paint Program has made significant progress in reducing the blood lead levels of children through multiple initiatives over several years. A combination of outreach and regulations have helped make a difference. EPA will continue to provide firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts. EPA will continue to provide for operation and maintenance of the online database (FLPP) that supports the processing of applications for training providers, firms, and individuals.

Question. If you think the work on lead poison prevention is better carried out by the States, why have you proposed to eliminate the funding that States rely on to support these vital programs?

Answer. EPA's Lead Paint Program has made significant progress in reducing the blood lead levels of children through multiple initiatives over several years. A combination of outreach and regulations have helped make a difference. States could choose to fund programs targeted at reducing lead based paint poisoning and continue activities that have been supported by EPA. Additionally, other forms of lead exposure (in water and air) continue to be addressed through a host of Federal and State programs.

GEOGRAPHIC PROGRAMS

Question. With respect to the Geographic Programs that you propose to eliminate.—What impacts will such a sweeping and sudden Federal disinvestment and disengagement have on public health and environmental protection in these sensitive regional areas? What analysis on such impacts has the EPA done or utilized to justify eliminating these funds?

Answer. EPA will work with States to implement core environmental programs. EPA looks forward to continued discussions with the Committee and relevant stakeholders to achieve the shared environmental goals of the region.

REGIONAL CONSOLIDATION

Question. There have been several news reports of possible closings of some regional offices that you have pushed back against. At the same time, an OMB document from March contained directions to the EPA to submit a plan for reducing the number of regional offices from 10 to 8 by June 15.

—How did the EPA respond to OMB's request for a regional consolidation plan? Did you advise the OMB that this is not on the table for discussion for the EPA?

Answer. The fiscal year 2018 budget does not propose closing any regional facilities.

Question. In the total absence of a nearby regional EPA office, how would the EPA manage an immediate emergency response to a natural disaster or industrial accident affecting our environment that both adequately and rapidly coordinates Federal, State and local first responders, environmental agencies, law enforcement and others?

Answer. The fiscal year 2018 budget does not propose closing any regional facilities.

Question. I have repeatedly heard from Vermont State agency staff about the important technical expertise, on-the-ground knowledge, and leadership at the EPA's regional offices. How would you propose replacing those skillsets and the roles of regional staff essential to developing acceptable resolutions when a company is charged with a violation and ensuring environmental compliance?

Answer. The fiscal year 2018 budget does not propose closing any regional facilities. The budget provides over 5,400 FTE in the regions to continue to provide leadership and technical expertise to the regulated community, and to partner effectively with States and Tribes.

ELIMINATION OF ENERGY STAR

Question. I come from a State with high electricity costs. For this reason, I am especially supportive of the Energy Star program, which according to EPA saved consumers and businesses \$34 billion dollars on their utility bills in 2015, yet costs the government just \$50 million, a stunningly impressive return on investment. Over 16,000 retailers, manufacturers and other businesses partner with the Energy Star program, providing one of the best examples of a public/private partnership.

—Given the success of this program, what is the rationale for elimination of the program in the fiscal year 2018 budget request?

—Energy Star has 90 percent brand recognition, which helps nearly every consumer in America to make energy efficient decisions. Do you believe helping consumers make energy efficient choices is an important goal for the EPA?

Answer. The President's fiscal year 2018 budget request for EPA reflects the success of environmental protection efforts, a focus on core legal requirements, and the important role of Federal-State partnerships in implementing the Nation's environmental laws. EPA will continue to find ways to partner with stakeholders in the private sector to innovate, improve our environment, and strengthen our economy.

OFFICE OF INSPECTOR GENERAL FUNDING

Question. In fiscal year 2017, the EPA Office of the Inspector General was funded at \$41.49 million. Your fiscal year 2018 budget proposal calls for a \$4 million reduc-

tion to that office, which will undoubtedly limited its ability to independently uncover and prevent fraud, waste, and abuse at the EPA.

—You have said that economic efficiency is one of the main goals of this EPA.

If this is the case, what is the justification for cutting funding to the office that is in charge of ensuring cost effective programs at EPA? How can we be sure American tax dollars are being well spent if you fail to provide the necessary funding for oversight at the EPA?

Answer. The fiscal year 2018 President's budget includes \$37.4 million for the Office of the Inspector General to continue its vital work. In fiscal year 2018, OIG will continue to provide independent audit, program evaluation, inspection and investigative services and products that fulfill the requirements of the Inspector General Act, as amended, by identifying fraud, waste, and abuse in agency, grantee and contractor operations, and by promoting economy, efficiency, and effectiveness in the operations of the agency's programs. Proposed reductions in the President's budget to the OIG are consistent, if not lower than the reductions across the Agency.

REGIONAL HAZE RULE

Question. EPA grants to States have been critical over the years in implementation of the Regional Haze Rule to clean up the air in our national parks and wilderness areas. These grants to States were essential in the development of visibility plans that have led to tremendous gains in cleaning up hazy park skies over the last 10 years.

—With the drastic proposed cuts to State grants, how does EPA expect States to perform and fulfill their Clean Air Act implementation and enforcement obligations?

—Would your proposed cuts for Federal grants to States result in a backsliding on current progress and result in more pollution in our national parks and communities due to a lack of enforcement and new and additional financial burdens on State agencies as they aim to fill the budgetary gap in order to comply with clean air laws?

Answer. It is essential for EPA to work cooperatively with State and Tribal governments to provide the environmental protection our laws demand and the American people deserve. EPA is seeking to engage in meaningful discussion about how shared environmental goals can best be achieved and will work with States and Tribes to target resources to core statutory work and provide flexibility to address environmental priorities and concerns. The fiscal year 2018 President's budget request reflects EPA's role in a model of cooperative Federalism that emphasizes strong cooperative State and Tribal partnerships and is guided by congressional direction in core environmental statutes.

CLIMATE RESEARCH

Question. Your budget eliminates funding for climate change research, including research on how climate change worsens unhealthy air pollution like smog. There is a clear scientific consensus that climate change is happening in real time and directly caused by human actions. Unprecedented levels of carbon dioxide emissions have accelerated the warming of the planet, directly contributing to violent and unpredictable weather patterns that we are seeing in Vermont, as well as rising sea levels, threatened wildlife, and deadly heat records.

—How will the EPA execute its core responsibility of protecting public health and the environment from a changing climate without collecting and researching basic information such as this?

Answer. EPA's Office of Research and Development's (ORD) research is critical to supporting EPA's mission to improve and maintain clean air, water, and healthy ecosystems. Under the President's budget, ORD's core science efforts, as it relates to this program, will prioritize statutory obligations surrounding these activities.

WORKFORCE REDUCTION

Question. you propose to cut as many as 3,200 jobs from the EPA and I understand have already begun an aggressive process of buying out employees and refusing to renew the terms for dozens of scientific advisers.

—How do these personnel cuts, including many from scientific advisory boards that provide expert input, help achieve the central mission of the EPA?

Answer. EPA is focused on its mission of protecting human health and the environment. Sound science is the backbone of EPA's rule-making process. EPA is eager to not only fill these advisory boards through a competitive application process but also ensure that EPA competitively selects the best individuals for these boards. Rather than automatically renew the terms of BOSC members among other boards,

EPA opened the solicitation process to review if the existing Membership's expertise and breadth is appropriate given the new Administrator's priorities, while also identifying and selecting additional qualified individuals, from a wide background, to serve. The EPA aims to select the best individuals from a diverse pool, representing a wide range of stakeholders and viewpoints, to serve on these boards. During the period which EPA opened soliciting new members for these Boards, 44 applied to serve on CASAC and 110 applied to serve on the SAB, so far. 430 unique individuals applied to serve on the BOSC. During the previous Administration, for a nearly 2-year period, EPA did not even convene the BOSC. This current Administration has different plans. EPA is reviewing the applications and will announce members to the BOSC in October and convene regular meetings thereafter. EPA will value and ensure scientific review is a principal part of its activities. EPA will prioritize science and research activities directly tied to statutory requirements and inquiries into environmental and human health sciences.

—Since Congress has the final word over funding for the EPA, do you commit to abiding to congressional intent and direction if the EPA is directed to slow or stop its process of cutting staff?

Answer. EPA will adhere to congressional direction.

QUESTIONS SUBMITTED BY SENATOR SHELLEY MOORE CAPITO

CLEAN DRINKING WATER RURAL COMMUNITIES

Question. I am pleased that you and the president recognize the importance of the Clean Water and Drinking Water State Revolving Funds in your budget. Many of our systems in rural communities, specifically in southern West Virginia, are legacy systems that were built in company towns as far back as the 1930s. When the companies left these areas, they left the water systems behind with no technical assistance.

—How do you see EPA as a partner with these communities to ensure they get clean drinking water, rather than simply just an enforcer that issues fines?

Answer. In the last 5 years, the Agency has awarded approximately \$40 million to provide training and technical assistance to small public water systems. The funding helps provide training and tools to improve small system operations and management practices, promote sustainability, and support EPA's mission to protect public health and the environment. The areas of assistance include asset management, capital improvement planning, fiscal planning and rate setting, water loss reduction, water system collaboration and partnerships, managerial leadership, funding coordination, as well as training and technical assistance to assist in achieving compliance with National Primary Drinking Water Regulations. In the first year of funding, one of the grantees provided more than 2,200 individuals with technical assistance and taught more than 100 workshops in all 50 States and in 4 U.S. Territories.

Since its inception, the State-managed Drinking Water State Revolving Fund (DWSRF) have cumulatively provided \$9.2 billion to small systems through over 8,000 assistance agreements. In addition to financing infrastructure through loans, States have four DWSRF set-asides States can use to support small system capacity. On average, States use up to 16 percent of the allowed 31 percent of a State's DWSRF capitalization grant to fund capacity building activities such as asset management and energy/water efficiency to help small systems become sustainable. States have used set-aside funds for a variety of pre-development activities to support small systems including (but not limited to): capital investment project planning, design and engineering to get water system projects "construction-ready" to receive a DWSRF loan; facilitation of water system partnership opportunities for water systems to share costs or joint system management; development of water conservation or energy efficiency programs; facilitated coordination of Federal funding for small system projects, and on-site technical support by circuit riders providing managerial and operational assistance.

In addition, the Agency will continue to work with our Federal partners such as the U.S. Department of Agriculture and the Department of Veteran Affairs to collaborate on programmatic missions that will enhance the implementation of the drinking water program.

SMALL AND RURAL COMMUNITIES TECHNICAL ASSISTANCE

Question. Recently I joined Senator Wicker in cosponsoring the Small and Rural Community Clean Water Technical Assistance Act, which would identify and define small and medium-sized communities and set aside funding for technical assistance

for these water systems. Many communities in West Virginia fit into this “small treatment works” definition, having less than 10,000 individuals being served by a water system.

—Do you support that approach?

Answer. Over 90 percent of public water systems in the United States are classified as small systems. As a result, the Safe Drinking Water Act has a significant focus on support for small public water systems. EPA, State staff, and our stakeholder groups have been directing technical and financial assistance to small systems capacity building for several years. EPA financial assistance has been provided through two main sources of funding—the Drinking Water State Revolving Fund (DWSRF) and the National Training and Technical Assistance Grants. EPA continues to make significant investment in technical assistance and training as our water sector stakeholders continue to reinforce the need these systems have for assistance. Additionally, to the extent that EPA can provide technical assistance to your office and Senator Wicker’s office to improve how EPA responds and assists our small communities and systems, we would be eager to work with you in that opportunity.

Question. Would you agree that solutions for fixing and maintaining small water systems must differ from larger systems in urban areas?

Answer. Over 90 percent of public water systems in the United States are classified as small systems. As a result, the Safe Drinking Water Act has a significant focus on support for small public water systems. EPA, State staff, and our stakeholder groups have been directing technical and financial assistance to small systems capacity building for several years. EPA financial assistance has been provided through two main sources of funding—the Drinking Water State Revolving Fund (DWSRF) and the National Training and Technical Assistance Grants and more recently through the Water Infrastructure Finance and Innovation Act (WIFIA). EPA continues to make significant investment in technical assistance and training as our water sector stakeholders continue to reinforce the need these systems have for assistance. Additionally, to the extent that EPA can provide technical assistance to your office and Senator Wicker’s office to improve how EPA responds and assists our small communities and systems, we would be eager to work with you in that opportunity.

Question. Can you commit to working with us here in Congress to find solutions that work for our small communities’ water systems?

Answer. Without question. EPA is eager to work with Congress to identify and implement solutions that best address the needs of public water systems to enhance their technical managerial, and financial capacity to address long-term compliance with the National Primary Drinking Water Regulations.

QUESTIONS SUBMITTED BY SENATOR DIANNE FEINSTEIN

CALIFORNIA WAIVER

Question. Under the Clean Air Act, California has the ability to set its own vehicle emissions standards. California’s standards currently mirror the Federal standards, thanks to a carefully negotiated consensus. But, if this Administration were to weaken Federal standards, California would be able to maintain its stronger standards through 2025 under a routine waiver that was granted by the Obama administration.

During your confirmation hearing, you told Senator Kamala Harris that you might consider reviewing, and presumably revoking, California’s waiver, which would be unprecedented and without a statutory basis. But at a hearing this month, you told Representative Ken Calvert that California’s waiver is not currently under review.

—I was glad to see you testify that California’s waiver is “not currently being reviewed,” but has a firm decision been made not to re-open the waiver in the future?

—Will you commit to keep this committee informed if California’s waiver comes under review in the future?

Answer. Under the Clean Air Act, EPA shall waive Federal preemption of California’s standards for mobile sources when certain specific statutory criteria are met. At this time, EPA is not reviewing waivers for California’s standards for light-duty vehicles.

VEHICLE EMISSIONS STANDARDS: COLLABORATION WITH THE DEPARTMENT OF
TRANSPORTATION AND THE CALIFORNIA AIR RESOURCES BOARD

Question. The vehicle emissions standards are a shared responsibility between your agency, the Department of Transportation, and the California Air Resources Board.

One of the main reasons that this program has been a success is because all three agencies have worked very hard to achieve consensus. That's why we currently have one coordinated national program that provides certainty for the auto industry.

If EPA does not maintain the current consensus, it would likely lead to years of protracted litigation from all sides. This is an outcome that everyone, including even the auto industry, seems to want to avoid. Given how much President Trump has talked about wanting to protect the auto industry, I hope you will recognize that the best way forward is to maintain an effective national consensus.

The country needs you to engage in good-faith negotiations, based on sound science, with the intention of maintaining consensus.

—What steps will you take to involve California from the outset in your review of the coordinated national program?

—Are you working with the Department of Transportation to coordinate your review of the vehicle emission standards with their rule making on the fuel economy standards?

—Are you allowing the EPA technical experts to collaborate with the Department of Transportation experts and provide unbiased assessments?

Answer. The Agency's positive environmental agenda builds on cooperative Federalism between the Federal Government and implementing partners. It is essential for EPA, in conjunction with other Federal agencies, including the Department of Transportation, to work with State and Tribal governments to provide the environmental protection our laws demand and the American people deserve. EPA is working to engage in meaningful discussion about how shared environmental goals can best be achieved.

The Administrator announced, in March 2017, his intention to reconsider the January 2017 Final Determination and his plans to issue a new Final Determination no later than April 1, 2018. As part of this reconsideration, EPA plans to coordinate with the Department of Transportation in support of a national harmonized program. EPA expects California will work with us to be part of the process and with their participation, this reconsideration will be based on the best available data and part of a robust, timely, and inclusive process.

INVESTING IN INFRASTRUCTURE

Question. Administrator Pruitt, I was deeply disturbed to see that your fiscal year 2018 budget eliminated funding for critical State and local grant programs, particularly the San Francisco Bay Restoration Program and the U.S.-Mexico Border Infrastructure program.

President Trump repeatedly promised to reinvest in our cities and in America's infrastructure. But in light of these EPA cuts, it appears to me that President Trump has turned his back on America's cities and reneged on his promise to invest in America's infrastructure.

—Administrator Pruitt, how do you square the budget you're presenting today with President Trump's promise to invest in our cities and our infrastructure?

Answer. EPA is committed to working with States, cities, and private companies to invest in our water infrastructure through the Clean Water and Drinking Water State Revolving Funds and the Water Infrastructure Finance and Innovation Act. EPA will continue to discuss cross-border environmental issues with stakeholders. EPA maintains a border office in San Diego dedicated to working with the Federal, State and local partners dedicated to eliminating the pollution and dangers emanating from Mexico. EPA is consistently engaged with the International Boundary and Water Commission ("IBWC"), California Regional Water Council, CONAGUA, the local government of Tijuana, City of Imperial Beach, U.S. Customs and Border Patrol as well as the Agents' representatives the National Border Patrol Council AFGE Local 1613 to find solutions to the problems and continue to help bring Mexico into compliance with its obligations.

U.S.-MEXICO BORDER INFRASTRUCTURE

Question. After heavy rain, the Tijuana River carries wastewater, trash, and sediment from Tijuana, Mexico into the United States, resulting in flooding, pollution, and beach closures in San Diego County. Beyond damaging public and private property, transboundary flows harm sensitive wildlife areas, including the Tijuana Riv-

er's National Estuarine Research Reserve, River Mouth State Marine Conservation Area, and River Valley Regional Park Preserve, which provide habitat for over 300 species of birds as well as marine animals such as leopard sharks and bottlenose dolphins.

In February 2017, approximately 28 million gallons of raw sewage was discharged from Mexico into the Tijuana River Valley negatively impacting the health and human safety of U.S. citizens and Border Patrol Agents operating in the area. Given these cross-national challenges, which affect our beaches, wildlife habitats, public and private property, health and human safety, and border patrol operations, I believe we must fully fund environmental programs along the U.S.-Mexico border.

—Given the risk to U.S. citizens, including Border Patrol Agents, why has EPA eliminated funding for Border Environmental Infrastructure Fund?

—If Congress were to accept the proposed elimination of funding for this program, how would EPA protect human health along the border and ensure that the United States is protected from infrastructure deficiencies in Mexico?

—Other than the U.S.-Mexico Border Infrastructure Program, what other Environmental Protection Agency programs are currently directing efforts and funding to the region to monitor and mitigate cross-border pollution?

Answer. The State Revolving Funds and the Water Infrastructure Finance and Innovation Act (WIFIA) program are sources of infrastructure funding that can continue to fund water system improvements in U.S. communities along the border. The fiscal year 2018 President's budget request for EPA includes a total of over \$2.2 billion for the Clean Water and Drinking Water State Revolving Fund programs and \$20 million for the WIFIA program. In addition, the EPA maintains a border office in San Diego dedicated to working with the Federal, State and local partners on border dedicated to eliminating the pollution and dangers emanating from Mexico. The EPA is consistently engaged with the International Boundary and Water Commission ("IBWC"), California Regional Water Council, CONAGUA, the local government of Tijuana, City of Imperial Beach, U.S. Customs and Border Patrol as well as the Agents' representatives the National Border Patrol Council AFGE Local 1613 to find solutions to the problems and continue to help bring Mexico into compliance with its obligations.

IMPERIAL COUNTY AIR POLLUTION

Question. Imperial County, like many regions in California including the Los Angeles Basin and the Central Valley, has significant hospitalization rates for childhood asthma, especially among low-income and Hispanic families.

For Imperial County specifically, particulate matter and air pollution is carried across the U.S.-Mexico border and throughout the region by strong desert winds. According to State public health officials, approximately 12,000 children in Imperial County have been diagnosed with chronic respiratory illness. Imperial County has more than double California's rate of asthma-related emergency room visits and hospitalizations for children, between ages 5 and 17. Given these ongoing challenges, I believe it is imperative that the environmental programs along the U.S.-Mexico border be fully funded.

—What is EPA currently doing to protect children and families in Southern California, specifically Imperial County, from air pollution coming across the border from Mexico?

Answer. EPA works closely with the Imperial County Air Pollution Control District, the California Air Resources Board, and other local organizations to develop air quality plans to meet national ambient air quality standards, implement projects to address asthma, enhance monitoring of air pollution, and engage with Mexican colleagues to reduce air pollution. Recognizing that Imperial is the only county in the U.S. that is currently designated as not meeting three different EPA air quality standards (for ozone, fine particulate, and dust), EPA has focused financial, policy, and enforcement resources in Imperial County.

Question. How will these efforts be impacted by the cuts proposed in the fiscal year 2028 budget?

Answer. The President's fiscal year 2018 budget request continues to provide support for EPA, State and local governments, and local communities, across the country, to advance programs that protect human health and the environment.

QUESTIONS SUBMITTED BY SENATOR JEFF MERKLEY

STATES' BUDGETS AND RESOURCES

Question. Administrator Pruitt, in your Senate confirmation hearing, you highlighted that States should be at the forefront of environmental protection and said that States “remain our Nation’s frontline environmental implementers and enforcers.” As you are probably aware, approximately 65 percent, or \$5.3 billion, of the EPA’s budget went out as grants to States, Tribes, and municipalities in 2016. However, while you are asking States to take on more responsibility, the President’s budget cuts grants to States and Tribes by 30 percent. If you take out the nearly level funding for the State water revolving funds, then total State funding is cut by over 50 percent. These are the core categorical grants that go towards protecting our air and water, and enforcing environmental standards and protections.

—Moving forwards, how will your agency guarantee that States have the budget and resources, including technical assistance from the EPA, to ensure that core environmental and public health protections are maintained, including air and water monitoring, restoration, enforcement, and compliance? Please show the analysis on State budget impacts that the EPA conducted prior to submitting its fiscal year 2018 budget request.

Answer. The Agency’s positive environmental agenda builds on cooperative Federalism between the Federal Government and implementing partners, better engagement with communities through technical assistance, and optimization of the regulatory and permit process. This agenda is designed to strengthen EPA’s ability to faithfully execute and administer environmental laws, as outlined in the statutes, in order to protect human health and the environment for all Americans.

EPA’s resources support our core mission of protecting human health and the environment, and not on activities beyond the scope of EPA’s regulatory authority or those that can be led by State and local partners.

ENERGY STAR

Question. The EPA’s fiscal year 2018 budget proposed cutting the EnergyStar program.

—Please detail the amount of funds the Federal Government has spent on EnergyStar, and the resulting savings to consumers in lower electricity use and bills.

Answer. The Energy Star Program began in year 1992 and in fiscal year 2016, EPA spent \$43.2 million on the Program.

Question. Please also outline the overall cost-benefit ratio of the EnergyStar program, and describe the communications with relevant energy and industry groups prior to proposing the elimination of this highly successful and popular program.

Answer. EPA will continue to find ways to partner with stakeholders in the private sector to innovate, improve our environment, and strengthen our economy.

CLIMATE RESEARCH

Question. Administrator Pruitt, the EPA’s fiscal year 2018 budget would virtually eliminate every climate research program in the agency. This position contradicts the statement you made during your confirmation hearing that climate science should continue to be debated.

—Since the EPA’s budget cuts this research, does that mean you know longer need convincing, and that you acknowledge that the EPA has determined that the accumulation of carbon dioxide air pollution in the atmosphere endangers public health and welfare, and that power plants significantly contribute to that air pollution?

Answer. Sound science is the backbone of EPA’s rulemaking process and the statutes passed by Congress outline the agencies authorities. EPA will continue to conduct a range of economic, scientific, and technical analyses for Clean Air Act (CAA) regulatory actions, technical input, and policy support.

Question. Do you therefore acknowledge that EPA has a legal obligation under the Clean Air Act to limit power plant carbon dioxide emissions?

Answer. The Supreme Court ruled, in *Massachusetts v. EPA*, that EPA has the authority to regulate carbon dioxide as an air pollutant under the Clean Air Act. Congress as a body, however, has not weighed in on the question about whether the Agency is obligated to regulate carbon dioxide.

CLIMATE BRIEFINGS

Question. Administrator Pruitt, have you ever had a briefing on climate change science by EPA's climate scientists and/or experts?

—If yes, please list the date(s) of these briefings, the presenters, and the content.

—If no, have you ever asked for such a briefing and do you believe that such a briefing could inform your work as you are attempting to cut programs that the EPA has stood by as important mechanisms to protect public health in the past?

Answer. The Administrator welcomes and holds briefings with EPA experts on a variety of issues that that could inform work at EPA.

Question. Have you ever had a briefing from EPA scientists on the impacts of climate change on public health and welfare in America or globally?

—If yes, please list the date(s) of these briefings, the presenters, and the content.

—If no, have you ever asked for such a briefing and do you believe such a briefing could inform your work as you make decisions impacting public health?

Answer. The Administrator welcomes and holds briefings with EPA experts on a variety of issues that that could inform work at EPA.

Question. Have you ever had a briefing the subjects in question 4 or question 5 by scientists and experts from NASA, NOAA, the U.S. Global Change Research Program, or the National Centers for Disease Control?

Answer. The Administrator welcomes and holds briefings with experts on a variety of issues that that could inform work at EPA.

EXECUTIVE ORDER 13783 AND CLIMATE BRIEFINGS

Question. The “Presidential Executive Order on Promoting Energy Independence and Economic Growth” (Executive Order 13783) was released on March 28, 2017. This Executive order calls for the review and possible repeal of virtually all climate-related regulations.

—While this Executive order was being prepared, did you discuss climate science or impacts with the President?

Answer. The Executive order does not call for the review and possible repeal of “virtually all climate-related regulations,” but, rather Section 3 says “Certain Energy and Climate-Related Presidential and Regulatory Actions.” The President and I have both made our views on climate science clear many times.

Question. Did the President receive any briefing on climate science or impacts from any of the science agencies, including NOAA, NASA, the Centers for Disease Control, or the U.S. Global Change Research Program?

Answer. NOAA, NASA, CDC are not part of the U.S. Environmental Protection Agency. The U.S. Global Change Research Program is overseen by the White House Office of Science and Technology Policy (OSTP). Please reach out to those agencies directly for details about their discussions and briefings with the President.

Question. Similarly, in preparations for the President's June 1, 2017, announcement of his intention to withdraw from the Paris Climate Agreement, did you discuss climate science or impacts with the President?

Answer. All my discussions with the President leading to President's courageous decision to withdraw from the Paris Agreement focused on whether or not the Paris Agreement was a good deal for this country.

Question. Did the President receive any briefing on climate science or impacts from any of the above mentioned science agencies?

Answer. Please reach out to those agencies directly for details about their discussions and briefings with the President.

FEDERAL VEHICLE AND FUELS STANDARDS AND CERTIFICATION

Question. By any measure, the EPA greenhouse gas emissions standards for cars, known as the CAFE standards, have been extremely successful: sparking technology innovation, saving consumers far more dollars at the pump than they spend in the showroom for the improved technology, increasing vehicle sales and jobs, and reducing pollution. Prior to the implementation of these standards, two of the three U.S. based car companies had fallen behind on technology and had to be bailed out. Now U.S. car companies are thriving.

—Why reduce funding for vehicle pollution work that is helping to remake and revive America's auto industry?

Answer. The fiscal year 2018 President's budget request for EPA reflects the success of environmental protection efforts, a focus on core legal requirements, and the important role of Federal-State partnerships in implementing the Nation's environmental laws. In fiscal year 2018, under the Federal Vehicle and Fuels Standards

and Certification program, EPA will focus its efforts on the certification decisions that are required under the Clean Air Act.

QUESTIONS SUBMITTED BY SENATOR CHRIS VAN HOLLEN

CHESAPEAKE BAY PROGRAM OFFICE IN ANNAPOLIS, MARYLAND

Question. The Chesapeake Bay Agreement of 1983 established the Chesapeake Bay Program Office (CBPO), a formal program designed to coordinate Federal, State, local and non-profit efforts to restore and protect the Chesapeake Bay ecosystem in a “partnership-based office” in Annapolis, Maryland:

“We recognize that the findings of the Chesapeake Bay Program have shown an historical decline in the living resources of the Chesapeake Bay and that a cooperative approach is needed among the Environmental Protection Agency (EPA), the State of Maryland, the Commonwealths of Pennsylvania and Virginia, and the District of Columbia (the States) to fully address the extent, complexity, and sources of pollutants entering the Bay. We further recognize that EPA and the States share the responsibility for management decisions and resources regarding the high priority issues of the Chesapeake Bay. Accordingly, the States and EPA agree to the following actions: a liaison office for Chesapeake Bay activities will be established at EPA’s Central Regional Laboratory in Annapolis, Maryland, to advise and support the Council and committee.”

In 1987, the Chesapeake Executive Council (EPA Administrator representing the Federal Government, along with the Governors of Virginia, Maryland, Pennsylvania, the Mayor of the District of Columbia, and the Chair of the Chesapeake Bay Commission) signed a new agreement—the 1987 Chesapeake Bay Agreement—which included the following commitment to co-locating program participants in one office:

“To achieve these goals we agree to strengthen the Chesapeake Bay Liaison Office by assigning, as appropriate, staff persons from each jurisdiction and from participating Federal agencies to assist with the technical support functions of that office.”

Currently, the CBPO in Annapolis, MD houses 30 CBPO staff, 35 non-Federal partners, 25 NOAA staff, 20 U.S. Fish and Wildlife staff, 4 U.S. Forest Service staff, 4 USGS staff and 25 NPS staff—all of whom collaborate to fully restore the Bay’s health. The current lease on the Chesapeake Bay Program Office space is scheduled to expire in February 2019.

—Will you commit to ensuring that the Chesapeake Bay Program Office remains in Annapolis as established in the original Chesapeake Bay Agreement to ensure continued, effective collaboration between Bay partners?

Answer. EPA is committed to maintaining effective collaboration between the Bay partners. As our lease is expiring for the current office, we are committed to remain in close proximity of the Bay and, in keeping with the Federal Asset Sale and Transfer Act, best utilize existing space.

CHESAPEAKE BAY PROGRAM

Question. In addition to eliminating the Chesapeake Bay Program, the budget eliminates the Section 319 Nonpoint Source Pollution grant program, which Maryland and other Bay States use to address nonpoint source pollution from stormwater and agriculture, which are major challenges for the Bay. The EPA budget says that the agency will work with USDA to address runoff, but the USDA budget proposes eliminating the Regional Conservation Partnership Program, which is intended to help critical watersheds like the Bay.

—Should these cuts go into effect, how much direct assistance (in dollars) would EPA commit to the Chesapeake Bay States for the cleanup process? Where would those dollars come from?

Answer. Based on the percentage of Bay States’ surface area within the Chesapeake Bay, EPA can reasonably estimate that EPA would spend approximately \$79 million in Clean Water State Revolving Fund and Section 106 Pollution Control grant funding in the region. EPA looks forward to continuing to work with the Chesapeake Executive Council and its Principals’ Staff Committee and relevant partners to achieve the shared environmental goals of the Chesapeake Bay Watershed Agreement and the Chesapeake Bay TMDL.

Question. Should these cuts go into effect, will staff with institutional knowledge of the cleanup process be reassigned to other departments? How many staff will

EPA commit to work directly with the Bay States to provide coordination and technical assistance?

Answer. EPA is committed to working with the Bay States and other relevant partners to achieve the shared environmental goals of the Chesapeake Bay Watershed Agreement and the Chesapeake Bay TMDL.

ENVIRONMENTAL JUSTICE

Question. Too often in our country, pollution and polluting industries are concentrated in communities where people don't have the political power to prevent them. Or, as in the case of Flint, Michigan, the cries of a vulnerable community about poisons in their environment go unheard. The EPA's Office of Environmental Justice, which was founded under President George H.W. Bush as the Office of Environmental Equity, is intended to hear them, often poor and minority communities, and help solve their problems. With proper funding and authority, the Office of Environmental Justice should ensure that equity and fairness is a clear priority throughout the EPA and that no community has an undue burden of pollution and waste.

Under this budget, the Office of Environmental Justice isn't just cut—it is completely eliminated. According to the budget, "Environmental Justice will continue to be supported in the work done at the EPA, when applicable."

—Can you name specific instances when you would deem environmental justice an applicable consideration for EPA programs?

Answer. The Agency remains committed to working with communities to develop solutions to the environmental and public health challenges they face. Environmental Justice will not only continue to be considered within the work done at EPA, but EPA is moving it back into the Office of the Administrator under this administration to ensure it remains a key component of all rulemakings, guidance, and actions.

Question. The budget goes on to say, "EJ work impacting the entire agency will be incorporated into future policy work within the Integrated Environmental Strategy program." IES has primarily worked with developing countries on public health initiatives.

—What is the strategy for ensuring that environmental justice is a key part of the EPA's domestic work?

Answer. The Agency remains committed to working with communities to develop solutions to the environmental and public health challenges they face. Environmental justice will continue to be considered within the work done at EPA and also is specifically incorporated into policy work within the Office of the Administrator.

MILITARY ADVISORY BOARD REPORT: "NATIONAL SECURITY AND THE THREAT OF CLIMATE CHANGE"

Question. In 2007, the Military Advisory Board, a group of retired three- and four-star flag and general officers from the Army, Navy, Air Force, and Marine Corps, released a report, "National Security and the Threat of Climate Change," in which they wrote: "The nature and pace of climate changes being observed today" that's in 2007, 10 years ago "are grave and pose equally grave implications for our national security."

—Are you aware of the military's concerns about climate change and its impact as a "threat multiplier" on our national security?

Answer. EPA is aware of the Military Advisory Board's report and concerns.

RESEARCH BUDGET

Question. You've talked about having a "Red Team, Blue Team" approach to climate debate to come to scientific consensus.

—If you do want to repeat the exhaustive scientific debate that has already occurred—over 830 experts weighing in on the Intergovernmental Panel on Climate Change, over 300 on the National Climate Assessment—why does the budget slash climate research, including eliminating the Global Change Research Program?

Answer. The fiscal year 2018 President's budget includes \$276.8 million to support EPA's Office of Research and Development and support science, the backbone of EPA's rulemaking process. In fiscal year 2018, ORD will shift its programmatic resources to focus on core Agency responsibilities that relate to statutory requirements or that support basic and early stage research and development activities.

CLIMATE WEBSITE

Question. You have indicated that the EPA's climate change website has been taken down for updating.

—When will the climate change website be back online?

Answer. The climate change web content from previous administrations is still publicly accessible in EPA's web archive.

Question. Will you commit to including the peer-reviewed scientific data and guides on safeguarding health and communities on the site when it goes back online?

Answer. Science provides the foundation for EPA's policies, actions, and decisions made on behalf of the American people. EPA research incorporates science and engineering that meets the highest standards for integrity, peer review, transparency, and ethics. The process of incorporating high-quality science into agency decision-making is coordinated by science organizations within the Agency. It is guided by EPA's scientific integrity policies. In addition, the Agency's stringent scientific peer review processes are designed to ensure that all EPA decisions are founded on credible science and data.

Question. Please provide justifications for any changes made to the website.

Answer. EPA is evaluating content on its website to ensure accuracy, consistency, and reliability.

STEAM ELECTRIC PLANTS RULE

Question. In 2015, the Environmental Protection Agency updated a rule from 1982 on toxic discharges from steam electric plants. New technologies and implementation of air pollution controls necessitated reform to the rule to curb power plant discharges of toxic pollutants like arsenic, lead, selenium, mercury, chromium, and cadmium to surface waters. EPA estimated that the new rule would reduce toxic pollutant discharge by 1.4 billion pounds a year.

EPA has now proposed postponing compliance dates for fly ash transport water, bottom ash transport water, flue gas desulfurization wastewater, flue gas mercury control wastewater, and gasification wastewater.

—Do you believe that updates to the 1982 rule are necessary to safeguard water?

—What is the timeline for review of this rule?

—What are key considerations for EPA in reviewing the rule and its compliance dates?

Answer. In response to petitions for reconsideration sent to EPA, on April 12, 2017, the Administrator sent a letter to the Small Business Administration Office of Advocacy and the Utility Water Act Group indicating that he would reconsider the 2015 final rule in order to determine whether or not to begin a rulemaking in order to modify or repeal part or all of the rule. On April 25, 2017 EPA published a Federal Register notice issuing an administrative stay of the compliance dates in the 2015 final rule pending the ongoing judicial review of that rule. Then, on June 6, 2017 EPA published a proposed rule in the Federal Register to postpone certain compliance dates in the 2015 final rule. This rule has not been finalized. On August 11, 2017, the Administrator signed a letter to the Small Business Administration Office of Advocacy and the Utility Water Act Group indicating his determination that it is appropriate and in the public interest to conduct a rulemaking to potentially revise the new, more stringent effluent limitations and pretreatment standards for existing sources for bottom ash transport water and flue gas desulfurization (FGD) wastewater. On August 14, 2017, DOJ filed a motion to govern further proceedings in the litigation challenging the 2015 final rule in the U.S. Court of Appeals for the Fifth Circuit. The motion asked the court to sever and hold in abeyance all proceedings relating to the portions of the 2015 final rule concerning the new, more stringent effluent limitations and pretreatment standards applicable to bottom ash transport water, FGD wastewater, and gasification wastewater. (Through a separate administrative action, on August 7, 2017, EPA Region 5 proposed to grant a variance of certain limits applicable to the only facility that would be subject to the gasification part of the 2015 rule). On August 22, 2017, the court granted DOJ's motion. Key considerations include the concerns from the Small Business Administration Office of Advocacy and the Utility Water Act Group expressed in petitions for reconsideration sent to EPA, as well as ensuring that these regulations accurately reflect current operations and the best available technologies that are economically achievable in the steam electric power industry.

The draft final rule to delay compliance was signed by the Administrator on September 12, 2017.

ENERGY STAR-IMPACTS FROM ELIMINATION

Question. The energy efficiency sector employs 2.2 million Americans, including 67,000 Marylanders, and provides employment opportunities for workers with both technical training and advanced degrees. The ENERGY STAR program helps consumers identify energy efficient products and save on their energy bills.

The budget eliminates ENERGY STAR, which would deprive Americans of non-biased, up-to-date information as they make energy purchases for their homes and businesses.

—Has EPA analyzed potential impacts from eliminating ENERGY STAR on the energy efficiency sector and consumer purchasing?

—What data was used in the decision to eliminate this ENERGY STAR?

Answer. EPA will continue to find ways to partner with stakeholders in the private sector to innovate, improve our environment, and strengthen our economy.

SUBCOMMITTEE RECESS

Senator MURKOWSKI. Very good. Thank you. And with that, we stand adjourned.

[Whereupon, at 11:30 a.m., Tuesday, June 27, the subcommittee was recessed, to reconvene subject to the call of the Chair.]

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2018

WEDNESDAY, JULY 12, 2017

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 9:36 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Lisa Murkowski (Chairman) presiding.

Present: Senators Murkowski, Hoeven, Daines, Udall, Tester, and Van Hollen.

INDIAN HEALTH SERVICE

STATEMENT OF REAR ADMIRAL MICHAEL WEAHKEE, ACTING DIRECTOR

ACCOMPANIED BY:

**REAR ADMIRAL CHRIS BUCHANAN, DEPUTY DIRECTOR
GARY HARTZ, DIRECTOR OF THE OFFICE OF ENVIRONMENTAL
HEALTH AND ENGINEERING
ELIZABETH FOWLER, DEPUTY DIRECTOR FOR MANAGEMENT OPERATIONS**

OPENING STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Good morning. The subcommittee will come to order.

I would like to welcome everyone this morning to the final budget hearing. I cannot believe it is already the final.

Senator UDALL. Yes.

Senator MURKOWSKI. It seems like we just got started.

Senator UDALL. We are roaring through them.

Senator MURKOWSKI. Yes. Anyway, this is an important one this morning for the Interior Appropriations Subcommittee.

Today, we will examine the budget request for the Indian Health Service, IHS. I would like to thank and welcome Rear Admiral Michael Weahkee, the new Acting Director for the Indian Health Service, appearing before us today.

I think we all recognize that the head of IHS is a tough job and it is also a critical one. It is certainly critical for us in Alaska. I know for Senator Udall, it is equally important and critical in his State, but recognizing that, again, we appreciate the role that you play here today.

Director Weahkee is accompanied by Rear Admiral Chris Buchanan, the Deputy Director for IHS; Gary Hartz, the Director of the Office of Environmental Health and Engineering; and Elizabeth Fowler, the Deputy Director for Management Operations. So we welcome all of you.

The IHS budget request for fiscal year 2018 is \$4.7 billion for programs within this subcommittee's jurisdiction. This is a decrease of \$300 million, 6 percent below last year's enacted. By comparison, other agencies within the Department of Health and Human Services were reduced by an average of 18 percent. So I think when you compare it on balance, it is important to recognize that I think there was some effort to mitigate the impacts on the IHS budget relative to other agencies.

I am pleased to recognize that the budget does provide full funding for Contract Support Costs by maintaining the indefinite appropriations language that I first included in the fiscal year 2016 appropriations bills. I think that this has helped provide a level of certainty for Tribes as well as protecting other IHS programs. What we were seeing was effectively robbing Peter to pay Paul, borrowing from other accounts. And while it may have helped one, it was at the expense of others, which I think we recognized was not a good direction in how we meet the Government's legal obligations.

Now having said that, I support where we are with contract support, and appreciating the fact that the cuts that we are seeing within the IHS budget are not as severe as they are in other areas, I am very, very concerned that the budget request does not adequately meet the needs for healthcare in Indian country. I think we recognize the disparities between health outcomes for American Indian and Alaska Native people compared to the population at large are staggering, just staggering.

For example, American Indians and Alaska Natives are three times more likely to die from diabetes. The drug-related death rate for Native Americans has increased 454 percent since 1979 to almost twice the rate for all other ethnicities. Of course, we unfortunately talk far too often about the incidence of suicide. The suicide rate amongst our First Peoples is roughly twice that for the rest of the population.

So in order to improve healthcare delivery, the IHS must do a better job at hiring, as well as retaining, an adequate number of qualified doctors and nurses. The IHS must also do a better job of maintaining a large facilities infrastructure that serves 2.2 million American Indians and Alaska Natives, and this requires significant resources. We all recognize and appreciate that.

Currently, the vacancy rate for IHS doctors, dentists, and physician assistants is roughly 30 percent. The backlog of facilities maintenance at IHS hospitals is over half a billion dollars and this according to the agency's own budget documents. The average age of its facilities is roughly four times that of its private sector counterparts.

And I think we recognize that additional resources are not the only answer. So much of this comes down to the quality of the existing workforce.

I read, and I am sure that my colleagues also read, several of the articles that appeared in the “Wall Street Journal” just last week on July 7. And I have to tell you, I was horrified. I was sickened. I was mad. There was a whole range of emotions as I read that because this is our IHS. These are our facilities that are supposed to care for our First People.

The stories that were detailed were shocking. There are deplorable conditions that we see, unfortunately, at several of our IHS facilities at the Great Plains.

In one case, a 35-year-old man stopped breathing in his hospital room. You have nurses that are responding to the emergency and they cannot find a crucial medical device that is needed to prop open airways to his lungs. It is a device that should have been stored in an emergency supply cart. It cost them a crucial 20 minutes.

Later in the internal report, they found that that 20-minute delay cost the patient his life. The investigation also revealed that the responding nurses were unfamiliar with how to use the hospital’s intercom system or defibrillator.

In another case, a 45-year-old woman died 10 hours after IHS nurses ignored a doctor’s orders to stop giving the patient a powerful cocktail of narcotics. A Federal inspection report found that two different doctors told staff that they were concerned that the patient was being over sedated.

One of the doctors ordered nurses to stop giving the patient morphine and to remove a patch that dispensed fentanyl. The patch was never removed and when the patient fell off her bed that night, nurses gave her even more pain medicine including a sleeping pill and oxycodone. As she fell into a catatonic state, coughing and frothing at the mouth, nurses failed to alert doctors. She was later found dead.

I will have both of these articles from the “Wall Street Journal” from July 7, 2017 included as part of the record.

[The information follows:]

[Articles from the Wall Street Journal, Friday, July 7, 2017]

FAMILIES SPEAK OUT: STORIES OF INDIAN HEALTH SERVICE PATIENTS

Regulators cite facilities of Federal health agency for Native Americans for dangerous care, unnecessary deaths

(By Dan Frosch and Christopher Weaver)

The Indian Health Service is responsible for providing medical care to about 2.2 million Tribal members across the U.S., but the system is in crisis after IHS hospitals repeatedly failed inspections, shut down services or lost access to crucial Federal funds.

The facilities, which operate in some of the poorest areas of the country, have rendered dangerous care and caused unnecessary deaths, according to Federal regulators, agency documents and interviews.

The families of some IHS patients who died say the agency is responsible for their deaths. An IHS spokeswoman, Jennifer Buschick, provided a written statement saying the agency, a unit of the Department of Health and Human Services, declined to comment on specific medical cases, lawsuits or regulatory findings.

Debra Free

Ten hours after nurses ignored a doctor’s orders to stop giving Debra Free a powerful cocktail of narcotics, she died of an apparent opioid overdose at the Indian Health Service hospital in Winnebago, Neb.

Federal hospital regulators laid the blame for her death at the feet of the hospital's medical staff, who they said disregarded concerns that the 45-year-old food-services worker was being over-sedated, documents from the Centers for Medicare and Medicaid Services show.

Ms. Free was initially admitted to the Winnebago IHS facility on April 5, 2011, for complications from toe amputations due to her chronic diabetes, a common condition among Native Americans that the agency often treats.

A Federal inspection report found that on April 8, two different doctors told staff they were concerned that Ms. Free was being oversedated. At one point, one of the doctors ordered nurses to stop giving Ms. Free morphine and to remove a patch that dispensed Fentanyl, a highly potent synthetic narcotic. But that never happened, regulators found. Instead, a nurse who was told to remove the Fentanyl patch mistakenly thought she was meant to leave it on until it expired in 72 hours.

When Ms. Free fell off her bed that night, medical staff responded by plying her with more pain medicine—a sleeping pill and oxycodone—regulators said.

Ms. Free soon drifted into a catatonic state, sometimes coughing and frothing at the mouth, the report said. But even as her condition deteriorated, nurses never alerted doctors. Ms. Free was found dead in her bed by hospital staff in the early morning hours of April 9.

According to Ms. Free's death certificate, the cause was cardiac arrest.

CMS declined to comment on its report.

Ms. Free's niece, Tori Kitcheyan, a Winnebago Tribal councilor, helps take care of Ms. Free's only daughter, Angelina, now 15. Last year, Ms. Kitcheyan told her aunt's story before a congressional committee. She blames the IHS for Ms. Free's death and is leading a push for the Tribe to take over operations of the hospital from the IHS.

Ms. Kitcheyan recalled her aunt as a passionate cook, who devoted hours to preparing meals for family events.

"She was a constant presence in our lives. Our family has never been the same since she died. It has been devastating," she said.

Charles White Pipe

Charles White Pipe, 68, a former Tribal treasurer and council member for the Rosebud Sioux, was first diagnosed with lymph-node cancer on April 2, 2016. But it took the Indian Health Service until early May to approve specialized treatment at a private hospital, his daughter said. By then, Mr. White Pipe was near death and had complained of untreated pain for weeks.

The IHS's program for referrals is often short on funding, leaving patients waiting, IHS records show. An agency budget document said it rejected around 40 percent of such claims for needed treatment in 2015 because of a lack of funding.

Lisa White Pipe, Charles's daughter and a Rosebud Tribal councilor, said that after her father was diagnosed, he attempted several times to seek relief and treatment at the reservation's Indian hospital.

On April 21, Mr. White Pipe, unable to hold down any food, called the Rosebud hospital to say his pain was increasing, but he was told to wait at home for a referral to a cancer specialist, she said. A few days later, when he called again, a medical staffer said the facility was too crowded, his daughter said, noting that he wasn't prescribed additional medication for his pain.

On the night of April 27, her father now barely able to walk, his legs and feet swollen, Ms. White Pipe drove him to the Rosebud hospital. Medical providers there informed Mr. White Pipe that his condition was terminal, gave him more pain medication and told him to keep waiting for his referral, his daughter said.

When Mr. White Pipe finally received a referral to a Sioux Falls, South Dakota, cancer center, doctors there said it was too late to determine where the cancer originated and that there was little they could do, she recounted.

He died on May 28.

"It felt undignified how he was treated," Ms. White Pipe said. "He was in pain and just pushed to the side."

Shiree Wilson

Hours after she was discharged from the Indian Health Service hospital in Belcourt, North Dakota, with a diagnosis of pneumonia, Shiree Wilson, a 24-year-old new mother, collapsed on the floor of her home and later died.

Eight days earlier, on Jan. 14, 2014, Ms. Wilson's son had been delivered by caesarean section at the IHS hospital.

Ms. Wilson, who was diagnosed with a mild cough and high white blood cell count in the days before she gave birth, returned to the facility on Jan. 22, complaining that her cough had worsened.

According to a wrongful-death lawsuit filed by Ms. Wilson's mother, Christine Fluhner, tests conducted during that visit revealed fluid was possibly seeping into her lungs, her white blood cell count had risen and her heart was "mildly enlarged." After diagnosing Ms. Wilson with pneumonia, doctors sent her home with decongestants and antibiotics.

After she died, the Grand Forks County coroner found Ms. Wilson's heart weighed 580 grams, twice the normal heart weight for someone her age, and that she suffered from severe pulmonary congestion and edema, according to the court filings.

The lawsuit alleges IHS medical staff failed to follow up, despite warning signs. A doctor also noted in Ms. Wilson's chart that he was concerned about a pulmonary embolism, the suit said. The IHS acknowledged the basic facts of Ms. Wilson's treatment and medical ailments, court filings show, though the agency denied any wrongdoing in her death.

In November, the IHS settled the lawsuit for an undisclosed sum, Ms. Fluhner's lawyer, Reed Soderstrom, said. He declined to comment further. Ms. Fluhner said she didn't wish to discuss her daughter's death.

According to an obituary, Ms. Wilson had worked at a local cafe for many years and wanted to learn how to cook. She loved swimming at the local pool and going to horse races. Her newborn son, Paxton, was her only child.

Paul West

When Paul West stopped breathing in his hospital room, nurses responding to the "code blue" couldn't find a crucial medical device used to prop open airways that was supposed to be stored in their emergency supply cart.

That problem cost the team of nurses and doctors responding to the incident a critical 20 minutes—and Mr. West, his life—according to an internal report by an Indian Health Service nurse and a lawsuit brought by his family.

Mr. West, a 35-year-old porter at the local casino, was declared dead at the Winnebago hospital on April 17, 2014.

"Delay in care for patient, and ultimately death of patient," said the internal report, called a Code Blue Critique, examining the case. The report, which was reviewed by The Wall Street Journal, concluded the hospital should "stock the Crash Cart" and practice code blues—emergency situations typically demanding patient resuscitations—at least monthly.

Regulators separately said nurses responding to the incident were unfamiliar with how to operate equipment ranging from the hospital's intercom system to the defibrillator.

The IHS said in a statement after this article was published online that the Winnebago hospital "holds monthly practice 'code blues,'" reviews logs of those practice sessions quarterly and checks crash cart inventory daily.

Some of the medical staff who participated in his care said in emails at the time and in interviews with the Journal that the Winnebago staff missed other chances to save Mr. West, too. Mr. West, who was obese and had a variety of chronic illnesses, had been getting sicker throughout the morning before he died. He had begun falling asleep while talking, and could no longer breathe without leaning forward, his family said in the lawsuit. U.S. lawyers denied many of the family's allegations in a court filing, saying alleged injuries weren't caused by negligent acts by government employees.

The death of Mr. West, who was described by Tribal members as a gregarious personality who made lighthearted jokes, shocked the Winnebago reservation, because of his young age and popularity. His family declined to comment through their lawyer.

"PEOPLE ARE DYING HERE": FEDERAL HOSPITALS FAIL TRIBES

Indian Health Service facilities sanctioned for dangerous, faulty care, leaving often-impoorished patients on remote reservations without services required by law

(By Dan Frosch and Christopher Weaver)

Service hospital in Pine Ridge, South Dakota, a 57-year-old man was sent home with a bronchitis diagnosis—only to die five hours later of heart failure. When a patient at the Federal agency's Winnebago, Nebraska, facility stopped breathing, nurses responding to the "code blue" found the emergency supply cart was empty, and the man died. In Sisseton, South Dakota, a high school prom queen was

coughing up blood. An IHS doctor gave her cough syrup and antianxiety medication; within days she died of a blood clot in her lung.

In some of the Nation's poorest places, the government health service charged with treating Native Americans failed to meet minimum U.S. standards for medical facilities, turned away gravely ill patients and caused unnecessary deaths, according to Federal regulators, agency documents and interviews.

But that system has collapsed in the often-remote corners of Indian Country, where patients live hours from other medical providers, often have no insurance and depend on the Federal service. "We've lost faith in the IHS, but we have no alternatives to go anywhere else," said Lisa White Pipe, a Tribal Council member for the Rosebud Sioux, whose father died last year after a delay in cancer treatment that she blames on the agency. Read more about his and other cases, and see the regulator's reports.

The problems have come to a head in recent months after IHS hospitals repeatedly failed inspections, shut down services or lost access to crucial Federal funds. Such failures have prompted new calls for broader oversight of the IHS by Congress. The Rosebud Tribe, whose reservation stretches across a rural swath of South Dakota, is also now suing the agency in Federal court, alleging that the IHS has failed to fulfill its treaty responsibility to care for Tribal members.

"People are dying here as a result of the care they are not receiving, or the care they are receiving," said U.S. Senator John Barrasso, (Republican, Wyoming), who until January chaired Congress's Indian Affairs Committee, in an interview.

The IHS, a unit of the Department of Health and Human Services, operates a network of hospitals and clinics, much like the Veterans Health Administration. Under U.S. treaties that date back generations, the service is legally responsible for providing medical care to about 2.2 million Tribal members.

The latest crisis has arisen after the IHS and the Health Department failed to address a chorus of warnings over many years about neglect at the agency's facilities. The warnings came from lawmakers in both parties, internal whistleblowers and the families of patients who died. Over and over, they reported that IHS hospitals were plagued by inadequate supplies, poor training, overwhelmed staff and critical positions left unfilled.

The agency has lacked a permanent director since 2015. People familiar with the matter said they expect a nominee for that post to be announced soon.

Rear Adm. Michael D. Weahkee, the agency's current acting director, said in a statement after this article was published online, "IHS is committed to improving patient safety and the quality of healthcare across the agency. We are faced with many challenges, but that is no excuse for substandard care." He said the agency is "holding all employees fully accountable and working to improve the systems that recruit, retain, and support those employees to meet standards."

Adm. Weahkee, a member of the U.S. Public Health Service Commissioned Corps, which provides medical staff to Federal agencies, was appointed to temporarily lead IHS in June. Back in 2010, a commission chaired by then-Senator Byron Dorgan, (Democrat, North Dakota), found improperly credentialed medical staff were treating patients at some remote hospitals and employees accused of misconduct—even crimes, including stealing drugs from hospital pharmacies—weren't disciplined.

The agency promised changes, but the situation has only disintegrated since, according to interviews with Tribal officials, civil and criminal court records, and a raft of Federal inspection reports.

Wilmer Spotted Wood hobbled into the IHS hospital in Winnebago but was sent home without treatment despite medical staff documenting his severe back pain—10 on a scale of 10—and ashen skin color, according to one of those reports.

Hours later, a nurse read a test result that showed his kidneys were shutting down. The finding would normally lead to hospitalization, doctors say. Instead, the nurse left a phone message telling Mr. Spotted Wood to avoid calcium products like the antacid Tums and come back in two days, a Federal inspection report said.

One of his sisters, Betsy Spotted Wood, herself an IHS nurse who was at the hospital that day, said "his skin coloring was way off. You could tell something was seriously wrong." Mr. Spotted Wood didn't make it to his follow-up appointment. He died in his bed of kidney failure on Jan. 1, 2015, the day he had planned to return to the hospital.

An IHS spokeswoman, Jennifer Buschick, provided a statement saying the agency wouldn't comment on specific medical cases, lawsuits or regulatory findings. Officials at the IHS's Maryland headquarters fielded queries from The Wall Street Journal related to the agency's individual hospitals and clinics.

Following Mr. Spotted Wood's death, U.S. hospital regulators found the Winnebago facility failed to meet basic standards in 11 of 30 random cases they reviewed, including his case, during a routine inspection.

Winnebago is one of seven IHS hospitals that the regulator, the Centers for Medicare and Medicaid Services, said had put patients in danger since 2010—more than a quarter of the 26 hospitals the IHS manages around the country.

The IHS and Tribal health advocates say Congress underfunds the agency, and the Trump administration's 2018 budget proposes cutting about \$300 million, a roughly 6 percent decrease from its 2017 level.

The IHS spent \$3,688 on care for the average patient in 2015, according to an agency document. The Veterans Health Administration, for comparison, spent an average of \$11,056 on medical services for each veteran receiving VA healthcare in 2015, that agency's records show. The two agencies count the users of their services differently, and their populations vary.

Obesity and diabetes on the Rosebud and Pine Ridge reservations are more than 40 percent higher than nationwide, according to a Journal analysis of data from the University of Wisconsin. At least 50 percent of residents of those two reservations, as well as a third of those served by the Winnebago hospital, earned less than the Federal poverty line, 2015 data show.

Such factors, coupled with remoteness—Rosebud is more than 100 miles from the nearest Wal-Mart—make recruitment difficult. The IHS said vacancy rates for medical staff at its Great Plains facilities run as high as 37 percent. By contrast, the Massachusetts Health and Hospital Association reported only about 6 percent of nursing jobs vacant in 2015.

Earlier this year, a longtime Pine Ridge pediatrician was indicted for allegedly sexually assaulting his patients. The doctor, Stanley Patrick Weber, who resigned last spring from the agency, pleaded not guilty. His lawyers didn't respond to a request for comment.

The top medical officer at Winnebago was indicted late last year on allegations he defrauded Tennessee's Medicaid program before joining the IHS, court records show. The doctor, Scott McLain, had been brought on in a shake-up the IHS said showed commitment to high-quality care.

Dr. McLain entered a plea of not guilty and has asked a judge to dismiss the case, his lawyer said. He said Dr. McLain had resigned from the IHS.

In its written statement, the IHS declined to comment on the indictments. It said the agency has revamped staff credentialing procedures, overhauled management of many hospitals and brought in outside contractors to fill vacancies.

The agency's seven sanctioned hospitals—in Pine Ridge, Rosebud and Rapid City, South Dakota; Cass Lake, Minnesota; Crow Agency, Montana; Acoma, New Mexico; and the Winnebago facility that treated Mr. Spotted Wood—all put patients in "immediate jeopardy" of harm and failed to meet hospital requirements, according to Federal regulators.

The South Dakota and Nebraska facilities have each been cited for putting patients in danger multiple times. Since 2011, regulators reviewing cases at those four IHS hospitals said inadequate care contributed to at least 11 deaths, documents show.

In a second statement after this article was published online, the IHS said it complies with widely accepted "death review processes" and reviews adverse events at the regional level, but doesn't report nationwide tallies of such incidents.

The agency said, "Any deficiency in service to patients receiving care at any IHS facility is unacceptable and does not reflect the organization's commitment to delivering a high quality of care to its patients. Upon learning of these survey results IHS immediately began instituting improvements at each hospital."

In many cases, the hospitals haven't fixed their problems, according to regulatory documents. In April, inspectors cited ongoing failures at the Rosebud hospital for at least the third time in a row; in 2015 and 2016, its emergency room was closed for 7 months. In May, inspectors found the Pine Ridge facility had failed U.S. hospital requirements for the second time in 5 months. The Winnebago hospital has been barred since 2015 from billing Medicare because it failed to meet requirements for hospitals participating in Federal programs, a punishment given to just five general hospitals in the U.S. that year, Federal data show.

In its initial written statement, the agency cited data showing many non-IHS hospitals in North and South Dakota and Nebraska also failed to meet requirements. It is less common though for regulators to cite hospitals for putting patients in danger in connection with such failures. Regulatory data show half of the eight facilities run by the IHS in the three States were found to have put patients in danger from 2011 to 2015. The data show the proportion for all non-IHS general hospitals with a patient-harm finding in those States was 7 percent.

Some of the families of patients who died unexpectedly under the IHS's care said the toll extends beyond the hospitals that have been sanctioned. Among them, is Wakanda Gonsalves, a high school senior and prom queen, who went to an IHS clin-

ic in Sisseton, South Dakota, on May 4, 2012, because she was coughing up blood. She was sent home that same day, with cough syrup, an inhaler and antianxiety medication. Two nights later, her parents woke to Ms. Gonsalves's screams, her mother, Lisa, recalled. They found her convulsing in bed before she went limp. "My husband kept doing CPR and chest compressions. Over and over," Lisa Gonsalves said. "But she had no pulse."

An autopsy showed Ms. Gonsalves suffered a blood clot in her lung. The IHS-contracted doctor who treated her said in a court deposition he didn't review an X-ray showing a lung abnormality, or follow up after an irregular blood test. The staffing agency that employed the doctor settled a lawsuit with Ms. Gonsalves's family for an undisclosed sum in 2015.

In court filings, both the doctor and the contractor denied any wrongdoing. Lawyers for both didn't respond to requests for comment.

When confronted with regulatory failures, top IHS officials prioritized other matters, and Health Department leadership brushed aside warnings, records and interviews show.

After a 2010 Senate hearing on Senator Dorgan's probe outlining serious deficiencies in care and training, then-IHS director Yvette Roubideaux emailed agency employees, acknowledging problems and saying fixes "cannot happen overnight." She asked staff to, among other things, "put a story in the local newspaper about all the good things you are doing," according to a 2010 email reviewed by the Journal.

In 2014, despite complaints of understaffing, Dr. Roubideaux dispatched 21 IHS medical staffers to West Africa to aid the U.S. response to the Ebola outbreak, over protests of Tribal health officials.

"If the Federal Government is going to send public health officials anywhere it should be sending them to Indian Country," a Tribal health committee wrote to Dr. Roubideaux.

Dr. Roubideaux argued the outbreak was an unprecedented epidemic. The agency statement to the Journal said the staff was needed to help prevent a potential U.S. outbreak.

Dr. Roubideaux, a Rosebud Tribal member and Harvard-trained doctor who left the agency in 2015, referred inquiries from the Journal to the IHS about what she called "longstanding" problems.

At a meeting of regional IHS heads in 2013 called by agency leadership, "we were basically told, 'these are your problems, you deal with it,'" said Anna Whiting Sorrell, who formerly ran the IHS's Billings, Montana-based region, where a hospital was sanctioned for dangerous care in 2014. The agency told the Journal that the IHS's regional chief medical officers have "primary responsibility for clinical issues."

One doctor, Alida Asencio, said she was ridiculed at staff meetings after telling the Winnebago medical director about problems in 2014. Dr. Asencio later raised a concern about a death at the hospital with regulators, who, documents show, concluded it was avoidable. She later complained to top agency officials that her supervisor pressured her to take paid leave ahead of an inspection to keep her from raising further concerns, an email viewed by the Journal shows.

The agency said its "leadership maintains a culture where employees are encouraged and expected to report any reasonable suspicion of wrongdoing, misconduct, waste, or abuse, particularly when it involves the safety and wellbeing of patients or employees." It said such disclosures can "save lives."

Then-U.S. Senator Mark Begich, an Alaska Democrat, said he met with former Health and Human Services Secretary Kathleen Sebelius in 2012 to discuss IHS concerns. He said it was clear from the conversation that implementing the Affordable Care Act "eclipsed things."

Ms. Sebelius said in an interview "it's totally appropriate for him to say, 'they just didn't do enough,'" referring to her own department. She said she took the IHS's failures seriously and tried to address them by seeking more funds and improving communication with tribes. The current Health Department secretary, Tom Price, said during his confirmation hearing in January he was committed to turning the IHS around.

Some people who rely on the troubled hospitals said they are afraid to seek treatment there. Among them is the family of Tonya Drapeau, a 39-year-old mother of five from the Omaha reservation, who died suddenly in March 2016 after a visit to the Winnebago hospital. Days later, a government doctor wrote in a letter to an IHS official that Ms. Drapeau's treatment "was below the standard of care."

Her family filed a legal claim alleging negligence in February with the Health Department, their lawyer said, the first step in filing a lawsuit against the U.S. Gov-

ernment. Medical records show Ms. Drapeau went to Winnebago because she was having trouble breathing.

The agency's records of her past care, which medical staff reviewed that morning, showed she had diabetes and a history of respiratory complications. A doctor didn't check her blood sugar and sent her home later that day with antianxiety pills.

Hours later, Ms. Drapeau's teenage son found her unconscious. The records show she died, after being airlifted to a private hospital, of diabetic shock.

Senator MURKOWSKI. But again, I think when we read these as lawmakers—and certainly as one who has oversight of IHS through this appropriations subcommittee, but as one who serves on the Indian Affairs Committee—this is not acceptable.

I know that oftentimes they say when it is not about the funding, it really is about the funding. But it is about the funding. It is about the quality of the individuals. It is about the ability to get good people in. It is about making sure that the infrastructure is maintained. We are not doing right by our Native peoples and this must be remedied.

Last year, we had the Acting Director of IHS, Mary Smith, before the subcommittee and I asked what the agency was doing to fix the serious problems in the Great Plains region at the Pine Ridge, Rosebud, and Winnebago hospitals, all of which were mentioned in these "Wall Street Journal" articles. She indicated at the time that the agency was committed to doing, quote, "whatever it takes," to deliver quality care.

Well, here we are. I do believe that the agency is aware, does understand, is sincere in its desire to fix these problems, but we cannot move from year to year and continue to see a degradation in the services.

The Winnebago hospital has not received certification from CMS. The Rosebud Hospital and the Pine Ridge Hospital are still operating under System Improvement Agreements with CMS. So it is one thing to come before the subcommittee and say, "We are going to try to do better." But we have to have better results, and I think you know that.

In the fiscal year 2017 Omnibus Appropriations, the subcommittee provided an additional \$29 million to address problems at these facilities.

So I would hope that today we will hear how the agency is allocating these funds, and if there was a shortage, why you did not request further funding for the problems that we have seen in the Great Plains region for fiscal year 2018.

I think, again, the situation is absolutely unacceptable, intolerable, and we need to have a clear and specific plan as to how to address it.

So I now turn to my Ranking Member for his comments, and then we look forward to responses from the panel and questions from us.

STATEMENT OF SENATOR TOM UDALL

Senator UDALL. Thank you, so much, Madam Chair.

And I join you on your outrage on the situation in the Great Plains region. It is a really deplorable situation, which we hope you can assure us that we are going to get on a path, so we can remedy this.

I want to offer a warm welcome to the new IHS Acting Director, Rear Admiral Michael Weahkee, who hails from New Mexico. I believe the Zuni Pueblo. I am told that you have a lifetime experience with the IHS system starting from the very beginning when you were born in an IHS hospital in Shiprock, New Mexico.

I also want to welcome Rear Admiral Chris Buchanan, IHS Deputy Director; Mr. Gary Hartz, Director, IHS Office of Environmental Health and Engineering; and Ms. Elizabeth Fowler, IHS Deputy Director for Management Operations. We really look forward to hearing from you here today.

Before we get to the budget, I want to recognize the leadership of Senator Murkowski, who has done a tremendous job as Chair of this subcommittee, and is someone I am really proud to work with. Senator Murkowski, and all the Members of this subcommittee, understands the value and importance of IHS for all Native communities. We have made real progress to secure funding to improve healthcare in Indian country.

I am proud of the subcommittee's work that included an increase for IHS in the most recent Omnibus. Securing a 5 percent increase for IHS for fiscal year 2017—one of the largest increases in the entire appropriations bill—was no small feat. But the Members of this subcommittee believe that these investments are critical for healthy Native communities and families.

I look forward to continuing our work together as a subcommittee and to continued cooperation on a bipartisan basis.

The budget proposed by the administration for fiscal year 2018 is a complete departure from the progress we have made to rebuild the IHS budget. This proposal would not provide the resources needed for the health and wellbeing of American Indians and Alaska Natives. It is wholly insufficient to effectively serve communities in dire need of healthcare services.

Passing the President's budget would mean less money for inpatient services, preventive healthcare programs, drug addiction treatment, mental health programs, and specialty care. It would mean fewer resources to recruit and retain a qualified workforce and to address already underfunded facility infrastructure needs.

With a proposed overall cut to the service of \$300.5 million, this budget would eviscerate the gains we made in fiscal year 2017 by instituting a 6 percent reduction, and undo the progress we have made to restore IHS funding levels to the pre-2013 sequestration levels.

My experiences have taught me that healthcare in Indian country suffers from generations of underfunding. It is disheartening to see this administration put forward a budget that would force entire Tribal communities to fully return to a cruel system of healthcare rationing. Life or limb is no way to run a hospital and no way to promote healthy Native communities and families.

The President's proposed fiscal year 2018 budget systematically cuts the legs out from that progress. I am concerned and I know that Tribes are as well.

I am concerned that this budget cuts \$99 million from IHS facilities despite the Service's estimated \$10 billion construction backlog.

I am concerned that it cuts funding for hospitals and health clinic services by \$64 million.

I am concerned it cuts \$22 million from mental health and substance abuse programs.

And I am concerned it cuts \$6 million from loan repayment and scholarship programs needed to fill critical vacancies at IHS facilities.

MEDICAID

Finally, I would quickly like to address the issue of the larger 2018 budget and the cuts it assumes to Medicaid. For decades, Medicaid has been a crucial program for fulfillment of the Federal Government's trust responsibilities.

It is clear to me that any potential changes to national policy regarding Medicaid and health insurance programs—like those contained in the Senate Republicans' Better Care Reconciliation Act—will directly impact Tribal communities and Native lives.

So for the record, I would like to urge the majority on all committees to follow regular order, hold hearings, and seek Tribal consultation on any proposal that would cut access to critical healthcare programs.

Now is not the time to lose ground on the progress we have made. We know that Tribal communities can thrive when they have adequate access to healthcare. We know that Tribal health outcomes improve when access to quality, preventative care is expanded, like what we have seen over the past 20 years with the Special Diabetes Program for Indians, SDPI, and like we have seen over the past few years with Medicaid expansion and third party billing revenue increases.

I look forward to speaking with all of you today about how we can do more for Indian country. And I look forward to the work of this subcommittee to secure the resources necessary to make this happen.

Thank you, Madam Chair.

Senator MURKOWSKI. Thank you, Senator Udall.

At this time, we will hear from Rear Admiral Michael Weahkee, who is, again, the Acting Director for IHS.

So do I understand correctly that the others will just be there as back up, or will you, Rear Admiral Buchanan, or Mr. Hartz, or Ms. Fowler be addressing the subcommittee as well?

Admiral WEAHKEE. Yes, ma'am. I will make the primary comments and call on my colleagues as needed.

Senator MURKOWSKI. Great. Thank you.

Admiral WEAHKEE. Thank you.

Senator MURKOWSKI. If you will proceed, thank you.

SUMMARY STATEMENT OF REAR ADMIRAL MICHAEL WEAHKEE

Admiral WEAHKEE. Good morning, Madam Chairman, and Members of the subcommittee.

As mentioned, my name is Michael Weahkee, Rear Admiral in the U.S. Public Health Service and Acting Director of the Indian Health Service.

I am here today with three of my colleagues, Rear Admiral Chris Buchanan, the Permanent Deputy Director with the Indian Health

Service; Elizabeth Fowler, the Deputy Director for Management Operations; and Gary Hartz, Director of Office of Environmental Health and Engineering.

Today, I am providing testimony on the President's fiscal year 2018 budget request for the Indian Health Service, which will allow us to maintain and address our agency mission to raise the physical, mental, social, and spiritual health of American Indians and Alaska Natives to the highest level.

Our four agency priorities of people, partnerships, quality, and resources put our patients at the center of everything we do. In addition, IHS is proud of the work we are doing in aligning with our Secretary's three health priorities on childhood obesity, mental health, and opioids.

The IHS is responsible for providing Federal healthcare services to approximately 2.2 million American Indians and Alaska Natives from 567 federally recognized Tribes located in 36 States across our Nation.

Health services are provided through facilities managed directly by the Indian Health Service, by Tribes and Tribal organizations, and through urban Indian health programs.

Our budget plays a critical role in providing a path to fulfill our commitment to ensure a healthier future for all American Indians and Alaska Natives.

The fiscal year 2018 President's budget proposes a total discretionary budget authority for IHS of \$4.7 billion, which was \$59 million below the fiscal year 2017 annualized continuing resolution. The fiscal year 2017 annualized continuing resolution was the planning base level for this budget.

This budget reflects the administration's high priority commitment to protecting direct Indian healthcare investments, and reducing IHS's overall program level by only 0.9 percent in the context of an 18 percent reduction within the overall HHS discretionary budget.

The budget also supports self-determination by continuing the separate, indefinite appropriation account for Contract Support Costs.

In order to prioritize funding for direct healthcare services for our people, the budget includes a reduction to the funding level for facilities infrastructure projects and management activities of \$75 million below the fiscal year 2017 annualized continuing resolution.

The IHS remains committed to addressing behavioral health challenges including high rates of alcohol and substance abuse, mental health disorders, and suicide in our American Indian and Alaska Native communities. The budget for these services is maintained at the fiscal year 2016 level for a total of \$288 million.

The IHS, in partnership with Tribes, uses evidence-based practices to reduce the incidence of preventable disease and improve the health of individuals, families, and communities across Indian country.

Programs such as public health nursing, health education, and community health representatives play integral roles in delivering culturally appropriate services to American Indians and Alaska Natives who live in rural and isolated communities.

DIABETES

The Special Diabetes Program for Indians, or SDPI, provides grants for evidence-based diabetes treatment and prevention services across Indian country. Diabetes health outcomes have improved significantly in American Indian and Alaska Native communities since the inception of the SDPI.

Within our communities, the longtime trend of increasing rates of diabetes ended in 2011. One of the most important improvements has been an 8 percent reduction in the average blood sugar level of American Indian and Alaska Natives with diagnosed diabetes between the years 1997 and 2015.

Improved blood sugar control reduces complications from diabetes. In addition, new cases of kidney failure due to diabetes have declined by 54 percent among American Indians and Alaska Native adults from 1996 to 2013.

The budget request includes \$20 million to support staffing and operating costs for two joint venture construction program projects that include the Choctaw Nation Regional Medical Clinic in Oklahoma and the Flandreau Health Center in South Dakota.

The IHS, through these joint venture agreements, and partners with Tribes to provide funds for staffing, equipment, and operating the facilities while the Tribes invest in the design and construction costs associated with the new facilities.

The healthcare facilities construction budget includes funding for three facility projects including the Alamo Health Center in New Mexico, the Rapid City Health Center in South Dakota, and the Dilkon Alternative Rural Health Center in Arizona.

IHS has a lot of positive information to share about the care we are providing throughout the system. Some examples include launching a new pilot project to integrate trauma informed care at IHS and Tribal facilities in conjunction with the Pediatric Integrated Care Collaborative, which is part of the Johns Hopkins Center for Mental Health Services.

Advancing innovation and new technologies bring emergency medicine expertise to our emergency departments in both the Great Plains and the Billings areas, and initiating telehealth services in the Portland and Albuquerque areas with direct support from the University of New Mexico's Project ECHO.

Continued implementation of our improving patient care initiative, such as the Lawton Indian Hospital in the Oklahoma City area, has been able to reduce their emergency room's medium length of stay from 138 minutes down to 86 minutes.

All of our IHS areas are continually engaging in training and accreditation readiness survey activities. For example, in our Portland area, an area survey readiness team has been established which includes inter-facility participation by both chief executive officers and clinic directors to learn and share best practices.

QUALITY FRAMEWORK

Finally, we are continuing to focus our efforts to improve quality. In November of 2016, we launched our quality framework to strengthen the quality of care that the IHS delivers to the patients that we serve.

Implementation of the quality framework will strengthen organizational capacity to improve quality of care, improve our ability to meet and maintain accreditation for our IHS direct service facilities, align service delivery processes to improve the patient experience, ensure patient safety, and improve processes and strengthen communications for early identification of risks. This framework will be reviewed and updated as necessary in partnership with our Tribes and other stakeholders.

Despite all the challenges, I am firmly committed to improving quality, safety, and access to healthcare for American Indians and Alaska Natives in collaboration with HHS, our partners across Indian country, and in collaboration with Congress.

I appreciate all your efforts in helping us provide the best possible healthcare services to the people we serve to ensure a healthier future for all American Indians and Alaska Natives.

Thank you.

And I am happy to answer any questions that you may have.

[The statement follows:]

PREPARED STATEMENT OF REAR ADMIRAL MICHAEL WEAHKEE

Mr. Chairman and Members of the subcommittee:

Good morning. I am RADM Michael Weahkee, Acting Director of the Indian Health Service (IHS). I am pleased to provide testimony on the President's fiscal year 2018 budget request for the IHS, which will allow us to maintain and address our agency mission to raise the physical, mental, social, and spiritual health of American Indians and Alaska Natives (AI/ANs) to the highest level. Our four agency priorities put our patients at the center of everything we do, and these include recruiting, developing, and retaining a dedicated, competent, caring workforce; building, strengthening and sustaining collaborative relationships; excellence in everything we do to assure a high-performing Indian health system; and securing and effectively managing the assets needed to promote the IHS mission.

The IHS, an agency within the Department of Health and Human Services (HHS), is responsible for providing Federal health services to approximately 2.2 million AI/ANs from 567 federally recognized Tribes in 36 States. The IHS system consists of 12 Area offices, which oversee 170 Service Units that provide care at the local level. Health services are provided through facilities managed directly by the IHS, by Tribes and Tribal organizations under authorities of the Indian Self-Determination and Education Assistance Act (ISDEAA), through services purchased from private providers, and through contracts and grants awarded to urban Indian organizations authorized by the Indian Health Care Improvement Act.

Our budget plays a critical role in providing a path to fulfill our commitment to ensure a healthier future for all AI/AN people and to maintain progress made to date. The fiscal year 2018 President's budget proposed a total discretionary budget authority for IHS of \$4.7 billion, which was \$59 million below the fiscal year 2017 Annualized Continuing Resolution and proposes Program Level funding of \$6.1 billion, which was \$56 million below the fiscal year 2017 Annualized Continuing Resolution. The fiscal year 2017 Annualized Continuing Resolution was the planning base level for this budget.

PRIORITIZING HEALTH CARE SERVICES

The IHS provides comprehensive healthcare, including but not limited to primary medical services, dental care, behavioral health services, community health services, and public health services such as environmental health and sanitation facilities, through a network of 662 hospitals, clinics, and health stations in and near Indian reservations. The budget reflects the administration's high priority commitment to Indian Country, protecting direct healthcare investments and reducing IHS's overall program level by only 0.9 percent when compared to the Annualized Continuing Resolution, in the context of an 18 percent reduction within the overall HHS discretionary budget. In order to prioritize funding for direct healthcare services to AI/ANs and the staffing and operating costs for newly-constructed Joint Venture healthcare facilities scheduled to open in fiscal year 2017, the budget includes a reduction to the funding level for facilities infrastructure projects and management ac-

tivities of \$75 million below the fiscal year 2017 Annualized Continuing Resolution. Direct healthcare services include outpatient and inpatient care in hospitals and clinics, behavioral health services, and dental health services.

The budget maintains the Purchased/Referred Care program funding that is essential for ensuring access to care by our AI/AN patients at \$914 million, which is \$2 million above the fiscal year 2017 Annualized Continuing Resolution. This program provides critical healthcare services that IHS and tribally-managed facilities are otherwise unable to provide through contracts with hospitals and other healthcare providers to purchase such specialized or critical care. In addition, it supports high cost medical care for catastrophic injuries and specialized care.

The IHS remains committed to addressing behavioral health challenges, including high rates of alcohol and substance abuse, mental health disorders, and suicide in AI/AN communities. The budget for these services is maintained at the fiscal year 2016 level for a total of \$288 million, which is \$1 million above the fiscal year 2017 Annualized Continuing Resolution.

Funding for preventive health services is preserved at the fiscal year 2016 level as well for a total of \$157 million, which is \$1 million above the fiscal year 2017 Annualized Continuing Resolution. The IHS, in partnership with Tribes, uses evidence-based practices at the local level to reduce the incidence of preventable disease, and improve the health of individuals, families, and communities across Indian Country. Programs such as public health nursing, health education, and community health representatives play integral roles in delivering culturally appropriate services to AI/ANs and ensuring access to care for homebound patients and others who live in rural and isolated communities.

SPECIAL DIABETES PROGRAM FOR INDIANS

The Special Diabetes Program for Indians (SDPI) provides grants for evidence-based diabetes treatment and prevention services across Indian Country. Diabetes health outcomes have improved significantly in AI/AN communities since the inception of the SDPI. Within our communities, the longtime trend of increasing rates of diabetes ended in 2011. One of the most important improvements has been an 8 percent reduction in the average blood sugar level of AI/ANs with diagnosed diabetes between 1997 and 2015. Improved blood sugar control reduces complications from diabetes. In addition, new cases of kidney failure due to diabetes declined by 54 percent among AI/AN adults from 1996 to 2013.

The SDPI grant program provides funding for diabetes treatment and prevention to 301 Indian health, Tribal, and Urban health programs. Most recently, the SDPI was reauthorized through September 2017.

HEALTH INSURANCE REIMBURSEMENTS

The budget assumes \$1.2 billion in estimated health insurance reimbursements from third party collections. The collection of health insurance reimbursements for the provision of care to patients covered by Medicare, Medicaid, the Veterans Health Administration, and private insurance allows IHS and tribally-managed programs to meet accreditation and compliance standards and expand the provision of healthcare services by funding staff positions, purchasing new medical equipment, and maintaining and improving buildings.

ACCESS TO QUALITY HEALTH CARE SERVICES THROUGH IMPROVED INFRASTRUCTURE

The budget proposes \$20 million for staffing of newly-constructed healthcare facilities. This funding will support staffing and operating costs for two Joint Venture Construction Program (JVCP) projects: the Choctaw Nation Regional Medical Clinic in Oklahoma and the Flandreau Health Center in South Dakota. Through JVCP agreements, the IHS partnered with the Tribes to provide funds for staffing, equipping, and operating the facilities while the Tribes invested in the design and construction costs associated with the new facilities. These funds will allow the new facilities to expand the provision of healthcare in areas where the existing capacity is overextended.

The Health Care Facilities Construction budget includes funding for the following three facilities projects: (1) to design the Alamo Health Center in New Mexico, (2) to complete replacement of the Rapid City Health Center in South Dakota, and (3) to continue construction of the Dilkon Alternative Rural Health Center in Arizona.

SUPPORTING INDIAN SELF-DETERMINATION

The budget supports self-determination by continuing the separate indefinite appropriation account for contract support costs (CSC) through fiscal year 2018. Au-

thorized and required by the ISDEAA, CSC funding supports certain operational costs of Tribes and Tribal organizations administering healthcare service programs under self-determination contracts and self-governance compacts. The budget includes an estimate of \$718 million to fully fund CSC, which is \$1 million above the fiscal year 2017 Annualized Continuing Resolution. Maintaining the flexible funding authority of an indefinite appropriation allows the IHS to guarantee full funding of CSC, as required by the law, while protecting services funding for direct services Tribes.

IHS HEALTH CARE

IHS has a lot of positive information to share about the care we're providing throughout the IHS system. Some examples include: launching a new year-long pilot project at 10 locations to integrate trauma-informed care at IHS and tribal facilities, in conjunction with the Pediatric Integrated Care Collaborative, part of the Johns Hopkins Center for Mental Health Services in Pediatric Primary Care; advancing innovation and new technologies to bring emergency medicine expertise to emergency departments in the Great Plains and Billings Areas through a telehealth contract and initiating telehealth services in the Portland and Albuquerque Areas to screen, diagnose, and treat chronic hepatitis C with direct support from the University of New Mexico's Extension for Community Healthcare Outcomes (Project ECHO) hepatitis C program, which has resulted in screening rates of 92 percent in the Portland target population, up from 67 percent in 2015; and continued implementation of the Improving Patient Care initiative, such as at the Lawton Indian Hospital in the Oklahoma City Area which has reduced their Emergency Room's Median Length of Stay from 138 minutes in April of 2016 to 86 minutes in June of 2017. All Areas also continually engage in training and accreditation survey readiness activities, with a few notable examples. The Claremore Indian Hospital embarked on an initiative to design a better clinical skills and competency nurse training program in fiscal year 2016. Claremore implemented the use of the METIMan® Patient Simulator, which allows local nursing staff to have available the most advanced physiological modeling system incorporated into their training and competency program. Claremore hired nurse educators with experience in clinical simulations and integrated simulation in their curriculum in multiple locations in the hospital. Nursing staff has reporting increased satisfaction with clinical training since the integration of clinical simulations. The Albuquerque Area utilizes a laboratory team made up of the Area Lab Consultant and Service Unit Lab Supervisors to stay in continuous readiness for laboratory accreditation. As a result, the Mesquero Indian Hospital received national recognition and received their National Excellence Award in 2016. In the Portland Area, an Area Survey Readiness Team has been established which includes interfacility participation by Chief Executive Officers and Clinical Directors to learn and share best practices. In addition, in the Bemidji Area, the White Earth clinic achieved the highest scores possible when it received accreditation from the Accreditation Association for Ambulatory Health Care.

Finally, we are continuing to focus our efforts to improve quality. The position of Deputy Director for Quality Health Care was established as part of the senior leadership team at Headquarters to provide specific expertise in advising me as acting IHS Director and providing leadership and guidance to the field on all aspects of assuring quality healthcare. In November 2016, we launched our 2016–2017 Quality Framework and Implementation Plan to strengthen the quality of care that the IHS delivers to the patients we serve. Implementation of the Quality Framework will strengthen organizational capacity to improve quality of care, improve our ability to meet and maintain accreditation for IHS direct service facilities, align service delivery processes to improve the patient experience, ensure patient safety, and improve processes and strengthen communications for early identification of risks. This framework will be reviewed and updated as needed in partnership with Tribes.

IHS also has worked collaboratively with HHS staff and operating divisions to identify Department-wide strategies and resources that can be used to address issues affecting the quality of healthcare provided to AI/ANs served by IHS facilities. Through this work IHS was able to leverage additional staff support for patient care and technical assistance and accomplish policy changes that helped IHS complete salary negotiations and relocation allowances more efficiently to improve the recruitment process. IHS continues to actively engage with HHS in its work to update its Strategic Plan and was an eager participant in the Reimagine HHS work which was focused on making HHS more effective at fulfilling its mission, more focused on serving the American people, and a better place to work. In concert with these activities, IHS is seeking to implement innovative approaches to delivering

and improving healthcare, identifying areas where regulatory reform can facilitate IHS' processes, and strengthening our structure to carry out our mission more effectively and efficiently.

Despite all of the challenges, I am firmly committed to improving quality, safety, and access to healthcare for American Indians and Alaska Natives, in collaboration with HHS, our partners across Indian Country, and Congress. I appreciate all your efforts in helping us provide the best possible healthcare services to the people we serve to ensure a healthier future for all American Indians and Alaska Natives.

Thank you and I am happy to answer any questions you may have.

Senator MURKOWSKI. Thank you, Rear Admiral.

I know that your job is to defend this budget, but I just have to say wow. After listening to that, I would think that we do not have a problem within the IHS system. That we do not have a scenario as was described in these two recent articles from just last week with regards to the facilities, particularly in the Great Plains.

You say that the goal here is to improve the patient experience. Well, the experience is people are dying in these facilities. So to suggest that all is good and that you can have a budget that is sufficient from a facilities' perspective or otherwise, if we take it back to the fiscal year 2016 levels, I just find quite stunning.

We need you to be the advocate for those within the IHS system. I know that everyone within the administration has to walk that fine line where you have a budget proposal that is presented to you.

But I guess I would ask the question, have you read these two articles that I referenced from the "Wall Street Journal" from last week?

Admiral WEAHKEE. Yes, ma'am. I have.

Senator MURKOWSKI. Do you think that those reflect accurately some of what we have seen at these facilities in the Great Plains regions?

Admiral WEAHKEE. Ma'am, I had the opportunity on my second day on the job at the request of Secretary Price, to travel to Pine Ridge, and do a firsthand assessment of the situation, and what the progress has been like.

Senator MURKOWSKI. And what did you see there at Pine Ridge?

Admiral WEAHKEE. I definitely saw a committed, caring workforce who has been working hard to address the issues that have been identified by CMS. They are making significant improvements in their quality assurance and performance improvements, and their oversight of the emergency departments. They work with the area office to ensure governance is monitoring the right things.

I took that trip also with some objective reviewers, the Acting Surgeon General, Rear Admiral Sylvia Trent-Adams, also accompanied me on that visit. And we provided a firsthand account of our findings back to the Secretary, who asked that I convey to the subcommittee his commitment to improving the Indian Health Service.

Senator MURKOWSKI. Do you think that you can keep that commitment and he can keep that commitment to improving the Indian Health Service with the funding levels that are proposed within this budget here?

Admiral WEAHKEE. Well, ma'am, we see the budget as an initial proposal, but we are open to working with you and others to iden-

tify and help meet the needs of our American Indian and Alaska Native people.

Senator MURKOWSKI. Well, I want to work with you. Know that that is sincere and I think that is so with every other Member of this subcommittee.

But I guess I am a little bit—no, I am not a little bit—I am really concerned with the situation that has been clearly articulated in the fiscal year 2017 budget. We said, “Look. We have issues in the Great Plains with Winnebago, with Pine Ridge, with Rosebud.” There was specific funding that was directed for these accreditation emergencies.

Again, it is my understanding that we still have not seen the recertification from CMS. The Winnebago, the Rosebud, and the Pine Ridge hospitals are still operating under this system improvement agreement. And so, I am wondering, has that \$29 million—

You have indicated that you are seeing some progress there at Pine Ridge. But you have not come to us with a request for additional funding to address any of these discrepancies with fiscal year 2018.

Do you think that you can address what you need to address, and again, given the reductions that we are seeing in this budget for these accounts?

Admiral WEAHKEE. The IHS really appreciates the funding that was provided in the 2017 budget for accreditation emergencies. We are using those funds to support contracts, national contracts to address credentialing, national contracts for accreditation. We know that the challenges will persist.

Senator MURKOWSKI. Is the \$29 million that you received last year sufficient to do what it is that we asked you to do within that Omnibus bill?

Admiral WEAHKEE. IHS is committed to patient safety and the quality of healthcare.

Senator MURKOWSKI. Right. But is the \$29 million sufficient for you to do the job that we need you to do, and that those who receive services there at these facilities expect and deserve?

Admiral WEAHKEE. We are focusing a lot of efforts in the three locations that you have identified: Rapid City, or I am sorry, Pine Ridge, Rosebud, and Omaha Winnebago.

A lot of the changes that we are making to the system overall are a result of what we have found in the improvement work that we have really focused in those areas.

We have experts from the Oklahoma City area, from Phoenix, from the Portland area repositioned and really working directly with those programs to implement best practices. Not only from other parts of the IHS, but from our Tribal programs like the South Central Foundation, the Nuka Institute, implementing patient-centered medical homes and care teams.

So we appreciate the resources that are dedicated to helping us address these issues.

Senator MURKOWSKI. Well, sir, you have not directly answered the question whether or not we have provided you with sufficient resources. That is what this subcommittee does as the appropriation subcommittee for the Interior for oversight of IHS.

We want to help you. We want to know that you have the resources that you need because it is my assumption that the three that I am highlighting here—Rosebud, Pine Ridge, and Winnebago—are just the ones that make the “Wall Street Journal”. That there are other facilities; I know that there are other facilities.

In Alaska, we are a different model, a different system. And I think you know, certainly my colleagues here know that usually I am laser focused on the situation in Alaska. But I cannot stand down knowing that our system is failing so many of our Native people around the country.

So we want to help you, but we need to know how we can best facilitate that. So this conversation will continue.

I will turn to my colleague, Senator Udall.

Senator UDALL. Thank you, Madam Chair.

Admiral, I want to quickly raise a process concern. It is a long-standing practice for Members of this subcommittee of both parties to request information from your department.

PURCHASED REFERRED CARE

Can you confirm that you will continue the longstanding practice of responding to all questions, including written correspondence, from both majority and minority Members of this subcommittee as quickly as possible?

Admiral WEAHKEE. Yes, sir. Absolutely, we will work with you very closely in helping fulfill it.

Senator UDALL. Thank you very much.

This budget reduces funding for purchased and referred care by over \$14 million. I have heard from many Tribes, who are rightfully very concerned, about the ability of IHS to continue serving patients above Medical Priority Level One. They are concerned about returning to an era of IHS healthcare rationing.

This question is for Ms. Fowler. Do you have an estimate of the total amount of reimbursement IHS facilities have received due to the Medicaid expansion?

Ms. FOWLER. Thank you for the question.

I do not have the specific amount that is due specifically to Medicaid expansion, but we can provide some additional follow up for you on that.

Senator UDALL. Will you give me those numbers, please?

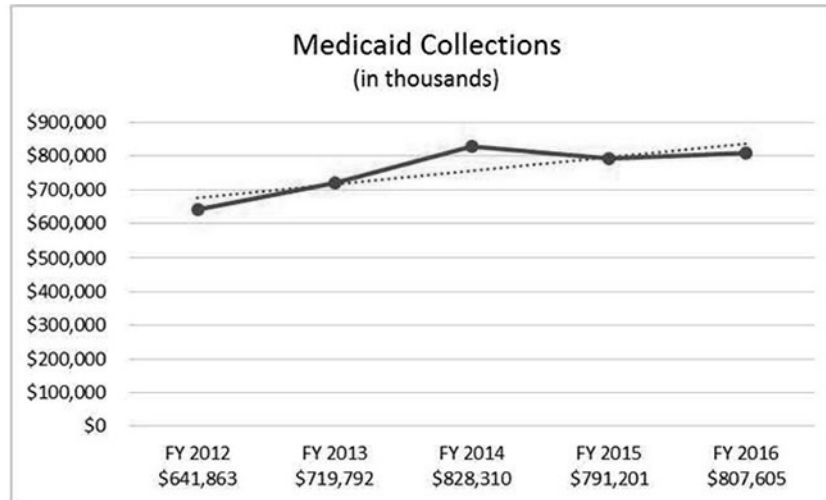
Ms. FOWLER. To the extent that we have it available.

Senator UDALL. Yes. Well, I know in previous testimony with Admiral Buchanan, the discussion was about a significant amount of resources coming in as a result of Medicaid expansion. And so, I really want to have those numbers.

[The information follows:]

TOTAL AMOUNT OF REIMBURSEMENTS IHS FACILITIES HAVE RECEIVED DUE TO MEDICAID EXPANSION

The Indian Health Service (IHS) reported a total of \$807.6 million in Medicaid reimbursements during fiscal year 2016. The table provided below shows an upward trend in Medicaid collections from fiscal year 2012 to fiscal year 2016.



Note: Medicaid Collections in this chart include Tribal collection estimates from the Centers for Medicare & Medicaid Services (CMS) and Tribal collection estimates due to direct billing between fiscal year 2002–fiscal year 2015.

The IHS is unable to identify which patients became eligible as a result of Medicaid expansion on or after January 1, 2014. Therefore, the IHS cannot determine how much of the increase in Medicaid reimbursements is directly attributable to services provided to:

- Patients in the new “expansion” categories;
- Patients in “restoration” categories (in States where enrollment in certain eligibility categories was frozen prior to Medicaid expansion);
- Patients who may have previously been eligible but not enrolled prior to January 1, 2014, and,
- Previously enrolled patients.

For additional details regarding Medicaid, expenditure reports from the CMS known as the “CMS 64 Reports” for fiscal year 2013–fiscal year 2016 are enclosed. The reports include Federal reimbursement to State Medicaid programs for services eligible for 100 percent Federal Medical Assistance Percentages which are provided by IHS and Tribal Health Programs operated under Public Law 93–638, the Indian Self-Determination and Education Assistance Act. States may request adjustments in expenditures up to 2 years after the respective quarter of expenditures. These reports were updated as of August 7, 2017.

Senator UDALL. Admiral Weahkee, do you have anything to add there in terms of specifically the amount of money because of the Medicaid expansion?

Admiral WEAHKEE. Sir, not with specificity, but my job prior to coming into this role was as a CEO at the hospital level.

I know that we rely very heavily on our third party collections not only Medicaid, but Medicare, private insurance, and V.A. reimbursements as well to help meet the needs of our patients.

Senator UDALL. Yes.

Ms. Fowler, how many IHS service units used Medicaid expansion to provide services at Medical Priority Level 2 or higher in fiscal year 2016?

Ms. FOWLER. In 2016, 47 out of 67 Federal PRC programs were able to fund care at Priority 2 and lower.

Senator UDALL. Thank you.

If Medicaid expansion funding were eliminated, how much additional purchased and referred care appropriations funding would IHS need to maintain care above Medical Priority Level 1?

Ms. FOWLER. That is a difficult question to answer. Again, attributing the amount to patients who were eligible for Medicaid as a result of Medicaid expansion is the key there. And I do not believe that we have information data that goes to that level of specificity, but we can certainly see what information we do have and provide that to you and follow up.

Senator UDALL. Thank you very much. Please do that for the record.

[The information follows:]

AMOUNT OF ADDITIONAL PURCHASED AND REFERRED CARE APPROPRIATIONS FUNDING NEEDED TO MAINTAIN CARE ABOVE MEDICAL PRIORITY LEVEL 1 IF MEDICAID EXPANSION FUNDING WERE ELIMINATED

The Indian Health Service (IHS) cannot reasonably determine the additional amount of appropriated Purchased/Referred Care (PRC) funding that might be needed to maintain or provide healthcare services beyond Medical Priority Level I (life or limb threatening) if Medicaid expansion were eliminated. This is because American Indian and Alaska Native patients eligible for Medicaid do not need a PRC referral to access care. In the case of Medicaid eligible patients, Medicaid reimburses the private provider in full and there is no cost sharing for the beneficiary or the PRC program. Since a referral or request for service is not required and patients often go on their own to Medicaid providers, the IHS is unable to track these instances when Medicaid is the payer instead of the PRC program.

Senator UDALL. As all of you know, there used to be a saying in the Indian Health Service, "Do not get sick after June," and that is because we ran out of money in this purchased and referred care item. And so my belief is that is no way to run a hospital and a healthcare system.

So we need to make sure that we try to do the very best and I think that is the same theme that Senator Murkowski has pushed here today.

Republican proposals to repeal Medicaid expansion, along with the ACA, would clearly have direct and dramatic impacts on the Indian Health Service.

Admiral Weahkee, can you please answer me with a simple yes or no to the following question? Have you, or any of your staff, at IHS been contacted by House or Senate Republican Leadership or the White House, requesting consultation or technical assistance for various drafts of Trumpcare?

Admiral WEAHKEE. Not to my knowledge, sir. Again, this is my third week on the job and I am not aware of any requests for information at this point.

Senator UDALL. Admiral Buchanan, would you answer that question?

Admiral BUCHANAN. Not to my knowledge either.

Senator UDALL. Thank you.

As mentioned in my opening, I am concerned this budget proposal would cut more than \$12 million from these line items, that is, mental health and substance abuse. This steep cut to an already underfunded line item would be particularly devastating if combined with the repeal of Federal essential health benefit requirements, like the BCRA that requires Medicaid and insurance coverage of these critical services.

Can you tell me what mental health and substance abuse services would be cut if this \$12 million decrease were enacted?

BEHAVIORAL HEALTH

Admiral WEAHKEE. I have information in terms of some of the work that we are doing in behavioral health. We are funding substance abuse and suicide prevention grants. We are funding domestic violence prevention programs.

We are very close to announcing the next round of substance abuse grantees. I believe we have it in the range of 30 of them. Many of those successful grantees are from the State of Alaska. We will soon be putting another solicitation out for domestic violence. I think we have funding for an additional 20 in terms of the specifics about impacts with the changes.

I may have to defer here on this one to Ms. Fowler, if she has any thoughts on that.

Ms. FOWLER. I would just say that as Admiral Weahkee has already indicated that we view this budget as an initial proposal. So we would hope to work with you on adjusting the needs particularly for our behavioral health services.

Senator UDALL. Yes. Well, I do not have any doubt that if you are cutting \$12 million out of mental health and substance abuse treatment that people are going to lose services, and we are going to be in a worse situation.

Thank you, Madam Chair.

Senator MURKOWSKI. Senator Van Hollen.

Senator VAN HOLLEN. Thank you, Madam Chair.

Thank you and the Ranking Member for your leadership on this issue as I welcome everybody.

The Indian Health Service has major facilities in the State of Maryland, in Rockville, in the State of Maryland and I look forward to working with all of you going forward.

I have to say I have been appalled in preparing for this hearing and reading the articles that Senator Murkowski referenced. What is even more appalling is that if you do a little work, you realize that this has been a chronic issue. Right? I mean, there have been hearings in the Congress dating back many, many years that focused a spotlight on this issue and yet, it does not seem to be getting any better.

With all respect, Admiral, I understand you are recently appointed here in terms of your current capacity, but I think you were obviously given a particular budget.

I think what this committee needs is information from all of you, facts, so we can evaluate the impact. And so, I would appreciate it if you would get us some information, first of all, regarding the impact of the proposed Medicaid cuts.

As I looked at the sources of revenue for a lot of the healthcare services provided by the Indian Health Service, you have a number of third party payers. The largest, by far, is Medicaid. Over 60 percent, I believe, of the payments for services rendered.

Is that correct?

Admiral WEAHKEE. Yes, sir.

Senator VAN HOLLEN. All right. So if you could please give us an analysis of what the impact of the current proposal here in the

Senate with respect to this so-called healthcare bill, which would cut over \$770 billion from Medicaid would be, plus the \$600 billion additional cut proposed in the budget that has been submitted by the Trump administration. That is \$1.4 trillion overall. And the Indian Health Service more than most other agencies is highly dependent on those Medicaid funds.

So can you commit to providing us with an analysis of your assessment of what the impact of those cuts would be on your ability to provide healthcare both in the physical health area, but also importantly in the behavioral health area? Could you give us that information and that analysis?

Admiral WEAHKEE. We will undertake that assessment and provide you with the information. Look forward to partnering with you.

[The information follows:]

ANALYSIS OF WHAT THE IMPACT OF CUTS TO THE BUDGET WOULD HAVE ON THE
PHYSICAL HEALTH AREA AND THE BEHAVIORAL HEALTH AREA

The fiscal year 2018 President's budget reflects the administration's high priority commitment to Indian Country, protecting direct healthcare investments and reducing IHS's overall program level by only 0.9 percent when compared to the Annualized Continuing Resolution, in the context of an 18 percent reduction within the overall HHS discretionary budget. Therefore, difficult decisions at the Department and across the Federal Government were required to ensure fiscal responsibility and long-term sustainability. The IHS remains dedicated to the mission and will continue to prioritize funding for direct healthcare services.

Please refer to the enclosed table that provides a comparison of the fiscal year 2017 enacted funding level and the proposed fiscal year 2018 budget. Reductions to IHS funding levels may result in the reduction or elimination of programs.

In addition, some aging healthcare equipment may need to be used well beyond recommended replacement cycles in order to prioritize funding for repair or replacement of only the most critical equipment necessary for safe patient care. Most IHS healthcare sites supplement their annual medical equipment funds with collections to replace medical equipment. IHS healthcare sites with more robust collections have the resources available to purchase medical equipment at a greater rate. Other sites may need to pool resources over a few years.

Senator VAN HOLLEN. I would appreciate that.

I also think it is important that in addition to those cuts, we get an assessment, a factual assessment, of the impact of the proposed cuts to your specific budget, the \$300 million cut. Because I know on a bipartisan basis, Members of the Senate and the House have worked to try to address some of those issues and provide additional resources to avoid the kind of problems that we are seeing.

I agree with Senator Murkowski, I think the "Wall Street Journal" decided to look at three particular facilities, but my guess is if you are seeing such chronic problems at these three, if they were to do an investigation of some of the other sites, we would uncover some more issues.

So I know you believe in your mission. I think our mission is to try to make sure we get the information necessary so we can make reasonable judgments about resources. And so your analysis, you have the information with respect to how much received from Medicaid, and so I would very much appreciate it if you could give us that analysis. Just the facts.

Can you do that?

Admiral WEAHKEE. Thank you, sir. Yes, sir.

[The information follows:]

FACTUAL ASSESSMENT OF THE IMPACT OF CUTS TO THE SPECIFIC IHS BUDGET

[Dollars in thousands]

Program	Fiscal Year 2017 Enacted	Fiscal Year 2018 President's Budget	Fiscal Year 2017 + / - Fiscal Year 2018	Notes
SERVICES				
Hospitals & Health Clinics	\$1,935,178	\$1,870,405	(\$64,773)	Loss of \$1 million Prescription Drug Monitoring, \$4 million Domestic Violence Prevention Program, \$27 million Accreditation Emergency Fund, \$9 million Tribal Clinic Leases, \$21 million Current Services; and a reduction of \$1.6 million to offset the funding request for Staffing New Facilities
Dental Services	\$182,597	\$179,751	(\$2,846)	Loss of Current Services
Mental Health	\$94,080	\$82,654	(\$11,426)	Loss of \$6.9 million Behavioral Health Integration, \$3.6 million Zero Suicide, and \$942,000 Current Services
Alcohol & Substance Abuse	\$218,353	\$205,593	(\$12,760)	Loss of \$6.5 million Generation Indigenous (Substance Abuse and Suicide Prevention Program), \$1.8 million Youth Aftercare Pilots, \$2 million Detoxification Services, and \$2.5 million Current Services
Purchased/Referred Care	\$928,830	\$914,139	(\$14,691)	Loss of Current Services
Total, Clinical Services	\$3,359,038	\$3,252,542	(\$106,496)	
Public Health Nursing	\$78,701	\$77,498	(\$1,203)	Loss of Current Services
Health Education	\$18,663	\$18,313	(\$350)	Loss of Current Services
Community Health Representatives	\$60,325	\$58,906	(\$1,419)	Loss of Current Services
Immunization AK	\$2,041	\$1,950	(\$91)	Loss of Current Services
Total, Preventive Health	\$159,730	\$156,667	(\$3,063)	
Urban Health	\$47,678	\$44,741	(\$2,937)	Loss of \$1.1 million Program Increase and \$1.8 million Current Services
Indian Health Professions	\$49,345	\$43,342	(\$6,003)	Loss of \$500,000 Program Increase and \$503,000 Current Services; and a reduction of \$5 million to offset the funding request for Staffing New Facilities
Tribal Management Grants	\$2,465	\$0	(\$2,465)	Loss of \$23,000 Current Services and a reduction of \$2.4 million to offset the funding request for Staffing New Facilities
Direct Operations	\$70,420	\$72,338	\$1,918	
Self-Governance	\$5,786	\$4,735	(\$1,051)	Loss of \$51,000 Current Services and a reduction of \$1 million to offset the funding request for Staffing New Facilities
Total, Other Services	\$175,694	\$165,156	(\$10,538)	
TOTAL, SERVICES	\$3,694,462	\$3,574,365	(\$120,097)	
CONTRACT SUPPORT COSTS				
TOTAL, CONTRACT SUPPORT COSTS	\$800,000	\$717,970	(\$82,030)	Reflects estimated CSC need at the time the President's budget was submitted
FACILITIES				
Maintenance & Improvement	\$75,745	\$60,000	(\$15,745)	Program reduction, results in only 85 percent sustainment of M&I needs
Sanitation Facilities Construction	\$101,772	\$75,423	(\$26,349)	Program reduction, decreases the number of sanitation programs that can be funded
Health Care Facilities Construction	\$117,991	\$100,000	(\$17,991)	Program reduction. Annual funding at this level increases the length of time needed to complete the "grandfathered" priority list of facilities
Facilities & Environmental Health Support	\$226,950	\$192,022	(\$34,928)	Program reduction, results in the need to redirect funding from other sources (e.g., third party collections) to fund FTEs
Equipment	\$22,966	\$19,511	(\$3,455)	Program reduction, results in decreased equipment distributions and increased usage of equipment beyond recommended lifecycle refresh periods
TOTAL, FACILITIES	\$545,424	\$446,956	(\$98,468)	
TOTAL, BUDGET AUTHORITY	\$5,039,886	\$4,739,291	(\$300,595)	

Senator VAN HOLLEN. Thank you.

Senator MURKOWSKI. Senator Van Hollen, thank you for raising that.

Admiral, I would add to Senator Van Hollen's request that you provide us with this level of detail, but that you do it on a very expedited basis.

As we all know, the current subject of discussion right now, we are going to have a new discussion draft that will be laid down supposedly on Thursday. I am not certain what it will entail, but I have been unable to get from Health and Social Services this break down as to how IHS is impacted by the various proposals to cut Medicaid. Medicaid expansion is one aspect of it.

But I am told that they cannot separate out the numbers insofar as the various categories within Medicaid, whether it is children, those with disabilities, or seniors. I am asking, I think, a very fair and legitimate question.

If you do not have the numbers and the data between IHS and Health and Social Services, how can I do a fair assessment as to the impact of these proposals on our Alaska Native people or our American Indians, our Native people in the country?

So I have asked for these numbers from Health and Social Services. You now have a formal request from the subcommittee. But we would ask that you do it on a very expedited basis because it is imperative that we have this understanding.

Senator TESTER.

Senator TESTER. Thank you, Madam Chair. Could I get my time set back?

Senator MURKOWSKI. You have it.

Senator TESTER. I just want to make sure.

Senator MURKOWSKI. That is your introduction.

Senator TESTER. Thank you very much.

Well, first of all, thank you for coming.

Rear Admiral, when I was looking at your bio, you worked at IHS facility in Phoenix.

Is that correct?

Admiral WEAHKEE. Yes, sir.

Senator TESTER. And then you worked in the IHS, I assume, here in DC Clinical and Prevention Services, manager of Policy and Internal Control Staff.

Is that correct? Anything else you would like to add to that resume that is particularly pertinent here?

Admiral WEAHKEE. I think important to my upbringing, if you will, is 6 years spent with the California Tribes getting a perspective on the other side.

Senator TESTER. So I do not think any of the things that have been brought up here today by the Chairman, or Ranking Member, or Senator Van Hollen should be a surprise to you. You probably have lived it. We have not.

And so when we talk about inadequate facilities, or not having enough staff, or dealing with behavioral health, this is not new to you. Right?

Admiral WEAHKEE. Our agency has many challenges.

Senator TESTER. I am talking about you personally. It is not new to you.

Admiral WEAHKEE. I have made a career serving my people. Yes, sir.

Senator TESTER. Were you told not to answer any questions here, by the way?

Admiral WEAHKEE. No, no.

Senator TESTER. Okay. Because I think it is absolutely unbelievable that you cannot separate how much money that Medicaid has helped you with third party billing.

I mean, to the point where I think we should almost demand an audit because that is not how things work and you should have those numbers at the tip of your tongue, to be honest with you. If we are going to make policy here, we have to figure out what the impacts of that policy are going to be. And, by the way, it is your agency that deals with Indian health, nothing else. And so, we have to have it.

I do not mean to lecture to you, but have you had a chance to do an assessment on what the needs are during your 3 weeks at IHS?

Admiral WEAHKEE. I have been able to leverage a lot of work that has been done prior.

Senator TESTER. What would you say is the number one need is in IHS right now?

Admiral WEAHKEE. Absolutely, it is shoring up our longstanding vacancies in some key leadership positions.

Senator TESTER. So it is people.

Admiral WEAHKEE. People. Yes, sir.

Senator TESTER. What does this budget do to your ability to hire staff?

Admiral WEAHKEE. We have a lot of efforts underway.

Senator TESTER. Is there an increase in dollars for hiring staff or a decrease?

Admiral WEAHKEE. We prioritized maintaining direct care services.

Senator TESTER. As far as total dollars go, is there an increase in dollars for hiring staff or a decrease?

Admiral WEAHKEE. Our priority has been on ensuring that we can continue direct care services.

Senator TESTER. That is not my question. You said it is the number one issue facing. I agree with you, by the way.

So does the budget, does it increase the number of dollars for hiring people or is it a decrease? I would assume you would know that.

Admiral WEAHKEE. Well, sir, we had to make a lot of tough decisions.

Senator TESTER. Okay. So it is a decrease. Is that what you are saying?

Admiral WEAHKEE. No, sir. I did not say that.

Senator TESTER. So is it? Come on, man. I mean, just answer the question. I will back you if the administration comes after you, but is it an increase or a decrease?

Admiral WEAHKEE. We really prioritize—

Senator TESTER. No, no, no, no. Come on.

Admiral WEAHKEE [continuing]. Our direct services.

Senator TESTER. Really? I mean, I am on your side. Okay? I am a former Chairman of Indian Affairs Committee, former Ranking

Member. I have been on this subcommittee now for 8 years. Just tell me if it is an increase or a decrease. It is that simple.

Admiral WEAHKEE. Well, sir, looking at our line items, our priority has been to ensure that we can continue to provide direct healthcare services, and those funds had been prioritized and maintained at the levels that we can ensure that we do not have to decrease the level of service.

Senator TESTER. And that is your answer.

Admiral WEAHKEE. That is my answer. Yes, sir.

Senator TESTER. Wow. I am not even going to go into facilities. I am not going to go into what is going on with mental health. I am not going to go into what is going on with the problem with drugs.

I will tell you that with the previous IHS staff, I remember giving a speech similar to what the Chairman did, and that is if you guys do not advocate for a budget, how are we supposed to fix it?

I have never had in 10 years on this subcommittee, I have never had somebody come up here and when I asked them a direct question, they do not answer it.

I asked you a direct question on whether this budget was up or down, and you would not answer. You refused to answer it. That is totally unacceptable. I did not come in here with my hair on fire, but I am leaving here with it.

I am going to tell you something. Indian Health Service is in a crisis and if you have served in Indian Health Service for 10 years, and you have answered the questions in Indian Health Service like you have here today, it is no wonder that it is in crisis.

I cannot believe what has transpired in this hearing today. All I want is some answers. That is it. And if we cannot get answers from Indian Health, where do we go to get those answers? I do not expect you to answer that either.

This is an unbelievable hearing. I just have to tell you. I have not had one like this in my tenure in here. When I ask a question, I want an answer. It is unbelievable.

Senator MURKOWSKI. Thank you, Senator. I think all of us share the frustration.

Senator Hoeven.

Senator HOEVEN. Thank you, Madam Chairman.

Admiral, pronounce your last name for me, please.

Admiral WEAHKEE. It is Weahkee.

Senator HOEVEN. Weahkee.

GAO

Earlier this year, the GAO released a report on Government agencies that were at high risk for financial waste, fraud, and abuse. IHS was listed as one of them. As part of the report, GAO made recommendations for IHS to address these shortcomings.

On June 13, the Deputy Acting Director, Admiral Chris Buchanan, who is also here today, came before the Indian Affairs Committee and committed IHS to implementing the recommendations in a timely manner from that GAO report.

Can you share with the subcommittee what recommendations from GAO have been implemented and do you have a timeline

when outstanding recommendations will be put in place? And that is both for you and for Admiral Buchanan.

Admiral WEAHKEE. Thank you, Senator Hoeven.

I will take the good news first, which is we are happy to identify that just last week, we have submitted recommendations to close four of those outstanding GAO reports.

And I would like to ask Admiral Buchanan to talk a little bit more with some specificity about those GAO reports.

Admiral BUCHANAN. Thank you and appreciate the opportunity to respond.

As Admiral Weahkee had mentioned, four of the nine reports have been submitted for closure. Of those, there are about roughly 14 specific recommendations. Of those, seven we are recommending closure. Where we have implemented one, we did not agree with the recommendation and the other eight, I believe, are in the process of closure.

So with the anticipated timeline, by the end of this year, I believe, there is opportunity to close out those other opened recommendations.

Senator HOEVEN. So one more time, take me through how many have been closed out and how many are still in process?

Admiral BUCHANAN. Okay. Seven have been recommended for closure to GAO. One is not, we did not agree with GAO recommendations. And the other eight, I believe, are still in process.

Senator HOEVEN. Okay. And your timeline on those is by the end of this year?

Admiral BUCHANAN. Anticipated by the end of this year. Right.

Senator HOEVEN. And as we discussed at our last Indian Affairs Committee hearing where you were present, I am going to ask you to appear for the committee again.

We had looked at possibly doing it in July. Based on the schedule now, we may do it in early August or the first part of September. And then we are going to want a detailed report on the closed items and then also on the pending items.

Admiral BUCHANAN. Definitely.

Senator HOEVEN. Okay. And we will ask you to appear.

IHS CREDENTIALING SYSTEM

One of the challenges I have learned, regarding IHS personnel, is the credentialing system the agency employs. While it is necessary to ensure that IHS healthcare providers have the proper qualifications, the credentialing process has been reported as cumbersome and deters qualified healthcare professionals, who are in good standing with their States' medical boards, from offering their services in Indian country. We want to get more health services out in Indian country, so this is a problem.

Has IHS taken actions to streamline the credentialing process? And if not, what are you doing and what can you do to get more healthcare providers, as well as volunteers, to come out in some of these underserved areas in Indian country?

Again, Admiral Weahkee, I will start with you, and then ask for Admiral Buchanan to respond as well.

Admiral WEAHKEE. Thank you, sir. I appreciate the question.

The credentialing issue has been undertaken as part of our quality framework and we have launched a national system to credential healthcare providers across all of IHS, standardizing and increasing process efficiency to shorten the time that it takes to get providers in, and to help ensure that problem providers are not credentialed anywhere else in the IHS.

We have recently contracted with a software company to purchase a system for the entire agency. We have taken a phased implementation. We have started with four pilot sites to work out the bugs, and we anticipate to have that new credentialing system completely implemented agency-wide by the end of the year.

I will turn to Admiral Buchanan, if he has anything else to add.

Admiral BUCHANAN. Yes, just the quality framework is at the forefront of everything that we have been doing related to organizational capacity, recruitment and retention activities.

We have been actively involved in several of those, including global recruitment activities. We have some programs that we are working on. We are working with some postgraduate training activities to increase our access. We are showing, as I mentioned, the global recruitment, a lot of promise in being able to put out one announcement and have multiple applications from across the country.

Another activity that we have been doing is with the Commissioned Corps related to what I have been calling, or what the agency has been calling, we have been talking about is first dibs. Meaning that people interested in applying to the Commissioned Corps are given priority to Great Plains, Billings, and Navajo.

So those are just a couple of additional items that I would like to add.

Senator HOEVEN. Well, again, I want to emphasize the importance because of our need to get qualified healthcare professionals out in Indian country. As well as to take advantage of volunteers, for example, in dentistry and other areas; to get healthcare professionals out there doing healthcare on a voluntary basis as well. So this is very important and it needs to be completed so that we can get more people out providing those services.

I have your commitment that you are going to make this an absolute priority?

Admiral WEAHKEE. Yes, sir.

Senator HOEVEN. Thank you.

Senator MURKOWSKI. Thank you, Senator Hoeven.

Just to continue on with the recruitment and retention issues. What is the current turnover rate with physicians within IHS right now?

Admiral WEAHKEE. We are looking at between an 11 and 13 percent turnover rate currently, agency wide.

Senator MURKOWSKI. Agency wide. And so, it was a difficult exchange with you and Senator Tester there in terms of the impact that this budget will have on your ability to recruit and retain.

I think we all recognize that this has got to be a priority. You have just given Senator Hoeven a commitment that you will retain this as a priority.

Do you have the flexibility within IHS to offer competitive salaries? Is that part of our issue?

Admiral WEAHKEE. We have a lot of tools in our tool belt, our abilities to provide recruitment retention incentives. We use the Federal system.

Senator MURKOWSKI. Is salary a primary barrier?

Admiral WEAHKEE. We have been able to attract some of the very best of the best. Some of my colleagues in the IHS are at the top of their profession, top of their game.

I think it is not so much an inability to recruit the best of the best. It is recruiting enough of the best of the best.

Senator MURKOWSKI. Well, and it is also retention because when you have turn over like this, it is one thing to get folks out there. It is another thing to keep them.

I know in Alaska, housing is a big consideration. You go out to many of our areas and there is no housing available. You have your physicians that are effectively living in the hospitals, living in the clinics.

How big of an issue is housing, for instance, in the Great Plains areas that I was speaking about earlier in an effort to recruit and retain your professionals?

HOUSING

Admiral WEAHKEE. Yes, ma'am.

I had the opportunity last year to live in Rosebud myself for 5 months and to really assess the situation. Housing is definitely a concern in Rosebud, Pine Ridge, and other rural, remote locations.

Senator MURKOWSKI. What are you doing to address that?

Admiral WEAHKEE. I know that we have been able to, with resources provided, start to look at some innovative designs and building some hotel-type facilities. Specifically, in Pine Ridge and Rosebud, we have some 19-unit construction projects that are underway.

I would like to ask if Mr. Hartz, who is our facility construction expert, can weigh in more.

Senator MURKOWSKI. Please.

Mr. HARTZ. Thank you, Admiral Weahkee and thank you, Senator Murkowski. Good to see you again.

What you have identified is definitely a need across all of Indian country. In this past year, we have provided resources to construct the apartment type complexes for permanent single family, two bedroom units, as well as for itinerant people coming into Pine Ridge, Rosebud, Chinle, and Crown Point on the Navajo Reservation, also addressing some issues in the Hopi Reservation.

With the resources that you folks provided to us in fiscal year 2017, we are going to distribute money—I was going to say we might have already even distributed it but—money will be distributed to the three primary areas that have the greatest need for housing and that is Alaska, Great Plains, and Navajo. So we will be providing those resources from 2017 for that purpose.

It relates back to “build it and they will come,” whether it is in healthcare facility construction, whether it is having the ability to house people in quarters that are not 60 years old. It makes a difference.

Even the Senator who has left may acknowledge, but the best program in the country is at the University of North Dakota that

has the INMED program. That school has graduated more physicians, Indian physicians, than any other institution in this country. And we have many, many of them across the infrastructure of Indian healthcare delivery, Tribal and Federal.

Housing need is something that we are addressing. We thank you for the partnership of assisting us in getting those quarters out there, and we will continue to do that in any way we can.

We are even looking at the HUD program under Section 184 and whether there are ways we can develop private, Tribal, and Federal partnerships to come up with a way to further supplement this need that exists across Indian country.

Senator MURKOWSKI. Well, and I think that is an important part of what we need to look to when we try to understand what is going on with recruitment and retention.

If you are out in the area where there is no housing or where the housing is so substandard, there is a lot of competition for doctors all over the country.

Mr. HARTZ. Right.

Senator MURKOWSKI. And it is not just within IHS. We are still trying to get doctors within the V.A. system. We are trying to get doctors throughout and so things like housing are important.

But it takes me back to the budget that we are looking at. This budget request proposes an 18 percent cut to the facilities program. So whether we are talking about housing initiatives, or recognizing that the facilities that are aiming to meet the needs of our Native peoples are roughly four times the age of their private sector counterparts, you have a maintenance backlog that is also over half a billion dollars.

So I understand. I am on the appropriations committee. I understand that we have an administration that is trying to rein in our spending. We need to do that. We need to be responsible to it, but we also have a trust responsibility to our Native people. In order to meet that, we need to make appropriate investments and those appropriate investments are being overlooked, I think, in this budget.

I do not see that with this large backlog of construction and maintenance projects we have that we can continue to do the good work that I think you have outlined, Mr. Hartz. We are making some progress.

How do we continue that progress when you have an 18 percent cut in your facilities budget here? Does anybody have an answer? Mr. Hartz.

Mr. HARTZ. Some people may say I have been around too long, but I have seen a lot. As the budgets have gone up and the budgets have gone down, we have had to come up with ways to manage that within the confines of the resources we are provided, ever mindful of the priority to serve the American Indian and Alaska Native to the highest level that we can.

Regarding the M&I account, you mentioned that. The need is in excess of half a billion dollars. No question about it. We have taken the appropriations that we have received and coupled that with Medicare, Medicaid, and private insurance collections.

We have examples of areas taking 75 percent of project funds going into some M&I work in the Portland area where resources came from other than the M&I appropriation.

So we continue to work to see how we can best partner with others, whether it is in sanitation facilities. We have done the same thing in delivering sanitation facilities.

On the healthcare arena, it is pretty clear that construction is tied to appropriations. Unless, of course, we can get involved in the joint venture program, the small ambulatory program that you helped us out with, again, this past year. We appreciate that coming from the subcommittee.

Approximately a year ago, we submitted the second facilities assessment report to the Congress and that report indicates the needs that were determined; not only existing authorities, but the new authorities that came with the reauthorized Indian Healthcare law were incorporated in.

It already has been stated, I think, here at the hearing that that existing authorities was over \$10 billion of a need for healthcare facilities. The new piece, new authorities is another \$4 billion plus.

So yes, we have these needs. We have managed exceedingly well. We do not come back to the Congress for money for any of our projects. We take a look at cost, scope, and schedule. We work within that to make sure we deliver quality healthcare.

I can go to places in New Mexico. I can go to places in Alaska where you and I have been for dedications. I can go to Arizona. I can go to the places that we have tried to keep up with the resources to deliver healthcare.

We have done a fantastic job and it helps recruitment. It provides staffing at an 85 percent level and the balance is covered by third party collections.

Senator MURKOWSKI. Well, and Mr. Hartz, I am going to interrupt because my time has expired. But your comment just there, that it has been helped by the third party payers is exactly why we need to get this information from you about the impact, the benefit then that accrues to IHS through Medicaid and Medicaid expansion.

If decisions are going to be made to make reductions in this particular program, again, we need to understand what that is going to be doing to the delivery of the services that are expected.

Let me turn to Senator Udall.

Senator UDALL. Thank you, Madam Chair.

I was pleased this subcommittee was able to secure additional funding for alcohol and substance abuse programs in the Omnibus, Miss Fowler. And I know that this funding is critical to patch gaps in service like those we see in the community of Gallup, New Mexico.

Miss Fowler, can you tell me how soon you expect an announcement to be made about this funding?

Ms. FOWLER. Yes, sir. We are working on a cooperative agreement and we expect that to be awarded by the end of this fiscal year.

Senator UDALL. And how long after the announcement is made will it take to get this funding on the ground to these areas of greatest need?

Ms. FOWLER. It would be immediately.

Senator UDALL. Okay. Thank you.

Now, back to this issue of the CMS funds and the information on Medicaid, as I understand, CMS keeps records of what it pays for every Medicaid service in the country. I believe it is called the CMS-64 and it has an entire column of payments for IHS services.

Why does no one at the HHS, CMS, or IHS have that data file to share with the subcommittee? And will you get that data file and share it with the subcommittee?

Admiral WEAHKEE. Sir, we are happy to partner with CMS, and assess what data they have available, and bring that back to you.

Senator UDALL. Am I correct about the CMS-64, that that exists?

Admiral WEAHKEE. It is a little bit outside of my area of expertise.

Senator UDALL. Admiral Buchanan.

Admiral BUCHANAN. It is also out of my area of expertise.

Senator UDALL. Okay. Well, find it and get it for us. Thank you.
[The information follows:]

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Inpatient Hospital— Reg. Payments Total Computable	Inpatient Hospital— DSH Total Computable	Inpatient Hospital— Sup. Payments Total Computable	Inpatient Hospital— GME Payments Total Computable	Mental Health Facility Services— Reg. Payments Total Computable
Alabama	\$1,784,832	\$0	\$0	\$0	\$340,412
Alaska	\$70,886,116	\$0	\$0	\$0	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0
Arizona	\$62,350,100	\$0	\$0	\$0	\$2,895,520
Arkansas	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$0
Colorado	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$0	\$0	\$0
Kansas	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$0	\$0	\$0
Minnesota	\$573,906	\$0	\$0	\$0	\$15,446,913
Mississippi	\$256,848	\$0	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0
Montana	\$1,662,959	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$0	\$0
Nevada	\$0	\$0	\$0	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0
New Mexico	\$19,188,586	\$0	\$0	\$0	\$0
New York	\$0	\$0	\$0	\$0	\$0
North Carolina	\$332,541	\$0	\$0	\$0	\$0
North Dakota	\$1,080,340	\$0	\$0	\$0	\$0
Ohio	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$20,732,444	\$0	\$0	\$0	\$0
Oregon	\$0	\$0	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0
South Dakota	\$6,378,343	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0
Utah	\$124,881	\$0	\$0	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$0	\$0	\$0
Wyoming	\$0	\$0	\$0	\$0	\$736
Totals:	\$185,351,896	\$0	\$0	\$0	\$18,683,581

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Mental Health Facility—DSH Total Computable	Nursing Facility Services—Reg. Payments Total Computable	Nursing Facility Services—Sup. Payments Total Computable	Intermediate Care Facility Services—Ind. with Intellectual Disabilities: Pub- lic Providers Total Computable	Intermediate Care Facility Services—Ind. with Intellectual Disabilities: Pri- vate Providers Total Computable	Intermediate Care Facility Services—Ind. with Intellectual Disabilities: Sup- plemental Pay- ments Total Computable
Alabama	\$0	\$732,408	\$0	\$0	\$0	\$0
Alaska	\$0	\$15,191,302	\$0	\$0	\$0	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$13,734	\$0	\$0	\$0	\$0
Arkansas	\$0	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$0	\$0
Colorado	\$0	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$0	\$0	\$0	\$0
Kansas	\$0	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$0	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$0	\$0	\$0	\$0
Minnesota	\$0	\$3,394,289	\$0	\$0	\$0	\$0
Mississippi	\$0	\$4,934,508	\$0	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$4,680,194	\$0	\$0	\$0	\$0
Nevada	\$0	\$0	\$0	\$0	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$0	\$0	\$0	\$89,419	\$76,935	\$0
New York	\$0	\$0	\$0	\$0	\$0	\$0
North Carolina	\$0	\$3,009,471	\$0	\$0	\$0	\$0
North Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$0	\$423	\$0	\$0	\$0	\$0
Oregon	\$0	(\$158)	\$0	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$0	\$0	\$0	\$0	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$639,665	\$0	\$0	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$1,915,211	\$0	\$0	\$0	\$0
Wyoming	\$0	\$1,507,584	\$0	\$0	\$0	\$0
Totals:	\$0	\$36,018,631	\$0	\$89,419	\$76,935	\$0

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Physician & Surgical Services— Reg. Payments Total Computable	Physician & Surgical Services— Sup. Payments Total Computable	Physician & Surgical Services— Evaluation and Management Total Computable	Physician & Surgical Services— Vaccine Codes Total Computable	Outpatient Hospital Services— Reg. Payments Total Computable	Outpatient Hospital Services— Sup. Payments Total Computable
Alabama	\$1,103,338	\$0	\$0	\$0	\$354,884	\$0
Alaska	\$0	\$0	\$0	\$0	\$86,616,510	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$4,951,687	\$0	\$0	\$0	\$472,683,520	\$7,711,397
Arkansas	\$0	\$0	\$0	\$0	\$321,152	\$0
California	\$0	\$0	\$0	\$0	\$0	\$0
Colorado	\$0	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$720,763	\$0	\$18,010	\$656	\$3,126	\$0
Kansas	\$0	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$0	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$866,104	\$488	\$0	\$0
Minnesota	\$10,068,170	\$0	\$0	\$0	\$3,856	\$0
Mississippi	\$194,473	\$0	\$0	\$0	\$5,963,910	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$0	\$61,946,583	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$0	\$3,850	\$0
Nevada	\$0	\$0	\$0	\$0	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$1,543,257	\$56,011	\$399	\$0	\$94,589,729	\$0
New York	\$0	\$0	\$0	\$0	\$0	\$0
North Carolina	\$1,034,202	\$0	\$0	\$0	\$8,388,862	\$0
North Dakota	\$16,046	\$0	\$0	\$0	\$5,527,363	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$2,877,356	\$0	\$0	\$0	\$41,906,818	\$0
Oregon	\$0	\$0	\$0	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$9,306	\$0	\$0	\$0	\$0	\$0
South Carolina	\$10,142	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$1,116,994	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$55,036	\$0
Utah	\$3,115,412	\$0	\$0	\$0	\$87,084	\$0
Vermont	\$27	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$5,709,652	\$0	\$0	\$0	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$0	\$0	\$0	\$0
Wyoming	\$0	\$0	\$0	\$0	\$31,459	\$0
Totals:	\$31,353,831	\$56,011	\$884,513	\$1,144	\$779,600,736	\$7,711,397

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Prescribed Drugs Total Computable	Drug Rebate Off- set—National Total Computable	Drug Rebate Off- set—State Side- bar Agreement Total Computable	MCO—National Agreement Total Computable	MCO—State Sidebar Agree- ment Total Computable	Increased ACA OFFSET—Fee for Service—100% Total Computable
Alabama	\$1,856,101	(\$398,330)	(\$20,776)	\$0	\$0	\$0
Alaska	\$19,149,671	(\$9,938,455)	\$0	\$0	\$0	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$0	\$0	\$0	\$0	\$0
Arkansas	\$0	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$0	\$0
Colorado	\$1,221,828	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$166,011	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$410,211	(\$134,987)	(\$7,456)	(\$18)	\$0	\$0
Kansas	\$1,575	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$182,802	(\$115,629)	(\$6,233)	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$4	\$0	\$0	\$0	\$0	\$0
Minnesota	\$27,218,864	(\$798,557)	(\$52,694)	\$0	\$0	\$0
Mississippi	\$0	\$0	\$0	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$3,916,880	(\$3,799,067)	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$337,192	\$0	\$0	\$0	\$0	\$0
Nevada	\$0	\$0	\$0	\$0	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$1,210,450	(\$145,991)	\$0	\$2,179,492	\$0	\$0
New York	\$28,896	\$0	\$0	\$0	\$0	\$0
North Carolina	\$20,989	(\$452,459)	\$0	\$0	\$0	\$0
North Dakota	\$4,975,951	\$0	\$0	\$0	\$0	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$17,784,129	\$0	\$0	\$0	\$0	\$0
Oregon	\$1,063,358	\$174,970	(\$42,490)	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$19,287	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$4,877,447	(\$3,328,605)	(\$38,718)	(\$2,730,460)	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$139,773	(\$30,828)	\$0	\$0	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$1,217,888	(\$1,895,482)	(\$77,906)	\$0	\$0	\$0
Wyoming	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$85,799,307	(\$20,863,420)	(\$246,273)	(\$550,986)	\$0	\$0

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Increased ACA OFFSET—MCO— 100% Total Computable	Dental Services Total Computable	Other Practi- tioners Serv- ices—Reg. Pay- ments Total Computable	Other Practi- tioners Serv- ices—Sup. Pay- ments Total Computable	Clinic Services Total Computable	Laboratory/Radio- logical Total Computable
Alabama	\$0	\$305,949	\$69,467	\$0	\$49,371	\$297,671
Alaska	\$0	\$28,923,459	\$0	\$0	\$143,206,019	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$217,723	\$1,049,342	\$0	\$5,612,860	\$635,587
Arkansas	\$0	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$13,522,319	\$0
Colorado	\$0	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$82,936	\$25,778	\$0	\$0	\$0
Kansas	\$0	\$0	\$0	\$0	\$32,982	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$0	\$0	\$2,060,924	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$223,289	\$0
Michigan	\$0	\$80,926	\$0	\$0	\$2,687,664	\$0
Minnesota	\$0	\$4,196,203	\$8,897,185	\$0	\$5,161,349	\$349
Mississippi	\$0	\$3,896	\$0	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$0	\$0	\$0
Nevada	\$0	\$0	\$0	\$0	\$19,990,921	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$0	\$1,205	\$118,756	\$0	\$0	\$4,766
New York	\$0	\$0	\$0	\$0	\$511,231	\$0
North Carolina	\$0	\$56,972	\$0	\$0	\$0	\$0
North Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$0	\$0	\$13,592	\$0	\$40,338,468	\$28,947
Oregon	\$0	\$0	\$0	\$0	\$15,999,334	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$61,138,157	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$0	\$628,237	\$0	\$0	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$1,501,336	\$37,682	\$0	\$43,609,620	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$0	\$0	\$2,300	(\$17)
Wyoming	\$0	\$0	\$0	\$0	\$9,103,050	\$56
Totals:	\$0	\$35,998,842	\$10,211,802	\$0	\$363,249,858	\$967,359

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Home Health Services Total Computable	Sterilizations Total Computable	Abortions Total Computable	EPSDT Screening Total Computable	Rural Health Total Computable	Medicare—Part A Total Computable
Alabama	\$209,282	\$21,200	\$0	\$166,164	\$96,404	\$0
Alaska	\$0	\$0	\$0	\$0	\$0	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$4,668	\$42,768	\$0	\$19,818	\$0	\$0
Arkansas	\$0	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$34,988,770	\$0
Colorado	\$0	\$0	\$0	\$0	\$3,425,564	\$0
Connecticut	\$0	\$0	\$0	\$2,796	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$186	\$0	\$0	\$0	\$0	\$0
Kansas	\$0	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$0	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$0	\$54,897	\$0	\$0
Minnesota	\$1,599,133	\$67	\$0	\$84,512	\$82	\$0
Mississippi	\$0	\$0	\$0	\$532,843	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$0	\$0	\$0
Nevada	\$0	\$0	\$0	\$350	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$17,410,900	\$0	\$0	\$100	\$0	\$0
New York	\$0	\$0	\$0	\$0	\$0	\$0
North Carolina	\$56,364	\$0	\$0	\$0	\$0	\$0
North Dakota	\$468,338	\$0	\$0	\$0	\$0	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$399,021	\$240,752	\$0	\$250,930	\$0	\$0
Oregon	\$0	\$0	\$0	\$202,084	\$0	\$452
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$0	\$0	\$0	\$136,965	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$1,241,825	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$38,516	\$0	\$0	\$76,777	\$0	\$0
Wyoming	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$20,186,408	\$304,787	\$0	\$2,770,061	\$38,510,820	\$452

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Medicare— Part B Total Computable	120%–134% of Poverty Total Computable	Coinsurance Total Computable	Medicaid—MCO Total Computable	Medicaid MCO— Evaluation and Management Total Computable	Medicaid MCO— Vaccine Codes Total Computable
Alabama	\$0	\$0	\$0	\$0	\$0	\$0
Alaska	\$0	\$0	\$0	\$0	\$0	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$0	\$0	(\$295,139)	\$0	\$0
Arkansas	\$0	\$0	\$2,621	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$0	\$0
Colorado	\$0	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$43	\$0	\$0	\$0
Kansas	\$0	\$0	\$0	\$2,050,641	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$208,767	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$312	\$0	\$0	\$0
Minnesota	\$0	\$0	\$0	\$0	\$0	\$0
Mississippi	\$0	\$0	\$0	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$3,985	\$8,670,518	\$0	\$0
Nevada	\$0	\$0	\$0	\$1,965,059	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$0	\$0	\$3,195,638	\$44,000,544	\$0	\$0
New York	\$0	\$0	\$0	\$0	\$55,519,995	\$0
North Carolina	\$0	\$0	\$5,268	\$0	\$0	\$0
North Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$0	\$0	\$0	\$0	\$0	\$0
Oregon	\$0	\$0	\$0	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$0	\$0	\$1,390	\$0	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$0	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$14,398	\$0	\$0	\$0
Wyoming	\$0	\$0	\$14,871	\$0	\$0	\$0
Totals:	\$0	\$0	\$3,447,293	\$56,391,623	\$55,519,995	\$0

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Medicaid MCO— Community First Choice Total Computable	Medicaid MCO— Preventive Services Grade A OR B, ACIP Vaccines and their Admin Total Computable	Prepaid Ambula- tory Health Plan Total Computable	MCO PAHP— Evaluation and Management Total Computable	MCO PAHP— Vaccine Codes Total Computable	MCO PAHP— Community First Choice Total Computable
Alabama	\$0	\$0	\$0	\$0	\$0	\$0
Alaska	\$0	\$0	\$0	\$0	\$0	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$0	\$0	\$0	\$0	\$0
Arkansas	\$0	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$0	\$0
Colorado	\$0	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$0	\$0	\$0	\$0
Kansas	\$0	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$0	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$0	\$0	\$0	\$0
Minnesota	\$0	\$0	\$0	\$0	\$0	\$0
Mississippi	\$0	\$0	\$0	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$0	\$0	\$0
Nevada	\$0	\$0	\$0	\$0	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$0	\$0	\$0	\$0	\$0	\$0
New York	\$0	\$0	\$0	\$0	\$0	\$0
North Carolina	\$0	\$0	\$0	\$0	\$0	\$0
North Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$0	\$0	(\$78,373)	\$0	\$0	\$0
Oregon	\$0	\$0	\$0	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$0	\$0	\$0	\$0	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$0	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$0	\$0	\$0	\$0
Wyoming	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$0	\$0	(\$78,373)	\$0	\$0	\$0

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	MCO PAHP—Pre- ventive Services Grade A OR B, ACIP Vaccines and their Admin Total Computable	Prepaid Inpatient Health Plan Total Computable	MCO PIHP— Evaluation and Management Total Computable	MCO PIHP—Vac- cine Codes Total Computable	MCO PIHP— Community First Choice Total Computable	MCO PIHP—Pre- ventive Services Grade A OR B, ACIP Vaccines and their Admin Total Computable
Alabama	\$0	\$0	\$0	\$0	\$0	\$0
Alaska	\$0	\$0	\$0	\$0	\$0	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$0	\$0	\$0	\$0	\$0
Arkansas	\$0	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$0	\$0
Colorado	\$0	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$0	\$0	\$0	\$0
Kansas	\$0	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$0	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$0	\$0	\$0	\$0
Minnesota	\$0	\$0	\$0	\$0	\$0	\$0
Mississippi	\$0	\$0	\$0	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$0	\$0	\$0
Nevada	\$0	\$0	\$0	\$0	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$0	\$727,632	\$0	\$0	\$0	\$0
New York	\$0	\$0	\$0	\$0	\$0	\$0
North Carolina	\$0	\$0	\$0	\$0	\$0	\$0
North Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$0	\$0	\$0	\$0	\$0	\$0
Oregon	\$0	\$0	\$0	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$0	\$0	\$0	\$0	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$0	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$0	\$0	\$0	\$0
Wyoming	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$0	\$727,632	\$0	\$0	\$0	\$0

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Medicaid—Group Health Total Computable	Medicaid— Coinsurance Total Computable	Medicaid—Other Total Computable	Home & Commu- nity-Based Ser- vices—Reg. Pay. (Waiv) Total Computable	Home & Commu- nity-Based Ser- vices—St. Plan 1915(i) Only Pay. Total Computable	Home & Commu- nity-Based Ser- vices—St. Plan 1915(j) Only Pay. Total Computable
Alabama	\$0	\$0	\$0	\$288,087	\$0	\$0
Alaska	\$0	\$0	\$0	\$6,236,876	\$0	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$0	\$0	\$0	\$0	\$0
Arkansas	\$0	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$0	\$0
Colorado	\$0	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$0	\$0	\$0	\$0
Kansas	\$0	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$0	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$0	\$0	\$0	\$0
Minnesota	\$0	\$0	\$23,210	\$147,880	\$0	\$0
Mississippi	\$0	\$0	\$0	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$0	\$0	\$0
Nevada	\$0	\$0	\$0	\$0	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$0	\$0	\$660	\$0	\$0	\$0
New York	\$0	\$0	\$0	\$0	\$0	\$0
North Carolina	\$0	\$0	\$0	\$0	\$0	\$0
North Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$0	\$0	\$0	\$295,016	\$0	\$0
Oregon	\$0	\$0	\$0	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$0	\$0	\$0	\$0	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$0	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$0	\$1,969,178	\$0	\$0
Wyoming	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$0	\$0	\$23,870	\$8,937,037	\$0	\$0

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Home & Community Based Services State Plan 1915(k) Community First Choice Total Computable	All-Inclusive Care Elderly Total Computable	Personal Care Services—Reg. Payments Total Computable	Personal Care Services—SDS 1915(j) Total Computable	Targeted Case Management Services—Com. Case-Man. Total Computable	Case Management—State Wide Total Computable
Alabama	\$0	\$0	\$0	\$0	\$113,862	\$0
Alaska	\$0	\$0	\$99,373	\$0	\$0	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$0	\$79,435	\$0	\$0	\$0
Arkansas	\$0	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$0	\$0
Colorado	\$0	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$0	\$0	\$0	\$48
Kansas	\$0	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$0	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$0	\$0	\$0	\$0
Minnesota	\$0	\$0	\$0	\$0	\$0	\$6,156,206
Mississippi	\$0	\$0	\$0	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$0	\$0	\$0
Nevada	\$0	\$0	\$0	\$0	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$0	\$0	\$0	\$0	\$0	\$0
New York	\$0	\$0	\$0	\$0	\$0	\$0
North Carolina	\$0	\$0	\$46,398	\$0	\$15,807	\$0
North Dakota	\$0	\$0	\$0	\$0	\$18,392	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$0	\$3,240,698	\$0	\$0	\$0	\$0
Oregon	\$0	\$0	\$0	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$0	\$0	\$0	\$0	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$0	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$0	\$0	\$0	\$70
Wyoming	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$0	\$3,240,698	\$225,206	\$0	\$148,061	\$6,156,324

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Primary Care Case Management Total Computable	Hospice Benefits Total Computable	Emergency Serv- ices for Undocu- mented Aliens Total Computable	Federally-Quali- fied Health Center Total Computable	Non-Emergency Medical Transportation Total Computable	Physical Therapy Total Computable
Alabama	\$189,217	\$57,343	\$0	\$283,952	\$0	\$23,115
Alaska	\$0	\$0	\$0	\$0	\$375,018	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$0	\$0	\$36,884	\$7,499,635	\$1,317
Arkansas	\$0	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$0	\$0
Colorado	\$0	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$0	\$0	\$0	\$0
Kansas	\$0	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$29,608	\$0	\$0	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$0	\$56	\$0	\$0
Minnesota	\$0	\$0	\$0	\$5,447	\$0	\$441,435
Mississippi	\$0	\$0	\$0	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$225,607	\$0	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$693,031	\$0	\$0
Nevada	\$0	\$0	\$0	\$0	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$0	\$0	\$0	\$508,747	\$39,314	\$0
New York	\$0	\$0	\$0	\$0	\$0	\$0
North Carolina	\$0	\$0	\$0	\$0	\$40,984	\$0
North Dakota	\$34,560	\$0	\$0	\$0	\$3,942	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$459,243	\$0	\$11,709	\$0	\$797,370	\$0
Oregon	\$0	\$0	\$0	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$0	\$0	\$0	\$0	\$918,544	\$334
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$40,155,116	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$0	\$17,115,834	\$0	\$0
Wyoming	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$938,235	\$57,343	\$11,709	\$58,799,067	\$9,674,807	\$466,201

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Occupational Therapy Total Computable	Services for Speech, Hearing & Language Total Computable	Prosthetic De- vices, Dentures, Eyeglasses Total Computable	Diagnostic Screening & Pre- ventive Services Total Computable	Preventive Serv- ices Grade A OR B, ACIP Vaccines and their Admin Total Computable	Nurse Mid-Wife Total Computable
Alabama	\$0	\$1,701	\$17,446	\$0	\$0	\$170
Alaska	\$0	\$0	\$0	\$0	\$0	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$1,532	\$0	\$6,069	\$0	\$1,361,216
Arkansas	\$0	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$0	\$0
Colorado	\$0	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$0	\$0	\$0	\$0
Kansas	\$0	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$0	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$10,432	\$0	\$0	\$0
Minnesota	\$243,612	\$11	\$24,268	\$0	\$0	\$297,118
Mississippi	\$0	\$0	\$15,888	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$0	\$0	\$0
Nevada	\$0	\$0	\$0	\$0	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$0	\$655	\$143	\$4,929	\$0	\$0
New York	\$0	\$0	\$0	\$0	\$0	\$0
North Carolina	\$0	\$0	\$0	\$0	\$0	\$0
North Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$0	\$0	\$0	\$0	\$0	\$0
Oregon	\$0	\$0	(\$23)	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$0	\$0	\$0	\$0	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands0	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$0	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$933	\$0	\$0	\$0
Wyoming	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$243,612	\$3,899	\$69,087	\$10,998	\$0	\$1,658,504

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Emergency Hos- pital Services Total Computable	Critical Access Hospitals Total Computable	Nurse Practi- tioner Services Total Computable	School Based Services Total Computable	Rehabilitative Services (non- school-based) Total Computable	Private Duty Nursing Total Computable
Alabama	\$0	\$0	\$82,198	\$0	\$397,456	\$0
Alaska	\$0	\$0	\$0	\$0	\$0	\$0
Amer. Samoa	\$0	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$0	\$176,757	\$0	\$13,167,925	\$0
Arkansas	\$0	\$0	\$0	\$0	\$0	\$0
California	\$0	\$0	\$0	\$0	\$0	\$0
Colorado	\$0	\$0	\$0	\$0	\$0	\$0
Connecticut	\$0	\$0	\$0	\$0	\$0	\$0
Delaware	\$0	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$0	\$0	\$0
Illinois	\$0	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$0	\$0	\$0	\$0
Kansas	\$0	\$0	\$0	\$0	\$0	\$0
Kentucky	\$0	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$0	\$0	\$0
Maine	\$0	\$0	\$0	\$0	\$0	\$0
Maryland	\$0	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$0	\$0	\$0
Michigan	\$0	\$0	\$0	\$0	\$0	\$0
Minnesota	\$0	\$0	\$4,747,498	\$0	\$0	\$0
Mississippi	\$0	\$0	\$7,670	\$0	\$0	\$0
Missouri	\$0	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$0	\$0	\$0
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$0	\$0	\$0
Nevada	\$0	\$0	(\$1,655)	\$0	\$0	\$0
New Hampshire	\$0	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0	\$0
New Mexico	\$0	\$0	\$0	\$0	\$0	\$0
New York	\$0	\$0	\$0	\$0	\$0	\$0
North Carolina	\$0	\$0	\$0	\$0	\$0	\$0
North Dakota	\$24,098	\$0	\$177	\$0	\$0	\$0
Ohio	\$0	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$0	\$0	\$302	\$0	\$0	\$0
Oregon	\$0	\$0	\$0	\$0	\$0	\$0
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$0	\$0
South Carolina	\$0	\$0	\$0	\$0	\$0	\$0
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0
Tennessee	\$0	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$0	\$0
Utah	\$10,535	\$0	\$0	\$0	\$0	\$0
Vermont	\$0	\$0	\$0	\$0	\$0	\$0
Virgin Islands	\$0	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$0	\$0	\$0
West Virginia	\$0	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$0	\$0	\$0	\$0
Wyoming	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$34,633	\$0	\$5,012,947	\$0	\$13,565,381	\$0

IHS BY CATEGORY OF SERVICE
YEAR: 2016

State	Freestanding Birth Center Total Computable	Health Home for Enrollees With Chronic Condi- tions Total Computable	Tobacco Ces- sation for Preg. Women Total Computable	Other Care Serv- ices Total Computable	Total Total Computable
Alabama	\$0	\$0	\$0	\$47,078	\$8,470,002
Alaska	\$0	\$0	\$0	\$16,366,151	\$377,112,040
Amer. Samoa	\$0	\$0	\$0	\$0	\$0
Arizona	\$0	\$0	\$0	\$10,046,143	\$590,270,498
Arkansas	\$0	\$0	\$0	\$0	\$323,773
California	\$0	\$0	\$0	\$0	\$48,511,089
Colorado	\$0	\$0	\$0	\$0	\$4,647,392
Connecticut	\$0	\$0	\$0	\$0	\$2,796
Delaware	\$0	\$0	\$0	\$0	\$0
District of Columbia	\$0	\$0	\$0	\$0	\$0
Florida	\$0	\$0	\$0	\$0	\$0
Georgia	\$0	\$0	\$0	\$0	\$0
Guam	\$0	\$0	\$0	\$0	\$0
Hawaii	\$0	\$0	\$0	\$0	\$0
Idaho	\$0	\$0	\$0	\$2,268,159	\$2,434,170
Illinois	\$0	\$0	\$0	\$0	\$0
Indiana	\$0	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$0	(\$5)	\$1,119,291
Kansas	\$0	\$0	\$0	\$0	\$2,085,198
Kentucky	\$0	\$0	\$0	\$0	\$0
Louisiana	\$0	\$0	\$0	\$24,027	\$24,027
Maine	\$0	\$0	\$0	\$1,685	\$2,361,924
Maryland	\$0	\$0	\$0	\$0	\$0
Massachusetts	\$0	\$0	\$0	\$5,540	\$228,829
Michigan	\$0	\$0	\$0	\$0	\$3,700,883
Minnesota	\$0	\$0	\$2,486	\$1,459,050	\$89,341,848
Mississippi	\$0	\$0	\$0	\$130,583	\$12,040,619
Missouri	\$0	\$0	\$0	\$0	\$0
Montana	\$0	\$0	\$0	\$624,010	\$64,576,972
N. Mariana Islands	\$0	\$0	\$0	\$0	\$0
Nebraska	\$0	\$0	\$0	\$64	\$14,388,834
Nevada	\$0	\$0	\$0	\$0	\$21,954,675
New Hampshire	\$0	\$0	\$0	\$0	\$0
New Jersey	\$0	\$0	\$0	\$0	\$0
New Mexico	\$0	\$0	\$0	\$443,424	\$185,245,700
New York	\$0	\$0	\$0	\$3,700	\$56,063,822
North Carolina	\$0	\$0	\$0	\$67,360	\$12,622,759
North Dakota	\$0	\$0	\$0	\$1,170	\$12,150,377
Ohio	\$0	\$0	\$0	\$0	\$0
Oklahoma	\$0	\$0	\$0	\$178,268	\$129,477,113
Oregon	\$0	\$0	\$0	\$0	\$17,397,527
Pennsylvania	\$0	\$0	\$0	\$0	\$0
Puerto Rico	\$0	\$0	\$0	\$0	\$0
Rhode Island	\$0	\$0	\$0	\$0	\$9,306
South Carolina	\$0	\$0	\$0	\$0	\$29,429
South Dakota	\$0	\$1,128,124	\$0	\$0	\$69,761,618
Tennessee	\$0	\$0	\$0	\$0	\$0
Texas	\$0	\$0	\$0	\$0	\$55,036
Utah	\$0	\$0	\$0	\$0	\$3,803,046
Vermont	\$0	\$0	\$0	(\$623)	(\$596)
Virgin Islands	\$0	\$0	\$0	\$0	\$0
Virginia	\$0	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$15,608	\$93,019,449
West Virginia	\$0	\$0	\$0	\$0	\$0
Wisconsin	\$0	\$0	\$0	\$6,167	\$20,383,867
Wyoming	\$0	\$0	\$0	\$0	\$10,657,756
Totals:	\$0	\$1,128,124	\$2,486	\$31,687,559	\$1,854,271,069

Admiral Weahkee, you mentioned visiting Pine Ridge on your second day on the job. Did that visit include a meeting with the Tribal council?

Admiral WEAHKEE. Yes, sir. It did. In fact, we spent probably two and a half hours or more sitting down with President Weston from the Oglala Sioux Nation and four of his council members.

Part of the Secretary's request was that we hear from them first-hand what they have been experiencing with the care provided at Pine Ridge and they definitely did not hold back.

Senator UDALL. Yes, and they let you know how they felt about it.

Admiral WEAHKEE. Yes, sir.

Senator UDALL. Yes. Thank you.

Since you did not directly answer Senator Murkowski's question about funding needed for the Great Plains, I am left wondering would IHS have to pull resources from other service areas to resolve this crisis?

Admiral WEAHKEE. Well, sir, we have had resources from other locations such as staff members from Phoenix, subject matter experts, if you will, providing their expertise to the Great Plains area. We have had quality managers from the Oklahoma City area.

So we are not moving money around, but we are definitely sharing the expertise from throughout the rest of the agency with the Great Plains, spreading those best practices and those subject matter experts.

Senator UDALL. Now at the Senate Indian Affairs hearing, Admiral Buchanan, you told me that the leadership vacancies were one of the main barriers to seeking CMS recertification at the hospital.

Does Omaha Winnebago have a full leadership team in place?

Admiral BUCHANAN. They currently have a mixture of acting and permanent in place currently.

Senator UDALL. So they do have a full leadership team?

Admiral BUCHANAN. That is correct.

Senator UDALL. Admiral Weahkee, can you assure this subcommittee that IHS will seek CMS recertification of the Omaha Winnebago Hospital before the end of the summer?

Admiral WEAHKEE. Just as quickly as we can, sir. I think stable leadership is key. We are in a good place in Omaha Winnebago in terms of conditions of participation. We are close. End of summer we will be close.

Senator UDALL. Yes, but you have it on an aggressive timeline?

Admiral WEAHKEE. Yes, sir.

Senator UDALL. Yes.

Admiral WEAHKEE. Absolutely.

CONSTRUCTION BACKLOG

Senator UDALL. Mr. Hartz, I want to ask you a little bit about the construction backlog.

I was pleased that this request includes \$5 million to support the design for a new facility in Alamo, New Mexico. However, this budget cuts \$99 million from facility's line items when the IHS has an estimated backlog of \$10 billion.

Some of the facilities on the bottom of the priority list, including several in New Mexico, have been waiting for decades. Others, like those in the Great Plains service area, have lost accreditation because of the facility infrastructure issues.

Mr. Hartz, have you taken account of how far this cut sets IHS back on getting through the priority list?

Mr. HARTZ. Yes. Yes, I have.

You will note that in 2017, we got \$117 million to address projects and although funding the projects typically are being phased, we were able to still stay on track with the projects that we had identified to be moving along. That being the Rapid City project, with a portion of the \$100 million requested in fiscal year 2018, will complete the funding needed for that Rapid City facility. It will continue the funding for the Dilkon Alternative Care facility.

As you have highlighted, Senator, we will have additional resources going into Alamo that will allow us to wrap up the design and take a look at any foundations work.

Because of the way Congress has provided us funding on many of these projects on the phased approached, we look at how we can move them along as that phased funding comes in. Because with the priorities on healthcare delivery, it is really difficult to fund \$50 million, \$150 million, a \$200 million facility project at one time.

So we have been able to manage this. It is a slow process working down this list, but we really, really are making inroads. We would be happy to share with you and the subcommittee, how well we have progressed with the dollars we have received over the years.

Senator UDALL. Yes, and I am sure that if the \$99 million in cuts were restored to you, you could make progress on additional items also.

VILLAGE BUILT CLINICS

Thank you very much, Madam Chair.

Senator MURKOWSKI. Thank you, Senator Udall.

Let me ask about some of the Alaska-specific initiatives. As you know, and I have discussed with many of your predecessors here, Village Built Clinics have had an important role in Alaska. We have about 150 in Alaska with most of these being the only local option for healthcare. Most of them have some pretty significant maintenance needs.

In the past, the agency took the view that the Tribes were responsible for paying for these costs out of other funds that they get from the Service.

In 2016, we included \$2 million to help address this issue. Last year, the administration put \$11 million in its request for these clinics, which this subcommittee fully funded. Then this year's request takes us back to the 2016 amount of \$2 million.

So a couple of questions here regarding VBC's is how the agency plans to allocate the \$11 million for fiscal year 2017? When will these funds be distributed, and then just the rationale for cutting back to the \$2 million from the \$11 million that had been requested?

What I am trying to figure out here is just what is a sustainable level for us on an annual basis to fix the maintenance issues that we have with these clinics? We felt like we got our foot in the door back in 2016, but you cannot do much with \$2 million when you have a level of need as we have within the State.

So if somebody can speak to the issue of where we are with Village Built Clinics in this State?

Admiral WEAHKEE. Yes, ma'am. And definitely the VBC's or the Village Built Clinics are an integral part of our Indian Healthcare System.

I would like to ask Ms. Fowler to provide.

Senator MURKOWSKI. Sure.

Ms. FOWLER. So the \$11 million, we do appreciate that those funds were included in our fiscal year 2017 appropriation.

We have currently allocated \$6 million to the Alaska area. Two million dollars represents what was funded last year. And so those are being allocated to the same clinics on a recurring basis as last year.

The additional \$4 million has been allocated to date. It is undergoing Tribal consultation. There is about \$6 million specific to the Village Built Clinics.

There are additional Tribal clinic leases similar to the Village Built Clinics that also require funding, and so that meets the criteria for the funding.

The other \$5 million in the meantime has been set aside to determine, as we evaluate the need to fund those clinics, the majority of which are in Alaska at this time. All of them are in Alaska at this time.

And so, by the end of this fiscal year, we will be able to give you a complete accounting of how those funds were allocated.

Senator MURKOWSKI. So do you think that by the end of the fiscal year, you will have provided the schedule for the remaining balance of the \$5 million?

Ms. FOWLER. Yes.

Senator MURKOWSKI. Okay. And then to the question of what do you believe could be a sustainable number on an annual basis for meeting the maintenance needs for these Village Built Clinics?

Ms. FOWLER. So as I indicated, we have another group of Tribal clinic leases that have emerged as funding need and we are in the process of determining this, as some of the Village Built Clinics actually cross over and are part of this other group as well. And we are currently evaluating how much is needed to fully fund those leases.

I believe that the last estimate for the Village Built Clinics specifically was in the range of \$16 million, if I am not mistaken.

Senator MURKOWSKI. So it would be helpful for me if we can have that kind of an analysis in terms of what we have out there, what the need is, and building a schedule if we can, so that we can understand how we can best address this and mass something going forward. I think that that would be helpful. So if you would be willing to work with us on that.

AMBULATORY CARE PROGRAM

Ms. FOWLER. We are willing to work with you on that.

Senator MURKOWSKI. And then on our small ambulatory clinic program, again, in fiscal year 2017 we had \$5 million for the small ambulatory clinic. This was the first time that we had been successful in including money in the program since 2008. It has been very helpful and successful as we have used funds to construct facilities. We have them out in Chenega, Kay, and Hooper Bay. We

have also had many groups that are interested in submitting proposals for the funds that are provided in fiscal year 2017.

Can you tell me how many proposals you have received for the funding and if any decisions on funding allocations have been made yet?

Admiral WEAHKEE. Ma'am, we would like to ask Gary Hartz to weigh in on this one

Senator MURKOWSKI. Okay.

Mr. HARTZ. Thank you, Senator.

As you indicated, the small ambulatory program is extremely popular. And in fact in 2008, was when we did that last solicitation, it is the competitive program as well. When we did that solicitation, we got 67 applicants in varying levels of need to complete their plans for small facilities.

Our dollars, which were appropriated to IHS for this purpose, are often used to leverage other resources. And I can come up with examples of leveraging that went up to six times where \$2 million was put in, which is the cap that we would provide under this program, being part of a total funding package that would run \$10 to \$12 million.

Where are we at on the solicitation for this year? I will conservatively tell you that it will be on the street before the end of the fiscal year. It will be done before that, but I will tell you that based on the appropriations that passed and the fact that it included money for small ambulatory, we are in the final stages of review of the package to get it out on the street for solicitations.

Senator MURKOWSKI. Mr. Hartz, you have recognized that it is popular, that there is a need. Unfortunately, the budget proposal does not include funds in fiscal year 2018.

So again, this is an area where we think we have found a way to help address some of the needs that we have, particularly in our very remote and small areas. So I would like to think that we would be able to continue a level of support for our small ambulatory clinic program.

Mr. HARTZ. All of the authorities provided are helpful in addressing the needs across Indian country.

Senator MURKOWSKI. Thank you.

Mr. HARTZ. Thank you.

Senator MURKOWSKI. Senator Udall.

Senator UDALL. Admiral, I continue to have concern about the Service's ability to effectively recruit and retain qualified staff. I know that some of these facilities are especially hard to recruit for since they are in extremely remote areas.

I am disappointed that this budget does not invest more in loan repayment and scholarship programs. I understand that about one-third of qualified loan repayment candidates and 81 percent of scholarship applicants went unfunded in fiscal year 2015.

How many qualified applicants to the IHS loan repayment and scholarship program were turned down because of lack of funding in fiscal year 2016?

Admiral WEAHKEE. Sir, I do not have those numbers off the top of my head. I can say that moving forward that we are prioritizing the funding of both loans and scholarship awards to individuals who are already in the pipeline, continuing students.

I will ask Admiral Buchanan if he has any numbers off the top of his head.

Admiral BUCHANAN. I am sorry. I do not have those numbers off the top of my head, but we can definitely provide that response for the record.

Senator UDALL. Yes. Could you give us that for the record and then also your best estimate on how many people on both scholarship and the loan repayment program are not able to get into that program?

[The information follows:]

HOW MANY PEOPLE ON BOTH SCHOLARSHIP AND LOAN REPAYMENT PROGRAM ARE NOT ABLE TO GET INTO THE PROGRAM (UNDER THE BUDGET PROPOSAL)

The fiscal year 2018 proposed budget includes a \$5 million reduction to the scholarship and loan repayment programs. In order to prioritize direct healthcare services, these programs will scale back on new awards and primarily focus on continuation of existing award commitments. For example about 50 fewer scholarships would be awarded to new awardees and about 100 fewer loan repayment contracts would be executed.

Senator UDALL. Thank you very much, Madam Chair.

Senator MURKOWSKI. Thank you. I know that Senator Daines has a time crunch, so we are going to let him in here.

Senator DAINES. Thank you, Chair Murkowski, Ranking Member Udall. Thank you. I appreciate it. Thanks for yielding too.

I share my colleague from Montana's outrage over the state of affairs at IHS. Chairman Murkowski and Ranking Member Udall, I am not sure I have met a Member yet who is satisfied virtually in any way with IHS. And maybe we as leaders should rename the agency Indian Health Suffering until they start serving the people of Indian country again.

It is outrageous. It is heartbreaking. It is infuriating. These are real families, single moms, single dads, aunts and uncles, elderly Tribal leaders that are suffering greatly. It is a tragedy.

As we look at Montana Tribes, these serious, sometimes dire healthcare needs, they need adequate medical facilities. After all, you cannot provide healthcare if you do not have sufficient space to do it, as Chairman Murkowski and Ranking Member Udall have just highlighted.

The Fort Belknap Indian Community, for example, needs funding to expand their IHS clinic, which was constructed in 1998. It does not provide sufficient services according to an IHS environmental health and engineering department evaluation conducted just this May.

The Chippewa Cree Tribe, meanwhile, still needs millions to rebuild much of their clinic, which was destroyed by a flood 7 years ago in 2010.

As you note in your budget justification, and I quote, "The construction and modernization of IHS infrastructure through healthcare facilities construction is essential to improve healthcare, quality, safety, cost, and value."

Admiral Weahkee, I know this has already been part of today's discussion, but I would also like to ask, how do you expect these needs to be met while proposing to cut funding to the construction account? And what would you say to those Tribes within enduring healthcare facilities construction needs?

Admiral WEAHKEE. Thank you, Senator Daines.

I would like to first address what you started with, which is the level of commitment within our agency. More than 70 percent of our staff of 15,400 employees are American Indians and Alaska Natives themselves, so myself included.

The care that we are providing is very personal. It is our families. It is our moms. It is our aunts. It is our daughters. It is our wives. So we have one of the most committed workforces that you can ever imagine.

Senator DAINES. But let me just say, I do not dispute the commitment. But having spent 28 years in business where I was accountable for results, you can have the most committed team in the world, and that is a good start. But what really matters is outcomes and results, with all due respect.

Admiral WEAHKEE. Thank you, sir.

In terms of facility construction and maintenance costs, we have our expert here who I will definitely turn to.

Again, drawing on my experience as a Chief Executive Officer both in Phoenix and for a period at Rosebud, if you do not have the funds available through your appropriated accounts, you definitely rely on those third party resources to take care of life safety, environment of care concerns.

I will ask Mr. Hartz if he has anything else to add in terms of funding streams.

Mr. HARTZ. Thank you, sir. Senator Daines, good to see you again.

Senator DAINES. Likewise.

Mr. HARTZ. You and I probably think a whole lot alike as engineers.

Senator DAINES. We can form the geek caucus here, if you would like.

FACILITIES

Mr. HARTZ. We do provide products for the Indian Health Service. The products that I provide are part of accessing quality healthcare and that is the facilities that we build.

As you know, and all of you in the room probably know, 5-plus years ago, the American Society of Civil Engineers put out the report on the crumbling infrastructure across this country. That covered roads. That covered wastewater treatment plants, water plants. It covered everything related to infrastructure.

IHS has an infrastructure, as was pointed out earlier, in the report to Congress that we provided in 2011 and that 5 years later we reported to Congress per the law and the mandated report, we indicated what that need was for facilities. It is \$10.5 billion for existing plant for replacement and expansion. And then the new authorities are another \$4-plus billion. So in that report a year ago, it showed the need. There is no question about it.

When we come to presenting a budget, our priority is to provide the highest level we can for healthcare to the American Indian and Alaska Native with the resources available. You are right. We had to look at where could we address.

Senator DAINES. Yes, we are running out of time and thank you for the civil engineering perspective here. I will be working with the subcommittee—

Mr. HARTZ. Okay.

Senator DAINES [continuing]. For funding increases, so that we can get the Chippewa Cree, the Fort Belknap, and the other Montana Tribes' needs addressed.

INDIAN HEALTH BOARD—BILLINGS CONTRACT

As I am running out of time, I have one last question and that is the Indian Health Board in Billings, Montana. On May 2, the Indian Health Board of Billings closed until further notice because the contract with IHS expired.

This program delivered ambulatory care, substance abuse services, health education, and mental health and social services to about 860 Tribal members living in the area.

When we can expect that to reopen?

Admiral WEAHKEE. Thank you, sir. I have become aware in the first couple of weeks of this closure.

Admiral Buchanan is much closer to the specifics of the Billings Urban Indian program and I would like to ask him to respond.

Admiral BUCHANAN. Thank you, sir.

Of course, as you mentioned, the facility closed in April. We have been working closely with those 846 patients that you have identified. We have provided community and town hall meetings to address some of their concerns. We provided information and coordinated some of their care when the facility closed. They are currently receiving care through transporting them to the Crow service unit to provide that care.

To specifically answer your question related to when will that open. We are currently submitting a request for proposals to reopen a similar type facility.

Senator DAINES. When do we expect that to open, then?

Admiral BUCHANAN. It is currently going through the contracting process.

Senator DAINES. What is your best estimate?

Admiral BUCHANAN. It would just be a guess, so I would hate to guess for you right now.

Senator DAINES. A couple of months, a couple of years, a couple hundred years?

Admiral BUCHANAN. Less than 2 months.

Senator DAINES. Thank you. That brackets it. I appreciate that.

Well, I urge you to get that back up and running as soon as possible. Work with these affected Tribal members to ensure they are receiving the care they need in the interim.

Thank you.

Senator MURKOWSKI. Thank you, Senator Daines.

I just have a couple of more quick things and then we will be able to wrap here.

MANILAAQ VS. BURWELL

There was a recent case involving a Tribal clinic in Alaska. This is "Manilaaq vs. Burwell," and it established that Section 105(L) of the Indian Self-Determination Act mandates payment of leasing

costs when Tribal facilities are used to operate IHS programs. But the budget proposal would override this Section with the notwithstanding clause that would make such lease payments entirely discretionary within the agency.

Given that this language would affect one of the most important statutes governing Indian country, the question to you this morning is whether or not this proposal has been shared with the Chairman and the Vice Chairman of the Senate Indian Affairs Committee, both of whom are on this subcommittee. Of course, Senator Udall is the Vice Chair and Senator Hoeven is the Chair.

So has this been shared with the authorizing committee and what is their view on this issue?

Admiral WEAHKEE. I am not quite up on the specifics of this particular case. I will ask Miss Fowler to respond in our behalf.

Senator MURKOWSKI. Okay.

Ms. FOWLER. Thank you for the question.

This is the group of leases that I mentioned in my response about the Village Built Clinics. This has been emerging, it is an emerging issue. It has not been shared with the authorizers yet as we are still evaluating the impact and the full scope of funding needs that would be associated.

Senator MURKOWSKI. Let us separate it from the funding needs. But do you think that it is reasonable that Indian Tribes and Tribal organizations should essentially be required to donate the use of their space to operate healthcare programs that are a Federal responsibility according to this Federal court decision?

Ms. FOWLER. We do support the Indian Self-Determination and Education Assistance Act fully. But the issue at this point is the funding that is needed to implement it.

Senator MURKOWSKI. Well, yes. Let us go back a little bit, because we spent years arguing over Contract Support Costs. What would happen is Contract Support Costs would be short-changed, short-funded, and years of litigation, lots of money spent on good lawyers to argue that case.

The Supreme Court comes back and says, "Yes, in fact, you do have to pay full funding for contract support costs." And even with that directive, the budgets would come back at less than full funding.

So we are finally, I think, beyond that where we have had several years now of full funding. Again, I mention that we have the language out there that says you cannot rob Peter to pay Paul in the various accounts. So we have made headway there.

I would like to think that we are not going to be going down another path with the same situation where we acknowledge that there is a Federal responsibility. There is a Federal court decision that says, "You need to do this." And we say, "Well, we cannot do it because we are moving dollars in other areas."

So my hope is that we are not going to continue to spend a lot of money with lawyers and courts, but that we will recognize that there is a responsibility here on the Federal side.

I am looking through the rest of my questions here and, again, I come back to the concerns that so many of us have raised on the panel here this morning. That with this budget, whether it is the

facilities and maintenance backlog that we are dealing with and the real pressing need.

Whether it is the opioid crisis that is hitting our Native people at astonishing rates; we see it all over the country. We are looking at a 6 percent cut, almost \$13 million, in the budget for alcohol and substance abuse programs, within the domestic violence initiatives.

Again, I think about the headway that we have been making, that we must continue to make, and I find difficulty with this budget in terms of how we can advance that.

So know that you have a lot of passion, a lot of energy, a lot of purpose with this subcommittee to help you with delivery of the services and the support for our Native people.

I look with great pride at what Alaska has done. You mentioned the Nuka model. I think it is innovative and pioneering in a way that the rest of the country should look. If we want to reform our healthcare delivery, reduce costs, increase satisfaction amongst patients and providers, look no further than the Nuka model.

Unfortunately, we are not looking to the Nuka model. Other nations are looking at it. But within our own IHS system, we have allowed for that flexibility to do some astonishing and great things.

With the joint venture program, we have some facilities that are the model and the envy of providers and folks around the country. You go to Nome. You go to Bethel. We have an opportunity coming on in Bethel, but in other areas we have seen some great things.

But I feel like within IHS, there are two worlds going on here. Well, I have not had an opportunity to go out to Rosebud or to Pine Ridge. It breaks my heart to think that we have such disparities with how we are providing for healthcare for our Native peoples. And so if it is greater flexibility that we need, if we need to completely restructure the system.

I was speaking with my Ranking Member here. We have been on the subcommittee here for a while. We both have been on Indian Affairs, I think, since both of us came to the Senate. Year, after year, after year, it is the same, sad story and the frustration that Senator Tester has clearly portrayed here today followed up by Senator Daines. We are not getting mad at you as an individual.

There is anger. There is frustration, and rightly so, because as a government, as an agency, we are failing these people. And there is a lot of focus right now on healthcare around the country and what we do to make it right. But in the meantime, you have an injustice going on that is tucked away.

Look at how many people are in this hearing room. Ten. Who is paying attention to the failures? Not enough and apparently, that is why it is allowed to continue. But we cannot and we will not. We have got to get the attention of some folks within the administration. Maybe we need to get the President out to Rosebud or Pine Ridge. Maybe that will make a difference.

But we cannot allow this to continue and there is a lot of good will. I want to make sure that the people who have that good will are reinforced, are given the support that they need, and the belief in knowing that every day they are trying to do the right thing.

So work with us on this. We have a lot to do.

Senator Udall, any follow up there?

Senator UDALL. I think I am okay. Thank you very much.

Senator MURKOWSKI. Okay. Thank you.

The hearing record will remain open for 10 days. Senators may submit additional information or questions for the record within that time if they would like. The subcommittee requests all responses to questions for the record be provided in an expedited manner.

CONCLUSION OF HEARINGS

Senator MURKOWSKI. Thank you for being here and the subcommittee stands adjourned.

[Whereupon, at 11:18 a.m., Wednesday, July 12, the hearings were concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2018

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

NONDEPARTMENTAL WITNESSES

[CLERK'S NOTE.—The subcommittee was unable to hold hearings on nondepartmental witnesses. The statements and letters of those submitting written testimony are as follows:]

PREPARED STATEMENT OF THE 1854 TREATY AUTHORITY

The 1854 Treaty Authority (Authority) is a Tribal organization funded by a Public Law 93–638 contract with the Bureau of Indian Affairs (BIA) under its Trust-Natural Resources Management-Rights Protection Implementation (RPI) budget.

—The Authority supports funding of the BIA Rights Protection Implementation Program at the approved fiscal year 2017 level and a proportionate share for the Authority. We believe that the funding (as well as any increase in funding) should be allocated in the same proportions as it has historically been distributed.

—The Authority supports the full finding of contract support for its Public Law 93–638, Self-Determination contract.

—The Authority supports maintaining funding for the EPA Great Lakes Restoration budget at least at its current level.

The Authority is a Tribal organization responsible for protecting, preserving, and regulating the Treaty-reserved hunting, fishing and gathering rights in the territory ceded to the United States by the Chippewa in the Treaty of September 30, 1854, 10 Stat. 1109. The Bois Forte Band and the Grand Portage Band created the authority following Federal court affirmation of the rights in 1988. As part of a court-approved agreement with the State of Minnesota, the Bands have obligations to preserve the natural resources in the 5 million acre ceded territory and to regulate the activities of Band members through a conservation code, enforcement officers, and a court. The Authority has been involved with a variety of inter-agency efforts to study the effect of invasive species, climate change, and other activities that impact treaty resources.

Although it has significant responsibilities in a geographic area the size of Massachusetts, the Authority has only 17 full-time employees. With those limited resources, the Authority has been able to collaborate with State, Tribal and Federal agencies to become a prominent presence in the conservation of resources critical to the subsistence hunting, fishing and gathering activities of the Chippewa. The challenges facing all natural resource management agencies mean that we need to continue cooperative research and restoration at the present level or risk setbacks that have a negative impact on future generations.

The successes of the Authority are overshadowed by the challenges facing the trust resources that are at the heart of the Treaty rights. For reasons unknown, the Minnesota moose population has declined significantly in just a few years and both terrestrial and aquatic invasive species and climate change threaten the Treaty fishing and wild rice production areas across the ceded territory. In addition, human activities continue to deplete or displace wildlife populations.

The Authority urges the subcommittee and the Congress to acknowledge that the resources we seek to protect are trust resources, reserved in treaties that the United States has a legal obligation to protect and preserve.

[This statement was submitted by Millard J. Myers, Executive Director.]

PREPARED STATEMENT OF THE ACADEMY OF AMERICAN POETS

The National Endowment for the Arts and the National Endowment for the Humanities have, over the past fifty years, fostered an educated, broadly informed, and creative America at every level, from sponsoring national awards to seeding grants that support local programs in schools, communities, military bases, hospitals, museums, and beyond, throughout the country. Federal funding for the arts and humanities underwrites scores of other nonprofit poetry organizations and publishers, arts education programs, libraries, archives, as well as the work of individual poets. Without this Federal funding, many of our wide-reaching and impactful efforts will likely be jeopardized.

Poetry matters. The arts and humanities encourage reflection, empathy, and imagination—all qualities necessary to our individual and collective success. American poetry and literature do more than preserve the unique stories of our citizens; they shape our civic identity.

Poets have few opportunities for support. NEA fellowships are critical to sustaining the art form. We invite you to hear from two recipients of NEA fellowships in poetry:

Nickole Brown, NEA Fellowship in Poetry, 2009, North Carolina Resident:

I was raised on the literary equivalent of grease and plastic—of cheap grocery-store novels and tabloid magazines, of overcrowded and sometimes violent public schools, of a working-class Kentucky that had a lot more faith in the ability of a hammer to earn a living than a pen. With the exception of the family King James, we didn't even keep books in the house, and I was the first in my family to get through high school, much less go on to pursue graduate studies in something as unheard of as creative writing. Matter of fact, my grandmother—who had more than her hand in raising me—never learned to read and write, and it was her story that I set out to get on the page when I applied for an NEA Literature Fellowship back in 2008. That book, a biography in poems called *Fanny Says*, was completed because of that grant and was later published by BOA Editions in 2015.

But it wasn't merely my second book that came out of that gift, no. What resulted was the life I have now, and have no doubt—I would never be where I am without that chance given to me during a time in which I needed it most.

You see, at first, I can't imagine my request was much different than anyone else's—I needed time to write, desperately needed time to write, just a little time, pure and simple. This was true, but what I received—freedom, validation, recognition, confidence—amounted to much more than a mere sabbatical. What resulted was nothing short of a complete life change: in addition to having a spell to work on my poems, I also gained enough courage to move away from 10 years in a highly rewarding but demanding job in independent publishing. This was a terrifying and bittersweet change, but I realized that it was time for me to grow, and more importantly, to take myself absolutely serious as a writer.

Although the amount granted to me at the time might not seem like a lot of money to some, I was able to sustain myself on it for 3 years, and unexpectedly, the boost had a cumulative effect, bringing more teaching and reading engagements than I could have ever have acquired on my own. Since then, I've managed to find a way to sustain myself, working mostly full-time as a writer, and there's absolutely no way I would have been able to do that if not for the generosity shared with me all those years ago.

When I first was granted that fellowship, I received a lot of notes from friends and family, but the one I truly remember came from the fiction writer Mary Ann Taylor-Hall. Like the rest, she wrote to congratulate me, but specifically, she said my life had finally 'busted out of the dark.' I don't think I could have possibly understood what she meant at the time, but looking back, I get it—the NEA forced me out into the light, to a place where I had to see myself as legitimate, a voice lifting up among the chorus of so many voices who had received the NEA's assistance before me. That honor meant the world to me, and my world was changed.

Maggie Smith, NEA Fellowship, 2011, Ohio Resident

I received a fellowship in poetry from the National Endowment for the Arts in 2011. I am not being hyperbolic when I say it changed my life. At the time I was

working fulltime as an editor, squeezing all of my parenting and writing time in at night. My daughter was only 2 years old at the time and had been in fulltime daycare since she was twelve weeks old, when my (largely unpaid) maternity leave ended. Let's be clear: \$25,000 is not a lot of money to the Federal government. But it's a great deal of money to a poet and young mother with student loan debt and sizeable family health expenses. That NEA fellowship gave me the financial cushion and the courage to leave my day job and to start my own freelance business. The flexibility of freelance work meant that I could devote more time to poetry. I went on my first writing residency at the Virginia Center for the Creative Arts, which would have been impossible given my limited vacation time at work, and thanks to that uninterrupted time, finally finished my second book, *The Well Speaks of Its Own Poison*. Working from home also allowed me to reduce my daughter's daycare to part-time hours so that we could be together more. Funding from the NEA was a godsend, both professionally and personally. Perhaps most importantly, the grant reminded me—when I was splitting my time between parenting and working in a cubicle—that I was a poet. I haven't forgotten that since. I thank the NEA for that.

The Academy of American Poets is the Nation's largest membership-based non-profit organization fostering an appreciation for contemporary poetry and supporting American poets. The organization reaches more than 20 million Americans in all 50 States with its free programs: Poets.org, National Poetry Month, the popular Poem-a-Day series, and resources for K–12 educators.

Thank you for your time.

[This statement was submitted by Jennifer Benka, Executive Director.]

PREPARED STATEMENT OF THE ALL PUEBLO COUNCIL OF GOVERNORS, NEW MEXICO

Requests:

1. Continued support and funding for the Land-into-Trust Program at Interior.
2. Sustainable funding for the National Forest Service and Interior forestry programs.
3. Maintain the \$1 million set-aside for NAGPRA-related law enforcement going forward.
4. Provide dedicated funding for Bears Ears National Monument.
5. Increase funding for broadband development to bridge the digital divide in Indian Country.
6. Increase funding to address negative health outcomes associated with inadequate housing.
7. Support vocational and S.T.E.M. programs in Tribal schools for increased student success.

Introduction. Thank you Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee for the opportunity to testify on the critically important topic of Federal funding for American Indian and Alaska Native programs in the Department of the Interior. The All Pueblo Council of Governors thanks you for your dedicated efforts to advance Indian Country priorities in the United States Senate.

My name is Paul Torres and I am the Chairman of the All Pueblo Council of Governors (APCG), which is comprised of the Tribal leaders (Governors) of all 19 of the New Mexico Pueblos as well as the Pueblo of Ysleta del Sur in El Paso, Texas. Formed in 1598, the APCG is the oldest consortium of Tribal leaders in the United States. Collectively, the leadership of the APCG is respectful of the historic relationship between the Pueblos and the Federal Government. This relationship is political in nature, reflecting the government-to-government relationship between and among our governments. The Federal budget for Indian programs is an important aspect of that relationship and is reflective of the Federal Government's trust responsibility to Indian nations and Indian peoples. As such, Federal Indian laws and associated budgets are deeply rooted in the Constitution and represent an enduring promise of friendship and support to the First Americans.¹ In the spirit of cooperation, based

¹ Suggestions that these laws are somehow not constitutional are made without a deep understanding of this area of law. It has been long settled that Federal Indian laws are constitutional; to our knowledge no Federal Indian law has ever been struck down as unconstitutional. See *Morton v. Mancari*, 417 U.S. 535, 555 (1974) (upholding an employment preference for Indians in the Bureau of Indian Affairs (BIA) in the face of an equal protection challenge, on the basis that the preference was political in nature and could be "tied rationally to the fulfillment of Congress' unique obligation toward the Indians").

on respect and full consideration of the sovereign status of Tribes, we offer the following budget recommendations for fiscal year 2018.

I. LAND BASE AND NATURAL RESOURCES

The sandstone mesas, verdant hills, brush covered flatlands, and steep mountains of the southwestern United States form the landscape in which we exercise our Tribal sovereignty and cultural identities as Pueblo People. We are not just people residing on this beautiful land; we are a People of this land. We carry it in the very essence of our being. Our connection is etched deep into our collective history and memories. Wise stewardship of land, minerals, water, and other resources is, therefore, key to our cultural survival and socioeconomic well-being as sovereign Tribal nations.

Continuation of the Land-into-Trust Program. As sovereign Tribal governments, the exercise of our self-determination is strengthened by the ability of the Federal Government to take land into trust on behalf of Tribes. Trust lands enable us to provide a homeland for our people as well as a base from which to offer essential governmental services, such as housing, education, healthcare, and economic development opportunities. Trust lands also facilitate the expression of our identity as Pueblo people by protecting the natural and cultural resources that form the bedrock of our traditional practices and ceremonies. We urge Congress to provide continued support and funding for the land-into-trust program at the Department of the Interior.

Funding for the National Forest Service and Interior Forestry Programs. The APCG also encourages support for policy and legislation that provide funding for effective and sustainable natural resource management practices, particularly in regards to the Interior's forestry programs. The trees and shrubs of our southwestern national forests play critical roles in regional economic development, disaster mitigation efforts, recreation, and ecological habitats for many local wildlife and plant species. Cuts in Federal funding for forestry management threaten the delivery of services in each of these areas. Our historic attachment to the southwest landscape and geography including the national forests forms the core of our traditional belief systems and cultural worldview. We respectfully request National Forest Service funding at least at the fiscal year 2016 enacted level to maintain the effective management of our national forests and their diverse resources.

II. PROTECTION FOR TRIBAL CULTURAL PATRIMONY

Dedicated NAGPRA Enforcement Funds—Thank you for this Committee's Support! The APCG would like to take this opportunity to thank the subcommittee and all of Congress for including a one million dollar appropriation in the 2017 Omnibus to strengthen the implementation of the Native American Graves Protection and Repatriation Act (NAGPRA). Dedicated funding for expanded Bureau of Indian Affairs law enforcement activities related to NAGPRA advances stronger Federal protections for cultural patrimony put in place under the PROTECT Patrimony Resolution, adopted by both the House and Senate in the last Congress (H. Con. Res. 122 Dec. 2016). We thank you for your support and encourage continued funding in this important area going forward.

Bears Ears National Monument. Our cultural heritage resides not only in the tangible objects protected by NAGPRA and the PROTECT Patrimony Resolution, but also in the living landscapes from which our people emerged, long before the arrival of the first Europeans to this continent. Our ancestral ties to the Bears Ears National Monument in Utah can be traced through the ancient roads, dwellings, petroglyphs, and ceremonial features that continue to enrich the region today. However, these sites are under constant threat by erosion, vandalism, looting, and indiscriminate damage through off-road vehicle use, as well as the general degradation of wildlife and plant habitats that are significant to our traditional practices. We urge Congress to preserve the designation of Bears Ears as a National Monument to support the permanent, long-term protection of the land and its irreplaceable resources and to provide appropriate funding for its preservation.

III. INFRASTRUCTURE DEVELOPMENT IN INDIAN COUNTRY

Many Pueblos are economically distressed rural communities. Infrastructure development is essential to diversifying and sustaining rural economies. However, most Tribal lands are subject to conditions that require intense overhauling—roads are often unimproved, utilities are insufficient, and reliable broadband connections barely exist. In addition, other types of infrastructure critical to creating vibrant Tribal communities such as new housing construction are deficient, with severe housing shortages occurring on Tribal lands.

Increased Access to Capital for Economic Development. Pueblo governments and Pueblo-owned businesses are collectively among the largest employers in New Mexico, providing thousands of jobs in many rural areas of the State. Most recent statewide figures put the number of jobs provided by Tribal employers at nearly 18,000 in various industries. Non-Indians hold nearly 75 percent of these jobs. Despite such positive contributions, limited access to capital and financing remains one of the most significant barriers to Pueblo economic development. Tribes across the country struggle with uniquely burdensome Federal restrictions and regulations, poor infrastructure, and other challenges that limit their economies from flourishing. It is important to create avenues for investment funds, financial resources, and business models that are mutually advantageous to Tribes and potential partners for economic advancement, stability, and diversification. The opportunity to provide for a family through a desirable job with a decent income is a shared desire of all Americans.

Broadband Infrastructure for Expanded Community Services. We are living in the digital age. The Internet has the potential to link an individual to the world at the click of a button, yet many Pueblo communities do not have access to the basic technology or reliable broadband systems that make even an initial connection possible. Our Tribal members are unable to take advantage of the myriad of benefits that the Internet has to offer, which range from access to online GED and higher education degrees, to telehealth medical services, to expanded economic opportunities for business investment, among many others. For communities that successfully connect to the broadband network, the experience is transformative. We urge Congress to bridge the digital divide and provide increased funding for broadband development in Indian Country.

Health Begins at Home—Investing in Housing Development. Access to affordable, safe housing is the foundation for strong families, communities, and economies. Just as the deserts, mountains, and mesas provide a spiritual and cultural home for our Pueblo communities, Tribal governments have the responsibility of providing housing for our Tribal members. However, we depend on Federal appropriations under the Native American Housing and Self-Determination Act (NAHASDA) to meet many of our housing-related needs. A 2014 study conducted by the U.S. Department of Housing and Urban Development reported unacceptable living conditions for American Indians in New Mexico and Arizona counties with high rates of overcrowding and incomplete utility systems for kitchens and bathrooms. We urge Congress to provide increased funding to the Indian Health Service (IHS) address negative health outcomes associated with critical housing shortages that imperil our Tribal communities.

IV. EDUCATIONAL OPPORTUNITIES IN OUR HOME COMMUNITIES

Pueblo leaders wish to create a highly skilled, well-educated, workforce within their respective Tribal communities. With a pool of qualified workers, the Pueblos believe they will be able to attract business and economic development possibilities, create well-paying job opportunities, and assure that Tribal members enjoy a prosperous future that comes with being well educated.

High Quality Tribal Education Systems. The Pueblos that constitute the APCG have always supported sound educational programs that comply with State and Federal accountability standards. We emphasize the importance of high quality instruction, effective professional teacher development and the development of appropriate, culturally sensitive curriculum, including Native language retention and instruction. A number of Pueblos are in the process of or have already assumed the responsibility for operating Bureau of Indian Education (BIE) schools located on their respective Tribal lands. Operating and maintaining schools requires considerable resources. We request adequate funding to develop and maintain high quality Tribal education systems that prepare the next generation of Native students for a lifetime meaningful opportunities.

Vocational Training Programs. The APCG supports comprehensive oversight of the flow of funds and the implementation of policies that effectuate meaningful educational change. It is important to foster the advancement of higher education, but also to consider re-introducing vocational education, which in many school districts has been eliminated or severely limited. Vocational education can provide skills that contribute to employment opportunities and sustainable incomes. In addition, Science, Technology, Engineering and Mathematics (S.T.E.M.) curricula must be incorporated into Tribal school systems to enable our students to develop and compete in these pivotal industries. We request increased funding for the re-introduction and integration of vocational and S.T.E.M. curricula to diversify Tribal school systems and lay the foundation for student success.

Protecting and Preserving Native Languages. The Pueblo worldview is contained in their languages. In addition to maintaining Tribal life ways, the Pueblos have established various programs and methods in order to retain and preserve what are considered some of the most ancient and distinct languages in America. Some Pueblo languages are so unique they are not spoken anywhere else in the world. Students in language immersion programs demonstrate substantial improvement in their academic performance and testing. They have also shown greater achievement in S.T.E.M. related subjects that increasingly form the bedrock of our domestic and international economies. We urge Congress to support programs that promote the value of Native languages and prevent the further loss of our languages and traditions.

Thank you for the opportunity to offer outside witness testimony. The All Pueblo Council of Governors looks forward to working with Congress on advancing meaningful Tribal development under the fiscal year 2018 budget.

PREPARED STATEMENT OF ESTHER ALLEN, PH.D.

Associate Professor, Programs in French and in Hispanic and Luso-Brazilian Literatures and Languages, City University of New York (CUNY) Graduate Center, and Department of Modern Languages, Baruch College, CUNY

Over the course of its half century of existence, the National Endowment for the Arts has consistently and substantially enhanced the daily lives of Americans everywhere. In all 50 States, the NEA has supported museums, opera houses, orchestras, theatres and countless other forms of artistic expression that enrich the cultural and spiritual life of communities and make them attractive places for businesses and individuals to remain or relocate and for tourists to visit. A 2010 study on the arts and economic prosperity determined that the more than 100,000 organizations in the U.S. nonprofit arts and culture sector which the NEA serves generated \$61.1 billion in direct economic activity, and an additional \$74.1 billion in event-related expenditures. Those figures speak for themselves, and have only increased since the report was published.

My appeal for continued funding for the NEA, however, is based on my own experience of a little-known NEA program that has had a wildly outsized impact on the literary culture of the United States and on our Nation's cultural relations with the rest of the world: the NEA Translation Fellowships. Since this program was inaugurated in 1981, the NEA has been the Nation's most significant investor in support for literary translators and organizations that publish literary translation, as NEA Chairman Jane Chu notes in her introduction to "The Art of Empathy", a 2014 NEA publication on the often overlooked significance of literary translation.

In 1989–1990, I lived in Mexico with support from a Fulbright fellowship. While there, I travelled in the southern state of Chiapas, and read a 1962 novel by the Mexican author Rosario Castellanos titled "Oficio de tinieblas", a long-acknowledged classic of Mexican literature, set among the indigenous Maya. On returning to the U.S. in 1990, I was startled to learn that a literary work of such importance to a close ally of the United States—an ally with whom we share a lengthy border and great deal of geographic and cultural history—had never appeared in English. Meanwhile, the novel had been published in many other languages, including Hebrew; Castellanos was Mexico's ambassador to Israel, and her work is highly esteemed there.

For several years, I tried to interest U.S. publishing houses in a translation, to no avail. Then, in 1995, I was granted a National Endowment for the Arts Translation Fellowship in support of the project. Doors began to open. "The Book of Lamentations", my translation of Castellanos' novel, was published in 1997 and remains in print today as a Penguin Modern Classic. Since its publication in English, the novel's fictionalized history of a Mayan uprising has helped many journalists and diplomats understand and contextualize the Zapatista rebellion in Chiapas. Its tragic story of oppression has moved countless students of Latin American literature and history and general readers—many of them, no doubt, U.S. citizens of Mayan descent. None of that would have happened were it not for the support of the National Endowment for the Arts.

Multiply that by more than four hundred, and you have a sense of the impact of this one small, inexpensive NEA program. Translation Fellowships have brought literature from more than 84 countries, originally written in more than 66 languages, to American readers. Among those languages is Slovenian. If the First Lady of the United States would like to share the literature of her native country with family and friends who do not speak Slovenian, the NEA has helped make that possible.

The U.S. is generally an exporter of its own culture to the world, and that makes the impact of the Translation Fellowship program all the more beneficial to U.S. diplomatic relations. Writers whose voices are influential in their own countries are likely to see our country differently when their work has been translated, published and reviewed here, when they know they have communities of readers here. The Translation Fellowship program says to the whole world that the United States Government supports empathy and wants to help make voices from across the globe heard in English. The international goodwill this gesture creates is inestimable.

I ask the members of the Senate Subcommittee on the Interior, Environment, and Related Agencies to join me in supporting the National Endowment for the Arts, and urgently request them to ensure that this formidable Federal agency will be fully funded in the fiscal year 2018 budget and able to continue its crucial work.

PREPARED STATEMENT OF ALTERNATE ROOTS

Mr. Chairman and distinguished members of the subcommittee, we thank you for the opportunity to submit this testimony on behalf of Alternate ROOTS. We urge the Committee to appropriate \$155 million to the National Endowment for the Arts for fiscal year 2018. Alternate ROOTS has 245 number of individual and organization members. Some members are highlighted below include:

Doris Davenport, Tuscaloosa, Alabama	Azule, Hot Springs, North Carolina
Datule Collective, Little Rock, Arkansas	Kimi Maeda, Columbia, South Carolina
Art2Action, Tampa, Florida	Carpetbag Theatre, Knoxville, Tennessee
Angela Davis Johnson, Atlanta, Georgia	Clyde Valentine, Dallas, Texas
Clear Creek Festival, Big Hill, Kentucky	Performing Statistics, Richmond,
Mondo Bizarro, New Orleans, Louisiana	Virginia
Ashley Minner, Baltimore, Maryland	Anu Yadav, Washington, D.C.
Daniel Johnson, Jackson, Mississippi	

Alternate ROOTS is a 41 year old organization based in the Southern USA* whose mission is to support the creation and presentation of original art, in all its forms, which is rooted in a particular community of place, tradition, or spirit. As a coalition of cultural workers we strive to be allies in the elimination of all forms of oppression. ROOTS is committed to social and economic justice and the protection of the natural world and addresses these concerns through its programs and services.

The ROOTS Region covers the Southern area of the United States: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Washington, D.C.

For 50 years, the National Endowment for the Arts has held a significant Federal leadership role for the arts and culture in America. Its grants reach every congressional district and support arts organizations serving their communities in a variety of ways. Through the support of direct NEA grants and NEA partnerships with State arts agencies, arts organizations are helping people experience high-quality artistic presentations, access arts education and opportunities for artistic development, find their voices and share their stories, and have critical dialogue about important social issues.

The following examples of recent projects that Alternate ROOTS has supported through the funds we have received from the NEA are a sample of the significant ways artists and cultural workers are able to serve their communities with the support of the NEA.

PATOIS (New Orleans, Louisiana) creates accessible spaces at the intersection of art and social justice where communities can unite in the struggle for human rights in New Orleans and around the globe. Throughout the PIA partnership period, PATOIS will curate and produce a series of art and film events aimed at raising awareness on the impact of gentrification in New Orleans and supporting housing rights struggles through collaboration and creative actions. PATOIS will engage a range of community groups, activists, artists, organizing projects, and cultural workers to address the housing crisis facing the city, with their primary partner being Jane Place Neighborhood Sustainability Initiative (JPNSI), an organization that has been at the forefront of organizing around the housing crisis.

The Graduates (Louisiana statewide) is an ensemble of formerly incarcerated women from the Louisiana Correctional Institute for Women (LCIW), co-founded and co-directed by Kathy Randels and Ausetua AmorAmenkum. "Won't Bow Down!" (WBD) is a project centered on The Graduates' personal criminal justice system experiences with a vision of life in Louisiana after prison reform and a goal to

create awareness of and encourage community organizing to abolish mass incarceration of black people and achieve racial equity in the United States. WBD will tour to living rooms, churches, community centers, and stages in 12 Louisiana communities. The autobiographical performances will shine a light on The Graduates' unique stories: the most radical and direct communication we can share with people about the experience of incarceration.

SpiritHouse Inc. (Durham, North Carolina), in partnership with All of Us or None (AOUON-NC) and The Center for Participatory Change (CPC), will remount their interactive theatrical performance, "Collective Sun Reshape the Mo[ur]ning" in Durham and Asheville, NC. First mounted in 2012 under the direction of Ebony Noelle Golden, "Collective Sun" is a series of vignettes drawn from more than 8 years of research, organizing, and programmatic work that has been the emphasis of campaigns to challenge systemic racism and end criminalization and incarceration in this country. Part performance, part audio installation, and part collective action, "Collective Sun," creates a platform where communities impacted by systemic racism and criminalization use their experiences and voices to become more civically engaged. The performances of "Collective Sun" will be used to strengthen SpiritHouse's Harm Free Zone work.

Queer Histories/Queer Futures (New Orleans, Louisiana) is a triadic program of monthly events including workshops, salons, and creative intensives administered by Last Call in partnership with the New Orleans LGBT Community Center. QHQF kicks off with a series of oral history and audio production workshops for queer young adults and allies in which workshop participants will conduct and transcribe interviews with elders in the queer community and remix those interviews into new Last Call podcast episodes. QHQF will then host creative intensives to interpret these stories through small-scale performances that connect the histories of queer elders with the realities of queer youth in order to collectively envision a vibrant and robust queer future that includes all of us. Finally, QHQF will host a series of artist salons at which audiences will hear the finished podcast and interface with the new mini-performances. These salons create queer-centric gathering space, initiate and build relationships, and allow the stories we collect to have a wider audience beyond the queer community.

Working Narratives (Wilmington, North Carolina) seeks support to produce Free Movement (FM), a public performance and community-organizing project that seeks to link Southern culture, communities, and identities underserved by arts, justice, and health movements in their home base of Wilmington, NC. Utilizing a tested community cultural organizing practice that includes artists residencies, cultural asset mapping, and a collaborative design and production of a large scale public art gathering, FM will work with grassroots partners and members to occupy public space and build grassroots power for positive social change. Free Movement will premiere in March 2018, and deliver a whole "package" of story gathering and community dialogues, along with intensive artist residencies and workshops, and a main performance. Free Movement is a performance that equals a form of street theater and incorporates storytelling throughout its process.

Community LIFT (Memphis, Tennessee) is working with the Soulsville Neighborhood Association (SNA) to create an outdoor lounge to help generate business, tackle blight, empower residents, attract artists, and create art by the Soulsville community. Created to reverse the Memphis' inequitable course of economic development, Community LIFT serves as a funder, connector, and capacity builder of redevelopment in three disenfranchised neighborhoods. Soulsville is a legendary neighborhood in South Memphis and home to world-famous Stax Records. In the first phase of this project, the partners rehabilitated renowned bluesman Memphis Slim's home into Slim House, a community music studio professionalizing Memphis musicians. With the support of Alternate ROOTS Community LIFT will reimagine the space with SNA members, and the partners will construct the space with local artists and neighborhood residents who have carpentry and woodworking skills. In the first six weeks of opening, Stax Music Academy youth and Slim House musicians will produce community storytelling performances, in partnership with citywide institutions, to activate the lounge. Beyond this, the lounge will provide a platform for Slim House members, who are emerging professional musicians, to showcase their talent.

Girls Rock Charleston (Charleston, South Carolina), an arts-based social justice organization operating in Charleston, SC since 2011, is hosting a year-long after school program for at-risk girls and trans* youth ages 12–17. GRC works in partnership with organizations and local leaders to engage youth with a dynamic combination of music education, DIY media making, popular, and political education sessions, as well as academic and life skills support. Local artists, activists, musicians, and youth organizers serve as mentors, band coaches, and workshop leaders

throughout the program to support the Rockers in using audio and visual artistic craft to explore their burgeoning identities as girls, women, and/or queer youth, and to address the impact of police violence and the prison system in their communities. Participants will work together to explore issues of sexism, racism, poverty, gentrification, segregation, and State violence through writing original music and creating visual art, while engaging in workshops emphasizing the resilience, resistance stories, and cultural traditions (such as storytelling and community organizing) of their own communities. Together, the Rockers will produce a multimedia body of work that will both document and impact the social issues they address. A public performance will be held at the end of each semester in which community members will be engaged around these issues through the work performed/exhibited. The program will not only support the Rockers in improving their grades and staying out of the juvenile justice system, but will provide space for them to build trust with each other and define their own visions for liberation in their communities. It will prioritize developing youth as whole people.

Seeds of Fire, Highlander Research and Education Center (New Market, Tennessee) completed a week-long Living Legacy Tour of the South to connect the fights, struggles, and victories of folks fighting all forms of oppression. Highlander Research and Education Center is a leading institutional resource that connects people across generation, race, language, culture, and sector to build a unified movement for a just and equitable society. For the past 16 years, Highlander's Seeds of Fire (SOF) program has impacted thousands of young people, bringing together emerging and experienced grassroots organizers and community leaders to build collective power and influence critical policy decisions and practice shifts. The Seeds of Fire Living Legacy Tour brings together youth and young adult organizers and allies from communities of color and low-income communities to travel through key movement places in Louisiana, Alabama, and Mississippi. With a focus on addressing State sanctioned violence, tour participants will learn with artists and organizers, share cultural organizing skills with the local communities, and engage with movement elders, connecting historical struggles to those that young people are fighting against in the South, today. The Living Legacy tour allows participants to strategize and use cultural organizing methods to develop a collective analysis of systemic injustices. Its goal is to create learning exchanges and opportunities for growth and understanding while focusing on cultural organizing, intergenerational relationships, and organizational partnerships across the South.

Performing Statistics (Richmond, Virginia) is a cultural organizing project that brings incarcerated youth and community experts together to collaboratively produce media campaigns, public installations, and performances supporting juvenile justice reform. The project supports Legal Aid Justice Center's (LAJC) advocacy with, and on behalf of juvenile justice system-involved youth and their families. The project utilizes collaborative and public art to connect diverse community experts, including currently incarcerated adults and youth, around community-based alternatives to incarceration. We believe that the youth and adults most affected by the system should have a leading voice in any movement.

The artistic programming of Southern artists and organizations, supported by the NEA, gives vitality to their communities in numerous ways beyond the examples provided here. For many individual artists and small organizations in the South, these funds can sometimes be the only dollars supporting the work.

The Federal investment in the NEA places value on the role of arts and culture in our society, and it realizes significant returns that are both measurable and intangible.

We celebrate the NEA's fiscal year 2017 budget increase—the first since fiscal year 2011—and urge you to please support no less than \$155 million to the National Endowment for the Arts in fiscal year 2018. Thank you for considering our request.

[This statement was submitted by Carlton Turner, Executive Director, and Ashley Walden Davis, Managing Director.]

PREPARED STATEMENT OF THE AMERICAN ALLIANCE OF MUSEUMS

Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee, thank you for allowing me to submit this testimony. My name is Laura Lott and I serve as President and CEO of the American Alliance of Museums (AAM). We urge your support for at least \$155 million each in fiscal year 2018 (fiscal year 2018) for the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH), as well as sufficient funding for the Smithsonian Institution. We also request your support for the Historic Preservation Fund (HPF), including at least \$55 million for State Historic Preservation Offices

(SHPOs), \$15 million for Tribal Historic Preservation Offices (THPOs) and \$28 million to preserve the sites and stories of the Civil Rights Movement. We request restored funding of \$30 million and \$4.6 million respectively for the Save America's Treasures (SAT) and Preserve America programs.

Before detailing these funding priorities for the museum field, I want to express my deepest appreciation for the increases enacted by the subcommittee in the Consolidated Appropriations Act, 2017, Public Law 115–31. The additional funds for the NEH, NEA, Smithsonian Institution and historic preservation activities will enhance museums' work to enrich their communities and preserve our many heritages. The subcommittee's choice to make these investments in fiscal year 2017 despite a very limited 302(b) allocation speaks volumes about its commitment to our Nation's cultural institutions. The American Alliance of Museums is deeply troubled by proposals from the Trump Administration to slash many of these priorities, and we look forward to working with you—our bipartisan allies—to reject them. While the subcommittee will once again have to make very difficult decisions this year, I contend that each of the priorities outlined below will both protect our Nation's cultural treasures and provide a tremendous economic benefit.

AAM is proud to represent the full range of our Nation's museums—including aquariums, art museums, botanic gardens, children's museums, culturally specific museums, historic sites, history museums, maritime museums, military museums, natural history museums, planetariums, presidential libraries, science and technology centers, and zoos, among others—along with the professional staff and volunteers who work for and with museums. We are honored to work on behalf of the Nation's more than 33,000 museums, which employ 400,000 people, invest more than \$2 billion annually in educational programs, receive more than 55 million visits each year from primary and secondary school students, and directly contribute \$21 billion to their local economies.

Museums are essential in their communities for many reasons:

- Museums are key education providers.* Museums already offer educational programs in math, science, art, literacy, language arts, history, civics and government, economics and financial literacy, geography, and social studies, in coordination with State and local curriculum standards. Museums also provide experiential learning opportunities, STEM education, youth training, job preparedness, and a range of programs geared toward homeschooling families. They reach beyond the scope of instructional programming for schoolchildren by also providing critical teacher training. There is a growing consensus that whatever the new educational era looks like, it will focus on the development of a core set of skills: critical thinking, the ability to synthesize information, creativity, and collaboration. We believe museums are uniquely situated to help learners develop these core skills, and this is borne out by evidence. According to a recent University of Arkansas study, students who attended just a half-day field trip to an art museum experienced an increase in critical thinking skills, historical empathy and tolerance. For students from rural or high-poverty regions, the increase was even more significant.
- Museums create jobs and support local economies.* Museums serve as economic engines, bolster local infrastructure, and spur tourism. Both the US Conference of Mayors and the National Governors Association agree that cultural assets like museums are essential to attracting businesses, a skilled workforce, and local and international tourism. Travelers who participate in cultural or heritage activities spend 60 percent more than other tourists.
- Museums address community challenges.* Many museums offer programs tailored to seniors, veterans, children with special needs, persons with disabilities, and more, greatly expanding their reach and impact. For example, some have programs designed specifically for children on the autism spectrum while others are addressing veterans' post-war trauma or providing youth job training opportunities.
- Digitization and traveling exhibitions bring museum collections to underserved populations.* Teachers, students, and researchers benefit when cultural institutions are able to increase access to trustworthy information through online collections and traveling exhibits. Most museums, however, need more resources to digitize collections.

The National Endowment for the Humanities is an independent Federal agency created by Congress in 1965. Grants are awarded to nonprofit educational institutions—including museums, colleges, universities, archives, and libraries—for educational programming and the care of collections. NEH supports museums as institutions of learning and exploration, and as keepers of our cultural, historical, and scientific heritages.

In 2016, through Preservation & Access, one of NEH's national program divisions, 43 peer-reviewed, competitive grants totaling over \$2.5 million dollars were awarded to museums, historical societies and historic sites for a variety of projects to preserve and provide access to our Nation's rich cultural heritage. Across all NEH divisions (including Preservation and Access, Research, Education, Public Programs, Challenge Grants and Digital Humanities), these institutions received 150 awards totaling over \$21.3 million. Demand for humanities project support, as demonstrated by NEH grant application rates, far exceeds available funding. In fiscal year 2016, NEH received 5,304 competitive grant applications representing \$518.2 million in requested funds, but was only able to fund 16 percent of these peer-reviewed proposals.

NEH also provides approximately forty percent of its funding directly to States through grants to humanities councils located in every State and US territory. In 2016, 55 State councils supported 2,419 exhibitions, 280 preservation projects, and 1,612 local history programs, attracting a total audience of 5.5 million people.

This year alone, NEH funding has supported museums' work in your communities, including:

- The Mississippi Department of Archives and History received a \$100,000 grant for a multimedia learning initiative to extend the resources of the forthcoming Museum of Mississippi History and the Mississippi Civil Rights Museum directly into classrooms across the State. Funds will also support technical and curricular training for schools and teachers based on their needs.
- The Fleming Museum of Art at the University of Vermont received a \$5,742 grant to support new cabinets and environmental monitors for its collection of works on paper. This will provide better care for the works as well improved access for students and faculty.

The National Endowment for the Arts makes art accessible to all and provides leadership in arts education. Established in 1965, NEA supports great art in every congressional district. Its grants to museums help them exhibit, preserve, and interpret visual material through exhibitions, residencies, publications, commissions, public art works, conservation, documentation, services to the field, and public programs.

In 2016, more than 2,000 museums participated as Blue Star Museums—a partnership between NEA, Blue Star Families, and the Department of Defense—to offer free admission to all active duty and reserve personnel and their families from Memorial Day through Labor Day. This particular effort served more than 923,000 people, while many other museums offer military discounts or free admission throughout the year.

In 2016, NEA made more than 180 direct awards to museums, totaling over \$5.4 million. Forty percent of NEA's grant funds are distributed to State arts agencies for re-granting, and many museums benefit from these funds as well. Receiving a grant from the NEA confers prestige on supported projects, strengthening museums' ability to attract matching funds from other public and private funders. On average, each dollar awarded by the NEA leverages more than nine dollars from other sources.

This year alone, NEA funding has supported museums' work in your communities, including:

- The Anchorage Museum received a \$60,000 Creativity Connects grant to support a series of programs exploring the ecology of the Arctic, in partnership with the University of Alaska Anchorage. The organizations will work with artists and scientists on exhibitions, events, and online presentations to engage the public, conveying the complexity of the northern landscape through curated experiences.
- The International Folk Art Foundation in Santa Fe, New Mexico received a \$60,000 Art Works grant this year to support an exhibit featuring folk art from the United States and international artists. The artists' work may reflect responses to societal crises, such as war, political instability, dislocation, and ecological challenges. The exhibit will be accompanied by artist residencies, lecture, and demonstrations.

In addition to these direct grants, NEA's Arts and Artifacts Indemnity program also allows museums to apply for Federal indemnity on major exhibitions, saving them roughly \$30 million in insurance costs every year and making many more exhibitions available to the public—all at virtually no cost to the American taxpayer.

The Smithsonian Institution comprises some of the most visited museums in the world, including the National Museum of American History, the National Air and Space Museum, and the National Museum of Natural History. The Smithsonian reaches visitors and learners of all ages, in the Nation's capital and across the country, with innovative exhibits and programs. Every year, its 20 museums—including

the National Zoo—attract over 28 million in-person annual visitors. Its websites reach more than 100 million unique visitors, while its content and curriculums are used by teachers all over the country. The recently opened National Museum of African American History and Culture has captivated audiences from around the world, underscoring the power of our national museums to educate and inspire. We support funding that would allow these world-class museums to undertake critical collections care, make needed technology upgrades, conduct cutting edge research of every type, and increase access for all.

The *Historic Preservation Fund* is the funding source of preservation awards to States, Tribes, local governments, and nonprofits. State and Tribal Historic Preservation Offices carry out the historic preservation work of the Federal Government on State and Tribal lands. These duties include making nominations to the National Register of Historic Places, reviewing impacts of Federal projects, providing assistance to developers seeking a rehabilitation tax credit, working with local preservation commissions, and conducting preservation education and planning. This Federal-State-local foundation of America's historic preservation program was established by the National Historic Preservation Act. Historic preservation programs are not only essential to protecting our many heritages; they also serve as economic development engines and job creators. We urge you to provide \$55 million for SHPOs and \$15 million for THPOs through the Historic Preservation Fund.

We enthusiastically applaud the subcommittee's fiscal year 2017 restoration of funding for the Save America's Treasures program, and urge you to fully restore it to \$30 million in fiscal year 2018. From 1999 to 2010, Federal funding of \$315 million for 1,287 Save America's Treasures projects leveraged an additional \$400 million in non-Federal funds, and created more than 16,000 jobs nationwide. These projects protected some of America's most iconic and endangered artifacts, including Ansel Adams' prints and negatives, Frank Lloyd Wright structures including *Fallingwater*, and the American flag that inspired the *Star Spangled Banner*. We request \$4.6 million for the Preserve America program, which has not been funded in recent years.

We also applaud the subcommittee's fiscal year 2017 investment in competitive grants to preserve the sites and stories of the Civil Rights Movement. The initial round of grants for this initiative is currently helping museums and historic sites around the country conserve endangered structures, document stories, and share resources with the public. We support fiscal year 2018 funding of \$28 million for these Civil Rights Movement grants.

I want to once more acknowledge the difficult choices that the subcommittee faces. I hope that my testimony has made it clear why these priorities are of critical importance to the Nation and will provide a worthwhile return on investment to the American taxpayer. Thank you again for the opportunity to submit this testimony.

[This statement was submitted by Laura L. Lott, President and CEO.]

PREPARED STATEMENT OF THE AMERICAN FOREST FOUNDATION

The 22 million family woodland owners in America and the lands they own, are an essential piece of the fabric of rural communities. These lands support hundreds of thousands of jobs, supply more than half of the wood for our forest products, and sustain our environment. America's family-owned woodlands, over one-third of the Nation's forested landscape, are critical to meeting the Nation's clean air and water, wildlife habitat, and wood supply needs today and in the future.

The American Forest Foundation, a non-profit conservation organization, helps these family woodland owners manage their land to provide these benefits in rural communities across America. AFF also houses the American Tree Farm System®, a national network of over 70,000 landowners who manage their land to internationally-recognized standards of sustainability.

Because America's forests are both public and privately owned in a patchwork across the rural landscape, strategies to grow jobs, strengthen rural economies, and protect forests from threats like wildfire must take a "shared stewardship" approach where both public and private landowners are working to manage forest resources.

Because threats like wildfire do not exist solely on Federal land, in fact in the West, 30 percent of the high fire risk lands are private, family owned lands, tackling that problem, protecting lives, communities, and water supplies, requires active management of both public and private land. The same can be said for supplying wood. In any one given "wood basket" the mix of public and private ownership is different but sound management, including replanting after harvest, on both types of land is essential to keeping mills in operation and supplied with timber. Any number of other examples, like invasive forest pest outbreaks, source water protec-

tion or managing for at-risk wildlife, all require work on both public and private land as these issues do not heed property boundaries.

All of these challenges—that require a shared stewardship approach—if not tackled, will have long-term consequences on rural economies and the Federal deficit. With 22 million people across America owning over one-third of America's forests in small, individual forest holdings, we cannot ignore these landowners if we're going to successfully tackle these challenges.

While it's not the Federal government's role to manage private land, targeted assistance through programs like the Forest Stewardship Program, where a landowner is given information on how to manage their land, can have significant impact on the land and the public benefits produced. In fact, the National Association of State Foresters found that landowners with a forest stewardship plan are almost three times more likely to harvest timber. So by providing this small amount of advice landowners can be empowered to do better management that contributes to healthy forests and stronger rural economies that benefit public and private forest resources. Family woodland owners are not looking for a handout, they are just looking for this helping hand.

AFF believes Congress can improve upon the President's fiscal year 2018 Budget proposal by supporting this shared stewardship and ensuring sufficient resources for high priority public and private land strategies. AFF strongly believes that given the compelling Federal interest in forests and their sustainable management, Federal resources should be spent on the highest priority needs. We fully understand the tough budget climate. However, the almost sole focus on Federal land management in the proposed US Forest Service budget, paired with drastic cuts in funding for State and Private Forestry Programs in the US Forest Service that are essential to shared stewardship and tackling growing USFS problems like wildfire, will adversely impact the public benefits derived from all forests given the cross-boundary nature of the challenges and threats.

The State and Private Forestry Programs offer a great return on investment. For every dollar invested in the State and Private Forestry Programs, particularly those that focus on rural lands, the states and private landowners invest states and private landowners put at least another dollar. In some programs, like the Landscape Scale Restoration Program, even more than match is leveraged. For very little tax payer money, every American is getting the benefit of the clean air and water, wildlife habitat, for forest products and the resulting jobs these lands produce. Investments through these programs are also leveraged by NRCS' roughly \$80 million spent in forestry practices, the resulting synergy producing even larger impacts on rural economies and environments.

We do believe a hard look at State and Private Forestry Programs, clearly identifying desired outcomes from these programs and targeting resources on outcomes will yield significant results. For example, AFF has identified, based on extensive assessments of private lands issues in the U.S., a need to focus on three key priorities: mitigating wildfire and protecting critical watersheds in the west, managing at-risk species populations in the South and East, and increasing sustainable wood supplies for growing market demand in the south. Programs like the Landscape Scale Restoration Program can support this approach, providing competitive funding to address high priority issues and fostering innovation that leads to improved outcomes and better support for landowners.

There is an opportunity to increase efficiencies, streamline administration, and deliver better service in State and Private Forestry Programs, just like in many other areas across the Federal government. We stand ready to work with the Trump Administration and Congress to pursue these opportunities.

With these views in mind, AFF recommends the following for 2018 funding and program direction for the U.S. Forest Service to support shared stewardship of America's rural forests and the families, communities, and economies that rely on these forests:

- Continue support for Hazardous Fuels at least at 2017 funding levels with direction to continue cross-boundary wildfire mitigation work, including allowing at least \$15 million on non-Federal lands to maximize the benefits this program delivers.
- Direct the USFS to work with states and other partners to better align State and Private Forestry Programs to deliver impact on key priorities and improve program efficiency while reducing administrative costs. To do this:
 - Forest Stewardship Program funding should at least be maintained at 2017 funding levels, and focused to deliver on key outcomes and national priorities.
 - Landscape Scale Restoration Program, established through the Farm Bill in 2008, should be continued and strengthened through mechanisms such as

provided in the Klobuchar-Daines Empowering State Forestry legislation, (S. 962) to better deliver impact on key priorities.

- Forest Health funding, which helps tackle insect and disease infestations on both public and private lands should at least be maintained. This funding helps address issues across the country from mountain pine beetle ravaging the West to the emerald ash borer consuming eastern ash trees.
- We support \$87 million for State Fire Assistance and \$15 million for Volunteer Fire Assistance, to maintain the initial attack capabilities in states and local governments, helping on both public and private lands, and providing invaluable assistance to the Federal government in suppressing wildfires on Federal land.
- Forest Inventory and Analysis Program should be funded at \$83 million, because both public and private land managers need the best information about our forests to manage them well.
- Lastly, when it comes to leveraging public and private funding to grow rural forest economies, one of the best investments Congress can make is in the USFS Forest Products Laboratory. This Lab should be funded at \$27 million, to leverage funds from private industry for research and development into new and improved uses of wood that supports local economies.

We, at AFF, thank the subcommittee for the opportunity to provide some insight on these programs. If you have any questions, please contact Rita Hite at rhite@forestfoundation.org

[This statement was submitted by Tom Martin, President & CEO.]

PREPARED STATEMENT OF AMERICAN FORESTS

DEAR CHAIRMAN MURKOWSKI, RANKING MEMBER UDALL, AND HONORABLE COMMITTEE MEMBERS:

American Forests appreciates the opportunity to submit public testimony regarding our fiscal year 2018 appropriation recommendations. We understand the continuing economic realities facing the Nation, and we thank this subcommittee for its support of key Federal conservation programs in Consolidated Appropriations Act of fiscal year 2017. Our Nation's forests yield a significant return on investment, whether those forests are public or private, in urban areas or in wildlands. The economic, social, and environmental benefits healthy forests provide are clear incentives for continued Federal investment. American Forests' funding recommendations are modestly above the fiscal year 2017 enacted levels.

Founded in 1875, American Forests is the oldest national nonprofit conservation organization in the United States. Its mission is to inspire and advance the conservation of forests. We do this by protecting and restoring threatened forest ecosystems, promoting and expanding urban forests, and increased the understanding of the importance of forests. American Forests has planted more than 50 million trees in 1,000 forest restoration projects and works in cities across the country helping to increase urban forest canopy, demonstrating innovative greenspace creation.

Respectfully, we ask you to reject the drastic cuts proposed in the President's fiscal year 2018 budget. We are deeply concerned by the zeroing out of important and effective programs like Urban and Community Forestry, Landscape Scale Restoration, Community Forests and Open Space Conservation, and Collaborative Forest Landscape Restoration. Defunding or severely cutting these programs will have profound and lasting repercussions on people and communities across the country—particularly those in rural areas where these funds are essential.

USDA FOREST SERVICE (USFS)

State and Private Forestry

Urban and Community Forestry (U&CF): U&CF plays an integral part in promoting sound stewardship of our Nation's urban and community forests and trees. By providing important technical and financial support, U&CF helps cities and towns across the Nation enhance tree and forest cover, prepare for storms and other disturbance events, contain threats from native and invasive pests, and maximize the economic, social, and ecological benefits of their tree resources. U&CF is a smart investment as Federal support is often leveraged 2:1 (or in many cases significantly more) by States and partner organizations. As a model Federal program, U&CF consistently increases communities served, brings together diverse partners and resources, and shows that Federal investment can have lasting impacts on communities of all sizes. American Forests recommends U&CF be funded at \$31.3 million.

Forest Stewardship Program (FSP): Administered in cooperation with State forestry agencies, this program plays a fundamental role in keeping forests as forests. A forest landowner with a forest stewardship plan is almost three times more likely to actively manage his or her land than one without a plan, leading to jobs and rural economic stimulus. American Forests is concerned by the \$3 million cut to FSP in the fiscal year 17 Consolidated Appropriations Act. Often States are able to leverage multiple programs under Cooperative Forestry to enact landscape-scale forest management plans and restoration efforts. American Forests recommends funding for Forest Stewardship at \$29 million.

Landscape-Scale Restoration: The Landscape Scale Restoration program strategically prioritizes resources by competitively allocating the Cooperative Forestry Assistance Act funds. It focuses on targeting Federal investments, leveraged by State funding resources, to areas of greatest need, highest value, or strongest innovation potential as stipulated in each State Forest Action Plan. American Forests recommends funding the Landscape Scale Restoration program at \$23 million.

Community Forests and Open Space Conservation Program (CFP): CFP has made substantial progress in preserving forests by increasing opportunities for Americans to connect with forests in their own communities and fostering new public-private partnerships. In the latest round of CFP grants, project partners leveraged \$10.6 million in Federal funds to secure \$34.5 million in non-Federal funding, resulting in more than 15,000 acres of community forests. American Forests recommends an increase in funds to \$5 million in fiscal year 2018.

Forest Health Management: The Forest Health Management programs provide essential expertise and assistance to State and municipal agencies and private landowners in countering non-native pests. Municipal governments across the country are spending more than \$3 billion each year to remove trees on city property killed by these non-native pests. Homeowners are spending an additional \$1 billion to remove and replace trees on their properties and are absorbing an additional \$1.5 billion in reduced property values. American Forests asks that the Subcommittee appropriate \$59 million for Federal lands and \$48 million for cooperative lands.

Forest Legacy Program: Since authorization in 1990, the Forest Legacy Program has protected 2.61 million acres of private forests through voluntary conservation easements. It is imperative to continue protecting our Nation's forests for future generations. Although still in private ownership, these lands provide a myriad of ecosystem services to Americans today. American Forests supports \$62.35 million allocated through the Land and Water Conservation Fund.

National Forest System

Collaborative Forest Landscape Restoration Program (CFLRP): CFLRP was created to promote job stability, a reliable wood supply, and forest health while reducing emergency wildfire costs and risks. This program is developing a successful track record and operating at a scale that demonstrates landscape impact. American Forests recommends the fiscal year 2017 enacted level of \$40 million.

Forest and Rangeland Research

The USFS's Forest and Rangeland Research program is essential in providing support for urban and wildland forestry research activities. These focus on understanding conditions and trends in our Nation's urban and community forests and in providing tools and best management practices. Agency researchers help policymakers and practitioners to understand the environmental, economic, and social services that trees and forests provide. We urge the Subcommittee to continue including language in Interior Appropriations reports encouraging the Forest Service to maintain a strong and vibrant urban forest research program. American Forests requests Congress to provide funding for the Forest and Rangeland Research line item at \$303 million with \$83 million allocated to the Forest Inventory Analysis.

BUREAU OF LAND MANAGEMENT (BLM)

Public Domain Forest Management: The BLM is entrusted with the management of 58 million acres of forests and woodlands across 12 western States, including Alaska. 14 million acres—or 24 percent—of BLM forests are overstocked, increasing insect and disease attacks and catastrophic wildfire. Increased funding to address these serious risks is necessary across all land management agencies. American Forests supports \$10.08 million.

FISH AND WILDLIFE SERVICE (FWS)

Ecological Services: Ecological Services achieves conservation of FWS trust resources, focusing on imperiled species, and works closely with external partners and agencies for the conservation of natural resources across the landscape. The Ecologi-

cal Services Program facilitates implementation of the Endangered Species Act. American Forests supports \$252.29 million for Ecological Services.

National Wildlife Refuge System: The National Wildlife Refuge System, with 563 refuges covering more than 150 million acres across the country, is vital to protecting America's wildlife and ensuring that their habitats are a priority. Refuges are visited by 48.5 million people each year, contribute \$4.5 billion to the economy, and support 35,000 jobs. Investment in the Refuge system is an investment in our communities. With 101 refuges within 25 miles of major population centers, the Refuge System is a vital component of our urban forests, as well. American Forests supports \$508.20 million with fiscal year 2017 enacted level requested for urban wildlife refuges.

State and Tribal Wildlife Grant Program (STWG): Created in 2000, the STWGP provides grant funds to States and Tribes to develop and implement programs for the benefit of fish and wildlife and their habitats. The program is a proactive solution and important complement to the Endangered Species Act by supporting the creation and implementation of comprehensive wildlife conservation strategies or more commonly, State Wildlife Action Plans, to conserve declining wildlife and avoid the need for Federal listing. Actions must link to the plans which have helped conserve 1.9 million acres of habitat for species of greatest conservation need including 131,000 acres of habitat protected through land acquisition or conservation easements. American Forests supports \$66.98 million for State and Tribal Wildlife Grants.

NATIONAL PARK SERVICE

Outdoor Recreation Legacy Partnership Program (ORLPP): The State and Local Assistance Program provides matching grants to States and localities for protection and development of parks and recreation resources and is the primary Federal investment tool to ensure that families have easy access to urban forests in parks and open space, and neighborhood recreation resources. This nationally competitive program complements the existing State and local assistance program by creating opportunities for outdoor play as well as developing or enhancing outdoor recreation partnerships in cities. American Forests supports the President's fiscal year 2017 request of \$110 million for the State and local assistance program, which includes \$12 million for ORLPP.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Clean Water State Revolving Fund (CWSRF): Green infrastructure is a cost-effective and resilient approach to stormwater infrastructure needs that also provide many other community benefits. American Forests supports EPA's goal of strengthening green infrastructure activities to further its sustainability goals. American Forests request that not less than 20 percent the CWSRF funding be made available for green infrastructure or environmentally innovative projects that promote watershed protection, restoration and build community resilience.

LEGISLATIVE LANGUAGE REQUESTS

Wildfire Suppression Funding

America's forests and forest-dependent communities are at risk from outbreaks of pests and pathogens, persistent drought, and the buildup of hazardous fuels. Urbanization and development patterns are placing more homes and communities near fire-prone landscapes, leading to more destructive and costly wildfires. Unfortunately, the ten-year average has not been enough to meet the USFS suppression needs, forcing the agency to transfer millions of dollars from non-suppression accounts to make up for the shortfall. The current wildfire suppression funding model and cycle of transfers and repayments has negatively impacted the ability to implement forest management, among many other activities. Additionally, the increasing ten-year average has not met annual suppression needs since before fiscal year 2002, which is why we are thankful to the Committee for the full transfer repayment and increased suppression funding in fiscal year 2016. However, DOI and USFS need a long-term fire funding solution that would result in stable and predictable budgets each year.

We appreciate the Committee's support of the bipartisan Wildfire Disaster Funding Act, which addresses Federal fire funding challenges as well as other bipartisan Congressional efforts in this regard. We respectfully request a bipartisan fire funding solution that would (1) access disaster funding, (2) minimize transfers, and (3) address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that proactively restore forests to healthier conditions.

Land and Water Conservation Fund

American Forests supports the permanent authorization of full and dedicated funding, without further appropriation or fiscal year limitation, for the Land and Water Conservation Fund (LWCF). LWCF programs protect natural resource lands, outdoor recreation opportunities, and working forests at the local, State and Federal levels. This program ensures that these important lands are protected for current and future generations. American Forests supports permanent authorization of \$900 million in mandatory funding for LWCF programs in the Departments of Interior and Agriculture.

[This statement was submitted by Rebecca Turner, Senior Director of Programs and Policy.]

PREPARED STATEMENT OF THE AMERICAN GEOPHYSICAL UNION

The American Geophysical Union (AGU), a non-profit, non-partisan scientific society, appreciates the opportunity to submit testimony regarding the fiscal year 2018 budget request for the United States Geological Survey (USGS). The AGU, on behalf of its 60,000 Earth and space scientist members, respectfully requests Congress to appropriate \$1.2 billion for the USGS in fiscal year 2018. Restoring strong funding to USGS will allow the agency to sustain current programs and invest in geologic, environmental, and ecological data needed by decision makers across the country.

The USGS is uniquely positioned to provide informed responses to many of the Nation's greatest challenges and has a mission that positively impacts the lives of all Americans. The Survey plays a crucial role in assessing water quality and quantity; reducing risks from natural hazards; providing emergency responders with live-saving data; assessing mineral and energy resources; and managing our Nation's ecosystems. Through its offices across the country, the USGS provides high-quality research and data to policymakers, emergency responders, natural resource managers, civil and environmental engineers, educators, and the public. A few examples of the USGS' valuable work are provided below.

MONITORING AND EVALUATING WATER QUALITY

The USGS collects information on water availability and quality to inform the public and decision makers about the status and history of freshwater resources. According to the American Society for Microbiology, up to 900,000 people fall ill and up to 900 die annually from waterborne infectious diseases in the U.S. alone. The data collected by USGS helps officials understand how to avoid, prepare for and mitigate water quality problems that affect communities around the country. During the past 130 years, the USGS has collected streamflow data at over 21,000 sites, water-level data at over 1,000,000 wells, and chemical data at over 338,000 surface-water and groundwater sites. This information is needed to effectively manage freshwaters—both above and below the land surface—for public health, agricultural, commercial, recreational, and ecological purposes.

PREDICTING AND OBSERVING NATURAL HAZARDS

The USGS works to reduce risks from floods, wildfires, earthquakes, tsunamis, volcanic eruptions, landslides, and other natural hazards that jeopardize human lives and cost billions of dollars in damages every year. Seismic networks and hazard analyses are used to formulate earthquake probabilities and to establish building codes. USGS monitors volcanoes and provides warnings about impending eruptions that are used by aviation officials to prevent planes from flying into volcanic ash clouds. Data from the USGS network of stream gauges enable the National Weather Service to issue flood and drought warnings. The USGS and its Federal partners monitor seasonal wildfires and provide maps of current fire locations and the potential spread of fires. In domestic and global events, emergency managers and public officials rely on USGS to inform them of risks and hazards posed to human and natural systems, saving millions of dollars and safeguarding American lives and property.

MAPPING AND ASSESSING MINERAL AND ENERGY RESOURCES

USGS assessments of mineral and energy resources—including rare earth elements, coal, oil, unconventional natural gas, and geothermal sources—are essential for making decisions about the Nation's energy future. The USGS identifies the location and quantity of domestic mineral and energy resources and assesses the economic and environmental effects of resource extraction and use. USGS also maps

domestic supplies of rare earth elements to be used in new energy technologies, which can reduce dependence on foreign oil. The USGS is the sole Federal source of information on mineral potential, production, and consumption that are essential to support America's energy landscape now and in the future.

COLLECTING AND ASSESSING LAND USE DATA

Research and data collected by the USGS are vital to predicting the impacts of land use and climate change on water resources, wildfires, and ecosystems. For 44 straight years, Landsat satellites have collected the largest archive of remotely sensed land data in the world, allowing for access to current and historical images that provide insights relevant for global agricultural production and for understanding the impact of natural disasters on communities and the environment. A 2013 National Research Council study found that the economic benefit of Landsat data was estimated to be \$2 billion for 2011 alone. The consistency of data sets like those provided by Landsat is vital for advances in science, more efficient natural resource management, and profitable applications of data in commerce and industry.

DEVELOPING AND PROVIDING MAPPING FOR THE NATION

The USGS utilizes unique technologies that enable the collection of accurate nationwide terrain information. This information improves our knowledge of water supply and quality issues; better prepares emergency responders for natural disasters; and provides businesses with more accurate data. Modernized, high-resolution topographic maps are provided by the USGS through their 3D Elevation Program (3DEP). 3DEP leverages funds from the private sector and other Federal agencies, providing open-access elevation data for a wide variety of users. From better flood-inundation maps, to cost-effective precision farming, to the development of renewable energy projects, 3DEP data supports cutting edge resource management and energy projects.

MAINTAINING AND EVALUATING PUBLIC HEALTH

The USGS helps to maintain public health at the local, State, and national level. By monitoring changes in ecosystem and environmental health, the Survey can evaluate human susceptibility to contaminants, pathogens, and environmental disease. This unique perspective into the intersection between the physical environment, living environment, and humans allows the USGS to provide valuable insights regarding public health concerns. For example, the agency assesses negative health effects caused by the dispersion of contaminants after natural and man-made disasters, such as hurricanes and oil spills. In one such instance, after Hurricane Sandy, the USGS provided soil, water, and sediment information to public health agencies to help them protect citizens from toxic contaminants.

ENGAGING THE NEXT GENERATION OF SCIENTISTS

The USGS meets monthly with other Department of Interior (DOI) bureaus to collaborate on projects that will engage the next generation of scientists. Collectively, the DOI is actively working to provide at least 10 million students with educational, work, and training opportunities. In 2015, the USGS offered learning opportunities to over 100,000 students and teachers in activities such as science fairs, mentoring opportunities, camps, and hands-on learning experiences. Programs such as the USGS's Cooperative Research Units (CRU) provide under-represented undergraduate students with mentoring and hands-on experiences designed as a pathway to DOI recruitment.

CONCLUSION

AGU was pleased to see that the USGS received a 2 percent funding increase in the fiscal year 2017 Omnibus Appropriations Bill. Nevertheless, the agency has been historically strained by a large workload and too few resources. As the Nation faces unprecedented challenges, such as demand for limited energy, vulnerability to natural hazards, and the need for clean water, a substantial funding increase for USGS will allow the agency to maximize support for the Nation's environmental, economic, and national security.

AGU respectfully requests that Congress appropriate \$1.2 billion for USGS in fiscal year 2018. We appreciate the opportunity to submit this testimony to the subcommittee and thank you for your thoughtful consideration of our request.

[This statement was submitted by Carissa Bunge, Public Affairs Specialist.]

PREPARED STATEMENT OF THE AMERICAN GEOSCIENCES INSTITUTE

Thank you for this opportunity to provide the American Geosciences Institute's perspective on fiscal year 2018 appropriations for geoscience programs within the subcommittee's jurisdiction. We ask the subcommittee to support and sustain critical geoscience functions at the United States Geological Survey (USGS), and related work at other agencies and bureaus.

Specifically, we ask that you support funding of \$1.2 billion for USGS. AGI also suggests \$175 million for Energy and Minerals Management at the Bureau of Land Management; \$75 million for the Bureau of Ocean Energy Management; \$83 million for the Bureau of Safety and Environmental Enforcement; \$8.1 billion for the Environmental Protection Agency; \$863 million for the Smithsonian Institution; and \$2.95 billion for the National Park Service.

The Earth provides the energy, mineral, water, and soil resources that are essential for a thriving, innovative economy, national security, and a healthy population and environment. We must understand the Earth system, and particularly the geological characteristics of Earth's surface and subsurface, in order to sustain human health and safety, maintain energy and water supplies, and improve the quality of the environment while reducing risks from natural hazards.

AGI is a nonprofit federation of 51 geoscientific and professional associations that represent approximately 250,000 geologists, geophysicists, and other Earth scientists who work in industry, academia, and government. Founded in 1948, AGI provides information services to geoscientists, serves as a voice of shared interests in our profession, plays a major role in strengthening geoscience education, and strives to increase public awareness of the vital role the geosciences play in society's use of resources, resilience to natural hazards, and the health of the environment.

IMPORTANCE OF UNDERSTANDING EARTH'S SUBSURFACE

The next great frontier lies under our feet. We know relatively little about the 2 miles of the Earth's crust immediately below the surface even though we rely on it for many of our energy, mineral, and water supplies; we use it as a disposal site for a variety of waste products; and it is the source of damaging earthquake and volcanic hazards. Scientific and technological innovations now equip us to identify the wealth that may lie in the shallow subsurface and to avoid destabilizing or contaminating the Earth's crust. By collaborating together, Federal agencies with expertise in the subsurface can help usher in a new era of understanding and wise development of the Earth and its resources.

The U.S. Geological Survey has primary responsibility for examining the geological structure of the national domain. The Geoscience Directorate at the National Science Foundation funds basic geoscience research. State geological surveys play a vital role in geological mapping. NASA and NOAA provide important remote sensing and Earth monitoring data. The Department of Energy is already coordinating its own subsurface activities through the SubTER cross-cut.

We respectfully suggest that the time has come for a coordinated national effort to examine and characterize the shallow subsurface of the country. Federal agencies should work together to combine fundamental science with advanced technologies to create a publicly available, national-scale, characterization of the shallow subsurface that would be the basis for private-sector investment and informed decision-making in both the private and public sectors. This budget can lay the scientific, technological, and administrative foundations to explore the next frontier.

U.S. GEOLOGICAL SURVEY

AGI supports \$1.2 billion for USGS to support the agency's scientific mission. We recommend a balanced portfolio of research, monitoring, and assessment, including geologic mapping and geophysical surveys, that supports smart use of the Nation's energy, mineral, water, and land resources.

Importance of Geoscience Functions at USGS: The need for geological information has not diminished since USGS was established in 1879. On the contrary, as we place increasing demands on Earth's system, many critical decisions rely upon geoscience information. The USGS has a wide-ranging mission to provide objective maps, data, observations, analyses, assessments, and scientific solutions to support decisionmaking. While there is merit to USGS's broad remit, its unique geological mission should be paramount.

Optimizing USGS facilities: Some USGS facilities are in extremely bad condition, others do not meet current requirements. AGI supports additional fiscal year 2018 funding for USGS Facilities to maintain essential monitoring, observation, and analytical instrumentation, and to consolidate facilities to best serve the agency's mis-

sion. Investing in USGS infrastructure now will increase efficiency and yield considerable savings in the coming years.

CORE SCIENCE SYSTEMS

- National Cooperative Geologic Mapping Program (NCGMP)*: This important, decades-long partnership between the USGS, State geological surveys, and universities has a proven track record of delivering cost-effective geological maps. AGI asks that Congress increase funding for the National Cooperative Geologic Mapping Program to \$30 million in fiscal year 2018 to meet growing demand from many sectors for geologic maps.
- National Geospatial Program*: Topographic mapping has been a core activity at USGS since its inception. AGI strongly supports the 3D Nation interagency partnership to build a modern elevation map of the Nation's territories and urges Congress to support USGS's contribution, the 3DEP (3D Elevation) program. AGI strongly supports investment in lidar and ifsar mapping, and requests \$69 million for the National Geospatial Program.
- Data Preservation*: The National Geological and Geophysical Data Preservation Program (NGGDPP) produces more value in terms of economic, environmental, hazard mitigation, and regulatory efficiency than it costs to run. AGI urges Congress to reauthorize NGGDPP and to fund it at the previously authorized level of \$3 million.

ENERGY AND MINERAL RESOURCES

- Mineral Resources Program*: We are concerned at the dearth of investment in identifying and characterizing domestic mineral resources, which can play a vital role in the security of our national supply chains. USGS minerals and mapping programs provide the baseline geologic information needed to stimulate and target renewed interest in domestic mineral resources. Funding these programs will support national defense and economic priorities.
The National Minerals Information Center (NMIC) continues to provide financially and strategically vital information on the global supply of, demand for, and flow of minerals and mineral materials. We are impressed by the increase in timely analyses, in addition to the regular collection and dissemination of accurate data, generated by NMIC. AGI supports increased funding of \$60 million for the Mineral Resources Program.
- Energy Resources Program*: AGI supports increased funding for the Energy Resources Program. We note the importance of research on gas hydrates, which may play a significant role in future energy and climate scenarios. AGI supports funding of \$25 million for the Energy Resources Program.

LAND USE CHANGE

- Land Remote Sensing Program*: One of the most fundamental concepts in the geosciences is that the Earth changes through time. It is impossible to overstate the importance of long-term, consistent monitoring of the Earth to provide a sound basis for decisionmaking. AGI supports \$97 million for Land Use Change, which includes Landsat and other Earth observing systems.

WATER RESOURCES

- Drought and challenges in water supplies and water quality highlight the importance of understanding the quality, quantity, and distribution of our groundwater and surface water resources. AGI urges Congress to ensure the continuity and expansion of nationwide, long-term data collection and research programs that support water planning and decisionmaking across all States, and to fund Water Resources at \$215 million for fiscal year 2018.

NATURAL HAZARDS

- Natural hazards can cause substantial damage throughout the Nation but, with the right information, communities can take action to avoid and mitigate potential harm. USGS landslide, earthquake, volcano programs, plus the agency's work on geomagnetism and coastal and marine geology, strengthen our national resilience and save our communities and citizens from harm. AGI supports robust funding of the Natural Hazards Program and urges Congress to appropriate \$145 million to this Mission Area.

BUREAU OF LAND MANAGEMENT

AGI supports efforts by the Energy and Minerals Management program to modernize its data systems and administrative processes. BLM needs staff with appropriate skills to carry out energy and minerals inspections, data collection and analysis, and administration. AGI supports funding BLM's Energy and Minerals activities at \$175 million and we urge investment in BLM's workforce to ensure efficient technical and administrative service.

BUREAU OF OCEAN ENERGY MANAGEMENT AND BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

In order to administer and oversee offshore energy development effectively and efficiently, BOEM and BSEE need sufficient, skilled staff. AGI recommends continued investment in workforce development to avoid delays in the functions of both bureaus. AGI supports \$75 million in Federal funds for BOEM, and \$83 million for BSEE.

ENVIRONMENTAL PROTECTION AGENCY

We respectfully request Congress to consider the value of many EPA science programs, especially their value to States, Tribes, extramural partners, and grant recipients, when making budget decisions. EPA provides many benefits to the Nation, we request funding of \$8.1 billion for the agency.

SMITHSONIAN INSTITUTION

The Smithsonian's National Museum of Natural History (NMNH) plays a dual role in communicating the excitement of the geosciences to the public and enhancing knowledge through research and the preservation and sharing of geoscience collections. AGI supports funding of \$863 million for the Smithsonian Institution, with \$49.2 million for the NMNH.

NATIONAL PARK SERVICE

National parks are unique national treasures that showcase the geologic splendor of our country and offer unparalleled opportunities for research, education, and outdoor activities. AGI supports \$2.95 billion for the National Park Service and we note its important role in educating students and the public about all aspects of Earth and human history.

Thank you for the opportunity to present testimony to the Subcommittee. If you would like additional information for the record, please contact Maeve Boland at mboland@agiweb.org, or 4220 King Street, Alexandria VA 22302-1502.

[This statement was submitted by Allyson K. Anderson Book, Executive Director.]

PREPARED STATEMENT OF THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

I. REQUEST SUMMARY

On behalf of the Nation's Tribal Colleges and Universities (TCUs), which collectively are the American Indian Higher Education Consortium (AIHEC), thank you for this opportunity to present our fiscal year 2018 (fiscal year 2018) appropriations recommendations for the 29 colleges funded under Titles I and II of the Tribally Controlled Colleges and Universities Assistance Act (Tribal College Act); the two tribally chartered career and technical postsecondary institutions (Title V/Tribal College Act); the two Bureau of Indian Education postsecondary institutions; and the Institute of American Indian Arts (IAIA). The Bureau of Indian Education administers each of these programs, with the exception of IAIA, which is congressionally chartered and funded in its own account.

In fiscal year 2018, TCUs request:

- \$80,220,000 to fund institutional operations under Titles I and II, and technical assistance authorized in the Tribally Controlled Colleges and Universities Assistance Act of 1978, or Tribal College Act, which would fund 27 TCUs at the authorized level for the first time in 37 years and provide an additional \$100,000, for a total of \$701,000 for increasingly needed technical assistance. It is worth noting that the technical assistance program has been level funded for 12 years;
- Without the budget tables, which are not available at this writing, we cannot confirm a potential cut to Title V of the Tribally Controlled Colleges and Universities Assistance Act that provides partial institutional operations funding

- for Navajo Technical University (NTU) and United Tribes Technical College (UTTC). The career and technical programs offered by these colleges afford students a solid chance at not just a job, but a career. Cuts to their basic operating budgets will likely cause them to significantly scale back programs that cost the most to offer—such as engineering, information technology, digital manufacturing, and veterinary technology—but that provide the highest career potential and benefits. We request that any proposed cut to this grant program be rejected and that the Nation's two tribally chartered postsecondary career and technical institutions be appropriated \$10,000,000;
- \$9,948,000 for the Institute of American Indian Arts;
- Reject the President's budget recommendation to cut \$7,000,000 from Haskell Indian Nations University (HINU) and Southwestern Indian Polytechnic Institute (SIPI), the Bureau of Indian Education's two postsecondary institutions and fund HINU/SIPI at a minimum of \$23,000,000. The request to make such a deep funding cut to the BIE's two postsecondary institutions, if enacted, would yield devastating results and could lead to the closing of these institutions that are vital to the postsecondary education goals of many American Indian and Alaska Native students.
- Lastly, each year the Bureau of Indian Education provides \$60 million to K-12 institutions under its purview for professional development training and activities. We request that Congress instruct the BIE to prioritize the Nation's TCUs as providers of professional development to these elementary and secondary schools that educate a large proportion of American Indians and Alaska Natives. TCUs are ideally situated to offer high quality, culturally relevant professional development opportunities as they are place-based institutions that are acutely aware of the needs of Native students.

Other than HINU, SIPI, and IAIA, TCUs are founded and chartered by their respective American Indian Tribes, which hold a special legal relationship with the Federal Government, actualized by more than 400 treaties, several Supreme Court decisions, prior congressional action, and the ceding of more than one billion acres of land to the Federal Government. Despite the trust responsibility and treaty obligations, the TCUs' primary source of basic operating funds has never been adequately funded. Further, our member institutions—already operating on marginal budgets—have suffered the ramifications of perennial across-the-board cuts, including sequestration.

II. OPPORTUNITY AND INNOVATION IN INDIAN COUNTRY

Tribal Colleges and Universities are an essential component of American Indian/Alaska Native (AI/AN) education. Currently, 37 TCUs operate more than 75 campuses and sites in 16 States, within whose geographic boundaries 80 percent of all American Indian reservations and Federal Indian trust land lie. They serve students from well over 250 federally recognized Tribes, more than 85 percent of whom receive Federal financial aid—primarily Pell grants. In total, the TCUs annually serve 160,000 AI/ANs and other community members through a wide variety of academic and community-based programs. TCUs are public institutions accredited by independent, regional accreditation agencies and, like all U.S. institutions of higher education, must regularly undergo stringent performance reviews to retain their accreditation status. Each TCU is committed to improving the lives of its students through higher education and to moving AI/ANs toward self-sufficiency. To do this, TCUs serve many roles in their reservation communities, functioning as workforce and job creation engines, community centers, public libraries, Tribal archives, entrepreneurial, small business, and career centers, computer labs, summer camps, community farms and gardens, economic development centers, applied research hubs, child and elder care centers, and more.

The Federal Government, despite its direct trust responsibility and binding treaty obligations, has never fully funded TCU institutional operations as authorized under the Tribally Controlled Colleges and Universities Assistance Act of 1978. Yet despite funding challenges, TCUs are leading the Nation in preparing an AI/AN workforce, including nurses, land managers, and teachers for our Native schools. For example, half of all AI/AN special education teachers in Montana are graduates of one college: Salish Kootenai College. TCUs prepare other professionals in high-demand fields, including agriculture and natural resources management, human services, IT, and building tradesmen. By teaching the job skills most in demand on our reservations, TCUs are laying a solid foundation for Tribal economic growth, which is the only way to move Tribes and Tribal members to self-sufficiency. But workforce development is not enough. TCU leadership understands that we must do more to accelerate the move to self-sufficiency—we must move beyond simple workforce training.

Today, TCUs are tackling the tougher—but much more significant—issue of job creation, because we know that to break the cycle of generational poverty and end the culture of dependency that grips so much of Indian Country, simply filling jobs that would be filled anyway is not enough. We must create new industries, new businesses, and build a culture of innovation. Our job creation initiative is focusing initially on advanced manufacturing, through a partnership with the U.S. Department of Energy, National Laboratories, TCUs, and industry. Already, we are seeing results with new TCU-Tribal-industry partnerships, new contracting opportunities, and new jobs for our students and graduates.

Tribal Colleges continually seek to instill a sense of hope and identity within Native youth, who one day will lead our Tribal nations. Unacceptably, the high school drop-out rate for Native students remains around 50 percent. To help address this alarming reality, TCUs partnered with the Department of the Interior's Bureau of Indian Education to help create a durable "college-going culture" in BIE middle and high schools. TCUs are reaching back to create a bridge for Indian students as early as the elementary school, encouraging them to abandon any notion of dropping out of high school and instead, to think that the natural course is to finish high school and go on to the local TCU. In addition, TCUs offer dual credit courses for high school students, provide math teachers for local high schools as a strategy for improving course delivery, host Saturday academies, after school programs and summer camps for middle and high school students, and at the other end of the spectrum, offer GED or HiSET training and testing, depending on their location. All are solid steps to bolster the prospects for future of Native youth and breaking the cycle of generational poverty.

As noted earlier, the TCUs' operations funding remains insufficient, and their budgets are further disadvantaged, because unlike other institutions of higher education, TCUs receive operations funding based on the number of Indian students served, with "Indian student" defined as a member of a federally recognized Tribe or a biological child of enrolled Tribal members. Yet, approximately 15 percent of the TCUs' collective enrollments are non-Indian students. While many TCUs do seek operating funds from their respective State legislatures for their non-Indian, State-resident students (also referred to as "non-beneficiary" students) successes have been, at best, inconsistent. Given their locations, often hundreds of miles from another postsecondary institution, TCUs are open to all students, Indian and non-Indian, believing that education in general, and postsecondary education in particular, is a catalyst to a better economic future in remote areas.

III. SOLID INVESTMENT OF FEDERAL FUNDS

In August 2015, an economic impact study on the TCUs, conducted by Economic Modeling Specialists International (EMSI), revealed that the known TCU alumni impact is \$2.3 billion, which supports 28,778 jobs in the Nation. From a taxpayer's perspective, the study concluded that the total monetary benefits to taxpayers compared to their costs (equal to the Federal funds the TCUs received during the analysis year) yield a 2.4 benefit-cost ratio. In other words, for every Federal dollar invested in the TCUs, the taxpayers receive a cumulative value of \$2.40. The average annual rate of return is 6.2 percent, a solid rate of return that compares favorably with other long-term investments. On an individual basis, TCU students see an annual return of investment of 16.6 percent, and the vast majority of TCU-trained workers remains in Indian Country and contributes to the local economy. TCUs benefit taxpayers through increased tax receipts and reduced demand for Federal social services; a win all-around.

IV. CHALLENGES: TAX BASE & GAMING MISCONCEPTIONS

Local Tax and Revenue Base: TCUs cannot rely on a local tax base for revenue. Although Tribes have the sovereign authority to tax, high reservation poverty rates, the trust status of reservation lands, and the lack of strong reservation economies hinder the creation of a reservation tax base. As noted earlier, on Indian reservations that are home to TCUs, the unemployment rate can well exceed 70 percent. By contrast, the national unemployment rate is currently 4.5 percent.

Gaming and the TCUs: Although several of the reservations served by TCUs have gaming operations, they are not the mega-casinos located in urban areas and featured in the broad-based media. Only a handful of TCUs receive regular income from the chartering Tribe's gaming revenue, and the amounts received can vary greatly from year to year. Most reservation casinos are small businesses that use their gaming revenue to improve the local standard of living and potentially diversify into other, more sustainable areas of economic development. In the interim,

where relevant, local TCUs offer courses in casino management and hospitality services to formally train Tribal members to work in their local tribally run casinos.

Some form of gaming is legalized in 48 States, but the Federal Government has not used the revenues generated from State gaming as a justification to decrease Federal funding to other public colleges or universities in those States. Some have suggested that those Tribes that operate the handful of extremely successful and widely publicized casinos located in or near urban areas, should be financing higher education for all American Indians. And yet, no State is expected to share its gaming revenue with a less successful or non-gaming State.

V. APPROPRIATIONS REQUEST FOR FISCAL YEAR 2018

As noted earlier, it has been more than 35 years since the Tribal College Act was first funded, and the TCUs have yet to receive the congressionally authorized per Indian student funding level. Full funding for the TCUs' institutional operating grants under Titles I and II in fiscal year 2018 would require only a modest increase of approximately \$10.4 million over the fiscal year 2017 appropriated level. These TCUs that educate the vast majority of TCU-attending students and serve some of the largest Indian Tribes in the Nation, have been level-funded since fiscal year 2014. Since that time, the College of the Muscogee Nation in Okmulgee, Oklahoma became eligible for funding under Title I of the Tribal College Act, and several more could potentially gain eligibility in the next few years.

VI. CONCLUSION

AIHEC Member institutions/Tribal Colleges and Universities provide quality higher education to thousands of American Indians and other reservation residents, as well as essential community programs and services to those who might otherwise not have access to such opportunities. The modest Federal investment that has been made in TCUs has paid great dividends in terms of employment, education, economic development and has significantly reduced social, healthcare, and law enforcement costs. Continuation of this investment makes sound moral and fiscal sense.

We greatly appreciate the subcommittee's past and continued support of the Nation's Tribal Colleges and Universities and your thoughtful consideration of our fiscal year 2018 appropriations requests.

PREPARED STATEMENT OF THE AMERICAN INSTITUTE OF BIOLOGICAL SCIENCES

The American Institute of Biological Sciences (AIBS) appreciates the opportunity to provide testimony in support of appropriations for the United States Geological Survey (USGS), United States Forest Service (USFS), Environmental Protection Agency (EPA), United States Fish and Wildlife Service (USFWS), and Smithsonian Institution for fiscal year 2018. We encourage Congress to provide the USGS with \$1.2 billion in fiscal year 2018 and \$173.9 million for the Ecosystems mission area. We further request that Congress provide the USFS Forest and Rangeland Research program with at least \$296.0 million and EPA Science and Technology with at least \$715 million. We also request the restoration of funding for Science Support in USFWS to the fiscal year 2017 enacted level of \$17.0 million. Lastly, we support \$729.4 million for Smithsonian salaries and expenses, the same as in fiscal year 2017.

The AIBS is a nonprofit scientific association dedicated to advancing informed decisionmaking that advances biological research and education for the benefit of science and society. AIBS works to ensure that the public, legislators, funders, and the community of biologists have access to and use information that will guide them in making informed decisions about matters that require biological knowledge. Founded in 1947 as a part of the National Academy of Sciences, AIBS became an independent, member-governed organization in the 1950s. Today, AIBS has individual members and more than 130 member organizations with a combined individual membership and staff of more than 200,000.

U.S. GEOLOGICAL SURVEY

The USGS provides unbiased, independent research, data, and assessments that are needed by public and private sector decision-makers. Data generated by the USGS save taxpayers money by enabling more effective management of water and biological resources, and providing essential geospatial information that is needed for commercial activity and natural resource management. The data collected by the

USGS are not available from other sources and our Nation cannot afford to sacrifice this information.

The Ecosystems activity within USGS underpins the agency's other science mission areas by conducting the research required to understand the impacts of water use, energy exploration and production, and natural hazards on natural systems. The USGS conducts research on and monitoring of fish, wildlife, and vegetation—data that informs management decisions by other Interior bureaus regarding protected species and land use.

Biological science programs within the USGS gather long-term data not available from other sources. The knowledge generated by USGS is used by Federal and State natural resource managers to maintain healthy and diverse ecosystems while balancing the needs of public use.

Examples of successful USGS Ecosystem initiatives include:

- Development of comprehensive geospatial data products that characterize the risk of wildfires on all lands in the United States. These products are used to allocate firefighting resources and to plan wildfire fuel reduction projects.
- Identification and evaluation of control measures for Asian carp, sea lamprey, Burmese pythons, and other invasive species that cause billions of dollars in economic losses annually.
- New insights on the spread of avian flu, chronic wasting disease, and other diseases spread by wildlife in North America.

The President's fiscal year 2018 budget request would cut the Ecosystems mission by 17 percent relative to the fiscal year 2017 enacted level. Simply put, there is no way the agency can absorb these cuts without negatively affecting research and jeopardizing data quality. As a science agency, much of the USGS budget is dedicated to staff as well as equipment and facilities that must be maintained and updated to ensure the continuity of data acquisition and that the data gathered are reliable and available for future scientific investigations. The leadership of the USGS is doing all they can, and has been for a number of years, to contain costs while continuing to deliver high quality science.

Among the proposed reductions are:

- Elimination of curation of and research on biological collections at the Smithsonian Institution.* USGS has more than a million specimens of birds, mammals, amphibians, and reptiles that are housed at the Smithsonian. This arrangement goes back to 1889.
- Elimination of research on the ecological effects of fracking.* Research by the USGS on this topic compliments research conducted by EPA on water quality issues associated with fracking. This information is vital to Federal and State management of energy development.
- Reduce wildlife and fisheries research.* USGS conducts this research for the benefit of Federal and State stakeholders. Without these research programs, USFWS, the National Park Service, and other Interior bureaus will not have the scientific information needed to fulfill their agency missions to manage wildlife, as these agencies do not have the scientific capacity of the USGS.
- Reduced research on ecosystems of concern.* This research is a critical component of efforts to restore important national treasures, such as the Everglades and the Chesapeake Bay. The Arctic ecosystem research and monitoring program addresses the needs of Native communities, and also promotes public health throughout the US through monitoring avian flu.

Although we are pleased that the Invasive Species Program and Cooperative Research Units were spared from cuts in the administration's request, we urge Congress to reject the deep cuts to other parts of the Ecosystems mission area.

U.S. FOREST SERVICE

USFS research provides scientific information and new technologies to support sustainable management of the Nation's forests and rangelands. These products and services increase the basic biological and physical knowledge of the composition, structure, and function of forest, rangeland, and aquatic ecosystems. This research also saves lives and prevents property damage from wildfires.

Forest and Rangeland Research is proposed for a 10.2 percent cut in the fiscal year 2018 budget request. Because the administration's request specifies that forest inventory and analysis be held at the fiscal year 2017 enacted level, the remaining six research areas would be subject to a collective 14 percent cut. This would negatively impact research on wildfires, invasive species, and forest management, and will have negative consequences for Americans' safety, health, and enjoyment of public forests.

We ask Congress to fund the Forest and Rangeland Research program at \$296.0 million, the same amount as in fiscal year 2015. Continued cuts to research will hinder the USFS's ability to fulfill its mission to sustain the health, diversity, and productivity of the Nation's forests and grasslands.

ENVIRONMENTAL PROTECTION AGENCY

Funding for EPA Science and Technology supports valuable research that is used to identify and mitigate environmental problems facing our Nation. EPA research informs decisions made by public health and safety managers, natural resource managers, businesses, and other stakeholders concerned about air and water pollution, human health, and land management and restoration. In short, this program provides the scientific basis upon which EPA monitoring and enforcement programs are built.

Despite the important role of the Science and Technology appropriation, the proposed funding level for fiscal year 2018 is roughly half of what the program received in fiscal year 2002. The EPA Science Advisory Board has expressed concern repeatedly about the long-term decline in research funding at EPA. "These limitations pose a vulnerability for EPA at a time when the agency faces significant science questions with long-term implications for protecting the environment and public health."

We are especially concerned to see the proposed eliminations of the Science to Achieve Results (STAR) Research Grants and climate change research. These programs are important parts of the Federal government's ability to ensure clean air and water for its citizens.

We ask Congress to fund the program at \$715.0 million in fiscal year 2018.

U.S. FISH AND WILDLIFE SERVICE

The President's budget request would eliminate the Science Support program within USFWS. This program provides scientific information needed by USFWS, such as research on conservation of priority species prior to Endangered Species Act listing, on the impacts of energy production on wildlife, and best management practices for combating invasive species. For this program to be eliminated in conjunction with significant reductions in USGS biological research would mean that USFWS will have very little scientific information available as it tries to fulfill its mission to conserve, protect, and enhance the living resources of the United States for the benefit of the American people.

SMITHSONIAN INSTITUTION

The Smithsonian Institution is a valuable Federal partner in the curation and research on scientific specimens. The scientific experts at the National Museum of Natural History care for an astounding 140 million specimens and ensure the strategic growth of this national treasure. To increase the availability of these scientific resources to researchers, educators, other Federal agencies, and the public, Smithsonian is working on a multi-year effort to digitize its collections. That effort will substantially increase the scientific uses of these collections.

The Smithsonian has also been working to strengthen curatorial and research staffing and to backfill positions left open by retirements and budget constraints. The current staffing level is insufficient to provide optimal care for the collections. Future curatorial and collections management staffing levels may be further jeopardized given the proposed funding cuts at science agencies that support staff positions embedded at Smithsonian, such as the U.S. Geological Survey.

CONCLUSION

We urge Congress to reject the administration's budget request for fiscal year 2018 and to continue the bipartisan tradition of investing in our Nation's scientific capacity.

Thank you for your thoughtful consideration of this request.

[This statement was submitted by Julie Palakovich Carr, Public Policy Manager, and Robert Gropp, Ph.D., Co-Executive Director.]

PREPARED STATEMENT OF AMERICANS FOR THE ARTS

Americans for the Arts is the leading nonprofit organization for advancing the arts and arts education in America. With offices in Washington, DC and New York City, we have more than 55 years of service and are dedicated to representing and serving local communities, and creating opportunities for every American to participate in and appreciate all forms of the arts.

I am pleased to submit written testimony supporting Federal funding for the National Endowment for the Arts (NEA) at the level of \$155 million for fiscal year 2018. Thank you to Chairman Murkowski, Ranking Member Udall, and members for the opportunity to provide public comment on the budget request for the NEA, on behalf of arts and culture across the country.

I am deeply troubled by the Trump administration's proposed fiscal year 2018 budget calling for the elimination of the NEA. President Trump is the first and only American president who has made such a recommendation. Our nation's parents, teachers, community leaders, arts advocates, government officials, and even economists will not accept this proposal. For more than 50 years, the NEA has expanded access to the arts for all Americans, awarding grants in every congressional district throughout all 50 States and U.S. territories, as well as placing arts therapists in military hospitals to help returning military heroes heal from physical and traumatic brain injuries. Republican and Democratic leaders alike deeply value the work of the NEA.

The administration's budget proposal shows a lack of understanding of the important role that the NEA plays in America today. With only a \$150 million annual appropriation, the NEA's investment in every congressional district in the country contributes to a \$730 billion arts and culture industry in America, according to the U.S. Bureau of Economic Analysis at the U.S. Department of Commerce, representing 4.2 percent of the annual U.S. GDP. This arts and culture industry supports 4.8 million jobs and yields a \$26 billion trade surplus for our country.

Beyond those numbers, the NEA work is critical to America's future, generating substantial economic, educational, and direct community impact. In fiscal year 2016, NEA grants resulted in \$500 million in matching support. These are additional dollars investing in projects, services, and programming, like access to arts education, teacher training, and preservation of historic artifacts.

In total, throughout its 50 years, the NEA has made over 147,000 grants totaling more than \$5 billion dollars, leveraging up to ten times that amount through private philanthropies and local municipalities.

By law, 40 percent of both the NEA's grantmaking budget goes directly to States. States make the decisions on where these dollars go in their States.

This cost? Approximately 0.004 percent of the Federal budget.

Here are some outcomes if the cultural agencies were terminated:

- States would lose funding.* There would be the immediate, direct loss, but also the leveraging loss. In Alabama, for example, the Alabama State Council on the Arts receives about \$775,000 from the NEA annually. From that \$775,000 that the NEA gives, the Alabama State Council on the Arts can typically leverage another \$4.6 million in donations that wouldn't otherwise occur.
- National initiatives would end. Just to highlight a few:
 - Creative Forces:* Since 2011, the military healing arts partnership has supported creative arts therapies for service members with traumatic brain injury and associated psychological health issues. With your leadership and congressional support, in 2016, the initiative expanded to ten additional sites nationwide and increased access to therapeutic arts activities in local communities for military members, veterans, and their families.
 - Big Read:* Over the last decade, the NEA has funded more than 1,300 Big Read programs, providing more than \$18 million in grants to organizations in every congressional district. In turn, these organizations have leveraged nearly \$42 million in local funding to support their NEA Big Read programs. More than 4.8 million Americans have attended an NEA Big Read event, approximately 79,000 volunteers have participated at the local level, and over 37,000 community organizations have partnered to make Big Read activities possible.
 - Mayors' Institute on City Design:* A leadership initiative in partnership with the United States Conference of Mayors. Since 1986, the Mayors' Institute has helped transform communities through design by preparing mayors to be the chief urban designers of their cities.

- Shakespeare in American Communities*: Since its inception, over 100 theater companies have taken part in the program, benefitting more than 2.8 million individuals, including 2.3 million students in all 50 States.
- Improving access to the arts would be stymied. Currently, 40 percent of NEA-supported activities take place in high-poverty neighborhoods; 36 percent of NEA grants go to organizations that reach underserved populations such as people with disabilities, people in institutions, and veterans; and more than half of NEA-funded art events take place in locations where the median household income is less than \$50,000. Moreover, a non-Federal funding model will leave too many communities behind. Philanthropic giving as a whole in the United States is geographically disproportional, with rural areas receiving only 5.5 percent of foundation grant dollars. Public funding for the arts plays an essential role in making sure all American communities may benefit.

The administration's proposal also comes on the heels of recent passage of a funding increase of nearly \$2 million for the agency, bringing its budget to nearly \$150 million. As before and as always, we stand ready to assist and remain focused on getting the Endowments to the \$155 million level in the coming months.

I thank you for your support and recognition of the valuable contributions of cultural institutions to every community across the nation, and the role that Federal agencies such as the Institute of Museum and Library Services (IMLS), National Endowment for the Humanities (NEH), the NEA, and the Corporation for Public Broadcasting (CPB) play in invigorating communities and promoting lifelong learning. These are indeed core Federal responsibilities.

Thank you for your consideration and support of the NEA in the fiscal year 2018 budget, which I am proud to say is also publicly supported by 40 Senators, in the recent letter to your committee delivered on March 31, 2017, led by Senate Cultural Caucus co-chair Senator Tom Udall.

[This statement was submitted by Robert L. Lynch, president and CEO.]

PREPARED STATEMENT OF THE ANIMAL WELFARE INSTITUTE

We ask the subcommittee to reject the administration's fiscal year 2018 budget, which represents a wholesale abdication of responsibility to protect the Nation's wildlife and the environment.

Bureau of Land Management (BLM)—Wild Free-Roaming Horses and Burros Act

The BLM continues to mismanage America's wild horses and burros, emphasizing their removal from public lands instead of implementing humane solutions, including the use of immuno-contraception to control fertility rates, that manage the animals on the range. We ask the Committee to fund the BLM at fiscal year 2017 levels and to urge it to continue exploring more effective and longer lasting fertility control agents. Alternatives to warehousing tens of thousands of healthy wild horses are needed but we oppose Sec. 116 "Humane Transfer of Excess Animals" of the fiscal year 2017 omnibus (Public Law 115-31). This language is unnecessary and could result in once-protected wild horses ending up in slaughter despite the directive to the contrary. Thousands of healthy and viable wild horses, not bound by limitations of the Act and currently being held by the BLM, are already available for sale to other Federal, State, and local entities. Finally, we oppose the budget directive regarding euthanasia and unrestricted sale of unadopted wild horses and burros and strongly support the inclusion of the "no-kill" language found in the fiscal year 2017 omnibus to ensure that BLM does not kill healthy wild horses and burros: "Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the case of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products."

Fish and Wildlife Service—National Wildlife Refuge System—Signage and Reporting

We request that fiscal year 2018 funding be maintained at the fiscal year 2017 level. Given the NWRs's stated purpose of conserving wildlife (including species threatened with extinction) and to ensure that these refuges are safe for the millions of Americans who visit them, we ask the Committee to adopt the language contained in the House Committee fiscal year 2017 report (H. Rpt. 114-632), and reaffirmed by the fiscal year 2017 omnibus, regarding signage for body-gripping traps: "The Committee directs the Service to institute signage on any individual refuge where trapping occurs. The Service is also directed to establish guidance on such signage and include it in the refuge manual. Information should be posted on the National Wildlife Refuge System website and the websites of the individual refuges

where trapping is occurring so the public is informed.” Such signage and other public alerts are needed to promote public safety and greater transparency regarding the use of such devices on wildlife refuges. Currently, over half of the System’s 563 refuges allow trapping. Steel-jaw leghold traps, Conibear traps, and strangulation snares pose distinct risks to humans, wildlife, and other animals (e.g., pets) given their indiscriminate nature and the trauma such devices inflict upon those caught in these traps.

Fish and Wildlife Service—Office of Law Enforcement (OLE)—\$75,053,000

The FWS OLE is one of the most important lines of defense for wildlife both at home and abroad. OLE enforces over a dozen Federal wildlife and conservation laws that frequently impact both domestic and global security. OLE protects the public against the illegal trade in wildlife and wildlife products and, in so doing, also provides a defense against the introduction of dangerous pathogens that could harm animal and/or human health. We ask that the Committee maintain its approved level of \$75.053 million for OLE.

Fish and Wildlife Service—International Affairs—Wildlife Trafficking—\$15,196,000

We ask that the current funding be maintained in fiscal year 2018. US assistance combating wildlife trafficking is essential for species conservation and national and global security given its close association with terrorism and criminal syndicates. Congress has demonstrated a strong bipartisan commitment to this work and it is important to ensure adequate funding to implement Public Law 114–231, the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016. With poaching and illegal wildlife trade reaching unprecedented levels, governments and private entities here and abroad have turned to FWS for leadership in coordinating, guiding, and implementing a response. Continuing to fund this important work will help provide financial assistance to projects in foreign countries that counter wildlife trafficking activities as outlined in the National Strategy for Combating Wildlife Trafficking and actions articulated in the associated Implementation Plan. Specifically, the activities/actions build further capacity and develop partnerships for species conservation, which also facilitates cooperation between the US and foreign governments fighting terrorist organizations and international crime syndicates that profit from wildlife trafficking.

WHITE-NOSE SYNDROME (WNS)

U.S. Fish and Wildlife Service—\$4.5 million total; \$2 million in Endangered Species Recovery; \$2.5 million in Service Science

U.S. Geological Survey—\$1.6 million in Ecosystems/Wildlife

National Park Service—\$3,155,000 in Natural Resource Stewardship

Bureau of Land Management—\$500,000

U.S. Forest Service—\$2.5 million, Research & Development; \$500,000, Forest Systems.

Eleven years after the first-known observation of white-nose syndrome, this bat disease remains at the heart of North America’s most precipitous wildlife die-off of the past century, but Federal agencies and their partners are making progress in addressing this crisis. Caused by an invasive species of fungus, *Pseudogymnoascus destructans* (*Pd*), WNS has killed at least 5.7 million bats, and has spread from its first site in upstate New York to 31 States and 5 Canadian provinces. Mortality has been so severe that some populations have declined by over 90 percent. WNS has struck nine species, including the federally endangered Indiana and gray bats. The disease is also responsible for the population crash of the northern long-eared bat, leading to its 2015 designation as threatened under the Endangered Species Act. The fungus *Pd* also has been found in an additional two States, and on another seven bat species, including the endangered Virginia big-eared bat. WNS has the potential to affect 25 of our country’s 47 bat species.

Since the last appropriations cycle, two events have taken place that are significant for the WNS outlook. First is the discovery of WNS and *Pd* in Washington State last year, the first known incidence of WNS or *Pd* in western North America, occurring 1,300 miles from the previous westernmost detection of the disease or fungus. Second is the discovery of *Pd* in Texas earlier this year. Texas has the greatest diversity of bat species of any U.S. State. It is also located at the intersection of the ranges of eastern, southern, and western bat species. Two of these species have extensive distributions in the western United States and Central America. If WNS were to spread further, the number of species and ecosystems affected by the disease would escalate. Moreover, bat ecology in the West poses additional challenges

for managing the disease. Western bat species roost and hibernate singly or in small groups, making the bats hard to locate for surveillance or treatment purposes. This is compounded by the difficulty of finding or accessing potential bat roosts or hibernacula in the West's mountainous, rugged topography.

These developments have implications for WNS response. The WNS community is revisiting the WNS surveillance process in order to address questions that the westward movement poses, such as whether WNS's/*Pd*'s appearance in Washington was a true jump from East to West or whether existing surveillance methods failed to detect the disease or fungus in the intervening regions, and how to conduct surveillance in western habitats where bats are difficult to locate. The new incidences of the disease and fungus also underscore the need—heretofore unmet—for standardized bat population counts and trend monitoring across the Nation. The North American Bat Monitoring Program (NABat), a nascent initiative to which staff from several agencies contribute, aims to fill this gap by developing and implementing a plan for monitoring and tracking bats continent-wide in a coordinated and statistically rigorous manner.

The loss of bats from WNS is expected to have serious implications for our economy and environment. Bats are primary predators of night-flying insects, including agricultural pests that attack corn, soybeans, cotton, and other crops. By eating these pests, bats reduce the need for pesticides and lower food production costs; in this way, save U.S. farmers an average of \$22.9 billion per year. Bats also perform ecological services for 66 plant species that produce timber.

Thanks to consistent funding from Congress, the Federal Government and its partners have made great strides in the response to WNS. Accomplishments in the past year include:

In addition to making grants to States and other entities for WNS research, monitoring, and management, the U.S. Fish and Wildlife Service, the lead agency for WNS response, created a new WNS funding initiative in partnership of FWS and the National Fish and Wildlife Foundation: the Bats for the Future Fund. The BFF will provide grants for developing and deploying WNS treatments. NFWF will administer the fund and match government contributions with private-sector monies. FWS provided \$1 million to launch BFF. In collaboration with partners, the agency also began developing a structured decisionmaking model for prioritizing WNS scientific efforts. In this way, FWS hopes to help Federal, State, and other entities working on WNS get the best results possible with limited funds. In the last year, FWS also released a number of products for the WNS-related community: an updated gear-decontamination protocol, aimed at preventing *Pd* spread, for cavers, wildlife/public lands managers, and others who access caves; informational postcards on gear decontamination and unusual bat behavior for audiences considered at secondary risk for *Pd* exposure and contact with bats, to be distributed at sites such as recreation stores and public-lands visitor centers; and recommendations for natural resources managers on minimizing human disturbance of bats. FWS also coordinated an update to the nationwide WNS surveillance plan, which guides nationwide sampling for WNS and *Pd*; included in the plan are steps to begin addressing the surveillance issues raised by last year's westward spread of the disease and fungus. Finally, FWS lent funding, collaboration, or other support to more than five trials of potential treatments carried out by various entities.

The U.S. Geological Survey continues its role in WNS research and data-gathering. The agency supports State WNS and *Pd* surveillance, particularly in regions on the edge of the disease spread. USGS hired a coordinator for NABat, with additional funding from FWS. The agency is validating software for acoustic detection of bats, which in the western United States is one of the only bat-survey methods available. This supports not only the goals of NABat but also FWS's requirements for monitoring listed bat species. Topics of current USGS WNS-related research include: the fungi normally found on various species of bats and possible correlations to the differential WNS susceptibility of those species; determining ideal environmental conditions for bat refugia in case populations must be taken from the wild to ensure their survival; and evolving hibernation behavior in post-WNS bats. USGS staff also are lending expertise to the development of the structured decisionmaking model led by FWS.

Since 2013, the National Park Service has funded more than 158 WNS-related projects in 78 park units. The Service monitors bat populations on its lands, both in post-WNS areas to assess the disease's impacts and species' survival, and in unaffected areas to gather baseline data on bat populations and ecology. NPS's Bat Acoustic Survey Database is a repository for acoustic monitoring data gathered from these activities, providing guidance for collecting acoustic data, allowing for standardization and data comparability across the Service. Furthermore, the data-base is designed to allow for integration of data into NABat. NPS supports NABat in other

ways as well. The agency conducts some of its surveys under the NABat framework, and in fiscal year 2016 NPS's Upper Columbia Basin Inventory and Monitoring Network hired a NABat coordinator for the Northwest—a region where there is a paucity of knowledge about bat populations and ecology. In addition, as the Federal agency that welcomes the largest number of visitors every year, NPS plays an key role in educating the public about WNS, through ranger outreach, visitor infrastructure, and multimedia materials. Finally, NPS continues to fund research into WNS.

Congress has never allocated money for the Bureau of Land Management—the majority of whose lands are in the western United States—to respond to WNS. Pursuant to directive language in fiscal year 2012 and fiscal year 2014, the agency did undertake some WNS work. But the disease's and fungus's westward movement, as well as the 3,000-plus caves and estimated 31,000 abandoned mines on BLM lands, underscore the need for the agency to increase its WNS response. In a limited number of sites, BLM is conducting the following WNS-related actions: WNS surveillance; planning and implementation of NABat monitoring; English- and Spanish-language signage installation to educate visitors about WNS. The agency also is providing funds through a small-grants program for field offices to get equipped for WNS response.

Congress also has never allocated money for the U.S. Forest Service to engage on WNS, despite the fact that since the early days of the crisis the agency has contributed proactively to research and on-the-ground management to address the disease. Ongoing USFS research includes: DNA sequencing of bats across eastern and mid-western States, looking for possible adaptive selection of immune systems and comparing them; silencing WNS-related genes to increase bat resistance to the disease; the effects of UV light to treat WNS-stricken bats; and a so-called electronic nose to identify WNS and *Pd* without direct contact with bats. In addition, a USFS scientist conducted research that was critical to the updated decontamination protocol that FWS issued. Drawing on USFS's successful treatment in fiscal year 2015 of WNS-afflicted bats with airborne volatile organic compounds released by the native soil bacterium *Rhodococcus rhodochrous*, and subsequent release of those bats to the wild, future USFS research could focus on similar treatment agents that can be deployed without physically handling the bats. From a lands-management perspective, USFS is purchasing bat acoustic monitoring equipment to implement NABat in multiple National Forests; staff from the National Forest System and Research and Development branches are collaborating on implementation details for specific locations. It is clear that the Forest Service has made and continues to make major contributions to our understanding, detection, and treatment of *Pd* and WNS, but it has been doing so at the expense of other programs. We believe that the redirection of surplus funds from other accounts (such Forest Inventory and Analysis), as well as new funds, are more than justified.

[This statement was submitted by Nancy Blaney, Director, Government Affairs.]

PREPARED STATEMENT OF THE ARCTIC SLOPE NATIVE ASSOCIATION

The Arctic Slope Native Association (ASNA) appreciates the opportunity to submit written testimony regarding the fiscal year 2018 budget for the Indian Health Service. We are an inter-Tribal health organization based in Barrow, Alaska. We operate under the resolutions of six federally recognized Tribes situated across Alaska's North Slope and serve the communities of Barrow, Anaktuvuk Pass, Atkasuk, Kaktovik, Nuiqsut, Point Hope, Point Lay and Wainwright. Our mission is to provide culturally sensitive quality healthcare for all the communities we serve.

Our Samuel Simmonds Memorial Hospital in Barrow is the core of our program. This facility was rebuilt in 2013 with IHS funds and our state-of-the-art hospital means we can provide more services close to home instead of sending our ailing community members far away from their support networks. To give you an idea of our location, the closest hospital to the east is in Whitehorse, Canada; the closest hospital to the west is in Kotzebue, 220 air miles away; and the closest hospital to the south is in Fairbanks, 400 air miles away. Thank you so much for your support over the years in funding the construction of our hospital. It has made an enormous difference in the quality of healthcare our people are receiving.

PROPOSED CHANGES TO MEDICARE AND MEDICAID FUNDING

Many health reform proposals being considered in Congress would transform the Medicare and Medicaid programs, either through converting them into block grants provided to individual States, drastically changing payment policies, imposing pay-

ment limits and/or higher co-pays for individual beneficiaries, or some combination of all these measures.

We have serious concerns about any legislation that reduces or changes the way in which payments are made to Tribal programs under Medicare and Medicaid. Our healthcare programs are unique—both in their very nature and because of the severe health needs of the population we serve—and they are severely underfunded. These funding deficiencies will only be exacerbated further if these payments are reduced. Any of these legislative proposals would likely lead to drastic reductions in our ability to recover third-party revenues, without which we would be unable to operate, at least not at anywhere near current levels. To ensure the Federal government meets its special trust responsibility, IHS budget appropriations would have to double or triple to absorb the impact.

THE AHCA AND ITS DETRIMENTAL IMPACT ON THE ALASKA NATIVE AND AMERICAN INDIAN POPULATION

Medicaid expansion has been a tremendous advantage for the Alaska Native and American Indian community, extending insurance coverage to previously uninsured individuals, especially here in Alaska. The AHCA would not only undo those gains, but would be disastrous even for those patients with private insurance. The repeal of essential health benefit requirements for benchmark plans would mean that even those with private insurance may no longer be covered for necessary life-saving care. The costs of providing treatment—especially to those in remote communities—will skyrocket. The AHCA also proposes to eliminate the three-month retroactive payment option, a necessary component for us to receive reimbursement for care to many of our patients who reside in remote communities and who may not register for Medicare or Medicaid until they literally show up at our facilities. The bill also proposes to reduce State Medicaid reimbursements, which as noted above, would be disastrous for our program. We cannot emphasize enough how disastrous this bill as currently written would be for our programs.

INCREASING THE IHS SERVICE BUDGET

ASNA is grateful for the large increases Congress provided for IHS overall in the fiscal year 2017 budget, especially the \$78 million for Hospitals and Clinics programs, \$14 million for Purchased/Referred Care, \$13 million for Alcohol and Substance Abuse, \$12 million for Mental Health, and the full reimbursement of Contract Support Costs. That said, many of the other budget increases are targeted for new facility staffing and targeted grants or pilot projects—programs all with worthy goals but that take away from overall increases that affect all Tribal programs, such as the need to keep pace with inflation and population growth. We request the Committee continue to prioritize increases to the general services budget—funds that will trickle down through our Compacts to all Tribal programs.

We ask this Committee to reiterate its instruction to IHS that the agency must streamline and simplify its CSC calculations. IHS's new policy is still quite complicated and its inability to implement simple solutions has had adverse consequences for Tribal programs—such as the inaccurate estimates for 2016 and 2017 contract support cost requirements that decreased the other funds available that could have been provided for the delivery of healthcare services. We believe IHS needs to explore other options to simplify the CSC payment process.

For the above-noted reasons, we are baffled by the Administration's fiscal year 2018 budget proposal to reduce IHS funding by \$107 million below the fiscal year 2017 enacted level. Congress must reject the Administration's ill-conceived proposal that would exacerbate health disparities experienced by Alaska Natives and American Indians which shortens their lives and undermines community stability and family cohesion. Continue your good work to increase funding for Tribal health programs which will permit the health status of Alaska Natives and American Indians to be "raised to the highest possible level," and permit ASNA and other Tribal healthcare providers to reduce the "prevalence and incidence of preventable illnesses among, and unnecessary and premature deaths of, Indians," as your colleagues in prior years sought to achieve with passage of the Indian Health Care Improvement Act.

Thank you again for the opportunity to present testimony on these important issues.

PREPARED STATEMENT OF THE ASSINIBOINE AND SIOUX TRIBES OF THE FORT PECK
RESERVATION

The Assiniboiné and Sioux Tribes of the Fort Peck Reservation thanks the Senate Appropriations Subcommittee for the opportunity to submit written testimony concerning fiscal year 2018 appropriations for the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS).

The Fort Peck Reservation is in northeast Montana, forty miles west of the North Dakota border, and 50 miles south of the Canadian border, with the Missouri River defining its southern border. The Reservation encompasses over two million acres of land. We have approximately 12,000 enrolled Tribal members, with approximately 7,000 Tribal members living on the Reservation. We have a total Reservation population of approximately 11,000 people.

Congress has long recognized that the foundation for economic development and prosperity in Indian Country lay in community stability, which begins with infrastructure such as safe drinking water, roads, public safety, and healthcare. We ask the subcommittee to reject the Administration's proposal for fiscal year 2018 to reduce appropriations for the Bureau of Indian Affairs, Bureau of Indian Education and Indian Health Service which are core Federal programs serving the Fort Peck Reservation and our members. Reducing funding for Federal programs by some \$400 million, that at current appropriation levels do not address the full measure of well documented Tribal needs, makes little sense.

FORT PECK RESERVATION RURAL WATER SYSTEM

We ask the subcommittee to continue to fund the required \$2.4 million for the Operation and Maintenance (OM&R) funding for the Fort Peck Reservation Rural Water System for fiscal year 2018, within appropriations to the Bureau of Indian Affairs (BIA) Construction account. This funding increase, of \$138,000, is necessary for this System to safely operate with the correct level of staff and operating supplies, including chemicals. The System provides drinking water to more than 18,000 residents in Northeast Montana and several social and governmental agencies, including the BIA Agency Office, Poplar Schools, and Poplar hospital, Medicine Lake National Wildlife Refuge, as well as several towns including Wolf Point, Frazier, Culbertson, and Medicine Lake.

Federal legislation authorizing the Fort Peck Reservation Rural Water System requires that the OM&R of the Assiniboiné and Sioux Rural Water System—the portion on the Reservation that is held in trust by the Federal government—be paid in full by the BIA as a Federal obligation. This is consistent with the Federal trust responsibility to the Tribes who were promised a permanent home when we agreed to move to the Reservation. A permanent home requires safe drinking water. If this funding is not made available to the Tribes, this system will have to shut down and all of the people, towns, and Federal, Tribal, State, public and private agencies, and businesses will have no source of drinking water. Interruption

Thus, the \$2.4 million requested in fiscal year 2018 for the OM&R of this vital infrastructure project is critical. If Congress does not appropriate the required funds for OM&R, then this System will not operate and the people of Northeast Montana will have no drinking water.

PUBLIC SAFETY AND DRUG TRAFFICKING

Six years ago, through effective policing techniques, our Chief of Police was seeing a reduction in methamphetamine use on our Reservation, but over the last few years it has returned with a vengeance and now we battling opioid abuse and addiction. This problem must be attacked on all fronts: law enforcement; treatment; and improved social services. The administration's proposal to cut BIA Public Safety funding is unwise.

A. Law Enforcement

There is no greater need in Indian country than public safety and justice and these programs cannot be sacrificed for any purpose. Our Police Chief estimates that 70%-80 percent of criminal conduct has a drug component to it, with assaults and burglaries arising out of drug use and addiction. The BIA's own statistics are alarming; over a 5-year period, drug related arrests in Indian Country increased nearly ten-fold from 443 arrests in fiscal year 2008 to 4,289 arrests in fiscal year 2013. Our Tribal police department has 18 police officers, two dedicated to drug enforcement, three criminal investigators, and we share dispatchers with Roosevelt County. Our Police Chief said he could use six drug enforcement agents to help with the rising

workload. The needs of our community and those throughout Indian Country cry out for increase law enforcement and justice funding.

The crime in our community is impacting the most vulnerable in our community the most. In 2015, our Tribal court had 329 criminal cases involving crimes against children. These cases included aggravated sexual assault of a child, felony abuse of a child and endangering the welfare of child. These cases only reflect the cases where we had the jurisdiction to prosecute.

B. Detention Services

The Fort Peck Tribes completed construction of a modern detention facility to serve the Reservation and other Tribes. This allows for inmates to be close to their homes and families which will be a benefit to the families as well as those serving a period of incarceration. It will do a great deal to ensure continuity in our families. We are concerned that the President's fiscal year 2018 Budget will further jeopardize the operation of BIA- or tribally-operated detention facilities like Fort Peck. Perhaps the greatest omission by BIA is its chronic failure to request sufficient operation and maintenance funds to fully staff, operate and maintain BIA-owned and Tribally-owned facilities and systems. Undermining the useful life of facilities and systems in Indian Country, which are all too scarce, perpetuates staffing and operational shortages which undermine our mission to improve living conditions on our Reservation.

The Tribes worked with the BIA Office of Justice Services when we were building this new detention facility, including on the staffing and operations costs. The Tribes entered into a contract with the BIA for the operation of this facility. And while we received some funding associated with this contract, it is approximately 30 percent of what we negotiated with the BIA to have a fully functional detention center. Reductions in fiscal year 2018 appropriations for BIA Public Safety needs would simply set us further back and jeopardize a modern detention facility.

ROAD MAINTENANCE

The current level of road maintenance funding will permit Tribes to maintain approximately 16 percent of BIA-owned roads and 68 percent of BIA-owned bridges in "acceptable" condition. This leaves nearly 8 out of 10 BIA-owned roads and more than 3 out of 10 BIA-owned bridges with funds sufficient to maintain them in their current poor or failing condition. This is a public safety issue which contributes to delayed response times for Emergency Medical Services (EMS), police officers, and other first responders, missed medical appointments, school and work days and higher maintenance costs on Tribally- and privately-owned motor vehicles.

Most BIA System routes are gravel and earthen school bus routes that require more frequent maintenance than paved roads. We are appreciative of the action taken by the Subcommittee for fiscal year 2017, which added \$3.6 million to the BIA Road Maintenance Program. We urge the Subcommittee to increase funding for the Road Maintenance Program for fiscal year 2018 by \$10 million so that the percentage of public BIA System roads and bridges in "acceptable" condition may continue to rise in future years. This will promote public safety on BIA System routes and provide jobs to Tribal members who serve the Reservation community. As noted above, shortfalls in maintenance funds undermines our mission.

INDIAN HEALTH SERVICE

We continue to build government services and programs on the Reservation and attract businesses to improve the quality of life for our members. The IHS operates two clinics on the Reservation; the Verne E. Gibbs IHS Health Center in Poplar, and the Chief Redstone IHS Health Center in Wolf Point. In-patient services are available at the non-IHS Poplar Community Hospital and Trinity Hospital in Wolf Point. To combat the high incidence of heart disease, cancer and diabetes, the Tribes supplement health services on the Reservation through our Health Promotion and Disease Prevention (HPDP) Wellness Program and the Spotted Bull Resource and Recovery Center, which we operate pursuant to an ISDA contract with the IHS.

We greatly appreciate the work of this Subcommittee to maintain the level of funding for the Indian Health Service. The healthcare provided through these dollars, whether it be direct medical care, dental care, substance abuse treatment or purchased/referred care, is saving lives and is making a difference on our Reservation. Our members know well what it means to have access to care, so the Tribes can only ask that you continue to fund these critical program and reject the administration's proposal to reduce IHS funding by \$107 million below the fiscal year 2017 enacted level.

CONCLUSION

We thank the subcommittee for the opportunity to present testimony concerning the Bureau of Indian Affairs and Indian Health Service fiscal year 2018 budget.

PREPARED STATEMENT OF THE ASSOCIATION OF ART MUSEUM DIRECTORS

The Association of Art Museum Directors (AAMD) requests funding of \$155 million each for the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH) for fiscal year 2018. We also ask that the subcommittee provide the U.S. Fish and Wildlife Service (FWS) with the funding necessary to staff and train personnel in order to avoid placing any additional impediments on American art museums that are importing works of art containing ivory for the purposes of temporary public exhibition.

ARTS AND ARTIFACTS INDEMNITY PROGRAM

AAMD again thanks the subcommittee for revising the statutory caps for exhibition indemnity agreements under the Arts and Artifacts Indemnity Act, which is administered by the NEA on behalf of the Federal Council on the Arts and the Humanities, of which both NEA and NEH are members. Participating AAMD members reported saving an average of more than \$650,000 in insurance fees in 2015. A few examples of recent, current or upcoming indemnified exhibitions that may be of particular interest to members of the Subcommittee include:

- Fine Arts Museums of San Francisco—Monet: The Early Years
- Shelburne Museum, Shelburne, Vermont—Hunting and Fishing in American Art
- Albuquerque Museum of Art and History and Portland (Oregon) Art Museum—Masterpieces from Ecole des Beaux Arts
- Baltimore Museum of Art—Matisse/Diebenkorn
- Dixon Gallery and Gardens, Memphis, Tennessee—Thomas Cole's The Voyage of Life
- Frist Center for the Visual Arts, Nashville, Tennessee—WWI and American Art
- Mississippi Museum of Art, Jackson, Mississippi—When Modern was Contemporary: Selections from the Neuberger Collection
- Rhode Island School of Design, Providence, Rhode Island—Lines of Thought: Drawing from Michelangelo to Now from the British Museum

NATIONAL ENDOWMENT FOR THE ARTS

As stated above, AAMD requests that Congress appropriate \$155 million for the NEA. The agency continues to make modest but important grants that leverage significant private support, disseminate best practices, and foster innovation. A few examples of recent grants listed on the NEA's website include:

- Anchorage Museum, Anchorage Alaska*: To support a series of programs exploring the ecology of the Arctic in partnership with the University of Alaska Anchorage's Alaska Center for Conservation Science. Through augmented reality and other experimental technologies, the organizations will work with artists and scientists on a series of projects including exhibitions, events, and online presentations that will engage the public in immersive virtual environments as a way to convey the complexity of the Northern landscape through curated experiences.
- St. Louis Art Museum, St. Louis, Missouri*: To support the exhibition, "Degas, Impressionism, and the Paris Millinery Trade." More than 100 artworks were showcased, including paintings and works on paper by Degas. The exhibition explored the millinery industry of the period, the international trade in exotic feathers and floral decorations, the importance of men's hats as a counterpart to what has traditionally been considered a feminine fashion, and the connections to France's colonial history. Free public programs and a symposium accompanied the exhibition.
- Walters Art Museum, Baltimore, Maryland*: To support promotion and installation costs for the exhibition "A Feast for Senses: Art and Experience in Medieval Europe." In medieval Europe, the walled garden with fragrant flowers, herbs, sweet breezes, bird songs, and a gurgling fountain was idealized as a place of delight for the senses and escape from the tumult of everyday cares. Such aspects of life inspired works of art that were the focus of this international loan exhibition. Lectures, workshops, and performances for adults, drop-in activities and hands-on learning for families, and outreach, tours, and workshops for students and teachers complemented the visitor experience.

—*RISD Museum, Providence, Rhode Island*: To support professional development programs for artists at the RISD Museum. The program includes a fellowship, professional development activities, and special museum membership for artists. Run by the museum at the Rhode Island School of Design, the program engages emerging and mid-career artists to develop their creative practice, increase their visibility among new audiences, connect creative sectors, and support the generation of new work. The program includes workshops and training on professional practice, access to curators and globally recognized artists, participation in programs for creative professionals, and research opportunities that support the creation of new work inspired by the collections.

AAMD commends NEA for its commitment to the Blue Star Museums initiative, now in its eighth year. AAMD members have responded with overwhelming enthusiasm to Chairman Chu's invitation to offer free admission to active duty military and their families at least from Memorial Day through Labor Day. In 2016, approximately 90 percent of AAMD members in the United States either formally joined the program or already offered free admission to all. According to a survey conducted by Blue Star Families, 900,000 people took advantage of the program, and fifteen percent of participants reported that it was the first time they had visited a museum. AAMD is grateful to Blue Star Families and the NEA for the opportunity to serve this new audience.

Comments to Blue Star Families from museums included:

"Blue Star allowed us the extra opportunity to reach out to our local marine corps logistics base and other service members as a way to thank them for their role in our Nation and community."

"Offering free admission and other programs to vets and blue star families is the least we can do to thank these brave men and women and their families who sacrifice so much. It is our honor to do this small thing."

"Loved seeing families come and being able to offer them free admission as a thank you for all they've done for the country."

NATIONAL ENDOWMENT FOR THE HUMANITIES

This important agency assists art museums in presenting humanities scholarship to the general public and in strengthening the teaching of humanities in our Nation's schools. For example, the NEH awarded the Walters Art Museum a planning grant to explore collaborative approaches with cultural, educational, and philanthropic stakeholders to more deeply engage Baltimore City schools with the humanities. With funding from the NEH, the Walters is creating an intentional, strategic, and holistic plan that will "launch new forms of collaboration towards the goal of restoring and enhancing meaningful student exposure to humanities instruction." This dialogue and process is timely as Baltimore City welcomes a new superintendent of schools. Similarly, the St. Louis Art Museum received a grant to establish the St. Louis Humanities Education Collaborative, a new Museum-led project that will co-create approaches to advancing the humanities and connecting schools to innovative curriculum.

NEH also plays an invaluable role in assisting with the preservation and conservation of important collections. This is exactly the type of unglamorous work for which it is chronically difficult to raise private funding, making Federal support all the more valuable. For example, a major grant is helping to stabilize and protect the Shelburne Museum's wildfowl decoy collection, which numbers nearly 1,400 objects and spans more than 150 years of decoy making. To protect the collections, the museum improved environmental conditions, security, and fire protection in the 1832 Dorset House, where the decoy collection and related art and artifacts are exhibited and stored. Additionally, it improved exhibition and "open storage" conditions to allow better physical and intellectual access for the collection.

AAMD commends the NEH for two initiatives in particular. The Common Good is designed to demonstrate the critical role that humanities scholarship can play in public life. This is especially suitable for museums, which have developed expertise in presenting complex ideas to non-specialists. Standing Together, the Humanities and the Experience of War, supports programs that explore war and its aftermath, promote discussion of the experience of military service, and support returning veterans and their families.

U.S. FISH AND WILDLIFE SERVICE

The AAMD has had extensive conversations with the Fish and Wildlife Service (FWS) about the importance of presenting works of many cultures to the American

public, works that without temporary exhibitions, Americans would never see. These works, entrusted to our museums from both foreign museums and foreign private collectors, are fragile, invaluable and represent the highest professional quality. American museums borrowing these works must be assured that the works can move quickly, safely and be fully protected.

This is especially true when moving works of art, made in whole or in part of ivory, through designated ports as called for in the Director's Order 210 issued February 25, 2014. The Director's Order 210 imposed strict requirements on importing works of ivory from abroad, with which museums are struggling to comply.

Unfortunately, the FWS has limited capacity to staff and train personnel at the designated ports to process works of ivory for special exhibitions. There must be sufficient staff to ensure that the works move in accordance with professionally accepted procedures and the new requirements at the speed that a temporary exhibition requires. The AAMD urges the committee to provide FWS with the funding necessary to staff and train personnel in order to avoid placing any additional impediments on American art museums.

ABOUT AAMD

The purpose of the Association of Art Museum Directors is to support its members in increasing the contribution of art museums to society. The AAMD accomplishes this mission by establishing and maintaining the highest standards of professional practice, serving as forum for the exchange of information and ideas, acting as an advocate for its member art museums, and being a leader in shaping public discourse about the arts community and the role of art in society.

[This statement was submitted by Christine Anagnos, Executive Director.]

PREPARED STATEMENT OF THE ASSOCIATION OF CLEAN WATER ADMINISTRATORS

The Association of Clean Water Administrators (ACWA) appreciates the opportunity to submit written testimony to the U.S. Senate Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies. As the national voice of State, interstate, and territorial officials responsible for implementation of programs that protect surface waters across the Nation, ACWA opposes the fiscal year 2018 Budget Proposal's suggested drastic cuts of 30 percent.

Specifically, the budget cuts affecting the State and Tribal Assistance Grants (STAG grants) will severely limit States' ability to implement core water protection programs as required by the Clean Water Act (the Act). Most notably, the budget proposal reduces or eliminates § 106 and § 319 funds, both of which are critical funding sources for water protection efforts. The proposed reduction in fiscal year 2018 Federal funding to States will leave States with fewer resources, while their obligations under environmental statutes remain.

The Act relies on State governments for implementation, more so than other environmental statutes. In turn, Federal partners have recognized the importance of cooperative Federalism, and strong relationships with States by providing sorely needed funding through the aforementioned grants. For the principles of cooperative Federalism to work, and for our waters to be adequately protected, there must be a strong and stable State partner. Therefore, we request that the § 106 and § 319 fiscal year 2018 funding at least be consistent with the enacted fiscal year 2017 amounts of approximately \$230.8 and \$164.9 million respectively—recognizing this is still far below what is actually needed to effectively protect the Nation's waters.

Section 106 of the Act is the main authorized funding source provided to the States and interstates to directly assist with preventing, reducing, and eliminating pollution to the Nation's waters. States use these funds to help develop standards, set pollution reduction loads, issue permits, confirm compliance, monitor results, and report on successes. Without these funds, States will lose many full-time employees that perform these duties, which would negatively affect local economic development. Without necessary permits industries will not expand or open new facilities.

Section 319 funds are used for restoration efforts for waterbodies impaired by nonpoint source pollution. Currently, the majority of the waterbodies listed as not meeting their designated uses are impaired by nonpoint source pollution. While further collaboration with USDA is important for addressing agriculture based pollution, there is no other Federal funding source available to support States efforts to address nonpoint source water pollution from non-agriculture sources such as mining, urban development, failing septic systems, and other hydrological modifications.

Eliminating Federal §319 funding will handicap States' ability to address nonpoint source pollution, which is already a difficult, cost-intensive problem.

ACWA supports the focus on water infrastructure funding through the State Revolving Fund (SRF) programs. However, infrastructure funding will require State resources, including staff, to ensure these funds are awarded and disbursed effectively and efficiently. Applying for and administering SRF funds will take longer with State resources stretched thinner considering the 30 percent reduction to STAG grants. State agency operations, which ensure that SRF projects can proceed unencumbered, will be affected, and implementation of desperately needed infrastructure investments will be slower and less effective.

The proposed elimination of the Great Lakes, Chesapeake Bay, Puget Sound, Long Island Sound, Gulf of Mexico, Lake Champlain regional programs, as well as the National Estuary Program is ill-advised. These programs protect some of the Nation's most important water resources and places from degradation, invasive species, and algal blooms. These bodies of water and estuaries have made great progress towards reaching their long term goals, and risk backsliding into worse conditions without the staff and resources needed to maintain recent progress. Therefore, we request that the funding for the regional programs, remain at the fiscal year 2017 level.

In conclusion, ACWA asks that the subcommittee considers these funding requests. The proposed fiscal year 2018 EPA budget provides insufficient funding, especially now when States are under extreme pressure due to increased Federal requirements. Funding must be at least consistent with last year's budget to allow States to carry out their duties under the Act and increased if the States are to make strides in reaching the Nation's water quality goals which benefit all Americans. States cannot do it alone. The Act is built on a Federal-State partnership. The States' and interstates' contributions to the Nation's water goals are vital to the Act's success, which is critically important to stimulate economic growth by expanding American manufacturing and American jobs while at the same time increasing tourism, water-based recreation, and a clean water supply for America's water infrastructure.

[This statement was submitted by Peter LaFlamme, Director, Vermont Department of Environmental Conservation, ACWA President.]

PREPARED STATEMENT OF THE ASSOCIATION OF PUBLIC AND LAND-GRANT
UNIVERSITIES (APLU) BOARD ON NATURAL RESOURCES (BNR)

On behalf of the APLU Board on Natural Resources (BNR), we thank you for your support of science and research programs in fiscal year 2017 of the United States Geological Survey (USGS) and the Environmental Protection Agency. We appreciate the opportunity to provide the following recommendations: \$9 million for the USGS Water Resources Research Institutes and \$20 million for the USGS Cooperative Fish and Wildlife Research Units, and \$754 million for EPA's Science and Technology.

APLU BNR requests \$9 million for the Water Resources Research Institutes (WRRI). The APLU BNR request is based on the following: \$7,500,000 in base grants for the WRRI as authorized by Section 104(b) of the Water Resources Research Act, including State-based competitive grants; \$1,500,000 to support activities authorized by section 104(g) of the Act. Federal funding for the WRRI program is the catalyst that moves States and cities to invest in university-based research to address their own water management issues. State WRRI take the relatively modest amount of Federal funding appropriated, match it 2:1 with State, local and other funds and use it to put university scientists to work finding solutions to the most pressing local and State water problems that are of national importance. The Institutes have raised more than \$16 in other funds for every dollar funded through this program. The added benefit is that often research to address State and local problems helps solve problems that are of regional and national importance. Many of the projects funded through this program provide the knowledge for State or local managers to implement new Federal laws and regulations. Perhaps most important, the Federal funding provides the driving force of collaboration in water research and education among local, State, Federal and university water professionals. This program is essential to solving State, regional and inter-jurisdictional water resources problems. As USGS itself has stated: "The Water Institutes have developed a constituency and a program that far exceeds that supported by their direct Federal appropriations."

The Institutes also train the next generation of water resource managers and scientists. Last year, these institutes provided research support for more than 1,400

undergraduate and graduate students at more than 150 universities studying water-related issues in the fields of agriculture, biology, chemistry, earth sciences, engineering and public policy. Institute-sponsored students receive training in both the classroom and the field, often working shoulder-to-shoulder with the top research scientists in their field on vanguard projects of significant regional importance.

In addition to training students directly, Water Resources Research Institutes work with local residents to overcome water-related issues. For example, the California Institute for Water Resources, like most of its peers, holds field days, demonstrations, workshops, classes, webinars, and offers other means of education in an effort to transfer their research findings to as many users as possible. Outreach that succeeds in changing a farmer's approach to nitrogen application or reducing a homeowner's misuse of lawn treatments can reduce the need for restrictive regulation.

Below are some examples of work being done in various States:

- In 2015, Alaska's Sagavanirktok (Sag) River flooded the Dalton Highway, cutting off the only overland passage to the Prudhoe Bay Oilfields for a period of approximately 3 weeks. Following that event, the University of Alaska Fairbanks Water and Environmental Research Center has been continuously working with the Department of Transportation and Alyeska Pipeline Services Company to understand Sag River flood dynamics and reduce the risk of highway and/or pipeline damage from future flooding events.
- Researchers with the New Mexico Water Resources Research Institute developed an innovative desalination technology to remove organic substances and salts from water produced from oil and gas exploration. Water in this system can be potentially recycled in the industrial process making it more cost-effective. The technology also uses bacteria to convert biodegradable pollutants into electricity, which offsets operation energy use or supplies additional energy for other systems for operators.
- In California, the Institute for Water Resources is working with communities in southern California, like the city of Glendora, to help city officials better predict and respond to debris flow from the San Gabriel Mountains. Communities like Glendora are experiencing costly and damaging flows after high intensity rainfalls and these flows often affect water quality downstream. By partnering with local governments and other stakeholders, the Institute is working to help these communities with debris basin management.
- The Arizona Water Resources Center has initiated nine programs to promote and educate the public about water conservation and management. The Arizona Water Education program has reached over 32,400 students and 500 K–12 teachers with a projected water savings over 3.7 million gallons per year from student-installed devices. Other programs address desert water harvesting, water for drylands systems, and water quality research.
- Researchers with the Mississippi Water Resources Research Institute have collaborated with the Grenada Chamber of Commerce to develop a preliminary master plan with economic and marketing feasibility studies to promote the economic development of Grenada Lake. The 90,000-acre multi-use project is managed through the U.S. Army Corps of Engineers Vicksburg District for flood control, public recreation, conservation of fish and wildlife, and public forests.
- Researchers with the Idaho Water Resources Research Institute have collaborated with community stakeholders to develop satellite based remote-sensing technology for assessing crop-water usage and aquifer depletion modeling, to investigate and help resolve water rights conflicts, and for stream flow management. This technology is also being adopted by ten western States and in parts of Africa, Europe, and Australia.

APLU BNR requests \$22.5 million for the Cooperative Fish and Wildlife Research Units (CRU). The CRU program embeds Federal scientists in public universities to: 1) train the next generation of fisheries and wildlife managers; 2) conduct research on our Nation's fish and wildlife populations and habitats; and 3) provide technical assistance to State, Federal and other natural resource managers. Originally established in the 1930s to provide training for students in fisheries and wildlife biology, the units were formally recognized by the Cooperative Units Act of 1960 (PL 86–686). The CRUs provide experience and training for approximately 600 graduate students per year, a critical need as State and Federal workforces face unprecedented retirements over the next 5 to 10 years. There are currently 25 vacant CRU scientist positions spread over 21 States. This request is a \$4 million increase that would enable the CRU program to become fully staffed. The CRUs provide valuable mission-oriented research for the U.S. Fish and Wildlife Service and cooperating

State agencies. Today, there are 40 Cooperative Research Units in 38 States but there are many vacancies.

Each unit is a true Federal-State-university-private sector collaboration as a partnership between the U. S. Geological Survey, a State natural resources management agency, a host university, and the Wildlife Management Institute. For every \$1 the Federal Government puts into the program, \$3 more are leveraged through the other partners. The U.S. economy has long relied on the bountiful natural resources bestowed upon this land. Federal investment in the CRUs will be returned many times over through the training of future natural resource managers who will guide the Nation in sustainable use of our natural resources. The research conducted by CRU scientists directly supports the difficult management challenges faced by natural resources managers. The examples below demonstrate the value of the CRUs to wildlife issues with local and national importance.

—*Minnesota*: The Minnesota CRU is currently researching the olfactory sensitivity of Asian carps to putative sex pheromones. This work has recently received national attention, because Asian carps are an invasive species that threatens many of the Nation's freshwater native fishes through competition for food. The Minnesota CRU hopes to use the sex pheromones to attract and trap Asian carp, removing them permanently from the Nation's freshwater lakes and rivers. Minnesota CRU researchers are also studying human behavior, working to understand the motivations of agricultural producers enrolling in USDA water quality and wildlife habitat programs. They hope to gain insight into designing and developing programs, practices and messages that encourage broader participation in those programs.

—*Tennessee*: In 2011, an estimated 826,293 anglers fished in Tennessee, creating an economic impact of nearly \$1.3 billion for the State. The Tennessee CRU supports this economic driver by assessing fish stocks, working on recovery efforts for threatened and endangered species, providing research and technical assistance to support State decisions related to fishing. For example, research on sauger in the Tennessee River showed that minimum size requirements by the State were not leading to increased mortality of released fish below the minimum size. Their research also kept "stinger" hooks available for fishermen by showing they also did not contribute to increased mortality.

—*Oklahoma*: The Oklahoma CRU in collaboration with Oklahoma State University and the Oklahoma Department of Wildlife Conservation conducted an economic analysis on the impact of protecting the lesser prairie chicken (LPC). The political and legal controversy surrounding the use of the Endangered Species Act (ESA) to protect imperiled species raises questions about the development restrictions and opportunity costs the ESA imposes on private landowners and industry. The economic effects of protecting the LPC have been small and there is no strong evidence that regulations affected land values. However, after looking for macro-level effects in employment data, regulations did modestly reduce the number of jobs, although primarily in priority habitat areas.

Finally, APLU BNR requests \$754 million for EPA's Science and Technology portfolio. While the S&T portfolio covers a wide range of topics, we will cite one historical, but still vitally important component of EPA Science. The work done to support pesticide regulations, including developing the suitable analytics for measuring pesticides in food and feed residue and enforcing tolerances, remains absolutely necessary so long as farmers need to control pests, local governments need to control mosquitos, or schools, hospitals, restaurants, and other venues need to be kept free of rats, cockroaches, and other pests. It currently costs life science companies, such as Dow AgroSciences, \$250,000,000 to develop a new molecule for the market. Some of the cost can be attributed to complying with EPA regulations on pesticides. It would be highly deleterious to such companies and the consumers of their products if new chemicals could not be brought to market because the regulatory agency was unable to develop suitable analytics for a new product on time.

BNR thanks you for the opportunity to provide our views to the subcommittee. We look forward to working with you through the fiscal year 2018 appropriations process.

About APLU and the Board on Natural Resources

APLU's membership consists of 236 State universities, land-grant universities, State-university systems and related organizations. APLU institutions enroll more than 4.8 million undergraduate students and 1.3 million graduate students, and conduct \$43.2 billion annually in university-based research annually. The Board's mission is to promote university-based programs dealing with natural resources, fisheries, wildlife, ecology, energy, and the environment. BNR representatives are

chosen by their president's office to serve and currently number over 500 scientists and educators, who are some of the Nation's leading research and educational expertise in environmental and natural-resource disciplines.

[This statement was submitted by Keith Owens, Chair of the Board on Natural Resources; and Associate Vice President, Oklahoma Agriculture Experiment Station, Oklahoma State University, keith.owens@okstate.edu.]

PREPARED STATEMENT OF THE ASSOCIATION OF STATE DRINKING WATER ADMINISTRATORS

The Association of State Drinking Water Administrators (ASDWA) respectfully submits the following recommendations for fiscal year 2018 appropriations on behalf of the drinking water programs in the fifty States, five territories, District of Columbia, and Navajo Nation.

SUMMARY OF REQUEST

ASDWA respectfully requests that, for fiscal year 2018, the Subcommittee appropriate funding for three programs at levels commensurate with Federal expectations for performance; that ensure appropriate public health protection; and that will result in enhancing economic stability and prosperity in American cities and towns. ASDWA requests \$200 million for the Public Water System Supervision (PWSS) program and \$1 billion for the Drinking Water State Revolving Loan Fund (DWSRF) program. These requests are based on demonstrated need and the reality of the job that State drinking water programs are expected to do. A more complete explanation of the needs represented by these requested amounts and their justification follows.

OVERVIEW: THE IMPORTANCE OF SAFE DRINKING WATER FOR OUR COMMUNITIES AND THE ECONOMY & THE ROLE OF STATE DRINKING WATER PROGRAMS

States need sustained Federal support to maintain public health protection and to support the needs of the water systems they oversee. State drinking water programs strive to meet the Nation's public health protection goals through two principal funding programs: the Public Water System Supervision Program (PWSS) and the Drinking Water State Revolving Loan Fund (DWSRF) Program. These two programs, with their attendant State match requirements, provide the means for States to work with drinking water utilities to ensure that American citizens can turn on their taps with confidence that the water is both safe to drink and the supply is adequate. In recent years, State drinking water programs have accepted additional responsibilities in water system security and resiliency that include working with all public water systems to ensure that critical drinking water infrastructure is protected, including cyber security; that plans are in place to respond to both natural and manmade disasters; and that communities are better positioned to support both physical and economic resilience in times of crisis.

Vibrant and sustainable communities, their citizens, workforce, and businesses all depend on a safe, reliable, and adequate supply of drinking water. Economies only grow and sustain themselves when they have safe and reliable water supplies. Over 90 percent of the population receives water used for bathing, cooking, and drinking from a public water system—overseen by State drinking water program personnel.

In addition to the water we drink in our homes, water produced by public water systems is also used by businesses for a variety of purposes, including processing, cooling, and product manufacturing. Public water systems—as well as the cities, villages, schools, and businesses they support—rely on State drinking water programs to ensure they comply with all applicable Federal requirements and the water is safe to drink. State drinking water programs must have adequate funding to protect public health and maintain the economic health of communities. Incidents such as the chemical spill in Charleston, West Virginia where residents were without safe drinking water for more than a week; unsafe drinking water in Toledo, Ohio for more than a day due to the presence of algal toxins; and the leaching of lead from lead-containing pipelines into the water supply in Flint, Michigan all serve as stark reminders of the critical nature of the work that State drinking water programs do—every day—and the reason why the funding for State drinking water programs must be sustained.

STATE DRINKING WATER PROGRAMS: HOW THEY OPERATE, WHY SUPPORT IS NEEDED,
AND JUSTIFICATIONS FOR REQUESTED AMOUNTS

The Public Water System Supervision (PWSS) Program

How the PWSS Program Operates: To meet the requirements of the Safe Drinking Water Act (SDWA), States have accepted primary enforcement responsibility for oversight of regulatory compliance and technical assistance efforts for more than 152,000 public water systems to ensure that potential health-based violations do not occur or are remedied in a timely manner. Over 90 contaminants are regulated in Federal drinking water regulations and the pace and complexity of regulatory activity has accelerated in recent years. States also assist communities by reviewing and approving engineering plans of new or modified public water systems. Beyond the contaminants covered by Federal drinking water regulations, States are also implementing an array of proactive initiatives to protect public health from “source to tap.” These include source water assessments and protections for communities and watersheds; outreach and education on programs such as asset management and workforce, technical assistance for water treatment and distribution for challenged utilities; and enhancement of overall water system performance.

In recent years, States have also taken on an increasingly prominent role in working with Federal and local partners to help ensure sufficient water quantity. Many States have worked intensively with numerous small water systems in recent years that were within days of running completely dry. The public health and economic consequences of such a catastrophe would have been incalculable to the residents of those communities. In short, State activities go well beyond simply ensuring compliance at the tap—and, States perform these tasks more efficiently and cheaply than would be the case if the program were federally implemented. Well-supported State drinking water programs are a good deal.

Why Adequate Support is Needed: States are unable to fulfill their obligation to the American public without adequate Federal funding support. Inadequate Federal funding for State drinking water programs has several negative consequences. Many States are simply unable to implement major provisions of the newer regulations, leaving the work undone or ceding the responsibility back to EPA, which is also challenged by the Agency’s own resource constraints and lack of “on the ground” expertise. States also want to offer the flexibilities allowed under existing rules to local water systems. However, fewer State resources mean less opportunity to work individually with water systems to meet their individual needs. This situation has created a significant implementation crisis in several regions of the country and is ultimately delaying or hampering implementation of critically needed public health protections.

State drinking water programs are extremely hard pressed financially and the funding gap continues to grow. States must accomplish all the above-described activities—and take on new responsibilities—in the context of a challenging economic climate. State-provided funding has historically compensated for inadequate Federal funding, but State budgets have been less able to bridge this funding gap in recent years. State drinking water programs have often been expected to do more with less and States have always responded with commitment and integrity, but they are currently stretched to the breaking point. Insufficient Federal support for this critical program increases the likelihood of contamination events that puts the public’s health at risk. \$101.9 million was appropriated for the PWSS program in fiscal year 2017—the same funding level as was appropriated in fiscal years 2014, 2015, and 2016. According to data available as of this writing, the Administration is expected to request a 31 percent decrease for PWSS funding. This reduces the grant to approximately \$71 million—a funding figure not seen since 1995, more than 20 years ago. This is an untenable situation—a significant decrease in funding to work with a growing population who are increasingly concerned about drinking water contaminants. There are no commensurate decreases in the number of public water systems to be overseen; no decreases in the number of regulatory requirements to be implemented; and certainly, no decreases in the level of allowable public health protection. Our ever-improving ability to detect contaminants in drinking water and our understanding of their toxicity add to the demands on States, EPA, and the public water supply systems. In each of the drinking problems that occur each year, States step in to help resolve the problems and return the systems to providing safe water as quickly as possible. Yet, States are being asked to continue and even enhance the level of oversight with far fewer dollars than provided before the 1996 Amendments to the Safe Drinking Water Act. The current \$101.9 million that was appropriated for the PWSS program for fiscal year 2017 is key for State oversight programs, and any reductions, no matter how small, exacerbate States’ tenuous financial difficulties.

For the PWSS Program in fiscal year 2018, ASDWA Respectfully Requests \$200 million: The number of regulations requiring State implementation and oversight as well as performance expectations continue to grow while at the same time, the Federal funding support has been essentially “flat-lined.” Inflation has further eroded these static funding levels. This recommended amount is based on ASDWA’s January 2014 resource needs report and begins to fill the above-described resource gap. These funds are urgently needed for implementing existing drinking water rules, taking on new initiatives, and to account for the eroding effects of inflation. It is a small price to pay for public health protection.

The Drinking Water State Revolving Loan Fund (DWSRF) Program

How the DWSRF Program Operates: Drinking water in the U.S. is among the safest and most reliable in the world, but it is threatened by aging infrastructure. Through low interest loans provided by the DWSRF, States help water utilities overcome this threat. The historical payback to the DWSRF on this investment has been exceptional. Since its inception, the DWSRF has touched millions of Americans through projects that enhance drinking water capabilities at water utilities. In the core DWSRF program, approximately \$18.2 billion in cumulative Federal capitalization grants since 1997 have been leveraged by States into over \$32.5 billion in infrastructure loans to small and large communities across the country. 25.5 percent of the cumulative DWSRF assistance, including negative interest loans and principal forgiveness, has been provided to disadvantaged communities. Such investments pay tremendous dividends—both in supporting our economy and in protecting our citizens’ health. States have very effectively and efficiently leveraged Federal dollars with State contributions for more than 13,000 projects, improving health protection for millions of Americans.

An important feature of the DWSRF program is the State “set-aside” fund component and another key reason for adequately funding this critical program. Set-asides function as a proactive way for States to work with drinking water systems to maintain compliance and avoid violations. States may reserve up to 31 percent of these funds for a variety of critical tasks, such as increasing the technical, managerial, and financial capacity of water systems; providing training and certification for water system operators; and continuing wellhead protection efforts. Set-asides are an essential source of funding for States’ core public health protection programs and these efforts work in tandem with infrastructure loans.

Drinking Water Infrastructure Investment is Well below the Documented Need: The American Society of Civil Engineers, once again, has given the Nation’s drinking water infrastructure a D+ grade and EPA’s most recent National Drinking Water Infrastructure Needs Survey (2011) indicated that drinking water system infrastructure needs total \$384 billion over the next 20 years; \$72.5 billion of that total is needed to prevent contamination of 73,400 water systems. The American Water Works Association has estimated the 20 year need at \$1 trillion (which more fully accounted for water distribution system replacement costs). Investment is needed for aging treatment plants, storage tanks, pumps, and distribution lines that carry water to our Nation’s homes, businesses and schools. The DWSRF must continue to be a key part of the infrastructure solution.

For the DWSRF Program in fiscal year 2018, ASDWA respectfully requests \$1 billion: States were very encouraged by the \$1.387 billion appropriated for the DWSRF in fiscal year 2010 but have been disappointed by the subsequent generally downward trend—\$963 million in fiscal year 2011, \$919 million in fiscal year 2012, \$854 million for fiscal year 2013 (a figure not seen since 2006), \$907 million in fiscal years 2014 and 2015, and \$863 million in fiscal years 2016 and 2017. The primary purpose of the DWSRF is to improve public health protection by facilitating water system compliance with national primary drinking water regulations through the provision of loans to improve drinking water infrastructure. Water infrastructure is needed for public health protection as well as a sustainable economy, as explained above. Considering these indicators of success and documented needs, we believe funding at the \$1 billion level will better enable the DWSRF to meet the SDWA compliance and public health protection goals.

CONCLUSION

ASDWA respectfully recommends that the Federal fiscal year 2018 budget needs for States’ role in the provision of safe drinking water be adequately funded by Congress. A strong State drinking water program supported by the Federal-State partnership will ensure that the quality of drinking water in this country will not deteriorate and, in fact, will continue to improve—so that the public can be assured that a glass of water is safe to drink no matter where they travel or live. States are willing and committed partners. However, additional Federal financial assistance is

needed to meet ongoing and ever growing regulatory, infrastructure, and security needs. In 1996, Congress provided the authority to ensure that the burden would not go unsupported. For fiscal year 2018, ASDWA asks that the promise of that support be realized.

PREPARED STATEMENT OF THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS

The Association of State Floodplain Managers appreciates the opportunity to offer our comments on the fiscal year 2018 budget request for the U.S. Geological Survey. We focus primarily on the essential water monitoring work of USGS and on the important effort to collect elevation data for the Nation through the 3-DEP mapping program. These data collection programs provide critical information for many programs at multiple Federal agencies, but we are particularly focused on their importance for production of accurate, up-to-date flood hazard maps and for assisting our efforts to reduce flood risk, loss of life and property and disaster-related costs to U.S. taxpayers.

The National Streamflow Network and the 3D Elevation Mapping program are important information sources for other Federal agencies as well as for State and local entities, non-profit organizations and private sector interests. We appreciate the efficiency of centralizing collection of this data at USGS to avoid duplication by other Federal and State agencies and to provide nationally uniform data so all communities and States have consistent data for managing hazard risk.

After a budget briefing by USGS officials, we were pleased to learn that the proposed budget will not include cuts to the National Streamflow Network. We urge you to support this aspect of the budget. Of key importance for the value of the National Streamflow Network is the uninterrupted collection of long-term data. This is essential for projections of flood risk and forecasting. Adequate funding is needed to both assure continuity of data collection and to make progress toward completing the authorized network of gages. The costs are very appropriately shared by the many users of the data. While about 31 percent of the costs are provided in Federal funds, another 45 percent comes from States, localities and Tribes, another 20 percent comes from other Federal agencies and the remainder comes from non-profits and the private sector. It is our understanding that the USGS budget for the National Streamflow network has been about \$170 million. We urge that funding be maintained at that level at a minimum.

We are very concerned about the proposed \$3 million reduction in the budget for the 3-DEP mapping program. When considered in association with the recently approved fiscal year 2017 budget, this represents a cut of \$7.5 million for 3DEP mapping. The 3-DEP topographic mapping program is a very important investment for the Nation. Fortunately, due to improved technology, the costs of LiDAR data collection are coming down, but investment in the effort to assemble this data for the entire Nation is necessary for continued progress toward the objective of accurate up to date topographic data for the Nation by 2023. The funding structure for the program is not reliable, since only a portion of the funding comes from USGS and the rest is dependent on data purchase by other governmental or private entities. One of the largest purchasers of the data is the Federal Emergency Management Agency (FEMA) because the topographic information is essential for production of accurate flood risk maps. Those flood risk maps are used to guide development decisions, siting of infrastructure and critical facilities, evacuation planning and other functions which save lives, property and costs to taxpayers. For these reasons, we urge that 3DEP mapping be funded at least at current levels in the USGS budget. If at all possible within budgetary constraints, this would be a wise area for increased appropriations as the Nation plans for a major investment in infrastructure.

The ASFPF and its 36 chapters represent more than 17,000 local and State officials as well as other professionals engaged in all aspects of floodplain management and flood hazard mitigation including management of local floodplain ordinances, flood risk mapping, engineering, planning, community development, hydrology, forecasting, emergency response, water resources development and flood insurance. All ASFPF members are concerned with reducing our Nation's flood-related losses. For more information on the association, its 14 policy committees and 36 State chapters, our website is: www.floods.org.

We appreciate the chance to share our comments and recommendations regarding the USGS budget for fiscal year 2018. Please contact Chad Berginnis, Executive Director, or Larry Larson, Senior Policy Advisor, with any questions at cberginnis@floods.org or larry@floods.org.

[This statement was submitted by Chad Berginnis, Executive Director.]

PREPARED STATEMENT OF THE ASSOCIATION OF ZOOS AND AQUARIUMS

Thank you Chairwoman Murkowski and Ranking Member Udall for allowing me to submit written testimony on behalf of the Nation's 215 AZA-accredited zoos and aquariums. Specifically, I want to express my support for the inclusion of \$11,100,000 for the Multinational Species Conservation Funds (MSCF) operated by the U.S. Fish and Wildlife Service (USFWS), \$15,200,000 for the USFWS's International Affairs program, and \$8,700,000 for National Environmental Education Act programs at the Environmental Protection Agency (EPA) in the fiscal year 2018 Interior, Environment, and Related Agencies appropriations bill. I also urge you to support robust funding of programs to conserve species under the Endangered Species Act (ESA) and reject any proposed cuts in funding to the USFWS.

MULTINATIONAL SPECIES CONSERVATION FUNDS

MSCF programs support public-private partnerships that conserve wild tigers, elephants, rhinos, great apes, and marine turtles in their native habitats. Through the MSCF programs, the United States supplements the efforts of developing countries that are struggling to balance the needs of their human populations and endemic wildlife. MSCF programs help to sustain wildlife populations, address threats such as illegal poaching, reduce human-wildlife conflict, and protect essential habitat. By working with local communities, they also improve people's livelihoods, contribute to local and regional stability, and support U.S. security interests in impoverished regions. This Federal program benefits AZA-accredited zoos and aquariums in their field conservation efforts and partnerships with the USFWS.

NATIONAL ENVIRONMENTAL EDUCATION ACT PROGRAMS

The EPA offers valuable environmental education initiatives that AZA encourages you to support. Education programs at AZA-accredited institutions provide essential learning opportunities, particularly about science, for schoolchildren in formal and informal settings. Studies have shown that American schoolchildren are lagging behind their international peers in certain subjects including science and math. In the last 10 years, accredited zoos and aquariums formally trained more than 400,000 teachers, supporting science curricula with effective teaching materials and hands-on opportunities. School field trips annually connect more than 12,000,000 students with the natural world. Increasing access to formal and informal science education programs has never been more important, and EPA environmental education grants help to support some of these opportunities at AZA-accredited facilities.

ENDANGERED SPECIES ACT

The AZA and its members take the issue of wildlife conservation very seriously and wholeheartedly support the ESA, which has prevented hundreds of listed species from going extinct. Simply put, the ESA, which is recognized globally as a model for species preservation, is working. It has prevented the extinction of 99 percent of the species it protects since its inception in 1973. However, we know that the challenges facing our planet in the 21st century are as complex as they are urgent. Scientists estimate that the total number of mammals, birds, reptiles, amphibians, and fish has declined by more than 50 percent since 1970, and many believe that we are living amidst the planet's sixth mass extinction. Climate change threatens to accelerate this crisis. Without critical intervention today, we are facing the very real possibility of losing some of our planet's most magnificent creatures such as cheetahs, elephants, gorillas, sea turtles, and sharks.

AZA-accredited zoos and aquariums have a unique responsibility to help others understand this crisis. It is our obligation—to these animals and to all life on earth—to take bold action now to protect our planet's biodiversity. One achievement that has gone unnoticed by most people is that zoos and aquariums have played a significant role in bringing over 25 species, including California condor, Florida manatee, and black-footed ferret, back from the brink of extinction.

Although we have made significant progress in saving endangered species, this work is far from done. Species protection and conservation requires long-term commitment by all of us. It is through the ongoing work related to species recovery plans that we will conserve these species for future generations. The AZA and its members fully support the ESA, and I encourage you to assure that the agencies responsible for carrying out the mandates of the Act receive the necessary funding, human resource capacity, and regulatory flexibility to succeed.

USFWS BUDGET

Finally, much of the important conservation work at AZA-accredited zoos and aquariums depends on a robust and fully staffed USFWS. Acknowledging the budget challenges facing Congress and the agencies, I encourage you to assure that the USFWS has sufficient resources to employ qualified professionals, particularly for the programs handling permits, which support the science-based conservation breeding and wildlife education programs that require animals to be moved in an efficient, timely manner: International Affairs (Management Authority), Endangered Species, Law Enforcement, and Migratory Birds.

AZA-accredited zoos and aquariums are essential conservation and education partners at the Federal, State, and local levels domestically as well as internationally. To assure that AZA-accredited zoos and aquariums can continue to serve in these important roles, I urge you to provide adequate funding for the USFWS as well as include \$11,100,000 for the MSCF, \$15.2 million for the USFWS's International Affairs program, and \$8,700,000 for critical environmental education programs at the EPA in the fiscal year 2018 Interior, Environment, and Related Agencies appropriations bill.

Thank you for your consideration of our comments.

[This statement was submitted by Dan Ashe, President and CEO.]

PREPARED STATEMENT OF DAVID JONAS BARDIN

Hon. LISA MURKOWSKI, *Chairman*

Hon. TOM UDALL, *Ranking Member*

Subcommittee on Interior, Environment and Related Agencies

Committee on Appropriations, United States House Senate

Re: Proposal to zero out the \$1.9 million & 15 FTE USGS Geomagnetism Hazards Program

DEAR CHAIRMAN MURKOWSKI AND RANKING MEMBER UDALL:

Do not zero out this USGS program in DOI. Strengthen it, instead, because productive outputs of its highly-skilled 15 FTE staff are vital to our national and international security and critical infrastructure.

The bipartisan Space Weather Research and Forecasting Act (S. 141), approved unanimously by the Senate on May 2, 2017 (see <https://www.congress.gov/bill/115th-congress/senate-bill/141>), describes and relies on this very program as follows:

SEC. 60701. SPACE WEATHER.

(b) FEDERAL AGENCY ROLES.—

(1) FINDINGS.—Congress finds that—

(E) the Department of the Interior collects, distributes, and archives operational ground-based magnetometer data in the United States and its territories, and works with the international community to improve global geophysical monitoring and develops crustal conductivity models to assess and mitigate risk from space weather induced electric ground currents; . . . [S. Rept. 115–21 (<https://www.congress.gov/115/crpt/srpt21/CRPT-115srpt21.pdf>).]

S. 141 recognizes that the USGS Geomagnetism Program has important responsibilities prescribed in the National Space Weather Action Plan [<https://www.hssl.org/?view&did=789864>]. Particularly important: USGS is responsible for mapping geoelectric hazards of concern for the electric power grid, notably to the North American Electric Reliability Corporation (NERC) and Federal Energy Regulatory Commission (FERC) [see FERC Order No. 830, <https://www.ferc.gov/whats-new/comm-meet/2016/092216/E-4.pdf>].

USGS tells you [at page I–24 of [fy2018_usgs_budget_justification](#); PDF page 176 of 330]:

Summary of Budget Request

The 2018 budget request for the USGS Geomagnetism Program is \$0 and 0 FTE, a change of –\$1,884,000 and –15 FTE from the 2017 Annualized Continuing Resolution (CR) level.

Overview

Magnetic storms are caused by the dynamic interaction of the Earth's magnetic field with the Sun. While magnetic storms often produce beautiful aurora lights that can be seen at high latitude, they can also wreak havoc on the infrastructure and activities of our modern, technologically based society. Large storms can induce voltage surges in electric-power grids, causing blackouts and the loss of radio communication, reduce GPS accuracy, damage satellite electronics and affect satellite operations, enhance radiation levels for astronauts and high-altitude pilots, and interfere with directional drilling for oil and gas.

In order to understand and mitigate geomagnetic hazards, the USGS Geomagnetism Program has monitored and analyzed the Earth's dynamic magnetic field. The Program is part of the U.S. National Space Weather Program (NSWP), an interagency collaboration that includes programs in the National Aeronautics and Space Administration (NASA), the Department of Defense (DoD), the National Oceanic and Atmospheric Administration (NOAA), and the National Science Foundation (NSF). The Geomagnetism Program provides data to the NSWP agencies, oil drilling services companies, geophysical surveying companies, and several international agencies. USGS data, products, and services are also used by the electric-power industry to evaluate geomagnetic storm risk.

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2018 Program Changes

Eliminate the Geomagnetism Program. (–\$1,884,000/ – 15 FTE): This eliminates the Geomagnetism Program, an element of the U.S. National Space Weather Program. This will reduce the accuracy of NOAA and U.S. Air Force forecasting of the magnitude and impact of geomagnetic storms. In addition to eliminating the data provided to partner Federal agencies, the elimination of the program will also reduce the availability of geomagnetic information to the oil drilling services industry, geophysical surveying industry, several international agencies, and electrical transmission utilities.

Science Collaboration

The USGS is a member of the multiagency NSWP. Domestically, the USGS works cooperatively with NOAA, the Air Force 557th Weather Wing, and other agencies. For example, USGS observatory data are used by NOAA's Space Weather Prediction Center, and by the U.S. Air Force, for issuing geomagnetic warnings and forecasts. Internationally, the USGS magnetic observatory network is itself part of the global INTERMAGNET network. USGS research is conducted in collaboration with the Colorado School of Mines, the USGS Crustal Geophysics and Geochemistry Science Center, the NOAA/SWPC, and the NASA Community Coordinated Modeling Center.

The USGS also works with private entities that are affected by space weather and geomagnetic activity, including electric-power grid companies and the oil and gas drilling industries. In the oil and gas industry, for example, drill operators need to know which way their drill bits are going to maximize oil production and avoid collisions with other wells. One way to accomplish this important task is to install a magnetometer—a sort of modern-day “compass”—in a drill-string instrument package that follows the drill bit. Simultaneous measurements of the magnetic field in the drill hole are combined with those monitored by the USGS to produce a highly accurate estimate of the drill bit position and direction.

But USGS omits that this program brings rapidly evolving earth science to NERC and FERC in particular.

As a concerned citizen with Federal, State, municipal and private sector experience [see bio below], I believe that the USGS Geomagnetism Program brings modern relevance to earth science. We will need its services for many years to come to help protect us from ground-level hazards of space weather and, even, from malevolent risks (such as electromagnetic pulse attacks).

Faithfully, *David Jonas Bardin*

SHORT BIO

Mr. Bardin, a retired member of Arent Fox LLP, has focused on energy, environmental, public utility, and governance issues in a number of public and private capacities.

—At Arent Fox beginning in 1980, he practiced energy, public utilities, and environmental law on behalf of corporate and governmental clients in the United States and abroad.

—As a citizen, he addressed energy issues involving public information, research and development, incentives for enhanced oil recovery and carbon dioxide sequestration, unconventional petroleum resources (including Bakken oil resources of the Williston Basin [see <http://www.undeerc.org/News-Publications/Leigh-Price-Paper/Default.aspx>]), electric power reliability and security, and District of Columbia and regional government matters (including the University of the District of Columbia).

He served as Deputy Administrator of the Federal Energy Administration (1977) and Administrator of the Economic Regulatory Administration of the Department of Energy (1977–79), under appointments by President Carter, and as New Jersey’s cabinet-level Commissioner of Environmental Protection (1974–77) under appointment by Governor Byrne. He worked in Israel (1970–74) on public utility and environmental matters. He held Federal civil service positions (1958–69) as trial attorney, assistant general counsel for legislation, and deputy general counsel at the U.S. Federal Power Commission (now FERC) during the Eisenhower, Kennedy, Johnson, and Nixon Administrations, and did active duty as an enlisted man in the U.S. Army Transportation Research & Engineering Command (1956–58).

He served on the board of directors of the D.C. Water & Sewer Authority (2001–2011).

He is a graduate of Columbia University Law School (1956), Columbia College (1954), and the Bronx High School of Science (1950). He and his wife, Livia, have four children and five grandchildren.

PREPARED STATEMENT OF THE BRISTOL BAY AREA HEALTH CORPORATION

The Requests of the Bristol Bay Area Health Corporation (BBAHC) for the fiscal year 2018 Indian Health Service Appropriations and our comments are as follows:

- VBC Funding*.—Direct the IHS to fully fund Village Built Clinic (VBC) leases and make it a line item in the budget and allocate at least an additional \$12.5 million to the IHS for VBC leases, for a total of \$17 million.
- CSC Funding*.—Continue to fund Contract Support Costs (CSC) at 100 percent and provide funding on a permanent and mandatory basis.
- Sequestration*.—Shield the IHS/BIA from sequestration.
- Increase IHS behavioral healthcare funding (Mental Health / Substance Abuse)*
- Land Transfer Legislation*.—Enactment of H.R. 236/S. 269, to facilitate transfer of from IHS to BBAHC land on which our dental clinic is located.
- Concern of proposal to greatly increase the cost our Internet access.*

The Bristol Bay Area Health Corporation was created in 1973 to provide healthcare services to Alaska Natives of Southwest Alaska. We began operating and managing the Kanakanak Hospital and the Bristol Bay Service Unit for the IHS in 1980, and was the first Tribal organization to do so under the Indian Self-Determination and Education Assistance Act (ISDEAA). BBAHC is a co-signer to the Alaska Tribal Health Compact with the Indian Health Service (IHS) under the ISDEAA and is now responsible for providing and promoting healthcare to the people of 28 Alaska Native Villages.

We have made significant progress but now deal with modern-day health problems. Today, rather than TB and influenza epidemics, we struggle with diseases of a modern society that include chronic illnesses such as cancer, diabetes, heart disease and behavioral and mental and behavioral health needs. The life expectancy of our people has increased from 47 years of age in 1952 to 69.4 in 1998, still below that of U.S. residents and other Alaskans.

Village Built Clinics. The Bristol Bay Area Health Corporation thanks Congress for appropriating \$11 million for Tribal health clinic leases in the fiscal year 2017 Consolidated Appropriations Act. We appreciate the Alaska Congressional delegation’s continued support and are particularly thankful to Senator Murkowski for her leadership on this issue. We thank her for her steadfast determination in advocating for these small chronically underfunded remote clinics that serve as an essential health lifeline in rural Alaskan villages where there is no road system to connect villages to urban centers. As noted above, BBAHC serves 28 remote villages in southwest Alaska.

BBAHC also appreciates the House Natural Resources Subcommittee on Indian, Insular, and Alaska Native Affairs holding a hearing on Indian infrastructure needs in Indian Country, and the support and participation of Chairman Emeritus Young in the discussion that focused on the considerable unmet needs of Village Built Clin-

ics. Many of the Village Built Clinics are in extreme disrepair and there is a considerable need for a reserve fund for upkeep and expansion of these essential village facilities. In 2015, the Alaska Native Health Board estimated that a \$14 million annual appropriation would be needed to fund a replacement reserve to tackle the clinic crisis. BBAHC supports increased funding for Village Built Clinics and requests that funding be a: (1) separate line item in the IHS budget, (2) recurring funding, and (3) displayed in the Budget Justification to better enable planning and certainty.

The \$11 million increase in fiscal year 2017 was a major step forward in funding Village Built Clinics, but that amount still does not meet the full amount of funding needed. In 2015, the Alaska Native Health Board estimated that in addition to the existing \$4.5 million base, an additional \$12.5 million is needed to fund these rural clinics. The fiscal year 2017 funding is a supplement to the approximately \$4.5 million already being provided to these essential village clinics and should be so reflected. In addition, without a separate line item for Village Built Clinics, much of the funding could be distributed to other types of facility leases, leaving the Village Built Clinics falling far short of necessary funding.

Contract Support Costs (CSC). BBAHC thanks this Subcommittee for its leadership in committing to fully fund IHS and BIA contract support costs for fiscal year 2016, and fiscal year 2017, funding it at “such sums as necessary” and making it a separate account in the IHS and BIA budgets. For IHS, the fiscal year 2017 estimate for contract support costs is \$800 million and for the BIA, \$278 million. For many years, both the IHS and BIA have vastly underpaid the contract support costs owed to Tribal organizations and this transformation makes an enormous difference in helping to ensure that the Indian Self-Determination and Education Assistance Act is fully funded and implemented as Congress so intended. The shift is also likely to significantly improve the Federal-Tribal government-to-government relationship. BBAHC thanks you for responding to Tribal requests and we also appreciate that the proviso that effectively denied CSC carryover authority granted by ISDEAA is absent from fiscal year 2017 Consolidated Appropriations Act.

BBAHC will continue to advocate for our long-term goal of ensuring that full CSC appropriations are made permanent and mandatory. Under the ISDEAA, the full payment of CSC is not discretionary; it is a legal obligation affirmed by the Supreme Court of the United States. Funding of CSC on a discretionary basis has in the very recent past placed the House and Senate Appropriations Committees, in their own words, in the “untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs.” BBAHC is committed to working with the appropriate Congressional committees to determine how best to achieve that goal.

Sequestration. BBAHC respectfully requests the Subcommittee’s support in amending the Balanced Budget and Emergency Deficit Control Act to exempt Indian programs, such as the IHS and BIA budgets, from sequestration. We support congressional efforts to fully exempt Veterans Health Administration programs from sequestration. However, Indian healthcare, as a Federal trust responsibility, should be afforded equal treatment. A number of members of this Subcommittee and other members of Congress have voiced support for our position and have publicly stated that it was an oversight that the Indian budgets were not included in the exempt category when the Balanced Budget and Emergency Deficit Control act was enacted.

BBAHC is very concerned that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal year 2017 spending cap. When put in the context of the President’s fiscal year 2018 “skinny” budget proposal to raise defense spending by \$54 billion and lower non-defense discretionary spending by a corresponding amount, we are concerned that a significant sequestration of funds is likely to occur. Whatever the case, Indian program budgets should be a funding priority and exempt from sequestration.

Behavioral Health. We testified last year regarding the hardships in providing for our communities’ behavioral and mental health needs, particularly with regard to our youth. As you know, there is an epidemic of suicide among Alaska Natives, especially teens. BBAHC has well-qualified professional staff who service approximately 8,000 people in our region. But our social workers, counsellors and behavioral health aides have a theoretical caseload of 300 persons each. The ratio of mental health clinicians to clients is 1 to 1,300. Our 14-bed residential youth facility for substance abuse (Jake’s Place) has an Alcohol and Drug Safety program funded by the State of Alaska but it is primarily an education program, not a treatment program, and much of the education is done remotely, via the Internet.

We supported the Obama Administration’s requested fiscal year 2017 increases under Mental Health of \$21.4 million for behavioral health integration and \$3.6 million for the Zero Suicide initiative and under Alcohol and Substance Abuse of \$15

million for the Generation Indigenous initiative and \$1.8 million for a pilot youth project. The Senate Appropriations Committee also supported these increases and we appreciate that. The final fiscal year 2017 Appropriations Act provides under Mental Health \$6.9 million for behavioral health integration and \$3.6 million for the Zero Suicide initiative. Under Alcohol and Substance Abuse it provides \$6.5 million for Generation Indigenous initiative, \$1.8 million for the pilot youth project, and \$2 million for detoxification. We are glad for any increases but urge you to make an increased commitment for fiscal year 2018 to help address the overwhelming behavioral health needs.

Land Transfer Legislation. BBAHC also asks for your support in enacting legislation that would direct the Secretary of the Department of Health and Human Services to convey a 1.474-acre parcel of land, via warranty deed, to BBAHC for the land on which our new state-of the art dental clinic is located. The legislation is HR 236, introduced on January 3, 2017 by Congressman Young and S. 269 introduced on February 1, 2017 by Senators Murkowski and Sullivan.

The House and Senate bills are identical, and there is no reason they should not pass under unanimous consent or under suspension of the rules. The property transfer authorized by these bills would enable the land transfer from IHS to BBAHC via warranty deed, and would supersede any existing quitclaim deed. It would allow the BBAHC to have greater control over the land and more opportunities for financing as well as to remove any IHS reversionary interests.

Our new dental facility opened in September 2016, on the grounds of the Kanakanak Hospital Compound. The new clinic replaced a dilapidated clinic and is providing expanded dental care to the our region where there are very few public dental clinics. Our service population is 8,000. Part of the funding for the dental facility came from BBAHC reinvesting its share of a CSC settlement with IHS that was paid to compensate for years of contract underpayments to the Tribal health organization. The clinic is the first building owned by BBAHC on the hospital campus and there is a lot of pride and self-determination that flows from the new tribally-owned dental building.

Universal Service Proposal. A potentially devastating development is the proposal by the FCC to pro-rate by 7.5 percent the subsidies for Internet service. We currently have a subsidy from Universal Administrative Company (USAC)—the FCC-designated administrator of universal services—that subsidizes our Internet so we can connect thru satellite. Our current payment is \$94,000 per month but under the proposal it will be \$175,000 per month. That translates to an annual \$2.72 million annual increase over what we are currently paying. There is no way we can afford this additional amount for connectivity. This will affect not only us but all Tribal health organizations in the State. Connectivity is the lifeline for the provision of health services in Alaska. In our case, we serve a vast area covering 28 Tribal villages. This is obviously a case to be made to the FCC, but we want this Subcommittee, which is critical to the provision of providing funding for Alaska Native and Indian healthcare, and to be aware of this issue.

In conclusion, we thank you for the opportunity to present testimony on IHS programs. We recommend: (1) directing the IHS to fully fund Village Built Clinic leases at \$17 million and make it a line item in the budget, allocating at least an additional \$12.5 million to the IHS for VBC leases; (2) continue to fund Contract Support Costs at 100 percent and make funding available on a permanent and mandatory basis; (3) shield the IHS/BIA from sequestration; (4) increase funding for behavioral healthcare; (5) expedite passage of H.R. 236/S. 269, to facilitate transfer of the IHS parcel of land to BBAHC on which our dental clinic is located; and (6) ask for your attention on the proposal that would greatly increase our cost of internet access which his essential for the provision of healthcare.

We appreciate your leadership and commitment to the advancement of the Native American people and thank you for your consideration of the concerns and requests of the Bristol Bay Area Health Corporation.

[This statement was submitted by Robert Clark, President/CEO.]

PREPARED STATEMENT OF THE CATAWBA INDIAN NATION, SOUTH CAROLINA

Requests:

1. Provide necessary funding to support Tribal self-determination and economic development.
2. Establish avenues for increased capital investment in Indian Country.
3. Maintain the \$1 million allocation for NAGPRA-related law enforcement in fiscal year 2018 and beyond.
4. Expand funding for effective natural resource management and conservation.
5. Increase funding for Tribal historic preservation efforts to protect sacred sites.
6. Support the Johnson O'Malley program at the Bureau of Indian Education for Native student resiliency and long-term success.

Introduction. Thank you Chairman Murkowski, Ranking Member Udall, and members of the subcommittee for the opportunity to testify on critical funding needs for American Indian and Alaska Native programs in the Department of the Interior. The people of the Catawba Indian Nation thank you for your hard work on behalf of Indian Country and for inviting Tribal leaders to submit outside witness testimony on their communities' behalf. As you are aware, the programs at issue are founded on the political relationship that exists between the Federal Government and Tribal nations, which frames our government-to-government relationship and the trust responsibility to protect the interests and well-being of Tribal members.¹

My name is William Harris and I am the Chief of the Catawba Indian Nation, the only federally recognized Tribe in the State of South Carolina. Since before recorded history, the Catawba have lived in the Piedmont area of South Carolina, east of the Nantahala National Forest and along the life-giving waters of the river bearing our name. Like our traditional pottery, the Catawba have been created from southern soil, to be shaped and fired over time by unimaginable hardship, and now stand tall as a living testament to our ancestors and to the land we call home. To advance the socioeconomic development and well-being of my Tribe and other Native communities, I offer the following budget recommendations for fiscal year 2018.

I. SUSTAINABLE ECONOMIC DEVELOPMENT FOR SMALLER TRIBES

Unique Hardships of the Catawba Indian Nation. As a sovereign nation and industrious people, we are committed to achieving economic self-sufficiency. The ability to provide a safe, vibrant, and fully functioning range of services to one's community is the aspiration of all Tribal governments. For the Catawba Indian Nation, this goal is immeasurably complicated by the terms of our 1993 Settlement Act with the State that inhibit meaningful Tribal economic development. For example, the Tribe was required to pay an out-of-county rate for Tribal students enrolled at public schools within the local Rock Hill School District based on an extremely unfair formula that would effectively impose a \$500,000 annual fee on the Tribe. The justification for the fee was that the Tribe would be taking 3,500 acres of land into trust that could no longer be taxed, but in reality the Tribe has only taken about 300 acres into trust. As a result of legal action brought by the local school district following our inability to pay this exorbitant amount, there is a judgment against the Tribe exceeding the amount of our total assets. We urgently request Congressional support to promote our Tribal self-determination and sustainable economic development.

Increased Support for Non-Gaming Tribes. Our Tribe is currently prohibited from establishing gaming operations on Tribal lands under the terms of our Settlement Act. Instead, we are allowed to operate just two bingo halls—neither of which ever turned even a marginal profit for the Tribe due to the mandatory 10 percent fee on gross bingo revenue that must be first transmitted to the State. It is our hope to come back to the Congress and ask for amendments to our Settlement Act that would restore some of our lost sovereignty and free-up our economic potential. In the interim, we continue to explore innovative avenues for economic development. We urge Congress to invest in programs that support economic development for non-

¹ Recently, there have been suggestions that Federal Indian programs and associated funding might somehow be unconstitutional. This is absolutely wrong. The Supreme Court has rejected equal protection challenges against Federal Indian laws, holding that the "[T]he Constitution itself provides support for legislation directed specifically at the Indian Tribes. . . . [T]he Constitution therefore 'singles Indians out as a proper subject for separate legislation.'" *United States v. Antelope*, 430 U.S. 641, 649 n. 11 (quoting *Morton v. Mancari*, 417 U.S. 535, 552 (1974)). If this were not true, a whole title of the U.S. Code (Title 25) would be in jeopardy in total contradiction to thousands of judicial decisions and dozens if not hundreds of laws passed by both houses of Congress and signed by every president.

gaming Tribes with limited resources to further the Federal Government's policy of promoting Tribal self-determination and economic self-sufficiency.

Expanded Access to Investment Opportunities in Indian Country. Given adequate support and the appropriate resources, the majority of Tribes would likely become—assuming they are not already—significant contributors to their local and regional economies. Tribes are economic engines of the tourism industry, renewable energies, small business development, commercial services, among many others. However, limited access to capital and investment financing remain substantial barriers to economic development in Indian Country. We struggle with uniquely burdensome Federal restrictions and regulations, poor infrastructure, and other challenges that limit their economies from flourishing. It is important to create avenues for investment funds, financial resources, and business models that are mutually advantageous to Tribes and potential partners for economic advancement, stability, and diversification. We encourage Congress to provide increased support for investment opportunities in Indian Country in the fiscal year 2018 budget.

II. PROTECTION FOR TRIBAL CULTURAL PATRIMONY

Continued Support for the Protection of Cultural Patrimony; Thank You for Supporting Efforts to End Illegal Trafficking in Tribal Cultural Materials. As an artist and traditional potter, I am intimately familiar with the press of cool clay beneath my fingers and the process of creating a new form from the South Carolina earth. Such vessels transmit not only the impressions of the artists who created them, but also the cultural heritage and worldviews of all those individuals who came before. When these items are removed from Native communities through illegal trafficking, theft, or disruptions in the transmission of traditional practices, an irreplaceable aspect of our cultural expression and identity is lost as well.

We would like to take this opportunity to provide a heartfelt thank you to Congress for providing expanded funding for NAGPRA-related law enforcement activities in the 2017 Omnibus. With a secure and dedicated funding stream, BIA and Tribal officials will have an enhanced capacity to combat and deter the trafficking of Tribal cultural patrimony. When aligned with the Federal protections of the PROTECT Patrimony Resolution, passed by the Congress last year, the Catawba Indian Nation can see a positive path forward in ensuring that the next generation will have access to these important cultural resources. We strongly encourage Congress to continue to support programs that protect our cultural heritage and work to bring these irreplaceable objects home and to maintain the \$1 million NAGPRA-related funding for fiscal year 2018 and beyond.

Natural Resource Protection to Safeguard Tribal Cultures. We often think of the destruction of cultural heritage in terms of monuments or great works of art. However, it is also possible to conceptualize the destruction of cultural heritage in terms of living natural resources. When natural resources are contaminated or destroyed, such alterations necessarily impact the cultures that depend on those resources for physical, spiritual, and cultural sustenance. Our cultural heritage as the Catawba Indian Nation is intertwined with the natural resources that surround and define us, particularly in regards to our sovereign lands and the currents of the Catawba River. We urge Congress to safeguard Tribal cultures by providing increased funding for natural resource protections in the fiscal year 2018 Interior budget.

Tribal Historic Preservation Offices (THPOs). The landscapes and features that qualify as Tribal sacred sites are as diverse as the 567 Tribal nations currently recognized by the Federal Government. Each individual Tribe must decide for itself what does or does not constitute a sacred site. In recent years, an increasing number of Tribes have established THPOs equivalent to State programs under the National Historic Preservation Act. Federal funding, however, has not kept up with the expansion of THPO programs and, as a result, it is difficult for Tribes to meet their preservation compliance duties and responsibilities. We request an increase in THPO funding as part of the Interior budget to better protect Tribal sacred sites for future generations.

III. INCREASED SUPPORT FOR EDUCATION

Increased Funding for the Johnson-O'Malley Program (JOM). The JOM Program provides supplementary educational services to meet the unique needs of Native children attending public schools. These services include academic counseling, dropout prevention assistance, Native language incorporation, and culturally based education activities in the classroom. The implementation of culturally and linguistically appropriate instruction and program design has proven to contribute to Native student resiliency and long-term success. To ensure that Native students are receiving appropriate forms of support, the JOM Program authorizes parent commit-

tees to design and implement their own programs. Through this critical program we are able to better support our children as they reach for their educational goals. We urge an increase in funding for per student allocations under the JOM to account for future student growth.

Thank you for inviting outside witness testimony on the Federal budget for fiscal year 2018. I appreciate the opportunity to testify on behalf of the Catawba People. We look forward to working with you on addressing these complex needs.

PREPARED STATEMENT OF THE CENTRAL ARIZONA PROJECT

On behalf of the Central Arizona Water Conservation District (CAWCD), I encourage you to include \$1.5 million for salinity specific projects in the Bureau of Land Management's (BLM) Soil, Water and Air Program in fiscal year 2018. The funding will help protect the water quality of the Colorado River that is used by approximately 40 million people for municipal and industrial purposes and used to irrigate approximately 5.5 million acres in the United States.

CAWCD manages the Central Arizona Project (CAP), a multi-purpose water resource development and management project that delivers Colorado River water into central and southern Arizona. The largest supplier of renewable water in Arizona, CAP diverts an average of over 1.5 million acre-feet of Arizona's 2.8 million acre-foot Colorado River entitlement each year to municipal and industrial users, agricultural irrigation districts, and Indian communities.

Our goal at CAP is to provide an affordable, reliable and sustainable supply of Colorado River water to a service area that includes more than 80 percent of Arizona's population.

These renewable water supplies are critical to Arizona's economy and to the economies of Native American communities throughout the State. Nearly 90 percent of economic activity in the State of Arizona occurs within CAP's service area. The canal provides an economic benefit of \$100 billion annually, accounting for one-third of the entire Arizona gross State product. CAP also helps the State of Arizona meet its water management and regulatory objectives of reducing groundwater use and ensuring availability of groundwater as a supplemental water supply during future droughts. Achieving and maintaining these water management objectives is critical to the long-term sustainability of a State as arid as Arizona.

NEGATIVE IMPACTS OF CONCENTRATED SALTS

Natural and man-induced salt loading to the Colorado River creates environmental and economic damages. EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. Human activity, principally irrigation, adds to salt load of the Colorado River. Further, natural and human activities concentrate the dissolved salts in the River.

The U.S. Bureau of Reclamation (Reclamation) has estimated the current quantifiable damages at about \$382 million per year to U.S. users with projections that damages would increase to approximately \$614 million per year by 2035 if the program were not to continue. These damages include:

- A reduction in the yield of salt sensitive crops and increased water use to meet the leaching requirements in the agricultural sector;
- Increased use of imported water and cost of desalination and brine disposal for recycling water in the municipal sector;
- A reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector;
- An increase in the cost of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector;
- An increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;
- A decrease in the life of treatment facilities and pipelines in the utility sector; and
- Difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins.

Adequate funding for salinity control will prevent the water quality of the Colorado River from further degradation and avoid significant increases in economic damages to municipal, industrial and irrigation users.

HISTORY OF THE BLM COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

In implementing the Colorado River Basin Salinity Control Act of 1974, Congress recognized that most of the salts in the Colorado River originate from federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to the quality of waters being delivered to Mexico. Title II of the Act deals with improving the quality of the water delivered to users in the United States. This testimony deals specific with Title II efforts. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM.

In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003, BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin and to pursue salinity control studies and to implement specific salinity control practices. Meaningful resources have been expended by BLM in the past few years to better understand salt mobilization on rangelands. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

The threat of salinity continues to be a concern in both the United States and Mexico. On November 20, 2012, a 5-year agreement, known as Minute 319, was signed between the U.S. and Mexico to guide future management of the Colorado River. Among the key issues addressed in Minute 319 included an agreement to maintain current salinity management and existing salinity standards. The CAWCD and other key water providers are committed to meeting these goals.

CONCLUSION

Implementation of salinity control practices through the BLM Program has proven to be a very cost effective method of controlling the salinity of the Colorado River and is an essential component of the overall Colorado River Basin Salinity Control Program.

CAWCD urges the subcommittee to include \$1.5 million for salinity specific projects in the Bureau of Land Management's (BLM) Soil, Water and Air Program. The continuation of funding will prevent further degradation of the water quality of the Colorado River and further degradation and economic damages experienced by municipal, industrial and irrigation users. A modest investment in source control pays huge dividends in improved drinking water quality for nearly 40 million Americans.

[This statement was submitted by Theodore C. Cooke, General Manager.]

PREPARED STATEMENT OF THE CHIPPEWA OTTAWA RESOURCE AUTHORITY

I. SUMMARY

The Chippewa Ottawa Resource Authority (CORA), on behalf of its five member Indian Tribes, requests \$5,458,355.00 in recurring base funding from the Department of Interior's fiscal year 2018 appropriation bill, to support Tribal natural resource management programs pursuant to two recently enacted Consent Decrees and support for all intertribal resource management organizations under "Evaluation and Research Activities—Climate Change".

CORA is a coalition of five federally-recognized Michigan Tribes including; the Bay Mills Indian Community, the Grand Traverse Band of Ottawa and Chippewa Indians, the Little River Band of Ottawa Indians, the Little Traverse Bay Bands of Odawa Indians, and the Sault Ste Marie Tribe of Chippewa Indians.

The Tribes are parties to the historic *United States v. Michigan*, a court case concerning the exercise of treaty-reserved fishing, hunting, and gathering rights as they pertain to Article 13 of the 1836 Treaty of Washington. Article 13 States that the Tribes "stipulate for the right of hunting on the lands ceded, with the other usual privileges of occupancy, until the land is required for settlement."

II. GREAT LAKES CONSENT DECREE (2000)

In 1979, following nearly a decade of litigation in State and Federal courts (*United States v. Michigan*), the Federal district court affirmed the existence of treaty-reserved fishing rights in the upper Great Lakes of Michigan. These court rulings also determined that the Tribes could regulate and manage their respective members' fishing activities. Accordingly, the Tribes have developed the biological, enforcement, and judicial programs necessary to properly protect and manage the Great Lakes fishery resource while continuing to exercise commercial and subsistence fishing activities.

While these court decisions recognized that the Tribes' right to utilize the Great Lakes fishery resource was in fact reserved in the *1836 Treaty of Washington*, the allocation of fishing opportunities among competing user groups, and the inter-jurisdictional management authority was not addressed. Subsequently, the seven parties to *U.S. v. Michigan*, which included the five CORA Tribes, the State of Michigan, and the United States initiated negotiations in the early 1980's that culminated in a 15-year court-ordered settlement in 1985. In 2000, the parties successfully renegotiated a comprehensive agreement that will govern allocation and management of the Great Lakes fishery resource through the year 2020. This agreement was entered into Federal court as a Consent Decree on August 8, 2000.

The Great Lakes Consent Decree was a complex agreement that imposed many new management obligations on the parties, particularly the Tribes. Recurring base funding levels for each Tribe were established prior to adoption of the 2000 Great Lakes Consent Decree; however, since 2001, CORA has been annually requesting a modest increase in base funding to help the Tribes accomplish the extensive mandates imposed by the Great Lakes Decree, and to offset over a decade of inflation.

III. INLAND CONSENT DECREE (2007)

In the early 2000's, the parties to *U.S. v. Michigan*, strongly desired to settle the Inland portion of the case through a joint agreement, rather than contentious and costly litigation, such as occurred during the Great Lakes phase. After some 2 years of complex negotiations, the parties were successful in negotiating an agreement that resolved the question of Inland treaty rights. This agreement was also entered into Federal law as a Consent Decree on November 2, 2007 and has no expiration date. Similar to the Great Lakes Consent Decree, it describes the allocation, management, and enforcement processes that will govern the Tribes' Inland (i.e. non-Great Lakes) treaty-reserved hunting, gathering, and fishing rights throughout nearly 14 million acres in northern Michigan. As with the Great Lakes Decree the Federal Government is a signatory party.

The 2007 Inland Consent Decree is a comprehensive and complex document that resolves the final phase of *U.S. v. Michigan*. In order to achieve an agreement of this scope and magnitude, the CORA Tribes made many concessions, assumptions, sub-agreements, and politically difficult changes in their natural resource harvesting activities and associated management structures, including the forfeiture of commercial opportunities. The Inland Consent Decree also establishes many new obligations and responsibilities for all parties. For the Tribes, these responsibilities are heavily weighted toward development of regulations, biological monitoring and assessment, enforcement of the newly enacted regulations, and numerous inter-governmental processes; all of which impose a substantial and permanent financial burden for the Tribes and of which Congress has provided initial dollars for the implementation of Tribal programs.

In order to meet the obligations mandated by the Inland Consent Decree, while providing for long-term sustainable use of the resources for the next seven generations, each of the Tribes will need to establish a management capability in several core areas, including Conservation Enforcement, Biological monitoring and assessment, Tribal Court, and Administration. These dollars will assist with establishing management programs for each Tribe under the 2007 Consent Decree to ensure that the Tribes can meet their obligations.

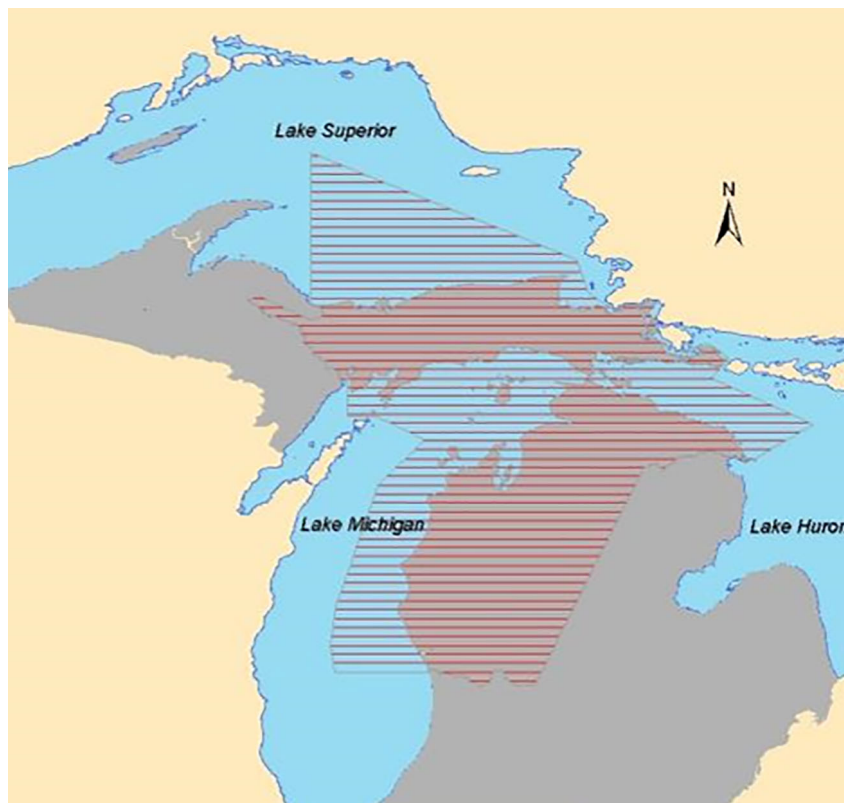


Illustration 1. Extent of 1836 treaty-ceded lands and waters (including the Great Lakes).

IV. FUNDING REQUEST JUSTIFICATION

Clearly, both the Great Lakes and Inland Consent Decrees represent landmark accomplishments in resolving disputes related to rights reserved in treaties between the United States and Indian Tribes. These two Decrees cover the geographic majority of the State of Michigan and its Great Lakes waters; however, the viability and success of both the Great Lakes Decree and the new Inland Consent Decree hinges on the ability of all parties (Tribal, State, and Federal) to deliver effective resource management programs—and the onus is on the Tribes.

In order to properly meet the responsibilities and mandates associated with both the Great Lakes and Inland Consent Decrees, CORA requests funding for the following activities:

1. *Maintain and provide* the current recurring base funding for continued operation under the Great Lakes Consent Decree.
2. *Maintain newly enacted* recurring base funding level to support programs necessary for implementation of the 2007 Consent Decree.

After making such landmark, long-term commitments, it is imperative that the Tribes not be placed in a position where inadequate funding prohibits them from meeting their obligations, responsibilities, and opportunities under either the Inland or Great Lakes Consent Decrees. Adequate funding is absolutely critical to achieving the objectives and responsibilities described in both Consent Decrees; agreements that were designed to resolve complicated and culturally significant Treaty Rights issues. Moreover, failure to meet mandated obligations risks a “re-opening” of these negotiated agreements or, at a minimum, modifying certain terms of either Decree in a manner that would adversely affect the Tribes’ ability to exercise their treaty-reserved rights, or upset the delicate balance of allocation and management

strategies among the parties, which of course, includes the Federal Government as a party. The CORA Member Tribes appreciate the initial dollars received which will assist with implementation of the 2007 Inland Consent Decree.

V. DISTRIBUTION OF FISCAL YEAR—2018 FUNDING REQUEST AMONG CORA TRIBES

On behalf of CORA and its five member Tribes, I would like to thank you for your past financial support, and request your continued support in fiscal year 2018 in maintaining CORA's current base funding for Great Lakes activities, and maintaining the newly enacted recurring base funding for implementing CORA's responsibilities under the Inland Consent Decree.

VI. EVALUATION AND RESEARCH ACTIVITIES—CLIMATE CHANGE

The CORA Tribes respectfully request your support for fiscal year 2018 RPI funding for all intertribal resource management organizations for the Climate Change line item and to provide to CORA its proportionate share of those funds. That amount is \$681,355.00.

Sincerely,

[This statement was submitted by Jane A. TenEyck, Executive Director.]

2000 Great Lakes Consent Decree			
CORA Member Tribe	2017 Great Lakes	Great Lakes/Inland Increase	Total Request (FY2018)
Bay Mills	\$847,066.00	\$142,400.00	\$989,466.00
Little Traverse	\$652,547.00	\$142,400.00	\$794,947.00
Little River	\$652,549.00	\$142,400.00	\$794,949.00
Sault Ste. Marie (OSG Base)	\$153,562.00	\$142,400.00	\$295,962.00
Grand Traverse (OSG Base)	\$153,562.00	\$142,400.00	\$295,962.00
Totals	\$2,459,286.00	\$712,000.00	\$3,171,286.00

2007 Inland Consent Decree	
Bay Mills	\$ 321,144.00
Little Traverse	\$ 321,144.00
Little River	\$ 321,144.00
Sault Ste. Marie	\$ 321,144.00
Grand Traverse	\$ 321,144.00
Total	\$1,605,714.00

OSG Cumulative Base, which is not part of the Rights Protection Distributions	
Self-Governance Tribe	Chippewa/ Ottawa Treaty Voight Non-TPA
Sault Ste. Marie (OSG Base)	\$ 633,607.00
Grand Traverse (OSG Base)	\$ 616,832.00
Subtotal	\$ 1,250,439.00

Evaluation and Research Activities – Climate Change – CORA Tribes - \$681,355.00
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PREPARED STATEMENT OF THE CHOCTAW NATION OF OKLAHOMA

On behalf of the Choctaw Nation of Oklahoma, I am submitting written testimony for the Hearing Record on the fiscal year 2018 budgets for the Indian Health Service (IHS) and the Bureau of Indian Affairs (BIA). This testimony identifies the funding priorities and budget issues important to the Choctaw Nation and its citizens. The Choctaw Nation requests that Congress exempt Tribal Government Services and Program Funding from Sequestrations, Unilateral Rescissions and Budget Cuts in all future appropriations. We also request that Congress fully-fund Contract Support Cost (CSC) without impacting direct program funding. The fiscal year 2016 Consolidated Appropriations Act included language establishing an indefinite appropriation for contract support costs in both the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS). Under the new budget structure, the full CSC that Tribes are entitled to will be paid and other programs will not be reduced if payments are underestimated in the President's budget. Tribes agree that maintaining this structure achieves the Nation's legal obligation to fully pay CSC and those payments should not be achieved by reducing direct services to any Tribe. Choctaw settled our past contract support cost claims in both the IHS and BIA. These funds have been restored to our health services and have contributed greatly to our ability to continue to cultivate a healthcare system to address the needs of our Tribal citizens.

We strongly urge the subcommittee to protect the Federal trust and treaty obligations that are funded in the Federal domestic budget. Federal funding that meets Federal Indian treaty and trust obligations also provides significant contributions to the economy. In just the Department of the Interior (DOI), the BIA and Bureau of Indian Education (BIE) contribute substantially to economic growth in Tribal areas through advances in infrastructure, strategic planning, improved practices of governance, and the development of human capital.

TRIBAL SPECIFIC REQUEST—IHS

“Joint Venture Construction Project Staffing—\$15.5 Million”

The Joint Venture Construction Program (JVCP) is a unique opportunity for the IHS to partner with Tribes and make scarce Federal dollars stretch much farther than in the traditional Federal construction programs. In 2014 the Choctaw Nation of Oklahoma was awarded a Joint Venture Construction Project by the IHS. The project consisted of the Tribe building the Regional Health Care Facility in Durant, Oklahoma and the commitment to staff the facility from the IHS. Partial funding in the amount of \$15 million was included in the fiscal year 2017 appropriations bill for the IHS Joint Venture Construction Project line item. In accordance with the JVCP Agreement, the Choctaw Nation is requesting that the remaining IHS commitment for the facility of \$15.5 million be included in the JVCP line item in the fiscal year 2018 appropriation bill.

NATIONAL BUDGET REQUESTS—INDIAN HEALTH SERVICE AND BUREAU OF INDIAN AFFAIRS

- A. Special Diabetes Program for Indians—Support reauthorization of \$200 million/year for 5 years (IHS)
- B. Contract Support Costs—Indian Health Service and Bureau of Indian Affairs (IHS and BIA)
 - 1. Provide full CSC funding without impacting direct Indian program funding
 - 2. Reclassify CSC funding as Mandatory for 2018–2021
- C. Purchased and Referred Care (PRC) (Formerly Contract Health Services). Provide \$474.4 million (IHS)
- D. IHS Mandatory Funding (Maintaining Current Services)—Provide an Increase of \$314.9 (IHS)
- E. Provide Funding Increases to Support the Office of Tribal Self-Governance (IHS) and the Office of Self-Governance (DOI) to fully staff the operations to build capacity to support the increased number of Tribes entering Self-Governance (IHS and BIA)

The Choctaw Nation of Oklahoma

The Choctaw Nation of Oklahoma is the third largest Native American Tribal government in the United States with over 230,000 members. The Choctaw Nation territory consists of all or part of 10 counties in Southeast Oklahoma, and we are proudly one of the State's largest employers. The Nation operates numerous programs and services under Self-Governance compacts with the United States, including but not limited to: a sophisticated health system serving over 60,000 patients

with Choctaw Nation Health Care Center (Hospital) in Talihiina, nine (9) outpatient clinics, including three Joint Venture Projects in partnership with the Indian Health Service, the most recent of which is the Choctaw Regional Medical Clinic in Durant. The Nation also administers referred specialty care and sanitation facilities construction; higher education; Johnson O'Malley program; housing improvement; child welfare and social services; law enforcement; and, many other programs and services. The Joint Venture Construction Program (JVCP) is one of the IHS's most successful initiatives to increase access to healthcare throughout Indian Country. The Choctaw Nation has operated under the Self-Governance authority in the DOI since 1994 and in the Department of Health and Human Services' IHS since 1995. As a Self-Governance Tribe, the Nation is able to re-design programs to meet Tribally-specific needs without diminishing the United States' trust responsibility. Self-Governance is now a permanent reality for many Tribes.

The Choctaw Nation has improved the health status of our people by operating a high quality healthcare system that is responsive and designed to meet the increasing complex needs of our users. We have leveraged scarce resources that have enabled us to succeed in the challenging healthcare field. We owe much to Self-Governance which authorized flexibility to use Federal appropriations in an efficient, effective way that supports the expansion and growth of the healthcare system we are continuing to build for our people.

A. INDIAN HEALTH SERVICE

(1) Special Diabetes Program for Indians—Support Permanent Reauthorization Beginning with \$200 Million

The Special Diabetes Program for Indians (SDPI) has been a top priority for the Choctaw Nation since it was initially authorized in 1997. SDPI is currently reauthorized through September 30, 2017 at a flat-line rate of \$150 million/year (since 2004). Congressional funding remains the critical factor in the battle against diabetes and we request that as we continue to work for permanent authorization and mandatory program status, that you urge your colleagues to extend the reauthorization to 5 years and increase funding to \$200 million/year. Permanent reauthorization will allow the program more continuity as well as provide us the ability to plan more long-term interventions and activities. Further, permanency of SDPI would be a great asset to promoting stability for this important health program and for reversing the trend of Type 2 diabetes in Indian Country. Continuing support of the SDPI will maintain critical momentum in diabetes research and care to help bring diabetes-related costs under control.

(2) Provide an Increase of \$474.4 million for Purchased/Referred Care

The Purchased/Referred Care (PRC) program pays for urgent and emergency, specialty care and other critical services that are not directly available through IHS and Tribally-operated health programs when no IHS direct care facility exists, or the direct care facility cannot provide the required emergency or specialty care, or the facility has more demand for services than it can currently meet. Although the Nation operates a hospital facility, the hospital is located in a very rural area and services are limited. Therefore, PRC is a significant need to provide intensive care and tertiary care, as well as emergency transportation.

(3) Mandatory funding (maintaining current services. Provide an increase of \$314.9 million.

Current services calculate mandatory cost increases necessary to maintain those services at current levels. These "mandatories" are unavoidable and include medical and general inflation, pay costs, contract support costs, phasing in staff for recently constructed facilities, and population growth. If these mandatory requirements are not funded, Tribes have no choice but to cut health services, which further reduces the quantity and quality of healthcare services available to American Indian/Alaskan Native (AI/AN) people.

(4) Office of Tribal Self-Governance (OTSG). Provide an increase of \$6 million to the IHS Office of Tribal Self-Governance

OTSG develops and oversees the implementation of Tribal Self-Governance legislation and authorities within the IHS under Title V of the Indian Self-Determination and Education Assistance Act (ISDEAA), Public Law 93-638, as amended. OTSG is responsible for a wide range of Agency functions that are critical to IHS' relationship with Tribal leaders, Tribal Organizations, and other American Indian and Alaska Native groups. In 2003, Congress reduced funding for this office by \$4.5 million, a loss of 43 percent from the previous year. In each subsequent year, this budget was further reduced due to the applied Congressional rescissions. As of 2017,

there are 361 Self-Governance (SG) Tribes. This represents slightly over 62 percent of all federally-recognized Tribes. The Self-Governance process serves as a model program for Federal Government outsourcing, which builds Tribal infrastructure and provides quality services to Indian people.

(B) BUREAU OF INDIAN AFFAIRS

(1) *Education.* Support the following funding amounts:

- Provide \$2.6 billion for system-wide Bureau of Indian Education (BIE) school construction and repair.
- Provide \$45 million for Johnson O'Malley
- Provide \$73 million for Student Transportation in the BIE system
- Provide \$78 million for Tribal Grant Support Costs for Tribally-controlled schools.
- Provide \$109 million for BIE facilities operations.
- Provide \$76 million for BIE facilities maintenance.
- Provide \$431 million for the Indian School Equalization Formula.
- Provide \$41 million for Education IT.
- Provide \$5 million for BIE immersion programs.
- Reinstate \$620,000 for juvenile detention education in BIA-funded facilities.

(2) *Fully Fund Fixed Costs and Tribal Pay Costs*

Partially funding or failing to fund Pay Costs for Tribes has devastated Tribal communities by causing critical job losses. Over 900 Tribal jobs have been lost and an estimated 300 more jobs will be permanently lost on an annual basis if 100% Pay Costs are not provided. The Tribal losses are being further exacerbated by recent projections of costs that have been significantly underestimated. We urge full funding of fixed costs and Tribal pay costs.

(3) *Increase Tribal Base Funding (instead of through grants)*

Grant funding, particularly inside the BIA, is not consistent with the intent of Tribal self-determination. Tribal leaders have grown increasingly frustrated by the increase in Indian Affairs funding offer through grants, which are inconsistently funded and unreliable upon which to build successful programs and interventions. Allocating new funds via grants marginalizes and impedes the Tribal Self-Determination and Self-Governance. We recommend providing increases to Tribal base funding instead of through grants to Tribal government.

(4) *Office of Self-Governance (OSG)*

Provide funding to fully staff and allow OSG to operate as intended to oversee the implementation of Self-Governance legislation and authorities within DOI—Indian Affairs (IA) under Title IV of the ISDEAA, Public Law 93–638, as amended. Currently, of the 567 Federal-recognized Tribes, 277 are participating in Self-Governance in DOI with a total \$450 million in distributions. OSG's operating and staffing budget is \$1.5 million but their current salaries are \$1.9 million, so they are operating at a deficit. The BIA committed to supporting these positions and all that is required is an internal transfer. It needs to be recurring money to support current staff salary and required functions to implement the statute.

The Choctaw Nation supports the National Congress of American Indian (NCAI), the National Indian Health Board (NIHB), and the National Indian Education Association (NIEA) fiscal year 2018 Tribal Budget Recommendations. These recommendations have been compiled in collaboration with Tribal leaders, Native organizations, and Tribal budget consultation bodies.

Thank you for accepting our written testimony for the hearing record.

[This statement was submitted by Mickey Peercy, Executive Director.]

PREPARED STATEMENT OF THE CHOOSE CLEAN WATER COALITION

MARCH 23, 2017.

Hon. LISA MURKOWSKI, *Chair,*
Subcommittee on Interior, Environment and Related Agencies,
U.S. Senate,
Washington, DC.

Hon. TOM UDALL, *Ranking Minority Member,*
Subcommittee on Interior, Environment and Related Agencies,
U.S. Senate,
Washington, DC.

DEAR CHAIR MURKOWSKI AND RANKING MEMBER UDALL:

The undersigned members of the Choose Clean Water Coalition request continued support for programs that are essential to maintaining and restoring clean water to the rivers and streams throughout the Chesapeake Bay region and to the Bay itself. Two-thirds of the 18 million people in this region get the water they drink directly from the rivers and streams that flow through the cities, towns and farms throughout our six State, 64,000 square mile watershed. Protecting and restoring clean water is essential for human health and for a robust regional economy.

The efforts to clean the Chesapeake began under President Reagan in 1983. In his 1984 State of the Union speech, President Reagan said, “Preservation of our environment is not a liberal or conservative challenge, it’s common sense.”

To follow a common sense path to maintain healthy local water and restore Chesapeake Bay, which is critical for our regional economy, we request funding for the following programs in fiscal year 2018:

U.S. ENVIRONMENTAL PROTECTION AGENCY

Chesapeake Bay Program—\$73.0 million

We support level funding of \$73.0 million for the base budget of the Chesapeake Bay Program, which coordinates Chesapeake Bay watershed restoration and protection efforts. The majority of the program’s funds are passed through to the States and local communities for on-the-ground restoration work through programs such as the Small Watershed Grants, Innovative Nutrient and Sediment Reduction Grants, State Implementation Grants, and the Chesapeake Bay Regulatory and Accountability Program grants.

We strongly support the highly successful and popular Chesapeake Small Watershed Grants and the Innovative Nutrient and Sediment Reduction Grants—\$6 million each—that Congress appropriated in fiscal year 2016. These are two well-run, competitive grant programs that have contributed significantly to water quality improvements throughout the Chesapeake Bay watershed. These are the Bay Program’s only grants that go directly to on-the-ground restoration efforts by local governments and communities. Without specific Congressional direction, EPA has, in the past, reallocated this grant money for purposes other than local restoration. This is not the time to stop local implementation of restoration work. We strongly support the language in the fiscal year 2016 Consolidated Appropriations Act, where Congress protected these critical local grant programs: “The Committee recommends \$73,000,000 for the Chesapeake Bay program. From within the amount provided, \$6,000,000 is for nutrient and sediment removal grants and \$6,000,000 is for small watershed grants to control polluted runoff from urban, suburban and agricultural lands.” We urge you to retain the same language in the fiscal year 2018 Interior and Related Agencies Appropriations Bill, for both the overall Chesapeake Bay Program and for the local grant programs.

Clean Water State Revolving Fund (SRF) —\$4.047 billion

This program is critical to any national initiative to provide a Federal Infrastructure Spending Plan and it provides the lifeblood for the 1,779 local governments throughout the Chesapeake region to secure their water infrastructure. The funding level for this Clean Water SRF has eroded over the years as the clean water needs of local communities have increased dramatically. The Choose Clean Water Coalition supports efforts in both the House and the Senate, and within the administration, to triple the current funding for the Clean Water SRF—and this is what we are requesting. This will help to close the gap between Federal infrastructure investment in clean water and the known need. This will also dramatically improve water quality and protect human health in our region and across the Nation.

These low interest loans are critical for clean water and for ratepayers in the Chesapeake region and nationwide. We urge you to support the \$4.047 billion funding level that would provide \$891 million in low interest loans to local governments in Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia and the District of Columbia—triple the current level of funding. We also strongly support targeting 20 percent of the Clean Water SRF funds for green infrastructure and innovative projects including those to manage stormwater, which helps communities improve water quality while creating green space, mitigating flooding, and enhancing air quality.

The Clean Water SRF allocates money to the States based on a set formula, which is then used for low interest loans to local governments for critical capital construction improvement projects to reduce nutrient and sediment pollution from wastewater treatment and stormwater facilities; nonpoint sources of pollution, such as farms and development; and other sources. In addition to the use of these funds on farms and for nonpoint source pollution, it provides assistance for other pollution reduction and prevention activities in rural areas, such as reforestation and forest protection and stream stabilization and restoration. The Clean Water SRF enables local governments in the Chesapeake watershed to take actions to keep their rivers and streams clean. As the list of clean water infrastructure needs in the Chesapeake region continues to expand, we request that Congress triple the funding of the Clean Water SRF from last year's fiscal year 2016 levels.

DEPARTMENT OF THE INTERIOR

U.S. Geological Survey (USGS)—Chesapeake Bay Studies—\$11.991 million

We support level funding from fiscal year 2016 of \$11.991 million for the USGS to provide the critical science necessary for restoration and protection efforts for fish, wildlife and the 18 million people in the Chesapeake Bay watershed. USGS focuses on monitoring and assessing fisheries, waterfowl and the quality of their habitats, which provide economic benefits to the States involved in the Chesapeake restoration effort and represent the priorities of the Department of the Interior.

USGS activities are critical for the restoration of several freshwater fish species, including brook trout, an important recreational fishery. A related activity is identifying chemicals, and their sources, which lead to fish consumption advisories for humans. USGS also provides the expertise to restore and conserve coastal wetlands, critical habitat and food for the more than one million waterfowl that winter in the Chesapeake region. USGS helps to coordinate the collection and assessment of monitoring data collected by the States and USGS. These assessments will help the States focus on areas and types of practices, for more effective approaches toward water quality improvements.

The USGS is leading an effort to map areas where restoration and conservation efforts will contribute to multiple Chesapeake goals—benefiting people in the watershed as well as fish and wildlife. This mapping will help State and Federal partners more effectively focus actions and utilize available resources.

National Park Service—Chesapeake Regional Programs—\$3.0261 million

The National Park Service Chesapeake Bay Office runs a number of small, but very important programs that focus on increasing public access and the use of ecological, cultural and historic resources of the Chesapeake region. Expanding access and public awareness fosters stewardship and protection efforts.

We are requesting level funding for these key programs administered by the National Park Service in the Chesapeake Bay watershed: Captain John Smith Chesapeake National Historic Trail (\$385,000); Star Spangled Banner National Historic Trail (\$150,600); support for coordinating these programs through the National Park Service Chesapeake Bay Office (\$476,500); and the Chesapeake Bay Gateways and Trails (\$2.014 million). In addition, as in the Consolidated Appropriations Act of 2016, we urge you to extend the authorization for the Chesapeake Bay Gateways and Trails program for 2 more years.

DEPARTMENT OF THE INTERIOR/U.S. DEPARTMENT OF AGRICULTURE

National Park Service/U.S. Fish and Wildlife Service/Bureau of Land Management/U.S. Forest Service—Rivers of the Chesapeake Collaborative Landscape Planning Projects—Land and Water Conservation Fund—\$30.519 million

We support continuation of the strategic use of funds from the Land and Water Conservation Fund for the Rivers of the Chesapeake Collaborative Landscape Planning initiative. This effort targets conservation funds for priority landscapes throughout the country; the Rivers of the Chesapeake is one such priority area. The collaborative proposal focuses on the great rivers of the Chesapeake and would pro-

tect 8,000 acres in the Potomac, Rappahannock, James, Nanticoke and Susquehanna watersheds in Delaware, Maryland, Pennsylvania and Virginia. The areas in the Chesapeake include nationally significant resources, such as migratory bird habitat, spawning areas for economically important fish and shellfish, significant forest resources and projects to enhance public access.

Thank you for your consideration of these very important requests to maintain funding for these programs which are critical to clean water throughout the mid-Atlantic region.

Sincerely,

1000 Friends of Maryland	Lower Susquehanna Riverkeeper
Alice Ferguson Foundation	Lynnhaven River NOW
Alliance for Sustainable Communities	Maryland Conservation Council
Alliance for the Chesapeake Bay	Maryland League of Conservation Voters
American Rivers	Mattawoman Watershed Society
Anacostia Watershed Society	Mehoopany Creek Watershed Association
Audubon Naturalist Society	Mid-Atlantic Council Trout Unlimited
Back Creek Conservancy	Middle Susquehanna Riverkeeper
Blue Water Baltimore	Montgomery Countryside Alliance
Cacapon Institute	National Aquarium
Capital Region Land Conservancy	National Parks Conservation Association
Catskill Mountainkeeper	National Wildlife Federation
Cecil Land Use Association	Nature Abounds
Center for Progressive Reform	New York League of Conservation Voters
Chapman Forest Foundation	New York State Council of Trout Unlimited
Chesapeake Legal Alliance	Natural Resources Defense Council
Chesapeake Wildlife Heritage	Neighbors of the Northwest Branch
Chester River Association	Otsego County Conservation Association
Clean Water Action	Otsego Land Trust
Coalition for Smarter Growth	PennEnvironment
Conservation Montgomery	PennFuture
Conservation Voters of Pennsylvania	Pennsylvania Council of Churches
Delaware Nature Society	Piedmont Environmental Council
Ducks Unlimited	Potomac Conservancy
Earth Force	Potomac Riverkeeper
Earth Forum of Howard County	Potomac Riverkeeper Network
E. Penn. Coalition for Abandoned Mine Rec.	Queen Anne's Conservation Association
Eastern Shore Land Conservancy	Rivanna Conservation Alliance
EcoLatinos	Rock Creek Conservancy
Elizabeth River Project	St. Mary's River Watershed Association
Elk Creeks Watershed Association	Sassafras River Association
Environment America	Savage River Watershed Association
Environment Maryland	Severn River Association
Environment New York	Shenandoah Riverkeeper
Environment Virginia	Shenandoah Valley Network
Environmental Working Group	Sidney Center Improvement Group
Envision Frederick County	Sleepy Creek Watershed Association
Friends of Accotink Creek	South River Federation
Friends of Dyke Marsh	Southern Environmental Law Center
Friends of Lower Beaverdam Creek	SouthWings
Friends of Quincy Run	Sparks-Glencoe Community Planning Council
Friends of Sligo Creek	Susquehanna Heritage
Friends of the Middle River	Trout Unlimited
Friends of the Nanticoke River	Upper Potomac Riverkeeper
Friends of the N. Fork of the Shenandoah River	Upper Susquehanna Coalition
Friends of the Rappahannock	Virginia Conservation Network
Goose Creek Association	Virginia League of Conservation Voters
Interfaith Partners for the Chesapeake	Waterkeepers Chesapeake
Izaak Walton League of America	West/Rhode Riverkeeper
James River Association	West Virginia Citizen Action Group
Lackawanna River Conservation Association	West Virginia Environmental Council
Lancaster Farmland Trust	West Virginia Rivers Coalition
Little Falls Watershed Alliance	Wetlands Watch
	Wicomico Environmental Trust

PREPARED STATEMENT OF THE CHUGACH REGIONAL RESOURCES COMMISSION

The Chugach Regional Resources Commission (“CRRC”), located in Alaska, is pleased to submit written testimony reflecting our needs, concerns and requests regarding the proposed fiscal year 2018 Budget for the Bureau of Indian Affairs (BIA). We are aware of the ongoing concern over the Federal deficit and Federal spending. Nevertheless, while the Federal Government is trimming its spending, it must still fulfill its legal and contractual obligations to Indian Tribes. The BIA not only has a legal and contractual obligation to provide funding for the CRRC, but the CRRC is able to translate this funding into real economic opportunity for those living in the small Alaska Native villages located in Prince William Sound and Lower Cook Inlet. CRRC is a non-profit coalition of Alaska Native Villages, organized in 1987 by the seven Native Villages located in Prince William Sound and Lower Cook Inlet in South-central Alaska: Tatitlek Village IRA Council, Chenega IRA Council, Port Graham Village Council, Nanwalek IRA Council, Native Village of Eyak, Qutekac Native Tribe, and Valdez Native Tribe.

CRRC was created to address environmental and natural resources issues and to develop culturally-sensitive economic projects at the community level to support the sustainable development of the region’s natural resources. The Native Villages’ action to create a separate entity demonstrates the level of concern and importance they hold for environmental and natural resource management and protection—the creation of CRRC ensured that natural resource and environmental issues received sufficient attention and focused funding.

Through its many important programs, CRRC provides employment for up to 35 Native people in the Chugach Region annually—an area that faces high levels of unemployment—through programs that conserve and restore our natural resources. The administration’s proposal to cut more than \$300 million in appropriations for BIA puts all our work at risk.

An investment in CRRC has translated into real economic opportunities, savings and community investments that have a great impact on the Chugach region. Our employees are able to earn a living and support their families, thereby removing them from the rolls of people needing State and Federal support. In turn, they are able to reinvest in the community, supporting the employment of and opportunities for other families. Our programs also support future economic and commercial opportunities for the region—protecting and developing our shellfish and other natural resources.

Programs. CRRC has leveraged its BIA funding into almost \$2 million annually to support its several community-based programs. Specifically, the \$410,000 in base funding provided through BIA appropriation has allowed CRRC to maintain core administrative operations, and seek specific projects funding from other sources such as the Administration for Native Americans, the State of Alaska, Bureau of Indian Affairs, U.S. Forest Service, U.S. Fish & Wildlife Service, the U.S. Department of Education, the Exxon Valdez Oil Spill Trustee Council, the North Pacific Research Board and various foundations. This diverse funding pool has enabled CRRC to develop and operate several important programs that provide vital services, valuable products, and necessary employment and commercial opportunities. These programs include:

Alutiiq Pride Shellfish Hatchery. The Alutiiq Pride Shellfish Hatchery is the only shellfish hatchery in the State of Alaska. The 20,000 square foot shellfish hatchery is located in Seward, Alaska, and houses shellfish seed, brood stock and algae production facilities. Alutiiq Pride is undertaking a hatchery nursery operation, as well as grow-out operation research to adapt mariculture techniques for the Alaskan Shellfish industry.

The Hatchery is also conducting scientific research on blue and red king crab as part of a larger federally-sponsored program. Alutiiq Pride has already been successful in culturing geoduck, oyster, littleneck clam, and razor clam species and is currently working on sea cucumbers. This research has the potential to dramatically increase commercial opportunities for the region in the future. The activities of Alutiiq Pride are especially important for this region considering it is the only shellfish hatchery in the State, and therefore the only organization in Alaska that can carry out this research and production.

Natural resource curriculum development. Partnering with the University of Alaska, Fairbanks, and the National Oceanic and Atmospheric Administration, CRRC has developed and implemented a model curriculum in natural resource management for Alaska Native students. This curriculum integrates traditional knowledge with Western science. The goal of the program is to encourage more Native students to pursue careers in the sciences. In addition, we are working with the Native

American Fish & Wildlife Society and Tribes across the country (including Alaska) to develop a university level textbook to accompany these courses.

In addition, we have completed a K-12 Science Curriculum for Alaska students that integrates Indigenous knowledge with western science. This curriculum is being piloted in various villages in Alaska and a thorough evaluation process will ensure its success and mobility to other schools in Alaska.

Alaska Migratory Bird Co-Management Council. CRRC is a member of the Council responsible for setting regulations governing the spring harvest of migratory birds for Alaska Natives, as well as conducting harvest surveys and various research projects on migratory birds of conservation concern. Our participation in this State-wide body ensures the legal harvest of migratory birds by Indigenous subsistence hunters in the Chugach Region.

Statewide Subsistence Halibut Working Group. CRRC participates in this working group, ensuring the halibut resources are secured for subsistence purposes, and to conduct harvest surveys in the Chugach Region.

CONCLUSION

At a minimum, we urge Congress to sustain the current level of funding of \$410,000 in the BIA's budget for recurring CRRC funding needs. Despite the Administration's request, if Congress were to include an increase in our funding it will permit us to leverage additional dollars to do more for the Alaska Native villages located in Prince William Sound and Lower Cook Inlet. With a nearly five-to-one return on every Federal dollar invested in CRRC, we believe this to be a terrific return for the Federal Government and our communities.

PREPARED STATEMENT OF COLORADO RIVER BASIN SALINITY CONTROL FORUM

Waters from the Colorado River are used by nearly 40 million people for municipal and industrial purposes and used to irrigate approximately 5.5 million acres in the United States. Natural and man-induced salt loading to the Colorado River creates environmental and economic damages. The U.S. Bureau of Reclamation (Reclamation) has estimated the current quantifiable damages at about \$382 million per year. Congress authorized the Colorado River Basin Salinity Control Program (Program) in 1974 to offset increased damages caused by continued development and use of the waters of the Colorado River. Modeling by Reclamation indicates that the quantifiable damages would rise to approximately \$614 million by the year 2035 without continuation of the Program. Congress has directed the Secretary of the Interior to implement a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management (BLM). BLM funds these efforts through its Soil, Water and Air Program. BLM's efforts are an essential part of the overall effort. A funding level of \$1.5 million for salinity specific projects in 2018 is requested to prevent further degradation of the quality of the Colorado River and increased downstream economic damages.

EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. In implementing the Colorado River Basin Salinity Control Act in 1974, Congress recognized that most of the salts in the Colorado River originate from federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to the quality of waters being delivered to Mexico. Title II of the Act deals with improving the quality of the water delivered to users in the United States. This testimony deals specifically with Title II efforts. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003, BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin and to pursue salinity control studies and to implement specific salinity control practices. BLM is now working on creating a comprehensive Colorado River Basin salinity control program as directed by Congress. Meaningful resources have been expended by BLM in the past few years to better understand salt mobilization on rangelands. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

Concentration of salt in the Colorado River causes approximately \$382 million in quantified damages and significantly more in unquantified damages in the United

States and results in poor water quality for United States users. Damages occur from:

- a reduction in the yield of salt sensitive crops and increased water use to meet the leaching requirements in the agricultural sector,
- increased use of imported water and cost of desalination and brine disposal for recycling water in the municipal sector,
- a reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector,
- an increase in the cost of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector,
- an increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector,
- a decrease in the life of treatment facilities and pipelines in the utility sector, and
- difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins.

The Colorado River Basin Salinity Control Forum (Forum) is composed of gubernatorial appointees from Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming. The Forum is charged with reviewing the Colorado River's water quality standards for salinity every 3 years. In so doing, it adopts a Plan of Implementation consistent with these standards. The level of appropriation requested in this testimony is in keeping with the adopted Plan of Implementation. If adequate funds are not appropriated, significant damages from the higher salinity concentrations in the water will be more widespread in the United States and Mexico.

In summary, implementation of salinity control practices through BLM is a cost effective method of controlling the salinity of the Colorado River and is an essential component to the overall Colorado River Basin Salinity Control Program. Continuation of adequate funding levels for salinity within the Soil, Water and Air Program will assist in preventing the water quality of the Colorado River from further degradation and significant increases in economic damages to municipal, industrial and irrigation users. A modest investment in source control pays huge dividends in improved drinking water quality to nearly 40 million Americans.

[This statement was submitted by Don A. Barnett, Executive Director.]

PREPARED STATEMENT OF THE COLORADO RIVER BOARD OF CALIFORNIA

This testimony is in support of fiscal year 2018 funding for the Department of the Interior's Bureau of Land Management (BLM) associated activities that assist the implementation of Title II of the Colorado River Basin Salinity Control Act of 1974 (Public Law 93-320). This long-standing successful and cost-effective salinity control program in the Colorado River Basin is being carried out pursuant to the Colorado River Basin Salinity Control Act and the Clean Water Act (Public Law 92-500). Congress has directed the Secretary of the Interior to implement a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management (BLM). BLM funds these efforts through its Soil, Water and Air Program. BLM's efforts are an essential part of the overall effort. A funding level of \$1.5 million for salinity specific projects in 2018 is requested to prevent further degradation of the quality of Colorado River water supplies and increased economic damages.

The Colorado River Board of California (Colorado River Board) is the State agency charged with protecting California's interests and rights in the water and power resources of the Colorado River system. In this capacity, California participates along with the other six Colorado River Basin States through the Colorado River Basin Salinity Control Forum (Forum), the interstate organization responsible for coordinating the Basin States' salinity control efforts. In close cooperation with the U. S. Environmental Protection Agency (EPA) and pursuant to requirements of the Clean Water Act, the Forum is charged with reviewing the Colorado River water quality standards every 3 years. Every 3 years the Forum adopts a Plan of Implementation consistent with these water quality standards. The level of appropriation being supported in this testimony is consistent with the Forum's 2014 Plan of Implementation. The Forum's 2014 Plan of Implementation can be found on this website: <http://coloradoriversalinity.org/docs/2014%20Final%20REVIEW%20-%20complete.pdf>. If adequate funds are not appropriated, significant damages associated with increasing

salinity concentrations of Colorado River water will become more widespread in the United States and Mexican portions of the Colorado River Basin.

The EPA has determined that more than sixty-percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. Through passage of the Colorado River Basin Salinity Control Act in 1974, Congress recognized that much of the salts in the Colorado River originate on federally-owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to efforts related to maintaining the quality of waters being delivered to Mexico pursuant to the 1944 Water Treaty. Title II of the Act deals with improving the quality of the water delivered to U.S. users. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003, BLM employed a Salinity Coordinator to coordinate BLM efforts in the Colorado River Basin States to pursue salinity control studies and to implement specific salinity control practices. BLM is now working on creating a comprehensive Colorado River Basin salinity control program as directed by Congress. With a significant portion of the salt load of the Colorado River coming from BLM-administered lands, the BLM portion of the overall program is essential to the success of the entire effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

Over the 33 years since the passage of the Colorado River Basin Salinity Control Act, much has been learned about the impact of salts in the Colorado River system. Currently, the salinity concentration of Colorado River water causes about \$382 million in quantifiable economic damages in the United States annually. Economic and hydrologic modeling by Reclamation indicates that these economic damages could rise to more than \$614 million by the year 2035 without continued implementation of the Program. For example, damages can be incurred related to the following activities:

- A reduction in the yield of salt-sensitive crops and increased water use to meet the leaching requirements in the agricultural sector;
- Increases in the amount of imported water;
- Increased cost associated with desalination and brine disposal for recycled water in the municipal sector;
- A reduction in the useful life of galvanized water pipe systems, water heaters, faucets, and other household appliances, and increased use of bottled water and water softeners in the municipal and industrial sectors;
- Increased costs of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector;
- Increases in the use of water and cost of water treatment, and an increase in sewer fees in the industrial sector;
- Decreased life of treatment facilities and pipelines in the utility sector;
- Increasing difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions; and
- Increased desalination and brine disposal costs due to accumulation of salts in groundwater basins.

The Colorado River is, and will continue to be, a major and vital water resource to the nearly 20 million residents of southern California, including municipal, industrial, and agricultural water users in Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties. The protection and improvement of Colorado River water quality through the continued implementation of this very effective salinity control program will avoid, or reduce, additional economic damages to water users in California and the other States that rely on Colorado River water resources.

[This statement was submitted by Christopher Harris, Executive Director.]

PREPARED STATEMENT OF THE COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

Mr. Chairman and members of the subcommittee, the Columbia River Inter-Tribal Fish Commission (CRITFC) is pleased to share its view on the Department of Interior, Bureau of Indian Affairs' (BIA) fiscal year 2018 budget. We have specifically identified the following funding needs and one request for review:

1. \$10.2 million for Columbia River Fisheries Management under Rights Protection Implementation, (\$5.6 million above fiscal year 2017), to meet the base program funding needs of the Commission and the fisheries programs of our member Tribes;
2. \$4.8 million for U.S./Canada Pacific Salmon Treaty under Rights Protection Implementation, (\$520,000 above fiscal year 2017) to implement obligations under the recent agreements adopted by the U.S. and Canada;
3. \$8.0 million for Tribal Climate Resilience under Rights Protection Implementation to assist Tribes in climate change adaptation and planning (\$2.6 million above fiscal year 2017);
4. \$352.5 million for Public Safety and Justice, of which \$943,000 supports enforcement of Federal laws at In-Lieu and Treaty Fishing Access Sites on the Columbia River; and
5. \$900k for Facilities Management, Operations and Maintenance to support annual Operations and Maintenance funding for the 31 In-lieu and Treaty Fishing Access sites.

History and Background: CRITFC was founded in 1977 by the four Columbia River treaty Tribes: Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, Confederated Tribes and Bands of the Yakama Nation, and the Nez Perce Tribe. CRITFC provides coordination and technical assistance to these Tribes in regional, national and international efforts to protect and restore our shared salmon resource and the habitat upon which it depends. Our collective ancestral homeland covers nearly one-third of the entire Columbia River Basin in the United States, an area the size of the State of Georgia.

In 1855, the U.S. entered into treaties with the four Tribes¹ whereupon we ceded millions of acres of our homelands. In return, the U.S. pledged to honor our ancestral rights, including the right to fish in all Usual and Accustomed locations. Unfortunately, a perilous history brought the salmon resource to the edge of extinction with 12 salmon and steelhead populations in the Columbia Basin listed under the Endangered Species Act (ESA).

The CRITFC Tribes have arrived as globally-recognized leaders in fisheries restoration and management. We are principals in the region's efforts to halt the decline of salmon, lamprey and sturgeon populations and rebuild them to levels that support ceremonial, subsistence and commercial harvests. To achieve these objectives, our actions emphasize 'gravel-to-gravel' management including supplementation of natural stocks, healthy watersheds and collaboration with State, Federal and private entities.

The programs in this testimony are carried out pursuant to the Indian Self-Determination and Assistance Act. Our programs are integrated with State and Federal salmon management and restoration efforts.

Columbia River Fisheries Management within Rights Protection Implementation: The salmon, returning in the greatest numbers since Federal dam construction, tell us we're succeeding. But along with success, management increases in complexity, requiring greater data collection and enforcement. Funding shortfalls prohibit the achievement of Tribal self-determination goals for fisheries management, ESA recovery effort, protecting non-listed species, conservation enforcement and treaty fishing access site maintenance. We request an increase of \$5.5 million over fiscal year 2017 for a new program base of \$10.2 million for Columbia River Fisheries Management.

The BIA's Columbia River Fisheries Management line item is the base funding that supports the fishery program efforts of CRITFC and the four member Tribes. Unlike State fish and game agencies, the Tribes do not have access to Dingell-Johnson/Pittman-Robertson or Wallop-Breaux funding. The increase will be directed to support the core functions of the fisheries management programs of the Commission's member Tribes, namely enforcement, harvest monitoring and renegotiation support for four primary agreements including Columbia River Treaty modernization.

¹Treaty with the Yakama Nation, June 9, 1855, 12 Stat. 951; Treaty with the Tribes of Middle Oregon, June 25, 1855, 12 Stat. 963; Treaty with the Umatilla Tribe, June 9, 1855, 12 Stat. 945; Treaty with the Nez Perce Tribe, June 11, 1855, 12 Stat. 957.

In 2008, CRITFC and its member Tribes struck three landmark agreements: (1) the Columbia Basin Fish Accords with Federal action agencies overseeing the Federal hydro system in the Columbia Basin,² (2) a 10-Year Fisheries Management Plan with Federal, Tribal and State parties under *U.S. v OR*, and (3) a new Chinook Chapter of the Pacific Salmon Treaty.³ These agreements establish regional and international commitments on harvest and fish production efforts, commitments to critical investments in habitat restoration, and resolving contentious issues by seeking balance of the many demands within the Columbia River basin. While through these agreements the Tribes have committed to substantial on-the-ground projects with some additional resources from the Bonneville Power Administration, the overall management responsibilities of the Tribal programs have grown exponentially without commensurate increases in BIA base funding capacity. For example, the Tribes' leadership in addressing Pacific Lamprey declines is this species' best hope for survival and recovery. The Tribes' are also addressing unmet mitigation obligations, such as fish losses associated with the John Day and The Dalles dams.

The funding provided through the BIA to support Tribal co-management is crucial to the Tribes and CRITFC's ability to successfully carry out Tribal rights protection, including these agreements. These funds support delivery of sound technical, scientific and policy products to diverse legal, public and private forums. Rights Protection Implementation funding takes on even greater importance as funding for State co-management agencies has become inconsistent or decreased. Below are priority need areas for CRITFC and our member Tribes.

Workforce Development: CRITFC's Workforce Development Program helps prepare Tribal members of all ages for jobs and careers in Natural Resources Management by providing hands-on, culturally relevant experiences in the Science, Technology, Engineering and Math (STEM) subjects. Since 2010, CRITFC has held a five-day long Salmon Camp for 20 middle school students in collaboration with its member Tribes. Beginning in 2014, CRITFC has offered paid internship and research experiences for college students interested in fisheries and natural resources. Through mentorship, internship and externship opportunities, CRITFC aims to establish and sustain a Tribal workforce pool of respected and skilled Native American scientists, policy analysts, technicians and managers that serve the Tribes' fisheries and natural resource management program needs.

Columbia River Treaty Modernization: The CRITFC's member Tribes are part of a coalition of fifteen (15) Columbia Basin Tribes whose rights, as well as management authorities and responsibilities, are substantially affected by the implementation of the Columbia River Treaty. While the Columbia River Treaty is evergreen and continues to provide benefits to both the U.S. Canada through coordinated flood risk management and hydropower production, the provisions regarding coordinated flood risk management change substantially after 2024 unless the Treaty is amended. The need for this necessary amendment also creates an opportunity to modernize the Columbia River Treaty to integrate ecosystem-based function as a third purpose of this beneficial partnership. By integrating ecosystem-based function into this bilateral Treaty we will have an opportunity to address shared natural resource issues in a pro-active, comprehensive approach rather than reacting in a piece meal approach to individual salmon listings under the Endangered Species Act. Rights Protection Funds can allow the Columbia Basin Tribes to continue collaborating with the States, Federal agencies and regional stakeholders to conduct technical analyses in support of the negotiations with Canada being prepared by the State Department.

U.S./Canada Pacific Salmon Treaty under Rights Protection Implementation: The U.S. and Canada entered into the Pacific Salmon Treaty in 1985 to conserve and rebuild salmon stocks, provide for optimum production, and control salmon interceptions. The treaty established the Pacific Salmon Commission (PSC) as a forum to collaborate on intermingled salmon stocks. The U.S. Section of the PSC annually develops a coordinated budget for Tribal, State and Federal programs to ensure cost and program efficiencies. In 2008, the U.S. and Canada adopted a new long term Treaty agreement after nearly 3 years of negotiations. Both parties agreed to significant new management research and monitoring activities to ensure the conservation and rebuilding of the shared salmon resource. The 2008 agreement expires at the end of 2018. The Parties are in the process of negotiating a revised agreement, which will identify implementation funding.

For Tribal participants in the Pacific Salmon Treaty, the U.S. Section has identified a program need of \$4.8 million for the twenty-five participating Tribes. These funds provide for direct Tribal participation with the Commission, panels and tech-

²The Nez Perce Tribe is not a Columbia Basin Fish Accord signatory.

³See Salmon Win A Triple Crown" at http://www.critfc.org/text/wana_109.pdf.

nical committees. This funding maintains Tribal resource assessment and research programs structured to fulfill required Treaty implementation activities, which protect trust resources. Our fiscal year 2018 recommended level for this program is an increase of \$520,000 above the fiscal year 2017 continuing resolution level and correlates to the U.S. Section's recommendation.

Tribal Climate Resilience under Rights Protection Implementation: The Columbia River Treaty Tribes are feeling the effects of Climate Change. Shifts are occurring in salmon run timing, and berry and root ripening cycles. In 2015, climate-related stress in the form of historic forest fires and the loss of up to 400,000 sockeye salmon due to elevated water temperatures illustrate our climate crisis.

Public Safety and Justice, Criminal Investigations and Police Services: Public safety continues to be a high priority for CRITFC and our Tribes. Our conservation and criminal enforcement officers are the cornerstone of public safety in the popular and heavily used Columbia Gorge area patrolling 150 miles of the Columbia River, including its shorelines in Oregon and Washington. In this area we are the primary provider of enforcement services at 31 fishing access sites developed pursuant to Public Law 87-14 and Public Law 100-581 for use by treaty fishers. CRITFC's officers possess BIA Special Law Enforcement Commissions to enhance protection and service to Tribal members and Federal trust properties along the Columbia River. We are pleased that the BIA has created OJS District 8 and housed it in Portland. CRITFC entered into a Public Law 93-638 contract with BIA in February 2011 for enforcement services along the Columbia River. That contract currently provides funding for two enforcement positions.

Our immediate priority is to add two Patrol officers, one Sergeant, one Investigator and one Dispatcher. Full funding for this Enforcement need is \$943,000 which would support a total of four officers, one sergeant, an investigator and a dispatcher.

Facilities Management, Operations and Maintenance: Long term reliability of Operations and Maintenance funding for the 31 In-lieu and Treaty Fishing Access sites is in jeopardy. Under the current annual O&M service rate and under current financial market conditions the existing O&M funds will exhaust in 2022, a full twenty-three years short of the projected life of the originally structured O&M account. There are some immediate actions the Administration can and should take to provide stability for the sites. First, the 26 Treaty Fishing Access Sites should be added to the Federal property management inventory system and in doing will require additional annual operations and maintenance funding currently provided under contract by the Columbia River Inter-Tribal fish Commission. Second, the Administration should allocate \$900,000 annually for O&M. These additional funds will ensure sufficient O&M at the newly added sites.

A Request for Review of Salmon Mass-Marking Programs: CRITFC aspires to a unified hatchery strategy among Tribal, Federal and State co-managers. To that end, we structure hatchery programs using the best available science, regional expertise. A Congressional requirement, delivered through prior appropriations language, to visibly mark all salmon produced in federally funded hatcheries circumvents local decisionmaking and should be reconsidered. We have requested that Federal mass-marking requirements, and correlated funding, be reviewed for compatibility with our overall objective of ESA delisting and with prevailing laws and agreements: *U.S. v Oregon*, Pacific Salmon Treaty and the Columbia Basin Fish Accords. Salmon managers should be provided the latitude to make localized, case-by-case decisions whether to mark fish and, if so, in the appropriate percentages.

In summary, through the combined efforts of the four Columbia River Treaty Tribes, supported by a staff of experts, we are proven natural resource managers. Our activities benefit the region while also essential to the U.S. obligation under treaties, Federal trust responsibility, Federal statutes, and court orders. We ask for your continued support of our efforts. We are prepared to provide additional information you may require on the Department of Interior's BIA budget.

[This statement was submitted by the Honorable Leland Bill, Chairman.]

PREPARED STATEMENT OF THE CONFEDERATED TRIBES OF GRAND RONDE

Chairman Murkowski, Ranking Member Udall, Members of the subcommittee:

My name is Reynold Leno and I am the Tribal Council Chairman of the Confederated Tribes of Grand Ronde. Thank you for providing me with the opportunity to raise an issue of great importance to Grand Ronde and similarly situated Tribes in Indian Country—the lack of adequate law enforcement funding for our reservations. In particular, my remarks will highlight the continued impacts termination has had

on Grand Ronde's ability to secure Federal funding for much needed law enforcement services.

Grand Ronde is located in rural northwest Oregon and is comprised of 5,389 members. The Tribe's Reservation is located in the outlying areas of Polk and Yamhill Counties.

The Tribe was terminated by the Federal Government in 1954 then restored in 1983. The burden of rebuilding the reservation fell on the shoulders of the Tribe. Grand Ronde, like other terminated Tribes, did not receive any of the Federal investments in services and infrastructure available to Indian Country in the years before restoration. Since restoration, the Tribe has put forth significant effort into rebuilding its Tribal community, including the development of various types of Tribal housing, government buildings, an education complex, a health and wellness center, fire and police stations, management of over 10,000 acres of timber lands, and operation of a successful casino. The Tribe has made substantial contributions into the infrastructure of the surrounding community as well, including roads, water systems, fire protection, and more.

While Grand Ronde has made great strides in rebuilding its Reservation community, the Tribe continues to suffer the effects of the 29 years of termination, and it continues to be disenfranchised when seeking funding for infrastructure needs such as law enforcement. The Grand Ronde community has grown significantly over the last two decades, and along with that population growth has come an increase in crime. The Grand Ronde Tribal Police Department and the Polk County Sheriff's Office handled nearly 900 cases in 2015 and more than 1,000 cases in 2016 in the Grand Ronde area. Cases logged by the Grand Ronde Tribal Police Department alone, through early May, suggest we are on track to handle an estimated 1,200 cases in 2017. Drug-related crime is a historic and persistent concern for our Tribal community, as is the growth of sex crimes.

Due to the high crime in the community and inadequate County resources, since 1997 the Tribe has funded or provided criminal law enforcement on and near its reservation and the surrounding community. Because of the Tribe's remote location, there is a history of inadequate police coverage. To address this, the Tribe entered into Enhanced Service Agreements with Polk County between 1997 and 2012, under which the Tribe paid the County hundreds of thousands of dollars per year to provide coverage in the Grand Ronde community. In 2012, following the passage of Oregon Senate Bill 412—State law which allows Tribal police officers to act as peace officers under Oregon law—the Tribe started its own police department and began enforcing criminal law in the Grand Ronde area. Grand Ronde now has primary responsibility for law enforcement in the area.

The Grand Ronde Police Department has been slowly making strides in its law enforcement and community safety programs, and is beginning to see what we hope are positive trends in certain crime rates. Unfortunately, we continue to see sex crimes on the rise, especially those involving youth. Drugs remain a persistent concern in our community. Any reduction in force would result in a loss of any gains made, much less reduce our capacity to keep our youth safe and keep drugs off of our lands.

The Tribe has never received operational funding from the Bureau of Indian Affairs, and its requests for funding have been denied. The Tribe has utilized COPS grants and State grants to fund some law enforcement and emergency preparedness functions, but does not have an identified source of funding for continuing police operations, for which it requires BIA funding. Due to the high crime rates in the remote and rural area—which also contains one of the largest tourist destinations in the State—it is imperative that, in the absence of Polk County enhanced services, there be police protection to ensure the safety of the community. In order for the Tribe to provide adequate law enforcement, it needs BIA funding.

The Tribe has requested that the Bureau of Indian Affairs enter into a 638 contract with the Tribe under which the Tribe would perform law enforcement services. The request was denied on the grounds that the Bureau of Indian Affairs isn't currently providing law enforcement services to the Tribe and thus there is no program to transfer to the Tribe in a 638 contract. Had Grand Ronde not been terminated in 1954, we believe the Bureau of Indian Affairs would have provided law enforcement services on the Reservation, thus allowing the Tribe today to qualify for a 638 contract to fund its law enforcement.

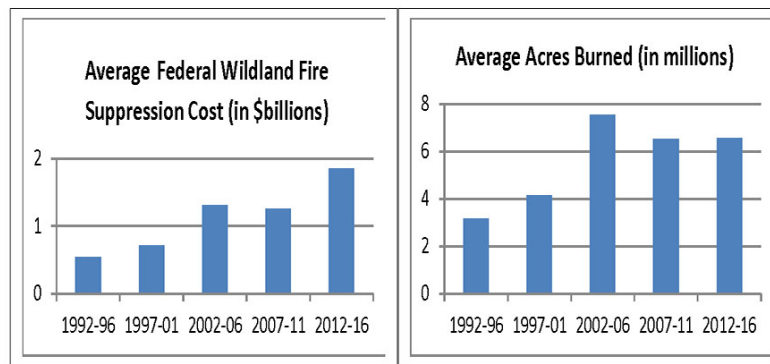
As a Tribe terminated in the 1950s, Grand Ronde is at a severe disadvantage as it is unable to secure law enforcement funding through the Public Law 638 program, as it was not federally recognized during the self-determination era when these Federal programs were established. Tribes that have been terminated and subsequently restored are at a significant disadvantage when it comes to accessing Federal funding for law enforcement.

There is a lack of law enforcement funding for Indian Country. Grand Ronde is not alone—those Tribes who have been restored following the termination era face additional challenges in securing funding. BIA funding should be made available to those Tribes who have been terminated and restored and who provide criminal law enforcement in their respective communities.

PREPARED STATEMENT OF THE
CONGRESSIONAL FIRE SERVICES INSTITUTE
INTERNATIONAL ASSOCIATION OF FIRE CHIEFS
NATIONAL ASSOCIATION OF STATE FORESTERS
NATIONAL VOLUNTEER FIRE COUNCIL

Our organizations request that you include \$87 million for the State Fire Assistance (SFA) program and \$16 million for the Volunteer Fire Assistance (VFA) grant program in the fiscal year 2018 Department of Interior and Related Agencies Appropriations bill. SFA provides financial and technical support to States to enhance firefighting capacity, supports community-based hazard mitigation, and expands outreach and education to homeowners and communities concerning fire prevention. VFA provides grants to volunteer fire departments protecting communities with 10,000 or fewer residents to purchase equipment and training for use in wildland fire suppression. Both programs are administered by the U.S. Forest Service and require a 50 percent match from the State or local entity in order to receive Federal funding.

Wildland fire is a significant and growing problem across the Nation. Over the past 25 years there has been a substantial increase in the number of acres burned by wildland fire, as well as the amount of money spent by the Federal government to suppress wildland fire. In the west, the plains and the southeast where wildland fire has long been present, the fire season starts earlier and ends later than it used to, if it ends at all. Meanwhile, wildland fire is becoming increasingly common in areas of the country where it has historically not been problematic.



Local fire departments and State forestry agencies are the first line of defense against wildland fire. Eighty percent of the initial attack on wildland fire is performed by volunteer fire departments, and State foresters are responsible for wild-fire protection on two thirds of America's forested lands. In 2015, eighty percent of the fires started in areas where State and local departments had primary jurisdiction, and almost half of the total acres burned in 2016 were on State and private lands.

SFA and VFA are critical in building State and local capabilities to prepare for, mitigate against, and respond to wildland fire. In 2015, SFA and VFA funding trained nearly 150,000 firefighters, provided over \$15 million in new or upgraded equipment, and engaged more than 15,000 communities to develop and implement community wildfire protection plans.

Unfortunately, even as State foresters and local fire departments are grappling with the serious and growing threat posed by wildland fire, Federal support has stagnated. Funding for Federal grants to help local fire departments respond to

wildland fire has decreased over the past decade, averaging \$13 million from fiscal year 2013–2017 compared with \$18.7 million in fiscal year 2008–2012.

Our organizations note and appreciate that Congress increased funding for VFA to \$15 million and for SFA to 77 million in fiscal year 2017. We are disappointed in the Administration's proposal for reductions in these programs. We urge you to provide \$16 million for VFA in fiscal year 2018, matching the level of funding provided in fiscal year 2010. Providing \$87 million for SFA would at least partially track the suppression budget increase on Federal lands. These programs provide the bulk of America's initial attack. If we want to quickly suppress those fire starts which will become large devastating wildfires, investing in SFA and VFA makes great sense in protecting our Nation's forests.

PREPARED STATEMENT OF THE CONSORTIUM OF AQUATIC SCIENTIFIC SOCIETIES

DEAR CHAIRMAN MURKOWSKI AND RANKING MEMBER UDALL:

The Consortium of Aquatic Scientific Societies (CASS) is comprised of six professional societies representing diverse knowledge of the aquatic sciences. CASS members include the: American Fisheries Society, Association for the Sciences of Limnology and Oceanography, Coastal and Estuarine Research Federation, Phycological Society of America, Society for Freshwater Science, and Society of Wetland Scientists. Our collective membership totals almost 20,000 individuals that span the private sector, academia, non-governmental organizations, and various Tribal, State, and Federal agencies. The CASS organizations represent professionals who combine deep subject-matter expertise, a commitment to independent objectivity, and the critical review of environmental information, along with a passion for the natural places and resources that form the foundation of American greatness. We support the development and use of the best available science to sustainably manage our freshwater, estuarine, coastal, and ocean resources to the benefit of the U.S. economy, environment, and public health and safety.

CASS writes in strong support of the Environmental Protection Agency (EPA) and EPA programs that support the research, conservation, restoration, and sustainable use of aquatic ecosystems required by all U.S. citizens, who rely on clean and abundant water for their health and well-being. On March 16, the Trump Administration released a budget blueprint that identified drastic cuts to the EPA that would eliminate many critical programs that support sustainable use and economic development of aquatic resources. The Administration's internal spend plan memo from David A. Bloom, Acting CFO, dated March 21, directly targets many programs that protect and restore water resources. Among the programs listed for elimination: Great Lakes, Chesapeake Bay, Puget Sound, and other geographic restoration programs; nonpoint source pollution grant funds; the National Estuary Program; and research grant programs on safe and sustainable water resources and climate change. We urge you to reject these recommendations and instead provide your full support to EPA and its aquatic science and management programs.

CASS recognizes that the Appropriations Committees face difficult decisions given fiscal constraints; we support EPA and the programs noted above because they are vital to our Nation's economic and environmental well-being, and are an efficient and effective use of funds appropriated by the Federal Government. They support a clean and adequate water supply, sustainable fish populations for food and recreation, natural and human communities that are resilient to hazards and changing climates, healthy and diverse aquatic ecosystems, and abundant outdoor recreation opportunities that protect America's conservation heritage and provide enormous economic and cultural benefit. The Federal funding provides an enormous return on investment that sustains and creates jobs and protects lives and natural resources. We hope that the Committee will continue its support for these vital EPA programs.

Respectfully,

Joe Margraf, *President*, American Fisheries Society; Tim Nelson, *President*, Phycological Society of America; Linda Duguay, *President*, Association for the Sciences of Limnology and Oceanography; Emily Bernhardt, *President*, Society for Freshwater Science; Robert R. Twilley, *President*, Coastal and Estuarine Research Federation; and Gillian Davies, *President*, Society of Wetland Scientists.

PREPARED STATEMENT OF THE CORPS NETWORK

DEAR CHAIRWOMAN MURKOWSKI AND RANKING MEMBER UDALL:

I write on behalf of The Corps Network, to respectfully urge your strong support for continued funding for the Department of Interior (DOI) and US Forest Service (USFS) in fiscal year 2018, and thank you for your efforts to increase funding for key DOI and USFS accounts in fiscal year 2017. As you craft the fiscal year 2018 Interior Appropriations bill, we encourage you take into account the significant leveraging of limited Federal resources our Corps accomplish in partnership with land management agencies, and ensure they have adequate funding to expand on these cost-effective public-private partnerships and engage the next generation of youth and veteran outdoor stewards, entrepreneurs, recreationists, and sportsmen and women.

Corps of The Corps Network support DOI and USFS budgets for youth, operation, management, maintenance, and construction which are used to engage Corps, and our youth and veteran Corpsmembers, on important projects; the Centennial Initiative; funding for Wildland Fire Management through both DOI and USFS; and language encouraging partnerships with Corps and expanding direct hire authority for USFS. By partnering with Corps, agencies achieve more with their budgets and accomplish cost-effective projects to help address the multi-billion-dollar maintenance backlog; remediate wildfires and invasive species; improve access to public lands; build and maintain multi-use trails and increase recreation opportunities; and ensure productive fish and wildlife habitat for enthusiasts, hunters, and fishers.

These accounts also support the 21st Century Conservation Service Corps (21CSC) initiative, which has received bipartisan support in Congress from Reps. Martha McSally (R-Arizona) and Seth Moulton (D-Massachusetts) and Senators John McCain (R-Arizona) and Michael Bennet (D-Colorado), as well as Army General (Ret.) Stanley McChrystal and President Bush's Domestic Policy Advisor, John Bridgeland, and the past five Secretaries of the Interior. The 21CSC initiative has private sector support from Coca-Cola, the North Face, American Eagle Outfitters, Thule, KEEN, and REI. In addition, there are over 80 different national and regional corporations and organizations supporting 21CSC like the American Recreation Coalition, Outdoor Industry Association, the Vet Voice Foundation, and the National Parks Conservation Association.

Thank you again for your efforts to ensure these accounts were strong in the Consolidated Appropriations Act 2017. With additional support from the 2017 Act, Corps will help accomplish millions in critical projects while also leveraging limited Federal funds. For example, Corps have utilized around \$150 million in project funding from DOI and USFS over the past 3 years and turned that into millions more in matched funds and service projects, with the added benefit of engaging youth and veterans in meaningful hands-on work experiences to develop in-demand skills on the path to careers while building respect for our country, hard work, and the outdoors. Corps bring at least 25 percent match to these projects, making Federal funds go further than they otherwise would.

Last year, our Corps around the country accomplished: 1.6 million acres of wildlife habitat improved and made accessible; 1.5 million trees planted; 365,000 acres of invasive species removed; 32,000 acres of fire fuel reduced; 22,000 miles of multi-use trails constructed and improved; 16,000 recreation facilities improved; 8,200 acres of erosion, landslide, and flood prevention; 2,600 miles of fish and waterway habitat restored; 500 wildfires and disasters responded to; and 190 historic structures preserved.

The Corps Network represents America's 135 Conservation Service Corps. Corps provide youth and veterans the opportunity to serve their country, advance their education and obtain in-demand skills. Serving in crews and individual placements, Corpsmembers perform important conservation, recreation, infrastructure, wildfire, disaster response, and community development service projects on public lands and in rural and urban communities. Corps enroll over 25,000 youth and veterans annually in all 50 States and DC, Puerto Rico, and American Samoa. Corps engage an additional 100,000 volunteers, and complete thousands of service projects valuing hundreds of millions of dollars each year.

Project sponsors consistently express a high degree of satisfaction with the quality of work and productivity of Corps. Virtually all Federal project partners (99.6 percent) say they would work with Corps again and an independent study commissioned by the National Park Service found a 50–80 percent cost savings in using Corps on projects.

FISCAL YEAR 2018 INTERIOR APPROPRIATIONS PRIORITIES

The Corps Network respectfully urges the committee to support these programs that will allow public land management agencies to engage Corps:

- U.S. Forest Service—National Forest System: \$1.5 billion in fiscal year 18;
- U.S. Forest Service—Capital Improvement and Maintenance: \$364 million in fiscal year 18;
- U.S. Forest Service—Wildland Fire Management: \$2.8 billion in fiscal year 18;
- Department of Interior—Wildland Fire Management: \$943 million in fiscal year 18;
- National Park Service—Operation: \$2.4 billion in fiscal year 18;
- National Park Service—National Recreation & Preservation: \$62 million in fiscal year 18;
- National Park Service—Centennial Initiative: \$20 million in fiscal year 18;
- Fish and Wildlife Service—Resource Management: \$1.3 billion in fiscal year 18;
- Bureau of Land Management—Management of Lands and Resources: \$1 billion in fiscal year 18;
- Bureau of Reclamation—Water & Related Resources: \$1.2 billion in fiscal year 18;
- Bureau of Indian Affairs—Natural Resource Management: \$200 million in fiscal year 18;
- Department of Interior & US Forest Service—21st Century Conservation Service Corps (21CSC) Report Language: “21st Century Conservation Service Corps and Public Lands Corps.—The Department of Interior, its subdivisions, and the Forest Service are directed to continue their partnerships with the 21st Century Conservation Service Corps (also referred to as 21CSC), and Public Lands Corps, in order to accomplish access, conservation, wildfire, maintenance backlog, and infrastructure projects and engage additional youth and veterans as detailed and authorized in the Public Lands Corps Act of 1993 (16 USC Chapter 37, Subchapter II).”
- US Forest Service—Direct Hire Authority:
 - “(a) The Secretary of Agriculture may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than fiscal year 2017 Budget Justification USDA Forest Service sections 3303 and 3328 of such title, a qualified candidate described in subsection (b) directly to a position with the United States Department of Agriculture, Forest Service for which the candidate meets Office of Personal Management qualification standards.
 - (b) Subsection (a) applies to a former resource assistant (as defined in section 203 of the Public Land Corps Act (16 U.S.C. 1722)) who—
 - (1) completed a rigorous undergraduate or graduate summer internship with a land managing agency, such as the Forest Service Resource Assistant Program
 - (2) successfully fulfilled the requirements of the internship program; and
 - (3) subsequently earned an undergraduate or graduate degree from an accredited institution of higher education.
 - (c) The direct hire authority under this section may not be exercised with respect to a specific qualified candidate after the end of the two-year period beginning on the date on which the candidate completed the undergraduate or graduate degree, as the case may be.

All these programs help Corps leverage limited Federal dollars to accomplish more projects than land management agencies normally would, while engaging thousands of youth and veterans in improving and restoring our nation’s lands, water, and recreation assets. The construction and operation accounts are important as they are the main source of project funding, and help the agencies address their backlog and needed projects. We also believe it’s important that land management agencies have adequate operating funds so there are staff in place to help develop and process agreements in a timely manner with partners like Corps, and ensure that if land managers have needs, they can easily hire local youth who have experience working in resource management. The Centennial Initiative is an innovative approach to addressing the myriad of issues in the national parks and can be targeted toward addressing the deferred maintenance backlog.

To expand on this work, we support inclusion of language to encourage continuation of public-private partnerships through DOI and USFS with our innovative 21st Century Conservation Service Corps (21CSC) Initiative. These partnerships are included as a priority for the Administration in the fiscal year 18 National Park Service Budget Justification for example: “Under the umbrella of the 21st Century Conservation Corps (21st CSC) NPS engages 16–30 year old Americans, including

low-income and disadvantaged individuals and veterans through compensated natural and cultural conservation work projects that assist the Service in maintaining its resources in an cost effective manner while providing the participants with developmental job skills training and education.”

The USFS has been a major supporter of our 21CSC Initiative as well, explaining in the fiscal year 18 Budget Justification: “Our 21st Century Service Corps (21CSC) partnership provides an enormous return on investment, allowing the Forest Service to address critical conservation restoration needs and simultaneously have a deep and lasting impact on the people who participate, thereby building the next generation of natural resource professionals. From fiscal year 2014 through fiscal year 2016, the agency has employed 30,000 youth and veterans on more than 2,000 distinct projects; expanded YCC jobs by 58 percent to 1,500 in fiscal year 2016; implemented a Resource Assistants Program for students, recent graduates and others that is building a diverse pool of qualified and experienced candidates for permanent positions; and orchestrated growth in the 21CSC organization, recognizing and approving 201 partner organizations.”

Corps also partner with USFS and DOI on critical wildfire remediation and fighting and see firsthand the damage that is done to the system, and communities, by an outdated budget structure for wildfire needs. We support adequate funding for wildfire remediation, but also changes to the budgeting process as included in the Wildfire Disaster Funding Act—a bipartisan proposal that would fund wildfire suppression in a similar manner to how the government currently funds the response to other natural disasters. As the USFS noted in past budgets, “It is subsuming the agency’s budget and jeopardizing our ability to successfully implement our full mission.” Sweeping funds to battle wildfires from other USFS accounts hurts the whole system.

As you can see, our Corps partner with DOI and USFS in a critical capacity to help them better manage our natural resources while providing high quality service and work experience outdoors to engage thousands of youths and veterans. We understand the fiscal constraints placed upon the committee which is why ensuring more partnerships and opportunities for our cost-effective public private partnerships is more important than ever. We again respectfully urge your support for these programs. Thank you for your time and consideration.

[This statement was submitted by Mary Ellen Sprenkel, President & CEO.]

PREPARED STATEMENT OF DANCE/USA

Madam Chairman and distinguished Members of the subcommittee, I am grateful for the opportunity to submit testimony on behalf of Dance/USA, its Board of Directors and its 500 members. We strongly urge the Subcommittee on Interior, Environment, and Related Agencies in the Committee on Appropriations to designate a total of \$155 million to the National Endowment for the Arts (NEA) for fiscal year 2018. This testimony and the funding examples described below are intended to highlight the importance of Federal investment in the arts, so critical to sustaining a vibrant cultural community throughout the country.

The NEA makes it possible for everyone to enjoy and benefit from the performing arts. Before the establishment of the NEA in 1965, funding for the arts was limited to major cities. The NEA has helped to strengthen regional dance, opera, theater and other artistic disciplines that Americans enjoy. NEA funding provides access to the arts in regions with histories of inaccessibility due to economic or geographic limitations. The NEA envisions a “nation in which every American benefits from arts engagement, and every community recognizes and celebrates its aspirations and achievements through the arts.” The agency has helped the arts become accessible to more Americans, which in turn has increased public participation in the arts.

The NEA is a great investment in the economic growth of every community. Despite diminished resources, including a budget that is \$17 million less than it was in 2010, the NEA awarded more than 2,400 grants in 2016 reaching nearly 16,000 communities. These grants nurture the growth and artistic excellence of thousands of arts organizations and artists in every corner of the country, resulting in jobs and economic activity. NEA grants also preserve and enhance our nation’s diverse cultural heritage. The modest public investment in the nation’s cultural life results in both new and classic works of art, reaching the residents of all 50 States and in every congressional district.

In 2016, small-sized organizations (organizations with budgets under \$350,000 per year) received 30 percent of the NEA’s direct grants and 40 percent of NEA supported activity took place in high poverty neighborhoods.

The return of the Federal Government's small investment in the arts is striking. The Bureau of Economic Analysis (BEA) and the NEA developed an "Arts and Cultural Production Satellite Account" which calculated the arts and culture sector's contributions to the gross domestic product (GDP) at 4.2 percent (or \$729.6 billion) of current-dollar GDP in 2014. Additionally, the nonprofit performing arts industry generates \$135.2 billion annually in economic activity, supports more than 4.13 million full-time equivalent jobs in the arts, and returns \$9.59 billion in Federal taxes (Arts and Economic Prosperity IV, Americans for the Arts). It is estimated that the North American opera industry injects over \$1 billion directly into the economy each year.

On average each NEA grant leverages \$9 from private and public funds. Few other Federal investments realize such economic benefits, not to mention the intangible benefits that only the arts make possible. The NEA continues to be a beacon for arts organizations across the country.

The return on investments is not only found in dollars. In 2012, 2.2 million people volunteered 210 million hours with arts and cultural organizations, totaling an estimated value of \$5.2 billion—a demonstration that citizens value the arts in their communities.

NEA GRANTS AT WORK

Past NEA funding has directly supported projects in which arts organizations, artists, schools and teachers collaborated to provide opportunities for adults and children to create, perform, and respond to artistic works. NEA funding has also made the art form more widely available in all States, including isolated rural areas and inner cities.

The more than 2,400 grants awarded to nonprofit arts organizations and arts programs supported projects that encourage artistic creativity and bring the arts to millions of Americans.

NEA grants are awarded to dance organizations through its core programs: Art Works; Challenge America Fast Track Grants; and Federal/State Partnerships. In fiscal year 2016, the NEA awarded 162 grants to the dance field through the Art Works category, totaling \$4,238,630.

Diavolo | Architecture in Motion
\$20,000
Los Angeles, CA

To support Diavolo | Architecture in Motion's education and outreach programs during the company's Unites States tour. The company will partner with venues on the tour to present Young People's Concerts, community workshops, master classes, and residencies. The Young People's Concert (YPC) is an interactive student matinee show that includes repertoire excerpts, teamwork discussions, fitness exercises, and active adult participation. YPC will be updated to feature the latest Diavolo works, new interactive community engagement techniques, revised study guides, and repairs to set pieces. The company will offer workshops and support training for additional teachers for these workshops.

Dance Exchange
\$10,000
Takoma Park, MD

To support the creation and presentation of Off-site/Insight: Stories from the Great Smoky Mountains, an Imagine Your Parks project. The intergenerational dance performance will unearth stories of the Great Smoky Mountains National Park, the surrounding region, and the people who have made the park what it is today. Dance Exchange will work with the National Park Service Staff to learn about the local ecology and park history. In collaboration with the Appalachian Highlands Science Learning Center, Dance Exchange will lead moving Field Guides, a series of workshops that will engage communities in creating a dance that enlivens the stories of those who have walked, explored, and preserved the region. The project will culminate in a public event that features live performances that illuminate stories about the park.

Island Moving Company
\$10,000
Newport, RI

To support the production of a new work using the Open for Dancing community engagement model. This distinctive model is a forum for the creation of a new, site-specific work, and uses the artistic process to weave audiences, participants, and artists together to form a unique, communal relationship. A new tall ship, the Oli-

ver Hazard Perry, is in the final stages of outfitting in Newport, RI. Before it takes to the seas with its education training programs, the company will mount "Second Star on the Right," a retelling of Peter Pan performed on the decks and rigging of the ship. The company will include non-dancers in the creative process. Free performances will be offered.

Ballet Memphis
\$10,000
Cordova, TN

To support the presentation of "Places," a performance of new dance works, which explores themes of the past, present, and future. Choreographer Joshua Peugh will create a new work focusing on the past to music by the Memphis soul group STAX. Choreographer Jennifer Archibald will create work focusing on the present. And choreographer Gabrielle Lamb will create her third work on Ballet Memphis by looking at the future and will explore how people respond to their surroundings and an ever-changing landscape. The project will include an open rehearsal and outreach activities with community groups. The performances will take place at Playhouse on the Square in the city's art district and will include one "pay what you can" community day.

THE NON-PROFIT PROFESSIONAL DANCE COMMUNITY

America's dance companies perform a wide range of styles and genres. These include aerial, ballet, modern, culturally specific, jazz, and tap companies. Over two-thirds of America's professional dance companies are less than 45 years old; as an established art form with national identity and presence, dance has burst onto the scene almost entirely within living memory. And yet, America can boast some of the greatest dance companies of the world and can take credit for birthing two indigenous dance styles—tap and modern dance.

One key to this spectacular achievement has been the creation of a national marketplace for dance. When the National Endowment for the Arts instituted its Dance Touring Program in the 1970s, great dance became accessible to every community in America. What used to be a handful of professional companies and a scattering of regional dance has become a national treasure spread across cities and through communities, schools and theaters in all 50 States. Based on data from over 1,772 tax-exempt dance groups from across the United States, Dance/USA estimates that dance companies:

- Employed over 15,896 individuals (based on data from 296 reporting companies) in a mix of full-time and part-time positions and supported by almost 23,000 volunteers (based on 276 reporting companies);
- Paid approximately \$754.3 million in expenses (based on 745 reporting companies);

Dance/USA, the national service organization for the professional dance field, believes that dance is essential to a healthy society, demonstrating the infinite possibilities for human expression and potential, and facilitating communication within and across cultures. Dance/USA sustains and advances professional dance by addressing the needs, concerns, and interests of artists, administrators, and organizations. Dance/USA's membership currently consists of nearly 500 aerial, ballet, modern, culturally specific, jazz, and tap companies, dance service and presenting organizations, individuals, and related organizations. Dance/USA's member companies range in size from operating budgets of under \$100,000 to over \$50 million.

CONCLUSION

Despite overwhelming support by the American public for spending Federal tax dollars in support of the arts, the NEA has never recovered from a 40 percent budget cut in the mid-nineties, leaving its programs seriously underfunded. The continued bipartisan support for the NEA has continued to support artists and audiences, allowing dance and the arts to address critical issues, making communities healthier and more vibrant. The "Dear Colleague" letter in the U.S. House of Representatives received a record 154 signatures in support of the NEA.

We urge you to continue toward restoration and increase the NEA funding allocation to \$155 million for fiscal year 2018.

On behalf of Dance/USA, thank you for considering this request.

[This statement was submitted by Amy Fitterer, executive director, Dance/USA.]

PREPARED STATEMENT OF THE DEFENDERS OF WILDLIFE

Madam Chairman, Ranking Member and Members of the subcommittee, thank you for the opportunity to submit testimony for the record. Founded in 1947, Defenders has nearly 1.2 million members and supporters and is dedicated to the conservation of wild animals and plants in their natural communities.

North America is fortunate to have some of the most abundant and diverse wildlife on Earth, more than 200,000 known species in the U.S. alone. This unique and irreplaceable heritage is treasured by all Americans both for its aesthetic value as well as for the very tangible benefits it provides as a resource. For example, a third of our food is pollinated by birds, bats, and insects; wildlife-associated recreation generated \$145 billion in economic benefits in 2011;¹ bats provide at least \$3.7 billion in pest control services to the agricultural industry annually;² and the value of ecosystem services from habitat in the contiguous 48 States is estimated at \$1.6 trillion annually.³ Budget cuts since fiscal year 2010 to Federal programs that conserve wildlife and habitat have severely undermined sound management. Inadequate funding will likely lead to irreparable harm to vulnerable species and habitat. Our Nation's wildlife is a treasure and well worth the investment to properly care for it.

Four riders that would have undermined protections for imperiled species and the Endangered Species Act (ESA) and sound management of our national wildlife refuges were included in the fiscal year 2017 Senate Interior appropriations bill. We strongly opposed these riders and while all should rightfully have been removed from the final omnibus, we appreciate that all but one were stricken.

FISH AND WILDLIFE SERVICE

The U.S. Fish and Wildlife Service (FWS) is our Nation's premier wildlife conservation agency. FWS needs adequate funding if it is to recover threatened and endangered species and protect migratory birds and fish, species of global conservation concern and other trust species, and stop or prevent wildlife crimes.

Cooperative Recovery.—Defenders supports continued funding for the Cooperative Recovery program at no less than the fiscal year 2017 level. This initiative is supporting more efficient and strategic efforts across landscapes to recover threatened and endangered species on National Wildlife Refuges and surrounding lands and has already supported delisting of two species.

Renewable Energy.—Defenders supports funding at no less than the fiscal year 2017 level for renewable energy related Planning and Consultation and Service Science programs. The Service supports approvals of renewable energy projects while ensuring they comply with relevant environmental laws, and conducts research to assess potential impacts of energy development on sensitive lands and wildlife and to identify mitigation strategies.

Ecological Services.—Defenders supports no less than the fiscal year 2017 level of \$240 million for Ecological Services so that high priority work to protect imperiled species can continue:

- Listing:* The FWS needs no less than the fiscal year 2017 level of \$20.5 million for listing so that it can continue to make progress with its 7-year listing workplan that allows the agency to prioritize over 350 species for listing decisions. This workplan is supported by a wide range of stakeholders.
- Recovery:* Defenders appreciates the \$2 million increase that was provided for recovery in the fiscal year 2017 omnibus bill and urges no less than the fiscal year 2017 level of \$84 million for fiscal year 2018. Currently, more than 400 listed U.S. species do not have recovery plans and FWS receives less than 25 percent of the funding needed each year to implement all recovery actions identified in recovery plans.
- Planning and Consultation:* Defenders appreciates the \$4 million increase that was provided for planning and consultation in the fiscal year 2017 bill and urges no less than the fiscal year 2017 level of \$103.1 million for fiscal year 2018. This continued level of funding is needed to support crucial Section 7 consultations under the ESA so that projects can move forward while minimizing harm to listed species. FWS's consultation program already operates on an inadequate budget. Thus, some nationwide consultations are already delayed (e.g.,

¹The 2011 National Survey of Fishing, Hunting, and Wildlife Associated Recreation, USFWS, 12/12.

²<http://www.sciencemag.org/content/332/6025/41.summary?sid=853248fd-6760-4341-93d0-2aeeab9ea450>.

³The Economics Associated with Outdoor Recreation, Natural Resources Conservation and Historic Preservation in the United States, Southwick Associates, 9/29/11.

pesticide consultations) and resources to monitor for permit compliance are almost nonexistent.

—*Conservation and Restoration*: Defenders urges no less than the fiscal year 2017 level of \$32.4 million to support continued conservation for candidate species as they await listing as well as work with stakeholders on a variety of efforts that benefit trust resources such as coordinating with partners to prepare for oil spill and hazardous materials releases.

—Defenders appreciates that the fiscal year 2017 bill maintained funding for the Wolf Livestock Loss Demonstration Program that assists livestock owners co-existing with wolves, and we urge continued funding at no less than \$1 million.

National Wildlife Refuge System.—Our National Wildlife Refuge System is the largest land and water system in the world dedicated to wildlife conservation. Refuges provide enormous benefits to the American people, generating \$2.4 billion each year for local economies. Defenders appreciates the \$2.5 million increase that was provided in the fiscal year 2017 bill. Nevertheless, the Refuge System Operations and Maintenance budget is now \$80 million below the level needed to keep pace with inflation plus salary increases relative to the fiscal year 2010 level of \$503.2 million. The workforce has declined through attrition during that time by 442 positions. Funding of \$586 million for Operations and Maintenance would put the System on track for adequate funding in 4 years.

Migratory Bird Management.—U.S. bird populations have experienced precipitous declines in recent years. Defenders supports continued funding at no less than the fiscal year 2017 level of \$48.1 million, which includes funding for needed upgrades in aviation management and survey and monitoring programs, and for building resilience of bird species and their habitats through the Joint Ventures.

Office of Law Enforcement (OLE).—Defenders supports no less than the fiscal year 2017 level of \$75.1 million, a level that is still far from adequate. Currently, the OLE employs fewer than 200 special agents, the expert investigators that work to stop wildlife crimes both domestically and internationally. Moreover, only one in five current ports of entry are staffed with wildlife inspectors who work to intercept illegal wildlife shipments.

International Affairs.—Defenders appreciates the \$1.1 million increase provided in the fiscal year 2017 bill and urges continued funding at no less than the fiscal year 2017 level of \$15.8 million which will continue to advance the National Strategy for Combating Wildlife Trafficking.

Landscape Conservation Cooperatives (LCCs).—Defenders supports maintaining funding at no less than the fiscal year 2017 level of \$13 million for the LCCs which have been working to address complex challenges such as climate change across large landscapes.

Science Support.—Defenders supports continued funding at no less than the fiscal year 2017 level of \$17 million to address questions about climate adaptation and other landscape-level ecological changes, conservation of monarch butterflies and other declining species, strategies for addressing White-Nose Syndrome that is devastating bat populations, and other agency management challenges.

Other key grant programs.—Defenders supports no less than the fiscal year 2017 levels for the Multinational Species Conservation Fund, the Neotropical Migratory Bird Fund, the Cooperative Endangered Species Fund, and State and Tribal Wildlife Grants.

FOREST SERVICE AND BUREAU OF LAND MANAGEMENT

The U.S. Forest Service (FS) and the Bureau of Land Management (BLM) are essential to the conservation of wildlife and habitat in the U.S., yet funding is inadequate to address significant challenges to sustain these resources. Development and uses on public lands must proceed in a manner that maintains the ecological integrity of our lands and waters, conserves wildlife and habitat, and contributes to efforts to recover our most imperiled wildlife. We urge strong oversight to ensure that energy development is done in an environmentally sensitive fashion and in low conflict areas. Given their large land ownerships, it is imperative that both agencies embrace landscape level conservation and management efforts.

FS Wildlife and Fisheries Habitat Management/Integrated Resource Restoration (IRR).—Defenders opposes expanding the IRR program beyond the current pilot program and in fact recommends the termination of the program given concerns that wildlife program activities have been marginalized under IRR and that timber targets have detracted from integrated restoration. Wildlife and Fisheries Habitat Management has been flat-funded at \$140.5 million since fiscal year 2014. We support funding the program at least at the fiscal year 2010 level of \$143 million to

carry out critical conservation and recovery activities and to begin to address the loss of biologists that has occurred in recent years.

FS Land Management Planning, Assessment and Monitoring.—Numerous out of date forest plans lack contemporary conservation strategies for at-risk species, and often require costly amendment. Integrating the assessment, planning and monitoring programs will lead to more efficient land management planning, reducing timelines and costs. Defenders supports continued funding at no less than the fiscal year 2017 level of \$182.9 million.

FS Collaborative Forest Landscape Restoration Program.—We support continued funding at the fiscal year 2017 level of \$40 million for this cost-effective program established to restore forest and watershed health, improve wildlife habitat, and reduce the costs of fire suppression in overgrown forests and the risk of uncharacteristic wildfires.

FS Forest and Rangeland Research (FS R&D).—We were disappointed that FS R&D was cut by \$4.5 million in the final fiscal year 2017 bill and we urge a return to the fiscal year 2015 level of \$226 million which included \$27.1 million for Wildlife and Fish R&D. Adequate funding for this program is crucial in providing relevant tools and information to support sustainable management of National Forest System lands as well as non-Federal forest lands. Generally, we are concerned that the FS may lack adequate applied scientific capacity both in R&D and the National Forest System to implement critical conservation and management actions.

BLM Wildlife and Fisheries Management.—Defenders appreciates the increase of \$13.9 million for Wildlife and Fisheries in the fiscal year 2017 bill, which includes an increase of \$8.9 million for implementation of management prescriptions to conserve the greater sage-grouse. Defenders supports no less than the fiscal year 2017 level of \$115.8 million.

BLM Threatened and Endangered Species Management.—Funding for this program is far below the level needed to fund work the agency is required to do to recover ESA listed species on BLM lands. Defenders supports \$22.6 million for the program, an increase of \$1 million over fiscal year 2017, which simply restores the budget to the fiscal year 2010 level and will better help recover listed species.

BLM Renewable Energy.—Defenders supports funding at no less than the fiscal year 2017 level of \$29.1 million to allow BLM to continue facilitating renewable energy development on public lands, while avoiding areas with natural resource conflicts, including sensitive wildlife species.

BLM Resource Management Planning, Assessment and Monitoring.—Defenders appreciates the increase of \$4 million that was provided in the fiscal year 2017 bill for a total of \$52.1 million. We urge continued funding at no less than that level to support new high priority planning efforts, data collection and monitoring crucial to the sage-grouse conservation strategy and other key initiatives, and continued development of a new geospatial initiative to better monitor ecological conditions and trends on the landscape.

U.S. GEOLOGICAL SURVEY

The U.S. Geological Survey provides the basic science for conservation of wildlife and habitat.

National Climate Change and Wildlife Science Center/Climate Science Centers.—Defenders was disappointed in the \$1.1 million cut included in the final fiscal year 2017 bill. We urge funding at no less than the fiscal year 2016 level of \$26.4 million to support scientific needs in planning for climate change adaptation and building resiliency of ecosystems.

Ecosystems.—Defenders urges continued funding at no less than the fiscal year 2017 level of \$159.7 million to help to support development of crucial scientific information for sound management of our Nation's biological resources.

LAND AND WATER CONSERVATION FUND (LWCF)

Defenders was disappointed in the \$50 million cut to LWCF in the final fiscal year 2017 bill. We support funding at no less than the fiscal year 2016 level of \$450 million to help to save some of the 6,000 acres of open space, including wildlife habitat, that are lost each day in the U.S.⁴

[This statement was submitted by Mary Beth Beetham, Director of Legislative Affairs.]

⁴ http://www.fs.fed.us/openspace/coop_across_boudaries.html.

PREPARED STATEMENT OF THE DINE GRANT SCHOOLS ASSOCIATION

The Dine Grant Schools Association (DGSA) is comprised of the school boards of six Bureau of Indian Education (BIE)-funded schools which are operated pursuant to the Tribally Controlled Schools Act (Public Law 100–297) and located on the Navajo Nation in Arizona and New Mexico. These schools are: Dziłth-Na-O-Dith-Hle Community Grant School; Kinteel Residential Campus, Inc.; To'hajiilee Day School; Na' Neelzhiin Ji'Olta (Torreon Day School); Hunters Point Boarding School; and Chilchinbeto Community School.

As Tribal school boards, we have both the greater freedom and the tremendous responsibility to ensure that our students receive the kind of world-class, culturally relevant education that will help them reach their fullest potential. We take this responsibility seriously and we would like to thank this Subcommittee for playing an important role in our students' success. Further, as the BIE seeks to transition from running schools to supporting the Tribal school boards who take on this critical responsibility, the perspective of school boards who are already doing this successfully is more important than ever. This testimony highlights the needs and the best practices of Dine Grant Schools Association member school boards. Our highest funding priorities are: Tribal Grant Support Costs; Facilities Operations and Maintenance; and ISEP formula funds in the BIE budget as well as Education Construction and Repair in the Bureau of Indian Affairs budget.

Success through language, culture, community involvement, and high standards. Successful students know who they are, that they are valued, and that great things are expected of them. Our schools incorporate Navajo language and culture into our curricula. We set rigorous standards that our students must strive to meet and that give them a sense of accomplishment at their achievements.

Why Federal funding matters. It is difficult to concentrate on lessons if you are too cold or the roof is leaking or the water pipes don't work. It is difficult to take Partnership for Assessment of Readiness for College and Careers (PARCC) online practice tests or take distance learning Advanced Placement classes on dial up speed Internet connections. It is difficult to ride the bus, sometimes on unimproved roads, to a crumbling school whose replacement has been identified as a priority, yet no improvements are made because the extensive waiting list for construction puts it on hold for years. These challenges to learning are prevalent throughout Indian Country. What has been different these past several years is Congress's sea change in understanding the extent of these challenges and bipartisan resolve to address them. For this, we are deeply grateful. As we work to provide a world-class education and bright future for our students, we consider Members of Congress to be our partners in this endeavor. Below is a description of the programs that make the greatest difference in our ability to educate our students.

TRIBAL GRANT SUPPORT COSTS

Since the 1988 Elementary and Secondary Education Act reauthorization, tribally-operated elementary and secondary schools have received funding for the administrative expenses incurred for the operation of BIE-funded schools through an Administrative Cost Grant, now called Tribal Grant Support Costs (TGSC). Tribal Grant Support Costs are the Contract Support Costs for tribally controlled schools. These funds are used for essential services such as contract/grant administration; program planning and development; human resources; insurance; fiscal, procurement, and property management; required annual audits; recordkeeping; and legal, security and other overhead services.

Impact. In fiscal year 2016, Tribal Grant Support Costs were fully funded for the first time and in fiscal year 2017, Congress increased this amount at the BIE's recommendation to \$80 million. In previous fiscal years when TGSC appropriations had been insufficient to meet the level of need without other sources of funding, we had been forced to re-direct more and more funds from our education program budgets to cover essential administrative costs. Our schools were forced to make difficult decisions—such as delaying purchase of new textbooks and other materials, paying non-competitive teacher salaries, reducing the number school days—to fit within these reduced budgets. Even with these cost-saving measures, some schools were still struggling with further reductions in management and business-office personnel at the risk of prudent internal controls and meeting the federally-mandated requirements for fiscal processes and operation of education grants/programs.

Request. Consistent, full funding of Tribal Grant Support Costs is a primary prerequisite for Tribes to continue to operate schools and for more Tribes to decide to take on this responsibility. As proponents of this model, we hope to be joined by even more schools in the coming years. We are grateful for Congress's commitment to full funding and willingness to work with Tribal school boards and the BIE to

arrive at an amount that fulfills this obligation, particularly as more schools convert from BIE-operated to tribally-controlled schools.

FACILITIES OPERATIONS AND MAINTENANCE

Facilities Operations funding is for the ongoing operational necessities such as electricity, heating fuels, custodial services, communications, refuse collection and water and sewer service. This budget category saw a \$7 million increase in fiscal year 2016 followed by a \$3 million increase in fiscal year 2017.

Facilities Maintenance funds are intended to provide for the preventative, routine, and unscheduled maintenance for all school buildings, equipment, utility systems, and ground structures. This budget category saw a \$7 million increase in fiscal year 2016 followed by a \$3 million increase in fiscal year 2017.

There are numerous studies which attest to the fact that there is a close correlation between poor or inadequate facility conditions and poor student and staff performance. According to the fiscal year 2017 budget justification, 55 of the 183 BIE-funded schools and dormitories (one-third) are still rated in “poor” condition in the Bureau’s Education Facility Condition Index (FCI). Further, the fiscal year 2017 budget justification elaborates that there is \$388.9 million in deferred maintenance backlogs! It is clear that there is a long way to go with regard to upkeep of our schools. Part of the maintenance problem will be solved by replacing aging, deteriorated schools, but Federal resources for maintenance are needed to preserve that investment and to ensure our schools’ facilities remain fully functional learning environments throughout the length of their design life.

Impact. Our schools are making every effort to make do with very modest facilities funding. Since we cannot delay paying our utilities or avoid taking actions that would impact student safety, we often have to resort to using our other education or academic program monies—just like what happened when Tribal Grant Support Costs were not fully funded. We caution that insufficient funding for Facilities Operations and Maintenance means delaying routine, as well as unscheduled, maintenance of buildings, equipment, utility systems and grounds—thereby jeopardizing student and staff safety. Attempts to moderate electrical and/or heating costs, or reduce custodial and refuse services and similar cost-cutting measures would only make our already compromised learning conditions more uncomfortable and unhealthy for students and staff. If we cannot provide a decent learning environment, how can we expect our students to focus on achieving academic success?

Request. The recent increases for these two budget categories are important improvements; however, the fiscal year 2017 budget justification States that the \$66.2 million requested (and provided in the fiscal year 2017 Omnibus appropriations) for Facilities Operations and the \$59 million requested (and provided in the fiscal year 2017 Omnibus appropriations) for Facilities Maintenance would fund 78 percent of calculated Facilities Operations and Maintenance need across BIE-funded schools. We respectfully ask that the Subcommittee consider providing full funding.

INDIAN SCHOOL EQUALIZATION PROGRAM (ISEP) FORMULA FUNDS

The Indian School Equalization Program (ISEP) Formula is the core budget account for Educational and Residential programs of the BIE elementary and secondary schools and dormitories. These funds are used for instructional programs at BIE-funded schools and include salaries of teachers, educational technicians, and principals. The amount provided to each school is determined by a statutorily-mandated formula established by regulation.

During the eight-year period of fiscal year 2003 to fiscal year 2010, the ISEP Formula account increased by almost \$45.5 million; but in only two of those years—fiscal year 2009 and fiscal year 2010—was the increase actually an increase in program funding. For the other years, the requested increases were limited to amounts needed for fixed costs and related changes, as opposed to actual program increases. Funding for ISEP began to fall in fiscal year 2011, and the fiscal year 2015 level was actually \$5 million less than in fiscal year 2010. In fiscal year 2016, Congress provided an increase for fixed costs followed by a \$ 6.5 million program increase in fiscal year 2017.

Impact. For most BIE-funded schools, the chronic shortfall in the other key school accounts has a negative impact on ISEP Formula funding, because ISEP Formula funds are often diverted to make up the shortfalls in other accounts, such as Tribal Grant Support Costs and Facilities Operations and Maintenance, when a Tribe or Tribal school board has no other source of funding to satisfy those shortfalls. This means fewer funds are available for instructional activities. We are tremendously grateful that Congress has increased funding for these critical accounts so ISEP Formula funds can be used for their intended purpose.

Request. The \$6.5 million program increase for a total of \$400.2 million that Congress provided in fiscal year 2017 will be very helpful; however, it still does not acknowledge the shortfalls that have been building for years. We respectfully request a total of \$431 million for this critical budget category.

EDUCATION CONSTRUCTION AND REPAIR

This funding category within the BIA Construction budget includes Replacement School Construction; Facilities Component Replacement; Facilities Improvement and Repair; and Employee Housing Repair. According to the Department of the Interior, the current backlog of construction projects is estimated to be as high as \$1.3 billion. The BIE has stated that its “next-step” is to “develop a long-term school construction funding plan that will address the needs of all BIE funded schools determined to be in poor condition.” We were encouraged by the substantial increase that this Subcommittee provided for Education Construction in fiscal year 2016 and then maintained in fiscal year 2017. We were encouraged to see the language in the fiscal year 2017 Omnibus joint explanatory statement directing the BIE to “submit an allocation plan to the Committees for campus-wide replacement and facilities replacement within 30 days” of the Omnibus’s enactment. Finally, we were overjoyed to see that the National Review Committee identified one of our member schools, Dzilh-Na-O-Dith-Hle Community Grant School, for school replacement planning, design and construction funding.

Impact. Facilities within the BIE system are woefully outdated and, in some cases, dangerous for students and staff. The lack of an appropriate learning environment in many BIE system schools puts Native students at an unfair disadvantage.

Request. We ask that Congress and the BIE consult with Tribes and Tribal school boards when developing this long-term school replacement and repair plan. Further, we ask that once developed, Congress implement this plan by providing consistent funding for Education Construction and Repair each fiscal year. Adequate and predictable funding will mean that aging schools can finally be replaced in an orderly, scheduled fashion and our students can focus on their most important job: learning.

CONCLUSION

Thank you for the opportunity to provide testimony on these critical matters. As we work to provide a world-class education and bright future for our students, we greatly appreciate that the Members of this subcommittee and your colleagues in the Congress have joined as our partners in this endeavor.

Questions regarding this document may be directed to: Jerry Chavez, President, Dine Grant Schools Association: chavez.jerry45@yahoo.com.

[This statement was submitted by Jerry Chavez, President.]

PREPARED STATEMENT OF THE DUCKWATER SHOSHONE TRIBE

The requests of the Duckwater Shoshone Tribe (hereinafter “Tribe”) for the fiscal year 2018 Indian Health Service (IHS) and Bureau of Indian Affairs (BIA) appropriations are as follows:

- Fully Fund Contract Support Costs for the IHS and BIA.
- Protect the IHS budget from sequestration.
- Permanently reauthorize the Special Diabetes Program For Indians.
- Appropriate additional funding to the IHS Hospitals and Clinics line item, and direct the IHS to allocate such additional funding specifically for pharmacy programs and physician services.
- Increase funding for Road Maintenance in the BIA budget.
- Increase funding for the Office of Indian Energy and Economic Development (funded by the Community and Economic Development activity in the Indian Affairs budget).
- Increase funding for Welfare Assistance in the BIA budget.

The Duckwater Shoshone Tribe is a federally recognized Indian Tribe located in a remote, high desert valley in the State of Nevada, in the very northern tip of Nye County. We are approximately 72 miles southwest of Ely and 40 miles southwest of Eureka. The Tribe is governed by a democratically elected, five-member Tribal council and is primarily an agricultural community. We offer a range of services to our Tribal members, including healthcare and natural resources and environmental health programs. The Tribe operates a Tribal health clinic under a self-governance agreement with the Indian Health Service (IHS) under Title V of the Indian Self-Determination and Education Assistance Act.

FULLY FUND CONTRACT SUPPORT COSTS (CSC)

The Tribe wishes to thank the subcommittee for their leadership in making funding of IHS and BIA contract support costs for fiscal year 2016, and now fiscal year 2017, an indefinite amount and also making it a separate account in the IHS and BIA budgets. This shift makes an enormous difference in helping ensure that the Indian Self-Determination and Education Assistance Act (ISDEAA) is fully funded and implemented as Congress intended. It also significantly enhances the Federal-Tribal government-to-government relationship. The Tribe is also thankful that the subcommittees listened to Tribal comments about how the bill proviso in the fiscal year 2016 enacted bill effectively denied the CSC carryover authority authorized by the ISDEAA, and appreciates that the proviso was absent from the Consolidated Appropriations Act for fiscal year 2017.

The Tribe nevertheless believes it is important that the indefinite appropriation of CSC funding be mandatory and permanent. Under the ISDEAA, the full payment of CSC is not discretionary, but is a legal obligation of the Federal Government which has been affirmed by the U.S. Supreme Court. Funding of CSC on a discretionary basis has in the very recent past placed the House and Senate Appropriations Committees, in their own words, in the “untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs.” The Tribe is determined to work together with the appropriate congressional committees to find a solution for achieving this goal.

EXEMPT IHS FROM SEQUESTRATION

The Tribe is asking for this subcommittee’s support, and the support of your colleagues, for amending the Balanced Budget and Emergency Deficit Control Act to exempt the IHS from potential sequestration of funds. We are glad that Congress has seen its way fit to fully exempt Veterans Health Administration’s programs from sequestration and to limit state Medicaid grants and Medicare payments to a 2 percent reduction. However, we do not see why Indian health, as a Federal trust responsibility, is not afforded this same treatment. Indeed, a number of Members of this subcommittee and other members of Congress have publicly stated that it was an oversight that IHS was not included in the exempt category when the Balanced Budget and Emergency Deficit Control act was enacted.

The Tribe is also greatly concerned that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal year 2017 spending cap. When put into the context of the President’s “skinny” fiscal year 2018 budget outline proposal, which raises defense spending by \$54 billion and lowers non-defense discretionary spending by a like amount, the Tribe fears that the stage is set for significant sequestration of funds. Whatever the outcome, Indian health should be made exempt from sequestration.

SPECIAL DIABETES PROGRAM FOR INDIANS (SDPI)

The Tribe, like others throughout Indian Country, continue to support a permanent reauthorization and increased funding for the SDPI, which provides crucial support for diabetes prevention and treatment programs. While we understand that an SDPI reauthorization bill is not under purview of this subcommittee, the SDPI and the programs carried out with SDPI funding certain affect the scope and range of our healthcare efforts and our IHS programs, which this subcommittee funds. The Tribe would greatly appreciate any help the Interior Appropriations Subcommittee Members can provide with your colleagues on this matter.

The SDPI program has been funded at \$150 million for many years and we often come to the brink of the expiration of its short authorization period before it is extended. It is set to expire again on September 30, 2017. A permanent reauthorization with annual funding of \$200 million would provide stability for our diabetes programs in terms of planning and recruiting and retaining personnel. The program is required to track outcomes, and it has shown identifiable significant outcomes—both in terms of access to treatment and prevention.

INCREASED IHS FUNDING FOR PHARMACY AND PHYSICIAN SERVICES

Pharmacy programs within the IHS, and the funding the Tribe receives through its Hospitals and Clinics funding for carrying out a pharmacy program, are woefully inadequate for serving the needs of the Tribe’s pharmacy patients. The funding has failed to keep up with the skyrocketing costs of prescription drugs, even with access to discounted goods and services on Federal Supply Schedules (FSS) and the McKesson Prime Vendor contract. The Tribe previously used its buy back authority to procure pharmacy services from the IHS through McKesson, which was extremely

expensive, and moreover, McKesson has been experiencing a limited supply of pharmaceuticals. The Tribe's current funding is insufficient to keep up with rising pharmacy costs. The Tribe has a similar concern about the funding made available through the IHS that the Tribe can then allocate to procuring physician services. The Tribe has been experiencing great difficulty over the past several fiscal periods in recruiting and retaining physicians for carrying out its primary healthcare programs.

While the Tribe has authority under its ISDEAA self-governance agreement to redesign its compacted programs and reallocate funding in any manner in which the Tribe deems to be in the best interests of the health and welfare of its own Tribal community, the reality is that there is just not enough funding for the Tribe to provide necessary services and still have adequate funding for pharmaceuticals and to pay physicians to locate to our remote area. We thus ask for the subcommittees' support for increasing the IHS appropriation for Hospitals and Clinics funding, and to direct the IHS to allocate additional funding toward pharmacy and physician services.

FUNDING FOR ROAD MAINTENANCE

"Road Maintenance," which is funded under the "Tribal Government" activity in the BIA budget, is critically important to our Tribe. We are located in a rural area with few resources, few well-paved state or county connecting roads, and limited Tribal Transportation Program formula funds. As the Indian Affairs fiscal year 2017 Budget Justification explains, "The amount received in the TPA [Tribal Priority Allocation] portion of the budget has been approximately \$24 million per year, which is less than 9 percent of the deferred maintenance of \$289 million for fiscal year 2015." As has been noted in any number of Congressional hearings, written testimony, and Federal reports, the roads in Indian Country are some of the most dangerous and poorly funded roads in the Nation. We consider Road Maintenance funding to be a matter of public safety and we respectfully ask the subcommittee to increase appropriations for this critical budget sub activity.

ECONOMIC DEVELOPMENT

Being a rural Tribe means that our members have less access to both employment and job creation opportunities. We also struggle with high energy prices both for individual members and for our Tribal government buildings. These conditions are two factors hampering our ability to thrive as a community and we have been exploring a number of options to alleviate them. Through targeted studies, we have determined that we have viable wind and solar resources that can be developed. Developing these resources would provide our Tribe with greater energy certainty, lower energy prices, and economic opportunities for our Tribal members. We ask that this subcommittee increase funding for the Office of Indian Energy and Economic Development which is funded through the "Community and Economic Development" activity in the Indian Affairs budget, particularly the "Job Placement and Training" sub activity, which funds technical and vocational training, and the "Minerals and Mining" sub activity, which promotes and provides technical assistance for the development of renewable energy, conventional energy, and mineral resources. If we in Indian Country are to build a strong economic future for our communities, we must pursue an all of the above energy strategy which for us, includes wind and solar.

ADULT WELFARE ASSISTANCE

Rural areas, both in Indian Country and in non-Tribal areas, often experience higher than average rates of unemployment due to a lack of opportunities. As a Tribe, we are working hard to help create opportunities for our Members both in terms of job placement and job creation. Unfortunately, there are some circumstance when welfare assistance is temporarily needed for some Tribal members. The "Welfare Assistance" sub activity funded under the "Human Services" activity in the BIA budget provides these critical resources for our people. We, like the BIA and Congress, believe that welfare assistance should be a temporary safety net and ultimately, a bridge to better circumstances and opportunities, but we believe that it must exist. We ask the Subcommittees to increase funding for Welfare Assistance as a way to strengthen and stabilize families so that they are able to pursue opportunities and ultimately become self-sufficient.

Thank you for your consideration of the concerns and requests of the Duckwater Shoshone Tribe.

[This statement was submitted by Rodney Mike, Tribal Chairman.]

PREPARED STATEMENT OF THE DZILTH-NA-O-DITH-HLE COMMUNITY GRANT SCHOOL
(DCGS)

Thank you for the opportunity to submit testimony on behalf of the Dzilh-Na-O-Dith-Hle Community Grant School (DCGS) on the Navajo Reservation in Bloomfield, New Mexico. Our school, which has been in continuous service since 1968, operates a K–8 educational program and a dormitory program for students in grades 1–12, serving around 260 students in both programs. DCGS is a tribally controlled grant school located approximately 170 miles northwest of Albuquerque. DCGS is primarily funded through appropriations received from the Bureau of Indian Education (BIE), and pass-through funding from the Department of Education.

Our all-Navajo Board operates the DCGS through a Grant issued by the BIE under the Tribally Controlled Schools Act. The DCGS goal is to make a difference in the educational progress of our students and we believe that all of our students are capable of achieving academic success. Yet, we suffer from underfunding of practically every one of our educational and related programs that affects our ability to fully meet our school goals and our ability to successfully operate our programs under the Indian Self-Determination policy.

Locally controlled schools like DCGS educate our students to be contributing members of our community and to help our people. This focus has helped improve our students' performance. If we were able to operate our school without funding shortfalls and constant worries, we think our students would reach even more amazing heights. Funding increases are desperately needed and are having a significant impact.

At the outset, we would like to associate ourselves with the testimony of the Diné Bi Olta School Board Association, and fully support their recommendations. We ask the Subcommittee to pay particular attention to their suggestions regarding the BIE budget model, and BIE program management. Thank you.

Our recommendations can be summarized as follows:

- Ensure local control of schools and education resources through the transition.
- Fully fund school construction.
- Provide \$109 million for facilities operation and \$76 million for facilities maintenance (full funding).
- Fund Student Transportation at \$73 million, and BIA Road Maintenance at \$40 million.
- Continue to fully fund Tribal Grant Support Costs.
- Protect BIE and Indian programs from sequestration or shutdown.

1. Ensure Local Control of Schools and Education Resources

We have told this Subcommittee before about DCGS's concern about the BIE's "Blueprint for Reform," which aims to reorganize the BIE's administrative structure. We have been concerned that reform would centralize decisionmaking in the Headquarters office—rather than looking to schools and local communities. While we do not doubt the BIE's commitment to a high-quality education for Indian students, we firmly believe that our parents and our elected school board are best-suited to make decisions affecting our students—a belief reflected by Congress in the passage of the Tribally Controlled Schools Act. We believe the new Administration will continue to implement the Blueprint, but we ask that this Subcommittee and your colleagues work with the BIE and Tribal schools to ensure BIE decisions are best for students and schools.

2. Full Funding for School Construction

DCGS is proud to have been a successful applicant for the current round of school construction funding at BIE. As our school facilities were outdated and insufficient for our needs, we are looking forward to being able to offer an improved school for our students. This funding will enable us to replace our buildings that 7 years ago had a backlog of maintenance projects that would have cost \$7.7 million to complete; a new school is transformative for our community.

DCGS is nearing completion of its planning phase for the new school and, while there is work to do still, we believe that we can be a model of success in planning. We have worked closely with BIA facilities on moving this project along, and have made great progress. We have hired a project manager for the construction of the school, secured an engineering firm for design, are in the middle of our planning with staff and have conducted several interviews to make sure our staff has input on the design needs and planning process. The assessment of necessary prerequisites for construction is complete, including all field work for the facility condition assessment. The remaining hurdle is that we are waiting for completion of the

Historic Preservation Assessment by the Navajo Nation. We have requested that the BIE assist the Nation in completing this step, as the project is otherwise on time and on-budget. If necessary, we hope this Subcommittee will recognize that there must be flexibility in timelines for funding availability in these projects, and work with us and the BIE on these matters.

According to the Department of Interior's 2013 figures, the backlog of construction projects for schools was estimated to be as high as \$1.3 billion. That figure has grown with further backlog and the shift of more schools onto the necessary construction list. We were encouraged by the substantial increase that this Subcommittee provided for Education Construction in fiscal year 2016 and then maintained in fiscal year 2017. We believe BIE schools are due for a wholesale school replacement effort like that provided for Department of Defense schools where 134 of their schools were rebuilt over 5 years, beginning in 2011. DCGS supports the call for full funding for school construction funds to immediately address this need. We urge the Committee and the BIE to engage in consultation with Tribal schools and Tribes to begin the effort towards modernization of all BIE schools.

3. Full Funding for Facilities Operation and Maintenance

To enable Tribal schools to keep their buildings in working order (and so they last as long as possible), we must receive adequate operation and maintenance funding. As we have said in years past, we are forced to sacrifice instruction and other funds to keep ancient heaters working or to keep water and sewer systems functional. We owe it to our students and to our communities to make sure our buildings are safe and sanitary, and full operations and maintenance funding allow us to do so. Schools still only receive partial funding for these purposes. DCGS requests that Congress fund BIE facilities operations at \$109 million and BIE facilities maintenance at \$76 million.

4. Increase Funding for Indian School Equalization Programs

The most critical stream of funding for community grant schools like ours is funding in the Indian School Equalization Program (ISEP). The ISEP funds are those that schools use for the day-to-day operation, whether that is paying teachers and staff, purchasing curriculum and supplies, or operating student programs. In years past, our ISEP funds were put under pressure by unfunded needs elsewhere in our schools, which might have involved paying utilities or repairing one of our school buses with ISEP funds. The National Congress of American Indians has recommended that Congress appropriate \$431 million for ISEP funding, which we think should be this Subcommittee's baseline for funding this budget year. We have repeated this in past years, but we want you to know that we really do mean it: ISEP is our schools' lifeblood, and we are still struggling to make up for losses over time.

5. Increase funding for Student Transportation

As a rural school, one of our most challenging tasks is getting our children to school and back home—we must battle poor roads, increasing costs of maintenance, and high fuel costs as part of this, but we must keep the buses running. We request at least \$73 million for student transportation in the BIE system. We also request that this Subcommittee fund BIA Road Maintenance at a sustainable level. We echo NCAI's recommendation that the Subcommittee appropriate at least \$40 million for road maintenance in fiscal year 2018. Such funding will enable us to maintain our six school buses, and will protect other funds that would otherwise be used for this purpose.

6. We support full funding for Tribal Grant Support Costs.

Tribal Grant Support Costs (TGSC) (formerly known as Administrative Cost Grants) are the BIE analogue to Contract Support Costs, and are necessary for schools like DCGS to operate our schools. Not only do the TGSC funds pay for the administration of the school, but also fund all indirect costs like payroll, accounting, insurance, background checks and other legal, reporting, and recordkeeping requirements.

TGSC has been fully funded for the last 2 years, and we are very grateful to this Subcommittee for that. In years past schools had only received, at most, two-thirds of the TGSC needed to cover overhead costs. DCGS welcomes this long overdue change, and applauds this Subcommittee's decision to treat schools' support costs the same as contractors with the BIA and the Indian Health Service. We are able to better serve our students with these funds.

Like all our funding, TGSC is critical, and we appreciate very much the Subcommittee's support in full funding. This year, we request continued full funding of TGSC, which enables DCGS and other schools to realize self-determination in education. We believe last year's funding of \$80 million must be increased to meet the need as additional BIE-operated schools convert to Tribal operation under the Tribally Controlled Schools Act.

7. Protect BIE and other Indian Programs from Sequestration or Shutdown

You will likely hear from several other witnesses today that Indian-related programs must be protected from budget fights that result in sequestration, rescission, or government shutdown. We join those in urging this Subcommittee to include language in budget and appropriations bills that continued funding for Native-related programs through these challenges. Schools receive advance year funding—and thus are a bit shielded from shutdowns or short term continuing resolutions—but our communities feel the reverberations from these incidents directly. Funding for our programs is scarce already—reductions for sequestration and stop-work orders from shutdowns hit reservation communities especially hard, and our students feel the same stress that is affecting their parents and neighbors.

Since Tribal programs are part of treaty and trust rights—programs that were paid for with land and lives—we think it appropriate that Congress make Native-related appropriations mandatory. Upholding the trust responsibility is a solemn duty of the U.S., and exempting Native-related programs and funding from budget challenges would be a good step in fulfilling that charge.

Lastly, we would like to raise our concern to this Subcommittee with language in the President's signing statement for the fiscal year 2017 Omnibus Appropriations bill. In that signing statement, he singled out School Improvement Programs serving the BIE, Tribal technical assistance and contracting programs with the Department of Defense, and Native American and Alaska Native Housing Block Grants as an example of programs that “allocate benefits on the basis of race, ethnicity, and gender,” and ones that the Administration will treat “in a manner consistent with the requirement to afford equal protection of the laws.” This Subcommittee is well aware that Native American programs—like all of those at the BIE and BIA—are not provided on the basis of race or ethnicity. These programs grow from the political relationship between Tribal governments and the United States, and embody the trust and treaty duties we mentioned earlier. We worry that miscategorization of programs serving Indians and Alaska Natives as based on race or ethnicity undermines the responsibility shared by all branches of the Federal Government to live up to the United States' promises. We hope this Subcommittee plays an important oversight role to ensure the Administration fulfills its trust and treaty obligations as well.

We look forward to working with the Subcommittee on furthering the important work of our school and enriching our students. Thank you for the opportunity to submit testimony.

[This statement was submitted by Ervin Chavez, School Board President & Faye BlueEyes, Administrative Services Director.]

PREPARED STATEMENT OF THE ECOLOGICAL SOCIETY OF AMERICA

On behalf of the Ecological Society of America (ESA), the world's largest society of professional ecologists representing over 10,000 members across the country, I write to urge you to provide \$1.2 billion for the US Geological Survey (USGS) for fiscal year 2018 and to reject proposed cuts to the agency's fiscal year 2017 funding. ESA is concerned with the administration's proposal to cut the USGS fiscal year 2018 budget by nearly 15 percent to \$900 million, a funding reduction that would significantly restrict the agency's ability to fulfill its mission and provide important impartial scientific information to decision makers and American citizens. We urge you to preserve funding for the USGS so the agency can continue its critical work of maintaining our Nation's natural resources, ensuring environmental health, and protecting public health.

The USGS plays a unique role within the Department of the Interior, conducting research across a broad array of scientific disciplines and providing data that informs responses to many of the Nation's greatest challenges. To highlight just a few examples, USGS science:

- Reduces risks from natural hazards—including earthquakes, landslides, volcanic eruptions, flooding, drought, and wildfires—that jeopardize human lives and result in billions of dollars in damages annually.

- Informs management of freshwater resources—both above and below the land surface—for drinking water, agriculture, and commercial, industrial, recreational, and ecological purposes.
- Informs sound management of natural resources on Federal and State lands, including control of invasive species and wildlife diseases that cause billions of dollars in economic losses. This information is shared with other Interior bureaus and State agencies to allow for adequate monitoring and management.
- Helps predict the impacts of land use and climatic conditions on the availability of water resources and the frequency of wildfires. The Landsat satellites have collected the largest archive of remotely sensed land data in the world, which informs agriculture production and our Nation's response to and mitigation of natural hazards.
- Provides vital geospatial and mapping data used in economic development, environmental management, infrastructure projects, and scientific applications by States, Federal agencies, and the private sector.
- Helps make decisions about the Nation's energy future by assessing mineral and energy resources—including rare earth elements, coal, oil, unconventional natural gas, and geothermal. The USGS is the sole Federal source of information on mineral potential, production, and consumption.

Few modern problems can be addressed by a single scientific discipline. The USGS has a unique capacity to deploy truly interdisciplinary teams of experts to gather data, conduct research, and develop integrated decision support tools that improve ecosystem management, ensure accurate assessments of our water quality and quantity, reduce risks from natural and human-induced hazards, deliver timely assessments of mineral and energy resources, and provide emergency responders with accurate geospatial data and maps.

The Society is appreciative of the strong bipartisan, bicameral support USGS has received from House and Senate appropriators over the years. We respectfully request that you continue this trend by providing \$1.2 billion for the US Geological Survey for fiscal year 2018 and rejecting proposed cuts to the agency's fiscal year 2017 funding.

[This statement was submitted by David M. Lodge, President.]

PREPARED STATEMENT OF THE ECOLOGICAL SOCIETY OF AMERICA

The Ecological Society of America (ESA) appreciates the opportunity to provide testimony in support of fiscal year 2018 appropriations for the Environmental Protection Agency. ESA is the Nation's largest professional society of ecologists, representing over 10,000 members across the country. We write to urge you to support robust funding for the Environmental Protection Agency (EPA) for fiscal year 2018, specifically at least \$715 million for Science and Technology within EPA.

The EPA is vital to protecting both the environment and human health, and the agency's Science and Technology programs are critically important to its ability to successfully address environmental problems. Strong investments in the EPA are essential to ensuring the health of our Nation's citizens and environment.

EPA SCIENCE AND TECHNOLOGY PROGRAMS REDUCE ENVIRONMENTAL RISKS FACING AMERICANS

Since its formation in 1970, the EPA has reduced environmental risk to Americans, enforced laws safeguarding human health and the environment, and helped the Nation serve as a leader in protecting the environment.

Science and Technology funding supports programs and research that contribute to clean air, clean water, sustainable communities, homeland security, and human health. Through the Office of Research and Development (ORD), the EPA conducts cutting-edge research programs, including important ecological research and monitoring, that provide the scientific foundation for the agency's decisionmaking and other programs. EPA research projects focus on issues of national significance and help to solve complex environmental problems—often with public health implications—with new scientific understanding and technologies. From detecting and addressing harmful algal blooms to helping communities rehabilitate contaminated sites, EPA research funded by Science and Technology appropriations delivers solution-oriented results with broad and significant impacts.

PROPOSED CUTS WOULD HAVE CONSEQUENCES FOR HUMAN AND ENVIRONMENTAL
HEALTH

ESA is very concerned with the administration's proposed cuts to the EPA. The President's budget proposal requests only \$5.7 billion for the agency, a reduction of 31 percent from the fiscal year 2017 enacted amount of \$8.1 billion. This significant cut would be achieved by eliminating 3,800 agency jobs and over fifty agency programs, including categorical grant programs and regional environmental programs, climate science research, and partnership programs. The administration's budget also proposes to reduce funding for EPA Science and Technology considerably to only \$451 million, a 36 percent cut from net fiscal year 2017 funding.

ESA is extremely troubled by these proposed changes and the devastating impacts they would have on the agency's ability to fulfill its mission and conduct the scientific research necessary to inform its operations and decisions. We urge you to reject cuts to EPA programs and research as you proceed with fiscal year 2018 appropriations.

STRONG INVESTMENTS IN THE EPA PROTECT OUR CITIZENS AND OUR ECOSYSTEMS

The EPA is an essential agency that plays a key role in addressing ecological problems and other environmental issues that affect public health. We appreciate your past support for this critical agency, and we urge you, in the interest of ensuring the health of our Nation's citizens and ecosystems, to continue this support and provide robust funding for the EPA in fiscal year 2018, in particular \$715 million for EPA Science and Technology.

Thank you for your consideration of this request.

PREPARED STATEMENT OF THE ENTOMOLOGICAL SOCIETY OF AMERICA

The Entomological Society of America (ESA) respectfully submits this statement for the official record in support of funding for entomology-related activities at the U.S. Department of Agriculture Forest Service and the U.S. Environmental Protection Agency (EPA). For fiscal year 2018, ESA requests the Forest Service be funded at least at the fiscal year 2016 enacted level of \$5.68 billion in discretionary funds. Within the Forest Service, ESA requests the Forest and Rangeland Research budget be supported at \$291.982 million to preserve valuable invasive species research and development. The Society also supports continued investment in Forest Health Management programs across the Forest Service in fiscal year 2018. In addition, ESA recommends \$8.267 billion for EPA, including support for Pesticides Licensing Program Area activities within its Science & Technology and Environmental Program & Management budgets, and continued support for State & Tribal Assistance Grants for Pesticide Program Implementation. Finally, ESA strongly supports EPA's commitment to work with other Federal agencies to monitor and improve pollinator health, including involvement by EPA to examine the potential impact of pesticides on pollinator health.

Advances in forestry and environmental sciences, including the field of entomology, help to protect our ecosystems and communities from threats impacting our Nation's economy, public health, and agricultural productivity and safety. Through improved understanding of invasive insect pests and the development of biological approaches to pest management, entomology plays a critical role in reducing and preventing the spread of infestation and diseases harmful to national forests and grasslands. The study of entomology also contributes to the development of Integrated Pest Management (IPM) techniques, which use science-based, environmentally friendly, comprehensive methods to take preventative action against pests, often resulting in lower costs and a more targeted use of pesticides. In addition, entomology improves our knowledge of pollinator biology and the factors affecting pollinator health and populations, helping to ensure safe, reliable crop production that meets the needs of a growing world population.

The U.S. Forest Service sustains the health, diversity, and productivity of 193 million acres of public lands in national forests and grasslands across 44 States and territories. Serving as the largest supporter of forestry research in the world, the agency employs approximately 35,000 scientists, administrators, and land managers. In addition to activities at the Federal level, the Forest Service provides technical expertise and financial assistance to State and private forestry agency partners.

The Forest Service's Forest and Rangeland Research budget supports the development and delivery of scientific data and innovative technological tools to improve the health, use, and management of the Nation's forests and rangelands. Within

Forest and Rangeland Research, the Invasive Species Strategic Program Area provides scientifically based approaches to reduce and prevent the introduction, spread, and impact of non-native invasive species, including destructive insects, plants, and diseases that can have serious economic and environmental consequences for our Nation. For example, Forest Service scientists are working to prevent the devastation of ash trees across North America by the emerald ash borer, an invasive beetle that was accidentally introduced from Asia. Emerald ash borer was first detected in 2002 and, since then, has killed countless millions of ash trees. This biological invasion threatens to eliminate all ash trees from North America, and is the costliest invasion from a forest insect to date. Emerald ash borer is just one of the exponentially growing list of invasive insects and diseases that harm our Nation's forests and our Nation's economy. Forest health is also affected by invasive weeds, and those weeds are often best controlled by beneficial insects used as biological control agents, resulting in permanent and often spectacular control. ESA respectfully requests that Forest and Rangeland Research be fully funded at \$292 million for fiscal year 2018.

Also under the purview of the Forest Service is the Forest Health Management program, which conducts mapping and surveys on public and private lands to monitor and assess risks from potentially harmful insects, diseases, and invasive plants. The program also provides assistance to State and local partners to help prevent and control outbreaks that threaten forest health. According to a 2011 study, invasive forest insects cost local governments alone an average of over \$2 billion per year; direct costs to homeowners from property loss, tree removal, and treatment averages \$1.5 billion per year.¹ Initiatives within the Forest Health Management program can help control these costly pests. The program's "Slow the Spread" activities, for example, have led to a 60 percent reduction in the rate of the spread of an invasive species known as gypsy moth, resulting in an estimated benefit-to-cost ratio of 3:1. Without the program, it is estimated that 50 million additional acres would have been infested by the moth.² To support these important functions, ESA requests that the subcommittee oppose any proposed cuts to Forest Health Management program in fiscal year 2018.

EPA carries out its mission of protecting human health and the environment by developing and enforcing regulations, awarding grants for research and other projects, conducting studies on environmental issues, facilitating partnerships, and providing information through public outreach. Through these efforts, EPA strives to ensure that our Nation enjoys clean water, clean air, a safe food supply, and communities free from pollution and harmful chemicals.

EPA's Pesticides Licensing Program Area, supported by EPA's Science & Technology and Environmental Program & Management budgets, serves to evaluate and regulate new pesticides to ensure safe and proper usage by consumers. Through the mandate of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA utilizes scientific expertise and data, including knowledge gained from entomological sciences, to set maximum tolerated residue levels and to register pesticide products as effective and safe. By controlling insects that act as vectors of diseases of humans and domesticated animals, and invasive insect species that endanger our environment, pesticides registered by EPA help protect public health and the Nation's food supply. EPA's activities in this area also include the development of educational information and outreach to encourage the use of IPM and other reduced-risk methods of controlling pests. For example, EPA continues to support work protecting children from pesticide exposure used in and around schools, helping to promote cost-effective strategies that reduce student exposure to pesticides and pests. IPM strategies used in schools reduce student exposure to pesticides as well as allergens from pests themselves. Therefore, ESA supports continuing the modest funding that EPA has invested in school IPM.

Among EPA's State & Tribal Assistance Grants, categorical grants in the area of Pesticides Program Implementation help to facilitate the translation of national pesticide regulatory information into real-world approaches that work for local communities. For example, these grants fund efforts to reduce health and environmental risks associated with pesticide use by promoting, facilitating, and evaluating IPM techniques and other potentially safer alternatives to conventional pest control methods. ESA requests that the subcommittee support a modest increase for Pesticides Program Implementation grants.

¹ Aukema, J.E.; Leung, B.; Kovacs, K.; [et al.]. 2011. Economic impacts of non-native forest insects in the continental United States. *PLoS ONE* 6(9): e24587.

² Forest Service Fiscal Year 2017 Budget Overview: <http://www.fs.fed.us/sites/default/files/FY-2017-FS%20budget-overview.pdf>.

ESA is in favor of increased funding for scientifically based studies of pollinator populations and health. Pollinators play a vital role in our Nation's agriculture industry; for example, bees pollinate more than 90 crops in the United States and are essential for the production of an estimated 70 percent of all the food we eat or export. To ensure a healthy bee population, more research is needed to fully understand the complexities of Colony Collapse Disorder (CCD) and to examine the diverse factors that endanger bee health. Pesticides represent just one potential risk to bees, but both the risks and benefits must be balanced, and those risks and benefits will vary among different crops and different crop-producing regions of the United States. EPA is well-positioned to help identify methods for protecting bee health; the agency has previously awarded agricultural grants to three universities to aid in the development of IPM practices that lower pesticide risks to bees while protecting valuable crops from pests. For this reason, ESA supports EPA's participation in multi-agency efforts to investigate pollinator health and implementing plans to prevent pollinator population decline.

ESA, headquartered in Annapolis, Maryland, is the largest organization in the world serving the professional and scientific needs of entomologists and individuals in related disciplines. Founded in 1889, ESA has nearly 7,000 members affiliated with educational institutions, health agencies, private industry, and government. Members are researchers, teachers, extension service personnel, administrators, marketing representatives, research technicians, consultants, students, pest management professionals, and hobbyists.

Thank you for the opportunity to offer the Entomological Society of America's support for Forest Service and EPA programs. For more information about the Entomological Society of America, please see <http://www.entsoc.org/>.

[This statement was submitted by Susan Weller, PhD, President.]

PREPARED STATEMENT OF THE FEDERATION OF STATE HUMANITIES COUNCILS

Madam Chairwoman and members of the subcommittee, I thank you for this opportunity to submit testimony on behalf of the 56 State and jurisdictional humanities councils. Our request for fiscal year 2018 is \$155 million for the National Endowment for the Humanities and \$46 million for the Federal/State Partnership, which funds the councils.

The State humanities councils are full partners of the NEH, using the Federal/State Partnership funding to bring public programs to communities throughout the nation. Councils use these funds to leverage additional support from foundations, corporations, private individuals, and State governments. On average, councils leverage \$5.00 in local contributions for every dollar of Federal funding awarded through their grants. Over the past few years, they have further extended their resources by forming partnerships with more than 9,000 organizations throughout their States. Each year, councils continue to expand their programming to meet growing needs in their States. Councils in many States help to revitalize communities, especially in rural areas, through programs that strengthen local institutions and increase tourism. Teacher institutes conducted by councils increase the quality of humanities education and re-inspire teachers. Family reading programs contribute to school readiness and long-term academic success, particularly for children in low-income families. Council-conducted community conversations help residents understand all sides of divisive issues.

The preamble to the legislation that created the National Endowment for the Humanities and its sister agency, the National Endowment for the Arts, proclaims that "Democracy demands wisdom and vision in its citizens." This lofty assertion calls for citizens to develop the ability to carefully evaluate and shape decisions about issues they confront in their personal and community lives. It requires citizens to understand their own and their nation's history in order to fully understand the forces that brought us to our present moment. It asks that citizens recognize and accommodate differences in viewpoint and experience as a necessary prelude to shaping strong communities. These are all values advanced through the humanities and the programs supported by the National Endowment for the Humanities and the State humanities councils.

The first statement of the preamble offers another bold assertion: "The arts and the humanities belong to all the people of the United States." This includes people without easy access to major educational and cultural institutions but whose stories are an essential part of our national narrative. It includes people in all income categories, all racial and ethnic groups, and all levels of educational achievement. It includes those who live in towns of 400 people as well as those who live in cities with populations in the millions. The State humanities councils play a key role in

fulfilling the promise of the preamble's statement by extending the reach of the NEH into communities in all corners of every State. California Humanities, for example, helped tell the story of Boonville, with a population of just over a thousand people, through a radio documentary, while also training librarians to facilitate community conversations in such urban areas as San Diego, Sacramento, and Riverside City. In 2017–18, the Kentucky Humanities Council will bring the Smithsonian's "Hometown Teams" exhibit to the small communities of Hazard, Carlisle, and Hodgenville, while preparing for the 36th Annual Kentucky Book Fair to be held at the Kentucky Horse Farm in November. The Rhode Island Council for the Humanities makes it possible for both residents and tourists to learn about historical sites in Rhode Island through a smartphone app that tells stories by and about Rhode Islanders, and through their "Catalyzing Newport" project that engages visiting scholars to help citizens address local and national challenges. Senior citizens throughout North Dakota who are interested in writing can join their neighbors in writing and storytelling workshops. The council's annual GameChanger festival brings citizens together to share ideas about a major event or issue that has changed or has the potential to change our world.

Councils ensure that "the humanities belong to all the people" through their programming for such groups as veterans, residents of rural communities, children and families, and teachers, as well as through the many programs designed to strengthen and revitalize communities.

Supporting veterans. The State humanities councils and the NEH offer programs that not only help returning veterans find their place in their communities, but also help those communities understand the veterans' experiences. One of the most effective tools for processing the experience of war is reading and sharing stories, which is the basis of several council programs for veterans.

The Alaska Humanities Forum's "Duty Bound" is a thematic initiative that runs through their programs, activities, and publications, deepening the public's understanding of the experiences of Alaska's veterans. In a State that is home to 73,000 veterans, the council uses the humanities to promote conversations that increase understanding of those affiliated with the armed services and to help tell the stories of military personnel and veterans. One of the programs, "Danger Close: Alaska," brings together veterans and civilian writers to explore themes of war and military experience. These programs gave rise to a publication, "Duty Bound," which featured pieces by two of the participants in its premiere issue.

The Missouri Humanities Council also employs writing as a means of enabling veterans and their families to explore and understand the experience of war. Their Veterans Writing Workshop, conducted in partnership with two major libraries, a veterans' medical facility, and a university, are offered free and are taught by professional writers. Some of these writings are included in the council's annual anthology, *Proud to Be: Writing By American Warriors*, first published in 2012. The wife of a Vietnam veteran who took part in the program said, "Perhaps after reading what others shared, he feels it is now all right for him to do so as well. History will always be written by professionals, but a personal story of what a man experienced in his lifetime is priceless for our future generations."

"On Coming Home," a five-week reading and discussion program sponsored by Humanities Oregon, offers veterans from all eras an opportunity to come together around a meal to read, discuss, and share ideas about such themes as patriotism, family, loyalty, ethics, and home. Discussions, led by a veteran, are prompted by music, poems, and essays written by veterans from the Civil War through the recent wars in Iraq and Afghanistan.

California Humanities continues to share the powerful stories gathered through their "War Comes Home" initiative, which included a series of video-recorded interviews with veterans from several different eras and varying backgrounds; five public forums that looked at a variety of veteran-related themes; and a package of resources for teachers that included access to an online instructional toolkit and webinars. All materials are available on the council website for viewing by the public and as a source of instructional materials for teachers.

Telling the story of rural communities. Rural America represents a vital chapter of our national narrative, but it is a chapter too often overlooked. The State councils are a major force in helping rural communities define their own stories and share them with the rest of the country. Through the Museum on Main Street (MoMS) initiative, designed specifically for rural communities and made possible through a partnership between the councils and the Smithsonian Institution Traveling Exhibition Service (SITES), dozens of rural communities each year are able to host a Smithsonian exhibit, supplemented by an exhibition created by residents of the community, demonstrating how the themes of the exhibit play out at the local level.

Humanities Montana pays special attention to rural communities in its State through its “Hometown Humanities” program, which selects a town of fewer than 20,000 people each year as a partner in a year of programming. The council provides the community with at least 20 free programs of the town’s choosing, selected from the council’s catalog of programs. The council requires the community to form a leadership team of eight to twelve people drawn from the local library, schools, museums, local government, and others to develop the slate of programs, enhance existing cultural programs, and assess the effectiveness of the project as it unfolds.

This year councils in Alaska, Kentucky, Maryland, Missouri, Mississippi, Montana, North Dakota, New Mexico, Rhode Island, Vermont, West Virginia, and 24 other States collaborated with the National Archives to educate thousands of Americans, particularly in rural communities, about the Bill of Rights, in recognition of its 225th anniversary. The councils partnered with more than 1,300 libraries, community centers, schools, and other local institutions, which displayed the kiosk exhibit and supported educational activities.

Promoting family literacy. Many studies have shown that children exposed to books at an early age have a much higher chance of long-term academic success. Conversely, children who have had little exposure to the culture of reading in their homes can be at a serious educational disadvantage before they even enter school. Many councils help address this potential gap, especially for low-income families, through reading programs in local libraries. These programs have impact in several important ways—by bringing families together in a welcoming setting, helping to strengthen reading skills of parents, familiarizing families with the library, instilling a love of reading, and encouraging intergenerational discussion of ideas. In 1991 the Louisiana Endowment for the Humanities created a groundbreaking humanities-based program, “Prime Time,” currently conducted by councils in Alabama, Florida, Kentucky, Michigan, Mississippi, Nebraska, and Washington, which has been shown to produce long-term improvement in family engagement and student academic achievement. The program uses high-quality children’s literature and storytelling to generate discussion of such themes as courage and determination, dreams, loyalty, and fairness. Since 2015, the Mississippi Humanities Council has served 198 families and 346 children through their Prime Time program, providing both learning and enjoyment. One of the project’s storytellers offered this description of the project’s impact: “It was evident to me that people in the community are hungry for opportunities to enrich the lives of their children, but there are not many opportunities to do so. Prime Time seemed to fill a need for a sense of community and belonging as well as supporting the parents’ desire for their children to receive a good education.”

Inspiring leaders of the future. The future of our nation depends on investment in our children. That means providing the best possible educational resources and opportunities for students in both rural and urban settings. Humanities Tennessee’s “Letters About Literature” program is a contest for students in grade 4 through 12 to write a letter to an author, living or dead. Students are encouraged to think critically about something they have read and reflect on how it has changed their view of the world. In West Virginia, a professor at Bluefield State College reported that the West Virginia Humanities Council had provided mini-grants for the college’s Windows on the World presentations, which enriched not only the students at Bluefield State, but also high school students in the surrounding communities of Princeton, Montcalm, and Pikeview. “If we did not have the support of the NEH and West Virginia Humanities Council, our students would be deprived of these learning experiences and exposure to the world’s cultures, customs, and traditions. The Council helps us to prepare 21st century leaders who will be more worldly-wise.”

Councils in New Mexico and Maryland serve as the State coordinators for the very successful National History Day program, through which middle and high school students participate in a competition that encourages critical thinking, development of research skills, and a deep understanding of history. A History Day parent in Maryland reported that her daughter’s National History Day experience “encouraged her critical thinking skills and allowed her to fine-tune her writing skills, among many other positives, and as a result, was a contributing factor in her being accepted to Columbia University. I am proud to share that she is now a successful practicing attorney in the healthcare field.”

Since 1997, Vermont Humanities has sponsored a one-week summer literacy camp allowing up to 200 middle school children to read, share ideas, and participate in a variety of creative activities in communities around the State. Teachers and school administrators encourage students most in need of individual support to take part in the camp, which offers a safe and secure environment in which to engage with literature and ideas, develop new skills, and gain confidence. A director of one of

these camps told the council, "We know that the camp is a success because each year every camper wants to finish every reading, every project, and every activity."

The councils' profound understanding of the needs of their States and their extensive reach into communities large and small ensures that the humanities truly do belong to all the people of the United States. We thank you for understanding how critical that is to our democracy and for providing support for the NEH and the State humanities councils.

[This statement was submitted by Esther Mackintosh, President.]

PREPARED STATEMENT OF THE FLANDREAU SANTEE SIOUX TRIBE

Thank you Chairwoman Murkowski, Ranking Member Udall, and Members of the subcommittee. It is with pleasure that the Tribe submits our written testimony to you regarding various funding issues relevant to the Flandreau Santee Sioux Tribe located in South Dakota. I intend to primarily discuss the funding issues present for our Joint Venture Construction Program Health Care Facility and the Flandreau Santee Sioux Tribal Police, but will briefly discuss issues of other critical programs if time permits.

For decades, the health services provided to members of my Tribe have been grossly inadequate. We have utilized Public Law 93-638 contracting to operate the Tribal health clinic to the best of our abilities, but due to insufficient and untimely funding, unpaid contract support costs, and limited facilities, we are failing our people. We have lack of privacy issues in our current clinic coupled with inadequate space to fully perform necessary program functions.

The Joint Venture Construction Program found at Section 818(e) of the Indian Health Care Improvement Act authorizes the Indian Health Service to establish projects that allow American Indian and Alaska Native Tribes to construct tribally owned healthcare facilities in exchange for the IHS providing the post-construction funding for equipment, operations, and maintenance of for a minimum of 20 years.

Left without adequate means to self-fund the construction of a healthcare facility, in 2007, the Tribe made application to the Indian Health Services to participate in the Joint Venture Construction Program. The Tribe was awarded a commitment in 2009, but took several years to organize its efforts under the program. In 2012, the Tribe aggressively pursued the opportunity and hired a Minnesota architect and a South Dakota construction manager to plan the project. These groups worked extensively with the Indian Health Service to design a state-of-the-art facility which met all Federal requirements.

The Tribe and the Indian Health Service formalized the arrangement in July of 2014 by entering into a Joint Venture Agreement. There were new provisions to the Joint Venture Agreement itself that left the Tribe with fewer options to finance the construction. Construction was also pushed back over a year because of a miscommunication between the IHS Area Office in Aberdeen, and IHS Headquarters that kept us out of the President's budget. With financing in sight, the Tribe took the risk and began construction in March of 2016. Regardless of the obstacles faced, the Tribe was able to successfully sell bonds in June of 2016 and construction has continued under budget, and on time with an expected completion date in July of 2017.

The Tribe now faces its largest endeavor. Article VIII of the Joint Venture Agreement provides, "In exchange for the Tribe's design and construction of the Facility . . . , and the Tribe's purchase of the initial equipment for the Facility, the IHS agrees to provide the equipment, supplies, and staffing for the operation and maintenance of the Facility for an initial period of 20 years . . . subject to the provision of appropriations by Congress." The Tribe must have the funding promised by the IHS appropriated to assure our membership, and all of the non-Tribal members that we serve, that we can operate our new facility.

A continuing resolution for fiscal year 2018 would not allocate the additional funding promised, causing a possible default on our financial obligations, and resulting in a grossly underfunded facility. The Tribe pleads with this subcommittee to fulfill the contractual obligations of the Indian Health Service. We are in the process of needing to hire around fifty new employees to fully staff our facility, and can simply not afford to use Tribal funds dedicated to other critical programs to continuously supplement our clinic.

We further have issues with our Police Department funding that I would like to expound on. Public safety is of the utmost importance to all Tribes, especially in South Dakota where the State is becoming plagued by methamphetamine. We have had stagnant funding for the police, while all of our expenses are rising exponentially. The Tribal Police drive arrested individuals on the reservation 125 miles

away to be detained, which poses serious community exposure during transportation due to gaps in coverage. The facility 125 miles away was the only detention center willing to house our arrestees.

The Tribe has two police officers, and another who is in the police academy. With our current funding level, we cannot afford to provide the coverage that our community needs. Even a modest increase would have an incredible impact on our small, but equally troubled reservation.

We implore this subcommittee to consider all of the programs that our membership depends on, and to maintain or increase funding. We are trying to run professional government operations, and we are doing it in the absence of clarity. The Tribe is relying on its funding, and cannot provide adequate services in gridlock. The Tribe further demands parity with the States in all funding matters because of the Federal promise of promoting Tribal sovereignty and self-sufficiency.

Madame Chair, thank you for consideration of the Flandreau Santee Sioux Tribe's concerns.

PREPARED STATEMENT OF THE FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA

I am Kevin R. Dupuis, Sr., Chairman of the Fond du Lac Band of Lake Superior Chippewa. I would like to thank you for the opportunity to submit written testimony on fiscal year 2018 Appropriations for Indian programs funded through the Interior Department, Indian Health Service and Environmental Protection Agency. On behalf of the Band, I also want to express our appreciation for the work you have done over the years, including your recent work on fiscal year 2017 funding, to ensure that Federal funds are available to assist Tribes in meeting longstanding needs.

Our Reservation is in northeastern Minnesota. It is a small part of our aboriginal homeland and was established by the Treaty of September 30, 1854. We have approximately 4,200 members and provide health, education, social services, public safety and other governmental services to more than 7,300 Indian people who live on and near our Reservation. With the assistance of the Federal Government, as well as other public and private partners, we have been working to find effective solutions to end the legacy of poverty that has plagued our community, so that we are able to provide good jobs, grow the local economy, educate our children, prevent crime, and care for our elders and infirm. We are proud of what we have accomplished, but much still needs to be done and Federal funding is essential to these efforts. Because of this we are deeply troubled by the severe cuts that the President proposes be made in fiscal year 2018. Such radical cuts are counter-productive. The modest investment of Federal funds has allowed the Band to use Band resources and attract private partners to carry out projects that create jobs and benefit the local economy. We urge Congress to maintain Federal funding for these important programs.

Bureau of Indian Education.—The Band operates the Fond du Lac Ojibwe School. Our school serves an average of 340 children from pre-K through 12th grade. Our students come from very low-income households; more than 90 percent of our students qualify for free or reduced rate lunches. We rely on Federal funds from both the Interior Department and Education Department to run this school. We are making progress in improving the outcomes for our students. For example, high school graduation rates for American Indians in Minnesota have improved from 37.9 percent in 2003 to 52.6 percent in 2016, but are still well-below state-wide rates. We have always been handicapped by limited resources. Past Federal funding for education has never kept pace with need. As shown by data compiled by Minnesota, in 2016, there remain significant disparities between American Indians and the population statewide on education:

	Living below poverty (%)	3rd grade students at 3rd grade reading level (%)	8th grade students at 8th grade math level (%)	High School graduation rates (%)
Statewide	10.2	57.3	58	82.2
MN Indian	25.1	35.8	30.3	52.6

From: Minnesota Compass, <http://www.mncompass.org/education/overview>.

We very much appreciate Congress's decision to increase overall education funding for fiscal year 2017 by \$39 million above the fiscal year 2016 funding level. But we are deeply troubled by the President's budget blueprint for fiscal year 2018. This blueprint proposes a 12 percent cut to the Interior Department budget, without saying how those cuts might affect Indian education. The threat to our school is com-

pounded by the Blueprint's proposed 13 percent cut in Education Department funding (another critical source for our school) combined with the plan to move Federal money to school choice. The drastic cuts that the President proposes will only hurt our students.

Because education is so critical to success later in life, we urge Congress to increase Federal funding for Indian education programs. At a minimum, funding for these programs should be maintained at fiscal year 2017 levels. The key elements of Indian education funding through Interior are:

- ISEP* which is the primary source of school funding provided through Interior. It covers salaries for teachers, teacher aides, and administrative personnel and is essential to our ability to recruit and retain qualified teachers.
- Tribal Grant Support Costs* which helps pay for accounting, insurance, background checks, legal and record-keeping.
- School Facility Operations and Maintenance* which keeps the building safe, pay for preventative maintenance, and cover insurance and utility costs.
- Student Transportation* which allow us maintain, repair, and replace buses.
- Early Childhood Development funds (FACE)*, which is critical to providing preschoolers with skills to be school-ready.
- Johnson O'Malley*, which assists Indian children in public schools.

BIA: Public Safety and Justice.—We appreciate Congress's decision to increase funding for BIA's Public Safety and Justice by \$8 million above fiscal year 2016 levels. Although we are a small community in a Public Law 280 State, we are on the front lines combating major crimes. We face a serious drug epidemic which includes opioids, meth, heroin, as well as prescription drug abuse. Because of that epidemic, our law enforcement department is called upon to respond to a growing number of substance abuse related crimes as well as drug overdoses and deaths. These include a troubling number of offenses involving juveniles. Our law enforcement also responds to many other matters, including domestic disputes, disturbances, disorderly conduct, property damage, theft, trespass, suspicious activity, unwanted persons, medical emergencies, fire, neglected children, missing persons, suicide threats, and traffic-related issues. The demand on our law enforcement has increased over the years. In 2016 our law enforcement responded to more than 8,200 incidents and calls for service—an increase from past years where the numbers were: 8,000 in 2015; 6,000 in 2014; 5,342 in 2013; 5,100 in 2012; and 4,900 in 2011.

We address law enforcement by a combination of Tribal and available Federal funds and cooperative agreements with local law enforcement agencies. We now have 19 full time officers, and 3 administrative staff. We are hiring two more full-time officers so we will have a total of 21 officers. To effectively meet need, we should have 23 to 25 full time officers, with 3 full time investigators. As present, we have only 1 investigator which is not enough. We need to be able to do more drug investigations so we can reduce the amount of drugs entering our community. We also have unmet need for equipment. We lack basic equipment for our investigation unit—from binoculars to more sophisticated surveillance equipment like video cameras and digital recorders. Our patrol cars are aging and need more-costly service repairs. Federal funding is essential to meet those needs. We urge Congress to increase funding for Tribal law enforcement.

BIA: Trust-Natural Resources Management.—We appreciate Congress's decision to increase by \$9 million funding for BIA Trust-Natural Resources in fiscal year 2017. We urge Congress to substantially increase funding for this program in fiscal year 2018 as funding levels have never met need. Natural resource management is vital in Indian country where the basic subsistence needs of many Indian people (especially those living in poverty) depend on natural resources. This is certainly true at Fond du Lac. By Treaties in 1837, 1842 and 1854, the United States acquired our aboriginal territory but, to ensure that we could sustain ourselves and our families, expressly promised that we retained rights to hunt, fish and gather natural resources within and outside our Reservation. Our members depend on and exercise these treaty-protected rights to put food on the table and for ceremonial practices that serve as the foundation for our culture. The stewardship of those natural resources—through scientific study, resource management, and enforcement of Band laws that regulate Tribal members who hunt, fish and gather those resources—are an important source of employment for many of our members. Funding for Trust-Natural Resources Management allows us to protect, enhance, and restore natural resources.

The funding for these programs has also led to other successes. For example, with modest funding from the Interior Department (along with Tribal funds), we developed a solar energy facility which we are using for our hotel and casino. And with help from Federal funds, we have been developing biomass heating systems for our

community buildings. These small Federal investments have big cost savings and go a long way to help us be self-sufficient.

Forest resources are an important asset to the Fond du Lac Band. The Interior Department just recently highlighted the importance of protecting forests from wild-fire. Yet fire preparedness funding is below the most efficient level (MEL) and while we do not yet know the details of the President's proposed fiscal year 2018 budget cuts, proposals have been made in the past to reduce fuels funding from Indian forestry. These funds should not be cut. Fire preparedness and fuels funding create (and maintain) jobs in Indian forestry and protect Indian and non-Indian lands.

U.S. Fish and Wildlife Service.—The FWS is a valued partner in the Band's wildlife and fisheries research and restoration programs. We request that the overall budget of the FWS be increased, with a particular increase to the Native American Liaison and Tribal Wildlife Grant programs.

Environmental Protection Agency (EPA).—We are very concerned about the overall reductions being made to EPA funding and urge Congress not to permit any more reduction. We rely on EPA grants to clean up brownfields and administer clean water and clean air programs. These programs are important to protecting the health of our community, so that we have safe water to drink and can continue to rely on fish, wild rice, and game to put food on the table. These federally-assisted programs are also good for the economy. The small amount of Federal funds that help us protect the environment boosts tourism and creates jobs.

—*Great Lakes Restoration Initiative (GLRI).*—We appreciate Congress's decision to maintain funding for GRLI in fiscal year 2017 at fiscal year 2016 levels, and urge Congress to continue to fund this important initiative at this level. It is critically important for all communities along the Great Lakes—States and Tribes—to be able to clean up past pollution and respond to damaging invasive species. The work funded by the initiative is also good for the economy. It protects major commercial fisheries as well as the recreation and tourism industries which depend on the lakes. Tribes and States are already investing their own funds to restore and protect the lakes, but cannot do the work without Federal help.

—*Water Quality.*—We have a federally approved water quality standards program that has seen annual funding declines, while the need and Band's responsibilities have increased. Given the current threats to water resources in our region, we urge that Tribal section 106 funding be doubled so that we can do the work needed to protect the water we drink and which are critical to the fish and game that are central to our and the State's economy.

—*Air.*—In conjunction with our water quality monitoring responsibilities, the Band has a long-standing air monitoring program that has also faced a steady decline in Federal funding. We request that air quality program funding for Tribes be increased.

—*Wetlands.*—One-half of our reservation is made up of wetlands. Proper management and restoration of this valuable resource is impossible without adequate and consistent Federal funding. We request sustained wetland monitoring and protection program funding.

Indian Health Service.—We very much appreciate Congress's decision to increase funding for IHS in fiscal year 2017, as this is essential to address the high rates of medical inflation and the substantial unmet need for healthcare among Indian people. Indians at Fond du Lac, like Indians throughout the Nation, continue to face disproportionately higher rates of diabetes and its associated complications, than the rest of the population. As reported by Minnesota, in 2015, the rate of diabetes among American Indians was 18.4 percent, more than double the rate of the population statewide. See Minnesota Compass, <http://www.mncompass.org/health/overview>. Heart disease, cancer, obesity, chemical dependency and mental health problems are also prevalent among our people. All Indian Tribes should receive 100 percent of the Level of Need Formula, which is absolutely critical for Tribes to address the serious and persistent health issues that confront our communities. The Band serves over 7,300 Indian people at our clinics, but the current funding level meets only 33 percent of our healthcare funding needs.

To make progress in reducing the disparities in Indian health, we urge Congress to continue to increase funding for IHS by a minimum of 37 percent in fiscal year 2018, including increases of: \$169.1 million for full funding of current services; \$145.8 million for binding fiscal obligations; and \$28.5 million for Contract Support Costs. We also urge an increase of \$1.6 billion for program expansion increases, with the top priorities given to Hospitals & Health Clinics; Purchased/Referred Care; Mental Health; Alcohol & Substance Abuse; and Dental Health. Expanded resources for treatment and community education capacity are especially needed to combat the epidemic of drug abuse. Additional funding for the Methamphetamine,

Suicide Prevention Initiative should be made available to Tribes and the IHS so that this “new sickness” can be addressed. Best practices in pharmacy inventory and prescription monitoring need to be modeled and replicated throughout Indian Country.

Finally, we have deep concerns about any legislation that cuts or changes the way in which Medicaid is paid to IHS-funded healthcare providers. Medicaid is a key source of funding for our healthcare programs—funding that is not available from IHS but which is available to us when we serve Medicaid-eligible Indian people. Medicaid fills a critical gap for the Indian health system, covering needed surgeries, preventative care, and dental care which saves lives. If Medicaid dollars are cut, or block-granted to the States, or allocated per capita, then substantially larger increases will be needed in IHS funding. Miigwech. Thank you.

PREPARED STATEMENT OF THE FRIENDS OF RACHEL CARSON NATIONAL WILDLIFE REFUGE

Ms. Chairman and Honorable Members of the subcommittee: I am Bill Durkin, President of the Friends of Rachel Carson National Wildlife Refuge in Biddeford, Maine.

I have been a member of the Friends of Rachel Carson NWR for the past 28 years. The group was founded in 1987; we are a small group supporting the refuge in Southern Maine. I have given numerous written statements over the years and we really appreciate your support in the past. This year, our refuge is not requesting any appropriations directly for Rachel Carson National Wildlife Refuge; this is a request for general funding of the National Wildlife Refuge System of \$586 million. This year we ask to appropriate \$60 million in the National Wildlife Refuge Fund. I also urge the sub-committee to fund the Land, Water and Conservation Fund at full funding at \$900 million with a \$150 million of that request for the National Wildlife Refuge Systems purchase of easements and in holdings. I thank you all for your consideration.

The Rachel Carson National Wildlife Refuge is named in honor of one of the Nation's foremost and forward-thinking biologists. After arriving in Maine in 1946 as an aquatic biologist for the U.S. Fish and Wildlife Service, Rachel Carson became entranced with Maine's coastal habitat, leading her to write the international best-seller *The Sea Around Us*. This landmark study, in combination with her other writings, *The Edge of the Sea* and *Silent Spring*, led Rachel Carson to become an advocate on behalf of this Nation's vast coastal habitat and the wildlife that depends on it. Her legacy lives on today at the refuge that bears her name and is dedicated to the permanent protection of the salt marshes and estuaries of the southern Maine coast. The refuge was established in 1966 to preserve migratory bird habitat and waterfowl migration along southern Maine's coastal estuaries. It consists of 11 refuge divisions in 12 municipalities protecting approximately 5,600 acres within a 14,800 acre acquisition zone.

Consisting of meandering tidal creeks, coastal upland, sandy dunes, salt ponds, marsh, and productive wetlands, the Rachel Carson NWR provides critical nesting and feeding habitat for the threatened piping plover and a variety of migratory waterfowl, and serves as a nursery for many shellfish and finfish. Located along the Atlantic flyway, the refuge serves as an important stopover point for migratory birds. Previous years' appropriations have allowed the USFWS to conserve several properties within the refuge.

1. We are requesting an overall funding level of \$586 Million in fiscal year 2018 for the Operations and Maintenance Budget of the National Wildlife Refuge System, managed by the U.S. Fish and Wildlife Service. All of the refuges are in dire need of staffing and upkeep. The National Wildlife Refuge System is responsible for 568 million acres of lands and waters, but currently receives less than a \$1. per acre for management costs. The refuges cannot fulfill its obligation to the American public, our wildlife and 47 million annual visitors without adequate funding. Refuges provide unparalleled opportunities to hunt, fish, watch wildlife and educate children about the environment. An investment in the Nation's Refuge System is an excellent investment in the American economy, generating \$2.4 billion and creating about 35,000 jobs in local economies. Without increased funding for refuges, wildlife conservation and public recreation opportunities will be jeopardized. We fully supported the U.S. Fish and Wildlife's request of \$586 Million for Operation and Management for the National Wildlife Refuge System.

2. Appropriate \$60 million in the National Wildlife Refuge Fund in fiscal year 2018 which offsets losses in local government tax revenue because lands owned by

the Refuge System are exempt from taxation. The Refuge Fund is an annual appropriation that supplements the Refuge Revenue Sharing Program. The Revenue Sharing Program offsets lost local tax revenue by providing payments to local governments from net income derived from permits and wildlife refuge activities.

3. We request \$150 million in LWCF funding for Refuge land acquisitions/conservation easements and we call for full funding of LWCF at \$900 million. The Land and Water Conservation Fund is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through active recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. The quality of place is greatly enhanced. As you know, LWCF uses no tax payer dollars. Created by Congress in 1964 and authorized at \$900 million per year (more than \$3 billion in today's dollars), the LWCF is our most important land and easement acquisition tool. In the President's budget, he has included full funding for LWCF programs at the \$900.M level, and I support the administration's commitment to fully funding the program. This wise investment in the Land and Water Conservation Fund is one that will permanently pay dividends to the American people and to our great natural and historical heritage. The Refuge System needs \$150 million in LWCF for fiscal year 2018, including these high priority requests:

- \$10 million for Everglades Headwaters NWR and Conservation Area (Florida)
- \$2 million for Clark River NWR (Kentucky)
- \$5.5 million for Silvio O. Conte NWR (Connecticut, New Hampshire, Vermont, Massachusetts)
- \$3 million for Cache River NWR (Arizona)
- \$2 million for Bear River Watershed Conservation Area (Wyoming, Idaho, Utah)
- \$2 million for Blackwater NWR (Maryland)
- \$1.4 million for Balcones Canyonlands NWR (Texas)
- \$6.2 million for Hakalau Forest NWR (Hawaii)
- \$2 million for the Northern Tallgrass Prairie (Minnesota, Iowa)
- \$750,000 for Maine Coastal Islands NWR (Maine)

I again extend our appreciation to the subcommittee for its ongoing commitment to our National Wildlife Refuge System and respectfully request the Interior, Environment and Related Agencies Appropriations Subcommittee allocate \$586 million for the Refuge System's fiscal year 2018 Operations & Maintenance Budget, \$60 million in the National Wildlife Refuge Fund and \$150 million in Refuge LWCF monies. We need Congress to standby their commitment that was made in 1964 : stabilize the LWCF at \$900 million.

Thank you again, Mr. Chairman, for the opportunity to present this testimony in support of protecting wildlife and it's habitat. Enjoy your next walk out on a National Wildlife Refuge.

PREPARED STATEMENT OF THE GEOLOGICAL SOCIETY OF AMERICA

SUMMARY

The Geological Society of America (GSA) urges Congress to provide \$1.2 billion for the U.S. Geological Survey (USGS) in fiscal year 2018. As one of our Nation's key science agencies, the USGS plays a vital role in understanding and documenting mineral and energy resources that underpin economic growth; researching and monitoring potential natural hazards that threaten U.S. and international security; and determining and assessing water quality and availability. Approximately two thirds of the USGS budget is allocated for research and development. In addition to underpinning the science activities and decisions of the Department of the Interior, this research is used by communities across the Nation to make informed decisions in land use planning, emergency response, natural resource management, engineering, and education. Despite the critical role played by the USGS, funding for the agency has stagnated in real dollars for more than a decade. Given the importance of the many activities of the Survey that protect lives and property, stimulate innovations that fuel the economy, provide national security, and enhance the quality of life, GSA believes that growth in Federal funding for the Survey is necessary for the future of our Nation and urges Congress to reject the cuts proposed in the Administration's fiscal year 2018 request.

The Geological Society of America, founded in 1888, is a scientific society with over 26,000 members from academia, government, and industry in all 50 States and more than 100 countries. Through its meetings, publications, and programs, GSA enhances the professional growth of its members and promotes the geosciences in the service of humankind.

U.S. GEOLOGICAL SURVEY CONTRIBUTIONS TO NATIONAL SECURITY, HEALTH, AND WELFARE

The USGS is one of the Nation's premier science agencies. Approximately two thirds of the USGS budget is allocated for research and development. In addition to underpinning the science activities and decisions of the Department of the Interior, this research is used by communities and businesses across the Nation to make informed decisions in land use planning, emergency response, natural resource management, engineering, and education. USGS research addresses many of society's greatest challenges for national security, health, and welfare. Several are highlighted below.

- Natural hazards—including earthquakes, tsunamis, volcanic eruptions, wildfires, and landslides—are a major cause of fatalities and economic losses. Recent natural disasters provide unmistakable evidence that the United States remains vulnerable to staggering losses. Landslides, which occur in every State, cause more than \$3 billion in damage each year. An improved scientific understanding of geologic hazards will reduce future losses through better forecasts of their occurrence, which allows for effective planning and mitigation.

- Decision makers in many sectors rely upon USGS data. For example, USGS volcano monitoring provides key data to enable decisions on the safety of aviation. Data from the USGS network of stream gages is used by the National Weather Service to issue flood and drought warnings. Earth and space observations provide data necessary to predict severe space weather events, which affect the electric power grid, satellite communications and information, and space-based position, navigation, and timing systems. GSA urges Congress to support efforts for USGS to modernize and upgrade its natural hazards monitoring and warning systems to protect communities from the devastating personal and economic effects of natural disasters, including additional 3-D elevation mapping and earthquake early warning systems.

- A recent report by the National Research Council, *Emerging Workforce Trends in the Energy and Mining Industries: A Call to Action*, found, "Energy and mineral resources are essential for the Nation's fundamental functions, its economy, and its security." Recent studies have shown that rare earth elements are essential to the production, sustainment, and operation of U.S. military equipment. Reliable access to the necessary material is a *bedrock requirement* for the Department of Defense. In addition, many emerging energy technologies—such as wind turbines and solar cells—depend upon rare earth elements and critical minerals that currently lack diversified sources of supply. GSA supports increases in minerals science, research, information, data collection and analysis that will allow for more economic and environmental management and utilization of minerals. In addition, GSA supports increases in research to better understand domestic sources of energy, including conventional and unconventional oil and gas and renewables.

- The flooding in the Western United States is a testament to our dependence on water. The availability and quality of surface water and groundwater are vital to the wellbeing of both societies and ecosystems. Greater scientific understanding of these resources through monitoring and research by the USGS is necessary to ensure adequate and safe water resources for the health and welfare of society.

- USGS research on climate impacts is used by local policymakers and resource managers to make sound decisions based on the best possible science. The Climate Science Centers, for example, provide scientific information necessary to anticipate, monitor, and adapt to climate change's effects at regional and local levels, allowing communities to make smart, cost-effective decisions.

- The Landsat satellites have amassed the largest archive of remotely sensed land data in the world, a tremendously important resource for natural resource exploration, land use planning, and assessing water resources, the impacts of natural disasters, and global agriculture production. GSA supports interagency efforts to plan a path forward for future support of Landsat.

Activities from hazard monitoring to mineral forecasts are supported by the Core System Sciences, Facilities, and Science Support arenas. These programs and services, such as geologic mapping and data preservation, provide critical information,

data, and infrastructure that underpin the research of the USGS. Increases are particularly needed in Facilities to address many deferred maintenance issues.

Knowledge of the earth sciences is essential to scientific literacy and to meeting the environmental and resource challenges of the twenty-first century. It is also fundamental to training the next generation of Earth science professionals. GSA is very concerned that cuts in Earth science funding will cause students and young professionals to leave the field, potentially leading to a lost generation of professionals in areas that are already facing worker shortages. Investments in these areas could lead to job growth, as demand for these professionals now and in the future is assessed to be high.

Emerging Workforce Trends in the Energy and Mining Industries: A Call to Action, found, "In mining (nonfuel and coal) a personnel crisis for professionals and workers is pending and it already exists for faculty." Another recent study by the American Geosciences Institute, *Status of the Geoscience Workforce Report 2016*, found an expected deficit of approximately 90,000 geoscientists by 2024. Strong investments in geoscience research are needed to prepare citizens for these job opportunities.

Thank you for the opportunity to provide testimony about the U.S. Geological Survey. For additional information or to learn more about the Geological Society of America—including GSA Position Statements on water resources, mineral and energy resources, natural hazards, and public investment in Earth science research—please visit www.geosociety.org or contact Kasey White at kwhite@geosociety.org.

[This statement was submitted by Kasey White, Director for Geoscience Policy.]

PREPARED STATEMENT OF THE HEALING LODGE OF THE SEVEN NATIONS

The requests of The Healing Lodge of the Seven Nations (hereinafter "HL7N") for the fiscal year 2018 Indian Health Service (IHS) budget are as follows:

- Support increased funding of \$2,523,000 for the IHS facilities appropriation, as sufficient to help ensure HL7N can obtain and utilize IHS funding for the construction of a new behavioral health family and wellness center and a gymnasium expansion project, both of which are critically needed for the American Indian and Alaska Native youth.
- Safeguard the IHS from sequestration.
- Ensure full funding of contract support costs.

HL7N Is A Youth Regional Treatment Center

HL7N is one of the 12 Youth Regional Treatment Centers (YRTCs) within the Indian healthcare system, located in Spokane Valley, Washington. As a YRTC, HL7N is a self-determination contractor with the Indian Health Service (IHS) under the Indian Self-Determination and Education Assistance Act (ISDEAA). Our purpose is to provide residential substance use disorder services to American Indian and Alaska Native youth between the ages of thirteen and seventeen. HL7N was formed in 1988 by seven Indian Tribes in the Pacific Northwest (Confederated Tribes of the Colville Reservations, Coeur d'Alene Tribe, Kalispel Tribes of Indians, Kootenai Tribe of Idaho, Nez Perce Tribe, Spokane Tribe of Indians and Confederated Tribes of Umatilla Indian Reservation) to create a centrally located, safe and caring healing center for Tribal adolescents and their families. The HL7N business complex is nestled in a quiet wooded area consisting of 38 acres owned by the IHS and thirteen acres owned by HL7N.

HL7N operates a 45-bed adolescent residential chemical dependency treatment center, with programs ranging between 90–120 days that are designed around individual youth's needs and are grounded in Native American traditional, cultural and spiritual values and practices. Our addiction treatment programs use evidence-based treatment models to create a holistic approach towards healing. The success of this program is based on shared beliefs and daily practices that provide structure and consistency; on values and practices that foster respect, honesty, generosity, strong cultural identification; and hope for positive life changes. The work done by HL7N not only treats addiction, but strengthens families, empowers communities and ultimately saves lives.

Increased Funding For IHS Facilities

HL7N currently provides treatment for addictive, substance-related conditions within the adolescent population, which suffers from severe cannabis use, opioid dependence, alcohol abuse and addiction, and benzodiazepine dependency. Additionally, more and more youth are presenting with higher mental health disease, which is a serious concern for the future health of the adolescents if not addressed promptly.

ly and appropriately. In a recent study conducted by Harvard University, the Cambridge Institute and HL7N involving youth residing on regional reservations of the HL7N Tribes, the study found that 29 percent of the youth received a diagnosis of at least one psychiatric disorder; 13 percent had multiple diagnoses; and 60 percent diagnosed with a depressive disorder also present with a substance use disorder. Typically, Tribal youth have multiple limitations, which include substance use and addictive disorders, criminal activity, psychological problems, impaired functioning, and disaffiliation from mainstream values, coupled with historical and inter-generational trauma. These challenges for our youth support the need for the increased availability of culturally relevant mental health services.

HL7N does not currently have adequate facility space and funding to devote to such treatment services. The number of adolescents denied for admissions to HL7N—due to higher mental health issues—unfortunately grew from 25 percent to 31 percent in 2016, creating an increased concern by the regional Tribes over the lack of culturally appropriate inpatient substance abuse and mental health treatment access. With 29 years of successful experience in working with American Indian and Alaska Native adolescents, the HL7N proposes to establish an innovative adolescent program focused on outpatient and inpatient treatment designed to address their chronic, unmet behavioral healthcare needs.

HL7N is planning the construction of a new, “shovel ready” infrastructure project to add a 4,072 square foot Behavioral Health Family and Wellness Center, for the provision of mental health and chemical dependency clinical services, primarily serving American Indian/Alaska Native youth. The cost of this construction project is estimated at \$1,655,000. The facility will be built on IHS property permanently assigned to HL7N and consist of a single story office building, with office accommodations and family focused counseling rooms to include tele-medicine capability.

HL7N is also planning to construct an addition to its existing YRTC gymnasium in order to add showers, dressing rooms, fitness room and restrooms for the adolescents. This project is expected to cost \$868,000. This “shovel ready” infrastructure project will consist of the construction of a 2,366 square foot addition to the existing gymnasium for the purpose of improving youth’s mental and physical health through physical exercise. This expansion will help increase moderate intensity physical activity as an intervention in mental health and substance addiction treatment. The addition of a shower system will also help HL7N to identify any contraband (drugs) that may be brought back by youth who are returning from outings. Gone undetected, such drugs could be used and/or distributed to other youth, which is extremely detrimental to their treatment process and recovery. Once constructed, the facility maintenance costs will be covered by the HL7N’s existing ISDEAA annual funding agreement and other of HL7N’s financial resources.

HL7N thus appeals to this Subcommittee to support increased funding for the IHS facilities appropriation, as adequate for the IHS to be able to fund HL7N’s new behavioral health facility and its gymnasium expansion. Funding these facilities will help in fulfilling the Federal Government’s commitment and obligations to improve the health of American Indian and Alaska Native adolescents. Equally important, the youth deserve a chance to achieve recovery and learn to better manage their mental health issues, while striving to become contributing members of society.

Fully Fund Contract Support Costs (CSC)

We wish to thank this Subcommittee for its leadership in making funding of IHS contract support costs for fiscal year 2016, and now fiscal year 2017, an indefinite amount, and also for making it a separate account in the IHS budget. This shift makes an enormous difference in helping ensure that the ISDEAA is fully funded and implemented as Congress intended. It also significantly enhances the Federal-Tribal government-to-government relationship. For IHS, the fiscal year 2017 estimate for contract support costs is \$800 million. We also wish to provide our thanks for listening to the tribes who explained why the proviso in the IHS fiscal year 2016 enacted funding, which effectively denied the CSC carryover authority granted by the ISDEAA, was inappropriate. We very much appreciate that this proviso was absent from the Consolidated Appropriations Act for fiscal year 2017 and recommend that it not be resurrected in fiscal year 2018 or thereafter.

Our long-term goal, however, remains that the indefinite appropriation of CSC funding be mandatory and permanent. Full payment of CSC under the ISDEAA is mandatory, as affirmed by the United States Supreme Court. HL7N is committed to working together with the appropriate Congressional committees to determine how best to achieve this goal.

Protect IHS Funding From Sequestration

We request that you support an amendment to the Balanced Budget and Emergency Deficit Control Act to exempt the IHS from potential sequestration of funds, as Congress has rightfully done to fully exempt the Veterans Health Administration's programs from sequestration. We believe that Indian health should be afforded the same treatment as the VA, and most especially so in light of the Federal Government's trust responsibility to tribes. We are aware that a number of members of this Subcommittee and other members of Congress have publicly stated that it was an oversight IHS was not included in the exempt category when the Balanced Budget and Emergency Deficit Control act was enacted. We would like to correct that oversight.

We also express our concern that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal year 2017 spending cap. When considered in light of the President's "skinny" fiscal year 2018 budget outline proposal, which raises defense spending by \$54 billion and lowers non-defense discretionary spending by a similar amount, we fear a significant sequestration of funds in fiscal year 2018. It is thus even more imperative that Indian health be made exempt from sequestration.

Thank you for your consideration of the concerns and requests of The Healing Lodge of the Seven Nations.

[This statement was submitted by Sam Penney, President, Board of Directors.]

PREPARED STATEMENT OF PAUL HENDRICKSON

Sirs and Madams:

The National Endowment for the Arts is a crucial American cultural institution. I have been a recipient of the NEA Literature Fellowship twice, and on each occasion the grant afforded me the opportunity to continue working on the nonfiction book project I was then engaged in. It would have been impossible otherwise. In both instances, the books went on to get finished, won critical acclaim, made me proud. (One became a bestseller.) I am proud to be an American who can apply to a governmental institution that supports arts and culture. Please do not let the current administration eliminate it.

Yours sincerely,

PAUL HENDRICKSON,
Senior Lecturer, Department of English, University of Pennsylvania.

PREPARED STATEMENT OF THE HUALAPAI TRIBE OF THE GRAND CANYON

The Hualapai Tribe of the Grand Canyon is deeply concerned with proposed funding cuts to the US Environmental Protection Agency which provide needed resources for protecting the environment and human health of our people. The Federal government has treaty and trust responsibilities to protect all Indian Tribes natural resources, and to ensure the safety and health of all human beings living in the United States of America and Tribal Nations. My Tribe will be adversely affected by budget cuts to future State and Tribal Assistance Grant (STAG) funding and it is of vital importance for you to hold harmless funding which is provided to Tribes for Tribal environmental protection programs.

The Hualapai Tribe depends on funding from the Environmental Protection Agency (EPA) to address their environmental priorities and needs. Funding is already limited for Tribal environmental programs to protect our natural resources and the safety and the health of our people. Specific programs which would cause great impact to Tribal environmental programs if they were not funded or had a 30 percent cut in funding include the Clean Water Act State Revolving Fund for Sanitation Facilities, Safe Drinking Water Act State Revolving Fund for Drinking Water Systems, Indian Environmental General Assistance Program, Clean Water Act Section 106 and 319 activities and Clean Air Act Section 103 and 105 activities.

The Hualapai Tribe has the same capacity as States with respect to the Clean Water Act's Section 106—Water Pollution Control Program. The 1987 Clean Water Act Amendments (i.e., Section 518 of the Clean Water Act, 33 U.S.C. 1251 et seq.,) added a new section titled "Indian Tribes" which authorizes U.S. Environmental Protection Agency (EPA) to treat federally recognized Indian Tribes as States for certain provisions, including financial assistance under such programs as the Water Pollution Control Program. Section 518 is commonly known as the "Treatment as a State (TAS) section". The Hualapai Tribe has water quality standards; Treatments

as a State (TAS) recognition: conducts annual water quality assessments and every 5 years submits a 305b report; conducts a triennial review of our water quality standards; Developing and administering Non-Point Source and National Pollutant Discharge Elimination System (NPDES) Permit Programs; ensuring the protection and anti-degradation of our water resources. Unfortunately we are not funded at a regular and consistent rate (target) like States. Adequate funding to maintain our program would be \$490,000 a year.

The Tribe has been able to utilize EPA funding to create environmental laws and ordinances to preserve and protect the natural resources of the Hualapai Tribe. Provide access to safe drinking water and sanitation services to homes in our community, monitor Air quality and visibility at the southwestern rim of the Grand Canyon and the community of Peach Springs, Construction of brush barriers to reduce erosion and sediment deposition in the headwaters of different watersheds on the reservation, Initiate clean up and enforcement of fuel spill releases and the development of emergency response plans.

My Tribal community relies upon healthy and safe ecosystems to sustain our health, traditional lifeways, treaty rights, and ceremonial and cultural practices. Because of our remote, marginal location, our Tribal lands are more vulnerable to droughts, fires, and floods. Moreover, my sovereign Tribal government must contend with complicated jurisdictional issues arising from relationships with State and local governments. We are responding to these complex, serious challenges with well-managed, cost-effective environmental programs that reinforce Tribal sovereignty, protect important resources, and underscore the value of Tribal self-determination.

Therefore, I request that you hold harmless funding which is provided to Tribes for Tribal environmental protection programs including the Clean Water Act State Revolving Fund for Sanitation Facilities, Safe Drinking Water Act State Revolving Fund for Drinking Water Systems, Indian Environmental General Assistance Program, Clean Water Act Section 106 and 319 activities and Clean Air Act Section 103 and 105 activities. I would also like to request that you come to our Reservation to see the positive impact that EPA funding has provided to our people and our lands. As you know Tribes and their people pay Federal taxes like all other citizens and should be afforded Federal funding opportunities.

I look forward to meeting with you in the future and sharing our experiences in protecting our homelands and human health.

[This statement was submitted by Dr. Damon Clarke, Chairman, Hualapai Tribal Council.]

PREPARED STATEMENT OF THE HUMANE SOCIETY OF THE UNITED STATES, HUMANE SOCIETY LEGISLATIVE FUND, AND DORIS DAY ANIMAL LEAGUE

Thank you for this opportunity to offer testimony to the Interior, Environment, and Related Agencies Subcommittee on matters of importance to our organizations. We urge the Subcommittee to address the following requests in the fiscal year 2018 Department of Interior, Environment, and Related Agencies budget:

- Environmental Protection Agency, CompTox Program: increase over fiscal year 2017 level
- Bureau of Land Management, Wild Horse and Burro Program: 1) \$80,400,000, contingent on implementing National Academy of Science recommendations for fertility control; 2) language to protect wild horses and burros from slaughter; 3) replacement of language from General Provisions, Section 115, "Transfer of Animals to Other Agencies," with fiscal year 2017 omnibus language from General Provisions, Section 116, "Humane Transfer of Excess Animals"
- Fish and Wildlife Service, Multinational Species Conservation Fund: \$11,000,000, with no funds from conservation programs to promote trophy hunting, trade in animal parts, or other consumptive uses of wildlife
- Fish and Wildlife Service, Office of International Affairs: support President's request
- Fish and Wildlife Service, Office of Law Enforcement: support President's request

We also request that the budget exclude any language that would in any way impede the Fish and Wildlife Service's efforts to combat wildlife trafficking, or that would undermine the Endangered Species Act.

ENVIRONMENTAL PROTECTION AGENCY—COMPTOX PROGRAM

Thousands of chemicals are currently used, and hundreds of new ones are introduced each year, for which EPA needs to conduct toxicity assessments. EPA is also

tasked with evaluating and registering pesticides and, more recently, evaluating chemicals for possible endocrine activity. To address these needs, EPA established the National Center for Computational Toxicology (NCCT) to predict hazard and prioritize chemicals for further screening and testing, developing and using high-throughput assays and predictive tools which are less expensive and time consuming and more predictive of relevant biological pathways.

Through EPA's CompTox program, EPA has screened more than 2,000 chemicals (industrial, food additives, pesticides, and consumer products) and evaluated them in more than 700 high-throughput assays. Additionally, EPA is using ToxCast data to prioritize chemicals for evaluation in the Endocrine Disruptor Screening Program. Tox21, a collaboration among EPA, the National Institute of Environmental Health Sciences, the National Center for Advancing Translational Sciences, and the Food and Drug Administration, is currently screening 10,000 chemicals to improve the effectiveness of drug development. NCCT also works with other divisions of EPA's Office of Research and Development to develop predictive tools and systems biology databases. These projects are reducing animal use while improving the speed and accuracy of chemical evaluation relevant to several programs. With the passage in 2016 of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, there is a marked need to ensure these tools are augmented and taken up by the agency.

Congress appropriated increases for the program's budget in fiscal years 2016 and 2017. However, the President's budget has significantly slashed this progress. We support an increase over and above fiscal year 2017 to the CompTox program in fiscal year 2018. This will increase the likelihood of realizing the goals presented in the CompTox program, and assure a more predictable and relevant chemicals safety assessment.

BUREAU OF LAND MANAGEMENT—WILD HORSE AND BURRO PROGRAM

The HSUS is one of the leading advocates for the protection and welfare of wild horses and burros in the United States, with a long history of working collaboratively with the BLM—the agency mandated to protect America's wild horses and burros—on the development of effective and humane management techniques.

For years, The HSUS has strongly supported significantly reducing the number of wild horses and burros annually gathered and removed from our rangelands, noting that removing horses from the range without implementing any program for suppressing population growth is an unsustainable method for managing our Nation's wild horses. This approach leads BLM into a continuous cycle of roundups and removals, even as long-term, cost-efficient, and humane management strategies, such as fertility control, are readily available.

BLM has long removed many more wild horses and burros from the range than it could expect to adopt. Consequently, the cost of caring for these animals off the range has skyrocketed. According to BLM, caring for one wild horse in a long-term holding facility over the course of its life costs approximately \$46,000. Today, there are almost 50,000 wild horses and burros in these pens, and the agency spends more than 63 percent of its annual Wild Horse and Burro budget on holding costs. While the number of animals removed from the range has declined in recent years, it has been roughly equivalent to the number of animals BLM has adopted out, preventing a reduction in the program's carrying cost.

Furthermore, BLM's wild horses and burros management program has negative effects that go beyond a simple cost-benefit analysis. For instance, the recommendations in the National Academy of Sciences (NAS) 2013 report "Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward", commissioned by the BLM itself, stated that BLM's own practices of managing wild horses "below food-limited carrying capacity" by rounding up and removing a significant proportion of the herd's population every three to 4 years is facilitating high horse population growth rates on the range.

To move the agency away from this failed paradigm, Appropriations language in the past few years has requested that BLM create a long-term, humane, and financially sustainable management path that incorporates fertility control tools. This approach is supported by the NAS report, which called for increased use of on-the-range management tools, including the fertility control vaccine Porcine Zona Pellucida (PZP). Further, studies have shown that incorporating fertility control into the management of wild horses and burros would significantly lower the program's carrying costs. A 2008 paper determined that on-the-range contraception could reduce total wild horse and burro management costs by 14 percent, saving \$6.1 million per year. In addition, the results of a paper describing an economic model commissioned by The HSUS indicates that treating wild horses on one hypothetical Herd Management Area (HMA) with PZP could save BLM approximately \$5 million

dollars over 12 years, while achieving and maintaining Appropriate Management Levels of 874 horses. Since BLM estimates that more than 72,000 wild horses roam in the United States, PZP use could save tens of millions of dollars if applied broadly across all HMAs.

However, instead of pursuing Congressional recommendations to increase the use of fertility control tools, BLM has consistently failed to implement any humane management plan. In fact, in 2016 the agency treated with fertility control only 467 horses from the estimated rangeland population of 72,000—less than 1 percent of the population.

Now, the President's fiscal year 2018 budget calls for the agency to further reduce its use of fertility control and requests the ability for the agency to send wild horses and burros to slaughter. This will not solve rangeland population conflicts; rather, it will simply repeat the past failures of attempting to lower rangeland populations by removing animals. Twenty years of history has shown that this does not maintain stable populations. Moreover, the overwhelming majority of the American public opposes horse slaughter, and will not accept this as a solution for managing our wild horses.

For these reasons, we ask that you continue to fund the BLM Wild Horse and Burro Program at the fiscal year 17 level, which is \$80,400,000, contingent on the agency's use of the funding to immediately begin implementing the currently available NAS-recommended fertility control methods.

We also request inclusion of the same language barring wild horses and burros from being sent to slaughter that figured in the fiscal year 2016 omnibus: "Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros that results in their destruction for processing into commercial products," (Division G, p. 714, line 23).

The President's fiscal year 2018 budget proposes language allowing the transfer of horses and burros to Federal, State, and local agencies. This language is contained in General Provisions, Section 115, entitled, "Transfer of Animals to Other Agencies." We request that you replace this language with similar language from the fiscal year 2017 omnibus, from General Provisions, Section 116, entitled "Humane Transfer of Excess Animals."

FISH AND WILDLIFE SERVICE—MULTINATIONAL SPECIES CONSERVATION FUND

The FWS Multinational Species Conservation Fund (MSCF) supports conservation programs for African and Asian elephants, rhinos, tigers, great apes, and sea turtles. We request \$11 million for this program, roughly the same amount as in the fiscal year 2017 omnibus, and \$2 million more than the President's request. The HSUS joins a broad coalition of organizations in support of the MSCF, while asking that the sales of semi-postal stamps benefiting this program remain supplementary to annually appropriated levels.

While we wholeheartedly support continued funding for the MSCF, we are concerned about past incidents and oppose any future use of funds from these conservation programs to promote trophy hunting, trade in animal parts, and other consumptive uses—including live capture for trade, captive breeding, entertainment, or for the public display industry—under the guise of conservation. The use of MSCF grants must be consistent with the spirit of its authorizing law.

FISH AND WILDLIFE SERVICE—OFFICE OF INTERNATIONAL AFFAIRS

We support the fiscal year 2018 budget request of \$14.2 million for the FWS Office of International Affairs. This program supports efforts to conserve our planet's wildlife diversity by protecting species and habitat, combating wildlife trafficking, and building capacity for landscape-level wildlife conservation. The Office's Wildlife Without Borders programs address grassroots conservation problems, and we support this work to conserve some of the world's most iconic species in their native habitats.

FISH AND WILDLIFE SERVICE—OFFICE OF LAW ENFORCEMENT

The global trafficking of wildlife has reached emergency levels, with impacts on national security, international human rights, and the survival of protected wildlife species. In particular, African elephants face an unprecedented crisis, with one elephant killed every 15 minutes in Africa. A host of other species, such as rhinos, pangolins, tigers, and sharks, is threatened by poaching and trafficking as well. The United States is the world's second-largest market, behind China, for ivory product sales. In response, FWS issued a rule in July 2016 to curtail the domestic trade in ivory. The rule also increases scrutiny of imports of African elephant trophies, and

extends Endangered Species Act protection to live African elephants in captive facilities in the United States.

It is imperative that the Nation stay firm in its effort to curtail the U.S. ivory trade and to combat wildlife trafficking. To that end, the Administration's fiscal year 2018 FWS budget includes \$73 million for the Office of Law Enforcement; we ask the Subcommittee to fund the Office at this level. The request provides the Service with resources critical to curbing transnational wildlife crime. In addition, we ask that the bill not include language that would weaken the enforcement or implementation of the rule combating ivory trade in the United States.

ENDANGERED SPECIES ACT

The Endangered Species Act (ESA) is fundamental to the protection of our planet's most imperiled animals. This law, which is supported by 90 percent of American voters, has prevented the extinction of 99 percent of the species under its care, including the bald eagle. Under the ESA, the responsibility to list and delist species lies with Federal agencies, which must make these listing decisions based on the best available science. The authority to make these science-based management decisions should remain with Federal agencies.

We ask that the fiscal year 2018 budget exclude any language that prevents Federal agencies from making listing or delisting decisions based on sound science, or that otherwise undermines the ESA.

PREPARED STATEMENT OF THE INTERSTATE MINING COMPACT COMMISSION

My name is Gregory E. Conrad and I serve as Executive Director of the Interstate Mining Compact Commission. I appreciate the opportunity to present this statement to the Subcommittee regarding the views of the Interstate Mining Compact Commission's 26 member States on the fiscal year 2018 budget request for the Office of Surface Mining Reclamation and Enforcement (OSMRE) within the U.S. Department of the Interior. In its proposed budget, OSMRE is requesting \$60.1 million to fund Title V grants to States for the implementation of their regulatory programs, a reduction of \$8.4 million below the fiscal year 2017 enacted level.

The Compact is comprised of 26 States that together produce some 95 percent of the Nation's coal, as well as important noncoal minerals. The Compact's purposes are to advance the protection and restoration of land, water and other resources affected by mining through the encouragement of programs in each of the party States that will achieve comparable results in protecting, conserving and improving the usefulness of natural resources and to assist in achieving and maintaining an efficient, productive and economically viable mining industry.

OSMRE has projected an amount of \$60.1 million for Title V grants to States in fiscal year 2018, an amount which is matched by the States. These grants support the implementation of State regulatory programs under the Surface Mining Control and Reclamation Act (SMCRA) and as such are essential to the full and effective operation of those programs.¹ Pursuant to these primacy programs, the States have the most direct and critical responsibilities for conducting regulatory operations to minimize the impact of coal extraction operations on people and the environment. The States accomplish this through a combination of permitting, inspection and enforcement duties, designating lands as unsuitable for mining operations, and ensuring that timely reclamation occurs after mining.

In fiscal year 2017, Congress approved \$68.5 million for State and Tribal Title V grants pursuant to the Omnibus Appropriations Bill. This continued a much-needed trend whereby the amount appropriated for these regulatory grants aligned with the demonstrated needs of the States. The States are greatly encouraged by the amount approved by Congress for Title V grant funding over the past several fiscal years. These grants had been stagnant for many years and the gap between the States' requests and what they received was widening. This debilitating trend was compounding the problems caused by inflation and uncontrollable costs, thus undermining State efforts to realize needed program improvements and enhancements and jeopardizing their efforts to minimize the potential adverse impacts of coal extraction operations on people and the environment.

¹ OSMRE recognizes the significant role played by the States in its budget justification document on page 50 where it notes that "primacy States have the most direct and critical responsibilities for conducting regulatory operations to minimize the impact of coal extraction operations on people and the environment. The States have the capabilities and knowledge to regulate the lands within their borders."

In past budget requests, OSMRE displayed a pattern of proposing inadequate funding for State Title V regulatory programs. Congress consistently rejected the proposed reductions and funded the programs at amounts that more closely aligned with the States' projected needs. OSMRE's fiscal year 2018 budget proposal once again moves the grants marker in the wrong direction with a cut in regulatory grants that is double what the previous administration had proposed in fiscal year 2017. OSMRE indicates that this significant reduction is based on "a downward trend in State grant execution and a historical return of unexecuted appropriated funds at the end of the grant cycle each year." We are uncertain what OSMRE is alluding to with regard to the "downward trend in State grant execution". Nothing in OSMRE's annual oversight evaluations of State programs has identified this as a problem in need of attention.

Furthermore, it should be kept in mind that, given fiscal constraints on State budgets, some States have only recently been able to move beyond hiring and salary freezes and restrictions on equipment and vehicle purchases, all of which have inhibited the States' ability to spend the full amount of their Federal grant money in recent years. With many States now recovering enough to utilize their full grant amount, it is imperative that funding be maintained at the current level of \$68.6 million, as fully justified by the States' estimates of program needs. Those estimates reflect the ongoing work associated with State program implementation including permit reviews, inspections and enforcement at all inspectable units. Even with the downturn in coal production, the States' workload has not decreased—and in some cases has increased given the tenuous condition of some coal companies. In the latter situation, higher levels of vigilance are the order of the day in order to insure contemporaneous reclamation and abatement of violations.

OSMRE goes on to note that it will "continue to support State regulatory grant requests by re-distributing the available prior year funds as needed." We believe this plan to be shortsighted in that it fails to consider the improving fiscal conditions in many States and the damaging precedent set by appropriating suboptimal grant amounts. Furthermore, there is no guarantee that these carryover funds will be available into the future or that they would not be reprogrammed for other purposes.

Clear indications from Congress that reliable, consistent funding will continue into the future has done much to stimulate support for these programs by State legislatures and budget officers who, in the face of difficult fiscal climates and constraints, have had to deal with the challenge of matching Federal grant dollars with State funds. This is particularly true for those States whose match is partially based on permit fees from the mining industry, where significant reductions in permitting activity translate to fewer permit fees (but not in the amount of regulatory work for State regulatory agencies). Recall that any cut in Federal funding generally translates to an additional cut of an equal amount for overall program funding for many States, especially those without Federal lands, since these States can generally only match what they receive in Federal money.

We are encouraged with language in OSMRE's budget justification document that indicates OSMRE "will continue to practice cooperative conservation through working in partnership with States and Tribes to carry out the mission of the SMCRA" and that the agency is "shifting its role from direct enforcement to oversight", thereby "refocusing actions on mission accomplishment while fostering a better working relationship with the States." However, the proof is in actual implementation of these laudable goals. The States' tendency to be rather circumspect about OSMRE's approach to oversight is based on the agency's aggressive treatment of the States over the past 8 years, particularly with regard to the reflexive use of Ten-Day Notices as an oversight tool and the failure to engage the States in a meaningful way regarding crucial programmatic areas such as policies on Clean Water Act implementation and stream protection. Based on our experience with program operations, some of the very areas OSMRE identifies as reasons for its oversight activity are either dependent on State involvement (training) or have seen little in the way of progress over the years (State program amendment review and approval). Specific program areas where OSMRE intends to provide its expertise and assistance are often also reliant upon or must defer to State experience including blasting and bonding.

The overall performance of the States as detailed in OSMRE's annual State program evaluation reports, together with the fact that nationwide, 90 percent of the sites inspected did not have off-site impacts, demonstrates that the States are implementing their programs effectively and in accordance with the purposes and ob-

jectives of SMCRA.² In our view, this suggests that OSMRE is adequately accomplishing its statutory oversight obligations with current Federal program funding and that any increased workloads are likely to fall upon the States, which have primary responsibility for implementing appropriate adjustments to their programs identified during Federal oversight.

To the extent that OSMRE seeks to enhance State primacy, we would support a renewed focus on processing State program amendments. Additionally, if OSMRE is looking for ways to improve and enhance the overall implementation of SMCRA at both the State and Federal level, we would urge the agency to move forward with the findings and recommendations that IMCC has presented to OSMRE to address the continuing fiscal impacts on program implementation, particularly with respect to duplicative inspection and enforcement requirements.

For all the above reasons, we urge Congress to approve not less than \$68.6 million for State and Tribal Title V regulatory grants, the same amount enacted by Congress over the past few fiscal years. In doing so, Congress will continue its commitment to ensuring the States have the resources they need to continue their work on the forefront of environmental protection and preservation of public health and safety.

OSMRE's proposed budget reduces expenditures for the National Technical Training Program (NTTP) and the Technical Information and Professional Service (TIPS) by 15 percent. While there may be room for some adjustments to these two programs, we caution against cuts that would impact the effectiveness of these worthwhile programs. The States rely heavily on the NTTP and TIPS training classes for their new employees and for refresher courses for more seasoned employees. Any adjustments to these two programs should involve the States working through the NTTP/TIPS Steering Committee.

With regard to funding for State Title IV Abandoned Mine Land (AML) program grants, the States and Tribes should receive a mandatory appropriation of \$321.5 million in fiscal year 2018. In its proposed fiscal year 2018 budget, OSMRE seeks to eliminate \$90 million for the AML economic development pilot projects due to the fact that this funding "overlaps with existing mandatory AML grants". We believe that funding for pilot projects is separate and distinct from other AML funding sources. As the Subcommittee noted with regard to the fiscal year 2017 Omnibus Appropriations bill, this funding is targeted for economic and community development and reuse goals. We strongly support continued funding (from the General Fund) for these pilot projects, along with expansion of the program to include three additional States (Virginia, Ohio and Alabama). We also recommend concerted action to reauthorize fee collection under Title IV of SMCRA. A resolution concerning reauthorization, along with proposed legislative adjustments, is attached.

IMCC also supports a continuation of funding for the watershed cooperative agreements at \$1.5 million. Much valuable work has been accomplished through this program, especially given the matching funds that come from other sources besides OSMRE's share for these worthwhile projects. We also support funding for the Applied Science program, which has supported a range of beneficial research projects addressing advanced technologies and practices specific to coal mined sites.

We appreciate the opportunity to submit this statement on the Office of Surface Mining's proposed budget for fiscal year 2018. We also endorse the statement of the National Association of Abandoned Mine Land Programs (NAAML), which goes into greater detail regarding the implications of OSMRE's funding for the States and Tribes related to the AML program. We would be happy to answer any questions.

PREPARED STATEMENT OF THE INTERTRIBAL TIMBER COUNCIL

INTRODUCTION AND SUMMARY

Mr. Chairman, Members of the subcommittee, I am Phil Rigdon, President of the Intertribal Timber Council (ITC) and Deputy Director of Natural Resources for the Yakama Nation. The ITC offers the following recommendations for fiscal year 2018 Indian forestry-related activities in the Bureau of Indian Affairs (BIA), the Depart-

²The Congress agreed with this assessment when it commented as follows on OSM's proposed increase in fiscal year 2017: "The Committee continues to reject the proposal to increase inspection and enhanced Federal oversight of State regulatory programs. Delegation of the authority to the States is the cornerstone of the surface mining regulatory program, and State regulatory programs do not require enhanced Federal oversight to ensure continued implementation of a protective regulatory framework." (H. Report 114-632 at pages 38-39).

ment of Interior (DoI) Office of Wildland Fire Management (OWFM), and the USDA Forest Service (USFS):

NOTE: Comments are based on funding levels presented in the fiscal year 2017 Consolidated Appropriations Act, Public Law 115–31.

BIA

1. Increase BIA Forestry (TPA) by \$5 million for the hiring of 67 additional foresters to increase Tribal trust timber harvest pursuant to tribally approved forest plans, improving Tribal employment, economies, and forest management;
2. Increase BIA Forestry Projects Forest Development by \$5 million (\$2 for thinning, \$3 million for replanting) to reduce BIA backlogs, provide hundreds of immediate jobs, and strengthen long-term Tribal economies;

OWFM

3. Provide \$49.5 million in OWFM Burned Area Rehabilitation for Indian trust forests burned in 2015.
4. Direct a reassessment of wildfire suppression priorities to include Indian trust forests as a second priority behind only protection of life as a suppression priority.
5. Increase Fuels Management funding to \$206 million; allow RTRL funds on Tribal lands.

USFS

6. Encourage expanded support for the ITC *Anchor Forest* initiative, and direct USFS to initiate implementation of the “Anchor Forest Final Report”, including harvest.
7. Continue encouraging the USFS to improve implementation of the TFFPA.

BIA

1. *Increase BIA Forestry (TPA) by \$5 million for the hiring of 67 additional foresters to increase Tribal trust timber harvest within tribally approved forest plans, improving Tribal employment, economies, and forest and woodland management.*

Indian forests and woodlands comprise 18.6 million acres, or one third, of the total 57 million acres of Indian land held and managed in trust by the U.S. Department of the Interior’s BIA. Forests are a principal Tribal renewable resource, and more than 300 Indian Tribes have forest resources. Across the country, Indian forests provide more than \$40 million in annual Tribal governmental revenues, 19,000 jobs in and around Tribal communities, and wildlife habitat, clean water and air, and sources of food and medicine for Indian people.

Six million acres of Tribal trust forests support commercial use. Sustainable annual harvest targets set by Tribal governments total approximately 750 million board feet. But lack of BIA trust management capacity, combined with increasingly complex Federal regulation, has caused actual annual harvest levels to fall steadily over the past forty years, to a current level only about half that amount. Since 1991, this decline has cost Tribes \$700 million in foregone stumpage revenue and tens of thousands of forestry-related jobs. For fiscal year 2015, BIA could only process 46 percent of the tribally approved annual allowable cut, costing Tribes more than \$60 million in foregone revenue.

The 2013 Indian Forest Management Assessment Team Report, the third statutorily required (Public Law 101–630, Section 312) decadal independent review on Tribal forests and forestry (IFMAT III), finds that Federal funding for BIA forestry is only one third of that per-acre for the U.S. Forest Service, that BIA technical forestry staffing is chronically insufficient, that each BIA forester administers more acres than any other Federal forester, and that BIA professional forester staffing should be increased by 65 percent.

Over the past 2 years I cited an example on my reservation—the Yakama Nation—where 33 of the 55 BIA Forestry positions had not been filled for a long time. Today, it is basically unchanged, despite repeated Tribal pleas. Our harvest targets are not being met, our forest health is suffering, and economic opportunities are being lost.

Data from IFMAT III indicates \$5 million added to BIA funding for 67 foresters (@ \$75,000 each) could increase Tribal harvest by up to 295 million board feet, generate \$3 in stumpage revenue for every \$1 invested, and create more than 15,000 rural jobs.

Please note that additional BIA funding for foresters is essential to increasing the Tribal harvest. Even in this era of Tribal assumption of forest management functions pursuant to the Indian Self-Determination Act, the BIA remains responsible for a wide range of critical forestry functions in its capacity as trustee. These func-

tions include environmental clearances and approval and oversight for timber sales, and the lack of forestry staff to perform these and other trust functions directly constrains harvest levels.

In addition to significantly increasing harvest, jobs and revenue, increased BIA funding for forestry staff would improve compliance with approved Tribal forest management plans, bringing the forest into a better managed State, improving forest health and reducing fire, insect and disease threats and their associated Federal costs.

2. Increase BIA Forestry Projects Forest Development by \$5 million (\$2 for thinning, \$3 million for replanting) to reduce BIA backlogs, provide immediate jobs, and strengthen long-term Tribal economies.

For decades, insufficient BIA support has allowed significant thinning and replanting backlogs to accrue on Tribal trust forest land. In recent years, the thinning backlog has remained around 10 percent of Tribal trust forest acreage, and the replanting backlog has stayed around 4 percent. With these backlogs, parts of our forests are either underproductive or out of production altogether, depriving our communities of vitally needed jobs and income. The backlogs also contribute to poor forest health, particularly for thinning, where dense stands grow slowly and are especially susceptible to fire, disease and insects.

In fiscal year 2016, Congress initiated an effort to significantly reduce the BIA's thinning backlog. The Committee has maintained this effort with \$2 million in fiscal year 2017, which is greatly appreciated. For fiscal year 2018, we request its continuation with a \$2 million increase, and that this forest development initiative be extended to replanting with a \$3 million increase. Both will immediately provide hundreds of reservation jobs, with replanting offering needed entry-level opportunities. Increased thinning can also produce immediate increases in forest product values and Tribal revenues, and over the long term, thinning and replanting both strengthen our forest economies and improve forest resiliency, in keeping with the Federal Government's trust obligation.

DOI OFFICE OF WILDLAND FIRE MANAGEMENT

3. Provide \$49.5 million in OWFM Burned Area Rehabilitation for Indian trust forests burned in 2015.

The Interior Department's Office of Wildland Fire Management has done next to nothing to rehabilitate the nearly 500,000 acres of Tribal trust timber burned during the catastrophic 2015 wildfire season. Approximately 1.5 billion board feet of timber was killed, worth more than \$200 million in Tribal revenue. Nearly 100,000 acres need reforestation. Tribal losses of their forest resource, revenue and jobs are severe and will extend decades into the future. BIA has estimated recovery costs of \$55 million over 5 years, including \$9 million for fiscal year 2016 and \$12.6 million for fiscal year 2017. To date, the Interior Department has only provided \$5.5 million toward the recovery of our trust forests burned in 2015, and that includes \$2 million provided by Congress in fiscal year 2016 to BIA Forestry Projects—not OWFM.

It is outrageous that Federal wildland fire policy essentially sacrifices our trust forest assets to protect private property (see next item), and now, having allowed this important trust asset to be significantly damaged, the Federal Government is giving only lip service to its rehabilitation. For fiscal year 2018, to try to get us back on track and assure the recovery of this trust asset, we ask that the full balance of the BIA's rehabilitation budget for these 2015 burned lands be provided in the OWFM BAR appropriation, specifically designated for recovery of Tribal forests burned in 2015.

4. Direct a reassessment of wildfire suppression priorities to include Indian trust forests as a second priority behind only protection of life as a suppression priority.

In late summer 2015, when a wave of lightning-caused wildfires swept across the Northwest, including on Indian reservations, fire crews attacking reservation fires were diverted to fight off-reservation fires threatening private property, and the fires on our trust forests exploded. Despite the Federal trust obligation and liability for the management and protection of Tribal trust forests, despite the Tribal communities' reliance on our trust forests for jobs, revenue, water, and a broad array of other economic, ecological and cultural benefits, Federal wildfire policy basically sacrifices Indian trust property to save private property. That should not be the case. We understand the protection of life needs to be a first priority in wildfire suppression, but we believe our forest property, which the U.S. has a trust obligation to protect, should be considered a priority over private property in Federal wildfire suppression priorities. While burned Tribal forests and our dependant economies

will take decades to recover, burned private structures, often insured, can be rebuilt in months. As the ITC requested last year, we again request the Committee to direct the reevaluation of Federal fire suppression priorities to consider the protection of Indian trust resources as second only to protection of life.

5. Increase Fuels Management funding to \$206 million; allow RTRL funds on Tribal lands.

For fiscal year 2018, ITC urges, as it has for many recent years, that DOI Fuels Management funding be restored to its fiscal year 2010 \$206 million level. Proactive reduction of fuels is a proven method to reduce risk to our Nation's forests and is a sound investment to reduce the expense of future suppression. Within the fiscal year 2018 Fuels Management budget, ITC also strongly supports the continuation of \$10 million for Reserved Treaty Rights Lands (RTRL) landscape restoration. Currently, Tribes can use these funds for proactive fuels and forest health projects on neighboring Federal forests to protect Tribal treaty assets. To make these RTRL funds more flexible and efficient, we ask that they be authorized for use on both Tribal lands and off-reservation lands.

USFS

6. Encourage expanded support for the ITC Anchor Forest initiative, and direct USFS to initiate implementation of the "Anchor Forest Final Report", including harvest.

ITC requests that the Committee include report language to encourage and expand the Forest Service's continued support of the ITC's *Anchor Forest* initiative, in which Tribes and other forest stakeholders pursue long-term collaboration to maintain ecological functions and sustain economically viable infrastructure for management, harvesting, transportation, and processing of forest products as a cost effective management strategy. The final report of the ITC's *Anchor Forest* pilot study of forest lands in central and eastern Washington State, published in March 2016 and available on line at the ITC website, was developed with the participation of Tribal, Federal and State governments, the conservation community, and local forestland owners and businesses. Tribes in the Lakes States, the Plains States, Alaska, and the Southwest are expressing interest in the *Anchor Forest* concept, and we urge Committee report language supporting expanded application of the *Anchor Forest* concept.

ITC also asks that the Committee direct the USFS to actively initiate implementation of the "Anchor Forest Final Report", including harvest. The USFS contributed to and actively participated in that *Anchor Forest* study. The study is now complete and published, but USFS has not thus far undertaken any activities to implement its findings and recommendations. To help bring life to the *Anchor Forest* concept and sustain local forest jobs and infrastructure, please direct USFS to begin implementing its portion of the "Anchor Forest Final Report", including harvest.

7. Continue encouraging the USFS to improve implementation of the TFPA.

Finally, ITC requests the subcommittee express continued support for implementation of the Tribal Forest Protection Act, as it did in fiscal year 2015. The Tribal Forest Protection Act (TFPA, PL 108-278) authorizes Tribes to conduct fuels and health projects on USFS and BLM lands to protect Tribal trust and cultural resources. The Committee's support helped prompt a series of successful regional TFPA workshops and the initiating of a good number of TFPA agreements. There is strong continuing interest in additional workshops and TFPA projects, and the ITC urges the Committee to express continued support for the TFPA program.

INTERTRIBAL TIMBER COUNCIL BACKGROUND.

The ITC is a 41 year old association of forest owning Tribes and Alaska Native organizations dedicated to improving the sustainable ecological and economic management of our 18.6 million acres of timberland and woodland held in BIA trust. We invite you to come visit.

That concludes my statement. Thank you.

PREPARED STATEMENT OF THE JAMESTOWN S'KLALLAM TRIBE

On behalf of the Jamestown S'Klallam Tribe, I am pleased to submit this written testimony on our funding priorities and requests for the fiscal year 2018 Bureau of Indian Affairs (BIA), Indian Health Service (IHS) and the Environmental Protection Agency (EPA) budgets. A fundamental goal for our Tribe is achieving economic self-sufficiency/self-reliance through opportunities that enable us to generate our own

unrestricted revenues to address the unfulfilled Federal obligation and unmet needs of our community. When Tribes are allowed to conduct activities on their own land subject to their own taxes and regulations that are not impeded by State and local tax infringement, Indian reservation economies flourish. We have shown time and again that the Federal investment in our communities is a good investment and continued program and financial support is invaluable to protecting our resources and bolstering Tribal local and State economies.

Decades of unfulfilled Federal obligations has devastated Tribal communities who continue to face persistent shortfalls and overwhelming unmet needs. Unless Congress acts, sequestration cuts will return in fiscal year 2018. These budgetary rescissions are permanent, unsupportable reductions to Tribal base programs and the cumulative effect over the years has devastated Tribal communities and stifled Tribal self-sufficiency. Until Tribes attain exclusive taxing jurisdiction within their Tribal lands, Federal support at sustainable levels remains critical to ensure the delivery of essential governmental services to our Tribal citizens. The Federal trust obligation must be honored and vital programs and services for Tribes must be sustained and held harmless in any budgetary deals enacted to reduce the national deficit.

TRIBAL SPECIFIC APPROPRIATION PRIORITIES

1. \$8.3 million for Tribal/City of Sequim Wastewater Connection
2. \$127,994 Tribal increase for the Indian General Assistance Program (GAP) EPA
3. \$150,000 to restore funding for the Dungeness Floodplain Restoration & Ecosystem Restoration Puget Sound Geographic and National Estuarine Program (NEP) EPA

\$8.3 million—Waste Water System.—Basic sanitation facilities in our community is an essential prerequisite to ensuring public health and community wellness, as well as, economic viability. Specifically, in order to engage in economic development and expand our Tribal business portfolio, the Tribe needs to invest in a waste water system. Our Tribal government cannot operate without adequate infrastructure for sanitation facilities and clean water. After years of careful planning and research, we have entered into a partnership with the City of Sequim to connect Tribal businesses and governmental facilities in Blyn to the City of Sequim Wastewater Treatment Plant. The installation of the project pipeline is approximately \$8.3 million but this investment will not only address environmental/public health concerns, it will accrue sustainable long term economic benefits.

\$127,994 million increase—Indian General Assistance Program (GAP)—EPA.—Our Treaty, Point No Point, guarantees our Tribe and its citizens the right to hunt, fish, and gather shellfish in our usual and accustomed areas but that right is meaningless if there are no elk to hunt, fish to catch, or clams and berries to harvest. Our Tribe has been recognized on numerous occasions for our leadership, stewardship, and management practices in the area of Natural Resources protection and development. We have made tremendous strides in advancing techniques that identify and reduce pollution, improve water quality, assess the status of public health needs, restore habitat, and replenish depleted fish and shellfish stocks, that are on the brink of extinction, including, ESA listed summer chum. Preservation of Tribal Treaty Rights begins with Tribal capacity building which is critical to sustain the positive environmental and economic achievements, including, the generation of employment opportunities, the building and upgrading of ecological infrastructure, the establishment of domestic and international trade relationships, and the bolstering of Tribal, local and State economies.

\$150,000—Geographic/Ecosystems Program (Dungeness Floodplain Restoration & Ecosystem Restoration Puget Sound).—The Dungeness River is the Tribe's ancestral river. In 1855, a dike was built on the Dungeness estuary marshlands and, this act, coupled with a plethora of other man-made impacts, has caused serious degradation to the Dungeness River Salmon habitat. These environmental impacts have been devastating and have led to declines in the Salmon populations because of the loss of habitat. The Geographic/Ecosystems program provides funding for our Tribe to protect and restore the Puget Sound ecosystem. The success of this program is evidenced in the many achievements our Tribe has seen to date, including, commercial shellfish bed upgrades, construction of storm water infrastructure across Puget Sound, salmon recovery and water quality improvement, successful research projects, such as, biotoxin research results on shellfish, successful levee and log jam design projects, and, many education and engagement campaigns. This program is also multi-jurisdictional in that Federal and State agencies, Tribes, regional fishery organizations and other partners take a synergistic and economically sustainable

approach to addressing environmental issues. The benefits of this program extend well beyond the reservation boundaries and into the local surrounding communities.

NATIONAL REQUESTS AND RECOMMENDATIONS FOR THE BIA AND IHS

1. Contract Support Costs Mandatory Funding
2. Increase Funding for Tribal Base Budgets/Recurring Programs

Contract Support Costs Mandatory Funding.—The Tribe appreciates the continued bipartisan support of the Interior Appropriations Subcommittee for full funding of Contract Support Costs (CSC) for both the IHS and BIA. The Consolidated Appropriations Act provided full funding of CSC in fiscal year 2016 at an indefinite amount, and ensured that funding for CSC was not at the expense of amounts appropriated for critical programmatic services. Our Tribe maintains, however, that the indefinite appropriation of CSC funding must be made mandatory and permanent to ensure that these legally mandated obligations are properly executed.

Increase Funding for Tribal Base Budgets/Recurring Programs.—Recently, agencies are opting to fund Tribal programs and services with grant dollars as opposed to providing base recurring funding. Grant funding undermines core Self-Governance tenets and hinders the ability of Tribes to redesign programs and services to better address their community's needs. Grant funding does not work well as the main funding source because it is a short term investment that is used to support ongoing and critical needs. Grants create uncertainty in planning, make Tribes compete for limited funding, require extensive regulation, impose overly burdensome reporting requirements and restrict the use of indirect costs. We would urge Congress to increase funding for Tribal base budgets by funding Tribal Priority Allocations and other Recurring Programs because it will benefit all Tribes as opposed to creating more grants that only benefit a few.

NATIONAL REQUESTS AND RECOMMENDATIONS FOR THE BIA

1. Economic Development TPA \$25 million
2. Natural Resources TPA \$10 million
3. Indian Guaranteed Loan Program \$12.6 million

\$25 million—Economic Development (TPA).—Increased funding for Economic Development will allow us to continue to diversify our successful business portfolio and expand our revenue generating opportunities. Chronic underfunding and the severe lack of private investment have left the economic potential of our Tribe unrealized. Tribes are forced to rely on their own economic ventures to generate revenue to support programs and services for Tribal citizens. Yet, Tribes are expected to meet these economic challenges with fewer resources and greater restrictions placed on vital economic financing tools and incentives that are easily accessible and lucrative to other governments.

\$10 million—Natural Resources (TPA).—The Federal investment in Tribal Natural Resources will foster Tribal self-sufficiency and support Tribal economies by cultivating cross jurisdictional partnerships with State and local governments that create jobs and promote and advance trade. This investment also advances a number of ancillary but equally important cultural and religious practices, creates community cohesiveness and improves the environmental conditions on our Tribal homelands and in surrounding communities.

\$15 million—Indian Guaranteed Loan Program/Surety Bonds.—Loan guarantees are an attractive financial tool because Tribes are able to leverage limited Federal funding and promote economic growth by investing in projects that are capable of generating their own revenue streams. The program, however, has been consistently targeted for cuts despite its positive return on the Federal investment. If not for the Loan Guarantee Program, many Tribes would not be able to secure loans from typical sources that are available to other entities and businesses. Federal credit programs should facilitate Tribal access to private capital markets where Tribes frequently encounter market resistance to conventional lending.

Office of Self-Governance (OSG).—OSG provides administrative support to half of all Tribes nationwide. However, a current funding shortfall of .4 million will result in the loss of critical staff unless this Subcommittee provides a budget line item increase for OSG or the Bureau is directed to transfer recurring funding internally.

NATIONAL REQUESTS AND RECOMMENDATIONS FOR THE IHS

1. Support Mandatory Appropriations for IHS
2. Fully Fund the Indian Healthcare Improvement Act Provisions in the ACA
3. Increase Funding for Purchased and Referred Care \$562.2 million

Support Mandatory Appropriations for IHS.—Tribal healthcare programs should be funded similarly to every other government health programs in this country through mandatory funding. The Interior, Environment and Related Agencies Appropriations Bill, which includes funding for IHS, has not been enacted in a timely manner for the past twenty years, creating significant challenges to Tribes' ability to provide critical healthcare services to their Tribal citizens. When it comes to IHS funding, delays could mean the loss of life. Late funding not only affects quality of care, it constrains Tribal healthcare providers' ability to plan, budget, recruit and retain staff, and construct and maintain facilities. Providing predictable, timely and sufficient funding will ensure the Federal Government is upholding its trust responsibility to American Indians and Alaska Natives.

Fully Fund the IHCIA Provisions in the ACA.—Although the IHCIA provides the authority and, with it, the opportunity to provide essential healthcare to Tribal citizens, it did not provide the necessary funds to the IHS to carry out these new statutory obligations. There are twenty three unfunded provisions in the Indian Health Care Improvement Act (IHCIA). Many of the provisions that remain unfunded would strengthen the Tribal healthcare workforce, provide greater access to behavioral health and support innovative initiatives for healthcare delivery to Tribal citizens. Funding these provisions is a necessary precursor to increase Tribal capacity, infrastructure and most importantly access to healthcare services. A significant Federal investment is needed to achieve a fully funded Indian Health Service and now is the time to act on opportunities made possible in the newly expanded authorities granted under the IHCIA.

\$562.2 million—Purchased and Referred Care (PRC).—Most IHS and Tribally-operated direct care facilities do not provide the required emergency and specialty care services so Tribes are forced to turn to the private sector to fulfill this need. PRC funds are used to purchase essential healthcare services, including inpatient and outpatient care, routine emergency ambulatory care, transportation and medical support services, such as diagnostic imaging, physical therapy, laboratory, nutrition and pharmacy services.

NATIONAL REQUESTS AND RECOMMENDATIONS

The Jamestown S'Klallam Tribe continues to support the requests and recommendations of the Self-Governance Communication and Education Tribal Consortium, the National Congress of American Indians and the National Indian Health Board.

REGIONAL REQUESTS AND RECOMMENDATIONS

The Jamestown S'Klallam Tribe support the requests and recommendations of the Affiliated Tribes of Northwest Indians, Northwest Portland Area Indian Health Board, and the Northwest Indian Fisheries Commission.

[This statement was submitted by W. Ron Allen, Tribal Chairman/CEO.]

PREPARED STATEMENT OF THE KENAI PENINSULA BOROUGH (ALASKA)

MAY 25, 2017.

Hon. LISA MURKOWSKI,
Hon. TOM UDALL,
Subcommittee on Interior, Environment, and Related Agencies,
Committee on Appropriations.

Dear Senators Murkowski and Udall,

Since 1977, Congress has appropriated and the U.S. Treasury has distributed payments in lieu of taxes (PILT) on Federal lands nationwide. The Federal Government owns about 65 percent of the lands in the Kenai Peninsula Borough, with the borough budgeted to receive \$2.6 million in Federal PILT funds in fiscal year 2017 and estimating the same amount in fiscal year 2018. This letter is to state our support for full funding of the PILT program in the Federal fiscal year 2018 budget, and to provide you with an example of how important those dollars are to the borough, in particular to help fund a new effort to provide emergency response services for traffic accidents along the Seward, Sterling and Hope highways on the peninsula.

The Kenai Peninsula Borough lacks the authority to provide borough-wide emergency services (fire and ambulance services). Rather, such services are provided through local service areas, such as the Nikiski Fire Service Area and the Central Emergency Service (CES) Area, and through volunteer squads, such as in the small communities of Cooper Landing, Hope and Moose Pass. That mix of service areas

and volunteer organizations leaves more than 90 miles of State highway through the peninsula with uncertain coverage and emergency response authority. Volunteers respond to accidents as best they can, assisted by personnel from CES stations (Sterling and Soldotna) who respond as they are able—under the authority of mutual-aid agreements—while still managing their primary responsibilities at home, all the while as people injured in traffic accidents wait for help to arrive.

The borough's solution was to create an emergency services area that stretches literally—and only—along the State highway right of way. There are no residents in the right of way, and no private property. As such, there was no way under existing State statute to create a traditional service area. But the legislature this session looked favorably upon our proposal to amend statute to allow creation of such a service area along a State highway. A unique solution, but I believe it will work.

As we wait for the governor to sign the measure into law, I have proposed to the borough assembly the use of Federal PILT funds to pay for the emergency response services. As a significant portion of the State highway is on or adjacent to Federal lands, there is no property to tax as normally would be the case in a municipal service area. Yet the need for the services clearly exists—almost 200 people were injured in more than 100 traffic accidents along the affected stretches of the Seward, Sterling and Hope highways the past 2 years. It is the only road connection between the Kenai Peninsula and the rest of Alaska, a heavily traveled corridor with more than 8,000 vehicles a day during the peak season. This seems to me to be a perfect use of Federal PILT dollars, since many of the travelers are utilizing this corridor to access Federal public lands.

I write to share with you our plans for the Federal funds, should you or any of your colleagues ever wonder what Alaska municipalities do with the money, separate from depositing the check into the general fund.

The Kenai Peninsula Borough appreciates the longstanding program's contribution toward public services for our residents and visitors alike.

Sincerely,

MIKE NAVARRE,
Mayor.

PREPARED STATEMENT OF THE LAC DU FLAMBEAU BAND OF LAKE SUPERIOR
CHIPPEWA INDIANS

The Lac du Flambeau Band of Lake Superior Chippewa Indians appreciates the opportunity to provide written testimony concerning IHS, BIA and EPA funding for fiscal year 2018. The Band is located in Vilas, Oneida and Iron Counties Wisconsin. Our Tribe of 3,400 members is the largest employer in Vilas County. Together with Tribal enterprises, the Tribe employs 800 individuals, with nearly 25 percent or 190 employees paid in full or in part with appropriations made under this subcommittee's jurisdiction. Within our 86,600-acre reservation, there are 260 lakes, 71 miles of streams and rivers, approximately 42,000 acres of forested land and roughly 42,000 acres of water and wetlands. Our reservation has one of the densest concentrations of fresh water in the country and our lands and waters are sacred to the Band and its members. We are working hard to build and maintain a stable, healthy Tribal community, amid many challenges. Like many rural areas, we are dealing with opioid abuse and the challenges of creating and maintaining jobs for our citizens and residents.

It has taken many years for the Tribe to reduce our unemployment rate, which spiked considerably after the 2008–2010 economic downturn. Federal expenditures by our Tribe in fiscal year 2016 totaled about \$20 million, of which IHS, BIA and EPA funding amounted to \$12 million or about 60 percent. It is critical to our Tribe that Federal funds within this subcommittee's jurisdiction increase in 2018 to help us address our great health, educational, social and natural resource needs. Our testimony today addresses IHS, BIA and EPA programs that are vital to the Lac du Flambeau Band. The Tribe thanks the subcommittee for its leadership and commitment to Indian Tribes which honors the Nation's trust responsibility to the Indian people. The Tribe appreciates that Congress provided increased funds in fiscal year 2017 for BIA, BIE and IHS programs.

As you have done for fiscal year 2017, we ask that you reject President Trump's "America First" Budget for fiscal year 2018, which calls for unwarranted reductions in non-defense agency appropriations, including unwarranted cuts to the Department of Health and Human Services, Department of the Interior, and Environmental Protection Agency (EPA). The America First budget proposal, if enacted, would cause great harm to the Band and to most Native Americans who, more than

most Americans, rely heavily on Federal appropriations across multiple Federal agencies, not just Interior and DHHS.

The Tribal Government does not want to inform any one of the hundreds of our loyal Tribal employees whose jobs depend, in whole or part on Federal funds, that the Tribe must lay them off in 2018 because the Federal Government did not honor its commitments to Indian people in accordance with the trust responsibility and the special government-to-government relationship. Please continue to educate your Senate colleagues concerning the trust obligation and the important work that Indian Tribes carry out with Federal funds. What our Tribe has worked decades to build will be at risk if program funding drops, layoffs occur and families move off the Reservation.

We are grateful that the final spending measure for fiscal year 2017 that Congress just passed. Native Americans, many of whom are low income wage earners, live a fragile existence. Adverse changes can tip them further into poverty and unemployment, which can lead to substance abuse and premature death. We have seen this on our Reservation. Please recognize the interconnectedness of IHS, BIA and EPA programs which help promote healthy Tribal members and healthy communities; essential building blocks for stable communities where Tribal parents can raise Native youth in safety and security so that they may realize their fullest potential and contribute to their community's and the Nation's future.

I. INDIAN HEALTH SERVICE PROGRAMS

The Tribe greatly appreciates the \$232 million increase Congress provided for fiscal year 2017 for the IHS, allocated among such accounts as Hospitals and Clinics, Purchased/Referred Care (P/RC), Mental Health, Alcohol and Substance Abuse, Dental Health, Contract Support Costs (CSCs), construction and maintenance and improvement. The Tribe operates the Peter Christensen Health Center, Dental Program, a Family Resource Center, a Domestic Abuse Program, a Youth Center and Child Support Agency. Our programs ensure the support and preservation of family life and wellbeing by providing such services as outpatient mental health, outpatient alcohol and other drug abuse, and psychological consults. The Health Center provides quality healthcare and offers a full range of family medical services by Board Certified family physicians, advanced practice nurse practitioner and physician-assistants. The program also provides podiatry, optometry, pharmacy and a range of community-based services. Together, our health programs employ a staff of 140 individuals, about three-quarters of our workforce supported in part by funds appropriated by this subcommittee. The Tribe asks that Congress increase IHS funding in 2018 and reject the Administration's unwise cuts.

Our rationale for this funding increase is borne of necessity. We are seeing how important proactive and preventive health services are for our community. Wisconsin is seeing a large increase in babies born with Neonatal Abstinence Syndrome (NAS), a result of women taking prescription drugs such as Vicodin or heroin while pregnant. Recent data shows that Vilas County has the second-highest percent of NAS babies in the State, 2–3/100 babies. Early treatment is critical. We urge the subcommittee to increase funds for preventive health programs, which can save lives and empower our Tribe to help our citizens address addictions and mental health issues, especially targeting our Tribal youth. Please prioritize increases in fiscal year 2018 IHS funding for Hospitals and Clinics, mental health, substance abuse treatment and P/RC funds so that we can take a proactive stance by investing wisely in preventive health services.

II. BIE AND BIA APPROPRIATIONS

Indian Education

Congress provided \$34.7 million for Adult Scholarships and \$2.9 million for special higher education scholarships for fiscal year 2017. We recommend this subcommittee include a similar increase for fiscal year 2018. As Congress noted last year: "Indian education remains among the Committee's top priorities because it is a fundamental trust responsibility and because elementary and secondary students in particular have fallen far behind their peers." We oppose cuts to the BIE and Department of Education in fiscal year 2018 which threaten to undermine educational services for Native youth and adults. Together, these programs provide critical educational resources and services for Tribal members that are crucial to meeting the unique educational and cultural needs of our students. If our children are to excel in life, they must be educated in stimulating environments by well educated professionals, transported in modern buses over all-season roads and delivered to safe, loving homes. Our Tribe is doing its part. Education at Lac du Flambeau begins early. We operate the Little Dream Daycare and Zaasijiwan Head Start and Early

Head Start programs. We also operate a Home-Based program that serves up to 24 families. Our early education programs include multiple activities designed to promote learning, school readiness and social/emotional wellness. We realize that good nutrition, learning through play and time outdoors in the fresh air are central to health.

The Lac du Flambeau Public School and Lakeland Union High School educate our Tribal youth. The High School's 2015/2016 student body was 20 percent Native American and 86 percent of high school graduates went on to attend 4- and 2-year colleges/technical schools, 9 percent entered the workforce or pursued other activities and 5 percent entered the military. For this reason, we oppose any effort to eliminate the Johnson O'Malley Program, the goal of which is to address the unique cultural needs of Indian students attending public schools through a supplemental program of services planned, developed and approved by the Local Indian Education Committee, comprised of parents of eligible Indian students. The \$14 million JOM Program must be increased, so that Indian children are provided the supplemental programs that honor and celebrate their Native heritage and help them grow into confident, well-adjusted adults who contribute to their families.

Road Maintenance Program

The Tribe appreciates Congress including a \$3.2 million increase in funding for the Road Maintenance Program for fiscal year 2017. We believe a \$10 million increase is justified for fiscal year 2018. The Tribe receives less than \$90,000 to maintain nearly 180 miles of BIA-owned roads. Our budget requirements for road maintenance are closer to \$2 million annually. As the subcommittee noted, appropriations for fiscal year 2016 permitted only 16 percent of BIA-owned roads to be maintained in "fair" condition. According to the CDC, motor vehicle crashes are the leading cause of death among Native Americans aged 1–44. Native American infants are eight times more likely to be killed in a motor vehicle crash than a non-Native infant. Poorly maintained roads contribute to motor vehicle crashes. Poor roads contribute to absenteeism at work and school and delay police and EMT responders. A year's entire road maintenance budget can be consumed in the winter months removing snow and salting/sanding roads to ensure freedom of movement. Transportation barriers undermine Federal and Tribal efforts to improve Native health, educate our youth and attract businesses and jobs to remote, rural communities like ours. The "historical" formula for the BIA Road Maintenance Program makes little sense to us. We ask the subcommittee to include report language for fiscal year 2018 that directs the BIA to explain the allocation methodology, verify each Tribe's road inventory that generate Road Maintenance dollars, and make publicly available to Tribes their relative share of funds.

III. NATURAL RESOURCES (EPA AND BIA)

The Tribe has a vibrant Natural Resources program, including a Fish Hatchery for several species of fish, Fisheries Management, Waterfowl habitat protection (Great Lakes Restoration Initiative, Conservation Law Enforcement, Wildlife), Water Resources, Historic Preservation and Land Management. Our Natural Resources Department employs fish biologists, wildlife biologists, fish hatchery operators, hydrologists, technicians and administrators, many of whom are paid in full or in part with EPA and BIA funds and critical to our work protecting the resources that were promised to us in our Treaties. We urge the subcommittee not to jeopardize our Natural Resources programs that are critical to protecting our culture, our health and our economy, part of Wisconsin's \$19 billion hunting, fishing, recreation and tourism industry. A 31 percent reduction in EPA funding and cuts to BIA Natural Resources programs would be devastating to our Program. Even with existing funding, we struggle to meet the demands we face to maintain clean air, water and lands from the many contaminants that threaten our community. The highest concentrations of mercury tainted lakes are in the State's northern most counties, including Vilas and Oneida. Minnesota and Wisconsin lead the Nation with mercury-contaminated lakes. At present, there are more than 500 fish health mercury advisories in place in Wisconsin. This presents a direct threat to our culture because we cannot eat contaminated fish that are otherwise a staple of our diet.

A. Great Lakes Restoration Initiative

Thank you for funding the Great Lakes Restoration Initiative at \$300 million in fiscal year 2017. Do not terminate this vital program. For the indigenous people of Wisconsin, the Great Lakes represent the lifeblood of our culture and the foundation of our economies. The protection and preservation of the Great Lakes is a necessity.

B. Trust-Natural Resources Management

In fiscal year 2017, Congress appropriated \$200.9 million for the BIA's Trust-Natural Resources Management programs, a \$9.1 million increase from fiscal year 2016. Our Tribe alone needs nearly a \$500,000 increase for our Tribal Fish Hatchery Operations and Tribal Management/Development Program for fiscal year 2018. The Fisheries and Fish Culture Program raises all fish necessary for stocking reservation waters and we benefit from programs carried out by GLIFWC. Our fisheries program also generates Tribal revenues.

C. EPA Tribal General Assistance Program

Weeks ago, Congress approved \$3.527 billion for State and Tribal Assistance Grants, including \$2.461 billion for Infrastructure assistance grants and \$1.066 billion for categorical grants (maintaining Tribal air quality management grants and Tribal general assistance program (Tribal GAP) grants at \$12.8 million and \$65.4 million, respectively). The Tribal GAP program provides base environmental funding to assist Tribes in building their environmental capacity to assess environmental conditions, utilize available data and build their environmental programs to meet their local needs. This is a foundational program for Tribes to address the broad range of challenges we face regarding our natural resources. Our Natural Resources Program would suffer in the face of a 31 percent cut.

D. Circle of Flight: Wetlands Waterfowl Program

We urge the subcommittee to continue to provide support for the BIA Circle of Flight Program (about \$707,000). This modest BIA program supports Tribal efforts throughout the Great Lakes Region to restore and preserve wetlands and waterfowl habitat within Tribal territories and enhances wild rice gathering, providing expanded hunting and fishing opportunities for economic development.

E. Underground Storage Tank Fund (LUST)

We remain concerned that annual reductions to the Underground Storage Tank fund (LUST) permits ongoing contamination of ground waters that threaten Tribal and other communities. We encourage the subcommittee to instruct EPA to give greater consideration to Tribal cleanup standards and help Indian Tribes remediate unsafe conditions on reservations.

Thank you for affording us the opportunity to submit written testimony.

PREPARED STATEMENT OF THE LEAGUE OF AMERICAN ORCHESTRAS

The League of American Orchestras urges the Senate Interior, Environment, and Related Agencies Appropriations Subcommittee to support fiscal year 2018 funding for the National Endowment for the Arts (NEA) at a level of \$155 million. The bipartisan support in Congress for the ongoing work of the NEA was affirmed when a \$2 million increase for the agency was included in the final fiscal year 2017 omnibus appropriations bill. Further increases in funding in fiscal year 2018 will enable the agency to help more communities fulfill the NEA's mission to provide all Americans with diverse opportunities for arts participation.

The League of American Orchestras leads, supports, and champions America's orchestras and the vitality of the music they perform. Its diverse membership of more than 2,000 organizations and individuals runs the gamut from world-renowned symphonies to community groups, from summer festivals to student and youth ensembles, from businesses serving orchestras to individuals who love symphonic music. Orchestras contribute to civic vitality, educate citizens of all ages, and unite people through creativity and artistry.

In fiscal year 2016, the NEA's Grants to Organizations included 112 direct grants to orchestras in the *Art Works* and *Challenge America* categories. These grants expand the capacity of orchestras to present concerts and programs that are greatly valued by communities of all sizes, due in no small part to the powerful leveraging capacity of one dollar of direct NEA funding to yield up to \$9 in private and other public funds. The following eight orchestral awards from fiscal year 2016 and fiscal year 2017 total \$122,500 in direct Federal support and offer an inspiring glimpse into the unique community partnerships that result from the Federal investment in the NEA.

NEA FUNDING BROADENS ACCESS FOR UNDERSERVED COMMUNITIES

One of the most valuable services the NEA provides is to improve public access to the arts. The *Challenge America* grant category offers support primarily to small and mid-sized organizations for projects that extend the reach of the arts to popu-

lations whose opportunities to experience the arts have been limited by geography, economics, or disability. The Billings Symphony Orchestra & Chorale (BSO&C), with its four full-time and four part-time staff and approximately 70 orchestra musicians, used its *Challenge America* grant to present guest artist Rex Richardson as trumpet soloist for several events, including a free concert and education and engagement programs in downtown Billings and in the town of Hardin. Among the schools Mr. Richardson visited were Hardin Middle School (a 100 percent Title I school that combines with several schools from the neighboring Crow Indian Reservation), Senior High School (a Title I school in Billings), and Montana State University-Billings. Mr. Richardson's master clinic for the Hardin middle school brass students proved to be an especially rewarding experience for an autistic high school band student who was unable to travel with the band to a State basketball tournament. Mr. Richardson deputized this young man to help with one group of middle school students while he worked with another; the orchestra's director of education reported "This young man's smile never left his face because he was given a chance to work with someone of Mr. Richardson's caliber and was also given the chance to help other younger students while the rest of his band members were away." Approximately 800 Montanans, including this high school student, had truly memorable experiences thanks to NEA support.

The Spokane Symphony, with a staff of 25, received an NEA *Art Works* grant for "Music Heals," a unique collaboration with the Spokane Indian Reservation inspired by the words of a Spokane Tribal Elder: "We won't heal until we all remember to sing, drum, and dance." The intergenerational program brought together students in the Wellpinit School District, Spokane Tribal Elders, and the community through music education in traditional instruments and interactive performances with the orchestra. By uniting music education and traditional Native American musical arts and storytelling, this collaboration encouraged students to participate in life-changing music-making. The orchestra performed on the grounds of the Spokane Tribe for a collaborative concert and cultural exchange with students performing on hand-made flutes and drums alongside members of the orchestra.

With a full-time administrative staff of seven and upward of 100 part-time professional musicians, the West Virginia Symphony Orchestra (WVSO) serves more than 35,000 West Virginians a year, many of whom live in isolated communities. An *Art Works* grant helped support the WVSO's statewide touring and community engagement project, bringing award-winning educational programs to communities such as Beckley, Elkins, Fairmont, and Parkersburg. The WVSO used music as a point of entry to help learners gain a better understanding of music, math, and other disciplines. Helping to shape the next generation of creative thinkers, productive citizens, and community leaders through the arts can make a difference in communities where unemployment and poverty rates are high and educational attainment rates low. NEA support is essential for the WVSO's statewide touring and engagement work.

Another orchestra taking to the open road to engage with communities well beyond their concert hall is the Utah Symphony. The Great American Road Trip (GART) is a follow up to the symphony's 2014 Mighty 5® Tour, and this venture will take the orchestra on a 1,200-mile tour of Utah this late summer. Free outdoor performances and educational activities in rural communities will offer opportunities to pay homage to Utah's landscape and to the country's Native American heritage. Thanks to support from the NEA, the Utah State Legislature, and Signature Sponsor the George S. and Dolores Doré Eccles Foundation, this tour will strengthen existing collaborations with other organizations and individuals in outlying communities, build new partnerships, and most importantly, enable the orchestra to fulfill its mission to "connect the community through great live music." NEA support is an important component in allowing the Utah Symphony, with its 67 full-time and 15-part time staff, two librarians, and 86 musicians, to make music accessible to the people throughout Utah, and this critical investment has long-lasting impact that creates both an artistic legacy and broader community engagement.

NEA FUNDING SUPPORTS EDUCATING OUR COUNTRY'S YOUTH

With six full-time and four part-time/contract staff members and 62 musicians, the Chattanooga Symphony & Opera (CSO) maximized its *Art Works* grant to support "Sound Beginnings," a series of educational programs that includes sending principal musicians from the orchestra to perform at no charge as many as 60 times for more than 25,000 students in a 12-county area. Additionally, nearly 7,000 third grade students in Hamilton County schools attended the CSO's Young People's Concerts free of charge this year. During the course of its varied educational offerings, the CSO learned that many families often felt uncomfortable attending cultural

events because their children with special needs might respond to music differently. With assistance from the Tennessee Arts Commission's Accessibility Office, the CSO immediately began efforts to offer programs for families and children with autism, Down Syndrome, and other disabilities. The resulting Saturday morning, "Sensory Friendly Concert" series in a variety of Chattanooga locations provided a welcoming and inviting way for these previously underserved children and families to interact with music and the CSO. One first-time attendee wholeheartedly affirmed the value of this series: "We just wanted to say thank you for doing these sensory friendly concerts. Our son loves music but would never be able to sit quietly through a concert with drums, etc. This way he (we all!) were able to enjoy the beautiful music! Thank you again!" With such enthusiasm from families and the community for this program, the CSO plans to continue—and perhaps expand—this series in the upcoming season.

The Anchorage Symphony Orchestra (ASO), with just four full-time employees and more than 100 musicians, brings orchestral music to thousands of students far beyond its immediate region. An *Art Works* grant helped to support ASO's Young People's Concerts (YPCs), a collaboration with Anchorage School District music educators to encourage participation in school instrumental music programs among elementary school students. Each year, the ASO pays for buses to bring approximately 7,000 students from communities 75 miles north and 50 miles south of Anchorage to attend the concerts, and it waives the \$5 admission fee for any student who cannot afford it. Although the ASO is pleased to introduce many of these students to a professional orchestra for the first time, its main goal is to plant the seed for extended musical participation. During a recent conversation, Dr. Bruce Wood, Director of the Anchorage School District's Music and Fine Arts Department, shared that a stunning ninety-three percent (93 percent) of ASD sixth graders elect to start band and orchestra. He wrote, "I consider the Young People's Concerts as vital to a healthy music education for the children of the Anchorage School District."

NEA FUNDING SUPPORTS AMERICAN ARTISTRY AND THOUGHTFUL COMMUNITY ENGAGEMENT

The NEA provided *Art Works* funding to Pacific Symphony for its annual American Composers Festival, supporting four live concert performances that featured the musical works of California-based composers Frank Ticheli (a past composer-in-residence), John Adams (celebrating his 70th birthday), and Peter Boyer with his "Ellis Island: The Dream of America." Pacific Symphony's project focused not just on this showcase of California artists, but on taking a closer look at its culturally-diverse Orange County home base. With a staff of 50 full-time employees and 88 musicians, the Symphony offers a variety of low-cost participatory programs, community-wide engagement, and free public performances. Recent projects include a side-by-side amateur instrumental program, an annual Community Ensembles Festival paired with free outdoor Plazacasts of live concerts, and an annual "Lantern Festival" celebrating Chinese New Year, which attracted 4,200 residents and visitors thanks to a partnership with the Irvine Chinese School and Bowers Museum. Pacific Symphony's programs have been intentionally designed to engage new audiences, offer unusual platforms and locations for engagement, and strategically build upon one another.

The Portland Symphony Orchestra (PSO) in Maine is using an *Art Works* grant to help showcase local talent and creative assets. With 16 staff members and 84 musicians, the PSO delivers programs that serve more than 100,000 people each season, and thanks to an fiscal year 2017 *Art Works* grant, will be offering a special program this fall to celebrate the tenth and final season of its music director, Robert Moody. The program will feature *The Book of Matthew*, which American composer Mason Bates has re-written for choir and organ. The residents of Maine will be the first to hear this new version, which will feature Maine's top vocal ensemble, Choral Arts, as well as the Kotzschmar Organ. The program will also feature Leonard Bernstein's Symphony No. 1 "Jeremiah," and end with Karl Jenkins's *The Armed Man*—a work that will be performed for the first time in Maine with an orchestra. The overall program is inspired by Bernstein's famous quote in the wake of President Kennedy's death: "This will be our reply to violence: to make music more intensely, more beautifully, more devotedly than ever before." Jenkins's piece ends powerfully with a hope for peace in a new millennium, bringing a note of optimism to a thought-provoking program that also honors the 100-year anniversary of the Armistice. With increased support from the NEA, the PSO can continue to present programming that shares world-class artistry and provokes thoughtful dialogue and meaningful reflection with Maine residents.

Thank you for this opportunity to convey the tremendous value of NEA support for the communities served by orchestras throughout our country. Orchestras provide countless innovative collaborations, thoughtful programming for underserved communities, and lifelong learning opportunities in service to adults and children in communities of all sizes. As orchestras continually strive to share the power and benefits of music to more people, we applaud the NEA's national leadership in promoting excellence and engagement with high-quality artistry. We urge you to increase our Nation's creative potential and access to the arts by approving \$155 million in funding for the National Endowment for the Arts in fiscal year 2018.

[This statement was submitted by Jesse Rosen, President and CEO.]

PREPARED STATEMENT OF THE LITERARY NETWORK

The Literary Network (LitNet) is a coalition of 68 literary organizations from across the country. Our members represent independent presses, literary journals, educational institutions, and hundreds of thousands of writers and individuals who love and appreciate the written word.

Since 1965, the National Endowment for the Arts has supported art and arts education initiatives in every congressional district in the United States, and the agency serves as an important economic driver for those communities. Every \$1 of NEA funding leverages \$9 in private and public dollars and fuels a dynamic cultural economy that generates millions of American jobs.

Literature inspires, enriches, educates, and entertains. It reminds us that there is beauty and joy in language, that others have insights worth paying attention to, that in our struggles we are not alone. By helping writers and translators create new work and connect with audiences through publishers and other literary organizations and programs, the National Endowment for the Arts celebrates literature as an essential reflection of our Nation's rich diversity of voices. In the past 50 years, the NEA has given over \$162 million to literary nonprofits and individual writers across the United States.

On September 29th, 1965, President Johnson signed the National Arts and Humanities Act of 1965, and never have these words from that act rung truer than today:

"The world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit."

The President's proposed fiscal year 18 budget will cut the budget of the National Endowment for the Arts from approximately \$150 million to \$29 million, effectively scaling down the program to nonexistence past 2018. This is unacceptable. By eliminating this funding, the administration is waging an assault on free expression, on the impact the arts have on the economy, and the role arts play in education, healing, and innovation. The fiscal year 17 budget of the National Endowment for the Arts makes up merely .004 percent of the Federal budget. This is just 46 cents for every American, less than the cost of a single stamp. Last year, the NEA made more than 2,400 grants in almost 16,000 communities in every congressional district across the country.

The U.S. Bureau of Economic Analysis reports that the arts and culture sector is a \$704 billion industry, or 4.2 percent of the Nation's GDP—a larger share of the economy than transportation, tourism, and agriculture. The nonprofit arts industry alone produces \$135 billion in economic activity annually. The arts employ more than 4 million people in the creative industries nationally, prepare our students for the innovative thinking required in the 21st century workplace, and spur tourism. Arts organizations are spirited and entrepreneurial businesses. They employ people locally, purchase goods and services from within their communities, and market and promote their regions. The arts creates jobs that cannot be shipped overseas.

As advocates for the literary arts, we understand the power in language, literature, and the arts, and the strength gained in sharing our thoughts and ideas in words. Art enriches our lives and opens doors to knowledge and understanding, and it is thanks to the National Endowment for the Arts that there are programs across the country that value and celebrate art and artists for their ability to touch on all aspects of the human experience.

Your support for the arts is essential to our education system, economy, and our pride as a nation. We hope you will keep this in mind as you consider legislation that funds the National Endowment for the Arts.

826 National	LitTAP
Academy of American Poets	Loft Literary Center
Alice James Books	Los Angeles Literary Alliance
American Poetry Review	Maine Writers & Publishers Alliance
Asian American Writers' Workshop	Mass Poetry
American Literary Translators Association	Miami Book Fair
Association of Writers & Writing Programs	Milkweed Editions
Authors Guild	Minerva Rising Press
Bellevue Literary Press	National Book Foundation
BOA Editions	O, Miami
CantoMundo	One Story
Cave Canem Foundation	The Operating System
Center for the Art of Translation	PEN America
Coffee House Press	PEN Center USA
Community of Literary Magazines and Presses	Pen/Faulkner Foundation
Community-Word Project	Pittsburgh Arts & Lectures
Copper Canyon Press	Poetry Foundation
Creative Nonfiction Foundation	Poetry Slam
Downtown Writers Center, YMCA of Greater Syracuse	Poetry Society of America
Epiphany Magazine	Poets & Writers
Fishtrap	Poets House
Four Way Books	Rain Taxi
Graywolf Press	Sarabande Books
Grubstreet	Seattle Arts & Lectures
Hugo House	Seattle City of Literature
Just Buffalo Literary Center	Small Press Distribution
Kundiman	Split This Rock
Lambda Literary	Teachers & Writers Collaborative
Letras Latinas, Institute for Latino Studies, University of Notre Dame	University of Arizona Poetry Center
Lighthouse Writers Workshop	Urban Word NYC
Literary Arts	Utah Humanities
Literary Freedom Project	Wick Poetry Center
	Wordsmitten Media
	Words Without Borders
	Writers in the Schools
	Zyzzyyva

PREPARED STATEMENT OF THE LOWER ELWHA KLALLAM TRIBE

Chairman Blunt, Members of the subcommittee and the distinguished Gentleman from the 6th District in Washington State representing my Tribe, Congressman Derek Kilmer. I am Frances Charles, Chairwoman of the Lower Elwha Klallam Tribe, an elected position that I have been honored to hold for the past 12 years. Thank you for providing me this opportunity to testify on the Bureau of Indian Affairs (BIA), Indian Health Service (IHS), and Environmental Protection Agency (EPA) budgets for fiscal year 2018. My testimony identifies our most urgent Tribal-specific funding needs at the Lower Elwha Klallam Tribe. We are also supporting some Regional and National budget requests which will benefit the Lower Elwha citizens and community.

TRIBAL-SPECIFIC REQUESTS FOR LOWER ELWHA KLALLAM TRIBE

Bureau of Indian Affairs—\$5.43 Million

1. *\$4.972 Million*—Dam Removal and Fisheries Restoration—Public Law 102–495, Elwha River Ecosystem and Fisheries Restoration Act
 - a. *\$702,000*—Salmon Hatchery O&M
 - b. *\$270,000*—Flood Control Levee O&M
 - c. *\$4 million*—Land Acquisition
2. *\$267,000*—Tribal Court Enhancement and Implementation of Tribal Law and Order Act (TLOA) and Violence Against Women Act (VAWA)
3. *\$191,000*—Tiwahe Initiative—Tribe seeks to assert jurisdiction in its own court system over all cases arising under the Indian Child Welfare Act (ICWA) and to become a licensing agency for foster homes

Indian Health Service—\$500,000—Mental Health and Chemical Dependency programs

Environmental Protection Agency—\$356,000—Environmental Programs

1. \$125,000—General Assistance Grant (GAP)
2. \$81,000—Clean Water Act § 106 Grant
3. \$150,000—Puget Sound Partnership Tribal Capacity Grant

Contract Support Costs—Past, Present and Future

As a Self-Governance Tribe, Lower Elwha has been impacted by the Federal Government's refusal to pay full contract support costs (CSC) for contracted and compacted programs for the past two decades. In 2014 and 2015, the Supreme Court determined that Tribes were entitled to CSC. The game-changer going forward was the ground-breaking decision by Congress in Public Law 114–113, Consolidated Appropriations Act, 2016, to create a new account in the appropriations bill specifically for CSC in 2016 and 2017 as well as language establishing an indefinite appropriation for CSC in both agencies. Under the new budget structure the full CSC that Tribes are entitled to will be paid and other programs will not be reduced if payments are underestimated in the President's budget. Tribes agree that this structure achieves the Nation's legal obligation to fully pay CSC without imposing any corresponding reduction in direct services to any Tribe. We also continue to request to fully fund CSC on a mandatory basis in fiscal year 2018–2021 and make it a permanent, indefinite appropriation.

The Lower Elwha Klallam Tribe

The Lower Elwha Indian Reservation is located at the mouth of the Elwha River along the Strait of Juan de Fuca on the northern Olympic Peninsula, about 8 miles west of the City of Port Angeles, Washington. The Lower Elwha Tribe has roughly 1,000 members and a total land base—Reservation and adjacent trust lands—of about 1,000 acres. We are a salmon people with fishing rights in a large expanse of marine and fresh waters, reserved in the 1855 Treaty of Point No Point. To date, our economic development opportunities have been limited and we believe our long-term prospects are tied to natural resources restoration and preservation in an ecologically rich region where an extraction-based economy is well past its prime.

LOWER ELWHA TRIBAL-SPECIFIC FUNDING REQUESTS

\$5.43 Million—Bureau of Indian Affairs

1. *\$4.972 Million—Dam Removal and Fisheries Restoration.*—We were the leading advocate for the removal of the two hydro-electric dams on the Elwha River. In accordance with Congress's direction in the Elwha River Ecosystem and Fisheries Restoration Act of 1992 (Elwha Act), Public Law 102–495, we are working closely with the National Park Service and other agencies to remove the last remnants of the dams and restore the once famously abundant runs of native Elwha River salmon and steelhead. Unfortunately, removal of the dams caused a short-term threat to the salmon runs (due to sediment released from behind the former dams) and has adversely impacted our small Tribal land base and our Tribal budgets. We are strongly committed to the restoration of fisheries, fish habitat, streams and rivers, and the Port Angeles Harbor. We urgently need increased Self-Governance funds to support the operation of dam removal mitigation and restoration features and to revive our other Self-Governance activities from which we have been forced to transfer funds to support dam removal mitigation.
 - a. *\$702,000—Salmon Hatchery O&M Costs.*—Fish Hatchery Operations Budget for the ongoing operation and maintenance (O&M) of our state-of-the-art hatchery, which went online in 2011. This is a significant increase of \$601,929 annually, but one that is amply justified by the crucial role that our hatchery serves in dam removal and fishery restoration. Our hatchery is a genetic preserve for native Elwha salmonids, which have been on the verge of extirpation from the impacts of the dams and which have been further threatened by the enormous sediment load unleashed by the removal of the dams. The National Marine Fisheries Service would not have approved dam removal under the Endangered Species Act without the hatchery's native salmonid programs. The Tribe should not have to bear the O&M cost of this important restoration facility that in fact benefits the entire region.

- b. *\$270,000—Flood Control Levee O&M Costs.*—The levee on our lands had to be expanded prior to dam removal in order to protect Tribal lands from the newly unleashed Elwha River and to conform to new Federal standards—clearly it is a mitigation feature of the dam removal project. In the 1992 Elwha Act, Congress intended that courts not be asked to address problems where legislative solutions would be far more effective in covering all the bases. Twenty-five years of inflation since 1992 more than justifies this increase in the current annual operations allocation of \$10,400.
 - c. *\$4 million for Land Acquisition.*—Section 7(b) of the Elwha Act authorized \$4 million so that the Secretary could acquire trust lands for the Tribe in Reservation status in Clallam County, Washington, for economic development and housing. But those funds have never been appropriated. In 1934, an Interior Department report concluded that the Reservation should be 4,000 acres, but currently we have only 1,000 acres, several hundred of which (on the river's side of the levee) have to be maintained in undeveloped status as floodplain habitat. In addition, we need legislative direction to ensure that former hydro-project lands are transferred to the Tribe as contemplated in Section 3(c)(3) of the Elwha Act. The Elwha people have struggled for a century from the harm to their culture and economies caused by the Elwha River dams. We had to endure the destruction of not only the fisheries but the treaty fishers themselves and the attendant loss of our traditional and cultural livelihood; we have lost an opportunity—which will only return after another generation—to teach our children the ways of their ancestors and the Elwha life as designed by the Creator.
- 2. *\$267,000—Funding for Tribal Court Enhancement and to Implement TLOA and VAWA.*—Although the Interior Department and the Tribe have identified Tribal Court enhancement as a high priority, Lower Elwha has been unable to adopt the enhanced sentencing provisions authorized by the 2010 Tribal Law and Order Act (TLOA) or to exercise expanded Domestic Violence Criminal Jurisdiction under the 2013 Violence Against Women Act (VAWA) because of the lack of adequate base funding for its Tribal Court development. Requested funding will enable our Tribe to do so by providing for: (a) mandatory criminal defense representation (including basic legal assistance for domestic violence victims); (b) legal representation for parents in abuse/neglect cases; (c) detention services; (d) probation services that focus on solutions and restorative justice by sharing coordinated case management and re-entry referrals; and, (e) basic court security. Full funding for TLOA-mandated provisions and increased base funding for our Tribal Court will enable Elwha to benefit from: BIA regional assessments using Tribal Court Program Standards; specific technical assistance and training identified through these assessments; targeted training initiatives for specific Tribal court personnel (judges, prosecutors, public defenders clerks); development of Tribal Court bench books; identification of funding sources for pilot court programs; and captured data covering criminal pre-trial to post-conviction matters, including any collateral civil legal issues.
- 3. *\$191,000—Funding for ICWA-related services from BIA's Tiwahe (Family) Initiative.*—Lower Elwha faces a community crisis with the increasing number of child abuse/neglect cases, which stem from inordinately high rates of drug/substance abuse by parents or caregivers. This crisis severely impacts services in all facets of Tribal government. A coordinated community response must be based on multi-disciplinary, culturally informed case planning and service delivery, coupled with a strong commitment to restorative justice ideals and (in criminal cases) solutions-based sentencing. A major obstacle to implementing this approach is our lack of infrastructure to assume jurisdiction over all local cases clearly arising under the Indian Child Welfare Act; 85 percent of our current ICWA cases remain in the State court system. In addition, because we are dependent on an inadequate State system for licensing foster care providers, we are often unable to make proper placements to assist our families. For the past three fiscal years, the Tribe's base Federal funding (BIA Self-Governance ICWA) has remained flat-lined at a mere \$45,000. We seek \$191,000 additional annual funding from the BIA's Tiwahe (Family) Initiative, which would enable the Tribe to assert jurisdiction in its own court system over all cases arising under the ICWA and to become a licensing agency for foster homes.

Indian Health Service Elwha Tribal-Specific Funding Requests—\$500,000 for Elwha Health Department Programs

The drug abuse and mental health crisis threatens to destroy the potential and the cultural connections of many Tribal members and families. In fiscal year 2016, the Tribe's Mental Health and Chemical Dependency programs served 275 American Indian/Alaskan Native (AI/AN) patients, with the potential to reach approximately 1,500 within Clallam and Jefferson County. The Tribe currently subsidizes its chemical dependency program with third-party revenue and gaming revenue to fund prevention health initiatives and chemical dependency programs, yet these critical health epidemics remain severely underfunded. To remedy this, the Center for Medicare and Medicaid Services formula must be expanded to inpatient chemical dependency treatment programs at the current encounter rate of \$391/per day, with annual increases.

Environmental Protection Agency Elwha Tribal-Specific Funding Requests—\$356,000 for Elwha Tribal Environmental Programs (General Assistance Grant, \$125,000; Clean Water (Sec. 106) Grant: \$81,000; and Puget Sound Partnership Tribal Capacity Grant: \$150,000)

Lower Elwha's environmental programs have developed a strong pragmatic capability to protect human and basic environmental health over the past two decades, for not only the Tribal community but also the greater Port Angeles and northern Olympic Peninsula communities. By focusing on collaboration with local governments and other stakeholders, we have maximized the efficiency of our small but skilled staff. This would not be possible without the basic EPA funding that we seek to continue. This funding supports: basic staff salaries, including for our highly experienced program director (General Assistance Grant); water quality monitoring in significant local rivers and lakes (Clean Water Grant); Tribal participation and influence in local, State, and Federal processes that involve environmental planning and review activities (General Assistance and PSP Tribal Capacity Grants). In particular, EPA funding is critical to our participation in the cleanup of toxic contamination of Port Angeles Harbor, which was nominated for Superfund but deferred to State cleanup authority; under this deferral arrangement, the Tribe has a unique and important role in this cleanup as the sole local representative working directly with the responsible State agency to ensure that the cleanup will protect the health not only of Tribal members but all residents of the greater Port Angeles area.

Regional and National Budget Requests

The Lower Elwha Klallam Tribe supports the fiscal year 2018 Regional Budget Priorities of the Northwest Indian Fisheries Commission, Affiliated Tribes of Northwest Indians, and the Northwest Portland Area Indian Health Board. We also support the fiscal year 2018 National Budget Priorities of the National Congress of American Indians and National Indian Health Board.

Thank you for considering the requests of the Lower Elwha Tribe.

[This statement was submitted by Honorable Frances G. Charles, Chairwoman.]

PREPARED STATEMENT OF THE MESCALERO APACHE TRIBE

Background of the Mescalero Apache Tribe: As Europeans began to encroach on our ancestral homelands, the Mescalero Apache Tribe (Tribe) entered into the Treaty with the Apaches with the United States on July 1, 1852. The Mescalero Apache Reservation (Reservation) was created by a succession of Executive Orders in the 1870's and 1880's. The Reservation spans 720 square miles (460,405 acres) across south-central New Mexico and is home to approximately 4,900 Tribal citizens and 200 non-Indian residents.

My testimony focuses on four priorities: increased funding and services to address methamphetamine and substance abuse; construction dollars for Tribal corrections and justice systems facilities; increased funding, streamlined regulations, and access to capital for housing; and parity in funding for Tribal forest management and wild-fire prevention.

Substance Abuse and Prevention: In December of 2015, the DEA and Bureau of Indian Affairs (BIA) dismantled three drug trafficking organizations distributing methamphetamine on the Mescalero Apache Reservation and across southeastern New Mexico. It was clear to the Federal investigators of this sting that drug cartels targeted the Reservation as a safe haven for their criminal enterprise.

Leading up to the sting, our Reservation suffered a spike in drug-related crimes. The Federal sting was spurred by the brutal beating of a 13-year-old girl on the Reservation. Two male subjects were high on meth. The girl survived, but is still recovering from her injuries.

To this day, our Reservation continues to reel from the infliction of this poison on our people. Meth and other illegal and legal prescription drugs have devastated our community. For more than a decade now, meth has plagued our Reservation with violent crime and suicide, as well as other health issues, including birth defects traced to women using meth while pregnant.

Like other Indian nations, the Mescalero Apache Tribe is fighting to maintain our culture, language and identity, and this influence is coming in and attacking us. I look at other reservations across the country, and we're all facing this as a group. It's in big cities, small towns and villages. Mescalero is certainly not immune.

Methamphetamine has a disproportionate devastating impact on Tribal communities, accounting for up to 40 percent of violent crime in Indian Country. The epidemic of substance abuse is the root cause of many social and economic issues facing Tribes. Inadequate funding for alcohol and substance abuse services has a ripple effect on our healthcare, education, and justice systems. Congress must provide sustainable funding to help families prevent and survive these challenges.

REQUEST: The President's Budget requests an increase of \$678,000 for the IHS Substance Abuse program. The Mescalero Apache Tribe instead supports the recommendation put forth by the National Indian Health Board that the IHS Alcohol and Substance Abuse program be funded at \$397 million for fiscal year 2018. This is \$178.5 million above the fiscal year 2017 enacted level, and better reflects the dire situation of substance abuse facing Indian Tribes. In addition, while beyond the purview of this subcommittee, we ask that you work with your Appropriations Colleagues at Labor HHS and CJS to steer 10 percent of funding from the recently enacted CARA Initiative to address the scourge of addiction in Native communities.

Public Safety Facility Construction: A January 2017 DOJ Inspector General Report states that, "Violent crime rates in Indian country are more than 2.5 times the national rate and some reservations face more than 20 times the national rate of violence. However, many Tribal nations do not have the resources to develop the necessary correctional infrastructure."

Congress approved the transfer of funding for the Tribal public safety & justice construction program from the BIA to DOJ in fiscal year 1999. From fiscal year 1999–fiscal year 2002 the DOJ construction program received approximately \$35 million annually. The Tribal Law and Order Act of 2010 amended the Tribal Justice Systems Infrastructure Program (TJSIP)(42 U.S.C. 13709) to authorize funding for Indian Tribes to construct multi-purpose justice centers that house police, courts, corrections, and alternatives to correction all within one facility. The Act authorized appropriations at \$35 million annually. In recent years, DOJ's Tribal corrections construction and maintenance program has averaged less than \$7 million. In fiscal year 2014, without any Tribal consultation, the Office of Justice Programs (OJP)—Bureau of Justice Assistance determined that it "is no longer awarding grants for new construction projects. Currently, TJSIP funds are only available for renovation and/or expansion of existing facilities." See *DOJ-Inspector General Report at 82 (Jan. 2017)*.

The Mescalero Apache Tribe acknowledges that we cannot arrest our way out of the problem of violent and drug-related crime facing our community. However, any functioning justice system must employ incarceration as an option in order to deter crime and remove dangerous individuals from the public. For nearly two decades now, the Mescalero Apache justice system has operated without a local corrections center to incarcerate offenders sentenced by our Tribal Court.

The Tribe has sought funding for an adult/youth correctional facility since 1998 to replace the dilapidated BIA jail, which was just over 4,100 square feet with a small fenced area for impounded vehicles. In 2003, the BIA—without consultation—closed the jail on what was supposed to be a temporary basis. It was never reopened. In 2009, the Tribe, participating in the BIA's High Priority Performance Goal (HPPG) initiative, applied for and received an ARRA planning and design grant for a new justice center. The plan was completed in 2012 for a Mescalero Apache Justice Center that would house the Court, the Prosecutor's Office, Probation Offices, and the Public Defender's Office in addition to separate cells for male, female and juveniles. The Tribe has not been able to secure funding to continue the project.

REQUEST: We urge the subcommittee to either return the justice system construction program to the BIA or respectfully request that you work with your col-

leagues on the CJS Appropriations Subcommittee to restore and fully fund justice systems construction at the authorized level of \$35 million.

The Tribe generally supports the President's fiscal year 2018 Budget request to direct 7 percent of ALL OJP funding to Indian Country's justice needs, and a separate request for \$30 million for Tribal COPS. We ask that any overall increase in funding be directed to TJSIP program with direction to BJA to restore the new facilities construction program.

Indian Housing Needs: fiscal year 2018 testimony before the subcommittee acknowledges Indian Country's unmet need of approximately 68,000 housing units (new and replacement) that will cost in excess of \$33 billion. Mescalero's housing needs conservatively stand at 300 new homes.

While HUD, through its NAHASDA Indian Housing Block Grant program (IHBG), is the primary source of funding for housing on Indian lands, BIA's HIP is separate and distinct. HIP is a home improvement and replacement program that serves the most needy individual throughout Indian Country. HIP is a secondary, safety-net housing program that seeks to eliminate substandard housing and homelessness on Indian reservations.

REQUEST: The fiscal year 2017 Omnibus provided \$9.7 million for HIP an increase of \$1.7 million. This was welcome news as the program has suffered sustained cuts over the past decade. We urge the subcommittee to oppose the President's fiscal year 2018 Budget proposal to eliminate the HIP program, and instead build on the progress made in fiscal year 2017 and restore HIP funding to the fiscal year 2007 level of \$18.6 million.

The Mescalero Apache Tribe also attempts to serve our Reservation housing needs by utilizing the USDA Single Family Housing Repair Loan and Grant Program and HUD's Indian Block Grant program. (On June 21st, the Tribe will be recognized for the success we have had with the USDA program as we serve low-income homeowners with remodeling activities.) The Tribe also received one tax credit project from the State of New Mexico's Low Income Housing Tax Credit (LIHTC) program. And we have HIP and IHBG homes on the Reservation. Each of these agencies imposes a different environmental review process and requirements. The Tribe has a housing project that has been held up for several years due to delays in the multiple environmental review processes. The project came to a standstill and remains stalled.

REQUEST: We urge the subcommittee to add report language to streamline and unify environmental review requirements for all Federal Indian housing-related programs.

Finally, while outside the purview of this subcommittee, we urge you to reach out to your Appropriations Committee colleagues to reject any proposed cuts to the HUD Section 184 Indian Loan Guarantee Program and Title VI loan program. In addition, we ask that you work to improve the LIHTC program to guarantee that at least 10 percent of tax credits are allocated to the housing crisis on Indian lands. These programs represent vital access to outside investment capital and enable Tribes to leverage our limited Indian Housing Block Grant funds.

Forest Management and Wildfire Prevention: The Lincoln National Forest (LNF) and nearby BLM lands were carved out of the initial Reservation boundaries promised to the Tribe. The Mescalero people have maintained strong cultural ties to these lands. To this day, we continue to gather plants important to our traditions and conduct ceremonies on these Federal lands.

Since 1960, the Tribe has leased approximately 860 acres of LNF lands under two special use permits to establish, manage, and operate Ski Apache. The Tribe has made significant improvements to the Resort, including a recent \$15 million investment to triple the ski lift capacity and \$2.6 million for world-class zip lines to provide year-round recreation. Ski Apache employs 350 people and contributes many millions of dollars to the local economy in tourists and lodgers. To protect these investments and our sacred lands, the Tribe has a considerable interest in maintaining a healthy forest and preventing wildfires and resulting flooding.

However, Tribal forestry programs receive far less funding than our State and Federal counterparts. The 2013 IFMAT Report acknowledges that BIA allocations to Tribes average only \$2.82/acre; whereas, National Forests receive \$8.57/acre and State forests in the western U.S. average an astounding \$20.46/acre. At one-fourth to one-tenth of the funding our State and Federal counterparts receive, Tribes are

able to accomplish vastly more reductions in hazardous fuels and have healthier, functioning forest ecosystems. This work is not sustainable.

Nature provided us a preview of what will happen if the Mescalero forestry program is allowed to die. The Little Bear Fire started modestly on June 4, 2012, caused by lightning in the White Mountain wilderness in LNF. Over the ensuing five days, LNF deployed few assets and the fire jumped the fireline blazing through the Ski Apache Resort and onto Tribal lands. Within two weeks, the Little Bear Fire burned 35,339 acres in LNF, 8,522 acres of private land, 112 acres of State land and 357 acres of the Reservation. The fire also destroyed more than 255 buildings and homes in the region and 44,500 acres of prime watershed. The overall estimated cost of the fire, including suppression and damages, exceeded \$100 million.

A comparison of the impacts of the Little Bear Fire on the healthier Mescalero Tribal forests and much less healthy LNF demonstrates the need for continued funding of smart fuels management projects. In 2008, the Tribe completed an important, cost-effective hazardous fuels reduction project on the Eagle Creek portion of the Reservation. As the Little Bear Fire moved across the landscape, the previously treated Eagle Creek project area was used as a defensible space to turn the Little Bear Fire away from the steep, densely forested terrain of the North Fork of the Rio Ruidoso, and prevented complete devastation of the Village of Ruidoso source waters. The Little Bear Fire is proof positive that hazardous fuels reduction projects work to save lives, protect property, and maintain healthy forests.

Hazardous fuels funding levels must be restored to enable Tribes to continue to protect our communities. Each year, more forests throughout the country are burning, more critical watersheds are jeopardized, and more communities are placed at risk. Congress must acknowledge and fulfill the legal treaty and trust obligations of the United States to help protect and care for Indian lands and our forests as permanent homes. Tribal forestry programs must be funded accordingly. The United States must fully fund hazardous fuels treatment for Indian lands and nearby Federal lands separately from the national firefighting budgets. The fiscal year 2018 Omnibus took positive steps by increasing BIA Forestry funding to \$54.1 million, including a \$2 million increase for forest thinning projects.

REQUEST: We urge the subcommittee to build on this progress and support the Intertribal Timber Council's request to fund BIA Forestry at \$79.1 million (+\$25 million) as a first step towards the additional \$100 million needed for Tribal forest funding parity with other Federal forestry programs recommended in the IFMAT III report. We ask that you oppose the President's request to cut BIA Forestry funding by \$2.8 million.

[This statement was submitted by Danny Breuninger, President.]

PREPARED STATEMENT OF THE METLAKATLA INDIAN COMMUNITY

The requests of the Metlakatla Indian Community for the fiscal year 2018 Interior, Environment, and Related Agencies budget are as follows:

- Appropriate \$1,000,000 through the BIA Safety of Dams (SOD) program to address the hazard mitigation needs and initial planning phases for improvements at Chester Lake Dam.
- Move forward with full and mandatory funding for Contract Support Costs (CSC).
- Funding for Tribal courts in Public Law 83-280 States.
- Shield IHS funding from sequestration.
- Support for additional funding for Village Built Clinics.

The Metlakatla Indian Community (MIC) is located on the Annette Island Reserve in southeast Alaska, a land base of 87,000 acres. Through our Annette Island Service Unit we provide primary health services at our outpatient facility through funding from the IHS as a co-signer to the Alaska Tribal Health Compact under the Indian Self-Determination and Education Assistance Act. We have significant fish and forestry resources, but as noted elsewhere in this testimony, we require more resources to fully manage them.

Chester Lake Dam

Chester Lake is the sole municipal water supply, so maintaining this reservoir is essential to the survival of the Tribe. Measures to secure and improve this water supply are a high priority to Tribal leaders. It is this consideration that led the Emergency Preparedness Task Force to enforce the cessation of hydropower operations from Chester Lake during the extremely low water period from July to September in 2016.

This had the effect of making the Tribe rely more heavily on diesel power generation and the Purple Lake Dam. The Bureau of Indian Affairs (BIA) Safety of Dams Downstream Hazard Classification Study 2016 was performed in summer 2016 to determine if the dam's hazard classification needed to be re-evaluated and to begin potential work to make improvements to this reservoir.

This process is part of the oversight provided by BIA SOD to ensure the safety of dams in Indian Country. In March 2017, SOD informed MIC that the Chester Lake Dam qualified to have its hazard classification upgraded from low to high hazard, thereby requiring additional comprehensive evaluation of the Dam, its status and steps to take to prevent any kind of an emergency or hazard to the community health and wellness.

The MIC has determined, through this process, that \$1,000,000 in infrastructure funding is necessary to make safety improvements at Chester Lake Dam, as well as carry out necessary planning and studies for expansion of the dam's storage and hydropower production capacity. The total cost of this project will be approximately \$12 million, but the initial funding will allow for immediate safety measures to be implemented to protect the drinking water supply while planning for the Phase 2 improvements that will increase not only water storage capacity but also expanded hydropower production from Chester Lake Dam.

Contract Support Costs (CSC)

Our great thanks for this subcommittee's leadership in making funding of IHS and BIA contract support costs (CSC) for fiscal year 2016, and now fiscal year 2017, an indefinite amount and also having made it a separate account in the IHS and BIA budgets. This shift makes an enormous difference in helping ensure that the Indian Self-Determination and Education Assistance Act (ISDEAA) is fully funded and implemented as Congress intended in these two agencies. It also significantly enhances the Federal-Tribal government-to-government relationship. For IHS, the fiscal year 2017 estimate for contract support costs is \$800 million, and for the BIA it is \$278 million.

Thank you also for listening to Tribes who explained why the problematic IHS-supported fiscal year 2016 enacted bill proviso which effectively denied the CSC carryover authority granted by the ISDEAA. We appreciate that this proviso is absent from the Consolidated Appropriations Act for fiscal year 2017.

Our objective, though, continues to be the indefinite appropriation of CSC funding as mandatory and permanent. Full payment of CSC is not discretionary; it is a legal obligation under the ISDEAA, affirmed by the U.S. Supreme Court. Funding of CSC on a discretionary basis has in the very recent past placed the House and Senate Appropriations Committees, in their own words, in the "untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs." We remain committed to working with the appropriate congressional committees to determine how best to achieve this objective.

Tribal Court Assistance for Tribes Subject to Public Law 83-280

We appreciate the much-needed support in the fiscal year 2017 appropriations bill for Tribes who are affected by Public Law 83-280 and who are striving to serve their communities with competent and appropriate judiciary systems.

The fiscal year 2017 Explanatory Language accompanying the Consolidated Appropriations Act, fiscal year 2017 would increase BIA Tribal Justice Support funding for Tribes affected by Public Law 83-280 (first enacted during the early 1950s termination era) who are working to exercise their rightful jurisdiction on domestic violence and other matters, and to increase available remedies and services for crime victims. It is very important for the future of Tribal nations affected by Public Law 83-280 to continue development of robust criminal jurisdiction systems. We quote below the fiscal year 2017 language:

"Funding for Tribal justice support is restored to \$17,250,000, of which not less than \$10,000,000 is to address the needs of Tribes affected by Public Law 83-280. The Committees remain concerned about Tribal court needs as identified in the Indian Law and Order Commission's November 2013 report, which notes Federal investment in Tribal justice in "Public Law 280" States has been more limited than elsewhere in Indian Country. The Committees expect the Bureau to work with Tribes and Tribal organizations in these States to fund plans that design, promote, sustain, or pilot courts systems subject to jurisdiction under Public Law 83-280. The Bureau is also directed to formally consult and maintain open communication throughout the process with Tribes and Tribal organizations on how this funding supports the technical infrastructure and future Tribal court needs for these jurisdictions."

Shield IHS Funding From Sequestration

We have requested in our previous years' testimony that the IHS budget be protected from sequestration. We again ask this subcommittee's support of an amendment to the Balanced Budget and Emergency Deficit Control Act to exempt the IHS from sequestration of funds, just as Congress has done for the Veterans Health Administration's health programs. We are very concerned that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal year 2017 spending cap, and when considered along with the President's "skinny" fiscal year 2018 budget outline proposal, which significantly lowers non-defense discretionary spending, we fear a significant sequestration of funds in fiscal year 2018. IHS funding for healthcare services should be made exempt from sequestration.

Village Built Clinics

We thank Congress so much for the \$11 million for Tribal health clinic leases in the fiscal year 2017 Consolidated Appropriations bill, and in particular for Senator Murkowski's determination in advocating for these very small clinics which are the health lifeline in rural Alaska villages. We ask everyone to put yourself and your family in the position of living in a tiny, incredibly remote village with no roads and challenging weather and needing the healthcare that can be provided by trained community members and the health professionals who rotate in and out of those communities and utilize the small clinics as headquarters. We are also pleased that the House Natural Resources Subcommittee on Indian, Insular, and Alaska Native Affairs hearing on Indian infrastructure needs in Indian Country, with the support and participation of Representative Don Young, included a discussion of the needs of Village Built Clinics. It was an appropriate subject as many of the Village Built Clinics are in disrepair and there is great need for a reserve fund for their upkeep and expansion. In 2015, the Alaska Native Health Board estimated that \$14 million annually was needed to fund a replacement reserve to address the crisis state of the clinics.

We support increased funding for Village Built Clinics and request that the funding be: (1) recurring, (2) a separate line item in the IHS budget, and (3) displayed in the Budget Justification to better enable planning and certainty. The fiscal year 2017 funding is supplemental to the approximately \$4.5 million already being provided to those life-saving small clinics and should be so reflected. In 2015, the Alaska Native Health Board estimated that \$12.5 million was needed in addition to the existing \$4.5 million base. Accordingly, the \$11 million increase in fiscal year 2017 was a major step forward but still does not cover the full amount of need. In addition, without a separate line item for Village Built Clinics, much of the funding could be distributed to other types of facility leases, leaving the Village Built Clinics coming up short.

We are glad to provide any additional information you may request. Thank you for your consideration of the concerns and requests of the Metlakatla Indian Community.

[This statement was submitted by Audrey Hudson, Mayor.]

PREPARED STATEMENT OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Chairwoman Murkowski, Ranking Member Udall, and Members of the subcommittee:

The Metropolitan Water District of Southern California (Metropolitan) encourages the subcommittee's support for fiscal year 2018 Federal funding of \$1.5 million in financial assistance from the Bureau of Land Management's (BLM) Soil, Water and Air Program for the Colorado River Basin Salinity Control Program (Salinity Control Program) to prevent further degradation of Colorado River water quality and increased economic damages.

The salt concentration in the Colorado River causes over \$382 million in damages to water users each year. While this figure is significant, had it not been for the efforts of the Salinity Control Program, damages would be much higher. Salinity Control Program actions have reduced salinity concentrations of Colorado River water over 90 milligrams per liter (mg/L) from what they would have been without the actions. That reduction has avoided additional damages of over \$200 million per year. Modeling by Reclamation indicates that the economic damages will rise to approximately \$614 million by the year 2035 without continuation of the program.

Metropolitan is the regional water supplier for most of urban Southern California, providing supplemental water to retail agencies that serve approximately 19 million

people. Water imported via the Colorado River Aqueduct has the highest level of salinity of all of Metropolitan's sources of supply, averaging around 630 mg/L since 1976. This salinity level causes economic damages to all sectors. For example, high salinity leads to:

- A reduction in the useful life of water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and an increased use of water softeners in the household sector;
- An increase in the cost of cooling operations, additional need for and cost of water softening, and a decrease in equipment service life in the commercial sector;
- An increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;
- A decrease in the life of treatment facilities and pipelines in the utility sector;
- Difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins, and fewer opportunities for recycling due to groundwater quality deterioration;
- Increased cost of desalination and brine disposal for recycled water in the municipal sector; and
- A reduction in the yield of salt sensitive crops and increased water use for leaching in the agricultural sector.

Concern over salinity levels in the Colorado River has existed for many years. To deal with the concern, the International Boundary and Water Commission signed Minute No. 242, Permanent and Definitive Solution to the International Problem of the Salinity of the Colorado River in 1973, and the President signed the Colorado River Basin Salinity Control Act of 1974 (Act) into law. To further foster interstate cooperation and coordinate the Colorado River Basin States' efforts on salinity control, the seven Basin States formed the Colorado River Basin Salinity Control Forum.

The Forum is charged with reviewing the Colorado River's water quality standards for salinity every 3 years. In so doing, it adopts a Plan of Implementation consistent with these standards. The Plan of Implementation, as adopted by the States and approved by EPA in 2014, calls for 67,000 tons of additional salinity control measures to be implemented by Reclamation, the Natural Resources Conservation Service (NRCS) and the BLM by 2018.

EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. In implementing the Colorado River Basin Salinity Control Act in 1974, Congress recognized that most of the salts in the Colorado River originate from these federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to the quality of waters being delivered to Mexico. Title II of the Act deals with improving the quality of the water delivered to users in the United States. This testimony deals specifically with Title II efforts.

In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003, BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin and to pursue salinity control studies and to implement specific salinity control practices. BLM is now working on creating a comprehensive Colorado River Basin salinity control program as directed by Congress.

Meaningful resources have been expended by BLM in the past few years to better understand salt mobilization on rangelands. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in additional economic damages to water users downstream.

Implementation of salinity control practices through BLM is a cost effective method of controlling the salinity of the Colorado River and is an essential component to the overall Colorado River Basin Salinity Control Program. Continuation of adequate funding levels for salinity within the Soil, Water and Air Program will assist in preventing the water quality of the Colorado River from further degradation and significant increases in economic damages to municipal, industrial and irrigation users. A modest investment in source control pays huge dividends in improved drinking water quality to nearly 40 million Americans.

Metropolitan urges the subcommittee to support funding for fiscal year 2018 of \$1.5 million from the Bureau of Land Management's (BLM) Soil, Water and Air Program for the Colorado River Basin Salinity Control Program.

[This statement was submitted by Jeffrey Kightlinger, General Manager.]

PREPARED STATEMENT OF THE NATIONAL AMERICAN INDIAN COURT JUDGES
ASSOCIATION

On behalf of the National American Indian Court Judges Association (NAICJA), this testimony addresses important programs in the Department of Interior, Indian Health Service, Bureau of Indian Affairs, and Environmental Protection Agency as they concern Tribal justice system funding. Specifically, NAICJA joins the National Congress of American Indians (NCAI) in requesting:

Program	NCAI Fiscal Year 2018 Request
DOI: Bureau of Indian Affairs	Provide increases via Tribal base funding instead of through grants
DOI: Bureau of Indian Affairs	\$82 million in additional funding for base funding for Tribal courts

NAICJA is a national, non-profit association comprised of Tribal justice personnel, including Tribal leaders, judges, justices, court administrators, court clerks, Indian law practitioners and scholars, and others devoted to supporting and strengthening Tribal justice systems. NAICJA's mission, as a national representative membership organization, is to strengthen and enhance Tribal justice systems through education, information sharing, and advocacy. Established in 1969, NAICJA has a long history of dedication to providing educational support for Tribal court judges and court-related personnel.

Tribal justice systems are the primary and most appropriate institutions for maintaining order in Tribal communities. The vast majority of the approximately 350 Tribal court systems function in isolated rural communities. These Tribal justice systems face many of the same difficulties faced by other isolated rural communities, but these problems are greatly magnified by the many other complex problems that are unique to Indian country.

Tribal justice systems are faced with a wide range of difficult criminal and civil justice problems on a daily basis, including lack of jurisdiction over non-Indians, complex jurisdictional relationships with Federal and State criminal justice systems, inadequate law enforcement, great distance from the few existing resources, lack of detention staff and facilities, lack of sentencing or disposition alternatives, lack of access to advanced technology, and lack of substance abuse testing and treatment options, among other issues.

Part of the Federal trust responsibility to Indian Tribes includes basic governmental services in Indian Country, funding for which is appropriated in the discretionary portion of the Federal budget. Tribal governments exist to protect and preserve their unique cultures, identities, and natural environments for posterity. As governments, Tribes must deliver a wide range of critical services, such as education, workforce development, and first-responder and public safety services, to their citizens. The Federal budget for Tribal governmental services reflects the extent to which the United States honors its promises to Indian people.

Yet Tribal justice systems historically have been under-funded and continue to be under-funded in most Tribal communities. In 1991, the United States Civil Rights Commission found that "the failure of the United States Government to provide proper funding for the operation of Tribal judicial systems . . . has continued for more than 20 years."¹ The Commission also noted that "[f]unding for Tribal judicial systems may be further hampered in some instances by the pressures of competing priorities within a Tribe."² Moreover, they opined that "[i]f the United States Government is to live up to its trust obligations, it must assist Tribal governments in their development. . . ."³ The Commission "strongly support[ed] the pending and proposed congressional initiatives to authorize funding of Tribal courts in an amount equal to that of an equivalent State court" and was "hopeful that this increased funding [would] allow for much needed increases in salaries for judges, the

¹United States Commission on Civil Rights, *The Indian Civil Rights Act: A Report of the United States Commission on Civil Rights* 71 (June 1991).

²Id.

³Id.

retention of law clerks for Tribal judges, the funding of public defenders/defense counsel, and increased access to legal authorities.”⁴ The Indian Law and Order Commission (ILOC) noted that in addition to funding shortfalls, short-term, competitive funding approach is deficient because it reflects Federal priorities rather than Tribal ones, favors hired grant-writers, requires Tribes to compete against each other, and offers only 3-year programs that often leave Tribes with staff turnover and short-term programs.⁵

Allocate \$82 Million for Tribal Base Funding

In September 2015, the Bureau of Indian Affairs submitted a report to Congress that revealed that the BIA is funding most Tribal courts at a dismal 6 percent of estimated need.⁶ The BIA estimates that full funding for Tribal courts would cost over \$860 million. For Tribal courts operating in Public Law 280 jurisdictions, funding has been even lower. BIA estimates that it would cost an additional \$16.9 million for Tribes in mandatory Public Law 280 jurisdictions to be funded at 6 percent of need noting that “while \$16.9 million would not be widely viewed as robust or perhaps even adequate, it would match existing levels of funding in non-Public Law 280 States, which reflect a constrained fiscal environment.”

The critical financial need of Tribal courts ultimately led to the passage of the Indian Tribal Justice Act (the “Act”).⁷ Congress found that “[t]ribal justice systems are an essential part of Tribal governments and serve as important forums for ensuring public health, safety and the political integrity of Tribal governments.”⁸ Affirming the findings of the Civil Rights Commission, Congress further found that “Tribal justice systems are inadequately funded, and the lack of adequate funding impairs their operation.”⁹ In order to remedy this lack of funding, the Act authorized appropriation base funding support for Tribal justice systems in the amount of \$50,000,000 for each of the fiscal years 1994 through 2000.¹⁰

To carry out the provisions of the Indian Tribal Justice Act, Congress authorized annual appropriations of over \$58 million annually for each of the fiscal years 1994–1999 with \$50 million annually for base support funding for Tribal justice systems. In today’s dollars this would be \$82 million per year, which would be less than 10 percent of the overall need estimated by BIA. Unfortunately, a total of only \$5 million of the more than \$58 million per year appropriated was actually appropriated through 1999.¹¹ Since Congress enacted the Indian Tribal Justice Act in 1993, the needs of Tribal court systems have continued to increase, but there has been no corresponding increase in funding for Tribal court systems.¹²

Despite numerous congressional reauthorizations of the Act over the past couple of decades—most recently in the Tribal Law and Order Act (TLOA)¹³—funds have never been appropriated to implement the Act. The Act does not differentiate between Tribes subject to Public Law 280 jurisdiction or not. The promise of this much-needed base funding must be fulfilled. We ask Congress to commit to fully funding Tribal courts within the next 5 years by incrementally increasing funding each year.

Conclusion

Thank you for your consideration of this testimony. For more information, please contact A. Nikki Borchardt Campbell at nikki@naicja.org or Ansley Sherman at ansley@naicja.org.

⁴ Id.

⁵ Indian Law and Order Commission, *A Roadmap for Making Native America Safer: Report to the President & Congress of the United States* 83 (2013) [hereinafter ILOC Report].

⁶ “Report to the Congress on The Budgetary Cost Estimates of Tribal Courts in Public Law 83–280 States,” Bureau of Indian Affairs, Office of Justice Services (Sept. 16, 2015).

⁷ Public Law No. 103–176 (codified at 25 U.S.C. § 3601 *et seq.*)

⁸ 25 U.S.C. § 3601(5).

⁹ 25 U.S.C. § 3601(8).

¹⁰ 25 U.S.C. § 3621(b).

¹¹ United States Commission on Civil Rights, *A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country* 79 (2003) [hereinafter “A Quiet Crisis”].

¹² In 2000, Congress reaffirmed the Congressional commitment to provide this increased funding for Tribal justice systems when it reauthorized the Act for seven more years of funding at the same level of more than \$58 million per year through the Indian Tribal Justice Technical and Legal Assistance Act. See Pub. L. No. 106–559 § 202.

¹³ Tribal Law and Order Act, Public Law 111–211, Sec. 242 (2010).

PREPARED STATEMENT OF THE NATIONAL ASSEMBLY OF STATE ARTS AGENCIES

Chairman Calvert, Ranking Member McCollum and Members of the subcommittee, thank you for the opportunity to submit this testimony regarding Federal appropriations for the National Endowment for the Arts in fiscal year 2018. My name is Pam Breau, and I am the Chief Executive Officer of the National Assembly of State Arts Agencies (NASAA), the organization representing the State and jurisdictional arts agencies of the United States. Today, I urge your committee to support funding the National Endowment for the Arts (NEA) at \$155 million in fiscal year 2018.

Last year, while considering funding for fiscal year 2017, this Committee voted unanimously to increase funding for the agency by \$500,000. The States and NASAA are extremely grateful to the subcommittee for this, particularly given the limitations Congress faces because of sequestration. As you look to the next budget, NASAA hopes you will consider increasing funding for the NEA, which makes a substantial impact in communities throughout the United States.

In asking for an increase in funding for the NEA, it is important to acknowledge the continued bipartisan support that this subcommittee and Congress have demonstrated for State arts agencies. Through a highly effective Federal-State partnership, the NEA distributes 40 percent of its programmatic funds to State and regional arts agencies each year, amounting to \$41 million in fiscal year 2016; these dollars help to leverage additional public and private investments in the arts, empower States and regions to address their unique priorities, and serve far more constituents than Federal funds alone could reach.

State arts agencies use their share of NEA funds, combined with funds from State legislatures, to support 21,000 grants to arts organizations, civic organizations, schools and artists in more than 4,400 communities across the United States. Twenty-six percent of State arts agencies' grant awards go to nonmetropolitan areas, supporting programs that strengthen the civic and economic sustainability of rural America. Thirty-nine percent of State arts agencies' grant awards go to arts education, fostering student success in and out of school and providing the critical thinking, creativity and communications skills needed to meet the demands of today's competitive work force. Congress's ongoing endorsement of the 40 percent formula is essential to State arts agencies, boosting their ability to drive innovation in their States.

Throughout the country, State arts agencies play significant roles in shaping education policy, stimulating economic growth and helping communities thrive as rewarding and productive places to live, conduct business, visit and raise families. Should Congress support an increase for the NEA, State arts agencies will be able to expand their meaningful role in helping every congressional district have full opportunities to experience the economic, civic and cultural benefits that the arts offer. An example area of focus for NASAA and State arts agencies is the NEA's work with the Department of Defense (to support arts therapy in healing programs for veterans at the Walter Reed National Military Medical Center and the National Intrepid Center of Excellence). Federal leadership has enabled State arts agencies to replicate this successful partnership at the State level. In a recent poll NASAA conducted of State arts agencies, more than 90 percent of respondents said that they are either currently undertaking or interested in pursuing arts therapy programs for veterans.

Thank you for your consideration. NASAA looks forward to continuing to work productively with this subcommittee, and we stand ready to serve as a resource to you. Thank you for your consideration.

[This statement was submitted by Pam Breau, Chief Executive Officer.]

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF CLEAN AIR AGENCIES

On behalf of the National Association of Clean Air Agencies (NACAA), thank you for this opportunity to testify on the fiscal year 2018 proposed budget for the United States Environmental Protection Agency (EPA), particularly grants to State and local air pollution control agencies under Sections 103 and 105 of the Clean Air Act (CAA), which are part of the State and Tribal Assistance Grant (STAG) program. Specifically, NACAA strongly opposes the administration's proposal to cut State and local air quality grants by 30 percent (from \$227.8 million in fiscal year 2017 to \$159.5 million in fiscal year 2018) and is very concerned about the significant hardship this will pose on the public's health and welfare. We ask that Congress, at a minimum, continue to fund these grants at last year's level. Additionally, NACAA

requests that grant funds for fine particulate matter monitoring remain under Section 103 authority, rather than being shifted to Section 105 authority.

NACAA is a national, non-partisan, non-profit association of State and local air pollution control agencies in 45 States, the District of Columbia and four territories. The members of NACAA have the primary responsibility under the Clean Air Act for implementing our Nation's clean air program. The air quality professionals in our member agencies have vast experience dedicated to improving air quality in the United States. These observations and recommendations are based upon that experience. The views expressed in this testimony do not necessarily represent the positions of every State and local air pollution control agency in the country.

STEEP CUTS WILL HAVE DEVASTATING IMPACTS ON STATE AND LOCAL PROGRAMS

For many years, State and local air pollution control agencies have struggled with insufficient resources and have done what they could to address their budget shortfalls. However, due to economic hardships, States and localities increasingly rely on Federal grants. Unfortunately, since grant levels have essentially remained flat in recent decades, taking inflation into consideration, grant funding has actually decreased by nearly 17 percent since 2000.

State and local agencies would find it difficult to accommodate any cuts to Federal air quality grants; additional cuts of 30 percent would be devastating. Such reductions would severely impede the ability of many agencies to continue essential programs and, in the most extreme cases, some smaller local agencies could conceivably have to close down entirely. With such cuts, many State and local air pollution control agencies will have trouble fully implementing the CAA's health-based air standards and delivering the clean and healthful air the public deserves. Additionally, these agencies and their regions could be subject to harsh sanctions under the CAA, including the withholding of millions of dollars in Federal highway funds, severe emissions "off-set" limits that could interfere with economic development, and the possibility of EPA imposing Federal Implementation Plans on States.

Maintaining funding for State and local agencies will not only protect public health, but will also allow them to continue to provide services to the public and the regulated community, such as more expedited permit processing, compliance assistance and streamlined regulatory operations. These services, if adequately funded, contribute to economic development and administrative efficiencies.

NACAA recently surveyed State and local air quality agencies to learn what a reduction of approximately 30 percent in Federal air quality grants would mean to their programs.¹ The results reveal a very disturbing picture: cuts of the magnitude proposed would likely have a devastating impact on their efforts to provide healthful air quality for the public. Indeed, if Congress enacts such cuts, we fear more people will die prematurely and get sick unnecessarily.

In responding to the NACAA survey, agency after agency painted a similar picture of severe curtailments to their programs in the face of the steep cuts being proposed: cancellation of programs, loss of staff and a diminished capacity to obtain and maintain healthful air quality. Nearly every respondent reported that cuts of this magnitude would severely reduce the benefits the agencies can provide. These include not only to the general public, with respect to decreasing air pollution, maintaining clean air and generally protecting public health, but also to the regulated community, in terms of permitting, compliance assistance and other services.

The respondents provided a long and varied list of ways in which a 30-percent reduction would impact State and local air quality, affecting nearly every function they perform. They identified many activities to be reduced and/or eliminated, including monitoring, inspections, enforcement, permit issuance, compliance assistance, data analysis, equipment maintenance and complaint response, along with losing staff who are needed to do all that work, among others.

The impacts of these reductions are far reaching. Numerous agencies reported that they would be operating at a bare minimum level and that the services they provide the public would be limited or even eliminated. Perhaps most importantly, efforts to obtain healthful air quality and maintain clean air would suffer as a result of these resource constraints on their programs.

Agencies also reported that their State or local governments, which already provide the lion's share of funding for clean air programs, would not be able to make up for the reductions in Federal grants through additional State or local appropriations, general funds, grants or other contributions. Additionally, several agencies

¹NACAA Report, *Impacts of Proposed fiscal year 2018 Budget Cuts on State and Local Air Quality Agencies* (May 22, 2017), <http://www.4cleanair.org/sites/default/files/Documents/NACAAFundingReport-FY2018.pdf>.

noted that they could consider increasing fees to address the shortfall, but that gaining approval for additional fees is unlikely as well.

Finally, State and local air quality agencies reported that a 30-percent cut in grants could force them to turn some of their important Clean Air Act implementation work back to the Federal Government. Since local communities, including many regulated entities, generally prefer working with their local and State agencies (as opposed to EPA), the return of responsibilities to the Federal Government would be a tremendous loss. Additionally, since the proposed budget calls for sharp cuts to EPA's operating budget as well, the agency would not be in a good position to take on the tasks that the State and local agencies can no longer carry out.

While the responses taken as a whole provide an overall impression of the adverse impacts of the proposed grant reductions, reading what State and local agency officials said in their own words about their individual agencies offers a sense of the harm these critically important programs and public health would suffer. A sampling follows:

"A cut in our Federal grant of 30 percent would impose serious and adverse impacts on our individual State and collective ability to effectively run our air pollution control programs. There would very likely be many more people in our State getting sick and possibly dying as a result of these budget cuts."

"We are insufficiently staffed to assure citizens are protected from asbestos. Asbestos is a carcinogen and was widely used in buildings . . . Our current staffing . . . is only able to inspect 8 percent of the structures. This inability to verify compliance places the public directly at risk."

"Without question, a cut of 30 percent to the already-reduced funding levels would devastate our program . . . [W]e would be forced to cut our staffing by at least one-third . . . a reduction in staffing along the proposed lines would significantly delay the issuance of permits for new construction."

"If you cut back on enforcement programs, such as inspections and compliance assistance, your regulated community tends to be out of compliance more of the time. This can result in increased emissions which affect the health of your citizens."

"Because we are at the Federal minimum for our air monitoring network and unable to fully meet our planning, inventory, and asbestos compliance requirements, a reduction of 30 percent would be devastating. We clearly would be unable to meet the federally-mandated responsibilities."

"The State and local funding cuts combined with the proposed 30 percent Federal funding cut will result in about a 72 percent reduction in [our] overall budget. This will significantly impact [our] ability to be here at all, and if we are still here, it will be at a 60–70 percent decreased staffing level leaving us with 7–10 FTEs to manage a 6 county area. At this level, we will not be able to meet the core requirements of the State contract and Federal grants."

"A reduction of Federal funds may result in an air quality monitoring network that does not meet Federal requirements."

"These cuts ignore reality; because we still have to meet all the existing Federal requirements . . . When we fail, due to a lack of resources, it will be local taxpayers who bear the burden of paying environmental groups' legal fees."

"We'd no longer do any air toxics work."

AIR POLLUTION IS STILL A SIGNIFICANT THREAT TO HUMAN HEALTH IN SPITE OF IMPROVEMENTS

There are many important problems that fall under this subcommittee's jurisdiction, but it is unlikely that any pose more of a threat to public health than air pollution. In fact, tens of thousands of people in this country die prematurely each year and many others suffer serious health problems as a result of exposure to air pollution. These include, among other things, premature mortality; cancer; and cardiovascular, respiratory, neurological and reproductive damage.² This subcommittee has the opportunity to address very serious public health and welfare problems by providing adequate Federal funding for State and local air agencies' efforts.

According to EPA figures, about 120 million people in this country (about 40 percent of the population) lived in counties that exceeded at least one of the Federal health-based air pollution standards in 2015.³ With respect to hazardous air pollut-

² FY 2014–2018 EPA Strategic Plan (April 10, 2014), page 8.

³ FY 2018 EPA Budget in Brief (May 2017), page 11, <https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-budget-in-brief.pdf>.

ants (HAPs), EPA's National Air Toxics Assessment (NATA) indicate that in 2011 "all 285 million people in the U.S. ha[d] an increased cancer risk of greater than 10 in one million," while one-half million people have an increased risk of cancer of over 100 in a million, due to exposure to HAPs.⁴

While we have made great improvements in air quality in this country and even though the programs under the Clean Air Act have provided significant health and welfare benefits, air pollution remains a significant threat to human health and there is much work to be done.

NACAA RECOMMENDS THAT AUTHORITY FOR MONITORING GRANTS REMAIN UNDER
SECTION 103

EPA has proposed to begin shifting funds for PM_{2.5} monitoring from Section 103 authority, where no State or local matching funds are needed, to Section 105, which would require a match. We recommend that the funds remain under Section 103 authority. For individual agencies that have concerns about the matching requirements, this will ensure that they do not have to refuse essential monitoring funds because they do not have the resources for the match. In past years, Congress has been very responsive to our requests on this issue, for which we are very grateful, and we recommend that Congress again retain these grants under Section 103 authority.

CONCLUSION

NACAA strongly opposes the Administration's proposed decrease of 30 percent in grants to State and local air pollution control agencies under Sections 103 and 105 of the Clean Air Act for fiscal year 2018, as part of the State and Tribal Assistance Grant (STAG) program (decreasing grants from \$227.8 million in fiscal year 2017 to \$159.5 million). We recommend that Congress provide funding at last year's level, at a minimum. We further request that grants for PM_{2.5} monitoring remain under Section 103 authority, rather than being shifted to Section 105 authority.

Thank you for this opportunity to testify on this important issue and for your consideration of the funding needs of State and local air quality programs.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES

As the subcommittee begins to develop legislation to fund USEPA in the fiscal year 2018 budget, the National Association of Clean Water Agencies (NACWA) thanks you for your past support for strong funding for clean and safe water and appreciates the opportunity to submit our appropriation testimony for fiscal year 2018. NACWA represents a growing network of nearly 300 public wastewater and stormwater agencies of all sizes nationwide. Below are our key appropriations priorities for fiscal year 2018.

Agency: USEPA

Program: Clean Water State Revolving Fund

Funding Request: \$2.8 B (2x fiscal year 2017 enacted level)

The Clean Water State Revolving Fund (CWSRF) is a critical tool which municipal clean water agencies around the U.S. leverage to help meet their Federal obligations under the Clean Water Act (CWA). The low-interest loans, and in limited cases grants and loan forgiveness, that the CWSRF provides help clean water agencies make critical infrastructure investments as affordably as possible for ratepayers. The CWSRF has been instrumental in many communities' successes in complying with National Pollutant Discharge Elimination System (NPDES) permits, implementing secondary (biologic) treatment of wastewater, and reducing the frequency and size of sewer overflows during wet weather events. The CWSRF is also essential for many communities working to implement new regulatory requirements ranging from updated water quality standards to tightening nutrient limitations. And, the CWSRF is increasingly used to help implement innovative stormwater and nutrient management projects and green infrastructure.

The CWSRF is increasingly crucial at a time when—even with tools like the CWSRF—sewer and water rates are increasing well above the rate of inflation. Key drivers of rising rates include Federal consent decrees requirements, associated capital construction and debt service, CSO and SSO controls, and sewer rehabilitation and replacement.

⁴ <http://www.epa.gov/national-air-toxics-assessment/2011-nata-assessment-results>.

As you know, recent water crises have focused increasing national attention on the state of our Nation's water infrastructure. NACWA has welcomed proposals to dramatically boost water infrastructure spending, and believes that the requested doubling of Federal appropriations would be an appropriate step in fiscal year 2018. Of course, we also recognize the limitations Congress faces. In light of this, at minimum we urge Congress to maintain level funding with the \$1.39 B enacted in fiscal year 2017 to help ensure these programs remain strong.

Agency: USEPA

Program: Integrated Planning

Funding Request: Provide at least \$6.5 M for Integrated Planning

NACWA utility members have been encouraged by the Integrated Planning Framework for Municipal Stormwater & Wastewater which EPA put forth in 2012. NACWA urges Appropriators to provide at least \$6.5 million to help advance this approach, which promises to aid municipalities in addressing their CWA obligations strategically. Integrated Planning allows for prioritizing clean water investments within a compliance schedule that focuses on the highest-impact investments first, generating greater "bang for the buck" and allowing communities to address environmental and public health issues holistically and cost-effectively. NACWA has been pleased to see bipartisan support for Integrated Planning from Congress. We urge funding for this program to help the Agency provide technical assistance to pilot communities as this approach becomes better accepted and understood across the United States.

Agency: USEPA

Program: Geographic Programs

Funding Request: \$473 M (Maintain fiscal year 2017 enacted levels across all Geographic Programs)

USEPA's Geographic Programs, including the Great Lakes Restoration Initiative (GLRI), Chesapeake Bay Program, Long Island Sound, among others, support watershed-based investments aimed at improving water quality and related goals. The goals and impacts of these programs cross multiple States, impact waters of national significance, and leverage significant State, local, and private dollars. In many cases, the geographic programs have helped forge partnerships between clean water agencies, upstream landowners, conservation groups, and other stakeholders to strategically address root problems and advance water quality, reduce historic contamination, restore habitat, and many other goals that advance the Clean Water Act goals of fishable and swimmable waters. NACWA was pleased to see funding ultimately maintained for these programs in fiscal year 2017 but is alarmed by the President's fiscal year 2018 Budget Proposal which proposes their elimination. We urge Appropriators to restore funding for these important and successful programs this year.

Agency: USEPA

Program: Categorical Grants: Nonpoint Source § 319

Funding Request: \$165 million (Maintain fiscal year 2017 enacted level)

Nonpoint Source grants are provided to State, Tribes, and territories to aid implementation of EPA-approved Nonpoint Source Management Programs under Sec. 319 of the CWA. Activities provided under these programs include technical and financial assistance to municipalities, outreach and education, and technology transfer and training. These programs also help monitor and assess the impacts of nonpoint management projects, an area where continued research and documentation is in demand by public entities and the private sector.

The CWA has been remarkably successful in reducing point source discharges, and in many watersheds nonpoint sources remain the largest outstanding driver of water quality impairments. Nonpoint sources also contribute to acute public health risks such as harmful algal blooms and threats to drinking water. Continued progress on improving water quality under the CWA relies in large part on the ability to improve nonpoint source management. NACWA was alarmed to see this program proposed for elimination in the President's fiscal year 2018 Budget Proposal and we urge Appropriators to restore funding.

Agency: USEPA

Program: Categorical Grants: Pollution Control § 106

Funding Request: \$230 M (Maintain fiscal year 2017 enacted level)

Under Sec. 106 of the CWA, EPA provides Federal assistance to States and Tribes to aid in their role of enforcing the CWA. Strong State programs are essential to the cooperative Federalism approach of the Act. The clean water agencies represented by NACWA continually engage with their State programs offices on all aspects of CWA permitting, compliance and enforcement. NACWA is interested in efforts to help streamline programs but is concerned by proposed cuts to these grants in fiscal year 2018, as they may have near-term impacts on the functioning of State programs to the detriment of the regulated community.

Thank you for your thoughtful consideration, and please do not hesitate to contact NACWA for additional information.

[This statement was submitted by Kristina Surfus, Director of Legislative Affairs.]

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS

AUGUST 7, 2017

Senator Lisa Murkowski, *Chairman*,
Subcommittee on Interior, Environment,
and Related Agencies,
Committee on Appropriations,
U.S. States Senate,
Washington, DC.

Senator Tom Udall, *Ranking Member*,
Subcommittee on Interior, Environment,
and Related Agencies,
Committee on Appropriations,
U.S. Senate,
Washington, DC.

Dear Chairman and Ranking Member:

The National Association of Conservation Districts (NACD) represents America's 3,000 conservation districts and the 17,000 men and women who serve on their governing boards. Conservation districts are local units of government established under State law to carry out natural resource management programs at the local level. Districts work with millions of cooperating landowners and operators to help them manage and protect land and water resources on all private lands and many public lands in the United States.

Recent events across the country have shown the importance and continued benefit of proper management of our water and forest resources. For fiscal year 2018, NACD respectfully requests an appropriation of \$184.9 million for Environmental Protection Agency's 319 Nonpoint Source Grants. We also request maintaining level funding for the Forest Service's State and Private Forestry program at \$237 million in the fiscal year 2018 Interior appropriations bill.

The 319 Nonpoint Source Grants are critically important to stream bank stabilization, stormwater management, low-impact development, and other projects led by conservation districts to address water quality at the local level. Working lands are under increased pressure to produce food, feed, fuel, and fiber for the world's growing population. Because of this reality, it is more important than ever that we dedicate the resources necessary to ensuring local communities continue to have access to and realize the benefits of clean water.

State and Private Forestry is one of the few U.S. Forest Service (USFS) programs that provides technical and financial assistance to private landowners. For this reason, State and Private Forestry programs should be staffed and funded at levels that allow for strong public-private partnerships and ensure greater forest management and economic opportunity on private, non-industrial forest lands.

Thank you for your consideration of these requests. We look forward to working with you as we continue to serve the nation through natural resource conservation.

Sincerely,

BRENT VAN DYKE,
NACD President.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE ENERGY OFFICIALS

Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee, I am David Terry, Executive Director of the National Association of State Energy Officials (NASEO), which represents the 56 State and Territory Energy Offices. NASEO is submitting this testimony in support of funding for the ENERGY STAR program (within the Climate Protection Partnership Division of the Office of Air and Radiation) at the U.S. Environmental Protection Agency (EPA). NASEO supports funding of at least \$55 million, including specific report language directing that the funds be utilized only for the ENERGY STAR program. The ENERGY STAR program is successful, voluntary, and cost-effective. The program has a proven track record—it makes sense, it saves energy and money and Americans embrace it. With a slowly recovering economy, ENERGY STAR helps consumers and businesses control expenditures over the long term. The program is strongly supported by product manufacturers, utilities and homebuilders, and ENERGY STAR leverages the States' voluntary efficiency actions. Voluntary ENERGY STAR activities are occurring in public buildings, such as schools, in conjunction with State Energy Offices, in Alabama, Alaska, Arkansas, California, Colorado, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. The proposed elimination of this program in the President's budget is a grave mistake.

The ENERGY STAR program is focused on voluntary efforts that reduce the use of energy, promotes energy efficiency and renewable energy, and works with States, local governments, communities and business to achieve these goals in a cooperative, public-private manner. NASEO has worked very closely with EPA and approximately 40 States are ENERGY STAR Partners. With very limited funding, EPA's ENERGY STAR program works closely with the State Energy Offices to give consumers and businesses the opportunity to make better energy decisions and catalyzes product efficiency improvements by manufacturers without regulation or mandates. This program is voluntary.

ENERGY STAR focuses on energy efficient products as well as buildings (e.g., residential, commercial, and industrial). Over 1 billion ENERGY STAR certified products were shipped in 2015 across more than 85 product categories for a cumulative total of well over 5.2 billion products since 1992. The ENERGY STAR label is recognized across the United States. In 2014, 89 percent of households recognized the ENERGY STAR label when it was shown to them. This constitutes an increase of 48 percent since the Consortium for Energy Efficiency first conducted the National Awareness of ENERGY STAR survey in 2000. It makes the work of the State Energy Offices much easier, by working with the public on easily recognized products, services, and targets. In order to obtain the ENERGY STAR label a product has to meet established guidelines. ENERGY STAR's voluntary partnership programs include ENERGY STAR Buildings, ENERGY STAR Homes, ENERGY STAR Small Business, and ENERGY STAR Labeled Products. The program operates by encouraging consumers and working closely with State and local governments to purchase these products and services. Marketplace barriers are also eradicated through education. State Energy Offices are working with EPA to promote ENERGY STAR products, ENERGY STAR for new construction, ENERGY STAR for public housing, etc. A successful example of how State Energy Offices are leveraging this key national program is the Nebraska Energy Office, which since 2005, has utilized ENERGY STAR as the standard for certifying home and office electronics that are eligible under the State's successful and long-running Dollar and Energy Savings Loan program.

In 2016, millions of consumers and 16,000 voluntary partners, that included manufacturers, builders, businesses, communities and utilities, tapped the value of ENERGY STAR and achieved impressive financial and environmental results. Their investments in energy-efficient technologies and practices reduced utility bills by well over \$34 billion.

An estimated 500,000 homes were improved through the whole house retrofit program, Home Performance with ENERGY STAR (HPwES) through 2015. This work was performed by 48 locally sponsored programs and more than 2,100 participating contractors across the nation. Over 30 States, including California, Kentucky, Minnesota, Nevada, and Pennsylvania, operate or support the Home Performance with ENERGY STAR programs.

The State Energy Offices are very encouraged with progress made at EPA and in our States to promote programs to make schools more energy efficient, in addition to an expanding ENERGY STAR Business Partners program. In Kentucky, the State has partnered with school districts and engineering firms to advance ENERGY STAR rated schools, resulting in more than 325 ENERGY STAR rated schools in the State, a 67 percent increase since 2012. Over the past few years, Kentucky has moved aggressively to promote and build zero-net energy schools. Other States that have over 150 ENERGY STAR rated schools include Arizona, California, Colorado, Florida, Georgia, Indiana, Michigan, Minnesota, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Texas, Utah, Virginia, Washington and Wisconsin. Over 27 percent of Utah's K-12 schools are certified as ENERGY STAR.

EPA provides technical assistance to the State Energy Offices in such areas as ENERGY STAR Portfolio Manager (how to rate the performance of buildings), setting an energy target, and financing options for building improvements and building upgrade strategies. ENERGY STAR Portfolio Manager is used extensively by State Energy Offices to benchmark performance of State and municipal buildings, saving taxpayer dollars. Portfolio Manager is the industry-leading benchmarking tool used voluntarily by more than 325,000 commercial buildings. Portfolio Manager is used to measure, track, assess, and report energy and water consumption.

Additionally, the industrial sector embraces ENERGY STAR and companies such as GM, Eastman Chemical, Nissan, Raytheon, Boeing and Toyota are recognized for sustained energy excellence by the program. At the close of 2014, the number of industrial sites committed to the ENERGY STAR Challenge for Industry grew, while 306 sites met or exceeded their targets by achieving an average 20 percent reduction in industrial energy intensity.

The State Energy Offices are working cooperatively with our peers in the State environmental agencies and State public utilities commissions to ensure that programs, regulations, projects and policies are developed recognizing both energy and environmental concerns. We have worked closely with this program at EPA to address these issues. We encourage these continued efforts.

CONCLUSION

The ENERGY STAR program saves consumers billions of dollars every year. The payback is enormous. NASEO supports robust program funding of at least \$55 million in fiscal year '17. Funding for the ENERGY STAR program is justified. It's a solid public-private relationship that leverages resources, time and talent to produce tangible results by saving energy and money. NASEO endorses these activities and the State Energy Offices are working very closely with EPA to cooperatively implement a variety of critical national programs without mandates.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE FORESTERS

The National Association of State Foresters (NASF) appreciates the opportunity to submit written public testimony to the House Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies regarding our fiscal year (FY) 2018 appropriations recommendations. Our priorities focus primarily on appropriations for the USDA Forest Service (Forest Service) State and Private Forestry (S&PF) programs.

State Foresters deliver technical and financial assistance, along with forest health, water and wildfire protection for more than two-thirds of the Nation's 751 million acres of forests. The Forest Service S&PF mission area provides vital support to deliver these services, which contribute to the socioeconomic and environmental health of rural and urban communities. The comprehensive process for delivering these services is articulated in each State's Forest Resource Assessment and Strategy (State Forest Action Plan), authorized in the 2008 Farm Bill and continued in the Agriculture Act of 2014.

Your support of the following programs is critical to helping States address the many and varied challenges outlined in Forest Action Plans.

WILDLAND FIRE AND FOREST FUELS

Wildland Fire Funding: State Foresters ask for your continued support to pass legislation that fixes the broken wildfire funding system and addresses much-needed forest management reforms, either separately or in tandem.

The current wildfire suppression funding model continues to challenge the Forest Service's ability to achieve its overall mission and negatively impacts Agency programs of priority to State Foresters. Over time, the portion of the Forest Serv-

ice's budget dedicated to fire has grown from under 20 percent to more than 50 percent of the agency's total budget. As wildfire eats up a larger share of the agency's budget, less is available to other critical programs. Compounding the issue is the practice of fire transfers—occurring when appropriated suppression funds run out—that disrupts or cancels projects that conserve and enhance our Nation's public and private forests.

—The Department of the Interior and the Forest Service need a long-term fire funding solution that would result in stable and more predictable budgets.

In addition to the wildfire funding issue are the challenges posed by the Nation's unhealthy, overgrown and fire-prone Federal forests.

—We support environmentally responsible forestry reforms on Federal lands as part of the funding remedy or as a separate effort.

State Fire Assistance (SFA): More people living in fire-prone landscapes, high fuel loads, drought, and unhealthy landscapes are among the factors that led most State Foresters to identify wildland fire as a priority issue in their State Forest Action Plans. We now grapple with increasingly expensive and complex wildland fires—fires that frequently threaten human life and property. In 2016 there were 67,743 wildfires that burned 5.5 million acres.

—Eighty 2 percent of the total number of fires were where State and local departments had primary jurisdiction. 46 percent of the total acres burned were on State and private lands. In 2015, 85 percent of all local and State crews and engine dispatched outside of their geographic area were responding to Federal fires, primarily on initial attack.

—Attacking fires when they are small is the key to reducing fatalities, injuries, loss of homes and cutting Federal fire-fighting costs.

SFA and Volunteer Fire Assistance (VFA) are the fundamental Federal mechanisms for assisting States and local fire departments in responding to wildland fires and in conducting management activities that mitigate fire risk on non-Federal lands. SFA helps train and equip local first responders who are often first to arrive at a wildland fire incident and who play a crucial role in keeping fires and their costs as small as possible. A small investment of SFA funds supports State forestry agencies in accessing and repurposing equipment from the Federal Excess Personal Property and the Firefighter Property programs. In fiscal year 2015, these two programs delivered more than \$169 million in equipment for use by State and local first responders.

—NASF supports funding the State Fire Assistance program at \$87 million and Volunteer Fire Assistance at \$15 million in fiscal year 2018. The need for increased funding for fire suppression on Federal lands has broad support and the administration's budget recommends a funding increase to meet the anticipated fire threat. Some of the largest and costliest Federal land fires begin on State, local and privately owned lands. The need to increase fire suppression funding for State, local and private lands, where over 80 percent of wildfires occur, is just as urgent and should reflect the increases on Federal lands.

FOREST PESTS AND INVASIVE PLANTS

Also among the greatest threats identified in the State Forest Action Plans are native and non-native pests and diseases. These pests and diseases have the potential to displace native trees, shrubs and other vegetation types in forests; the Forest Service estimates that hundreds of native and non-native insects and diseases damage the Nation's forests each year. *They are also devastating the trees and forests of America's cities and towns.* For example, the cost of replacing a single street tree is approximately \$1000. The growing number of damaging pests and diseases are often introduced and spread by way of wooden shipping materials, movement of firewood, and through various types of recreation. In 2010, approximately 6.4 million acres suffered mortality from insects and diseases¹ and there is an estimated 81.3 million acres at risk of attack by insects and disease over the next 15 years.² These losses threaten clean and abundant water availability, wildlife habitat, clean air,

¹Man, Gary. 2011. Major Forest Insect and Disease Conditions in the United States: 2010 Update. Last accessed on March, 5, 2015 at: http://www.fs.fed.us/foresthealth/publications/ConditionsReport_2011.pdf.

²Tkacz, Bory, et al. 2014. NIDRM 2012 Report Files: Executive Summary. Last accessed on March, 5, 2015 at: http://www.fs.fed.us/foresthealth/technology/pdfs/2012_RiskMap_Exec_summary.pdf.

and other environmental services. Furthermore, extensive areas of high insect or disease mortality can set the stage for large-scale, catastrophic wildfire.

The Cooperative Forest Health Management program supports activities related to prevention, monitoring, suppression, and eradication of insects, diseases, and plants through provision of technical and financial assistance to States and territories to maintain healthy, productive forest ecosystems on non-Federal forest lands. *Forest pests know no bounds. Controlling pests on private lands can stop millions of dollars in damage much of which would occur on public lands.* The Cooperative Forest Health Management program plays a critical part in protecting communities already facing outbreaks and in preventing exposure of more forests and trees to the devastating and costly effects of exotic and invasive pests and pathogens.

—NASF supports funding the Forest Health Management—Cooperative Lands Program at \$48 million in fiscal year 2018.

ASSISTING LANDOWNERS AND MAINTAINING WORKING FOREST LANDSCAPES—FOREST STEWARDSHIP PROGRAM

Working forest landscapes are a key part of the rural landscape, providing an estimated 900,000 jobs, clean water, wood products, and other essential services to millions of Americans. Private forests make up two-thirds of all the forestland in the United States and support an average of eight jobs per 1,000 acres.³ However, the Forest Service estimates that 57 million acres of private forests in the U.S. are at risk of conversion to urban development over the next two decades. Programs like the Forest Stewardship Program and Forest Legacy Program are key tools identified in the State Forest Action Plans for keeping working forests intact and for providing a full suite of benefits to society. Almost 90 percent of those who have stewardship plans, implement them. *Almost 50 percent of the Nation's wood supply comes from small landowners who are the target of this program.* Last year this program assisted over 455,000 landowners in developing or revising their stewardship plans or leading them to resources who are able to assist. *Again fires and diseases know no bounds.* A robust program has positive impacts on the Nation's watersheds, wildlife habitat and neighboring public lands.

—NASF supports funding the Forest Stewardship Program at \$29 million in fiscal year 2018. *Increasing active management on Federal lands has broad support and has received increased funding in recent years through the Forest Products budget line item, while funding for Forest Stewardship has decreased. . The need to provide funding on State and private lands is just as urgent.*

FOREST LEGACY PROGRAM

This program provides critical Federal assistance to States and private landowners to *keep working forests working through permanent conservation easements and in some cases, fee acquisitions.* Each easement acquisition is required to have a long-term forest stewardship plan.

Working forests play an important role to sustain the economic, ecological, and social well-being of America's rural and urban areas through the jobs they support and the benefits they provide, such as wildfire threat reduction, clean air and water, wildlife habitat, and outdoor recreation space.

—NASF supports funding the Forest Legacy Program at \$62 million in fiscal year 2018. *NASF supports the program being fully funded from the Land and Water Conservation Fund and not be included in the discretionary budget cap. NASF also recommends report language requiring coordination with State Foresters prior to recommendation and selection of easements and acquisitions due to land management considerations and tax implications.*

URBAN AND COMMUNITY FOREST MANAGEMENT CHALLENGES

Urban and community forests are important to achieving energy savings, improved air quality, neighborhood stability, aesthetic value, reduced noise, and improved quality of life in municipalities and communities around the country. *There are demonstrable studies that show positive impacts urban trees and forests have on: childhood asthma, mitigating the impacts of auto exhaust, reducing home heating and air conditioning costs, providing economically viable solutions for storm water absorption, enhancing retail business and even reducing crime rates.* In fact, urban and community forests have been shown to provide environmental, social, and economic benefits to the more than 80 percent of Americans living in medium and large

³ Forest2Market. *The Economic Impact of Privately-Owned Forests*. 2009.

size cities and towns.⁴ Yet, urban and community forests face serious threats, such as development and urbanization, invasive pests and diseases, and fire in the wildland urban interface (WUI).

Since its expansion under the Cooperative Forestry Assistance Act of 1990 (CFAA), the Forest Service's Urban and Community Forestry (U&CF) Program has provided technical and financial assistance to promote stewardship of urban forests in communities of all sizes across the country. The program is delivered in close partnership with State Foresters and leverages existing local efforts that have helped thousands of communities and towns manage, maintain, and improve their tree cover and green spaces. The program directly serves more than 7,000 communities across the United States. The program has over a 2:1 match for Federal dollars provided for this program.

—*NASF supports funding the Urban and Community Forestry program at \$31 million in fiscal year 2018.*

IMPORTANCE OF FOREST INVENTORY DATA IN MONITORING FOREST ISSUES

The Forest Inventory and Analysis program (FIA) enables forest managers and the natural resource community to understand the scope and scale of trends and changes in forest conditions and to make projections of future conditions. Funding for FIA supports State and private lands, which account for two-thirds of America's forests and provide public benefits such as clean air and water, wildlife habitat, outdoor recreation, jobs and wood products.

NASF is concerned with the recent proposed and realized reductions to the USDA Forest Service Research and Development budget and recommends a total R&D funding level of \$303 million—\$83 million allocated to FIA.

—*NASF supports funding the Forest Inventory and Analysis program at \$83 million in fiscal year 2018.*

LANDSCAPE SCALE RESTORATION

National priority Landscape Scale Restoration (LSR) projects are a key way that States, in collaboration with the USDA Forest Service and other partners, address critical forest priorities across the landscape. LSR projects focus only on the most critical priorities identified in each State's Forest Action Plan and on achieving national goals as laid out in the State and Private Forestry national themes. As a result, LSR contributes to achieving results across the landscape and to making meaningful local, regional, and national impacts.

Competitive allocation of Cooperative Forestry Assistance Act funds was codified in the 2008 Farm Bill. The LSR budget line item was subsequently included in the fiscal year 2014 appropriations bill as the funding mechanism for a competitive process aimed at addressing critical priorities identified in State Forest Action Plans and based on the tenets of the State and Private Forestry redesign effort—conserve working forest landscapes, protect forests from harm, and enhance public benefit from trees and forests.

LSR allows State forestry agencies to target resources toward the highest priority forest needs in a State, group of States, or region, while also meeting national priorities.

Regional review teams comprised of State and Federal officials with knowledge of the on-the-ground realities within the region carry out a rigorous review process to select the LSR projects that will receive funding within their region. Selected LSR projects are, as a result, the best and most ground-truthed landscape-scale, cross-boundary, outcome-driven projects.

—*NASF supports funding the Landscape Scale Restoration program at \$23 million in fiscal year 2018. NASF does not support increases in this program coming at the expense of other programs described above. NASF also supports report language which would allow for additional funding over fiscal year 2017 levels for LSR to be allocated for the highest national priorities as identified in each of the State Forest Action Plans as determined by each State Forester.*

EPA CATEGORICAL NONPOINT SOURCE POLLUTION GRANTS (SECTION 319)

In addition to USFS programs, State foresters also receive critical program support through the EPA, most notably through the STAG (State and Tribal Assistance Grant) categorical grants for nonpoint source pollution (aka "319 funds"). Despite

⁴United States Census Bureau, *Growth in Urban Population Outpaces Rest of Nation*, *Census Bureau Reports*. Available at https://www.census.gov/newsroom/releases/archives/2010_census/cb12-50.html. Last Accessed March 5, 2015.

the need to make substantial changes in how the EPA functions and interacts with the States, these grants allow for the cooperation inherent in “cooperative Federalism”, are an appropriate function for the agency, and should be kept robustly funded. For many State forestry agencies, these funds are critical in supporting delivery of water quality best management programs and helping private forest owners protect water resources in their forests, leading to clean water outcomes that benefit all citizens.

—NASF supports maintaining level funding for the Nonpoint Source Pollution Grants—a level of \$170 million.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE OUTDOOR
RECREATION LIAISON OFFICERS

Thank you Chairwoman Murkowski, Senator Udall and other honorable Members of the subcommittee for the opportunity to submit written testimony pertaining to funding for the Land and Water Conservation Fund’s (LWCF) State Assistance Program in the fiscal year 2018 Interior Appropriations bill.

Overview of Funding Request: As outlined below, we encourage you to continue the Federal investment in the LWCF, especially as it relates to the State and local partnership created through the State Assistance Program. We would like to remind the subcommittee one of the key purposes of the Act was to help preserve, develop, and assure access to outdoor recreation facilities to provide recreation and strengthen the health of U.S. citizens in close to home venues. Therefore, we urge you to continue to make greater investments in States and local communities by:

- Appropriating a minimum of \$110 million for the State Assistance Program in fiscal year 2018.
- If overall allocations for LWCF are increased above fiscal year 2017 levels we request at least 40 percent of fiscal year 2018 LWCF appropriations be directed to the State Assistance Program.
- Continue the innovative, “Outdoor Recreation Legacy Partnership” (ORLP) competitive grant program in fiscal year 18 at \$12 million.

About the National Association of State Outdoor Recreation Liaison Officers. We are an organization of State and territorial officials, appointed by our Governors to be a liaison to the Federal Government for the administration of and advocacy for the Land and Water Conservation Fund’s State Assistance Program. We work in this capacity to ensure close-to-home access to parks and recreation opportunities in communities throughout the Nation and to ensure the program is administered effectively and efficiently.

The State Assistance Program of the LWCF. Originally the majority of the LWCF was set aside to be a partnership program between the Federal Government and State and local political subdivisions to provide outdoor recreation in close to home locations. These outdoor recreation facilities were meant to provide social, healthful and economic benefits and to improve the quality of life throughout the Nation. That is why in the original Act, 60 percent of the LWCF was dedicated to State and local grants.

However, after a ten year period a congressional conference committee eliminated the percent set aside for State and local grants, while incorporating a provision that required no less than 40 percent be dedicated to Federal land acquisition. Therefore, with the elimination of any percentage dedicated to State and local outdoor recreation grants the amount for State and local grants declined and the Federal percentage increased over the years. This is the primary reason there is a common misconception among many that LWCF is merely a Federal land acquisition program. We want to emphasize this was not true in the beginning of the program and it is certainly not true today. We are proud the dollar-for-dollar matching grant of the State Assistance Program requires a strong commitment from States and local governments to support construction of outdoor recreation projects and to operate and maintain them forever.

The State Assistance Program requires that the ongoing maintenance of these areas are the responsibility of the State and local partner in perpetuity. This is a real deal for the citizens of the Nation, as the Federal Government encourages the development of outdoor recreation through these 50 percent matching grants and the citizens benefit from convenient access to these close to home areas. One additional benefit is the areas developed and maintained through program remains the property of the State or local government, but the resources developed through the LWCF remain publicly accessible in perpetuity and are protected as such by the LWCF Act.

In summary, we thank the committee for their on-going support of LWCF which provides close-to-home recreation access for our Nation's citizens and we look forward to our continued partnership with the National Park Service in administering the program.

[This statement was submitted by Lauren S. Imgrund, Pennsylvania State Liaison Officer; President, National Association of State Liaison Officers.]

PREPARED STATEMENT OF THE NATIONAL CONGRESS OF AMERICAN INDIANS

INTRODUCTION

On behalf of the National Congress of American Indians (NCAI), we would like to acknowledge the steadfast work undertaken and attention paid by the Members of this subcommittee to uphold the Federal trust and treaty obligations funded in this appropriations bill. As the most representative organization of American Indian and Alaska Native Tribes, NCAI serves the broad interests of Tribal governments across the Nation. As Congress considers the fiscal year 2018 budget, we call on decision-makers to ensure that the promises made to Indian Country are honored in the Federal budget. This testimony addresses the Bureau of Indian Affairs (BIA), Indian Health Service (IHS), and Tribal programs in the Environmental Protection Agency (EPA). The fiscal year 2017 Omnibus included hard-fought increases for BIA, Bureau of Indian Education (BIE), IHS, and other core Tribal government programs. We are hopeful that the fiscal year 2018 final Interior appropriations bill will build on the investments made in Indian Country in the fiscal year 2017 Omnibus.

FEDERAL TRUST RESPONSIBILITY

The relationship between Tribal nations and the Federal Government is unique and founded on mutual promises. Indian treaties have the same status as treaties with foreign nations, and because they are made under the US Constitution are “the supreme law of the land.” Treaties and laws have created a fundamental contract between Indian Nations and the United States: Tribes ceded millions of acres of land that made the US what it is today, and in return Tribes have the right of continued self-government and the right to exist as distinct peoples on their own lands. That fundamental contract—the Federal trust relationship—ensures that Tribal governments receive funding for basic governmental services. As governments, Tribes must deliver a wide range of critical services, such as health, education, workforce development, first-responder, and public safety services, to their citizens. The obligations to Tribes and their citizens funded in the Federal budget reflect the trust responsibility. Importantly, these programs are not based on race or ethnicity but rather on the centuries-long political relationship between Tribal communities and the United States.

Due to fluctuations in Federal funding and the uncertain budget process, many Tribes have faced continued emergencies in meeting the public service needs of their citizens.¹ Funding decisions by the Administration and Congress are an expression of our Nation's policy priorities, and the Federal budget for Tribal governmental services reflects the extent to which the United States honors its obligations to Indian people.

TRIBAL GROWTH BENEFITS STATES AND REGIONS

While the Federal treaty and trust relationship calls for Federal funding of education, healthcare, and other government services, upholding Indian treaty and trust obligations is also an important component of Tribal and surrounding regional economies.

Economists have found that Tribal economic growth leads to economic growth in surrounding regions. Tribal economic activity produces regional multiplier impacts for the off-reservation economy.² Economic research on Tribal colleges, timber, procurement, and casinos has shown direct, indirect, and induced impacts on gross regional product and employment.³ Well-functioning governments are essential to

¹ See NCAI Resolution ATL-14-084.

² Croman, K. S., & Taylor, J. B. (2016). “Why beggar thy Indian neighbor? The case for Tribal primacy in taxation in Indian country.” *Joint Occasional Papers on Native Affairs* (JOPNA 2016-1). Tucson, AZ and Cambridge, MA: Native Nations Institute and Harvard Project on American Indian Economic Development.

³ Ibid.

market economies. Governments provide local and national public and quasi-public goods that the private sector would otherwise under provide,⁴ such as public safety and justice—essential for conducting business on reservations and Tribal lands. In addition, Federal and Tribal governments fund public investments in core infrastructure, such as roads, bridges, and water and sanitation systems that provide high economic rates of return.⁵ Such core infrastructure in Indian Country has faced insufficient public investment for decades. Additionally, noncore public investments, such as early childhood education, early childcare, healthcare, and a range of human services, provide at least as much of a near-term economic boost as core infrastructure.⁶

BUREAU OF INDIAN AFFAIRS

On May 23, the administration released its detailed fiscal year 2018 budget request. Themes in this budget include shifting Federal costs to other governments (including Tribes, States, and localities). The fiscal year 2018 budget for Indian Affairs would be \$2.48 billion, a decrease of \$371.7 million below the fiscal year 2017 Omnibus level, a decrease of about 13 percent. Compared to the fiscal year 2017 annualized CR, the cut is 10.9 percent. Operation of Indian Programs would receive \$2.1 billion in the President's budget, a decline of 11 percent compared to the fiscal year 2017 Omnibus level and 8 percent compared to the fiscal year 17 CR. Tribal Priority Allocations would be cut by 12.7 percent relative to the fiscal year 17 CR level. Bureau of Indian Education (BIE) would be cut by \$105.1 million, 11.8 percent less than the fiscal year 17 Omnibus and \$64.3 million and 7.6 percent less than the fiscal year 2017 CR.

The President's budget would eliminate many programs identified by Tribal leaders as critical to Tribes across the Nation, including: the Housing Improvement Program (HIP), \$8 million; Tribal Climate Resilience, \$9.9 million; Alaska Native Programs, \$1 million; Small and Needy Tribes, \$1.8 million; Special Higher Education Scholarships, \$2.7 million; Science Post Graduate Scholarship Fund, \$2.4 million; Juvenile Detention Center Education program, \$499,000; Replacement School Construction, \$45.4 million; Replacement Facility Construction, \$11.9 million. We request that Congress reject these eliminations, not only because the reductions undercut the Federal trust responsibility, but also run counter to the program areas identified as important by Tribal leaders themselves during budget consultations. Nine out of twelve regions during budget formulation in March 2017 identified scholarships as a top five program in need of increases (out of all the line items in the BIA budget). Half of all BIA regions identified HIP as a top five priority.

In addition to eliminations, the administration's budget also proposes drastic cuts to programs identified as critical to Indian Country. For instance, the President's budget cuts Human Services overall by \$35.2 million compared to the fiscal year 17 Omnibus (a 22 percent cut), in programs that provide social services, welfare assistance, and Indian Child Welfare Act protections. The reductions largely reflect elimination of funding for pilot programs for the Tiwahe initiative. Several of the top TIBC budget priorities reviewed in the BIA budget formulation are programs included in the Tiwahe initiative, including Social Services. Tribal leaders expressed strong support for programs that are a part of this initiative because of its goals of reducing poverty, domestic violence, and substance abuse, which in turn makes for safer communities. The integrated programming to addressing interrelated problems represents a promising approach to complex problems in Indian Country, breaking down silos to meet the needs of families and communities.

Many of the programs involved in this initiative have not had funding increases for years (except in the fiscal year 2017 Omnibus bill), and they remain top programs in fiscal year 2018 and 2019. Notably, all Tribes received recurring base increases under the initiative. Non-pilot Tribes stand to gain from learning best practices that will be documented and shared by the pilot Tribes in addressing issues that affect most Tribes throughout the Nation, such as intervention and prevention, improving case management, strengthening partnerships with providers, and increasing access to family and social services to ultimately improve health, safety, and well-being.

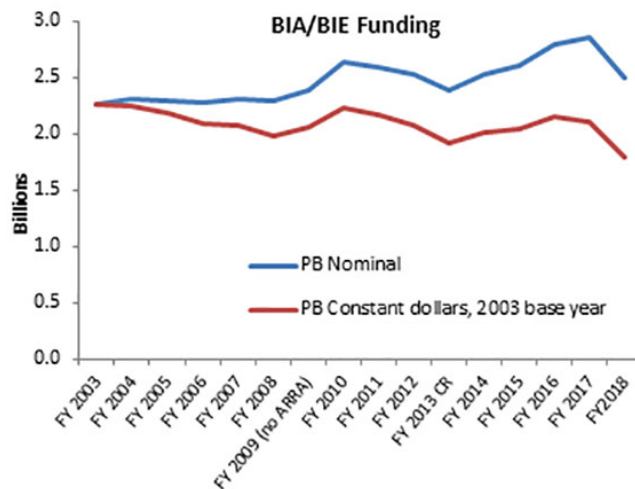
The President's budget proposes \$326 million for Law Enforcement, a reduction of \$21.4 million, or a 6 percent cut compared to the fiscal year 17 CR. Proposed reductions include \$3 million for the pilot program to reduce recidivism, which was

⁴Hackbart, M., & Ramsey, J. R. (2002). The theory of the public sector budget: An economic perspective. *Budget Theory in the Public Sector*, 172.

⁵Bivens, J. and Blair H. (2016). A public investment agenda that delivers the goods for American workers needs to be long-lived, broad, and subject to democratic oversight.

⁶Ibid.

completed in 2017 and \$10 million provided to conduct Tribal courts assessments located in Public Law 83–280 States. Tribal Courts would be reduced by \$6 million, which eliminates increases provided under the Tiwahe initiative. BIA recently conducted an analysis of law enforcement and detention needs pursuant to the Tribal Law and Order Act, and found that the total need for basic law enforcement and detention services in Indian country is \$1 billion. This estimate includes Tribes without regard to whether they are located in a Public Law 280 jurisdiction. Given the inadequacy of current funding levels, the BIA has had a policy for many years to generally provide law enforcement and detention funding only to Tribes in non-Public Law 280 jurisdictions. This has left Tribes in many areas completely without BIA support for Tribal police and detention needs. We ask Congress to commit to fully funding Tribal law enforcement and detention within the next 5 years by incrementally increasing funding each year.



If this budget were enacted for BIA, the overall funding provided for BIA would be lower than any level in the last 15 years, when adjusted for inflation. The 2017 BIA funding level is 6 percent below the comparable 2010 level after adjusting for inflation. In 2018, those cuts would grow to 20 percent. These reductions are untenable and absolutely break the trust responsibility to Indian Tribes. We urge this subcommittee to continue its bipartisan effort to meet the Federal obligations for Indian Country.

EDUCATION

The budget request would temporarily suspend funding for BIE school Construction and cuts construction funding from \$57.8 million to \$80.2 million, more than 40 percent below fiscal year 2017 funding levels; and cut the Indian School Equalization Program (ISEP), the core program for operation of BIE, by \$2.4 million to a proposed \$398.8 million. The budget request also would reduce funding for the Johnson O'Malley Program, another top ranked program by Tribes, by \$4.6 million, a reduction of more than 30 percent, to \$10.2 million. We urge this subcommittee to reject these proposed cuts to education, reductions which would significantly undermine opportunities for Native students.

ROAD MAINTENANCE

NCAI appreciates the increase of \$3.6 million for Road Maintenance for a total of \$30.3 million in the fiscal year 2017 Omnibus bill. The administration's budget would only fund Roads Maintenance at \$28.1 million. We urge Congress to restore funding at least to the fiscal year 2017 Omnibus level. Most BIA regions have identified that this program requires additional increases to meet unmet needs. Currently, BIA needs approximately \$290 million per year to maintain BIA-owned roads and bridges to an adequate standard.

NATURAL RESOURCES

The fiscal year 2018 budget proposes untenable cuts for many Tribal natural resource programs: Rights Protection Implementation (–\$11 million or 28 percent compared to the fiscal year 2017 Omnibus), Tribal Management and Development (–\$2 million compared to the fiscal year 2017 Omnibus), Forestry (–\$5 million, a 10 percent cut), and Fish-Wildlife-and-Parks (–\$2.8 million, an 18 percent cut). Tribal representatives on the Tribal Interior Budget Council have expressed strong support for these programs throughout the 2018 budget consultation meetings and NCAI urges Congress to reject these deep cuts to Tribal natural resource programs.

ECONOMIC CONTRIBUTIONS AND VALUE ADDED OF FEDERAL TREATY AND TRUST RESPONSIBILITY

Federal funding that meets Federal Indian treaty and trust obligations also provide significant contributions to the economy. In just the Department of the Interior, the Bureau of Indian Affairs (BIA) and Bureau of Indian Education (BIE) “contribute substantially to economic growth in Tribal areas. . . .”⁷ In fiscal year 2012, Indian Affairs “contributed over \$14 billion in value added, \$18 billion in economic activity and supported nearly 93,000 jobs, many of them on Indian lands.”⁸ Value added is the contribution of an activity to overall Gross Domestic Product (GDP). Indian Affairs specific funding to support Tribal governments provided value added of \$0.9 billion and economic contributions of \$1.2 billion. These estimates for GDP included energy, minerals, forestry, irrigation, support for Tribal government, and loan guarantees. Education and public safety also provide significant social and economic benefits that are difficult to measure. Justice service programs provide economic benefits of: protection of property rights, support of health and safety, lower medical costs from crime, human capital development, and other positive spillover effects.

INDIAN HEALTH SERVICE

NCAI thanks the subcommittee for including increases for IHS in the fiscal year 2017 Omnibus bill of \$232.3 million over the fiscal year 2016 enacted amount. For fiscal year 2018, the Tribal Budget Formulation Workgroup requested \$7.1 billion for IHS. NCAI supports the requests of the Workgroup and the National Indian Health Board. NCAI appreciates the bipartisan support for the Indian Health Service budget in Congress and we look forward to ongoing support for the IHS budget in providing much needed increases for the IHS budget.

ENVIRONMENTAL PROTECTION AGENCY

Tribes and States are the primary implementers of environmental programs. Program capacity building is a top environmental priority identified by Tribes as part of the EPA National Tribal Operations Committee National Tribal Caucus. The Indian General Assistance Program (IGAP) is unique among Federal programs in that it provides a foundation which Tribes can leverage to support other greatly-needed programs. GAP funding is particularly critical to Alaska Native villages, where it provides 99 percent of the overall funding to address their fundamental and often dire needs, such as safe drinking water and basic sanitation facilities. NCAI urges the subcommittee to protect this funding against cuts in fiscal year 2018.

CONCLUSION

Thank you for this opportunity to share our concerns on programs that fulfill treaty and trust obligations in the Federal budget. We look forward to working with this subcommittee on a bipartisan basis once again this year.

PREPARED STATEMENT OF THE NATIONAL GROUND WATER ASSOCIATION

The National Ground Water Association (NGWA) requests that \$5 million be allocated in the fiscal year 2018 Interior, Environment & Related Agencies appropriations bill to the United States Geological Survey (USGS) Groundwater and Streamflow Information Program to continue implementation and maintenance of a national groundwater monitoring network (NGWMN).

In addition to funding, NGWA is also requesting eligibility of the cooperative grant funding be expanded to Tribes, as well as State and local governments. Tribes

⁷ U.S. Department of the Interior, Economic Report, fiscal year 2012, July 29, 2013.

⁸ Ibid.

are currently able to provide data, but are not eligible to receive funding to help create and/or maintain a groundwater monitoring network.

NGWA is the world's largest association of groundwater professionals, representing public and private sector engineers, scientists, water well contractors, manufacturers, and suppliers of groundwater related products and services. NGWA maintains that management of groundwater resources should be a coordinated effort between Federal, State and local governments based on the strengths of each government level, the best science available, and the nature of the resource. The NGWMN is a great example of cooperation between levels of government, in order to manage and protect a vital natural resource.

Water is one of the most critical natural resources to human, ecosystem and economic survival. Nationally, over 40 percent of the drinking water supply comes from groundwater and, in some locations, it is relied on by 80 percent of Americans for drinking water. Groundwater also serves as a key source of agricultural irrigation water.

While the health of the American people and our Nation's economic prosperity depends on groundwater, no systematic nationwide monitoring network is in place to measure what is currently available and how groundwater levels and quality may be changing over time.

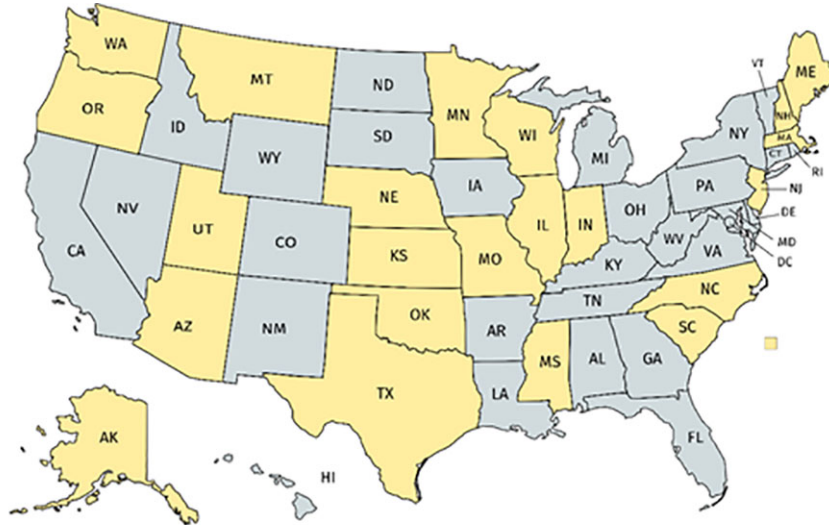
As with any valuable natural resource, our groundwater reserves must be monitored to assist in planning and minimizing potential impacts from shortages or supply disruptions. Just as one cannot effectively oversee the Nation's economy without key data; one cannot adequately address the Nation's food, energy, economic, and drinking water security without understanding the extent, availability and sustainability of a critical input—groundwater.

Congress acknowledged the need for enhanced groundwater monitoring by authorizing a national groundwater monitoring network with passage of Public Law 111–11 (Omnibus Public Land Management Act) in 2009, the SECURE Water Act, and viability of the network was proven through the completion of pilot projects in six State—Illinois, Indiana, Minnesota, Montana, New Jersey, and Texas. These States voluntarily pilot tested concepts for a national groundwater monitoring network as developed by the Federal Advisory Committee on Water Information's (ACWI) Subcommittee on Ground Water (SOGW).

Following completion of the pilots and reports on the viability of the NGWMN, congressional support for the network has enabled national implementation of the program:

- Fiscal year 2015: \$2.6 million
- Fiscal year 2016: \$3.6 million
- Fiscal year 2017: \$4.1 million

However, national implementation has not yet been achieved. To date, only 22 grants have been awarded to State and local agencies, with the third round of awards currently pending.



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While continuing support for the NGWMN is requested at this time, it is important to note that the requests will be finite once all States are connected to the network. From there, the costs of ongoing maintenance of the network are expected to be minimal.

Once implemented nationwide, the NGWMN would provide consistent, comparable nationwide data that would be accessible through a public web portal for Federal, State, local government and private sector users. In these tight fiscal times, the proposed network would build on existing State and Federal investments, maximizing their usefulness and leveraging current dollars to build toward systematic nationwide monitoring of the groundwater resource.

Funding from the NGWMN will be used for two purposes:

1. Provide grants to regional, State, and Tribal governments to cost share increased expenses to upgrade monitoring networks for the 50 States to meet the standards necessary to understand the Nation's groundwater resources. Activities funded include: site selection, web services development, well drilling, well maintenance, among others.
2. Support the additional work necessary for USGS to manage a national groundwater monitoring network and provide national data access through an Internet web portal.

A selection of State projects funded is listed below to demonstrate the type of work being funded by Congress in the first rounds of cooperative agreements.

- Alaska Department of Natural Resources received funding to become a data provider, serving water level data to the portal. In addition, funding is received to do well maintenance and well drilling.
- Minnesota Pollution Control Agency received funds to re-establish web services to provide data to the network and expand coverage across all of the States principal aquifers.
- South Carolina Department of Natural Resources received funding to set-up web services to provide water level data to the NGWMN.
- Texas Water Development Board received funding to select and classify water quality wells and incorporate them into the NGWMN.

A complete list of all cooperative agreements funded is available for fiscal year 2015 and fiscal year 2016. Each recipient of funding must also provide USGS a report, following the conclusion of the funding period.

Though the amount of funding requested is small in the context of the Department of Interior's annual budget request, funding is vital considering that, for a small investment, we can begin finally to put in place adequate monitoring of the

hidden resource that provides over 40 percent of the Nation's drinking water supply and serves as a key driver for our agricultural economy.

Thank you for your consideration of this request. With questions or in request of additional information, please contact Lauren Schapker, NGWA Government Affairs Director, at lschapker@ngwa.org.

The National Ground Water Association is a not-for-profit professional society and trade association for the groundwater industry. NGWA is the largest organization of groundwater professionals in the world. Our more than 11,000 members from all 50 States and 72 countries include some of the leading public and private sector groundwater scientists, engineers, water well contractors, manufacturers, and suppliers of groundwater related products and services. The Association's vision is to be the leading community of groundwater professionals that promotes the responsible development, use and management of groundwater resources.

PREPARED STATEMENT OF THE NATIONAL HUMANITIES ALLIANCE

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

On behalf of the National Humanities Alliance, with our nearly 200 member organizations, I write to express strong support for the National Endowment for the Humanities (NEH).

OVERVIEW

For fiscal year 2018, we respectfully urge the subcommittee to fund the National Endowment for the Humanities at \$155 million.

We would like to thank the subcommittee for appropriating \$149.8 million to the NEH for fiscal year 2017, thereby increasing the Endowment's funding by nearly \$2 million for the second consecutive year. These increases are critical steps in rebuilding the capacity of the NEH, which has been severely eroded in recent years. Despite the recent increases, the Endowment's current funding is 20 percent below its fiscal year 2010 level, when adjusted for inflation. Modestly increasing the NEH's budget to \$155 million would allow the Endowment to regain its capacity to support the humanities at a time when the humanities are increasingly called upon to meet national needs.

While we recognize the seriousness of the fiscal situation faced by Congress and the Administration, and we understand the difficult choices that are before this subcommittee, we believe that expanding the capacity of the NEH should continue to be a priority. In the remainder of this testimony, I will highlight some of the many ways that the NEH serves national needs and helps accomplish critical national goals.

NEH SERVES NATIONAL NEEDS

The National Endowment for the Humanities' funding is distributed to the Federal/State Partnership, which supports humanities councils in every State and territory; Competitive Grants divisions, which award peer-reviewed grants in research, education, preservation, digital humanities, challenge grants, and public programs; and the Common Good Initiative, which harnesses the power of the humanities to address society's pressing challenges. I will highlight just five examples of how NEH grants serve clear national needs.

1. *The NEH's Standing Together program aids veterans' reintegration into civilian life and deepens public awareness of the experience of war.*

For the past 4 years, the NEH has supported innovative programs that harness the power of the humanities to serve veterans. Increased appropriations over the past 2 years have been critical to expanding these programs, although much unmet demand continues to exist. In fiscal year 2017, the NEH introduced the Dialogues on the Experience of War program, which supports community discussion groups for veterans and their families. The NEH awarded one of these grants to a faculty member at the University of Oklahoma to develop a course for past, current, and future (ROTC) service members. Through an exploration of the history and literature of war, the course encourages veterans to express thoughts on the experience of war.

Other efforts funded through the Standing Together initiative include writing programs for veterans suffering from PTSD; intensive college-preparation programs; and training for Veterans Affairs staff to help them understand the experiences of veterans.

2. *The NEH plays a key role in the preservation of native languages and cultures.*

The NEH supports the documentation and teaching of native languages, history, and culture. A 2016 grant to the North Slope Borough Department of Inupiat History allowed it to work together with the Inupiat Heritage Center Museum to properly conserve seven paintings depicting the traditions and history of the Inupiat people. These paintings, in conjunction with an ongoing oral history project, help pass the Inupiat culture to the next generation. Another 2016 grant was awarded to the Cankdeska Cikana Community College in Fort Totten, North Dakota to develop a curriculum on Dakota literature and oral history, preserve the Dakota language, and increase outreach efforts to the broader community.

The NEH's Office of Challenge Grants, meanwhile, awarded funding to the Northwest Indian College in Bellingham, Washington to develop programs to preserve the culture and revitalize the language of the Salish people. These are just three examples of NEH's long-term commitment to sustaining, revitalizing, and preserving Native American languages and cultures.

3. *The NEH is the only entity, Federal or private, with a national mandate to ensure that support for the humanities serves all Americans.*

Through NEH on the Road, the NEH brings museum exhibitions to underserved regions, making use of existing exhibitions from larger museums to efficiently provide high-quality exhibitions to communities across the country. More than half of the communities served have fewer than 50,000 residents. For example, in Red Cloud, Nebraska, a community of only 1,020, more than 3,000 people saw *Our Lives, Our Stories: America's Greatest Generation*. The exhibit traveled to 23 other locations including Excelsior Springs and Fulton, Missouri and Fairmont, West Virginia. Additionally, between 2012 and 2023, *For All The World To See: Visual Culture and The Struggle for Civil Rights*, will travel to a total of 50 sites, including in Boise, Idaho, Park City, Utah, and Belton, Texas.

To ensure a wide reach, the NEH has also dedicated funding lines for innovation in humanities curricula in community colleges, HBCUs, Hispanic-Serving Institutions, and Tribal Colleges. A recent grant to Columbus State Community College in Columbus, Ohio, funds the development of a course on the history of Western medicine, disease, and public health, the first such general education course taught at a community college. This course is specifically designed for students interested in medical fields to afford an understanding of the social, political, and cultural dimensions of disease.

4. *The NEH safeguards our historical and cultural legacies*

With small grants to historical societies, historic sites, archives, and town and county record offices around the country, the NEH ensures that local historical documents and artifacts are preserved under the proper conditions and accessible in the long-term. For example, the NEH recently awarded a grant to Scarborough Library at Shepherd University to assess the preservation of memorabilia, photographs, books, scrapbooks, correspondence, and maps related to the history of Shepherdstown, West Virginia. A 2016 grant of just \$2,035 funded the purchase of equipment to monitor the environmental conditions for the collections at the Hockaday Museum of Art in Kalispell, Montana, thereby enabling the preservation of the history and art of Glacier National Park.

In a massive undertaking, the NEH is also enabling the digitization of historical newspapers from around the country through the National Digital Newspaper Program. For example, in 2016, NEH awarded a grant to the Alaska Division of Libraries, Archives, and Museums to digitize 100,000 pages of historic Alaska newspapers published between 1866 and 1922. To date, the NEH has provided support for the digitization of approximately 11 million pages of newspapers published between 1690 and 1963 —making these resources accessible for scholars, students, and anyone interested in researching local history or genealogy.

NEH also supports the publication of the documents associated with important historical figures and events and ensures that these documents are widely accessible. For example, a 2016 grant to the University of Tennessee supported the publication of the papers of President James Polk and the development of

an online portal that provides free and convenient access to students, teachers, and the public. Another recent grant supported the University of Southern Mississippi's digitization and online publication of 483 interviews documenting the Civil Rights Movement in Mississippi.

5. *With a modest investment, the NEH stimulates private, local investment in the humanities and cultivates tourism.*

NEH matching grants over the last 50 years have generated more than \$4 billion in non-Federal donations to humanities projects and institutions. The NEH's investments in museums, historic sites, research, and the preservation of historic artifacts have played a key role in developing local cultural heritage tourism economies, which attract 78 percent of all leisure travelers. Over several decades, for example, the NEH has supported the development of new exhibitions at Thomas Jefferson's Monticello. These grants have had an outsized impact on the local economy as Monticello welcomes nearly 400,000 annual visitors, 93 percent of whom are from outside Virginia and 50 percent of whom stay in a hotel for at least one night adding at least \$13.1 million to the local economy.

In addition to these highlighted programs, each year the NEH awards hundreds of competitive, peer-reviewed grants to individual scholars and a broad range of nonprofit educational organizations around the country. Grantees include universities, two- and four-year colleges, humanities centers, research institutes, museums, historical societies, libraries, archives, scholarly associations, K-12 schools, local education agencies, public television/film/radio producers, and more. Through its competitive grants programs, the NEH supports the preservation of collections that would be otherwise lost, path-breaking research that brings critical knowledge to light, programs for teachers that enrich instruction in schools, and public programs that reach individuals and communities in every district in the country.

Overall, the NEH's support is crucial for building and sustaining humanities' infrastructure in all 50 States, serving American citizens at all stages of life.

CONCLUSION

We recognize that Congress faces difficult choices in allocating funds in this and coming years. We ask the subcommittee to consider modestly increased funding for the humanities through the NEH as an investment in opportunity for all Americans, innovation and economic growth, and strengthening our communities. Thank you for your consideration of our request and for your past and continued support for the humanities.

Founded in 1981, the National Humanities Alliance advances national humanities policy in the areas of research, preservation, public programming, and teaching. Nearly 200 organizations are members of NHA, including scholarly associations, humanities research centers, colleges, universities, and organizations of museums, libraries, historical societies, humanities councils, and higher education institutions.

[This statement was submitted by Stephen Kidd, Executive Director.]

PREPARED STATEMENT OF THE NATIONAL INDIAN CHILD WELFARE ASSOCIATION

The National Indian Child Welfare Association (NICWA) is a national American Indian/Alaska Native (AI/AN) nonprofit organization. NICWA has provided leadership in the development of public policy that supports Tribal self-determination in child welfare and children's mental health systems for over 30 years. This testimony will provide funding recommendations for the following programs administered by the Bureau of Indian Affairs (BIA) in the Department of the Interior: Indian Child Protection and Family Violence Prevention grant programs (\$43 million), Social Services (\$50 million), Welfare Assistance (\$80 million), Indian Child Welfare Act On or Near Reservation Program grant program (Tribal Priority Allocation—\$20 million), and Indian Child Welfare Act Off-Reservation Program grant program (\$5 million).

In order for AI/AN children to have the full protections and supports they need, Congress must appropriate adequate funds to the basic child welfare programs and services that Tribal communities, like all communities, need. States also rely on Tribes to help them provide appropriate child welfare services to AI/AN children

and families that fall under their jurisdiction.¹ This includes partnering on investigations of child abuse and neglect reports, building case plans for families, providing culturally based family services, and securing appropriate out-of-home placements. Investments in these programs will reduce preventable trauma to children and families, reduce future expenditures for more expensive and intrusive services, and decrease long-term involvement with the child welfare system.

The recommendations below suggest funding increases that will provide Tribal communities with sufficient child welfare funding, avoid unnecessary restraint on local Tribal decisionmaking, and support established State and Tribal partnerships dedicated to the protection of AI/AN children.

PRIORITY PROGRAM RECOMMENDATION

BIA Indian Child Protection and Family Violence Prevention Act Recommendation: Appropriate for the first time \$43 million for the three discretionary grant programs under this law—\$10 million for the Indian Child Abuse Treatment Grant Program, \$30 million for the Indian Child Protection and Family Violence Prevention Grant Program, and \$3 million for the Indian Child Resource and Family Service Centers Program to protect AI/AN children from child abuse and neglect. Despite overwhelming need these grant programs have never been appropriated funds since their inception in 1990.

The Indian Child Protection and Family Violence Prevention Act (ICPFVPA), Public Law No. 101–630 (1990), was enacted to fill gaps in Tribal child welfare services—specifically child protection and child abuse treatment—and to ensure better coordination between child welfare and domestic violence programs. The act authorizes funding for two Tribal programs: (1) the Indian Child Protection and Family Violence Prevention Program, which funds prevention programming as well as investigation and emergency shelter services for victims of family violence; and (2) the Treatment of Victims of Child Abuse and Neglect program, which funds treatment programs for victims of child abuse. It also authorizes funding to create Indian Child Resource and Family Service Centers in each of the BIA regional areas. These centers would provide training, technical assistance, and consultation to Tribal child protection programs.

There is an incredible need for family violence prevention and treatment resources in AI/AN communities. As recently recognized by Congress in the Violence Against Women Reauthorization Act of 2013, AI/AN women are more likely than any other population to experience intimate partner violence. In fact, more than one in three AI/AN women experience intimate partner violence at some point in their lives.² Further, AI/AN children experience child abuse and neglect at an elevated rate. They are victims of child maltreatment at a rate of 13.8 per 1,000, compared to the national rate of 9.2 children per 1,000.³ These problems are intricately intertwined. Studies show that in 49–70 percent of cases, men who abuse their partners also abuse their children,⁴ while child abuse investigations reveal violence against the mother in 28–59 percent of all cases.⁵

Child abuse prevention funding is vital to the well-being and financial stability of AI/AN communities. Beyond the emotional trauma that maltreatment inflicts, victims of child maltreatment are more likely to require special education services, more likely to be involved in the juvenile and criminal justice systems, more likely to have long-term mental health needs, and have lower earning potential than their peers.⁶ Financially, child maltreatment costs Tribal communities and the United

¹ U.S. Government Accountability Office. (2005). *Indian Child Welfare Act: Existing information on implementation issues could be used to target guidance and assistance to States*. Retrieved from <http://www.gao.gov/new.items/d05290.pdf>.

² Black, M. C., & Breiding, M. J. (2008). Adverse health conditions and health risk behaviors associated with intimate partner violence—United States, 2005. (Table. 1) *Morbidity and Mortality Weekly Report*, 57(5), 113–117.

³ U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2015). *Child maltreatment 2015*. Rockville, MD: Author.

⁴ White Eagle, M., Clairmon, B., & Hunter, L. (2011). *Response to the co-occurrence of child maltreatment and domestic violence in Indian Country: Repairing the harm and protecting children and mothers [Draft]* (pp. 19–20). West Hollywood, CA: Tribal Law and Policy Institute.

⁵ Carter, J. (2012). *Domestic violence, child abuse, and youth violence: Strategies for prevention and early intervention*. San Francisco, CA: Family Violence Prevention Fund.

⁶ Fang, X., Brown, D. S., Florence, C. S., & Mercy, J. A. (2012). The economic burden of child maltreatment in the United States and implications for prevention. *Child Abuse & Neglect*, 36, 156–65. doi: 10.1016/j.chiabu.2011.10.006.

States \$210,012 per victim.⁷ Child abuse prevention funding is an investment Tribal communities believe in, but need support to fulfill.

OTHER PROGRAM RECOMMENDATIONS

BIA Welfare Assistance Program: Increase appropriation levels to \$80 million to support Tribal services that assist families in crisis, prevent child neglect, sustain kinship placements for children placed outside their homes, support adults in need of care, and provide final expenses.

The Welfare Assistance line item provides five important forms of funding to AI/AN families: (1) general assistance, (2) child assistance, (3) non-medical institution or custodial care of adults, (4) burial assistance, and (5) emergency assistance.

AI/AN child welfare programs and social service agencies need to have the resources necessary to support families in times of crisis and uncertainty. AI/AN adults—including parents and kinship caregivers—are unemployed on reservations at a rate more than two times the unemployment rate for the total population.⁸ Thirty-four percent of AI/AN children live in households with incomes below the poverty line as compared to 20.7 percent of children nationwide.⁹ The crippling of Native economies before the self-determination era left Tribal communities overwhelmingly impoverished, with few economic opportunities and high unemployment. The barriers to employment vary region to region in Indian Country, but include geographic remoteness, a weak private sector, poor basic infrastructure, and even a lack of basic law enforcement infrastructure. These conditions make the programs funded under welfare assistance an important safety net for AI/AN families.

The General Assistance Program provides short-term monetary assistance for basic needs like food, clothing, shelter, and utilities to individuals who are actively working towards financial stability and ineligible for all other financial assistance programs. The Emergency Assistance Program provides a one-time emergency payment of less than \$1,000 to individuals experiencing property damage beyond their control. These programs are essential to families experiencing unexpected job loss or financial crisis. They often provide the assistance necessary to help a family make ends meet and keep their children safely in their home.

The Child Assistance Program provides payments for AI/AN children on Tribal lands who must be cared for outside their homes in foster care, adoptive, or guardianship placements and who are not eligible for other Federal or State child placement funds.

The current funding for the Welfare Assistance Program does not begin to meet the needs in Tribal communities. This leaves families in poverty and caregivers willing to take children who have been abused or neglected into their homes without sufficient financial support.

BIA Indian Child Welfare Act Program: Increase appropriations to the Indian Child Welfare Act On or Near Reservation Program grant program to \$20 million and the Off Reservation grant program to \$5 million.

The Indian Child Welfare Act (ICWA) was a response to national findings that public and private child welfare agencies were systematically removing AI/AN children from their homes and communities at horrendous rates, often without due process and under questionable circumstances. To prevent these troubling practices, which unfortunately still occur today, Congress provided protections to AI/AN families in State child welfare and judicial systems under ICWA. It also recognizes the authority of Tribal nations to provide child welfare services and adjudicate child welfare matters. To effectuate these provisions, ICWA authorized grant programs to fund child welfare services on or near reservations and for ICWA support in off-reservation, urban Indian programs.

At the time that ICWA was passed in 1978, Congress estimated that between \$26 million—\$62 million would be required to fully fund Tribal child welfare programs on or near reservations.¹⁰ Even after an important fiscal year 2015 increase as part

⁷Fang, X., Brown, D. S., Florence, C. S., & Mercy, J. A. (2012). The economic burden of child maltreatment in the United States and implications for prevention. *Child Abuse & Neglect*, 36, 156–65.

⁸Stegman, E., & Ebarb, A. (2010). *Sequestering opportunity for American Indians/Alaska Natives* (Para. 1). Retrieved from Center for American Progress website: <http://www.americanprogress.org/issues/poverty/news/2013/11/26/80056/sequestering-opportunity-for-american-indians-and-alaska-natives>.

⁹U.S. Department of Health and Human Services, Health Resources and Services Administration, Maternal and Child Health Bureau. (2013). *Child health USA 2012* (p. 9). Rockville, MD: Author.

¹⁰S. Rep. No. 95–597 (p. 19) (1977).

of the Tiwahe Initiative, current funding levels fall far short of this estimate—especially after adjusting for inflation.

Appropriate \$5 million for the authorized, but unfunded, Off-Reservation ICWA Program to ensure all AI/AN children receive effective services as required by ICWA.

According to the 2010 Census, 67 percent of AI/AN people lived off-reservation. These children and families are best served when State child welfare systems are not only working with the child's Tribe, but also with urban Indian child welfare programs. These programs provide assistance to States and the child's Tribe, and provide culturally appropriate child welfare services. For this reason, ICWA authorizes child welfare funding for urban Indian programs. From 1979–1996, funding was allocated to urban organizations serving Native children and families. When funded, off-reservation programs provided important services such as recruitment of Native foster care homes, child abuse prevention efforts, and culturally appropriate case management and wraparound services. When funding stopped, the majority of these programs disintegrated even as the population of AI/AN children off-reservation increased. This funding must be reinstated.

BIA Social Services Program: Provide \$50 million to fortify child protective services and ensure meaningful technical assistance to Tribal social service programs across Indian Country.

The Social Services Program provides a wide array of family support services, filling many funding gaps for Tribal programs and ensuring Federal staff and support for these programs. Importantly, the Social Services Program provides the only BIA and Tribal-specific funding available for ongoing operation of child protective services in Indian Country. It also funds BIA social workers at regional and agency offices, and funds training and technical assistance to Tribal social service programs and workers.

The Social Services Program is drastically underfunded and as a result, AI/AN children and families suffer. Recent increases as part of the Tiwahe Initiative are to be commended and their momentum must be continued. This recommended increase will ensure that basic child protective services are provided in Tribal communities across the country, that Tribes have access to meaningful training and technical assistance, and that the BIA has the resources necessary to fill service gaps. The Tribal Interior Budget Council estimated an unmet need of \$32 million on top of the fiscal year 2015 enacted level during Tribal budget formulation for fiscal year 2017.

PREPARED STATEMENT OF THE NATIONAL INSTITUTES FOR WATER RESOURCES

Chairman Murkowski and Ranking Member Udall:

Good afternoon. I am Stephen Schoenholtz, Director of the Virginia Water Resources Research Center at Virginia Tech. Thank you for this opportunity to testify on behalf of National Institutes for Water Resources (NIWR), in support of the Water Resources Research Act program, a program funded as part of the U.S. Geological Survey's (USGS) budget. I specifically want to thank you for the subcommittee's strong continuing support for the Water Resources Research Act, and request that the subcommittee fund the WRRRA program in fiscal year 2018 at \$9 million.

The Water Resources Research Act, enacted in 1964, is designed to expand and provide more effective coordination of the Nation's water research. The Act establishes water resources research institutes (Institutes) at lead institutions in each State, as well as for Washington D.C., Guam, Puerto Rico, the Virgin Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, and American Samoa.

Congress created the Institutes to fulfill three main objectives:

- Develop, through research, new technology and more efficient methods for resolving local, State, and national water resources challenges;
- Train water scientists and engineers through on-the-job participation in research; and
- Facilitate water research coordination and the application of research results through dissemination of information and technology transfers.

Since 1964, the Water Resources Research Institutes have fulfilled these three objectives in partnership with the U.S. Geological Survey. The Institutes, managed by a director in each State, promote water-related research, education, and technology transfer at the national, State, and local level through grants and sponsored projects. The program is the only federally-mandated research network that focuses on applied water resource research, education, training, and outreach.

The Water Resources Research Institutes program is a State-based network dedicated to solving problems of water quantity (supply) and quality in partnership with universities, local governments, the water industry, non-governmental organizations, and the general public. Each State contributes a minimum of a 2:1 match if non-Federal funds to Federal funds, thus ensuring that local and regional priorities are addressed and the impact of Federal dollars is maximized. The Institutes are a direct, vital link between Federal water interests and needs and the expertise located within the States' research universities.

The Water Resources Research Institutes program also provides a mechanism for ensuring State, regional, and national coordination of water resources research, education of future water professionals, and proper transfer and utilization of results and outcomes. In fact, the Institutes collaborate with 150 State agencies, 180 Federal agencies, and more than 165 local and municipal offices.

For more than five decades, the Institutes, in partnership with USGS, have provided significant research results and services to our Nation and proven successful at bringing new water professionals into the work force. Although these projects primarily focus on State needs, they also address water issues relevant to our Nation. The following are several examples of research conducted by Institutes across the country.

My Institute, the *Virginia Water Resources Research Center (VWRRC)*, is a research unit in the College of Natural Resources and Environment at Virginia Tech. Planning and sustainable management of surface water and groundwater supplies has become a significant issue for Virginia. In 2015, the Virginia General Assembly directed their Joint Legislative Audit and Review Commission to assess accuracy and effectiveness of Virginia's planning and permitting program for sustainable water supply. The VWRRC was contracted by JLARC to form an advisory committee and to conduct research on the State's sustainability model for groundwater in eastern Virginia and for surface water throughout the State. A resultant report produced by the VWRRC in 2016 was used by JLARC to inform the General Assembly of the effectiveness of current efforts to sustainably manage water supplies and to recommend considerations for improvements.

In 2015, Alaska's Sagavanirktok (Sag) River flooded the Dalton Highway, cutting off the only overland passage to the Prudhoe Bay Oilfields for a period of approximately 3 weeks. Following that event, the *University of Alaska Fairbanks Water and Environmental Research Center* has been continuously working with the Department of Transportation and Alyeska Pipeline Services Company to understand Sag River flood dynamics and reduce the risk of highway and/or pipeline damage from future flooding events.

Researchers with the *New Mexico Water Resources Research Institute* developed an innovative desalination technology to remove organic substances and salts from water produced from oil and gas exploration. Water in this system can be potentially recycled in the industrial process making it more cost-effective. The technology also uses bacteria to convert biodegradable pollutants into electricity, which offsets operation energy use or supplies additional energy for other systems for operators.

Researchers at the *Nevada Water Resources Research Institute* are studying issues associated with water reuse—a water supply strategy of particular importance to water-scarce regions. Work includes identifying contaminants, evaluating existing and emerging treatment technologies, assessing potential public health and environmental health impacts, and outreach to the public.

Research being funded through the *Maine Water Resources Research Institute* will help determine what remediation efforts might be required by drinking water utilities in the wake of an increase in the rate and intensity of precipitation events and associated rapid runoff. These extreme events wash organic matter into lakes that can ultimately cause a buildup of organic carbon that can trigger disastrous algal blooms, taste and odor problems, and may form unhealthy by-products. Their work will inform the development of management and adaptation strategies to ensure sustained high water quality.

There are two grant components of the USGS Water Resources Research Institutes program.

The State Water Research Grants provide competitive seed grant funding opportunities for State water institutes for research priorities that focus on State, local, and community water resources problems. The study areas span the spectrum of water supply, water quality, and public policy issues of water management. These seed grants are used to develop future research proposals and secure additional external funding.

The National Competitive Grants program promotes collaboration between the USGS and university scientists in research on significant regional and national

water resources issues and promotes dissemination of results of the research funded under this program.

With our funding and educational services, water-related professionals and researchers provide solutions to the many complex water management challenges we face, including toxicity in urban stormwater runoff, managing aquifer recharge in drought-stricken communities, and monitoring and alleviating human and ecological health impacts associated with water reuse.

Our Nation faces growing challenges in providing water for agriculture, human consumption, industrial use, and natural resource applications. Institutes also use their base grants to help train new scientists, disseminate research results to water managers and the public, and promote intrastate and regional collaboration. The Water Resources Research Institutes serve to build the STEM workforce as we enter a period in which there will be a disproportionate number of retirements in all sectors.

For fiscal year 2018, the National Institutes for Water Resources recommends the subcommittee provide \$9,000,000 to the USGS for the Water Resources Research Institute program. We respectfully submit that, even in times of fiscal challenges, investing in programs at USGS focused on data collection and the reliability and quality of water supplies is critically important to the health, safety, quality of life, and economic vitality of communities across the Nation.

Thank you, on behalf of all the Institute directors, for the opportunity to testify and for the subcommittee's strong support of the Water Resources Research Institutes program.

[This statement was submitted by Dr. Stephen H. Schoenholtz, Director, Virginia Water Resources Research Center.]

PREPARED STATEMENT OF THE NATIONAL OPERA CENTER OF AMERICA
(OPERA AMERICA)

Madam Chairman and distinguished Members of the subcommittee, I am grateful for the opportunity to submit testimony on behalf of OPERA America, its Board of Directors and its more than 2,000 organizational and individual members. We strongly urge the Subcommittee on Interior, Environment, and Related Agencies in the Committee on Appropriations to designate a total of \$155 million to the National Endowment for the Arts (NEA) for fiscal year 2018. This testimony and the funding examples described below are intended to highlight the importance of Federal investment in the arts, so critical to sustaining a vibrant cultural community throughout the country.

The NEA makes it possible for everyone to enjoy and benefit from the performing arts. Before the establishment of the NEA in 1965, funding for the arts was mostly limited to larger cities. The NEA has helped to strengthen regional dance, opera, theater and other artistic disciplines that Americans enjoy. NEA funding provides access to the arts in regions with histories of inaccessibility due to economic or geographic limitations. Not only has every congressional district received direct funding from the NEA, but 40 percent of the NEA's budget is automatically distributed to State arts councils, reaching tens of thousands of audience members and communities across the country.

The NEA envisions a "nation in which every American benefits from arts engagement, and every community recognizes and celebrates its aspirations and achievements through the arts." The agency has helped the arts become accessible to more Americans, which in turn has increased public participation in the arts.

Opera is a continuously growing art form that can address the diverse needs and backgrounds of our communities. New opera companies are being established in communities that have never before had access to live performances. OPERA America's membership includes approximately 160 professional U.S. company members representing 48 States (including DC).

Opera audiences are growing more diverse. From 2008 to 2012, the percentage of African American attendees increased by 59 percent, Hispanic attendance grew by 8.3 percent, and those of other non-white groups grew by 19.4 percent. During this time period, younger audiences have also increased. The 18–24 age bracket grew by 43.2 percent and those in the 25–34 bracket grew by 33.8 percent.

Since 1900, nearly 1,000 new operatic works have been produced by professional opera companies in North America. Of that 1,000, 589 operas premiered between 1995 and 2015. In the 2015–2016 season, 33 North American operas premiered. The growth in number and quality of American opera corresponds directly to the investment of the NEA's earlier investment in the New American Works program of the former Opera-Music Theater Program.

Beyond the opera house, opera companies are finding new and exciting ways to bring the essence of opera to other local theaters and community centers, frequently with new and innovative works that reflect the diverse cultures of the cities they serve. Strong partnerships with local schools extend the civic reach of opera companies as they introduce children to a multi-media art form and discover promising young talent.

The NEA is a great investment in the economic growth of every community. Despite diminished resources, including a budget that is \$17 million less than it was in 2010, the NEA awarded more than 2,400 grants in 2016 in nearly 16,000 communities. These grants nurture the growth and artistic excellence of thousands of arts organizations and artists in every corner of the country. NEA grants also preserve and enhance our Nation's diverse cultural heritage. The modest public investment in the Nation's cultural life results in both new and classic works of art, reaching the residents of all 50 States and in every congressional district.

In 2016, small-sized organizations (organizations with budgets under \$350,000 per year) received 30 percent of the NEA's direct grants and 40 percent of NEA supported activity took place in high poverty neighborhoods.

The return of the Federal Government's small investment in the arts is striking. The Bureau of Economic Analysis (BEA) and the NEA developed an "Arts and Cultural Production Satellite Account" which calculated the arts and culture sector's contributions to the gross domestic product (GDP) at 4.2 percent (or \$729.6 billion) of current-dollar GDP in 2014. Additionally, the nonprofit performing arts industry generates \$135.2 billion annually in economic activity, supports more than 4.13 million full-time equivalent jobs in the arts, and returns \$9.59 billion in Federal taxes (Arts and Economic Prosperity IV, Americans for the Arts). It is estimated that the North American opera industry injects over \$1 billion directly into the economy each year.

On average each NEA grant leverages at \$9 from private and public funds. Few other Federal investments realize such economic benefits, not to mention the intangible benefits that only the arts make possible. The NEA continues to be a beacon for arts organizations across the country.

The return on investments is not only found in dollars. In 2012, 2.2 million people volunteered 210 million hours with arts and cultural organizations, totaling an estimated value of \$5.2 billion—a demonstration that citizens value the arts in their communities.

NEA GRANTS AT WORK

Past NEA funding has directly supported projects in which arts organizations, artists, schools and teachers collaborated to provide opportunities for adults and children to create, perform, and respond to artistic works. NEA funding has also made the art form more widely available in all States, including isolated rural areas and inner cities.

The more than 2,400 grants awarded to nonprofit arts organizations and arts programs supported projects that encourage artistic creativity and bring the arts to millions of Americans.

NEA grants are awarded to opera organizations through its core programs: Art Works; Challenge America Fast Track Grants; and Federal/State Partnerships. In fiscal year 2016, the NEA awarded 66 grants to the opera field through the Art Works category, totaling \$2,133,000.

The Industry
\$12,000
Los Angeles, CA

To support the premiere of a new multidisciplinary opera, "Galileo," by composer Andy Akiho. Adapted from Bertolt Brecht's play, "Life of Galileo," the work will connect Brecht's text to a contemporary aesthetic, exploring new ways of realizing his theatrical theories. To draw out the mythical, promethean strands of the play's themes, the opera will be staged around an enormous bonfire on a stretch of public beach in Santa Monica, near the Santa Monica Mountains National Park. Director Yuval Sharon will create a new version of Brecht's original work which composer Andy Akiho will set to music. The project's multidisciplinary collaborations with a Los Angeles-based theater and dance company will continue the organization's mission of creating new works that honor the origins of the genre while pushing to expand its traditional boundaries.

Opera Theatre of Saint Louis
\$90,000
St. Louis, MO

To support the creation and production of a new performing edition of "The Grapes of Wrath," by composer Ricky Ian Gordon and librettist Michael Korie. Based on John Steinbeck's 1939 novel of the same name, the story follows the Joad family's fight for survival from the Dust Bowl in Oklahoma to California during the Great Depression. The opera premiered in 2007 as a large-scale production that included three acts, nearly 50 featured singers, and a four-hour run-time. The composer and librettist developed a shorter, two-act version that required fewer performers on stage and will be more accessible to a greater number of opera companies for future productions.

Intermountain Opera Bozeman
\$10,000
Bozeman, MT

To support performances of Donizetti's "The Daughter of the Regiment," with related audience engagement activities. Educational and outreach activities include a public workshop, a performance for elementary school students, a class for students at Bozeman High School, a class for adults at Montana State University (MSU), and master classes for MSU vocal students.

Opera Memphis
\$30,000
Memphis, TN

To support 30 Days of Opera. The fifth year of the initiative will be comprised of a month of admission-free opera performances featuring an original children's opera, "pop-up" style opera performances, and masterclasses. Activities will include both structured concerts and educational workshops, as well as collaborative performances with community organizations.

Despite overwhelming support by the American public for spending Federal tax dollars in support of the arts, the NEA has never recovered from a 40 percent budget cut in the mid-nineties, leaving its programs seriously underfunded. The continued bipartisan support for the NEA has continued to support artists and audiences, allowing opera and the arts to address critical issues, making communities healthier and more vibrant. The "Dear Colleague" letter in the U.S. House of Representatives received a record 154 signatures in support of the NEA.

We urge you to continue toward restoration and increase the NEA funding allocation to \$155 million for fiscal year 2018.

On behalf of OPERA America, thank you for considering this request.

[This statement was submitted by Marc A. Scorca, president and CEO, OPERA America.]

PREPARED STATEMENT OF THE NATIONAL PARKS CONSERVATION ASSOCIATION

Chairman Murkowski, Ranking Member Udall and Members of the subcommittee, thank you for the opportunity to submit testimony on behalf of National Parks Conservation Association (NPCA). Founded in 1919, NPCA is the leading national, independent voice for protecting and enhancing America's National Park System for present and future generations. I appreciate the opportunity to provide our views regarding the National Park Service (NPS) fiscal year 2018 budget.

National parks protect America's heritage and deliver robust economic returns of \$10 in economic benefits nationally for every dollar invested in the NPS. The economic value of parks has grown along with visitation so that last year, national parks supported nearly \$35 billion in economic activity and 318,000 jobs. NPCA and other polling indicates the vast popularity of national parks and strong bipartisan support for adequately funding them. And of course they are deeply loved by the American people in part because they protect our cultural and natural heritage.

We acknowledge the tremendous challenge the subcommittee faces in setting thoughtful spending priorities, so we are grateful for your consistent support for national parks. NPCA and our partners in the National Parks Second Century Action Coalition commend your subcommittee for providing needed increases for the National Park Service the last four fiscal years, with a particularly noteworthy increase in fiscal year 2016. This will be helpful for parks to try to keep up with their funding challenges. As they are still behind where they need to be to meet their mission, we urge you to do your best to build on this support as the System enters its next century of service to the American people.

Top three fiscal year 2018 Priorities: NPCA requests appropriated funding for NPS with a focus on these accounts:

1. \$2,535,436,369 for 'Operation of the National Park System'
2. \$303,089,287 for 'National Parks Construction'
3. \$30,000,000 for 'National Park Partnerships'/Centennial Challenge

These amounts represent a similar increase as that enacted for the system's centennial year.

However, we must note there are other programs critical to NPCA. My testimony outlines these and several other issues:

- The Budget Control Act and need for another budget deal;
- Park operations and construction funding and their connection to the maintenance backlog;
- The Centennial Challenge program;
- The Land and Water Conservation Fund and Historic Preservation Fund;
- National Heritage Areas;
- The Federal Lands Recreation Enhancement Act;
- Policy riders;
- And the administration's workforce reduction effort.

Budget Control Act (BCA) and budget process: We've been dismayed to see the many challenges to the budget and appropriations process in recent years, and the threat and harm they have brought to national parks. We were deeply discouraged in fiscal year 2013 when the BCA, due to the failure of the Joint Select Committee on Deficit Reduction to identify offsets, mandated sequester cuts that were so damaging to national park operations that they resulted in shuttered facilities and thousands of ranger positions going unfilled. We were consequently pleased with the 2-year budget deals that have provided needed relief from that indiscriminate and damaging instrument with spending levels that are already austere absent the sequester.

One of our largest concerns now is the need for another budget deal to prevent the sequester, and we urge the committee to work with your colleagues to ensure a deal. We are urging Congress to reach such a deal as a central component of our fiscal year 2018 advocacy.

The President's fiscal year 2018 budget: Not helpful to fiscal year 2018 is the extraordinarily damaging president's budget, which if enacted would be the largest cut to the park service since WWII. It seeks to cut more than 1,200 staff (FTEs), cut park operations by 8 percent, reduce deferred maintenance funding despite claims to the contrary, and much more. The deep cut to EPA threatens the health of park air and waters. We urge the subcommittee to wholeheartedly reject that deeply flawed proposal.

The Interior allocation: NPCA believes the allocation provided to the subcommittee in recent years has been insufficient and emblematic of the austere constraints on domestic discretionary investments. In part to address this concern, we continue to urge legislation to address the dysfunctional system of catastrophic wildfire funding that burdens the Interior allocation. We support a clean fire funding fix, a bipartisan solution that would 1) access disaster funding, 2) minimize transfers, and 3) address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier conditions.

Further, we feel that the Interior subcommittee allocation is unlikely to ever be sufficient to meet the full needs of the Land and Water Conservation Fund (LWCF), the National Park System backlog, or the Payments in Lieu of Taxes (PILT) and Secure Rural Schools (SRS) programs, all of which should receive mandatory funding support outside of the Interior bill.

Park operations and the maintenance backlog: The subcommittee's recent increases for maintenance accounts will be very helpful for national parks—but we regret to acknowledge that more is needed. After adjusting for inflation, fiscal year 2017 levels for park operations is still \$96 million, or 4 percent below levels in fiscal year 2010, when NPCA analysis indicated an annual operations shortfall of approximately a half billion dollars. Many parks remain understaffed: between fiscal year 2010 and fiscal year 2016, FTEs for the park service were reduced by 2,515 FTEs—an 11.3 percent reduction in staff (from fiscal year 2018 NPS budget justifications). As you know, these losses can be damaging, with impacts such as less day-to-day maintenance, less scientific inventory and monitoring, reduced hours or even closed public facilities, fewer visitor programs, and other challenges to parks fulfilling their mission. The challenge is compounded by a 13 percent increase in visitation over the last 2 years, with some parks struggling with much more than that average.

Support for our request would help address the \$11.3 billion deferred maintenance backlog. The backlog continues to threaten the protection of nationally significant resources and, eventually the experience of visitors. Recent increases have been helpful but are still insufficient to meet the need. While the backlog is one of our highest funding priorities, we do not want a focus on the backlog to cause other needed work to fall further behind; therefore, we respectfully request broad investments in park operations to address cyclic maintenance and repair and rehabilitation, but also, importantly, the many operating needs beyond maintenance.

Construction and the backlog: The NPS construction account is a principal mechanism for addressing major repair needs, yet even after the fiscal year 2016 increase in that account, it remains \$286 million, or 58 percent below levels of 15 years ago after adjusting for inflation. This is why the requested increase for this account is so important to address needed projects throughout the park system.

Dedicated backlog funding: We respect that it can be very difficult to identify budgetary offsets for mandatory programs, yet urge Congress to recognize that a more realistic long-term solution is needed to address the maintenance backlog. Under current allocations established by the BCA, it is difficult to see how this subcommittee will be able to address even the highest priority non-transportation facilities' needs. We were grateful for the recent opportunity to testify to the House Natural Resources Committee on this issue on March 16th, 2017 and recommend review of NPCA's testimony submitted for that hearing.

We are heartened at the bipartisan introduction of the National Park Service Legacy Act, S. 751 and H.R. 2584. We're grateful of the support of several Interior appropriators for those bills. We urge the members of the committee to cosponsor the bill and work with other members of Congress and the administration to ensure its passage as a standalone bill or as a component of a larger infrastructure package or other appropriate bill.

Centennial Challenge: We commend this subcommittee for restoring the Centennial Challenge program in fiscal year 2015, and for the increases for the program in fiscal year 2016 and 2017. This support has leveraged more than two dollars for every dollar invested for signature projects across the National Park System that enhance the visiting experience. Many more philanthropic opportunities await, so we hope the subcommittee can support the request for an increase in this exciting program that enjoys strong bipartisan support. We commend Congress for passage of the Centennial Act in the last Congress to dedicate funding to that program and to a newly established endowment. Given the extraordinary philanthropic interest in the program, sustained or increased appropriations would help leverage additional philanthropic dollars—a wise investment. We understand the intent of the committee in the fiscal year 2018 omnibus report in directing Centennial Challenge dollars to focus on deferred maintenance. While we commend you on the increase and concur that maintenance is a pressing need as outlined above, we fear this could have the effect of competing with investments in the many philanthropic-driven projects that improve the visiting experience in other ways beyond maintenance.

Land and Water Conservation Fund (LWCF): The acquisition of inholdings is directly related to better managing the places in which our nation already has made a significant investment. Thus we urge support for the NPS Federal land acquisition and management portion of LWCF, a critical tool for protecting our national parks. We were pleased the fiscal year 2016 omnibus included better funding for the LWCF program and a 3-year reauthorization. However, we were also disappointed to see a cut to LWCF in fiscal year 2017, leaving insufficient funds for several proposed projects. We urge the subcommittee to reject the president's draconian request for this account and restore appropriated funding. Additionally, we request support for permanent reauthorization of the program through support for H.R. 502, which now has more than 160 bipartisan cosponsors.

Historic Preservation Fund (HPF): The HPF provides the primary source of funding for State Historic and Tribal Historic Preservation Offices in all 50 States. The HPF also supports the Historic Tax Credit program, responsible for the rehabilitation of over 40,000 buildings, the creation of 2.5 million jobs and the leveraging of \$117 billion in private investments in historic preservation projects. We commend the committee on the increase for the fund in fiscal year 2017 to \$81 million and request continued support for the program at that level.

National Heritage Areas (NHAs): NPCA is a strong supporter of the National Heritage Area program. The 49 existing NHAs have generated \$12 billion in economic activity and \$1.2 billion in tax revenues, and generated over 900,000 volunteer service hours. This mighty program with a modest budget (\$19.8 million in fiscal year 2017) deserves support from both Congress and the president. Furthermore, support for H.R. 1002 would establish a program structure and provide uniform standards for designating, funding and assessing all NHAs.

Federal Lands Recreation Enhancement Act (FLREA): We appreciate this subcommittee has supported short-term extensions of FLREA. Reauthorization is critical for NPS to retain needed fee revenue. As NPCA continues to support a long-term reauthorization of FLREA with the respective authorizing committees, we ask the subcommittee to continue support for annual extensions.

Policy Riders: Efforts to attach environmentally damaging policy riders only further threatens the appropriations process, so we were grateful that the final fiscal year 2017 bill was largely free of the many proposed riders that would have threatened parks, their ecosystems, and the health of visitors and wildlife within them. We urge continued rejection of efforts to attach damaging riders.

The Administration's Workforce Reduction Effort: We are deeply concerned about the administration's effort to reduce the size of the Federal workforce as it relates to the park service and the agencies that support it, particularly EPA, which ensures the health of park water and air. As noted earlier, parks are already understaffed. We are concerned not only about the potential for this process to further reduce park service staff but also to eliminate or merge important programs and offices. We ask the committee to monitor this exercise and remind the administration that these actions are within your jurisdiction. One option for such a statement would be through report language similar to that provided in the Agriculture section of the fiscal year 2017 omnibus report.

In conclusion: NPCA has emphasized to this subcommittee over the years the importance of providing more adequate funding for America's treasures. As the subcommittee has acknowledged, the National Park Service and System are deeply popular with the American public and are important for local economies. As we emphasize the importance of providing staff to serve record numbers of visitors, and staff and resources to address the repairs backlog, we should not forget the profound importance of park sites in preserving and interpreting our natural and cultural heritage—a heritage that defines America's very identity. This subcommittee has recognized these places as priorities; we again commend you for supporting their needs and urge your continuing support.

This subcommittee and its House counterpart have also emphasized the importance of a sustainable funding model for NPS. As you know, NPCA has long explored concepts that supplement but do not supplant the Federal responsibility to appropriate funding for our nation's parks. In this spirit, we again urge cosponsorship of the maintenance backlog legislation, S. 751.

Again, respectfully recognizing what we expect will be another constrained allocation, we urge you to provide the best funding level possible for NPS to help the agency recover from underfunding.

Thank you for the opportunity to testify.

[This statement was submitted by John Garder, Director of Budget and Appropriations.]

PREPARED STATEMENT OF THE NATIONAL RECREATION AND PARK ASSOCIATION

Thank you Chairwoman Murkowski, Senator Udall, and other honorable Members of the subcommittee for the opportunity to submit written testimony pertaining to funding for the Land and Water Conservation Fund's (LWCF) State Assistance Program and in the fiscal year 2018 Interior Appropriations bill.

Overview of Funding Request:

As outlined below, we encourage you to renew the Federal investment in the LWCF. However, given that the purpose of the Act is to help preserve, develop, and assure access to outdoor recreation facilities to strengthen the health of U.S. citizens, we urge you to make a greater investment in States and local communities by:

- Allocating a minimum of 40 percent of fiscal year 2018 LWCF appropriations to the State Assistance Program;
- If not at least 40 percent overall, than a minimum of \$110 million in overall funding for the State Assistance Program, which is consistent with the amount appropriated for fiscal year 2017;
- Continuing the innovative, "Outdoor Recreation Legacy Partnership" (ORLP) competitive grant program in the amount of \$12 million; and,
- Find a permanent solution to fully fund the LWCF at its authorized amount of \$900 million, again, with a minimum of 40 percent of annual funding allocated to the State Assistance Program.

About the National Recreation and Park Association:

The National Recreation and Park Association (NRPA), is a nonprofit organization dedicated to the advancement of public parks, recreation and conservation efforts nationwide. Our members touch the lives of every American in every community every day. Through our network of more than 50,000 professional members and advocates we represent park and recreation departments in cities, counties, townships, special park districts, and regional park authorities, along with citizens concerned with ensuring close-to-home access to parks and recreation opportunities exist in their communities. Everything we support and do leverages their role in conservation, health and wellness, and social equity to improve the communities in which they work, play and live.

40 Percent Allocation of Total LWCF Appropriations to the State Assistance Program:

The LWCF State Assistance Program provides dollar-for-dollar matching grants to States and local communities for the construction of outdoor recreation projects. The land purchased with LWCF State Assistance funding remains the property of the State or local government, and the resources developed through the LWCF remain publicly accessible in perpetuity.

The LWCF provides numerous benefits to local communities across America, and it does so through a dedicated funding source—namely oil and gas leasing revenues from the Outer Continental Shelf (OCS). The Bureau of Ocean Energy Management (BOEM) anticipates that a minimum of \$4 billion will be generated from these leases in 2017 alone, with only a small fraction (approximately 10 percent using final fiscal year 2017 funding levels) provided overall to the LWCF. Unfortunately an even more miniscule amount is provided to the State Assistance Program. This is in large part due to the fact that current law mandates that a minimum of 40 percent of the total LWCF annual appropriations must be provided to the Federal land acquisition program without specifying an amount for the State Assistance Program. As a result, States and local communities have historically received a very disproportionate share of the total LWCF appropriations, with less than 15 percent of total LWCF funding going to the State Assistance Program since 1998.

With this as background, we thank you very much for your efforts in fiscal year 2016, which led to the highest total appropriation for LWCF in years. You also realized that a higher percentage of overall LWCF dollars should be allocated to the States for the purpose of meeting the ever increasing need for safe and accessible close-to-home recreation. The \$110 million for State Assistance in fiscal year 2016 represents approximately one-quarter of overall LWCF appropriations for the year.

For fiscal year 2017, while the overall appropriation for LWCF was reduced compared to the previous year, we're grateful that the State Assistance Program was maintained at the same \$110 million total amount.

While this amount signifies a major improvement over the long-term average of, again, less than 15 percent of total LWCF spending, we call upon the subcommittee to seek a permanent solution to funding the LWCF at its authorized amount of \$900 million, with the State and Local Assistance Program receiving at least 40 percent of overall LWCF expenditures each year. With four-out-of-five Americans now living in our larger communities, and the fact the original LWCF Act called for 60 percent to State Assistance, it's reasonable that the formula grants to the States for outdoor recreation should receive a more equitable distribution of LWCF dollars annually.

We agree on the importance of preserving and providing access to our national treasures for all to enjoy—and congratulate and recognize the National Park Service as it enters its second century. However, we'd like to remind you that many treasured public areas are NOT located on Federal property.

For the reasons outlined below, we are asking you to empower States and local communities to do more to preserve, develop, and assure access to outdoor recreation facilities to strengthen our Nation by allocating 40 percent of total LWCF appropriations to the State Assistance Program in fiscal year 2018.

LWCF State Assistance's Return on Investment and Return on Objective:

One of the key aspects of the LWCF State Assistance Program is the ability to create jobs. The outdoor recreation industry, as such is supported by LWCF State Assistance, is an economic powerhouse in the United States. According to the Outdoor Industry Association, the industry generates \$887 billion in consumer spending and supports over 7 million jobs annually.¹ In fact, our own research has determined that America's local and regional public park agencies generated nearly \$140

¹ Outdoor Industry Association, "The Outdoor Recreation Economy Report 2017".

billion in economic activity and supported nearly 1 million jobs from their operations and capital spending alone in 2013.²

Considering there are 7,800 State and over 100,000 locally managed parks throughout the country, it is obvious that outdoor recreation is most prevalent at the State and local level, and it is the LWCF State Assistance Program which serves as the catalyst for so many of the places, spaces, and opportunities for outdoor recreation which stimulates the outdoor economy.

When viewed through the lens of the importance of the American outdoor recreation industry, the LWCF State Assistance Program has, for more than four decades, achieved a proven return on investment (ROI) demonstrated by the fact that \$4 billion in Federal support has been matched and leveraged to provide more than \$8 billion in total public investment. But the benefits of this program, don't stop there, as the State Assistance Program has not only provided a ROI, but has also done a tremendous job of providing an outstanding "return on objective" for the American taxpayer by ensuring access for all to nearby public spaces, in perpetuity.

Not everyone has the ability to visit one of our treasured national parks, and even those who do so are unable to on a regular basis. Their visits are often destination vacations or once-in-a-lifetime trips. To the average American, however, the neighborhood park—down the street, open and accessible to the public, and without an admission fee—is the most important public space in their lives. The State Assistance Program has played a critical role in the creation of these important places, with more than 40,400 grant projects covering nearly every county across America.

The LWCF State Assistance Program is dedicated to ensuring that Americans have access to close-to-home public recreation opportunities. It is a means by which the subcommittee can provide investment to critically important local park infrastructure, including: a new soccer field at Sisterhood Park in Anchorage, Alaska; enhancements at Bluewater Lake State Park near Perwitt, New Mexico; and an accessible playground at Fall Creek Falls State Park in Spencer, Tennessee. Each of the aforementioned communities benefited from State Assistance grant funding since 2013.

LWCF State Assistance Provides Health and Environmental Benefits:

In addition to creating jobs and ensuring access for all, the LWCF State Assistance Program delivers tangible health benefits, contributing to the physical, mental and overall social health and well-being of Americans. The CDC reports obesity is now a leading cause of chronic disease and identifies increased access to parks, green space, and recreation opportunities is essential to becoming a healthier Nation and reducing unsustainable healthcare costs.

The LWCF State Assistance Program also significantly contributes to protecting the environment and promoting environmental stewardship. LWCF State Assistance projects have a historical record of contributing to reduced and delayed storm water runoff volumes, enhanced groundwater recharge, storm water pollutant reductions, reduced sewer overflow events, increased carbon sequestration, urban heat island mitigation and reduced energy demands, resulting in improved air quality, increased wildlife habitat, and increased land values on the local level.

Maintaining The Outdoor Recreation Legacy Partnership Competitive Grant Program:

While the LWCF has indeed benefited virtually every community in the country, many of our Nation's cities and urbanized counties face distinct challenges that require additional resources. Recognizing this fact as well as the importance of public parks and recreation to larger urban renewal and community development efforts, Congress established the Urban Parks and Recreation Recovery Program (UPARR) to provide matching grants directly to localities in metropolitan areas. Over the course of two decades UPARR provided \$272 million for nearly 1,500 projects in 380 communities. This enabled neighborhoods across the country to restore both outdoor and indoor recreation facilities; support innovative recreational programming and enhance delivery of services and programs that provided constructive alternatives to at-risk youth. Despite its successes, UPARR has not been funded since fiscal year 2002, yet many of the urban open space and recreation challenges still exist today.

With UPARR now dormant for over a decade, we appreciate greatly your recognition for the need to target some State Assistance dollars to assist our most underserved, urban communities. Your support has led to the development of what is now known as the Outdoor Recreation Legacy Partnership (ORLP) program. This national competitive grant program complements the traditional State Assistance formula grants program by focusing on national priorities, specifically helping urban

²NRPA, "The Economic Impact of Local Parks" published 2015.

communities to acquire or develop land to create or reinvigorate public parks and other outdoor recreation spaces in ways that significantly improve local communities and encourage people to connect (or re-connect) with the outdoors.

NRPA is pleased to have worked with NPS to help develop the pilot for this initiative and believes it will prove successful in highlighting the innovative projects and partnerships the State Assistance Program provides across America. This year, NPS intends to award as many as 40 ORLP grants to support the revitalization and protection of close-to-home parks and recreation opportunities in underserved areas.

We ask that you maintain funding for the ORLP at \$12 million for fiscal year 2018. Also, as this program is included as part of the overall funding for the State Assistance Program, we ask the subcommittee to ensure that any continued funding for the ORLP does not negatively impact the total amount provided to the critical formula grants to the States for conservation and outdoor recreation.

Madam Chair and Members of the subcommittee, few programs can address so many national priorities as effectively as the LWCF State Assistance Program. This subcommittee and Congress have the rare opportunity to achieve national goals, all without costing the individual American taxpayer a penny, and can do so by adopting three simple recommendations: Allocate a minimum of 40 percent of total LWCF funding to the State Assistance Program; and continue the innovative ORLP grant program to help address the need for improved recreational infrastructure in larger metropolitan communities. Finally, we call upon the subcommittee to find a permanent solution for fully funding the LWCF with a minimum of 40 percent of annual support going to the State Assistance Program.

Thank you again for the opportunity to share NRPA's recommendations and your consideration of our request.

[This statement was submitted by Kevin O'Hara, Vice President for Urban and Government Affairs.]

PREPARED STATEMENT OF THE NATIONAL TRIBAL CONTRACT SUPPORT COST
COALITION

This testimony is offered on behalf of the National Tribal Contract Support Cost Coalition. The Coalition is comprised of 21 Tribes and Tribal organizations situated in 11 States. Collectively, they operate contracts to administer almost \$500 million in Indian Health Service (IHS) and Bureau of Indian Affairs (BIA) programs on behalf of over 250 Native American Tribes.¹ The Coalition was created to assure that the Federal Government honors the United States' contractual obligation to add full contract support cost funding to every contract and compact awarded under the Indian Self-Determination and Education Assistance Act. Our Counsel litigated the Supreme Court *Cherokee* and *Arctic Slope* cases against the Indian Health Service, and co-litigated the *Ramah* class action case against the Bureau of Indian Affairs, all of which held that IHS and BIA contracts with Indian Tribes are true, binding contracts which must be paid in full no less than any other government contract.

Over the past year, both IHS and BIA have worked closely with Tribes and Tribal organizations on finalizing and publishing new CSC policies setting forth internal guidelines for calculating and reconciling CSC payments. Many Tribes across the country submitted comments, and some are reflected in the final results. In this respect, Tribal consultation worked, and both agencies are to be applauded for their inclusive processes. But the agencies' results differ substantially, and it is on this difference that we wish to focus, especially the unnecessarily restrictive and complex approach taken by IHS.

On the one hand, you have the BIA Manual revisions. The Coalition applauds the BIA approach, which genuinely embraced the Committee's instructions to be simple and straightforward, and to streamline the process for determining and reconciling contract support cost requirements. Tribes and agency personnel, alike, can easily understand the BIA's new policy, and the BIA's simple approach will lead to accu-

¹ The NTSCSC is comprised of the: Alaska Native Tribal Health Consortium (Alaska), Arctic Slope Native Association (Alaska), Central Council of Tlingit & Haida Indian Tribes (Alaska), Cherokee Nation (Oklahoma), Chickasaw Nation, Chippewa Cree Tribe of the Rocky Boy's Reservation (Montana), Choctaw Nation (Oklahoma), Confederated Salish and Kootenai Tribes (Montana), Copper River Native Association (Alaska), Forest County Potawatomi Community (Wisconsin), Kodiak Area Native Association (Alaska), Little River Band of Ottawa Indians (Michigan), Pueblo of Zuni (New Mexico), Riverside-San Bernardino County Indian Health (California), Shoshone-Bannock Tribes (Idaho), Shoshone-Paiute Tribes (Idaho, Nevada), Southeast Alaska Regional Health Consortium (Alaska), Spirit Lake Tribe (North Dakota), Tanana Chiefs Conference (Alaska), Yukon-Kuskokwim Health Corporation (Alaska), and Northwest Portland Area Indian Health Board (43 Tribes in Idaho, Washington, Oregon).

rate CSC estimates over time. It also does not require extensive training, and therefore has already led to improved agency business practices.

On the other hand, you have the IHS. While IHS deserves genuine praise for consulting extensively with Tribes beginning last spring, the ultimate result was both complex and controversial. Despite compromises reached with Tribes on most issues, the agency's adherence to certain legal positions that the Office of General Counsel prefers to litigate left two large issues in dispute. As a result, the new IHS policy adopts the agency's position on the "duplication" and "allocation" issues, and notes the Tribal position in footnotes. IHS's intransigence on these issues has left their resolution to the courts, and there are now at least three ongoing cases against IHS involving one or both of these issues.²

The final IHS policy also remains terribly over-complicated: not only does it refer to the statute instead of explaining key concepts in plain language, but it also contains several complex calculations, requires Tribes to submit additional documentation to the agency each year, and necessitates two separate CSC negotiation processes each year. Indeed, the policy is so complicated that the agency has only one staff person across the entire country that can answer policy questions and guide the agency's interpretation of its new policy. This person is currently serving a dual role as an Acting Director at Headquarters, further delaying decisions and complicating negotiations for individual Tribes. The agency's approach to training on the new policy is quite telling—instead of partnering with Tribes that asked to be involved in any agency training programs, the agency instead developed and released a series of YouTube videos that completely ignore the Tribal position on the "duplication" and "allocation" issues.

The policy is so complicated that IHS personnel have been unable to get a firm grasp on CSC calculations. We understand that in 2017, IHS misstated the total CSC requirement across Indian country by over \$90 million. We believe the actual total CSC need for IHS in 2017 is around \$703 million, not the \$800 million included in the President's budget for that year and defended by IHS throughout 2016. We believe the total CSC need in fiscal year 2018 will be about \$725 million, still far below the agency's prior estimate.³ Clearly, the agency's failure to simplify the CSC calculation process is impacting IHS, too.

IHS's overly complex CSC policy isn't just impacting CSC calculations and estimates; it is also overly complicating what IHS calls the post-year reconciliation process. Since the adoption of the updated policy, IHS has gone back to Tribes to "reconcile" CSC calculations for 2014, 2015 and 2016. In some instances IHS is demanding that Tribes repay millions of dollars—including dollars that were spent years ago—while other Tribes are still waiting to be paid the full CSC they were promised as much as 3 years ago. If the new policy remains unchanged, IHS must do a better job of committing the necessary staff to work with Tribes to perform these calculations on a timely basis and to resolve matters quickly.

In sum, while both agencies have made real progress in improving their management of their CSC accounts, we respectfully urge the subcommittee to repeat its instructions to IHS to further simplify its calculation and reconciliation processes, and to instruct the agencies not to seek to reduce Tribal contract support cost entitlements.

To further simplify and streamline contracting activities, we also respectfully suggest that the subcommittee urge the agencies to explore using multi-year arrangements for fixed rates or fixed lump-sum amounts subject to inflationary adjustments.

We also respectfully suggest that the subcommittee remind both agencies to interpret and apply the Act's CSC provisions liberally in favor of the Tribes. After all, that is the law, both as stated in section 108 of the Indian Self-Determination Act and in two Supreme Court decisions.

On another note, we thank the subcommittee for removing the "notwithstanding" clause from the 2017 appropriation addressing certain earmarked funds, including substance abuse and suicide prevention initiative (SASP) funds and domestic violence prevention initiative (DVPI) funds. Between 2008 and 2012, IHS agreed to award these funds through Self-Determination Act agreements, and to calculate contract support cost requirements on those funds. But starting in 2012 IHS reversed course, refusing to calculate CSC requirements and demanding that these funds be

²In one case, the Federal district court last September ruled in favor of the Tribal position on both issues. IHS's reaction was unfortunate: instead of revising the CSC policy accordingly, IHS declared it will appeal the decision to the Tenth Circuit Court of Appeals.

³We caution that our own estimate for 2018 will vary depending on where this Committee decides to make increases, since most CSC calculations are a function of the size of the IHS programs the Tribes administer.

awarded through separate grant instruments. This change caused Tribes to cut vital program operations to fund the administrative costs of these programs, including for grant administrators, while adding extraordinary complexity through the parallel grant funding and reporting process. Nationwide, IHS's change in position reduced behavioral health program funding amounts by 25 percent.

IHS relied on the old "notwithstanding" clause to force Tribes into grant instruments and to dodge the Indian Self-Determination Act's mandate to add contract support costs to these program funds. We hope that in 2017 and beyond, the elimination of that clause will lead IHS to return to its former pre-2012 practice. We respectfully suggest that the subcommittee ask IHS to report on its progress in eliminating the grant funding mechanism and in adding contract support costs to administer these precious funds.

The National Tribal Contract Support Cost Coalition thanks the subcommittee for this opportunity to testify.

PREPARED STATEMENT OF THE NATIONAL TRUST FOR HISTORIC PRESERVATION

Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee, I appreciate this opportunity to present the National Trust for Historic Preservation's recommendations for fiscal year 2018 appropriations. My name is Tom Cassidy and I am the Vice President of Government Relations and Policy. The National Trust is a privately-funded nonprofit organization chartered by Congress in 1949. We work to save America's historic places to enrich our future.

The Nation faces a challenging fiscal environment. The National Trust recognizes there is a need for fiscal restraint and cost-effective Federal investments. However, funding levels proposed in the administration's budget request threaten to sharply curtail the ability of Federal agencies to fulfill their responsibilities to manage preservation, conservation and recreation programs on Federal lands. We look forward to working with this subcommittee as you address the ongoing needs for investments to sustain our Nation's rich heritage of cultural and historic resources that generate lasting economic and civic vitality for communities throughout the Nation.

National Park Service: Historic Preservation Fund. The Historic Preservation Fund (HPF) is the principal source of funding to implement the Nation's historic preservation programs. The Committees have done remarkable work to provide strong funding levels to further the purposes of the Historic Preservation Fund in recent years, and we look forward to working with you to continue this progress. We urge you to reject the administration's proposed cut of \$29.8 million from the HPF. This would result in the lowest funding level for SHPOs since 2009 and the lowest funding level for THPOs since 2011, when there were 118 THPOs compared to approximately 175 today. In addition, the elimination of four separate competitive grant programs funded last year would result in a sharp decrease in the delivery of preservation services and projects throughout the Nation.

We support maintaining at least the fiscal year 2017 enacted level of \$80.91 million for the Historic Preservation Fund, including a minimum of \$47.9 million for State Historic Preservation Officers (SHPOs) and \$10.4 million for Tribal Historic Preservation Officers (THPOs). We also urge you to maintain at least level funding of \$13 million for competitive grants to preserve the sites and stories of the Civil Rights movement, \$4 million for grants to Historically Black Colleges and Universities, and continue to fund \$500,000 for the successful competitive grants program for the survey and nomination of properties associated with communities currently underrepresented in the National Register of Historic Places and National Historic Landmarks. Recent studies have documented that less than 8 percent of such listings identify culturally diverse properties. We also support continuation of the Save America's Treasures program, which received \$5 million in fiscal year 2017.

The National Park Service distributes HPF grants that are matched by State Historic Preservation Offices (SHPOs) and Tribal Historic Preservation Offices (THPOs). Inadequate HPF funding limits support for preservation activities such as survey, nomination of properties to the National Register of Historic Places, public education, project review required by the National Historic Preservation Act and for the Federal Historic Rehabilitation Tax Credit (HTC). The HTC is the largest Federal investment in historic preservation. It has catalyzed rehabilitation of more than 42,250 buildings. Since its creation more than 30 years ago, the HTC has created more than 2.4 million jobs and leveraged more than \$131 billion in private investment.

National Park Service: Operation of the National Park System. The National Park Service (NPS) is responsible for 413 units of the National Park System ranging from the battlefields where our ancestors fought and died to recent additions like the Bir-

mingham Civil Rights National Monument and the Reconstruction Era National Monument. Over the past 20 years, more than 40 new parks have been added to the park system, many of which preserve historic places and themes that have been underrepresented within the system. We strongly oppose the President's proposed budget cuts for National Park Service Operations. The administration's request of \$2.225 billion—a cut of nearly \$200 million from fiscal year 2017—would result in decreased stewardship of historic and cultural resources and reductions in visitor services at a time when our national parks are more popular than ever. We encourage the subcommittee to provide at least level funding from fiscal year 2017 of \$2.45 billion.

National Park Service: Deferred Maintenance. The National Park Service is responsible for maintaining a system comprised of more than 84 million acres that tells the stories of remarkable people and events in our country's history. Unfortunately, after 100 years of operation and inconsistent public funding, the National Park System faces a deferred maintenance backlog estimated at almost \$12 billion, of which 47 percent is attributed to historic assets. Deferred maintenance in our national parks puts historic and cultural sites at risk of permanent damage or loss, and in the absence of funding, the condition of these assets will continue to deteriorate and become more expensive to repair and preserve in the future.

—*Construction.* We concur with the recommendation in the President's budget blueprint "that the National Park Service assets are preserved for future generations by increasing investment in deferred maintenance projects." Similarly, we support the administration's budget request for a \$7.2 million increase over fiscal year 2017 enacted for the Line Item Construction program, which addresses the deferred maintenance for the NPS' highest priority non-transportation assets with projects larger than \$1 million.

—*Repair and Rehabilitation; Cyclic Maintenance.* We strongly oppose the administration's proposed reductions for Repair and Rehabilitation and Cyclic Maintenance. These investments support a service-wide deferred maintenance strategy that directs funds to high priority mission critical and mission dependent assets required to maintain historic structures and that are essential to abate the continued growth of the deferred maintenance backlog. After years of level funding or modest increases for both Repair and Rehabilitation and Cyclic Maintenance, we were pleased to see increases for fiscal year 2016 and fiscal year 2017 and thank the Committee for its commitment to addressing the deferred maintenance backlog. Additional investments will contribute to the successful preservation of historic sites and other resources in the National Park System.

Finally, we strongly support the creation of a reliable, dedicated Federal funding source distinct from annual appropriations to address the deferred maintenance backlog, as outlined in bipartisan legislation introduced (S. 751/H.R. 2584) in the Senate and House.

National Park Service: Leasing Historic Structures in National Parks. We appreciate the Committees' strong support of expanded use of historic leasing authorities by the NPS. We look forward to working with the subcommittee and the Service as it completes the report called for in last year's Omnibus.

National Park Service: National Heritage Areas. We recommend funding for the Heritage Partnership Program and our National Heritage Areas (NHAs) at the fiscal year 2017 enacted level of \$19.8 million. The administration's proposal to eliminate NHA funding would severely impair the sustainability of the program and render many NHAs unable to function.

National Park Service: Philanthropy and Partnerships. The National Trust supports the Centennial Challenge, which provides Federal funding to match donations for signature National Park Service projects and programs, and urge the Committee to consider funding this initiative at least at the fiscal year 2017 enacted level. This funding will allow the NPS to leverage private contributions to enhance visitor services and improve cultural and natural resources across the parks in the Service.

As part of our commitment to assist the NPS reduce the maintenance backlog of historic properties, the National Trust launched the HOPE (Hands-On Preservation Experience) Crew initiative in 2014 to train young adults in preservation skills while helping protect and restore historic sites. Youth and veterans are trained in the preservation skills necessary to perform preservation work in the parks and other Federal lands through a cooperative agreement between the NPS, other Federal land management agencies, and several NGOs including the Student Conservation Association and The Corps Network. Since 2014, HOPE Crew has trained over 600 young people and veterans at 100 projects nationwide, resulting in 80,000 hours and \$14.3 million in preservation work to protect places that are significant to their communities, including rehabilitating structures at Martin Luther King, Jr. National Historic Site, Little Big Horn Battlefield National Monument, Golden Gate

National Recreation Area, and Shenandoah National Park. Projects like these help reduce the maintenance backlog while providing job skills and education for the next generation of stewards of America's most important historic sites.

Bureau of Land Management: Cultural Resources Management. The cultural resources program funds National Historic Preservation Act (NHPA) Section 106 review of 13,000 land-use proposals each year, compliance with the Native American Graves Protection and Repatriation Act and Government-to-Government consultation with Indian Tribes and Alaska Native Governments. We recommend \$17.3 million, a modest increase of \$1.2 million above the fiscal year 2017 enacted level. This account has been level funded for years. Increased funding is necessary to fulfill BLM's statutory requirements for Section 106 reviews of land use proposals and NHPA's Section 110 requirements for inventory and protection cultural resources. The increase would support surveys of sensitive areas, site protection and stabilization projects for sites vulnerable to unauthorized activities and damage due to fire, erosion and changing water levels. Funding would also support updated predictive modeling and data analysis to enhance the BLM's ability to address large-scale, cross-jurisdictional land-use projects.

The BLM oversees the largest, most diverse and scientifically important collection of historic and cultural resources on our Nation's public lands, as well as the museum collections and data associated with them. Since fiscal year 2003, the cultural resources program has lost 19 FTEs while the demand for Section 106 compliance has remained even or increased. The loss of personnel has diminished the BLM's ability to review land proposals like transmission lines, energy development and recreation permits. The administration's proposed overall reduction of 1,062 FTE from BLM would sharply erode the agency's capacity to fulfill its mission and responsibilities. We urge the Committee to reject this proposed dramatic reduction in staffing.

Bureau of Land Management: National Landscape Conservation System. The BLM's National Landscape Conservation System (National Conservation Lands) includes 36 million acres of congressionally and presidentially designated lands, including National Monuments, National Conservation Areas, Wilderness, Wilderness Study Areas, National Scenic and Historic Trails, and Wild and Scenic Rivers. We encourage the Committee to provide \$50.6 million to the base program for the National Landscape Conservation System, an increase of \$13.8 million above the fiscal year 2017 enacted level. The increase in base funding will prevent critical damage to the resources found in these areas, ensure proper management and provide for a quality visitor experience. This funding level would enable BLM to hire essential management and law enforcement staff, monitor and protect natural and cultural resources, close unauthorized routes that damage fragile cultural sites and undertake needed ecosystem and species restoration projects. We also support maintaining funding for wilderness management of at least \$18.2 million and providing level funding of \$779,000 for national monument management on Oregon and California Grant Lands. We urge you to reject the administration's proposed cuts to these programs, which would result in reduced visitor services, decreased maintenance and care of trails, and fewer educational and interpretive resources.

As the Nation's newest system of protected lands, the National Conservation Lands encompass some of our country's most significant historic and cultural resources, yet the BLM's ability to steward these resources is undermined by insufficient funding. The National Conservation Lands are just one-tenth of BLM managed lands but they host one-third of all BLM's visitors. Without sufficient funding, the BLM struggles to complete essential resource protection, such as signing trails, inventorying and protecting cultural sites from looting and vandalism.

Department-Wide: Land and Water Conservation Fund. The National Trust supports robust funding for the Land and Water Conservation Fund (LWCF), and we urge the Committee to reject the drastic cut proposed for the program in the administration's budget request. We encourage the Committee to restore funding to the fiscal year 2016 enacted level of \$450 million, which is just half of the \$900 million from offshore mineral leasing revenues dedicated to LWCF annually. Many of the Nation's most significant historic and cultural landscapes have been permanently protected through LWCF investments, including Martin Luther King Jr. National Historic Site, Canyons of the Ancients National Monument and Harpers Ferry National Historic Park. In total, more than \$550 million has been invested to acquire historic sites and 137,000 acres in 162 NPS units. Within LWCF funding, we encourage the Committee to provide at least level funding of \$10 million for the American Battlefield Protection Program.

Independent Agencies: National Endowment for the Arts and National Endowment for the Humanities. We urge the Committee to reject the administration's proposed elimination of funding for the National Endowment for the Arts (NEA) and National

Endowment for the Humanities (NEH) and instead maintain the fiscal year 2017 enacted level of \$149.8 million for each program. NEA and NEH funding is critical to communities around the country. It supports efforts by the National Trust's Historic Sites and others to tell a fuller American story and engage visitors with history in compelling ways. For example, support from the NEA has created programs like Art and Shadows at the Shadows-on-the-Teche in Louisiana that put regionally-based artists in residence at the site, resulting in programming that attracted new audiences and served as a prototype for broader arts-focused programming that now draws people from around the country to the town's downtown commercial district. NEH support has brought teachers from around the country to learn about history in the places that it was made and carry those experiences back to their classrooms, such as exploring the intellectual underpinnings of the Constitution at James Madison's Montpelier or discovering the rich, but largely unknown, African American history in the President's neighborhood at Decatur House.

Thank you for the opportunity to present the National Trust's recommendations for the fiscal year 2018 Interior, Environment and Related Agencies appropriations bill.

PREPARED STATEMENT OF THE NATIVE VILLAGE OF EYAK

The Requests of the Native Village of Eyak (Eyak) for the fiscal year 2018 Indian Programs Appropriations and our comments are as follows:

- CSC Funding*.—Continue to fund Contract Support Costs at 100 percent and appropriate funding on a permanent and mandatory basis;
- Sequestration*.—Shield the IHS/BIA from sequestration and provide advance appropriations to Native programs;
- VBC Funding*.—Direct the IHS to fully fund Village Built Clinic (VBC) leases, make it a line item in the budget and allocate \$17 million to IHS for VBC leases;
- Joint Venture Program*.—Increase funding and reopen the Joint Venture application program in 2018;
- Natural Resource Funding*.—Increase funding for Tribal natural resource management programs; and
- Tribal Court Funding*.—Increase funding for Tribal courts located in Public Law 280 States.

Thank you Chairman Calvert, Ranking Member McCollum and Members of the subcommittee for holding this hearing for public witness on Indian programs. Of course, we also thank our own House Natural Resources Committee, Chairman Emeritus Young for his advocacy with this subcommittee.

My name is Mark Hoover and I am a Council Member on the Eyak Traditional Council, a Tribal government located in Cordova, Alaska. We are a federally recognized Tribe on the southeast shores of Prince William Sound in the North Gulf coast of Alaska. We emphasize self-determination as an avenue to improve the lives and health of our Tribal citizens by creating opportunities, strengthening partnerships and capacity, promoting our culture, and protecting our traditional land and resources..

Contract Support Costs (CSC).—Eyak would first like to thank the subcommittee for its leadership in understanding the reason for and committing to fully funding the IHS and BIA contract support costs for fiscal year 2016, and fiscal year 2017, and making funding indefinite and also a separate account in the IHS and BIA budgets. For too many years, the IHS and the BIA have vastly underpaid contract support costs owed to Tribes and Tribal organizations and this transformation makes a tremendous difference in helping to ensure that the Indian Self-Determination and Education Assistance Act (ISDEAA) is fully funded and implemented as Congress so intended. We thank you for listening and responding to Tribes and our requests.

Eyak requests that Congress continue to fully fund CSC and ensure appropriations are ultimately made permanent and mandatory. Under the ISDEAA, the full payment of CSC is not discretionary; it is a legal obligation affirmed by the United States Supreme Court. Eyak maintains its commitment to working with Congress on how to best achieve that goal.

Sequestration.—Eyak requests the support of the Subcommittee in amending the Balanced Budget and Emergency Deficit Control Act to exempt Indian programs, such as the IHS and BIA budgets, from sequestration. While we support Congressional efforts to fully exempt Veterans Health Administration (VA) programs from sequestration and to limit State Medicaid grants and Medicare payments to a 2 percent reduction, Indian healthcare, as a Federal trust responsibility, should be af-

forded equal treatment to VA programs. A number of members of this Subcommittee and other members of Congress have voiced support for this position and have stated that it was an oversight that Indian budgets were not also included in the exempt category of the Balanced Budget and Emergency Deficit Control Act.

Eyak is concerned that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal year 2017 spending cap. When put in the context of the President's fiscal year 2018 budget proposal to raise defense spending by \$54 billion and lower non-defense discretionary spending by a corresponding amount, we are worried that a significant sequestration of funds is likely to occur which would severely impact Tribal program budgets. Indian program budgets should be exempt from sequestration.

Village Built Clinics.—Eyak would like to thank Congress for its appropriation of \$11 million for Tribal health clinic leases in the fiscal year 2017 Consolidated Appropriations bill. These small chronically underfunded remote clinics serves as an essential lifeline for rural Alaskan villages where there is no road system to connect villages to urban centers. We sincerely appreciate your support and thank you for your leadership on this issue.

Eyak also appreciates the House Natural Resources Subcommittee on Indian, Insular, and Alaska Native Affairs holding a hearing on Indian infrastructure needs in Indian Country, and the support and participation of Chairman Emeritus Young in the discussion that focused on the considerable unmet needs of Village Built Clinics. Many of the Village Built Clinics are in extreme disrepair and there is a considerable need for a reserve fund for upkeep and expansion of these essential facilities. In 2015, the Alaska Native Health Board estimated that an additional \$14 million annual appropriation would be needed to fund a replacement reserve to tackle the clinic crisis. Eyak supports increased funding for Village Built Clinics and requests that funding be a separate line item in the IHS budget, recurring funding, and displayed in the Budget Justification to enable better planning and certainty for Tribes.

The \$11 million increase in fiscal year 2017 funding for Village Built Clinics was a major advancement, but that amount does not meet the full need. In 2015, the Alaska Native Health Board estimated that in addition to the existing \$4.5 million base, \$12.5 million is still needed to fund the Village Built Clinics. The fiscal year 2017 funding served as a supplement to the approximately \$4.5 million already being provided to these essential village clinics. Without a separate line item for Village Built Clinics, much of the funding could be distributed to other types of facility leases, leaving the Village Built Clinics falling far short of the necessary funding.

Joint Venture Program.—Eyak urges Congress to increase funding for the IHS Joint Venture (JV) program and respectfully requests that the application period reopen in 2018, so that new Tribes can join the program. The JV program leverages both Tribal and IHS funding to enable construction and staffing of safe and modern health facilities for Native people. This unique Federal-Tribal partnership allows the IHS to provide funding for staffing, equipping, and operations, while a participating Tribe covers costs of design and construction. Joint Venture projects have proven to be a successful and vital component of improving access to care and reducing health disparities throughout Indian Country. Eyak would like to invest in a new health facility in the near future and is ready to take this next step in our self-determination efforts as we continue to provide and expand quality and affordable community healthcare.

Natural Resource Funding.—Eyak respectfully asks that Congress increase funding for Tribal natural resource management programs to assist Tribes in the management, development, and protection of Tribal natural resources. Tribal natural resource programs provide many benefits to a Tribe such as revenue generation, job creation, and the protection of cultural and traditional resources. It is a program that helps fulfill the Federal trust responsibility by allowing Tribes to manage their own natural resources in compliance with various regulations and requirements related to land and natural resource management. Increasing funding for these fundamental programs is essential.

Tribal Court Funding.—Eyak welcomes the fiscal year 2017 increase for Tribal courts located in P 83–280 (Public Law 83–280) States and asks that this increase continue in fiscal year 2018. We see no greater need across Indian Country than to protect our Tribal citizens through public safety and justice initiatives. Eyak has a very active Tribal court, but like other Tribes who reside in Public Law 280 States, we consistently struggle with funding. As we work to build, maintain and improve our village infrastructure, a crucial part of that is a well-functioning Tribal judicial system.

The BIA has had a long-standing and unjustified policy of not funding Tribal courts in Public Law 280 States. The fiscal year 2017, BIA Tribal Justice Support

appropriation was \$17.2 million, or about \$7 million over fiscal year 2016 levels and it would provide increases resources for Tribal courts in Public Law 280 States. The BIA fiscal year 2017, explanatory language for the Consolidated Appropriations Act explains: "Funding for Tribal justice support is restored to \$17,250,000, of which not less than \$10,000,000 is to address the needs of Tribes affected by Public Law 83-280. The Committees remain concerned about Tribal court needs as identified in the Indian Law and Order Commission's November 2013 report, which notes Federal investment in Tribal justice in "Public Law 280" States has been more limited than elsewhere in Indian Country. The Committees expect the Bureau to work with Tribes and Tribal organizations in these States to fund plans that design, promote, sustain, or pilot courts systems subject to jurisdiction under Public Law 83-280. The Bureau is also directed to formally consult and maintain open communication throughout the process with Tribes and Tribal organizations on how this funding supports the technical infrastructure and future Tribal court needs for these jurisdictions."

Eyak sincerely thanks Congress and especially Senator Murkowski, for underscoring the significant financial need of Tribal courts in Public Law 280 States. We respectfully request that Congress increase funding for our Tribal courts to meet the substantial financial need and we also request that Congress continue to urge the BIA to fund Public Law 280 courts in order to promote safe and healthy Tribal communities.

In conclusion, and on behalf of the Native Village of Eyak, we thank you for the opportunity to present testimony on some of the high priority needs regarding funding for Indian related programs. Eyak recommends: continued funding for Contract Support Costs at 100 percent on an indefinite and mandatory basis; exempt the IHS/BIA from sequestration and provide advance appropriations for Native programs; fully fund Village Built Clinic leases at \$17 million and make it a line item in the budget; increase funding and reopen the IHS Joint Venture program; increase funding for Tribal natural resource programs; and increase funding for Tribal courts located in Public Law 280 States. We appreciate your commitment to Native American people and thank you for your consideration of Eyak's concerns and requests.

PREPARED STATEMENT OF THE NATURAL SCIENCE COLLECTIONS ALLIANCE

The Natural Science Collections Alliance appreciates the opportunity to provide testimony in support of fiscal year 2018 appropriations for the Smithsonian Institution and Department of the Interior. We encourage Congress to use 2017 enacted levels as the basis for 2018 funding decisions and to include new investments that address agency backlogs in the preservation and curation of scientific and cultural collections within Interior and the Smithsonian Institution.

The Natural Science Collections Alliance is a non-profit association that supports natural science collections, their human resources, the institutions that house them, and their research activities for the benefit of science and society. Our membership consists of institutions that are part of an international community of museums, botanical gardens, herbaria, universities, and other institutions that contain natural science collections and use them in research, exhibitions, academic and informal science education, and outreach activities.

Scientific collections, and the collections experts who make, care for, and study those collections, are a vital component of our Nation's research infrastructure. Whether held at a museum, government managed laboratory or archive, or in a university science department, these scientific resources contain genetic, tissue, organismal, and environmental samples that constitute a unique and irreplaceable library of Earth's history. The specimens, their associated data, and collections experts drive cutting edge research on significant challenges facing modern society, such as improving human health, enhancing food security, and understanding and responding to environmental change. Collections inspire novel interdisciplinary research that precipitates innovation and addresses some of the most fundamental questions related to biodiversity.

The institutions that care for scientific collections are important research centers that enable other scientists to study the basic data of life; conduct modern biological, geological, anthropological, and environmental research; integrate across these diverse disciplines; and provide undergraduate and graduate students with hands-on training opportunities. In-house institutional staff expertise is vital to the development and deployment of this critical research infrastructure.

According to the Federal Interagency Working Group on Scientific Collections, "scientific collections are essential to supporting agency missions and are thus vital

to supporting the global research enterprise.” In recognition of the importance of collections, the Office of Science and Technology Policy issued a memo that directed Federal agencies to budget for the proper care of collections. “Agencies should ensure that their collections’ necessary costs are properly assessed and realistically projected in agency budgets, so that collections are not compromised.”

Preservation of specimens and the strategic growth of these collections are in the best interest of science and the best interest of taxpayers. Existing scientific collections that are properly cared for and accessible are a critical component of the U.S. science infrastructure and can be readily integrated into new research on significant questions. Specimens that were collected decades or centuries ago are now routinely used in cutting edge research in diverse fields related to genomics, human health, biodiversity sciences, informatics, environmental quality, and agriculture.

The Smithsonian Institution is a valuable Federal partner in the curation and research on scientific specimens. The scientific experts at the National Museum of Natural History care for an astounding 140 million specimens and ensure the strategic growth of this national treasure. To increase the availability of these scientific resources to researchers, educators, other Federal agencies, and the public, Smithsonian is working on a multi-year effort to digitize its collections. That effort will substantially increase awareness of the availability of these collections via the Internet.

Smithsonian has also been working to strengthen curatorial and research staffing and to backfill positions left open by retirements and budget constraints. The current staffing level is insufficient to provide optimal care for the collections. Future curatorial and collections management staffing levels may be even more in jeopardy given the proposed funding cuts at science agencies that support staff positions embedded at Smithsonian, such as the U.S. Geological Survey.

Interior is an important caretaker of museum collections; the Department has an estimated 146 million items, comparable in size only to the Smithsonian Institution. Although many of the department’s collections are located in bureau facilities, numerous artifacts and specimens are also housed by non-governmental facilities, such as museums and universities.

In addition, the United States Geological Survey (USGS) furthers the preservation, inventory, and digitization of geological scientific collections, such as rock and ice cores, fossils, and samples of oil, gas, and water. The National Geological and Geophysical Data Preservation program helps States with collections management, improves accessibility of collections data, and expands digitization of specimens to ensure their broader use. One example of the pay offs of this program is the potash mineral deposit discovered in Michigan that is worth an estimated \$65 billion. Rock samples from Michigan were entered into a national database, where private companies discovered their existence and are now assessing the potential for mining.

Another USGS program is supporting public access to biodiversity information. The Biodiversity Information Serving Our Nation system is the only web-based Federal resource for finding species in the United States and contains 250 million records. It also serves as the U.S. connection to the Global Biodiversity Information Facility. USGS also supports the documentation and conservation of native pollinators through its Native Bee Inventory and Monitoring Lab.

Another USGS program that furthers the curation of and research with biological collections is proposed for elimination. USGS has more than a million specimens of birds, mammals, amphibians, and reptiles that are housed at the Smithsonian. This arrangement goes back to 1889, but is suggested for termination by the Administration. We urge Congress to continue this valuable program. For more on this program, see <http://nscalliance.org/wordpress/wp-content/uploads/2011/02/nsca-usgs-smithsonian-report.pdf>.

The Bureau of Land Management has a large backlog of cultural resources to inventory on public lands. Presently, 90 percent of public lands have not been assessed for heritage resources. Such assessments need to be conducted before unique resources are lost to looting, vandalism, fire, or environmental change.

The National Park Service needs to continue its investments in scientific collections, including cataloging of millions of museum objects. The Park Service curates a wide range of specimens and artifacts, from historical and cultural items to preserved tissues from protected species and living microorganisms collected from national parks. Several parks have made progress on addressing planning, environmental, storage, security, and fire protection deficiencies in museum collections, but much work remains to be done. The President’s budget request would undo past progress, with the percentage of museum objects in ‘good’ condition decreasing from 75 percent to 70 percent by the end of fiscal year 2018.

CONCLUSION

Scientific collections are critical infrastructure for our Nation's research enterprise. Research specimens connect us to the past, are used to solve current societal problems, and are helping to predict threats to human health, methods for ensuring food security, and the impact of future environmental changes. Sustained investments in scientific collections are critical for our Nation's continued scientific leadership.

Please support adequate funding for the Department of the Interior's Capital Working Fund, as well as programs within Interior bureaus and the Smithsonian Institution that will support these organizations' efforts to preserve scientific collections—a truly irreplaceable resource.

Thank you for your thoughtful consideration of this request.

[This statement was submitted by Joseph Cook, Ph.D., President.]

PREPARED STATEMENT OF THE NATURE CONSERVANCY

Chairman Murkowski, Ranking Member Udall and Members of the subcommittee, thank you for the opportunity to submit recommendations for fiscal year 2018 appropriations. The Nature Conservancy is an international, non-profit conservation organization working around the world to protect ecologically important lands and waters for nature and people. Our mission is to conserve the lands and waters upon which all life depends.

As we enter the fiscal year 2018 Budget cycle and another year of a challenging fiscal environment, the Conservancy continues to recognize the need for fiscal austerity. The Conservancy also wishes to thank this subcommittee for the final fiscal year 2017 funding levels for Department of the Interior conservation programs. Our budget recommendations this year reflect a balanced approach with funding levels consistent with fiscal year 2017 and fiscal year 2016 funding levels. Of particular note, we wish to work with this subcommittee and the authorizing Committees on identifying permanent funding solutions for wildfire funding, the Land and Water Conservation Fund, the Payment in Lieu of Taxes Program and Secure Rural Schools. The Conservancy greatly appreciates the Committee's past support of a much-needed fire funding fix and more recent efforts to ensure wildfire suppression has supplemental funding above the 10-year average in fiscal year 2017. However, agencies continue to need a long-term solution to address the impacts of the increasing 10-year average on programs necessary to maintain our public lands. We respectfully request a bipartisan fire funding solution be included as part of the fiscal year 2018 Interior, Environment, and Related Agencies' appropriations bill. A fire funding solution must fund wildfires like natural disasters by 1) accessing disaster funding, 2) minimizing transfers, and most importantly, 3) address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier condition. We also strongly support the emphasis on funding for sage grouse conservation in fiscal year 2017 and urge congress to continue support for ongoing sage grouse conservation efforts.

Land and Water Conservation Fund (LWCF).—The fiscal year 2017 Omnibus dedicated \$400 million in discretionary appropriations for the Land and Water Conservation Fund. LWCF has strong bipartisan support and the Conservancy recognizes Congress's commitment to funding important on-the-ground conservation and recreation projects. The Nature Conservancy supports funding LWCF through a blend of current and permanent funding and looks forward to working with Congress to find a permanent funding solution for LWCF. Additionally, the Conservancy supports the balanced approach in the budget on both "core" and "collaborative" LWCF projects.

Forest Legacy.—We support a minimum of \$62 million for the Forest Legacy Program in current discretionary funding and the \$38 million in permanent, mandatory funding, totaling \$100 million for Forest Legacy Programs.

Endangered Species.—The Conservancy supports continuing funding of at least \$31 million, consistent with fiscal year 2017 levels, for the Cooperative Endangered Species Conservation Fund (CESCF), and requests the subcommittee consider additional funding level request for permanent funding. We also request your continuing support for Habitat Conservation Plan (HCP) funding, specifically HCP Land Acquisition Grants where the need has greatly outpaced available resources in recent years.

State and Tribal Wildlife Grants.—The Conservancy supports the fiscal year 2017 Omnibus funding level of \$62.5 million for this program. Strong Federal investments are essential to ensure strategic actions are undertaken by State, Tribal and

Federal agencies and the conservation community to conserve wildlife populations and their habitats and to prevent species from being listed as threatened or endangered.

Wildlife Conservation Programs.—The variety of wildlife conservation programs conducted by the US Fish and Wildlife Service (FWS) continue a long and successful tradition of supporting collaborative conservation in the U.S. and internationally. We urge the Committee to continue funding such established and successful programs as the North American Wetlands Conservation Act (NAWCA), Neotropical Migratory Bird Conservation Fund (NMBCA), the Migratory Bird Joint Ventures, FWS Migratory Bird Management Program and the FWS Coastal Program at no less than fiscal year 2017 Omnibus funding levels. We support, at a minimum, sustained funding for the Partners for Fish and Wildlife Program and the Cooperative Landscape Conservation and Adaptive Science programs. The latter will help support DOI in addressing large-scale conservation challenges across all ownerships, supporting collaborative problem solving for some of our nation's most challenging conservation issues. We also request strong funding this year for the National Fish Habitat Initiative.

International Programs.—The international conservation programs appropriated annually within the Department of Interior are relatively small but are effective and widely respected. They encompass the U.S. Fish & Wildlife Service's (FWS) Multi-national Species Conservation Funds, the FWS Wildlife Without Borders regional and global programs, and the U.S. National Park Service International Program. We urge that fiscal year 2018 levels for these programs remain equivalent to fiscal year 2017 Omnibus levels at a minimum.

National Wildlife Refuge System.—The Conservancy supports stronger funding for the Refuge System's Operations and Maintenance accounts. Found in every U.S. State and territory, national wildlife refuges conserve a diversity of America's environmentally sensitive and economically vital ecosystems, including oceans, coasts, wetlands, deserts, tundra, prairie, and forests. The Conservancy requests \$568 million in for fiscal year 2018. This represents the funding necessary to maintain management capabilities for the Refuge System.

Hazardous Fuels and Restoration.—Strategic, proactive hazardous fuels and restoration treatments have proven safer and more cost-effective in reducing risks to communities and forests by removing overgrown brush and trees, leaving forests in a more natural condition resilient to wildfires. The Conservancy recommends investing in the USDA Forest Service's Hazardous Fuels program at a \$479 million level and DOI's Fuels Management program at a level of \$178 million, in addition to investing \$30 million into a new Resilient Landscapes program designed to restore and maintain fire adapted landscapes and habitats and repeating the Committee's fiscal year 2012 instructions for allocating funds to priority landscapes in both WUI and wildland settings. Additionally, the CFLR program must continue to be funded and expanded to \$60 million and the Legacy Roads and Trails program funded at \$50 million.

Sage Grouse Conservation.—The Conservancy requests continued investment to support ongoing efforts to restore and conserve sagebrush habitat and the greater sage-grouse across Federal, State, Tribal and private lands. We support the continued support for sage grouse conservation provided through the fiscal year 2017 Omnibus. These resources are needed to implement on-the-ground projects and monitor habitat treatments, address rangeland fire and broader wildland fire prevention, suppression and restoration efforts, and support the partnership and science necessary for effective conservation. The BLM is facing perhaps the single most challenging effort in its history in conserving key sagebrush habitat, addressing identified threats to sage-grouse and promoting sustainable economic development across some 165 million acres in coordination with State and local managers and private land owners. Additional resources for the FWS will be used, inter alia, for developing voluntary prelisting conservation agreements with private landowners who are ready and willing to undertake critical conservation work for the sagebrush steppe ecosystem on large blocks of private lands.

BLM Land Management and Renewable Energy Development.—The Conservancy supports continued funding at fiscal year 2017 levels for BLM's initiatives to implement smart land management approaches, which include Rapid Ecoregional Assessments, Resource Management Planning, Regional Mitigation Planning, coordination with LCCs, and the Assessment, Inventory, and Monitoring Strategy. Many BLM programs contribute to these cross-cutting initiatives including: National Landscape Conservation System—(\$50.65 million); Resource Management Planning program (\$65.2 million); Wildlife and Fisheries management (\$108.7 million request); and Threatened & Endangered species management (\$21.6 million request). Additionally, the Conservancy supports continued funding for BLM's renewable energy de-

velopment program at \$29 million which includes implementation of the Western Solar Energy Program. Collectively, these efforts will help BLM manage its lands efficiently and effectively for energy development, species and habitat conservation, recreation, and other uses to maximize the public benefit from these lands.

Environmental Protection Agency's Geographic Programs.—EPA's geographic programs, including the Great Lakes Restoration Initiative, Chesapeake Bay, Puget Sound, Long Island Sound, and Gulf of Mexico programs, make a significant contribution to protecting habitat and water quality in the large landscapes where they work. These programs have a proven record of supporting the States' voluntary restoration efforts, and the Conservancy urges the Committee to continue strong funding for these programs at the fiscal year 2017 appropriated levels.

Colorado River Basin Recovery Programs.—The Upper Colorado River Endangered Fish Recovery Program and San Juan River Basin Recovery Implementation Program take a balanced approach to recovering four endangered fish species in the Colorado River basin. The Upper Colorado and San Juan recovery programs are highly successful collaborative conservation partnerships involving the States of New Mexico, Colorado, Utah, and Wyoming, as well as Indian Tribes, Federal agencies, and water, power and environmental interests. These programs provide critically important Endangered Species Act (ESA) compliance for over 2,450 Federal, Tribal, State, and private water projects across the Upper Colorado River Basin. Through these efforts, water use and development has continued in growing Western communities in full compliance with the ESA, State water and wildlife law, and interstate compacts. Implementation of the ESA has been greatly streamlined for Federal agencies, Tribes and water users. The Conservancy supports \$1.532 million for the Fish and Wildlife Service for the Colorado River Basin recovery programs, including recovery funds for both the Upper Colorado River Endangered Fish Recovery Program and San Juan River Basin Recovery Implementation Program, as well as fish hatchery needs associated with the recovery plans.

National Streamflow Network.—The National Streamflow Network provides continuous streamflow information at over 8,200 locations across the country and is managed within the U.S. Geological Survey's Groundwater and Streamflow Information Program. Water managers, scientists, and other decisions makers, including within the Conservancy, rely on data from the National Streamflow Network to plan for floods, droughts, and other extreme events; design infrastructure, including the operation of Federal reservoirs; facilitate energy generation; protect aquatic species and restore habitat; and manage Federal lands. The Conservancy supports funding in fiscal year 2018 to fully implement the National Streamflow Network.

Water Infrastructure Finance and Innovation Program.—Subtitle C of Title V of the Water Resources Reform and Development Act of 2014 provides authority for low-cost credit that can leverage private investment for water infrastructure. The criteria include whether a project protects against extreme weather events or helps maintain the environment. The Nature Conservancy supports funding at EPA of \$25,000,000 to carry out this program.

Thank you for the opportunity to submit The Nature Conservancy's recommendations for the fiscal year 2018 Interior, Environment and Related Agencies Appropriations Bill.

PREPARED STATEMENT OF THE NATURE CONSERVANCY

USDA FOREST SERVICE

Thank you to Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee for the opportunity to submit recommendations for fiscal year 2018 appropriations. The Nature Conservancy is an international, non-profit conservation organization whose mission is to conserve the lands and waters upon which all life depends.

America's public forests have tremendous national importance but their health puts them at severe risk unless we invest in proper stewardship and forestry. America's forests store and filter more than half of our nation's water supply, provide jobs to nearly one million forest product workers, generate \$13.6 billion in recreation based economic activity from USDA Forest Service lands alone, are habitat to thousands of forest-dependent wildlife and plant species, offer a million square miles to sportsmen and families for outdoor recreation, and are a major carbon sink that sequester 15 percent of all fossil fuel emissions in the U.S.

However, megafires, pests, drought, and sprawl place forests at risk; an area larger than the State of Oregon is in immediate need of restoration to return forest

health—and that is on USDA Forest Service lands alone. Unfortunately, forest restoration is significantly obstructed by ballooning fire suppression costs.

The current wildfire suppression funding model and cycle of transfers and repayments has negatively impacted the ability to implement forest stewardship, among many other activities. Additionally, the increasing ten-year average to has not met annual suppression needs since before fiscal year 2002. We experienced once again how the ten-year average would not have been sufficient to meet the fiscal year 2016 suppression needs. Thankfully, Congress rightfully protected the agency (and the Department of the Interior) from transfers by allocating levels above the ten-year average. The Conservancy also appreciates Congress' efforts to ensure the USDA Forest Service and the Department of the Interior receive supplemental funding for suppression in fiscal year 2017. However, agencies continue to need a long-term solution to address the impacts of the increasing ten-year average on programs necessary to maintain our public lands.

The Conservancy greatly appreciates the Committee's past support of a much-needed comprehensive fire funding fix, and respectfully request a bipartisan fire funding solution that would (1) access disaster funding, (2) minimize transfers, and most importantly and (3) address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier conditions.

Investing in the following Forest Service programs are critical to meeting forest restoration goals:

Increase funding for Collaborative Forest Landscape Restoration (CFLR) to \$60 million.—The CFLR program is demonstrating that collaboratively-developed forest restoration plans can be implemented at a large scale with benefits for people and the forest. This is a model approach that brings citizens, local government and Federal staff together to determine effective management that is locally appropriate and provides jobs, sustains rural economies, reduces the risk of damaging fires, addresses invasive species, improves wildlife habitat, and decommissions unused, eroding roads. The funding increase will guarantee the existing signature projects covering over 17 million acres can continue, and additional critical projects across America's forests can begin.

Fund the Forest Service Hazardous Fuels programs at no less than \$479 million.—Strategic, proactive hazardous fuels treatments have proven safer and more cost-effective in reducing risks to communities and forests by removing overgrown brush and trees, leaving forests in a more natural condition resilient to wildfires. Drought conditions increase the need for investment in this program to restore and maintain fire adapted landscapes and habitats. The Conservancy recognizes the Committee's continued support for this program through its increased funding levels, particularly over the last few years.

The Conservancy additionally recommends funding for programs that support critical restoration programs on national forests. Effective and durable restoration requires integrated approaches that address threats and improve forest health and habitat values while supporting forest-dependent communities.

—*Wildlife & Fisheries Habitat Management maintained at a \$140 million funding level* to restore, recover, and maintain wildlife and fish and their habitats on all national forests and grasslands.

—*Vegetation & Watershed Management funded at \$185 million* to promote restoration through watershed treatment activities, invasive plant species control, and reforestation of areas impacted by wildfire and other natural events.

—*Legacy Road and Trail Remediation (LRT) maintained at \$50 million* to restore river and stream water quality by fixing or removing eroding roads, while providing construction jobs, supporting vital sportsmen opportunities, and reducing flooding risks from future extreme water flow events.

—*Land Management Planning, Inventory and Monitoring funded at \$201 million, including consolidating the two previously separate budget items.* Consolidation will be more efficient for land managers, while supporting the collaborative, community and science based planning featured by the Forest Service 2012 Forest Planning regulation.

Fund Forest Health programs at a total of \$111 million (\$63 million for Federal and \$48 million for Cooperative).—Forest health protection programs work to protect forests by minimizing the impacts caused by invasive species. Across the nation large-scale, non-native insect, disease, and invasive plant outbreaks are damaging forest health. These programs help reduce invasions of non-native pests that destroy iconic American trees such as ash, hemlock, and California oaks.

Fund State Fire Assistance (SFA) at \$86 million.—SFA provides aid to communities for fuels treatments, firefighter capacity building, fire prevention education,

and pre-fire planning. The SFA program is an important complement to the Hazardous Fuels program for Federal lands.

Fund Landscape Scale Restoration (LSR) at \$24 million.—Through LSR, non-Federal lands have access for competitively selected projects that leverage State funding, restore forests of national importance, and, whenever possible, complement CFLR and other landscape scale restoration efforts.

Fund Forest & Rangeland Research at \$293 million.—Forest and Rangeland Research offers vital scientific basis for policies that improve the health and quality of urban and rural communities. This program is vital for the long-term health and utility of our American forests and rivers, particularly as we face an uncertain climatic future.

Maintain funding for the Joint Fire Science Program at \$7 million and maintain funding under Wildland Fire Management.—This key, yet small, program has proven a great success in supporting practical science that reduces fire risk and enhances economic, ecological, and social outcomes nationwide.

Fund Forest Legacy at a minimum of \$62 million for the Forest Legacy Program in current discretionary funding and the \$38 million in permanent, mandatory totaling \$100 million.—The Forest Legacy program, in partnership with States, supports efforts to acquire conservation easements and fee simple interests on privately owned forest lands from willing sellers. These acquisitions leverage non-Federal dollars and support long-term sustainable forestry while protecting other ecological, watershed and recreational values for local communities at risk of development or conversation to other uses.

Thank you for the opportunity to share The Nature Conservancy's forest restoration priorities.

PREPARED STATEMENT OF THE NAVAJO-HOPI LAND COMMISSION OF THE 23RD NAVAJO NATION COUNCIL

Requests:

1. Continue to provide necessary funding to complete relocation in an effective and timely fashion.
2. Provide additional funding to fulfill Congress' mandate to provide adequate infrastructure for relocatees.
3. Increase oversight of the relocation and rental payment processes.
4. Provide \$20 million for critical needs in the Former Bennett Freeze Area.
5. Support incentives for private sector investment and the streamlining of regulations in the Former Bennett Freeze Area.
6. Expand BIA efforts to mitigate hardship in the Former Bennett Freeze Area, including establishing a DOI Task Force to assess opportunities to aid redevelopment.

Introduction. Chairman Murkowski, Ranking Member Udall, and honorable Members of the subcommittee, thank you for this opportunity to provide testimony on behalf of the Navajo-Hopi Land Commission (NHLC) of the 23rd Navajo Nation Council. My name is Walter Phelps, Chairman of the NHLC and a Council Delegate of the Navajo Nation. The NHLC is entrusted with addressing both the ongoing effects of the Federal relocation of 15,000 Navajo people off their ancestral lands and the realities of 12,000 Navajos living in the former Bennett Freeze area, where a strict 41-year construction freeze has left despair and desperate need for rehabilitation and reconstruction. It has been over 40 years (or over two generations) since the Navajo Hopi Land Settlement Act of 1974. Relocation has left the Navajo Nation with a population of relocatees, a significant number of whom have yet to receive the full benefits Congress intended; a population within Hopi-Partitioned Lands that struggles living outside the jurisdiction of the Nation; and a population in the 1.6-million acre Former Bennett Freeze Area (FBFA) that remains severely economically depressed.

A Special Thank You to this subcommittee. The Navajo Nation is deeply appreciative of the effort and the energy this subcommittee has put into addressing how to bring about a humane closure to relocation. The increased funding that the subcommittee has provided has dramatically accelerated the provision of benefits to Navajo families who have been waiting for years, if not decades.

NAVAJO RELOCATION

Office of Navajo and Hopi Indian Relocation (ONHIR). After the passage of the relocation Act, ONHIR was established by Congress to carry out relocation activities pursuant to the Act, and operate as trustee and Federal land administrator to the

Navajo Nation. Unfortunately the work of OHNIR proceeded at a glacial pace. The Department of Interior's (DOI) Office of Inspector General (OIG) published a report on ONHIR that identified two causes for the delay in completing relocation: (1) ONHIR's failure to complete eligibility determinations; and (2) the complicated and lengthy administrative appeals process. ONHIR's routine denials of applications and reliance on the adversarial process have historically diverted funds away from building homes for certified applicants.

Now we look to ONHIR's future. *The core principle that all parties have agreed upon is that every eligible Navajo should receive the benefits they were promised under the law. ONHIR is responsible for the delivery of these benefits and should operate, in some fashion, until its mission is completed.* Nonetheless, the Navajo Nation has engaged in dialogue with the Bureau of Indian Affairs (BIA) and OHNIR on what closure of OHNIR and the transition of remaining functions to the BIA may look like. Many of those functions could be transferred in the relatively near future as a part of phasing out ONHIR. The Navajo Nation, perhaps more than any other party involved, desires to bring closure to the relocation process, which has marked a sad chapter in American and Navajo history. However, we believe that the Federal Government has a responsibility to bring this closure about in a conscientious and compassionate manner and live up to the promise of a thorough and generous relocation.

Completion of Promised Infrastructure. The Navajo Hopi Land Settlement Act required the Relocation Commission to prepare a report that includes a plan that shall "assure that housing and related community facilities and services, such as water, sewers, roads, schools, and health facilities, for such households shall be available at their relocation sites" (Public Law 93-581, Section 13). In 1981 the Relocation Commission released its report and plan to Congress. In the "Report and Plan," the Relocation Commission acknowledged its obligations:

Congress was greatly concerned that relocation of Indian families be to areas where community facilities and services exist or will exist. The Commission's plan for relocation shall, ordered Congress: Assure that housing and related community facilities and services, such as water, sewer, roads, schools, and health facilities, for such households shall be available at their relocation sites. . . .

(See Executive Summary, p. 4). Despite this commitment, the Report and Plan principally focuses on what facilities, services, and infrastructure may already exist (usually Navajo and BIA), without providing much detail about what the Relocation Commission would provide. Indeed, there is language that pushes off such Relocation Commission commitments to a later time. The Relocation Commission did not adequately address the requirements of the original Act in assuring "that housing and related community facilities and services, such as water, sewer, roads, schools, and health facilities, for such households shall be available at their relocation sites. . . ." These unfulfilled obligations are further compounded by the fact that the citizens and residents of the Navajo Nation are the most underserved communities in the United States of America with respect to infrastructure.

Requests:

1. Continue to provide necessary funding to complete relocation in an effective and timely fashion.

We recognize and appreciate the increased funding that ONHIR has received in recent years and request that OHNIR's funding is kept intact.

2. Provide additional funding to fulfill Congress' intent to provide infrastructure for relocatees.

When Congress passed the relocation act it directed the Commission to "[a]ssure that housing and related community facilities and services, such as water, sewers, roads, schools, and health facilities, for such households shall be available at their relocation sites. . . ." (Public Law 93-581, Section 13). Unfortunately, two generations later many relocatees lack the most basic infrastructure, let alone what that they were promised at their relocation sites. Indeed, many of the relocatees are the most underserved populations in the country with respect to infrastructure. The Navajo Nation is currently reviewing what ONHIR constructed and what ONHIR should have constructed. We ask the subcommittee to adequately fund the infrastructure list that is being developed by the Nation to ensure that the infrastructure mandate is carried out "with the same vigor as a sympathetic and generous Congress conceived it." (1981 Report and Plan to Congress, Executive Summary, p. 4).

3. Increase oversight of the relocation and rental payment processes.

We are requesting report language encouraging DOI to conduct a study and furnish a report regarding lease payments due from the Navajo Nation to the Hopi Tribe (see formerly 25 U.S.C. § 640d-15(a)). The BIA delays for years in making these rental determinations, resulting in huge interest payment obligations on the part of the Navajo Nation.

FORMER BENNETT FREEZE AREA

The Former Bennett Freeze Area. The 40-year development freeze imposed by Commissioner of Indian Affairs Robert Bennett in 1966 affected a 1.6-million acre area that encompasses nine Navajo Chapter communities in the western portion of the Navajo Nation. For the FBFA to recover and redevelop, there must be a sustained reconstruction program implemented over a decade or more. This would be consistent with the findings of this subcommittee's July 1993 field hearing. The nine Navajo chapters in the FBFA have extended lists of projects they need to adequately serve their communities, including housing and related infrastructure, solid waste transfer station facilities, fire departments, telecommunications infrastructure, assisted living centers for seniors, and community facilities such as cemeteries and recreation parks. Funding for road repair and maintenance is also an enormous challenge. Although the Federal Government bears great responsibility to the harm that those in the FBFA continue to suffer, the NHLC recognizes that full redevelopment ultimately lies in our own hands. In addition to seeking funds, we ask this subcommittee to the support private sector partnerships and incentives needed for transformational change.

Requests:

1. Provide \$20 million for critical needs in the Former Bennett Freeze Area.

Critical needs of the FBFA include housing, safe drinking water, electricity, timely emergency response services, telecommunications infrastructure, and community facilities. We request the subcommittee allocate \$20 million for housing and related improvements in the FBFA out of the BIA Trust Natural Resources Account (Natural Resources Subactivity).

2. Support incentives for private sector investment and the streamlining of regulations.

The NHLC asks the subcommittee to support new incentives to encourage private sector investment in the FBFA (and other relocation-impacted areas). Although legislation to advance incentives may not strictly fall within this subcommittee's jurisdiction, as efforts are made to advance and pass such legislation, this subcommittee may well be asked to be of assistance.

3. Expand BIA efforts to mitigate hardship in the relocation and redevelopment processes.

We ask that the subcommittee direct the BIA to expand efforts to rehabilitate the former Bennett Freeze. Specifically, we request that the subcommittee include report language that would establish a DOI taskforce to undertake a review of Interior programs that would benefit the FBFA and assist the Navajo Nation in creating jobs and supporting workforce development with a goal of strengthening this area (as well as the relocation-impacted Navajo chapter communities). Such taskforce should include the BIA, Bureau of Reclamation, U.S. Geological Survey, Fish and Wildlife Service, and Office of Surface Mining and should examine programs such as the Economics and Resource Planning Team and Rural Tribal Water Projects.

Conclusion. All parties would agree that the relocation has gone on for far too long. Recent discussions regarding the closure of ONHIR and transition of remaining functions have given us the glimpse of an end to this sad and painful history. The NHLC is committed to working with you to find ways to bring about the end of the relocation era in a compassionate manner. Thank you for the opportunity to present this testimony.

PREPARED STATEMENT OF THE NEZ PERCE TRIBE

Honorable Chairman and Members of the subcommittee, as Chairman of the Nez Perce Tribal Executive Committee, I would like to thank you for the opportunity to provide testimony on behalf of the Nez Perce Tribe (Tribe) as the Committee evaluates and prioritizes fiscal year 2018 appropriations for Indian Health Service (IHS), Bureau of Indian Affairs (BIA), Environmental Protection Agency (EPA), U.S. Forest

Service (FS), and U.S. Fish and Wildlife Service (FWS) in relation to the needs of Tribal nations.

First, on behalf of the Tribe, I want to acknowledge and thank this subcommittee for your efforts on a longstanding, bipartisan basis to understand the needs of Indian Country and advocate for increased appropriations to the many programs in your jurisdiction that benefit our citizens, our Tribal governments, and all members of our communities.

As with any government, the Tribe performs a wide array of work and provides a multitude of services to its Tribal membership as well as the community at large. The Tribe has a health clinic, a Tribal police force, a social services department, a comprehensive natural resources program that does work related to forestry, wildlife management, land services and land management, habitat restoration, air quality and smoke management, water quality and sewer service, and also has one of the largest fisheries departments of any Tribe in the Nation working on the recovery of listed species under the Endangered Species Act (ESA). The Tribe has a comprehensive administrative framework that provides extensive services on the Nez Perce Reservation. These programs are necessary and vital for a sovereign nation that preserves and protects the Treaty rights of the Nez Perce People and provides day-to-day governmental services to its members and surrounding communities. The Tribe has long been a proponent of self-determination for Tribes and believes our primary obligation is to protect the Treaty-reserved rights of the Tribe and our members. All of the work of the Tribe is guided by this principle. As a result, the Tribe works extensively with many Federal agencies and proper funding for those agencies and their work with, for, and through Tribes is of vital importance. This work cannot be accomplished unless the U.S. continues to affirm and follow through on its trust responsibility to Indian Tribes by properly funding programs. The Tribe supports the National Congress of American Indians' publication titled "Investing in Indian Country for a Stronger America," a comprehensive guide on recommendations for fiscal year 2018 funding of Tribal programs.

ENVIRONMENTAL PROTECTION AGENCY

The Tribe has submitted comments on the budget request for programs within this subcommittee's jurisdiction for a number of years. We wish to note that although prior testimony has put funding for BIA and IHS first, this year, given indications that the fiscal year 2018 budget request will severely reduce EPA funding and given the breadth and array of our work with that agency, we place it first for your consideration.

The Tribe works closely with EPA on a large number of programs that are essential to the health and safety of the 18,000 Tribal and non-Tribal citizens residing within the Nez Perce Reservation and that also protect the Treaty-reserved resources of the Tribe that the U.S. has a trust obligation to preserve. These programs include: the Clean Water Act 106 Program; the Clean Water Act 319 Program; Nonpoint Source (NPS) Pollution Prevention Program; the Indian General Assistance Program; the Brownfield Program; the Underground Storage Tank Program; the Delegation of Nez Perce Federal Implementation Plan; the Clean Air Act 103 Grant-Nez Perce Tribe Air Quality Project; and the EPA Region 10 Pesticide Circuit Rider Program. In total, the Tribe currently implements over \$1.5 million in programmatic funding under these programs. The Tribe recommends the Indian General Assistance Program be funded at \$75 million, the Tribal allocation under the Clean Water Act 106 program be increased to 20 percent, \$13 million for Tribal Air Quality Management, \$80 million for the Brownfields program, and \$13 million be provided in lieu of the percent cap on Tribal funding for NPS pollutant control.

INDIAN HEALTH SERVICE

The Tribe currently operates Nimiipuu Health, a healthcare clinic on the Nez Perce Reservation. The main clinic is located in Lapwai, Idaho, with a satellite facility located 65 miles away in Kamiah, Idaho. Nimiipuu Health provides services to at least 3,950 patients each year. Annually, this computes to 40,000 medical provider visits which do not include pharmacy or laboratory visits. This workload is very costly. Our expenditure total for fiscal year 2016 was \$14,418,561 and Purchased/Referred Care (P/R) costs for outpatient services for fiscal year 2016 totaled \$4,028,595. The clinic spent an additional \$331,133.67 on P/R using monies received from settling IHS contract support cost litigation.

For fiscal year 2018, the Tribe supports continuing the \$5 billion in funding enacted for fiscal year 2017. This funding amount will allow Tribes to pay costs, maintain current services, and allow IHS, Tribal, and urban programs and facilities to keep up with medical and non-medical inflation and population growth. The Tribe

recommends an increase of \$51.9 million in funding for PR/C which will help to meet the PR/C spending needs of Tribal health facilities.

The Tribe supports \$800 million for fiscal year 2018 contract support costs as was provided in fiscal year 2017. In addition, because full funding of these obligations is so important to Indian Country, the Tribe supports reclassifying contract support costs for the BIA and IHS as mandatory and not discretionary beginning in fiscal year 2018. However, this change in funding should not be accomplished or be offset by reducing other funding for these agencies that would adversely affect services or programs. Finally, this funding should not be unnecessarily reduced by excessive set-asides for administration. The Tribe also recommends permanent, mandatory funding of the Special Diabetes Program at \$150 million per fiscal year.

BUREAU OF INDIAN AFFAIRS

The Tribe supports funding for contract support costs of at least the \$273 million provided for in fiscal year 2017 and as stated above, the reclassification of these costs from discretionary to mandatory, as well as a 5 percent increase in overall funding for the BIA. The Tribe also requests the fiscal year 2018 Interior appropriations bill include a "Carcieri fix" to address legal issues that have arisen related to the transfer of land into trust which has created uncertainty over the status of lands. This uncertainty only stifles and impedes economic development in Indian Country.

In relation to the BIA Public Safety and Justice account, the Tribe advocates for at least the \$353 million in funding for law enforcement and \$31 million for Tribal courts that was enacted in fiscal year 2017. The Nez Perce Reservation spans 1,200 square miles covering five counties and has a mixture of Tribal and non-Tribal residents. The Tribe provides a full service law and justice program. The Tribe has a fully trained and staffed police force, a fully staffed Tribal court, a prosecutor, a public defender, and other personnel to perform related administrative functions. Currently, the Tribe contributes \$1,797,467 annually to cover the shortfall in BIA funding for the Tribe's law enforcement, \$390,927 for judicial services/probation, \$365,601 for prosecutorial services, \$164,860 for public defender services and \$300,000 for prisoner boarding. This supplemental funding is derived from Tribal taxes on goods and fuel and Tribal gaming revenues that would otherwise be used for other Tribal governmental services. The funding for these programs needs to be increased to account for shortfalls in funding the Tribe has to absorb in order to continue the operation of these vital services on the Reservation.

In relation to education, the Tribe requests that funding for the Johnson O'Malley program be increased from the static levels of \$14.8 million provided in fiscal years 2016 and 2017, and total funding of \$35 million be provided for Scholarships and Adult Education and Special Higher Education Scholarships. These increases will help address the rising costs of attending college. The Tribe also supports \$2.5 million, if not an increase, for Tribal Education Departments along with increases for Tribal Colleges and Universities that support institutions like Northwest Indian College that operates a satellite campus on the Nez Perce Reservation.

The Tribe also relies on the BIA for funding for our work related to endangered species and protection of the Tribe's Treaty resources including Chinook and steelhead salmon. The funding has also been used to supplement research efforts of the Tribe relative to other sensitive species. Particularly helpful and important to the Tribe is the BIA Endangered Species Program for which the Tribe recommends a \$1 million increase. This account provides Tribes with technical and financial assistance to protect endangered species on trust lands. Also, the Tribe recommends an increase of \$2.8 million for BIA Natural Resource Tribal Priority Allocations which will help increase Tribal land and management capabilities.

In addition, the funding provided under the BIA Rights Protection implementation monies are critical to support the exercise of treaty reserved, off-reservation hunting and fishing for Tribes. The Tribe supports total funding in the amount of \$40 million. BIA single-line dollars provide the foundation for core program administration and treaty rights protection activities, such as harvest monitoring. These efforts are central to the Tribe's fisheries management responsibilities as established by the Treaties and further delineated in court decisions regarding implementation of hunting and fishing Treaty rights. It is important to understand that this funding is not for equipment but is used for job creation.

The Tribe also supports \$15 million in funding for the BIA Wildlife and Parks Tribal Priority Allocations. As stated earlier, the Tribe has invested a significant amount of personnel and resources in the restoration of salmon through our fisheries programs. The States of Oregon, Washington and Idaho, as well as sports fisheries, directly benefit from this work. These programs have been successful with

funding under the Tribal Management and Development Program which is critical for the Tribe's management of fish and wildlife. We support funding in the amount of \$14 million for the Tribal Management and Development Program.

U.S. FISH AND WILDLIFE SERVICE AND U.S. FOREST SERVICE

The Tribe relies heavily on funding sources within the FWS and the FS. First, the operations of Kooskia National Fish Hatchery are funded by FWS. The Tribe manages this facility pursuant to the terms of the Snake River Water Rights Act of 2004 (Act). FWS requires full funding for the operations of this important facility to ensure the U.S. meets its obligations under this Act. Second, the FWS administered State and Tribal Wildlife Grants program is an important and cost effective expenditure for the government and is one of the few sources of funds Tribes can tap into for wildlife research. Since 2005, we have received five such grants that have allowed us to work on diverse issues such as gray wolf monitoring, bighorn sheep research, rare plant conservation, and Condor habitat research. Continued funding for the State and Tribal Wildlife Grant program will allow recipient Tribes to build capacity and maintain involvement in key conservation issues. The Tribe strongly urges this subcommittee to increase funding for these competitive grants to \$66 million and increase the Tribal share by \$2 million as they provide a large return for a small investment.

Related to forest management, the Tribe supports the inclusion of language in the fiscal year 2018 Interior appropriations bill for wildfire disaster funding that treats wildfires like other natural disasters and emergencies to help prevent funds from having to be diverted from forest management. We thank the subcommittee for your efforts on this critical issue.

The Nez Perce Reservation and its usual and accustomed areas are rich in natural resources and encompass 11 national forests. The Tribe works closely with each forest's administration to properly manage its resources on behalf of the Tribe. These range from protecting and properly managing the products of the forest to providing habitat for the vast wildlife in each one such as elk, deer, bighorn sheep and wolves. Increased funding is necessary so that the FS can meet these trust obligations and continue to work with Tribes on a government-to-government basis without being hampered by lack of funding to fill positions.

With regard to management of bighorn sheep, the Tribe would like to note that the subcommittee has included report language over the last several years that encourages research related to disease transmission between domestic sheep and bighorn sheep. The Tribe encourages this type of research mandate to be restricted to laboratory settings and not be allowed to occur in the field where impact and harm would be more difficult to control. The bighorn sheep populations within the Tribe's aboriginal territories are too fragile and too important to be put at risk.

Thank you for the opportunity to testify today. As you can see, the Tribe does a tremendous amount of work in a variety of areas. It is important that the U.S. continue to fund this work and uphold and honor its trust obligations to Tribes.

PREPARED STATEMENT OF THE NORTHWEST INDIAN FISHERIES COMMISSION

Chair Lisa Murkowski, Ranking Member Tom Udall and Members of the subcommittee, for the record my name is Lorraine Loomis and I am chair of the Northwest Indian Fisheries Commission (NWIFC). The NWIFC is comprised of the twenty Tribes that are party to *United States v. Washington*¹ (*U.S. v. Washington*), which upheld the Tribes' treaty-reserved right to harvest and manage various natural resources on and off-reservation, including salmon and shellfish.

On behalf of the NWIFC, I am here today to speak specifically to our fiscal year 2018 natural resources management and environmental program funding requests for the Bureau of Indian Affairs (BIA) and Environmental Protection Agency (EPA). These programs are necessary to meet the many natural resources management responsibilities required of the Tribes, including the management of Pacific salmon fisheries that contributes to a robust natural resource-based economy and the continued exercise of Tribal treaty rights to fish.

¹ *United States v. Washington*, Boldt Decision (1974) reaffirmed Western Washington Tribes' treaty fishing rights.

SUMMARY OF FISCAL YEAR 2018 APPROPRIATIONS REQUESTS

BUREAU OF INDIAN AFFAIRS

Provide \$56.5 million for Rights Protection Implementation (collective request)
 Provide \$17.146 million for Western Washington Fisheries Management
 Provide \$3.082 million for Washington State Timber-Fish-Wildlife
 Provide \$4.844 million for U.S./Canada Pacific Salmon Treaty
 Provide \$2.4 million for Salmon Marking
 Provide \$5.442 million for Climate Change
 Provide \$10.378 million for Hatchery Operations and Maintenance
 Provide \$273.0 million for Contract Support
 Provide \$30.355 million for Cooperative Landscape Conservation
 Provide \$830,000 for Watershed Restoration

ENVIRONMENTAL PROTECTION AGENCY

Provide \$96.4 million for General Assistance Program
 Provide \$50.0 million for Puget Sound Geographic Program
 Provide \$5.0 million for Beyond GAP

JUSTIFICATION OF REQUESTS

BUREAU OF INDIAN AFFAIRS

Rights Protection Implementation Subactivity

The 41 Tribes in the Great Lakes and Pacific Northwest with similar treaty-reserved rights have collectively identified that no less than \$52.0 million for Rights Protection Implementation (RPI) is necessary to support essential Tribal treaty-reserved resource management. The NWIFC has also identified an additional need of \$4.5 million for RPI Climate Change, bringing our total request for RPI to \$56.5 million. The fiscal year 2017 enacted level provides \$39.661 million for RPI.

A summary of the accounts of interest to us within RPI is further identified below. However, please note that a breakdown of these accounts is not provided in the BIA's fiscal year 2018 Greenbook.

Provide \$17.146 million for BIA Western Washington Fisheries Management.—We respectfully request \$17.146 million; an increase of \$8.614 million over the fiscal year 2016 enacted level of \$8.532 million. Funding for this program supports the Tribes to co-manage their treaty-reserved resources with the State of Washington, and to continue to meet court mandates and legal responsibilities. For example, funding supports harvest planning, population assessments, data gathering for finfish, shellfish, groundfish, wildlife, and other natural resource management needs.

Provide \$3.082 million for BIA Washington State Timber-Fish-Wildlife (TFW).—We respectfully request \$3.082 million; an increase of \$346,000 over the fiscal year 2016 enacted level of \$2.736 million. Funding for this program is provided to improve forest practices on State and private lands, while providing protection for fish, wildlife and water quality. This funding supports the Tribes' participation in the Timber, Fish and Wildlife Agreement—a collaborative intergovernmental and stakeholder processes between the State, industry, and Tribes.

Provide \$4.844 million for BIA U.S./Canada Pacific Salmon Treaty.—We respectfully request \$4.844 million; an increase of \$564,000 over the fiscal year 2016 enacted level of \$4.28 million. The Pacific Salmon Treaty (PST) Act of 1985 charges the U.S. Section of the Pacific Salmon Commission (PSC) with the responsibility for implementation of the PST, a bilateral treaty with Canada. Tribes assist the Federal government in meeting its obligations to implement the treaty, by participating in various fisheries management exercises including cooperative research and data gathering activities. This funding request will provide sufficient resources to support Tribes to continue effective participation in the bilateral PST process.

Provide \$2.4 million for BIA Salmon Marking.—We respectfully request \$2.4 million; an increase of \$1.332 million over the fiscal year 2016 enacted level of \$1.068 million. Since 2003, Congress has required that all salmon released from federally funded hatcheries are marked for conservation management purposes and has provided funding to implement this mandate. This funding allows Tribes to mark salmon at Tribal hatcheries and to use these marked fish to scientifically monitor salmon populations in western Washington.

Provide \$4.5 million for BIA Climate Change.—We respectfully request \$4.5 million for Climate Change for our member Tribes; an increase of \$2.118 million over our fiscal year 2016 allocation. The fiscal year 2016 appropriations provided a collec-

tive (Great Lakes and Northwest) total of \$5.442 million, of which our member Tribes received \$2.382 million. Funding for this program will provide Tribes the capacity to identify, respond and adapt to the impacts of our changing climate. There is a need to assess the potential impacts to Tribal treaty-reserved resources in the face of climate change, which brings different challenges for every Tribal community. It is important that Tribes be provided the maximum flexibility to develop watershed and site-specific science-based activities to meet their particular needs.

Fish, Wildlife & Parks Projects/Fish, Wildlife and Parks Subactivity

Provide \$10.378 million for Hatchery Operations and Maintenance.—We respectfully request \$10.378 million specifically for Hatchery Operations and Maintenance; an increase of \$2.0 million over the \$8.378 million provided for these programs in fiscal year 2016. Funding is provided to Tribal hatcheries to support the rearing and releasing of salmon and steelhead for harvest by Indian and non-Indian fisheries in the U.S. and Canada. Hatcheries are a necessary component of fisheries management because habitat degradation has greatly diminished natural spawning populations. As such, hatcheries are now essential for maintaining the treaty right to harvest fish. Without hatcheries, Tribes would lose their most basic ceremonial and subsistence fisheries that are central to our Tribal culture. Hatcheries also play a large role in recovering Pacific salmon, many of which are listed under the Endangered Species Act.

Funding for Fish Hatchery Maintenance is provided to Tribes nationwide based on the ranking of annual project proposals. A comprehensive needs assessment study for our western Washington Tribes was conducted in fiscal year 2006 by the BIA at the request of Congress, which identified a need of over \$48.0 million in necessary hatchery maintenance and rehabilitation costs.

Other Subactivities and Accounts

Provide \$273.0 million for BIA Contract Support.—We respectfully request \$273.0 million, which would maintain funding at the fiscal year 2017 enacted level. We also support the reclassification of Contract Support Costs (CSC) as mandatory funding beginning in fiscal year 2018. Funding for this function is provided to Tribes and Tribal organizations to ensure they have the capacity to manage Federal programs under self-determination contracts and self-governance compacts. These funds are critical as they directly support our governmental functions, which allow us to fully exercise our right to self-govern.

Provide \$30.355 million for BIA Cooperative Landscape Conservation.—We respectfully request \$30.355 million; an increase of \$20.399 million over the fiscal year 2017 enacted level of \$9.956 million. Funding for this program will support Tribal capacity to participate in and provide input on climate change issues that impact fisheries and other treaty-reserved resources. It will also allow Tribes to provide their perspective on climate change adaptation and resiliency necessary to protect their treaty-reserved rights, which is informed by both traditional ecological knowledge and scientific research.

Provide \$830,000 for BIA Watershed Restoration.—We respectfully request \$830,000 for the western Washington treaty Tribes. Funding has historically been contained in the Forestry Subactivity—Forestry Projects—Watershed Restoration account and supports our Salmon and Steelhead Habitat Inventory and Assessment Program (SSHAP). SSHAP is a vital program to the western Washington Tribes, because it provides essential environmental data management, analysis, sharing, and reporting to support Tribal natural resource management. It also supports our Tribes' ability to adequately participate in watershed resource assessments and salmon recovery work.

ENVIRONMENTAL PROTECTION AGENCY

Provide \$96.4 million for EPA General Assistance Program (GAP).—We respectfully request \$96.4 million; an increase of \$30.924 million over the fiscal year 2017 enacted level of \$65.476 million. GAP is important because it provides the capacity for Tribes across the Nation to develop and operate essential environmental protection programs. These programs help our member Tribes address environmental issues such as water pollution, which impacts Tribal health and safety, as well as treaty-reserved resources.

Provide \$50.0 million for EPA Puget Sound Geographic Program.—We respectfully request \$50.0 million; an increase of \$22.0 million over the fiscal year 2017 enacted level of \$28.0 million. This Geographic Program provides essential funding that will help protect and restore Puget Sound—an estuary of national significance. Funding for this program is essential for Tribes because it supports our participation in a broad range of Puget Sound recovery work, including, scientific research,

resource recovery planning, implementation, and policy discussions on issues that affect our treaty rights.

Provide \$5.0 million for EPA "Beyond GAP".—We respectfully request \$5.0 million for EPA "Beyond GAP" and accompanying legislative language that would specifically allow Tribes to use this funding for implementing Tribal programs. We also request an increase to the Tribal allocations in EPA CWA § 104, § 106 and § 319, and CAA § 103 and § 105 programs to allow for media-specific implementation priorities. This "Beyond GAP" request would advance the EPA/Tribal partnership from solely funding capacity building to funding environmental programs capable of implementing a broad range of management activities necessary to protect health and safety, as well as treaty-reserved resources.

CONCLUSION

We respectfully urge the Subcommittee to continue to support our efforts to protect and restore our treaty-reserved rights that in turn will provide for thriving communities and economies. Thank you.

[This statement was submitted by Lorraine Loomis, Chair.]

PREPARED STATEMENT OF THE NORTON SOUND HEALTH CORPORATION

The requests of the Norton Sound Health Corporation (NSHC) for the fiscal year 2018 Indian Health Service (IHS) budget are as follows:

- Continue support and funding for the IHS Joint Venture program, which should be expanded to allow behavioral health programs to participate, and provide increased funding for staffing and for the IHS facilities appropriation, as sufficient to help ensure Norton Sound can construct and fully staff a new Wellness and Training Center, which is needed for providing critical substance use disorder and behavioral health services.
- Direct IHS to accept small ambulatory clinic funding applications for new health clinics that are construction-in-progress or consider negotiating staffing funds for new facilities.
- Expand and streamline funding for sewer and water projects.
- Make funding for Village Built Clinics recurring every year, which should be shown as a line item in the IHS budget and displayed in the Budget Justification.
- Ensure full funding of contract support costs.
- Increase funding for behavioral healthcare services.
- Shield IHS funding from sequestration.

The Norton Sound Health Corporation (NSHC) is the only regional health system serving Northwestern Alaska, along the Bering Strait Region. We are not connected by road to any other part of the State, and are 500 air miles from the City of Anchorage (roughly the distance from Washington, D.C. to Portland, Maine). Our service area encompasses 44,000 square miles. The system includes a regional hospital, which we own and operate under an Indian Self-Determination and Education Assistance Act (ISDEAA) agreement, and 15 village-based clinics.¹

Remove Restrictions on Joint Venture Construction Projects To Include Behavioral Health Facilities, and Increase Funding For IHS Joint Venture and Facilities Construction Funding. Substance use disorders and the costs associated with substance use in NSHC's region is at a crisis level. Substance abuse is present in 95 percent of law enforcement calls and incarcerations, in 92 percent of child protective services cases, and in 95 percent of referrals to women's shelters. The related healthcare costs, not only for substance-related treatment, but also connected with school and vocational drop-outs, suicides, and lost productivity continue to skyrocket.

While general outpatient services are a critical tool for addressing these concerns, many times patients need an even higher level of care in order to receive the deep clinical counseling required to combat a lifetime of substance abuse. In response to a community survey, in which NSHC's communities identified a significant need for addressing substance use and treatment options in a culturally sensitive manner, NHSC is developing a new Wellness and Training Center in order to provide a full continuum of treatment locally. The services will include detoxification, intensive outpatient services, day treatment and sober housing. Because people are literally dying in our region from addiction, this project is critical to help NSHC promote

¹We serve the communities of: Brevig Mission, Council, Diomed, Elim, Gambell, Golovin, King Island, Koyuk, Mary's Igloo, Nome, St. Michael, Savoonga, Shaktolik, Shishmaref, Solomon, Stebbins, Teller, Unalakleet, Wales, and White Mountain.

healing and to put the brakes on the rampant substance use in our region. This multipurpose building will also house our Health Aide Training Program, one of only four Health Aide Training sites in Alaska. Over seventy Health Aides are employed by Norton Sound Health Corporation and deliver nearly 70 percent of the healthcare in the region. Their training needs are comprehensive and must be maintained. This new training space will allow for increased classroom sizes to sustain the quality program.

NSHC has finished designing the new Wellness and Training Center and is ready to begin site work and pad preparation this year, with construction to start in 2018. The Center will be located near the Norton Sound Regional hospital in Nome, Alaska. We have funded the design work and initial phases of the project through grant funding and donations, as well \$1.9 million of NSHC's own funding. Although NSHC has pledged another \$2.5 million toward construction, the total cost of the construction project remains at \$11.8 million. NSHC has also with its own funds started construction of two ancillary health clinics in the villages of Savoonga and Gambell.

It was understood that the Small Ambulatory Clinic Fund, if approved, would support construction funding for both Gambell and Savoonga health clinics. The IHS has now reneged on its funding for these projects, claiming that because construction has already started, the projects are not eligible for funding as small ambulatory clinic projects or joint venture construction projects under the Indian Health Care Improvement Act (IHCIA). IHS has also denied funding for the Wellness and Training Center because it would include a behavioral health component, even though the new Title VII to the IHCIA has emphasized the need for behavioral health components to Tribal health programs. There is nothing in the IHCIA that prohibits the IHS from funding these construction projects under applicable IHCIA authorities just because they have already been started, nor is there any limitation in the law that a Tribal wellness center may not include a behavioral health component. Behavioral health facilities, like any healthcare facility in Indian country, are in desperate need of additional funding for staffing and operating their programs.

NSHC thus requests that the Subcommittees take up this issue with IHS regarding their restrictive policies on eligibility for the fiscal year 2017 funds, and include fiscal year 2018 report and/or statutory language requiring the IHS to fund these projects from fiscal year 2018 funds provided to implement these IHCIA authorities. NSHC also asks that the Subcommittees continue to fund and support the IHS Joint Venture program, as it is critically important for helping to address the significant backlog of facilities needs that continues to exist throughout Indian country. We also request that staffing funds be made available for clinics built by Tribes and Tribal organizations, as recurring money for staffing would go a long way toward supporting Tribal efforts to construct and operate new facilities in place of aging ones. We also ask the Subcommittees to support increased funding for the IHS facilities appropriations, as the amount of funding being appropriated for facilities construction and for maintenance and improvement of existing facilities is not currently adequate to cover the very substantial facility requirements that exist in Indian country and throughout the Alaska Tribal health system. Without facilities in which to provide healthcare, we cannot meet our communities' needs for quality and available local treatment.

Funding For Water & Sewer Projects. Five villages within the Bering Strait region are still to this day completely unconnected to any running water and sewer. Those villages are Diomedes, Wales, Shishmaref, Stebbins and Teller. In three other of NSHC's communities, 30–50 percent of the homes still lack such connections, and ongoing sewer and water upgrades and maintenance backlogs remain concerns in seven other of our communities.

Multiple Federal programs help to fund water and sewer projects, including grant programs through the U.S. Department of Agriculture and Environmental Protection Agency (EPA), as well as through the IHS. However, Federal funding streams must be coordinated in order to complete construction of a system in a community. For example, the EPA's Safe Drinking Water Act funding can only be used for community water facilities and water service lines, but not for interior plumbing. IHS housing support funds can be used for water and sewer facilities to non-HUD "like new" native owned/occupied homes, but regulations currently prevent connection to newer HUD-built homes. The regulatory structure is thus complex and makes for complicated planning and funding challenges.

NSHC believes it would be beneficial to streamline and align Federal agency authorities through the IHS. Establishing a program within the IHS that would allow Tribes to enter into contracts with the private sector, use Federal sewer and water funding from multiple agencies to support the complete construction of running water and sewer in a community would lead to a clear path toward water and sewer

development, rather than the piecemeal approach that exists today. We thus request the subcommittees' support for establishing such a program within the IHS, and for expanding the current funding within the IHS budget that is allocated toward water and sewer projects. In this day and age, we should not have communities, nor homes within communities, that are unconnected to safe water and sewer.

Additionally, we want to bring to the Subcommittees attention that as we consider reforms to regulatory structure for water and sewer projects, we are experiencing in our communities in Alaska the very real problem of climate change. Increasing temperatures are changing Alaska: thawing permafrost and eroding costal and river shorelines are damaging and shortening the operating life of critical sanitation infrastructure in Native communities. The State of Alaska and the Federal General Accounting Office have identified 31 threatened Native communities, 12 of which are looking at relocating their villages. Funding for programs impacted by climate change, such as those related to addressing flooding and erosion, must not be cut, and we ask the Subcommittees to help encourage the Federal funding agencies to be more responsive to the need for research and development, in order to address the sewer and water needs in these communities that are threatened by climate change.

Village Built Clinics. NSHC has testified for several years now about the chronic underfunding of our Village Built Clinics (VBCs). We cannot overstate the importance of the VBCs in Alaska. Anyone can try to imagine living in a very remote village with no roads and unpredictable weather, while a need for healthcare services arises, and can appreciate how the VBCs are necessary to ensure there is an available, local source of healthcare in such situations. We thus want to thank Congress for funding the \$11 million increase for Tribal health clinic leases in the fiscal year 2017 Consolidated Appropriations bill. However, we now ask for the Subcommittees' support to make VBC funding recurring every year, and request that additional funding be provided. In 2015, the Alaska Native Health Board estimated that \$12.5 million was needed in addition to the existing \$4.5 million base. Accordingly, the \$11 million increase in fiscal year 2017 was a major step forward, but still does not cover the full amount of need. In addition, without a separate line item for VBCs, much of the funding could be distributed to other types of facility leases, leaving the VBCs even more short on necessary funding. We thus also request that VBC funding be shown as a line item in the IHS budget and displayed in the Budget Justification in order to assist with planning and certainty for our VBCs.

Funding For Contract Support Costs. We wish to express our gratitude for the Subcommittees' leadership in making funding of IHS contract support costs (CSC) for fiscal years 2016 and 2017 an indefinite amount, and for making CSC a separate account in the IHS budget. This has made a tremendous difference in our ability to implement our healthcare programs under the Indian Self-Determination and Education Assistance Act (ISDEAA). Our objective, though, continues to be the indefinite appropriation of CSC funding as mandatory and permanent. Full payment of CSC is not discretionary; it is a legal obligation under the ISDEAA, affirmed by the U.S. Supreme Court. NSHC remains committed to working together with the appropriate Congressional committees to determine how best to achieve this objective.

Additional Issues. We have in the past testified in support of the Obama Administration's and the Senate Subcommittee's recommendation for \$25 million for an IHS Behavioral Health Integration Initiative. The final bill does not contain that amount, although there is an overall fiscal year 2017 \$12 million increase for the Mental Health Account (from \$82 million to \$94 million). We hope that fiscal year 2018 funding will be provided to build on this Initiative. We have also several times in the past requested that the IHS budget from sequestration. We again ask the Subcommittees' support for this request.

Thank you for your consideration of the concerns and requests of the Norton Sound Health Corporation.

[This statement was submitted by Christopher Bolton, Chief Operating Officer.]

PREPARED STATEMENT OF THE OFFICERS OF THE ENVIRONMENTAL COUNCIL OF THE STATES

DEAR CHAIRMAN MURKOWSKI, RANKING MEMBER UDALL, AND MEMBERS OF THE SUBCOMMITTEE:

The undersigned Officers of the Environmental Council of the States (ECOS), on behalf of the organization, submit this testimony on the President's proposed fiscal year 2018 budget for the U.S. Environmental Protection Agency (EPA), and specifically regarding the Categorical Grants within the State and Tribal Assistance Grants (STAG Categorical Grants).

States are collectively and independently reviewing the President's proposal. We appreciate the interactions and outreach by the Administration to seek State input on the budget to date, and look forward to further engagement on the budget with the administration and congressional delegations. It will be important that budget adjustments are made thoughtfully and with caution to assure sustained support to programs that advance the well-being of our communities and to the many partnerships we employ to deliver programs that drive critical environmental and public health protection.

The administration's proposed funding of \$597 million for the STAG Categorical Grants continues a national conversation about how to deliver environmental programs in our country efficiently and with a focus on results and outcomes.¹ ECOS is committed to, with our Federal, State, and local partners, assessing how we, collectively, perform environmental protection work today in the most efficient, least duplicative, manner possible.

CORE STATE ENVIRONMENTAL WORK

Through authorization and delegation over the last 45 years, States have become the primary implementers of Federal environmental statutes, today with 96 percent of the delegable authorities under Federal law. The STAG Categorical Grants fund core State environmental work, which include all aspects of operating delegated Federal programs such as issuing permits, conducting inspections, setting standards, collecting and managing data, bringing enforcement actions, providing compliance assistance and inspections, evaluating information submitted by regulated entities, citizen complaint response, external engagement and communication, developing regulations, drafting policies, classifying waterbodies, preparing for and responding to accidental or intentional releases of contaminants, and cleaning up and restoring sites. The STAG Categorical Grants make up on average 27 percent of State Environmental Agency Budgets.² Decreases in STAG Categorical Grants will have impacts on State environmental agencies that must be thoughtfully considered.

SUPERCORE STAG CATEGORICAL GRANTS

While all the STAG Categorical Grants are important to States, ECOS identified several STAG Categorical Grants as "supercore" because they directly support core State environmental responsibilities. Supercore STAG Categorical Grants sustain State performance of core legal obligations and health protection responsibilities. They are:

- Hazardous Waste Financial Assistance (RCRA Core Funding)
- Water Pollution Control (Clean Water Act Section 106)
- State and Local Air Quality Management (Clean Air Act Sections 103, 105, 106)
- Nonpoint Source Control (Clean Water Act Section 319)
- Public Water System Supervision (PWSS) (Safe Drinking Water Act Section 1443(a))
- Environmental Information (E-Permitting, Modernization of Data Systems)
- Multipurpose Grants (created in fiscal year 2016 Omnibus for State defined high priority activities)

The new Multipurpose Grants are the type of flexible, State-priority informed funding that States have been seeking for a long time. In 2016 all 56 States, territories, and the District of Columbia accepted the share of the \$19,800 million in Multipurpose Grants funding for which they were eligible. Projects undertaken included National Ambient Air Quality Standards implementation activities, process or system improvement efforts (many involving electronic data management sys-

¹ECOS notes that some funding for States is contained in other parts of the EPA proposed budget. For purposes of this testimony, however, ECOS focuses on the STAG Categorical Grants.

²<https://www.ecos.org/news-and-updates/green-report-on-status-of-environmental-agency-budgets/>.

tems), water pollution control, drinking water, and pesticides. Most importantly, the selected projects were important to the respective States, territories, and the District of Columbia.

STATE REVOLVING FUNDS

We acknowledge the administration's clear signal in favor of water infrastructure investment, with level funding proposed for the STAG State Revolving Loan funds (SRF). States recognize the significant need for investment in clean and safe water infrastructure nationally; ECOS recently documented that just the top 20 ready to go in 2017 water and wastewater projects per State total over \$14.4 billion.³ SRF funds are not cost-free to States—there is a 20 percent State match required. And while States can set-aside up to 31 percent of drinking water SRF funds to support State programs and activities to ensure safe drinking water, and 4 percent of clean water SRF funds for administrative costs, the overwhelming majority of SRF funds are distributed out to communities and are not for supporting the core State environmental work discussed above.

RESCISSIONS

States have voiced concerns that funds must be dispersed in a timely manner to allow efficient and effective use by States. States are currently working with EPA to address this real issue and improve administrative processes. We urge Congress to consider this ongoing concern and work as a basis to not include rescissions of unobligated STAG funds in the fiscal year 2018 enacted budget. For rescissions which are necessary in future years, we suggest rescissions should be taken equitably across Federal and State grant accounts.

THE IMPORTANCE OF FLEXIBILITY

States are managing State level cuts to their budgets, and historic flat Federal STAG funding, by leaning business processes and by strategically applying practices that improve efficiency, such as targeting inspections to priority areas and implementing technological advancements. Within each State, needs and priorities can vary in part from priorities set by EPA at the Federal level. State commissioners require maximum flexibility to direct the Federal resources in ways that suit their unique needs and circumstances. While the States may agree with and appreciate funding for specific efforts, States need flexibility to budget for and implement work activities most effectively. Directed funding undermines State flexibility and needed support for on-going every day implementation of the Nation's environmental laws. The States, as co-regulators with EPA, wish to preserve and expand State flexibility to address State and regional priorities within EPA's national framework. Fewer funding directives and instructions help streamline State-EPA discussions about the work to be accomplished and allow States to move more quickly to turn appropriated Federal dollars into positive environmental and public health results.

EPA'S SCIENTIFIC RESEARCH ROLE

State environmental agencies significantly value much of the research that EPA performs. States recently submitted to EPA for consideration a comprehensive inventory of current State research priorities.⁴ Ensuring that EPA has sufficient funding to directly assist States with key research needs is important, part of effective government, and much more efficient than multiple States seeking to answer common environmental science questions. ECOS hopes to work with the administration and Congress to see that appropriated EPA research dollars respond to identified State environmental agency research needs.

A CALL TO REVISIT COOPERATIVE FEDERALISM

The amount of Federal funding appropriate for environmental programs delegated to States is closely related to how we collectively view cooperative Federalism. States are committed to engaging the Congress, the administration, and all other parties and interests in how we can more fully define how cooperative Federalism today impacts policy, operations, and fiscal positions, and how we ensure effective public health and environmental protections. We believe that we can build on the foundations of national statutes, learn from the innovations and successes of State

³ <https://www.ecos.org/documents/ecos-inventory-of-states-2017-ready-to-go-water-and-waste-water-projects/>.

⁴ <https://www.ecos.org/wp-content/uploads/2017/04/ERIS-Survey-Summary-One-Pager.pdf>.

programs, and confidently meet the challenge of providing 21st century environmental protection with the best of 21st century methods and relationships.

CONCLUSION

ECOS values our work with the Appropriations Committee and Subcommittee, and appreciates consideration of our views. We are confident the funding appropriated will be well used, and that States will continue their dedicated efforts to deliver the clean environment all Americans want and deserve in the most efficient, modern, and results-oriented way possible. We welcome the opportunity to answer any questions or provide any further information. Questions about our testimony can be directed to ECOS' office at 50 F Street NW, Suite 350, Washington D.C. 20001, via email to adunn@ecos.org.

We thank you for the opportunity to share our perspectives, and are willing to provide the subcommittee with any input in the future.

John Linc Stine, Commissioner, Minnesota Pollution Control Agency, ECOS President.

Todd Parfitt, Director, Wyoming Department of Environmental Quality, ECOS Vice President.

Becky Keogh, Director, Arkansas Department of Environmental Quality, ECOS Secretary/Treasurer.

Martha Rudolph, Director of Environmental Programs, Colorado Department of Public Health and Environment, ECOS Past President.

PREPARED STATEMENT OF THE OGLALA SIOUX TRIBE

SUMMARY

The Oglala Sioux Tribe requests:

- An additional \$200 million for BIA law enforcement, including officer training, Tribal court personnel, and construction and maintenance of Tribal detention facilities;
- \$85.3 million for substance use disorder programs;
- \$6.2 billion for the Indian Health System;
- Funding for road construction;
- \$25 million for water infrastructure;
- Funding for education and recreation facilities, youth safe houses, community centers, including \$620,000 for juvenile detention education in BIA-funded facilities; and
- Funding for child protective services.

INTRODUCTION

Thank you Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee for your work on behalf of Indian Country. It is truly appreciated. While we know you have made progress through your hard work, the chronic underfunding of Indian Country programs and treaty obligations over the years is taking an enormous toll. It is quite literally costing lives as needs such as healthcare, behavioral health, and law enforcement go underfunded. Without adequate funding to operate fundamental government services, such as our court system and child protective services, we face the dilemma of how to continue administering these services ourselves. Underfunding, therefore, threatens our ability to exercise our rights to self-determination and sovereignty.

The Sioux Treaty of 1868 promised certain benefits and annuities each year to the bands of the Great Sioux Nation. Congressional ratification of that treaty cemented into law the United States' obligation to make appropriations for the Oglala Sioux Tribe. We ask you to fulfill those treaty obligations.

LAW ENFORCEMENT AND THE METH EPIDEMIC

In May 2016, our Tribe declared a State of Emergency on the Pine Ridge Reservation because of the shortage of Tribal Police officers and law enforcement resources. This shortage has resulted in a sharp increase in crime and an inability of our Tribal Police to guarantee the health and safety of our citizens, which results in intergenerational cycles of trauma as children are exposed to high rates of violence and substance abuse. We understand that funding in the Office of Justice Service's account for criminal investigations and police services flows more heavily to criminal

investigators rather than police officers. We need adequate funding for each of these important positions. Decades of underfunding Tribal public safety programs has fueled an unprecedented spike in violent crime and drug trafficking, consistent with the methamphetamine and heroin epidemic throughout the Great Plains Region. With only four officers covering our approximately 3 million acres per 12-hour shift, our Tribe simply does not have the necessary resources for public safety purposes. Each officer is personally responsible for 700,000 acres, without adequate support or backup and at great personal risk. The BIA has acknowledged that we need a minimum of about 95 more officers, but funds are not available to address this need.

Our criminal justice system is in critical need of funding. The Kyle Justice Center has been at the top of BIA's construction priority list for over 15 years. This short-term holding facility, court, and 911 call center is desperately needed but sits 100 percent complete for design. It is shovel ready. Additionally, our Tribal Court is so severely lacking in funding that we fear facing the dilemma of whether we can continue to exercise this fundamental aspect of our sovereignty.

A Tribe's ability to exercise its sovereignty and protect its citizens should not be dependent on its wealth. In order to fulfill these basic treaty rights, we request an additional \$200 million for BIA law enforcement, including officer training, Tribal Court personnel, and the construction and maintenance of Tribal detention facilities. We also request \$85.3 million for IHS substance use disorder programs.

INDIAN HEALTH CARE IN THE GREAT PLAINS

One of the United States' most sacred treaty obligations is providing for Indian healthcare. In the Great Plains, this moral and legal responsibility has been very nearly abandoned. Our citizens are among the poorest and most disenfranchised in the country. The "Washington Post" recently reported on a study that demonstrates that Oglala Lakota County has among the lowest life expectancy in the country.¹ Last year the Senate Committee on Indian Affairs held an oversight hearing and a field hearing on the poor quality of care received at IHS facilities in the Great Plains. Despite increased oversight and accountability efforts, our healthcare crisis continues to unfold. At the root of the Great Plains Health Care crisis is the glaring fact that IHS is only funded at about 60 percent of need. IHS must be able to recruit and retain high-quality employees, and that requires funding for salaries, housing, and training in addition to increased employee accountability. Additionally, there must be adequate facilities. Our Pine Ridge Hospital struggles with inadequate space to serve its user population. The IHS Service Unit profile States that the active user population exceeded the designed user population in 2000, and that the Service Unit currently services a user population of 51,227 in a space that is already undersized to serve the Health Systems Planning estimated user population of 22,000 patients.

ROAD MAINTENANCE

Current funding, \$24 million nationwide, for the BIA Road Maintenance program has been flat for over 22 years. This results in a compounding deferred maintenance backlog. In the Great Plains Region alone, a conservative estimate for deferred maintenance is \$10.6 million; nationally, it is \$289 million. Funding levels for maintenance on the Reservation of \$598 per mile are staggeringly low compared to the average \$6,000 per mile that South Dakota spends on road maintenance. Further, snow and ice control can consume up to 50 percent of an annual budget, a financial dilemma our Tribe faces every winter. Funding is so tight that routine bridge maintenance is not performed until it reaches a state of emergency. Further, a specific road issue is the Allen Road between Allen and Highway 18. The Tribe paid to build this road, but it has no monies to maintain it. The State receives funding for the road, but it is not maintaining it. A private citizen has been plowing this road for free in an effort to keep it safe for school buses. This is unacceptable. The Tribe should be provided adequate funding so that we can maintain this road; we stand ready to do the work provided we have the funding.

WATER INFRASTRUCTURE

Our Tribe is the lead sponsor of the Mni Wiconi Project, authorized by the Mni Wiconi Project Act of 1988, Public Law 100-516, as amended. The Project is a monumental clean drinking water project that provides Missouri River water to the Pine

¹Joel Achenbach, "U.S. Life Expectancy Varies by More Than 20 Years From County to County," *Washington Post* (May 8, 2017); Laura Dwyer-Lindgren, et al. "Inequalities in Life Expectancy Among US Counties, 1980 to 2014: Temporal Trends and Key Drivers," *JAMA Intern. Med.* (May 8, 2017).

Ridge Reservation, the Lower Brule Sioux Reservation, Rosebud Sioux Reservation and the West River/Lyman-Jones Water District. Funding is needed to complete the necessary community systems upgrades on Pine Ridge. The Act provides that the Oglala Sioux Rural Water Supply shall include the purchase, improvement, and repair of existing water systems. However, the Bureau of Reclamation, which funds the Project, will not accept the community systems into the Project until they are upgraded to a certain standard. Funding for these upgrades is necessary.

The Tribe is working with several Federal agencies to implement its plan to complete the upgrades. The Tribe, however, needs almost \$25 million to upgrade 19 existing systems and transfer them into the Mni Wiconi Project, as intended by the Act. Once transferred they will be operated and maintained through authorized funding under the Mni Wiconi Project Act. Additional monies provided to the IHS's Sanitation Facilities Construction account as well as to the EPA's Revolving Funds are needed to allow for the IHS and EPA to better contribute and participate in the joint Federal agency effort to complete the upgrades of the systems in a timely manner so those on the Pine Ridge Reservation can finally receive the clean drinking water they were promised so long ago under the Mni Wiconi Project Act.

EDUCATION FACILITIES AND PROGRAMMING

Total replacement of the Wounded Knee and Little Wound Schools is required. The Wounded Knee School project has been on the BIA's Office of Facility Maintenance and Construction list for many years, and Little Wound was built in the 1950s. School replacement and repairs must include adequate funding for operations and maintenance, necessary components of school infrastructure, so that the investment in construction can be safeguarded and our students can be safe in their learning environment. Currently, these crucial components are funded at less than 50 percent of the need.

Our youth need safe houses where they can go and where they can get assistance identifying physical and mental health resources available to them. They also need youth centers as safe places to congregate and build a sense of community. Children also need places to play. Currently, our children ask to be driven all the way to Rapid City just so they can play in the park. Our communities need playgrounds, skate parks, and other community spaces. Thus, we request funding for the construction, operation, maintenance, and personnel of youth safe houses, youth centers, and recreational facilities (such as skate parks, athletic fields, basketball courts, art centers, music centers, etc.) to provide spaces where youth can be secure outside their homes.

Also, \$620,000 is needed for juvenile detention in BIA-funded facilities. This essential funding provides critical educational services to detained and incarcerated youth. From 2012 to 2016, this need was not funded, and we thank you for supporting the reinstatement of this much-needed source of funds for the education and rehabilitation of some of our most vulnerable youth.

HOUSING

Pine Ridge has a terrible housing shortage. Many of our citizens—infants, elders, veterans, families—live in conditions that no American should have to endure. Families live packed into two-bedroom homes or families of six try to survive in a one-bedroom. Overcrowding affects the physical, social, and mental state of our people, and it is often impossible to study, to be healthy, and to maintain a strong family unit in such environments. We also have difficulty recruiting and retaining quality IHS staff because of our housing shortage. We currently need 4,000 new units and 1,000 homes repaired. Many homes are also in desperate need of repair, with citizens living in conditions that are not only overcrowded but also unsafe. Our citizens depend on the Housing Improvement Program (HIP), which assists families under 150 percent of the Department of Health and Human Services Poverty Guidelines that live in substandard housing and have no other resource for housing assistance. HIP funds are separate from the Native American Housing Assistance and Self-Determination Act (NAHASDA) and are not used on homes built by the Department of Housing and Urban Development (HUD). These essential HIP funds are used to build new or replacement homes and to renovate homes for our people who have nowhere to go. Also, expanding the Tiwahe Initiative so we may be included is important not only for its comprehensive approach to social services, but also because HIP targets housing improvements at established Tiwahe sites.

CHILD PROTECTIVE SERVICES

The Child Protection Services (CPS) and Indian Child Welfare Act (ICWA) Program perform an integrated child and family services system to address child wel-

fare and comprehensive family support services for the families on the reservation. The program administers a Social Security Act, Title IV–B grants through block grants and Title IV–E through the State/Tribal Agreement and the Social Security Act. There are 16 full-time positions funded by the State through the State/Tribal Agreement. With the number of cases and the backlog of pending cases, we need four more full time support staff with an annual rate of \$38,000 plus fringe benefits for a total of \$162,640 for personnel services. CPS is funded through the BIA and currently funds only one full-time director with fringe benefits. CPS needs funding for an administrative staffer. Foster care payments received are welfare assistance funds. With the increase in client caseloads, we need at least \$100,000 for foster care payments. The program also has an unmet need for operating costs and staff training for both CPS and ICWA. The total for child welfare services including maintenance payments for foster care, guardianship, and adoption is projected to cost \$402,600 annually. The ICWA program funds three full-time employees with fringe benefits, with no funding for operating costs, including staff travel. Further, there is an unmet need of \$75,000 for our cases as we anticipate an average of 17 children served every quarter. These are enrolled Tribal members throughout the United States for which intervention takes place.

CPS also needs funding for four additional program vehicles with an average cost of \$20,000 each. Currently, we only have three vehicles that the staff share. With the constant repairs and maintenance for these older vehicles, we need more new vehicles as staff is on-call staff 24/7.

PREPARED STATEMENT OF THE OREGON WATER RESOURCES CONGRESS

The Oregon Water Resources Congress (OWRC) is concerned about continuing reductions to the U.S. Environmental Protection Agency's (EPA) Clean Water State Revolving Fund Loan Program (CWSRF) and is requesting that appropriations for this program be increased to at least \$2 billion in fiscal year 2018. The CWSRF is an effective loan program that addresses critical water infrastructure needs while benefitting the environment, local communities, and the economy.

OWRC was established in 1912 as a trade association to support the protection of water rights and promote the wise stewardship of water resources statewide. OWRC members are local governmental entities, which include irrigation districts, water control districts, drainage districts, water improvement districts, and other agricultural water suppliers that deliver water to roughly 1/3 of all irrigated land in Oregon. These water stewards operate complex water management systems, including water supply reservoirs, canals, pipelines, and hydropower production.

FISCAL YEAR 2018 APPROPRIATIONS

We recognize that our country is facing difficult economic times and that we must make strategic investments with scarce resources. The CWSRF is a perfect example of the type of program that should have funding increased because it creates jobs while benefitting the environment, and is an efficient return on taxpayer investment. Oregon is facing record levels of unemployment and the CWSRF funded projects provide much needed construction and professional services jobs. Moreover, as a loan program, it is a wise investment that allows local communities to leverage their limited resources and address critical infrastructure needs that would otherwise be unmet.

Nationally, there are large and growing critical water infrastructure needs. In EPA's most recent needs surveys, "The Clean Watersheds Needs Survey 2012: Report to Congress and Drinking Water Infrastructure Needs Survey and Assessment: Fifth Report to Congress", the estimated funding need for drinking water infrastructure totaled \$384 billion (in 2011 dollars) and wastewater infrastructure needs totaled \$271 billion (in 2012 dollars). Appropriations for water infrastructure, specifically CWSRF, should not be declining but remaining strong in order to meet these critical needs. In 2015 appropriations for the CWSRF program was approximately \$1.448 billion and declined to \$1.394 billion in fiscal year 2016. We are concerned as we see this negative downward trend continuing while the infrastructure needs only become more critical.

We also continue to be highly supportive of expanding "green infrastructure," in fact, irrigation districts and other water suppliers in Oregon are on the forefront of "green infrastructure" through innovative piping projects that provide multiple environmental benefits, which is discussed in greater detail below. However, continually reducing the amount of funds available for these types of worthwhile projects is counterproductive to the Administration's desire and has created increased uncertainty for potential borrowers about whether adequate funding will be available in

future years. CWSRF is often an integral part of an overall package of State, Federal and local funding that necessitates a stronger level of assurance that loan funds will be available for planned water infrastructure projects. Reductions in the CWSRF could lead to loss of grant funding and delay or derail beneficial projects that irrigation districts have been developing for years.

Additionally, OWRC is pleased that EPA continues “strategic partnerships” with the USDA’s Natural Resources Conservation Services (NRCS) and other Federal agencies to improve water quality and address nonpoint source pollution. Oregon had two priority watersheds eligible for funding through the National Water Quality Initiative in 2014 and anticipates that additional watersheds will be included in the future. As Oregon is a delegated State, OWRC also feels strongly that the Oregon Department of Environmental Quality (DEQ) is best situated to develop and implement activities to improve these and other impaired waterways in the State. DEQ and its administration of the CWSRF has been an extremely valuable tool in Oregon for improving water quality and efficiently addressing infrastructure challenges that are otherwise cost-prohibitive.

OWRC was very satisfied to see the passage of the Water Infrastructure Improvements for the Nation Act (WIIN) by Congress in December last year. An integral piece of the funding puzzle for our member districts was reinstated by this act, irrigation district eligibility for principal forgiveness. The CWSRF is often an integral part of an overall package of State, Federal and local funding that necessitates a stronger level of assurance that loan funds will be available for planned water infrastructure projects. Irrigation districts are often located in rural communities and have a small number of farmers with limited capacity to take on loan debt. Even a small reduction in the principal repayment obligations can make the difference in whether or not a district can move forward with a project. Reductions in eligibility for principal forgiveness in the CWSRF could lead to loss of grant funding and delay or derail beneficial projects that irrigation districts have been developing for years.

CWSRF NEEDS

The appropriations for the CWSRF program over the past few years has been far short of what is needed to address critical water infrastructure needs in Oregon and across the Nation. This has led to fewer water infrastructure projects, and therefore a reduction in improvements to water quality. DEQ’s most recent “Proposed Intended Use Plan Update #1—State fiscal year 2017,” lists 15 projects in need of a total of \$86,148, 504 in Oregon alone. The Federal capitalization grant funding awarded fiscal year 2016 will total \$14,974,000, which is wholly inadequate to address and complete these much needed projects.

Unfortunately, due to recent cutbacks and lack of availability principal forgiveness for irrigation districts (which was recently reinstated with the passage of the WIIN Act), only two irrigation districts submitted applications for funding in 2017: Middle Fork Irrigation District (MFID), and Central Oregon Irrigation District (COID). MFID requested \$20,000,000 for the design and construction of multiple projects to improve water quality and quantity associated with its irrigation diversions in the Middle Fork Hood River watershed. COID requested \$1,140,000 for design and construction to pipe approximately 3,000 linear feet of open canal and to upgrade their fish screen at the inlet on the Deschutes River. OWRC is hopeful that with an increase in money available, more districts will apply for funding to complete projects that will not only benefit the environment and the patrons served by the water delivery system, but also benefit the economy.

CWSRF AND IRRIGATION DISTRICTS

OWRC and our members are highly supportive of the CWSRF, including promoting the program to our members and annually submitting Federal appropriations testimony to support increased funding for the CWSRF. We believe it is an important funding tool that irrigation districts and other water suppliers are using for innovative piping projects that provide multiple environmental and economic benefits.

Eight OWRC member districts have successfully received loans from the CWSRF over the last several years and many more will apply if eligible to receive some principal forgiveness. Numerous irrigation districts and other water suppliers need to pipe currently open canals, which reduces sediment and water temperature and provides other water quality improvements as well as increasing water availability for fish and irrigators by reducing water loss from the delivery system. In 2009, four irrigation districts received over \$11 million funding in Oregon from the American Recovery and Reinvestment Act (ARRA) through the CWSRF for projects which cre-

ated valuable jobs while improving water quality. These four projects were essential to DEQ not only meeting but exceeding the minimum requirement that 20 percent of the total ARRA funding for the CWSRF be used for “green” projects. Without the irrigation district projects, it is likely that Oregon’s CWSRF would not have qualified for ARRA funding.

THE IMPORTANCE AND SUCCESS OF LOCAL WATERSHED PLANNING

Oregon’s success in watershed planning illustrates that planning efforts work best when diverse interests develop and implement plans at the local watershed level with support from State government. Oregon has recently revised their CWSRF rules; thus making conservation easier and its benefits to be better achieved in the State. As the national model for watershed planning, Oregon does not need a new Federal agency or Executive Branch office to oversee conservation and restoration efforts. Planning activities are conducted through local watershed councils, volunteer-driven organizations that work with local, State and Federal agencies, economic and environmental interests, agricultural, industrial and municipal water users, local landowners, Tribes, and other members of the community. There are over 60 individual watershed councils in Oregon that are already deeply engaged in watershed planning and restoration activities. Watershed planning in Oregon formally began in 1995 with the development of the Oregon Plan for Salmon Recovery and Watershed Enhancement, a statewide strategy developed in response to the Federal listing of several fish species. This strategy led to the creation of the Oregon Watershed Enhancement Board (OWEB), a State agency and policy oversight board that funds and promotes voluntary and collaborative efforts that “help create and maintain healthy watersheds and natural habitats that support thriving communities and strong economies” in 1999.

CONCLUSION

In conclusion, we applaud the CWSRF program for allowing Oregon’s DEQ to make targeted loans that address Clean Water Act issues and improve water quality but also help incentivize innovative water management solutions that benefit local communities, agricultural economies, and the environment. This voluntary approach creates and promotes cooperation and collaborative solutions to complex water resources challenges. We respectfully request the appropriation of at least \$2 billion for the U.S. Environmental Protection Agency’s Clean Water State Revolving Loan Fund for fiscal year 2018.

[This statement was submitted by April Snell, Executive Director.]

PREPARED STATEMENT OF THE OREGON WATER RESOURCES CONGRESS

The Oregon Water Resources Congress (OWRC) is writing to express its strong support for the U.S. Fish and Wildlife Service Fisheries Restoration Irrigation Mitigation Act (FRIMA) Program and is requesting that appropriations for this program be increased to \$15 million in fiscal year 18, which is what FRIMA was originally authorized for. The FRIMA program is an essential costshare funding program that helps water users and fishery agencies better protect sensitive, threatened, and endangered fish species while ensuring water supply delivery to farms and communities.

OWRC was established in 1912 as a trade association to support the protection of water rights and promote the wise stewardship of water resources statewide. OWRC members are local governmental entities, which include irrigation districts, water control districts, drainage districts, water improvement districts, and other agricultural water suppliers that deliver water to roughly 1/3 of all irrigated land in Oregon. These water stewards operate complex water management systems, including water supply reservoirs, canals, pipelines, and hydropower production.

FISCAL YEAR 2018 APPROPRIATIONS

The FRIMA program meets a critical need in fishery protection and restoration, complimenting other programs through the U.S Fish and Wildlife Services (FWS). Fish passage and fish screens installations are a vital component to fishery protection with several benefits:

- Keeps sensitive, threatened and endangered fish out of canals and water delivery systems.
- Allows fish to be safely bypassed around reservoirs and other infrastructure.
- Eliminates water quality risks to fish species.

There are over 100 irrigation districts and other special districts in Oregon that provide water supplies to over one million acres of irrigated cropland in the State. Almost all of these districts are affected by either State or Federal Endangered Species Act listings of Salmon and Steelhead, Bull Trout or other sensitive, threatened or endangered species. The design and installation of fish screens and fish passage to protect the myriad of fish species is often cost-prohibitive for individual districts to implement without outside funding sources.

Oregon irrigation districts anticipate no less than \$25 million in funding will be required to meet current fish passage and fish screen needs. Limited cost-share funds are available from the Oregon Watershed Enhanced Board (OWEB) program in Oregon, but the primary cost-share for fish screen and fish passage projects has been provided by the districts and their water users. Project needs include both construction of new fish screens and fish passage facilities as well as significant upgrades of existing facilities to meet new requirements (new species, new science) of the National Oceanic and Atmospheric Administration (NOAA) Fisheries Service and the FWS. Upgrades are often needed to modernize facilities with new technologies that provide better protection for fish species as well as reduced maintenance and increased lifespan for the operator.

BACKGROUND OF THE FISHERIES RESTORATION IRRIGATION MITIGATION ACT (FRIMA) PROGRAM

FRIMA, originally enacted November 2000, created a Federal partnership program incentivizing voluntary fish screen and fish passage improvements for water withdrawal projects in Idaho, Oregon, Washington and western Montana. The funding goes to local governments for construction of fish screens and fish passage facilities and is matched with non-Federal funding. Irrigation districts and other local governments that divert water for irrigation accessed the funding directly, while individual irrigators accessed funding through their local Soil and Water Conservation District (SWCD), which are local governments affiliated with the Natural Resources Conservation Service (NRCS).

FRIMA was reauthorized as part of the Water Infrastructure Improvements for the Nation Act (WIIN) of 2016 for only \$18 million, well short of the estimated \$500 million in fish screening and passage needs in the Pacific Northwest alone. The original legislation in 2000 (Public Law 106-502) was supported and requested by the Pacific Northwest Partnership, a coalition of local governmental entities in the four Northwest States. As one of the members of that coalition, we appreciate and strongly support your efforts to reauthorize the FRIMA program. The FRIMA legislation authorized \$25 million annually, to be divided equally among the four States from 2001 to 2012, which was when the original authorization expired. The actual funding appropriated to the FRIMA program (through congressional write-ins) ranged from \$1 million to \$8 million, well short of the \$25 million it was authorized for and far short of what is needed to address fish passage and screening needs across the region. However, that small amount funding was used to leverage other funds and assisted the region in making measurable progress towards addressing fish screens and fish passage needed to protect sensitive, threatened, and endangered fish species.

FRIMA funding was channeled through FWS to State fishery agencies in the four States, distributed using an application and approval process based on a ranking system implemented uniformly among the States, including the following factors: fish restoration benefits, cost effectiveness, and feasibility of planned structure. All projects provided improved fish passage or fish protection at water diversion structures and benefitted native fish species in the area, including several State or federally listed species. Projects were also subject to applicable State and Federal requirements for project construction and operation.

PROGRAM BENEFITS

FRIMA projects provide immediate protection for fish and fills a large unmet need in the Pacific Northwest for cost-share assistance with fish screening and fish passage installations and improvements. A report by FWS covering program years fiscal year 2002-2012 provides State-by-State coverage of how the congressional provided funding has been used in the program. Compared to other recovery strategies, the installation of fish screens and fish passage infrastructure has the highest assurance for increasing numbers of fish species in the Pacific Northwest. Furthermore, the installation of these devices have minimal impacts on water delivery operations and projects are done cooperatively using methods that are well accepted by landowners and rural communities.

The return of the FRIMA program will catalyze cooperative partnerships and innovative projects that provide immediate and long-term benefits to irrigators, fishery agencies, and local communities throughout the Pacific Northwest. This program is also a wise investment, with past projects contributing more than the required match and leveraging on average over one dollar for each Federal dollar invested. FRIMA provides for a maximum Federal cost-share of 65 percent, with the applicant's costshare at 35 percent plus the on-going maintenance and support of the structure for passage or screening purposes. Applicants operate the projects and the State agencies monitor and review the projects.

OREGON'S PROJECT BENEFITS

Twenty-six fish screens or fish passage projects in Oregon were previously funded using FRIMA for part of the project financing. These projects have led to:

- Installation of screens at 17 diversions or irrigation pumps.
- Removal or modification of 12 fish passage barriers.
- Three-hundred sixty-five miles being re-opened to fish passage.

In addition, the Oregon Department of Fish and Wildlife (ODFW) has used some of the FRIMA funding to develop an inventory of need for fish screens and passages in the State. Grants ranged from just under \$6,000 to \$400,000 in size with a local match averaging 64 percent of the project costs, well over the amount required under the Act (35 percent). In other words, each Federal dollar invested in the FRIMA program generates a local investment of just over one dollar for the protection of fish species in the Pacific Northwest.

The following are examples of how Oregon used some of its FRIMA money:

Santiam Water Control District Project: Fish screen project on a large 1050 cubic feet per second (cfs) multipurpose water diversion project on the Santiam River (Willamette Basin) near Stayton, Oregon. Partners are the Santiam Water Control District, ODFW, Marion Soil and Water Conservation District, and the City of Stayton. Approved FRIMA funding of \$400,000 leveraged a \$1,200,000 total project cost. Species benefited included winter steelhead, spring Chinook, rainbow trout, and cutthroat trout.

South Fork Little Butte Creek: Fish screen and fish passage project on a 65 cfs irrigation water diversion in the Rogue River Basin near Medford, Oregon. Partners are the Medford Irrigation District and ODFW. Approved FRIMA funding of \$372,000 leveraged a \$580,000 total project cost. Species benefited included listed summer and winter steelhead, coho salmon, and cutthroat trout.

Running Y (Geary Diversion) Project: Fish screen project on a 60 cfs irrigation water diversion in the upper Klamath Basin near Klamath Falls, Oregon. Partners are the Wocus Drainage District, ODFW, and Jeld-Wen Ranches. Approved FRIMA funding of \$44,727 leveraged a total project cost of \$149,000. Species benefited included listed red-band trout and short-nosed sucker.

Lakeshore Gardens Project: Fish screen project on a 2 cfs irrigation water diversion in the upper Klamath Basin near Klamath Falls, Oregon. Partners are the Lakeshore Gardens Drainage District and ODFW. Approved FRIMA funding of \$5,691 leveraged a total project cost of \$18,970. Species benefited included red-band trout, short-nosed sucker and Lost River sucker.

CONCLUSION

Increasing appropriations for FRIMA will fill a vital funding gap for fish screens and fish passage projects that are needed to better protect sensitive, threatened, and endangered fish species, which also benefits the economy, local communities, and the environment we share. FRIMA funds projects that are ready to be constructed and will provide immediate improved protections for fish and immediate jobs for the construction of the projects. Dollar-for-dollar, providing screening and fish passage at diversions is one of the most cost-effective uses of restoration dollars, creating fishery protection at low cost, with low risk and significant benefits. The return of the FRIMA program will catalyze cooperative partnerships and innovative projects that provide immediate and long-term benefits to irrigators, fishery agencies, and local communities throughout the Pacific Northwest. We respectfully request the appropriation of at least \$15 million for U.S. Fish and Wildlife Service Fisheries Restoration Irrigation Mitigation Act program for fiscal year 2018.

[This statement was submitted by April Snell, Executive Director.]

PREPARED STATEMENT OF THE PARTNERSHIP FOR THE NATIONAL TRAILS SYSTEM

Madame Chairwoman and Members of the subcommittee:

The Partnership for the National Trails System appreciates your support over the past 20 years, through operations funding and dedicated Challenge Cost Share funds, for the national scenic and historic trails administered by the National Park Service. We also appreciate your increased allocation of funds to support the trails administered and managed by the Forest Service and for the trails in the Bureau of Land Management's National Landscape Conservation System.

2018 will be the 50th year since Congress established the National Trails System as a bold experiment in public/private collaboration for public benefit. While most of the trail making is done by tens of thousands of citizen stewards increased funding is needed to close gaps in these trails. To continue the progress that you have fostered and to begin the next 50 years with an increased investment in the National Trails System, the Partnership requests that you provide annual operations funding for each of the 30 national scenic and historic trails for fiscal year 2018 through these appropriations:

- National Park Service*: \$16.233 million for administration of 23 trails and for coordination of the long-distance trails program by the Washington office. Construction: \$357,200 for the Ice Age Trail and \$250,000 for the Pacific Crest Trail.
 - USDA Forest Service*: \$85 million for trails construction and maintenance (CMTL) with \$7.796 million of it to administer 6 trails and \$1.3 million to manage parts of 16 trails administered by the NPS or BLM. \$600,000 for Iditarod Trail construction and maintenance.
 - Bureau of Land Management*: \$2.812 million to administer three trails and for coordination of the National Trails program and \$7.14 million to manage portions of 13 trails administered by the Park Service or the Forest Service and for operating five National Historic Trail interpretive centers. Construction: \$300,000 for the Iditarod Trail. Maintenance: \$300,000 for the Iditarod Trail and \$250,000 for the Pacific Crest Trail.
 - We ask you to create a \$1.5 million National Trails System Challenge Cost Share Program for the National Park Service.
 - We ask you to restore the Bureau of Land Management's Challenge Cost Share Program with \$3 million and allocate \$500,000 of it for the national scenic and historic trails.
- We ask you to appropriate \$900,000,000 from the Land and Water Conservation Fund and allocate \$54,832,000 of it to these agencies to purchase 72 tracts along five national scenic and seven national historic trails described in the National Trails System Collaborative Landscape Planning proposal:
- Bureau of Land Management*: \$2,895,000
 - U.S. Fish and Wildlife Service*: \$12,719,000
 - U.S. Forest Service*: \$18,331,000
 - National Park Service*: \$20,887,000.

NATIONAL PARK SERVICE

The \$16.233 million we request for Park Service operations includes increases for some of the trails to continue the progress and new initiatives made possible by the additional funding Congress provided several years ago. An increase of \$570,000 for the Old Spanish Trail will enable the Park Service to begin implementing the Trail's new Comprehensive Administrative Strategy working with the Old Spanish Trail Association to increase volunteer participation in signing, interpreting, and educating the public about the trail. The Park Service will be better able to collaborate with the Bureau of Land Management in administering the trail and to consult with other agencies to protect the cultural and natural resources along it from destruction by energy projects.

We request an increase of \$660,000 to expand Park Service efforts to protect cultural landscapes at more than 200 sites along the Santa Fe Trail, to develop GIS mapping, and to fund public educational and community outreach programs of the Santa Fe Trail Association. Increases of \$313,224 for the Oregon Trail and \$255,192 for the California Trail will enable the Park Service to work with the Oregon-California Trails Association to develop digital and social media to connect with youth in the cities along these trails providing information about their many layers of history and to better protect the historical and cultural heritage sites and landscapes along them from destruction by energy development in the West. We request an increase of \$300,000 to \$833,000 for the Ala Kahakai Trail to enable the Park Service to work with E Mau Na Ala Hele, the Ala Kahakai Trail Association, and other com-

munity organizations to care for resources on the land and with the University of Hawaii to conduct archaeological and cultural landscape studies along this trail.

The \$1,020,000 we request for the 4,200 mile North Country Trail will enable the Park Service to provide greater support for the regional GIS mapping, trail building, trail management, and training of volunteers led by the North Country Trail Association. The \$1,278,000 we request for the Ice Age Trail includes a \$443,000 increase to build partner and citizen capacity for building new and maintaining existing trail, protecting the natural and cultural resources on the lands purchased for the trail, and to provide the Park Service with a planner to accelerate planning of the land protection corridor for the trail.

Construction: We request that you provide \$357,200 for the Ice Age Trail to build 30 miles of new trail and several trailhead parking lots and \$250,000 for the Pacific Crest Trail for trail construction projects.

Challenge Cost Share programs are one of the most effective and efficient ways for Federal agencies to accomplish a wide array of projects for public benefit while also sustaining partnerships involving countless private citizens in doing public service work. We request that you restore the Bureau of Land Management Challenge Cost Share program, appropriate \$3 million to fund it, and allocate \$.5 million of that to fund projects along the national scenic and historic trails. We ask you to create a National Park Service National Trails System Challenge Cost Share program with \$1.5 million funding to continue the steady progress toward making these trails fully available for public enjoyment as a wise investment of public money that will generate public benefits many times greater than its sum.

USDA—FOREST SERVICE

We ask you to appropriate \$85 million for trails construction and maintenance (CMTL) to begin to address the considerable maintenance backlog on the trails in the National Forest System. Within this appropriation we request that you provide \$7.796 million as a separate budgetary item specifically for the Arizona, Continental Divide, Florida, Pacific Crest, and Pacific Northwest National Scenic Trails and the Nez Perce National Historic Trail within the over-all appropriation for Capital Improvements and Maintenance for Trails. Recognizing the on-the-ground management responsibility the Forest Service has for 1024 miles of the Appalachian Trail, more than 650 miles of the North Country Trail, and sections of the Ice Age, Anza, Caminos Real de Tierra Adentro and de Tejas, Lewis & Clark, California, Iditarod, Mormon Pioneer, Old Spanish, Oregon, Overmountain Victory, Pony Express, Trail of Tears and Santa Fe Trails, we ask you to appropriate \$1.3 million specifically for these trails.

The Partnership's request of \$7.796 million includes \$1.5 million to enable the Forest Service and Florida Trail Association to continue trail maintenance, to control invasive species, do ecosystem restoration, and otherwise manage 4,625 acres of new Florida Trail land. The \$7.996 million request also includes \$2.1 million for the Pacific Crest Trail, \$2 million for the Continental Divide Trail, \$1 million for the Pacific Northwest Trail, \$826,000 for the Nez Perce Trail, and \$570,000 for the Arizona Trail. Some of the additional funds requested will enable the Forest Service to develop Comprehensive Management Plans for the latter three trails. We also request \$600,000 of additional funding for construction and for maintenance of sections of the Iditarod Trail.

BUREAU OF LAND MANAGEMENT

Although considerably more money is needed to fully administer the National Conservation Lands System and protect its resources, we request that you appropriate \$84 million in base funding for the System. We ask that you appropriate as new permanent base funding \$250,000 for National Trails System Program Coordination, \$1,000,000 for the Iditarod Trail, \$230,000 for El Camino Real de Tierra Adentro Trail, \$1,332,000 for the Old Spanish Trail, and \$4,000,000 for the Bureau to manage 4,645 miles of thirteen other national scenic and historic trails. We request \$300,000 to construct new sections of the Iditarod Trail and to maintain these trails: Iditarod Trail—\$300,000 and Pacific Crest Trail—\$250,000. We also request \$3,140,000 to operate five historic trails interpretive centers.

To promote greater management transparency and accountability for the National Trails and the whole National Landscape Conservation System (NLCS), we urge you to request expenditure and accomplishment reports for each of the NLCS Units for fiscal year 2017 and fiscal year 2018 and to direct the Bureau to include unit-level allocations within major sub-activities for each of the scenic and historic trails, and wild and scenic rivers—as the Bureau has done for the national monuments, wilderness, and conservation areas—within a new activity account for the National Land-

scape Conservation System in fiscal year 2019. The Bureau's lack of a unified budget account for National Trails prevents the agency from efficiently planning, implementing, reporting, and taking advantage of cost-saving and leveraging partnerships and volunteer contributions for every activity related to these national resources.

LAND AND WATER CONSERVATION FUND

The Partnership strongly supports full funding of the Land and Water Conservation Fund at the authorized \$900 million for the component Federal and State programs funded under LWCF. Within this amount we request that you appropriate \$54,832,000 for the National Trails System Collaborative Landscape Planning proposal to acquire 72 parcels along these 12 national scenic and historic trails:

Bureau of Land Management: \$2,895,000 | 12 parcels | 1,845 acres

Nez Perce National Historic Trail (ID) \$2,295,000 to protect riparian ecosystems and migratory corridors with habitat for sage grouse, pronghorn antelope, and elk, and historic and cultural resources.

Pacific Crest National Scenic Trail (OR) \$600,000 for trail and resource protection within the Cascade Siskiyou National Monument in Southern Oregon.

U.S. Fish and Wildlife Service: \$12,719,000 | 7 parcels | 6,462 acres

Appalachian National Scenic Trail (PA) \$1,800,000 for protection of a keystone habitat for bog turtles, black bear, Indiana bats, northern flying squirrels, and bald eagles along the Kittatinny Ridge.

California National Historic Trail (ID) \$1,570,000 to protect the largest breeding concentration of Sandhill Cranes and a haven for other waterfowl near Grays Lake NWR from agricultural development;

Captain John Smith Chesapeake National Historic Trail (VA) \$8,500,000 to preserve and provide access to the site of a historic encounter between John Smith and indigenous peoples and protect a major eagle and migratory bird stopover habitat at Fones Cliff in the Rappahannock NWR;

Lewis and Clark National Historic Trail (WA) \$849,000 to preserve a wealth of unique ecosystems and enhance ecosystem connectivity between State-protected lands and the Steigerwald NWR.

U.S. Forest Service: \$18,331,000 | 41 parcels | 8,704 acres

Appalachian National Scenic Trail (NC, TN, VA, VT) \$7,626,000 to protect the largest remaining inholding of the Green Mountain NF, relocate trail segments, preserve trail viewsheds, and provide ecological connectivity and watershed protection near or adjacent to the Pisgah NF State-protected lands;

Continental Divide National Scenic Trail (MT, CO) \$1,065,000 to protect alpine headwaters of the Rio Grande River and high-altitude habitat for Elk, deer, and Canada Lynx within the Helena National Forest;

Florida National Scenic Trail (FL) \$90,000 to fill trail gaps and provide connectivity between protected areas along the Withlacoochee River and adjacent to Suwannee River State Park;

Pacific Crest National Scenic Trail (CA, WA) \$9,550,000 to protect inholdings of the Shasta-Trinity NF, maintain public access to at-risk trail segments along riparian corridors, and preserve iconic views at Pine Mountain.

National Park Service: \$20,887,000 | 12 parcels | 7,466 acres

Ala Kahakai National Historic Trail (HI) \$6,000,000 to protect 444 archaeological sites at an ancient coastal indigenous gathering area that hosts a wealth of native plants and wildlife both above and below ground in lava tubes;

Appalachian National Scenic Trail (MA, NY, ME) \$5,657,000 to protect the remaining 8 miles of shoreline and enable public access for Bald Mountain Pond, to enable multiple trail re-routings, to preserve delicate habitats for threatened and endangered species, to support connectivity of riparian and forest habitats, and to preserve iconic scenic viewsheds;

North Country National Scenic Trail (MI, WI) \$5,900,000 to fill over nine miles of trail gaps, protect over 2,500 acres along the Sturgeon River downstream from the Ottawa National Forest, and to preserve public access to a 3,000-ft pristine shoreline of Lake Superior that provides critical habitat for endangered and migratory species;

Overmountain Victory National Historic Trail (TN) \$330,000 to protect the historically significant Shelving Rock Encampment Site, preserve original trail roadbed, and facilitate interpretation;

Washington-Rochambeau Revolutionary Route National Historic Trail (NY) \$3,000,000 for preservation of a Revolutionary War-era supply depot site and cemetery.

PRIVATE SECTOR SUPPORT FOR THE NATIONAL TRAILS SYSTEM

Public-spirited partnerships between private citizens and public agencies have been a hallmark of the National Trails System since its inception. These partnerships create the enduring strength of the Trails System and the trail communities that sustain it by combining the local, grass-roots energy and responsiveness of volunteers with the responsible continuity of public agencies. They also provide private financial support for public projects, often resulting in a greater than equal match of funds.

The private trail organizations' commitment to the success of these trail-sustaining partnerships grows even as Congress' support for the trails has grown. In 2016 the trail organizations fostered 1,029,569 hours of documented volunteer labor valued at \$24,256,645 to help sustain the national scenic and historic trails. The organizations also raised private sector contributions of \$13,184,886 for the trails.

[This statement was submitted by Gary Werner, Executive Director.]

PREPARED STATEMENT OF THE PERFORMING ARTS ALLIANCE

Mr. Chairman and distinguished Members of the subcommittee, we thank you for the opportunity to submit this testimony on behalf of the Performing Arts Alliance (PAA). We urge the subcommittee to appropriate \$155 million to the National Endowment for the Arts for fiscal year 2018. PAA member organizations include the following national associations:

- Alternate ROOTS
- American Composers Forum
- Association of Performing Arts Presenters
- Chamber Music America
- Chorus America
- Dance/USA
- League of American Orchestras
- National Alliance for Musical Theatre
- National Association of Latino Arts and Cultures
- National Performance Network
- Network of Ensemble Theaters
- New Music USA
- OPERA America
- Theatre Communications Group

The Performing Arts Alliance (PAA) is a national network of more than 33,000 organizational and individual members from the professional, nonprofit performing arts fields. We envision a United States in which the diverse ecology of the performing arts is deeply-valued and supported, adequately and equitably resourced, and where participation is accessible to all. The National Endowment for the Arts plays a key role in achieving this vision, and we submit this testimony to highlight the importance of Federal investment in the arts.

The National Endowment for the Arts (NEA) holds a significant Federal leadership role for the arts and culture in America. Through partnerships with State arts agencies such as the North Dakota Council on the Arts in Bismarck, North Dakota and direct grants awarded to nonprofit arts organizations and local arts agencies such as the Yoknapatawpha Arts Council in Oxford, Mississippi, NEA funding reaches every congressional district. Grants support programs, projects, and collaborations that are helping people experience high-quality artistic presentations, access arts education and opportunities for artistic development, and are helping communities unite.

The following examples of recent NEA grantees within the PAA network are a sample of the significant ways performing arts organizations are serving their communities with NEA support.

—*NEA support helps arts organizations provide broad access to high-quality arts experiences.*

Alberta Bair Theater in Billings, Montana received fiscal year 2017 Challenge America support to present the classical music duo Black Violin and the renowned Dance Theatre of Harlem to rural communities throughout south central Montana and northern Wyoming. The theater offered mainstage performances, public discus-

sions, school matinees, and master classes. Challenge America funding extends the reach of the arts to underserved populations, including those whose opportunities to experience the arts are limited by geography, ethnicity, economics, or disability.

Also with the support of fiscal year 2017 Challenge America funding, Carnegie Hall, Inc. in Lewisburg, West Virginia celebrated the cultural history of Southern traditional music through multi-disciplinary exhibitions. TA member of Chamber Music America, the organization served rural audiences in Greenbrier County with two exhibitions: the Music Makers Foundation's "We Are The Music Makers" and the West Virginia Music Hall of Fame's "Music of the Coalfields." The project included live performances, classes and a film screening.

Chattanooga Symphony and Opera Association in Chattanooga, Tennessee is offering sensory-friendly concerts that are making classical music accessible for families and children who are differently-abled both intellectually and physically. With fiscal year 2017 Art Works support, the symphony collaborates with certified music therapists to design and present these performances for community members with autism and Down syndrome.

—*NEA funding supports lifelong learning in the arts which includes outreach programs, teacher training, and university partnerships.*

Chamber Music America member Community Music Works in Providence, Rhode Island received fiscal year 2016 Art Works support for an ongoing outreach program that provides free lessons in instrumental music, music theory, and improvisation to local at-risk children and youth. The organization also provides leadership development and performance opportunities for advanced students.

Portland, Oregon-based Network of Ensemble Theaters (NET) received fiscal year 2016 Art Works support for its ongoing "Intersection: Ensembles + Universities" symposium. NET's national symposium is connecting colleges, universities, and training programs with professional ensembles to seed new opportunities for sharing resources, learning, collaborations, and performance, building up the field of ensemble theater artists.

The Kentucky Center for the Performing Arts in Louisville, Kentucky is collaborating with Morehead State University and the Kentucky Department of Education to provide arts-based professional development to classroom teachers and school administrators in the rural eastern part of the State. A member of the Association of Performing Arts Professionals, the Kentucky Center received fiscal year 2017 Art Works support to help educators and administrators create curriculum, lesson plans, and assessment strategies. It is also training educators to use a virtual teaching platform to video record lessons and instructional feedback.

—*NEA grants support projects that provide valuable opportunities for artistic development.*

One of the guiding principles of the NEA's Art Works program is "art is work for the artists and arts professionals who make up the field." Opportunities for training and creating work are important to artists at all stages of their careers as well as artists who are still students.

Oregon Ballet Theatre (OBT) in Portland, Oregon received fiscal year 2017 Art Works support for its *Choreography XX* residency program. It supported three North American female choreographers with a four-week intensive residency to create world-premiere ballets with OBT dancers. The new ballets were presented free of charge to the public at Portland's Rose Garden amphitheatre.

Young composers are able to train with established professionals during this year's Santa Fe Chamber Music Festival in Santa Fe, New Mexico. The Festival is offering a week-long composition workshop for young artists with the FLUX String Quartet with fiscal year 2017 Art Works support. In addition, Young artists present their talents to the community in a professional setting during the Kauffman Center for the Performing Arts' Future Stages Festival. Located in Kansas City, Missouri, the free community festival is supported by fiscal year 2017 Art Works funding.

The Old Globe Theatre's New Voices program and Festival supports the development of new works by both established and emerging playwrights. Based in San Diego, California, The Old Globe Theatre's program is supported by fiscal year 2017 Art Works funding. The project will commission new works from artists and offer developmental readings and workshops. The program includes a specific focus on Latinx artists and communities to promote Latin-American stories and experiences.

—*NEA funds support the development of works that address social issues and create safe spaces for community dialogue.*

Cornerstone Theater Company is addressing food insecurity in its production of "The Hunger Bridge Show." The Los Angeles-based company received fiscal year

2017 Art Works support for this project which will be informed through discussions with community members about their needs, fears, and hopes, around issues of hunger and food.

Sandglass Theatre in Putney, Vermont received fiscal year 2017 Art Works support for “Babylon,” an original work exploring the escalating global crisis of refugees and asylum seekers. The production has been developed through interviews with resettled refugees and looks at their relationship to their lost homelands, to their new homelands and languages, and to other migrants who are fleeing violence. Sandglass is a member of the National Performance Network.

Working Classroom in Albuquerque, New Mexico is providing artists residencies in the Youth Arts Center where professional guest artists are collaborating with students from historically underserved communities, training them in the techniques and aesthetics of their practice. With fiscal year 2017 Art Works support, the project explores issues of social justice, education, and equity, and artists and students are co-creating mural art, theater works, and animated projects around these themes.

—NEA grants support projects that share a diversity of traditions, helping people connect across cultures and communities.

The Bunnell Street Arts Center based in Homer, Alaska is presenting the “Decolonizing Alaska” tour of works by Alaskan artists with the support of fiscal year 2017 Challenge America funding. The touring exhibit features painting, dance, fiber art, and beading from the Inupiaq, Yu’pik, Denai’ana, and Athabascan Alaskan traditions. Artists on the tour are offering workshops and discussions to explore their work one-on-one with community members.

Strathmore Hall Foundation in North Bethesda, Maryland is presenting Step Afrika! in community and main stage performances and in-school residencies with the support of fiscal year 2016 Art Works funding. Step Afrika! will share the history of stepping, the percussive movement tradition drawn from African cultures, in workshops serving local, low-income, African-American and Hispanic youth. Workshops and residencies aim to teach teamwork, discipline, motivation, and commitment.

The artistic programming supported by the National Endowment for the Arts gives vitality to our Nation’s communities in numerous ways beyond the examples provided here. Federal investment in the NEA places value on the role of arts and culture in our society, realizing significant returns that are both measurable and intangible. We celebrate the NEA’s fiscal year 2017 budget increase and urge you to support \$155 million in fiscal year 2018. Thank you for considering our request.

[This statement was submitted by Amy Fitterer, Chair, and Cristine Davis, General Manager.]

PREPARED STATEMENT OF POETS & WRITERS

With the NEA’s sustained support, Poets & Writers has grown into the Nation’s largest organization serving creative writers. Grants from the NEA helped to launch two of our key programs: *Poets & Writers Magazine*, which celebrates its thirtieth anniversary this year and which has over 100,000 readers; and our website, pw.org, which we launched in 1996 and which now draws over 140,000 visitors per month.

Writers from Jonathan Franzen to Tracy K. Smith, Michael Cunningham to Claudia Rankine, Audrey Niffenegger to Ocean Vuong, have told us that Poets & Writers helped them get started, taught them how to submit work to literary journals, find an agent, or connect with others in the literary community through the resources we provide.

We also help an ecosystem of literary organizations—small presses, literary magazines, reading series, writer’s groups—that rely on Poets & Writers to reach their constituents. The poet Jane Hirshfield described Poets & Writers as “a kind of Osmocote or Greensand slow-release fertilizer for America’s literary landscape.”

Without the consistent support the NEA has provided, our ability to provide trustworthy information and advice, to encourage writers, and to nurture the Nation’s literary community would not be possible.

I hope that the subcommittee will vote to increase support for the NEA. So much good is done with a relatively small amount of funding.

[This statement was submitted by Elliot Figman, Executive Director.]

PREPARED STATEMENT OF THE PUBLIC LANDS FOUNDATION

Madam Chairman:

We thank you for this opportunity to present your committee with our views regarding the Department of the Interior (DOI) budget request for fiscal year 2018. Our comments focus primarily on the budget request as it may relate to the Bureau of Land Management. As a national, non-profit organization with more than 700 members, comprised principally of retired, but still dedicated, BLM employees, the Public Lands Foundation (PLF) has a unique body of experience, expertise and knowledge of public land management. As retirees, we believe we offer an objective and non-bureaucratic view of what is currently happening on the National System of Public Lands (NSPL). The PLF supports the BLM and its programs, but we are independent in our views and requests. We strive to improve the effectiveness of the BLM by (1) encouraging professionalism of its employees, (2) increasing the public's understanding of and support for the proper management of the NSPL, and (3) promoting scientific management of lands administered by the BLM. We are strong advocates for keeping public lands in public hands.

Overview

The BLM manages the most diverse landscapes in the Nation's portfolio; providing stewardship to more than 245 million acres of land and 700 million acres of mineral estate from the north slope of Alaska to Jupiter Inlet in Florida, and from tundra, to old growth forests, to desert landscapes. These lands consist of many attributes; habitat for thousands of species of plants and animals, clean water, cultural resources, scenic beauty, solitude, and special places. They also provide the opportunity to provide the Nation with wealth from its many resources including oil and gas, coal, renewable energy, non-energy minerals, all types of recreation, forage for livestock, timber, and wild horses and burros. The economic value of these lands to the American people is immense; according to the "Department of the Interior Economic Contribution" report of July 2014, these lands generate combined revenues in excess of \$107 billion and over 446,000 jobs. These lands are important economically to the United States as a whole; they are vital to the many rural communities throughout the West that are intermixed with these lands and whose citizens work and recreate on the lands. However, these uses and values can only be achieved when there is some balance in the programs to provide for the diversity of uses and maintenance of healthy, resilient landscapes.

Budget Overview

The PLF recognizes and appreciates the difficult decisions that must be made by the Congress and the administration to allocate scarce dollars to programs that generate the best economic and social returns. A large part of managing the Nation's public lands involves managing wildfire. Agencies in the Department of the Interior and the Forest Service do a great job of suppressing nearly all of the wildland fire starts, catching around 98 percent of the fires with initial attack. However, the one or 2 percent of fires that escape initial attack become very expensive and over the past several years have quickly consumed the agencies suppression budget requiring them to "borrow" from other accounts. This transfer of funds, often in the hundreds of millions of dollars, diminishes the agencies capabilities to implement planned fuel reduction and projects in other program areas. The PLF supports the President's proposal to fund suppression at the full 10-year average for this fiscal year; however, we also support the on-going bipartisan efforts to develop a long-term solution to the wildland fire funding and severity issues and encourage this Committee to support passage of legislation that would reduce or eliminate fire borrowing.

We support the requests for funding to provide vital energy needs from traditional energy sources and renewable energy sources. Environmentally sound development of the Nation's energy resources and the infrastructure to deliver the energy can contribute significantly to the country's energy independence. BLM has the experience and the procedures to streamline and increase energy permitting. However, we are concerned about the emphasis in the President's Budget Blueprint to reduce "unproductive compliance efforts." Specific compliance efforts deemed to be unproductive are not identified. We hope oil and gas inspection and enforcement is not in this category. Following a GAO report in 2011, BLM began conducting inspection and enforcement activities on high risk oil and gas wells in order to ensure accurate reporting and payment of royalty fees. This program recovers more revenue than it costs, thereby ensuring a fair return to the American taxpayer and must be continued at its current level.

The President's Blueprint proposes elimination of discretionary grants for mine hazard remediation that overlap with mandatory grants. We support the goal to

eliminate redundancy. However, we must stress that continuation of mine hazard remediation is critical for BLM. Investing in hazard remediation not only saves lives, it also reduces expensive settlement and litigation that come with injuries of fatalities related to mine hazards. If the goal is a fair return on taxpayer investment, this program must be adequately funded.

We are pleased to see the emphasis on partnerships. BLM has been successful for many years in generating partnerships, providing for on the ground work which otherwise would not be accomplished. BLM has a process to ensure projects support the Bureau's highest priorities. In addition, each dollar of challenge cost share money generates at least a dollar of matching funds.

We are also gratified to see BLM specifically mentioned as a priority for infrastructure maintenance. Facilities contained on the 245 million acres of BLM administered land are important to the taxpayer and need to be maintained. BLM has historically not always been included in meeting these maintenance needs. We would like to see infrastructure maintenance specifically include land restoration, forest thinning, brush control, weed control, etc. both as a means of improving resource conditions and stimulating local rural economies. These are the same lands that provide access to public land recreation. Adequate attention must be given to the value of public lands, especially rivers and trails as means to access our Nation's public lands.

The President's Budget Blueprint fails to mention youth engagement. This has been a longstanding theme throughout several administrations. BLM has made great progress in its "Engaging the Next Generation" program. The PLF supports efforts to get youth involved in the outdoors and to gain an appreciation for the resources the Nation offers. Many of the members of PLF gained an appreciation for land management either from working on ranches and farms or by involvement in activities, such as the ones proposed in this budget. We hope some of the participants in these programs may decide to go into careers in natural resource management and fill the jobs of the many employees nearing retirement.

One of the biggest challenges that the BLM faces is finding a workable and acceptable solution to the Wild Horse and Burro problem. There is probably no BLM issue that receives more passionate input from the public and local governments than this program. The BLM has tried several approaches to resolve the problem of rapidly expanding horse populations yet continues to be stymied in finding and effectively implementing a solution that the public will accept. The budget proposes to continue research on more effective fertility control methods and other actions suggested by the National Academy of Science study, but results from these actions are years off and will involve study and preparation of lengthy National Environmental Policy Act documents and, likely, result in litigation. Meanwhile the herds continue to grow, doubling every four to 5 years. In addition, the cost to feed and care for these animals for their relatively long life consumes a major part of the program budget. The recent recommendation of the Wild Horse and Burro Advisory Board to allow euthanasia is an indication of how critical the situation is. The BLM needs support to make use of all the authorities and tools provided in the statutes in order to effectively manage this program. We urge congress to remove the prohibition on "sale without limitation." This would at least be a step in the right direction.

Finally we are extremely concerned over how a \$1.6 billion reduction (11.7 percent) for the DOI would translate to BLM. BLM has been underfunded for its entire existence, spending only about \$4 per acre to manage the vast amounts of public lands. A budget cut of this magnitude would severely impact BLM's ability to provide adequate service to American citizens and limit its ability to protect taxpayer investments.

The PLF strongly supports the dedicated professional employees of the BLM and other agencies. The nature of the BLM mission is employee intense. Some of the work can be done by contractors, but much of it requires BLM employees that are professionally trained in their respective fields. These public employees enter these fields because of their commitment to the lands and resources. Over the years these committed public servants have done their best to implement the laws and policies of the administration and Congress, yet they are often maligned and even physically confronted by those that disagree with those laws and policies. We ask that this subcommittee do what it can within its powers to support the dedicated employees in the resource management agencies.

Madam Chairman, we appreciate the hard choices that this subcommittee has before it. Perhaps the creation of a BLM Foundation would help leverage scarce budget dollars. The BLM is the only major land management agency without a congressionally chartered foundation in place to support its efforts. A BLM Foundation

could help bring additional resources to key initiatives. We hope that our comments will be of help as you work through the fiscal year 2018 budget process.

[This statement was submitted by Jesse J. Juen, President.]

PREPARED STATEMENT OF THE PUEBLO OF ACOMA, NEW MEXICO

Requests:

1. Full funding and parity for the IHS through an exemption from sequestration and budget cuts.
2. Increased funding for preventative health services to reduce incident rates of chronic illness.
3. \$450,000 to maintain and repair 383.8 miles of roads on the BIA roads inventory.
4. \$30 million for the construction, project management, and inspection of the Mesa Hill Bridge.
5. Increased Federal funding to maintain and construct Acoma Pueblo's irrigation infrastructure.
6. \$8 million for the construction of a 35,000 square-foot innovative learning facility.
7. Maintain the \$1 million set-aside for NAGPRA-related law enforcement going forward.

Introduction. Thank you Chairman Murkowski, Ranking Member Udall, and members of the subcommittee for the opportunity to submit outside witness testimony on the critical funding needs of American Indian and Alaska Native programs under the fiscal year 2018 Federal budget. Thank you for your hard work and for the dedicated efforts of your staff in advancing the interests of Indian Country within the Federal Government.

My name is Kurt Riley and I am the Governor of the Pueblo of Acoma, located in north-central New Mexico. Our Pueblo has maintained independent political relationships with foreign governments since at least the 16th century, when we treated with the Spanish conquistadores during their early explorations of the southwest. The Spanish Crown and the United States each recognized the Pueblos' right to self-rule and declared that all Pueblos be presided over by Tribal Governors with full ownership of their land. In the spirit of this intimate and time-honored connection to our lands, I invite you to join me on a guided tour through Acoma Pueblo as I offer the following budget recommendations for fiscal year 2018.

After following Interstate 40 an hour west of Albuquerque, we take Exit 100 and enter the sovereign territory of the Pueblo of Acoma. It is a land of turquoise skies, sunlit earth, and resilient people. The quiet of the plateau settles around you as we navigate down Veterans Boulevard to the Acoma-Cañoncito-Laguna Indian Health Services Facility (ACL Hospital). Though we had to drive just a few miles from I-40 to reach the hospital, many Native patients must travel substantial distances to access an Indian Health Service (IHS) facility. It is our sense that the IHS has made a calculation that it is more economically efficient to fund a handful of centralized facilities than to maintain higher healthcare services and programs at the smaller facilities located in Native communities. Although that might be economical in the short-term, it comes at the long-term price of providing accessible quality care, thus creating one more hurdle on the path to wellness.

The ACL Hospital provides critical healthcare services to the I-40 corridor and surrounding Native communities; however, the quality and quantity of services being offered here has declined in recent years. The ability of Acoma Pueblo and our Federal partners to address the critical needs of the Acoma people is severely hindered by the lack of full funding for IHS programs. In 2015, for example, IHS spending for medical care per user was only \$3,136, while the national average spending per user was \$8,517—an astonishing 63 percent difference. Indian health programs also suffer from the cumulative effects of sequestration under the Budget Control Act of 2011 (Public Law 112–25). The disruption and ongoing unmet needs correlates directly with the staggeringly high rates of diabetes, chronic illness, and premature deaths that haunt our communities. *We request that Congress exempt the IHS from sequestration and provide full funding for the IHS in fiscal year 2018 to provide an expanded range of health services in Native and rural communities.*

As we walk through the corridors of the hospital, I welcome you to look inside the rooms. Each patient is a testament to the resiliency of the Native spirit. They draw on their identity as Pueblo people for strength in overcoming the generations of hardship that manifests itself today in the adverse health outcomes currently plaguing Indian Country, particularly in regards to behavioral and mental health.

Acoma Pueblo strives to promote the physical, mental, and spiritual well-being of our people. *To achieve this end, additional funding for preventative health services is needed to reduce future incident rates of serious illness in Native communities.* It is our hope that the next time you visit ACL Hospital, these rooms will be empty thanks to the combined effect of improved access to quality care and preventative health services in Indian Country provided for in the fiscal year 2018 budget.

Before we leave the hospital grounds, I would like to direct you to Mockingbird Drive. This area contains additional treatment centers as well as a residential area for the medical professionals and administrative staff serving our people. The name of the road is all too appropriate, as we are unable to meet the housing needs of these individuals and their families. Only 40 housing units are available; the majority of the staff must struggle to find alternative local housing, which is further complicated by the critical housing shortages at Acoma Pueblo. Limited or non-existent housing opportunities impair our ability to recruit and retain qualified medical professionals. *We urge Congress to provide sufficient funding for the renovation and construction of adequate housing units at IHS facilities.*

Take a right down Pueblo Road—one of our main thoroughfares—and we will make our way south, deeper into Acoma territory. Do you feel the bumps and buckling asphalt beneath your tires? The slight vibration in the steering wheel as we hit another divot in the road? Acoma Pueblo has approximately 662 miles of roadways within its exterior boundaries; however, only 363.8 miles are included on the BIA roads inventory. This means that almost half of our Tribal roads do not receive inventory-related funding from the BIA. Of those that do, the amount is insufficient to support the roads' maintenance needs. For fiscal year 2016, we received \$70,000 in BIA Tribal Program Allocation Funds (TAP) to maintain roads on the inventory, which translates into roughly \$192 per mile. *An annual funding allocation of at least \$450,000 is needed to maintain the entire 363.8 miles of Federal and Tribal roads included on the BIA inventory.*

Stop! With only minimal safety features in place, it is easy to see how you almost missed the level railroad crossing that bisects our Pueblo. While the endless sky of New Mexico makes for wonderful vistas from the mesas, down on the ground it poses significant threats to our Tribal members' safety. The flat terrain, misjudgments on the speed and distance of trains, and the lack of fixed schedules for freight trains all contribute to unsafe railroad crossings. Nonetheless, our people must face the daily challenge of traversing the tracks because our hospitals and business centers are located on the north side of the tracks while our community service facilities are located in the south. Despite the significant threat to public safety posed by this situation, we have been repeatedly denied funding to construct the proposed Mesa Hill Bridge across the tracks. *This is a shovel-ready project for which we request \$30 million to cover the costs of construction, project management, and inspection.*

As we cross the tracks—safely this time—the rich lands of our Pueblo unfold. We strive to maintain our traditional lifestyle while also incorporating innovative practices that benefit our community. Alongside the road, for example, you will see traditional dirt irrigation ditches. Hundreds of years ago, our ancestors engineered complex irrigation systems to support the permanent settlement of communities in an otherwise arid landscape. These remarkable networks have sustained local water delivery and agriculture for generations. However, the effects of time, human activity, and changes in the natural environment have resulted in the need for extensive repairs and new construction. Congress enacted the Pueblo Irrigation Infrastructure Act as Section 9106 of the Omnibus Public Land Management Act of 2009 to support the irrigation infrastructure of the Rio Grande Pueblos, including Acoma Pueblo. With funding through the Bureau of Reclamation under this Act, Acoma has completed a survey of all irrigation ditches and farming lands in our community. *The estimated cost to line eight miles of traditional dirt irrigation ditches with concrete is \$2,500,000. Substantial Federal funding is also needed to repair, construct, and restore an additional 36 miles of irrigation infrastructure at Acoma Pueblo.*

Acoma Pueblo is a rural, isolated community facing significant challenges stemming from the lack of economic development and a woefully inadequate municipal infrastructure. As we drive down Pinsbarri Drive (Indian Service Route 32), you will see the Acoma Community Center, Haakú Learning Center, and Sky City Community School where we strive to provide our Tribal members with the tools to overcome these tremendous barriers. Technological advances and the expansion of broadband connections are rapidly changing the educational landscape in rural communities. Acoma Pueblo, like much of Indian Country, lacks access to a reliable broadband network to take advantage of these life-changing opportunities. We request funding to support the design and construction of an Acoma Library and Tribal Education Center with the broadband infrastructure and on-site resources to con-

nect our Tribal members with previously unheard-of access to continuing education in their home community. *\$8 million is needed for the construction of a 35,000 square-foot facility to include a library, state-of-the-art interactive learning center and outdoor learning facilities.*

Unlike our broadband network, the connection to our culture and identity as Acoma people is strong and unbroken. Along this journey, you have seen it in the ceremonial features of the land, heard it in the wisdom of our Tribal leaders, and felt it in the resonant power of our items of cultural patrimony. At the junction of Kaatsiima Drive and Indian Service Route 38 is the Haakú Museum. This 40,000 square-foot facility focuses on the preservation of Acoma history and cultural expression. The items on display transmit our worldviews and values from generation to generation. When these items are removed from the community through illegal trafficking or theft, an irreplaceable aspect of our cultural identity is lost as well.

While you contemplate the profound beauty and complexity of the items on display, I would like to take this opportunity to thank you for providing expanded funding for NAGPRA-related law enforcement activities in the 2017 Omnibus. Because of the dedicated efforts of this subcommittee and other champions of Indian Country, we have made significant progress in protecting our cultural patrimony. BIA and Tribal officials will now have an enhanced capacity to combat and deter the trafficking of Tribal cultural patrimony. Acoma Pueblo is confident that the movement to protect cultural heritage that began with the PROTECT Patrimony Resolution will only continue to grow stronger going forward. *We strongly encourage Congress to maintain the \$1 million allocation for NAGPRA-related law enforcement activities in fiscal year 2018 and beyond and to continue to support programs that protect and repatriate items of Tribal cultural patrimony.*

To complete our tour of Acoma Pueblo you will need to strap on your hiking boots. We will be climbing 365 feet up into the New Mexico firmament to visit Acoma Sky City, our ancestral home. The Acoma people have lived at this mesa-top settlement for at least 1000 years. It is the heart of our community—preserving and enriching our religious, cultural, and social life. As we climb the natural stairs to the top, I encourage you to feel the smooth, warm sandstone of the mesa beneath your hands; countless generations of Acoma people have worn handholds into the rock to stabilize and guide those that follow. With each step you take, you are shaping that same path today. While the climb is steep and challenging, together we can make it and the view from the top is an unforgettable reward.

Thank you for the opportunity to submit written testimony on these important considerations for the fiscal year 2018 budget. We look forward to working with you, and we hope to have the opportunity to show you first-hand the magnificence of our lands as well as the challenges facing our community during a future visit to the Pueblo of Acoma. *Dá'wá'éh; thank you.*

PREPARED STATEMENT OF THE PUYALLUP TRIBE OF INDIANS

The Puyallup Tribe appreciates the opportunity to provide written testimony concerning the fiscal year 2018 appropriations for American Indian and Alaskan Native programs. The Puyallup Tribe is an independent sovereign nation having historically negotiated with several foreign nations including the United States in the Medicine Creek Treaty of 1854. This relationship is rooted in Article I, Section 8, of the United States Constitution, Federal laws and numerous Executive Orders. The governing body of the Puyallup Tribe of Indians is the Puyallup Tribal Council which upholds the Tribe's sovereign responsibility of self-determination and self-governance for the benefit of the 5,006 Puyallup Tribal members and the 25,000 plus members from approximately 355 federally recognized Tribes who utilize our services. The Puyallup Reservation is located in the urbanized Seattle-Tacoma area of the State of Washington. The 18,061-acre reservation is a "checkerboard" of Tribal lands, Indian-owned fee land and non-Indian owned fee land. Our reservation land includes parts of six different municipalities (Tacoma, Fife, Milton, Puyallup, Edgewood and Federal Way).

DEPARTMENT OF INTERIOR—BUREAU OF INDIAN AFFAIRS

Public Safety & Justice: The Tribe's top priority remains public safety and justice programs. Funding for detention facilities is of great importance to the Puyallup Tribe. In fiscal year 2009, the Puyallup Tribe received a Department of Justice grant, in the amount of \$7.9 million to construct a 28 bed adult corrections facility. Construction on the facility was completed in February 2014 and came online in May 2014. Over the past years the Puyallup Tribe has worked closely with the BIA-Office of Justice Services to identify the operating and staffing costs associated this

facility. The agreed upon estimated cost of operating the facility was set at \$2.6 million annually. The BIA base funding offered to the Tribe \$704,198 or 27 percent of actual need, with no increases to base funding in fiscal year 2016 or 2017. We request support from the subcommittee to include committee report language that would direct Office of Justice Services to submit a plan for funding the staffing and operations of the detention facilities in Indian country. In light of glaring funding shortfalls, we are shocked the administration seeks to cut Public Safety funds.

In addition, we operate a Tribal Court program through a Public Law 93-638 contract with the B.I.A. In fiscal year 2015, our base funding was increased from \$45,000 to \$194,996 and remains this amount for fiscal year 2017. While this increase to our Tribal Court Base funding is appreciated, it does not equal the amount of Tribal funds necessary to fully operate the Tribal Court program. In fiscal year 2016, the Tribe has allocated \$1.172 million of Tribal funds for the Tribal Court budget. The Puyallup Tribe greatly supports the \$10 million in funding support for Tribal Courts in Public Law 280 States that Congress provided in fiscal year 2017. This funding will assist with the implementation of the Tribal Law and Order Act and the Violence Against Women Act for Tribes like Puyallup. We request similar funding for fiscal year 2018 and therefore oppose the administration's proposal to eliminate Tribal Court funds for Tribes in Public Law 280 States.

Natural Resources Management: The Puyallup Tribe has treaty and governmental obligations and responsibilities to manage its natural resources for uses beneficial to the Tribal membership and the regional communities. Despite our diligent program efforts, the fisheries resource is degrading and economic losses are incurred by Native and Non-native fishermen and surrounding communities. Our resource management responsibilities cover thousands of square miles in the Puget Sound region of the State of Washington.

For fiscal year 2018, a minimum funding level of \$8.5 million is necessary for the Rights Protection Implementation—BIA Western Washington (Bolt) Fisheries Management program. However, we agree with the Northwest Indian Fisheries Commission and the National Congress of American Indians that an overall \$52 million increase for the Rights Protection Implementation funding is necessary to ensure compliance with Federal court orders through effective Tribal self-regulatory and co-management systems. This increase in funding would provide new monies for harvest management, habitat protection, stock enhancement, shellfish, enforcement, wildlife and other natural resource management needs. As the aboriginal owners and guardians of our lands and waters it is essential that adequate funding is provided to allow Tribes to carry-out our inherent stewardship of these resources. The administration's 30 percent cut is unjustified.

The Puyallup Tribe continues to operate a number of salmon hatcheries that benefit Indian and non-Indian commercial and sport fisheries in the Pacific Northwest/Puget Sound. We work cooperatively with the Northwest Indian Fisheries Commission, neighboring Tribes, Federal agencies and State fishery managers to insure the success and sustainability of our hatchery programs. The Tribe supports the Congress past funding of for Fish Hatcheries Operations and Fish Hatchery Maintenance, including the recent \$1 million increase for fish hatchery operations.

The Timber, Fish and Wildlife (TFW) Supplemental and U.S./Canada Pacific Salmon Treaty programs has allowed for the expansion of Tribal participation in the State forest practice rules and regulations and participation in inter-tribal organizations to address specific treaties and legal cases which relate to multi-national fishing rights, harvest allocations and resource management practices. We request that the subcommittee support the funding recommendations of the NWIFC for the fiscal year 2018 TFW Supplemental program and the U.S./Canada Pacific Salmon Treaty program.

The Puyallup Wildlife Management program has been the lead agency in management activities to benefit the South Rainier elk herd since 2004. The South Rainier elk herd is the primary stock of elk harvested by the Puyallup Tribe. The Tribe has not only established more reliable methods for population monitoring, but has also been proactive in initiating habitat enhancement projects, research and land acquisition to ensure sustainable populations of elk for future generations. Funds that are available to the Tribe have been on a very competitive basis with a limited amount per program via USFWS Tribal Wildlife grants and the B.I.A. Unresolved Hunting and Fishing Rights grant program. We request subcommittee support to provide base funding to the Tribes' Wildlife Management Program in the amount of \$150,000 through the B.I.A. Unresolved Hunting and Fishing Rights program in fiscal year 2018 appropriations.

Education: The Puyallup Tribe operates the pre-K to 12 Chief Leschi Schools which included a School student enrollment of approximately 910 students, including ECEAP and FACE programs. With an increasing number of pre-kindergarten

enrollment, Chief Leschi Schools will exceed design capacity in the near future. Additional education facility space will be necessary to provide quality educational services to the students and Tribal community. Additionally, the cost of operation and maintenance of the Chief Leschi School facilities continues to increase in the areas of supplies, energy and student transportation costs.

We greatly appreciate the \$39 million increase for Bureau of Indian Education (BIE) that Congress was able to provide in fiscal year 2017, but more is needed. The Tribe will continue to work with Congress, BIE and the National Congress of American Indians to increase funding in fiscal year 2018, including; Tribal Grant Support Cost for Tribally Operated Schools—\$78 million; Student Transportation—\$73 million; School Facilities Accounts—\$109 million in facilities operations and \$109 million in facilities maintenance, Indian School Equalization Program (ISEP)—\$431 million and Construction/Repair of BIE Schools—\$263.4 million. The administration's proposed cuts to BIE funding of \$105 million for fiscal year 2018 are most unwise and will further exacerbate the education disparities faced by Native American children.

Operations of Indian Programs & Tribal Priority Allocations: Again, the Puyallup Tribe greatly appreciates Congress increases for B.I.A. Operations of Indian Programs. Within the Operations of Indian Programs is the Tribal Priority Allocations (TPA). The TPA budget functions include the majority of funding used to support on-going services at the "local tribal" level, including; natural resources management, child welfare, other education, housing and other Tribal government services. Nevertheless, these functions have not received adequate and consistent funding to allow Tribes the resources to fully exercise self-determination and self-governance. Further, the small increases "TPA" has received over the past few years has not been adequate to keep pace with inflation. We therefore oppose the administration's ill-conceived proposed reductions to OIP programs.

DEPARTMENT OF HEALTH AND HUMAN SERVICES—INDIAN HEALTH SERVICE

The inadequate funding of the Indian Health Service is the most substantial impediment to the current Indian Health system. The Puyallup Tribe has been operating healthcare programs since 1976 through the Indian Self-determination Act, Public Law 93-638. The Puyallup Tribal Health Authority (PTHA) operates a comprehensive ambulatory care program to the Native American population in Pierce County, Washington. The current patient load exceeds 9,000, of which approximately 1,700 are Tribal members. For that reason, we cannot understand the administration's proposed reductions to IHS funding of \$107 million for fiscal year 2018.

There are no Indian Health Service hospitals in the Portland Area so all specialties and hospital care have been paid for out of our contract care allocation. The Purchased/Referred Care (PRC) allocation to PTHA remains inadequate to meet the actual need. In fiscal year 2004, the Puyallup Tribe subsidized PRC with a \$2.8 million-dollar contribution. Today, the Tribal PRC subsidy has grown to in excess of \$6 million. Given that the PTHA service population is only comprised of 17 percent Puyallup Tribal members, Tribal budget priorities in fiscal year 2011 thru 2016 has made continued subsidies to the PTHA financially difficult for the Puyallup Tribe. The Tribe greatly supports the \$3.694 billion funded for IHS Indian health services in fiscal year 2017, including the \$928 million for Purchased/Referred Care, a \$14 million increase. Without similar funding increases for fiscal year 2018, we cannot see how our Tribe will meet increasing healthcare costs and expand healthcare services and programs for a growing population.

As the first ISDA contracted health clinic in the country, we greatly appreciate Congress' strong support for fully funding Contract Support Costs at \$800 million. The Puyallup Tribe fully supports funding increases for existing IHS programs and will work with Congress to continue efforts to increase funding for IHS and the critical programs administered by this Agency.

For all of the above reasons, we urge the subcommittee to reject the administration's unwise proposed reductions to fiscal year 2018 appropriations for Tribal programs and continue its bipartisan tradition to make informed decisions about Tribal needs based on well documented information.

PREPARED STATEMENT OF THE RAMAH NAVAJO SCHOOL BOARD, INC.

Honorable Chairman and Committee members. I am Marlene Martinez, the President of the Ramah Navajo School Board, Inc. (RNSB). Ahé hee'. Thank you for the opportunity to provide oral testimony for the consideration of the Congress. We have a relationship that extends back to 1970 (over 47 years) when the Founders of Ramah Navajo School Board, Inc. ("RNSB") came before you to request your help to establish the first tribally controlled and operated school in the Nation. We are proud to inform you this day that the RNSB still operates and manages the Pine Hill Schools under the Indian Self-Determination and Education Assistance Act.

Our purpose here today is to report to you the dire condition of our school buildings that is nearing the end of its useful life. After nearly half a century, the BIA School facilities at the Pine Hill Schools (1) are aging and showing significant wear and tear; (2) have deteriorated beyond repair; (3) have inoperable and failed heating systems; (4) have dilapidated and unsafe water systems; and (5) are unusable because of dangerous mold conditions due to leaking roofs.

In just the past 5 years, it has gotten to the point where the students have been sent home early during schools hours due to cold classrooms or a water line break on campus that causes no water or low water pressure situations. The lack of water or low water pressure is due to a dilapidated water system; it is corroded and near a total collapse. All the while the students are also exposed to a dangerous environment due to mold, cold classrooms, and leaking roofs in certain classrooms, or playing on a wet basketball court in the gymnasium, and walking on crumbling sidewalks. *See Tab-1 "Office of Inspector General Report of Findings"*. The conditions at the Pine Hill Schools have been detrimental to student learning, scholastic achievement, and environmental safety. Valuable time for student instruction has been interrupted and lost, and those conditions are directly attributable to the underachievement for many of the students.

An investigative report conducted in 2014 by an Albuquerque news channel, through Larry Barker, labeled the Pine Hill Schools as *See Tab-2 "The most dangerous school in America?"* This is absolutely unacceptable and contrary to congressional intent. That labeling came as result of an investigative report by the Office of the Inspector General (OIG) that cited the Pine Hill Schools with numerous facility violations, which if not corrected could have resulted in penalties against the RNSB or even the shutdown of the school. *See Tab-1A "Corrective Action to OIG Findings Report"*. Of the approximately 30 findings RNSB has corrected and resolved 24 of them. Those that remain unresolved are the Library, Kindergarten, and Gymnasium buildings; and they require major work.

RNSB established a priority projects list with a set timeline of 1 year to resolve the leaking roofs and mold in the *Library, Kindergarten, and Gymnasium* buildings. This includes the installation of a *new heating system* in the High School building and an upgrade of the dilapidated water system.

The estimated cost of conducting the improvements and repairs *See Tab-3 MAXIMO Priority Listing*:

Priority Projects	Estimated Cost
1. Library Building Repair	
Mold abatement and Leaking Roof	\$823,478
2. Kindergarten Building Repair	
Mold Remediation, Leaking Roof, Replacements of Windows, Bathrooms, Carpets, HVAC	\$298,407
3. Gymnasium Building	
Mold Remediation, Repair of Leaking Roof, Replacement of Old Insulation, Floor, Showers, and Lockers	\$1,230,901
4. Heating System in the High School Building	\$450,000
In September 2016 BIA committed to designing and installing a heating system at the Pine Hill High School by mid-December 2016 so that the students could enjoy warm classrooms for once. But that did not happen, and that makes it six (6) years in a row the heating system has been inoperable. Instead, the project was still in the design stage as of April 2017; so very likely the construction may not be completed until late summer of 2017.	
Total Buildings and Heating System	\$2,802,786

Priority Projects	Estimated Cost
5. Water System Upgrade (Wells, Pumps, Waterlines, Tanks, Water Treatment) <i>See Tab-4 "Existing water system layout-blue line"</i>	
Pre-Engineering Report	\$ 150,000
Design and Engineering	500,000
Construction—Upgrade of Water System	3,500,000
Total Water System Upgrade	<u>\$4,150,000</u>
Total Medium Term Funding Requested	<u>\$6,952,786</u>
6. New School 186,500 SF	\$40,012,500
<i>Tab-5 "Conceptual Site Plan-New Building Layout & Cost"</i>	
There is also the question of maintaining obsolete facilities that have surpassed its useful life. Therefore the reason and justification to build a new school is to re-invest in the long-term future of the children and youth of the Ramah Navajo Community.	

Long Term Solution

The above first five (5) items are considered medium-term solutions. Whereas, the long-term solution (Item No. 6) that RNSB seeks is Congressional appropriation for a whole new replacement school. A modern up to date new educational facility that meets the standards that permits a high-quality educational and living environment where RNSB students can thrive and prepare themselves for a promising future. Considering all costs for planning, designing and engineering the cost for a whole new replacement school is estimated at \$40,012,500.

It is obvious and evident that RNSB cannot rely on BIA to perform any required repair and maintenance, nor live up to its Trust responsibility. Therefore, RNSB requests the commitment of the Congress once again through the BIA and BIE: (1) to correct the above mentioned deficiencies; and (2) initiate new congressional appropriations for the planning, design, and construction of new educational facilities as soon as possible.

Summary

RNSB request the US Congress to direct the BIA and BIE to complete repairs and mold remediation to the Library, Kindergarten, and Gymnasium buildings, the installation of a heating system for the High School, and the upgrade of the water delivery system at the Pine Hill Schools. Furthermore, RNSB request the Congress to appropriate sufficient funds for planning, design and construction of a new school at Ramah Navajo. Thank you for your time and RNSB looks forward to the Congress favorable consideration.

Ahé hee'

We look forward to working with the subcommittee on furthering the important work of our school and enriching our students. Thank you for the opportunity to submit testimony. Please contact me at marlene@rnsb.k12.nm.us if you have any questions.

PREPARED STATEMENT OF THE RECORDING ACADEMY

My name is Neil Portnow, I am the President/CEO of the Recording Academy, an organization that represents 23,000 individual music creators and professionals—songwriters, performers, studio professionals, and others creatively involved in making music. I appreciate the opportunity to submit this written testimony to the Senate Committee on Appropriations Subcommittee on Interior, Environment, and Related Agencies. The Recording Academy requests that the subcommittee funds the National Endowment for the Arts (NEA) for fiscal year 2018 at no less than \$155 million.

The NEA has been invaluable to the development of music creators across the country, while helping preserve America's rich music culture. Since 1966, the NEA has provided \$423.8 million in funding to domestic music programs—from teaching kids how to play an instrument to supporting festivals of international acclaim. The NEA is an essential part of the American music culture, and it must be funded to

ensure that all Americans, from inner cities to rural counties, can continue to enjoy and participate in our rich music heritage.

As you consider funding levels for fiscal year 2018, I encourage you to first reflect on what music means to our Nation. From folks songs of centuries past, to the iconic American Jazz scene, to today's global pop stars, music is woven throughout our cultural tapestry. It binds us together as one Nation with the power to bridge racial, religious, and regional divides. Music represents our shared history, our common values, and our dedication to build for ourselves a more perfect union. In times of triumph and tragedy, we turn to the abiding power of music to lift our spirits, soothe our souls, and remind us that everything will be okay.

Music and the arts give value to us as a Nation beyond defined borders, ensuring that America continues to be a beacon of innovation and hope for people here and all around the world. President John F. Kennedy summed it up best, "The life of the arts is very close to the center of a Nation's purpose, and is a test of the quality of a Nation's civilization." His words remain true today; and for less than \$1 per person, the NEA helps foster all of this and so much more.

I understand that you are tasked with a difficult and important responsibility; but as you finalize government spending for the next year, please remember why the arts must be protected today, tomorrow, and in the future. American culture makes America strong. Music and the arts further the very priorities the budget seeks to enhance. Our creative economy, with a \$26 billion trade surplus, serves as a powerful ambassador abroad; it teaches our shared values and history in compelling ways, and it connects us as a people and as a world.

At a SXSW panel sponsored by the Recording Academy in 2014, Homeland Security Committee Chairman Michael McCaul noted:

"Music can really make a difference in changing the attitudes and governance of some of these countries and really have a positive impact. While [drones] have been successful with high-value targets, they are not alone going to kill an ideology. . . . Music has a very strong role to play in diplomacy and in that soft power to try and change the world to make it a better place."

When we're talking about "hard power" as opposed to "soft power," what we're really talking about is the difference between coercion and control versus persuasion and influence. That is where American culture and creativity excel. American music, art, theater, and dance liberate us, teach us to think and be strong, and are great ambassadors around the world.

Simply put, we didn't win the Cold War with just missiles; we also won the Cold War with Elvis, tailfins, and Death of a Salesman. Earlier I quoted President Kennedy, whose leadership proved critical to the U.S. and the world during that divisive period in our history. In a speech just a month before his death, Kennedy said, "I see little of more importance to the future of our country and our civilization than full recognition of the place of the artist."

That is why I implore you and your colleagues in Congress to fully fund the National Endowment for the Arts at a level of no less than \$155 million for fiscal year 18. Help protect and renew America's commitment to the arts and to music. It's our collective responsibility to preserve what binds us and to ensure that the whole world continues to benefit from one of our most unique and economically and spiritually important assets—and exports: American music.

It is an investment worth making.

PREPARED STATEMENT OF THE RED LAKE BAND OF CHIPPEWA INDIANS

Chairman Murkowski and Ranking Member Udall, thank you and the other distinguished Members of the subcommittee for this opportunity to provide testimony on behalf of the Red Lake Band of Chippewa Indians ("Red Lake"). Red Lake is a large Tribe with 12,000 members. Our 840,000-acre Reservation is held in trust by the United States. While it has been diminished in size over time, our Reservation was never broken apart or allotted, nor subjected to the criminal or civil jurisdiction of the State of Minnesota. Thus, we are responsible for a large land area over which we exercise full governmental authority and control, in conjunction with the United States. Due in part to our remote location, there are few job opportunities available for Tribal members. While unemployment in Minnesota is only 3.9 percent, ours remains close to 50 percent. The lack of good roads, reliable communications systems, and other necessary infrastructure continues to impede economic development and job creation at Red Lake. The budget appropriation process is a major avenue through which the United States fulfills its trust responsibility and honors its obligations to Indian Tribes. To that end, we request that your subcommittee provide

\$6.7 million in additional fiscal year 2018 funding for Red Lake programs as described below.

Protect and Restore BIA and IHS Funding From Sequestration

Sequestration has undermined specific Red Lake treaties that the United States Constitution considers the “supreme law of the land.” Our Tribal government delivers core government services that were previously administered by Federal agencies, based on Federal treaty and trust responsibilities owed to Red Lake. Because it would be unthinkable for the United States to fail to fully comply with contractual obligations to other treaty parties without consequence, the United States must likewise fully honor its obligations to Indian nations, like Red Lake.

In fiscal year 2013–2017, sequestration cut Red Lake’s BIA annual funding levels by more than \$900,000 each year forcing Red Lake’s already underfunded BIA programs to suffer from huge reductions. The BIA is obligated to provide adequate funding to meet basic public safety needs on our Reservation, but the BIA has repeatedly failed to do so. Each of our public safety programs is understaffed and undersupplied relative to the BIA’s own safety standards. In order to provide minimal public safety in fiscal year 2016, Red Lake had to spend \$2.9 million more than BIA provided. To cover this shortfall, we had to shift funds from other critical BIA programs, which were also impacted by sequestration, cutback on staff, and reduce hours for law enforcement and other public safety services. This resulted in noticeable and dramatic cuts in service delivery.

Sequestration has additionally taken over \$750,000 each year from IHS-funded medical services at Red Lake. This has cost the Tribe several medical positions, made patients wait even longer for treatment, delayed patient follow-up care, reduced medical transportation, diminished supply stocks, and delayed replacement of outdated equipment.

For Tribes like Red Lake who must rely on Federal funding for essential government services, sequestration has been a nightmare. Funding taken away by the draconian sequestration cuts of recent years should be restored in fiscal year 2018. We specifically ask for an addition of \$1,650,000 to Red Lake’s BIA and IHS base program funding in fiscal year 2018 to restore funds taken away by previous sequestration cuts, and we ask for another \$2,957,850 to be added to our BIA law enforcement budget to help Red Lake finally meet our BIA public safety shortfall.

Protect Indian Country Funding from Proposed 13 Percent Cut

The President’s fiscal year 2018 budget is simply terrible for Tribes. For at least a decade, BIA has fared poorly when Interior has internally allocated its budgeted funds among various agencies.

Tribes have suffered terrible funding cuts to most government service programs. The cuts have caused a crisis for many Tribes. The cuts include a crippling 16 percent to Tribal Government Funding (formerly referred to as “Tribal Priority Allocations” or “TPA”) in 1996, most Tribes’ base programs other than law enforcement have not increased in 20 years, Tribal programs were cut an additional 8 percent from the 14 separate, permanent rescissions enacted since 2000 to fund Federal deficit reduction, tax cuts, wars, and hurricanes. Tribal employee pay costs were only partially funded most of those years. As a result, Tribes’ core service funding is far less, in real terms, than 20 years ago. This has undermined the ability of Tribes to provide safety and security for people who struggle to survive under some of the worst living standards in America.

Red Lake’s critical government services programs are dangerously underfunded, and the BIA through which we receive our funding continues to be impacted by sequestration, rescissions, and inflation, despite the able work of this subcommittee to provide BIA funding increases in fiscal year 2014–2017 after 3 years of significant decreases in fiscal year 2011–2013.

Fully Fund Pay Costs and Fixed Costs in fiscal year 2018 and Beyond

Pay costs represent the only increase most Tribal programs receive. Since fiscal year 2001, the Interior Department, BIA, and Tribes, lost more than \$800 million from the partial funding of Pay Costs and other Fixed Costs. This has resulted in the loss of thousands of jobs. The fiscal year 2017 budget request included \$5.3 million for BIA Fixed Costs and Pay Costs—the lowest request in history (in fiscal year 2008 BIA Fixed Costs were \$41.3 million). Red Lake requests that you provide \$8 million specifically for Tribes’ Pay Costs in fiscal year 2018, and that you continue to tell OMB that Pay Costs must be fully funded in all future budget requests. We also ask that you fund \$2.1 million in fiscal year 2018, the total cumulative amount Red Lake has been shorted from the failure to fully fund Pay Costs since fiscal year 2001.

Protect and Fully Fund Tiwahe and Recidivism Reduction Initiatives (RRI)

Tiwahe and RRI are positively impacting Tribes. The Tiwahe Initiative provides resources to assist Tribes in addressing the inter-related problems of poverty, violence, substance abuse, and associated outcomes like youth suicide. Tiwahe encompasses several BIA programs including Social Services, ICWA, Courts, Job Placement and Training, and Housing. These programs historically have seen few funding increases. The RRI is a BIA Public Safety and Justice program within its Law Enforcement Special Initiatives line, and which is now part of the broader Tiwahe Initiative. Through Tiwahe and RRI, Red Lake was able to finally open a juvenile facility that sat vacant for a decade due to lack of funding. We are now providing vital services to youth who truly need them. Troubled youth are screened for a variety of issues including mental health, substance abuse, domestic abuse, crime, and recidivism. A host of services are provided including mental health, trauma, and substance abuse treatment. We have recently established a juvenile healing to wellness court, and in conjunction with Red Lake Schools, we established a “last chance” school for youth who are on the verge of expulsion because of societal problems affecting them. Additionally, Our Tribal Health Wellness Program works in concert with IHS Behavioral Health staff and the schools. To date, they have provided over 8,631 inpatient visits. Because of these initiatives, we are proud to report that, in the last 16 months, for the first time in years, we have had zero youth suicides. This is an outcome we want to maintain.

We’ve now confirmed our worst fears—the President wants to eliminate Tiwahe and RRI, just as we are beginning to make a difference in peoples’ lives. Tiwahe actually impacts 61 Tribes in its current pilot phase (56 in Alaska), and it will eventually expand to positively impact all Tribes. On top of that, an additional \$24 million in Tiwahe Social Services and IWCA funds were distributed to Tribes across the country. Red Lake has made real progress to address the needs of our youth and families, thanks to Tiwahe and RRI. We greatly appreciated your support for these initiatives in fiscal year 2015 and 2016, and for the additional \$16 million you provided in fiscal year 2017. You are helping our children and families to have better lives and safer communities. We ask that you continue to fully fund and consider increases for Tiwahe and RRI in fiscal year 2018.

BIA Justice Services Programs: Law Enforcement, Courts, and Community Fire Protection

The Tribal Law and Order Act (“TLOA”) was intended to empower Tribal law enforcement with resources needed to combat crime. However since TLOA’s implementation, BIA funding for Tribal law enforcement has decreased thus hindering the ability of Tribal law enforcement to reduce crime and protect Tribal members. Recent administration budget requests have furthermore failed to include any increases for Tribal law enforcement operations. We thank you for providing an additional \$5.6 million for Tribal law enforcement in fiscal year 2017, this increase is sorely needed. We request an additional \$10 million in fiscal year 2018 for Tribal law enforcement operations. Funding for Tribal Courts is grossly inadequate and remains a top priority of Tribes. We thank you for providing an additional \$2.6 million in fiscal year 2017 for Tribal Courts in support of the Tiwahe Initiative, and we ask that you provide an additional \$10 million in fiscal year 2018 for Tribal Courts. Community Fire Protection has also been neglected for decades. We are responsible for fighting fires on our Reservation and protecting peoples’ lives, on a yearly BIA-funded budget of \$42,500. We ask that you provide an additional \$10 million for Community Fire Protection in fiscal year 2017.

Housing Improvement Program

The Housing Improvement Program (“HIP”) has provided Red Lake with many successes. Recently, we were able to build 8 new HIP homes for our poorest elderly and disabled members who were ineligible for assistance from other Federal agencies. HIP funding was cut from \$19 million to \$8 million in recent years. The President’s proposal to eliminate the Housing program is unacceptable. We thank you for providing a \$1.7 million increase in fiscal year 2017 for Housing under the Tiwahe Initiative. To continue funding our initiatives, we request an additional investment of \$10 million in fiscal year 2018.

Trust Natural Resources—Additional \$5 Million

Thank you for providing an additional \$9 million for Trust Natural Resources programs in fiscal year 2017. Many natural resources recurring base programs, which fund Tribes’ day-to-day conservation responsibilities, have not been increased for years. As a result, Tribes have been unable to adequately manage their resources. On our Reservation, most resource management activities are funded under the BIA

budget categories of Tribal Management Development, Natural Resources TPA, Wildlife and Parks TPA, and Forestry TPA. We urge you to increase funding for each of these programs by at least \$5 million above the fiscal year 2017 enacted levels.

Indian Health Service (IHS)—\$7.1 Billion

Thank you for providing \$5.040 billion in fiscal year 2017 for IHS, an increase of \$232.3 million over fiscal year 2016. There is a tremendous unmet need for IHS and Tribal health programs, stemming from years of chronic under funding. IHS mandatory increases for inflation, population growth, pay costs, and CSC surpass the requested increase. Per capita expenditures for IHS in 2015 were only \$3,688 person, compared to \$9,523 for the general population, a great disparity. For fiscal year 2018, the IHS Tribal Budget Formulation Workgroup requested \$7.1 billion for IHS, and we ask that you provide this amount.

EPA Programs

As Red Lake is home to the 6th largest natural, freshwater lake in the United States and approximately 60 percent of the Indian trust land in EPA Region 5, spanning a geographic area the size of West Virginia, water, wetlands, animals, and plants are vital to our Tribe. While we utilize various vital EPA programs, including: General Assistance (“GAP”), Clean Water Act Sections 106 Pollution Control and 319 Nonpoint Source, Brownfields, and Clean Air Act Section 105, Red Lake only has funding to support 50 percent of the staff needed. To better support our environmental needs, Red Lake requests increases in funding for these programs. If funding is not at least maintained at current levels we will be forced to let staff go and the vital natural resource protection programs they manage will be eliminated.

Dissuade the President’s Signing Statement

With respect to President Trump’s signing statement, the language suggests the Trump administration is improperly applying an Equal Protection Clause analysis to funds for Native American housing and perhaps other funds. Tribes have a government-to-government relationship with the United States and, in the context of the Federal trust responsibility, the Federal courts have declared that Tribes are to be treated as a political class, not as a racial class, thus precluding any Equal Protection Clause analysis. Red Lake asks that this subcommittee help Indian Country dissuade the administration from its errant views on this issue.

Thank you for allowing me to present, for the record, some of the most immediate needs of the Red Lake in fiscal year 2018, and for your consideration of these needs.

[This statement was submitted by Honorable Darrell G. Seki Sr., Chairman.]

PREPARED STATEMENT OF MATT REECK

Dear Senate Appropriations Committee,

I am writing to you today to ask you to continue to support the NEA. Along with the NEH, the total amount of discretionary spending would amount to \$300 million of the \$1.1 trillion documented in the proposed 2018 budget.

I would like to tell you how important translation and art remain for us today, and to share how important the NEA has been for me personally.

I won the award to translate an Urdu novel by the Indian writer Paigham Afaqui. The award allowed me the degree of financial security needed to dedicate the large amounts of time needed for this work. Translation as a whole is an essential part of understanding other cultures, and while the United States dedicates just a fraction (3 percent) of its total number of published books to translation, it is inconceivable to imagine growing up in an America without translation.

If we think about the significant books that shaped our lives, and that shape the lives of hundreds of millions of fellow Americans, books translated into English will be at the top of the list. The New York Times bestseller list routinely has foreign works translated into English. Even The Bible is available to us only through translation. More broadly, translation is part of the vital creative history of human societies. This is made clear by the fact that when we travel abroad, we visit cultural places and we are interested in learning about the cultural histories that the creative arts produce.

Translation is vital to us. Without it, we would not know the world as well as we do. Translation of creative works allows us to see past stereotypes that our ignorance creates. With translation of creative works, we appreciate the human dimensions of life that are shared across all geographic, linguistic, religious, or political

divides. Translation represents one of the best ways to bridge the divides that continually risk separating humans. Translation effects considerable positive change in a world that needs more understanding, compassion, and sympathy.

The NEA's historical role in supporting translation and the creative arts is a proud part of our American legacy. It recognizes that valuable human labor comes in many forms: not just in the corporate boardroom, in the factory, and in the fields, but translation and the creative arts are legitimate and important forms of intellectual and imaginative labor. People all over the world look up to America because of its creativity and intellectual vigor. Clearly the NEA plays a large role in supporting the arts and intellectual life that has historically marked America as being in a class apart and ahead of other nations.

Personally, the grant I received has been a significant part of my life. My career as a translator was strengthened by the prestige that the award conferred upon me. Respected and dedicated men and women from across America choose the award's winners, and the award means instant recognition. It is a major award, and a major part of the professional pedigree that is essential for translators and creative artists. To take it away would mean decimating an important, historical profession.

I am proud to be American. I am proud of our history of creativity in thinking and the arts. I am proud of our openness toward other societies and their ways of thinking and self-expression. The NEA safeguards these values as much as any organization I can think of.

Please maintain funding for the NEA, a vital part of our American dream.

Sincerely yours,

MATT REECK.

PREPARED STATEMENT OF RESTORE AMERICA'S ESTUARIES

Restore America's Estuaries is a nonpartisan, nonprofit organization that has been working since 1995 to restore our Nation's greatest estuaries. Our mission is to restore and protect estuaries as essential resources for our Nation. Restore America's Estuaries is an alliance of community-based coastal conservation organizations across the Nation that protect and restore coastal and estuarine habitat. Our member organizations include: American Littoral Society, Chesapeake Bay Foundation, Coalition to Restore Coastal Louisiana, Save the Sound—a program of the Connecticut Fund for the Environment, Galveston Bay Foundation, North Carolina Coastal Federation, EarthCorps, Save The Bay—San Francisco, Save the Bay—Naragansett Bay, and Tampa Bay Watch. Collectively, we represent over 250,000 members nationwide.

As you develop the fiscal year 2018 Interior, Environment and Related Agencies appropriations bill, Restore America's Estuaries and our members encourage you to provide the following funding levels within the Department of Interior, U.S. Fish and Wildlife Service (USFWS) and the U.S. Environmental Protection Agency (USEPA) for core programs that significantly support coastal community and ecosystem resilience and local economies:

—\$15 million for *USFWS Coastal Program*

(Interior: USFWS: Resource Management: Habitat Conservation: Coastal Program)

—\$26.723 million for *USEPA National Estuary Program*

(USEPA: Water: Ecosystems: National Estuary Program/Coastal Waterways)

These non-regulatory investments strengthen and revitalize America's coastal communities by protecting and restoring habitat, improving local water quality, and enhancing resilience. Healthy coastlines protect communities from flood damage and extreme weather, improve commercial fisheries, safeguard vital infrastructure, and support tourism and recreational opportunities.

USFWS COASTAL PROGRAM

The Coastal Program (CP) is a voluntary, incentive-based program that provides technical and financial assistance to coastal communities and landowners to protect and restore fish and wildlife habitat on public and private lands in 24 priority coastal ecosystems throughout the United States, including the Great Lakes. The Coastal Program works collaboratively within the USFWS to coordinate strategic priorities and make landscape-scale progress with other Federal, State, local, and non-governmental partners and private landowners. Since 1985, the Coastal Program has:

- Partnered with more than 5,000 Federal, Tribal, State, and local agencies, non-governmental organizations, corporations, and private landowners.
- Restored 557,790 acres of wetland and upland habitat and 2,625 miles of stream habitat.
- Protected more than 2.1 million acres of coastal habitat.
- Provided technical assistance to a diverse range of conservation partners.

Our coastal communities and ecosystems are on the front lines of changing coastal conditions and increasing extreme weather. Support for the USFWS Coastal Program helps interested communities and partners address the new set of challenges facing coastal communities. The Coastal Program is the USFWS's key conservation tool delivering on-the-ground habitat restoration and technical assistance. Despite the Program's relatively small cost, it has a tremendous impact. In 2015 alone, the Coastal Program, along with 455 local partners, completed 266 projects restoring or protecting more than 90,000 acres of wetlands and uplands and 194 miles of stream habitat. A recent estimate by USFWS Coastal Program staff shows that the program leverages, on average, \$8 non-Federal dollars for every Federal dollar spent. This makes the Coastal Program one of the most cost-effective habitat restoration programs within the U.S. Fish and Wildlife Service.

The Coastal Program stimulates local economies by supporting jobs necessary to deliver habitat conservation projects, including environmental consultants, engineers, construction workers, surveyors, assessors, and nursery and landscape workers. These jobs generate indirect economic activities that benefit local hotels, restaurants, stores, and gas stations. In total, the Coastal Program estimates that the average project supports 60 jobs and stimulates 40 businesses resulting in nearly thirteen dollars in economic returns for each dollar of Federal investment. Additionally, restoration jobs cannot be outsourced and \$0.90 of every dollar spent on restoration stays within the State.

In Puget Sound, Washington, the Coastal Program invested \$20,000 to support a project to clean up and remove old and abandoned fishing gear from the water, resulting in a direct economic impact to the local economy of \$51,000. Lost and abandoned fishing gear like nets, lines, crab and shrimp traps pose many problems for people, fish and marine animals. Each year, derelict crab pots are estimated to trap and kill 372,000 Dungeness crabs, resulting in losses to the fishery of \$1.2 million—30–40 percent of the value of the annual commercial catch of Dungeness crab in Puget Sound. This project removed 84 gillnets—preventing the loss of approximately 370,000 crabs and returning an estimated value of well over \$1.5 million to the crab fishery alone.

In San Diego Bay, California, the Coastal Program provided funding and technical assistance to project partners to restore 300 acres of wetland, mudflat, and upland habitat to benefit more than 90 species of resident and migratory birds. Project partners transformed highly degraded salt ponds into lush habitat by breaching levees, regrading soils, and planting native vegetation. Just days after the completion of the project, tens of thousands of birds descended on the newly-restored habitat to rest, roost, and feed. Not only did this project restore a "Globally Important Bird Area," as designated by the American Bird Conservancy, but it also created 130 jobs and generated \$13.4 million for the local economy.

At recent funding levels of approximately \$13.4 million, the Coastal Program is able to provide technical assistance and support to partners, but can only provide limited project dollars. A modest increase over the amount included in the fiscal year 2017 Omnibus would help the Coastal Program increase their capacity to leverage willing and interested partners to deliver highly-effective and site specific habitat conservation and restoration programs that prevent Federal listing of species, promote species recovery, enhance coastal resilience, and boost local economies.

Restore America's Estuaries urges your continued support and funding for the USFWS Coastal Program and asks that you provide \$15 million for fiscal year 2018.

USEPA NATIONAL ESTUARY PROGRAM

The National Estuary Program (NEP) is a non-regulatory network of voluntary community-based programs that safeguards the health of important coastal ecosystems across the country. The program utilizes a consensus-building process to identify goals, objectives, and actions that reflect local environmental and economic priorities.

Currently there are 28 estuaries located along the Atlantic, Gulf, and Pacific coasts and in Puerto Rico that have been designated as estuaries of national significance. Each National Estuary Program demonstrates real environmental results through on-the-ground habitat restoration and protection and their efforts are tai-

lored to the specific local environmental and economic realities. Collectively, NEPs have restored more than 1.5 million acres of land since 2000.

NEPs work to ensure that Federal agencies work together with State, regional, NGO, and private partners to better manage ocean and coastal resources for the benefit of the Nation. Community partners are involved throughout the decision-making process to reduce conflicts, redundancies, and inefficiencies that waste time and money, and to ensure that restoration and conservation efforts are stakeholder-driven. NEPs play a key role in implementing national policies that result in better, more cost-effective coastal management that benefits States and local communities.

Restore America's Estuaries urges your continued support of the National Estuary Program and asks that you provide \$26.723 million for USEPA National Estuary Program/Coastal Waterways. Within this amount for fiscal year 2018, no less than \$600,000 should be directed to each of the 28 NEPs in the field.

CONCLUSION

Restore America's Estuaries greatly appreciates the support this Subcommittee has provided in the past for these important programs. These programs effectively accomplish on-the-ground restoration work which results in major benefits:

1. *Economic Growth and Jobs.*—Coastal habitat restoration creates between 17 and 33 direct jobs for each million dollars invested, depending on the type of restoration. That is more than twice as many jobs as the oil and gas sector and road construction industries combined. The restored area supports increased tourism and valuable ecosystem services, including flood mitigation, shoreline protection, and enhanced fisheries, among others.
2. *Leveraging Private Funding.*—In 2015, Federal investment in the USFWS Coastal Program leveraged non-Federal dollars at a ratio of 34 to 1. The NEPs leveraged non-Federal dollars at a ratio of 15 to 1. In a time of shrinking resources, these are rates of return we cannot afford to ignore.
3. *Resiliency.*—Restoring coastal wetlands knocks down storm waves and reduces devastating storm surges before they reach the shore, protecting lives, property, and vital infrastructure for the nearly 40 percent of Americans that live in coastal communities.

We greatly appreciate you taking our requests into consideration as you move forward in the fiscal year 2018 appropriations process. We stand ready to work with you and your staff to ensure the health of our Nation's estuaries and coasts.

[This statement was submitted by Jeffrey R. Benoit, President and CEO.]

PREPARED STATEMENT OF RIVERSIDE-SAN BERNARDINO COUNTY INDIAN HEALTH, INC.

Riverside-San Bernardino County Indian Health, Inc., located in Southern California, appreciates the opportunity to submit written testimony concerning the 2018 appropriations for the Indian Health Service.

Riverside-San Bernardino County Indian Health, Inc. is a consortium of nine California Tribes located in Riverside and San Bernardino counties. Our member Tribes are the Pechanga Band of Luiseno Indians, the Cahuilla Band of Indians, the Santa Rosa Band of Cahuilla Indians, the Ramona Band of Cahuilla Indians, the Soboba Band of Luiseno Indians, the Torres-Martinez Desert Cahuilla Indians, the Agua-Caliente Band of Cahuilla Indians, the Morongo Band of Mission Indians, and the San Manuel Band of Mission Indians. We also serve members of three other local Tribes: the Twenty-Nine Palms Band of Mission Indians, the Cabazon Band of Mission Indians, and the Augustine Band of Cahuilla Indians.

Nearly two-thirds of our patient population is comprised of members from these local Tribes or other non-consortium Tribes who live in our two-county service area. Overall, we serve over 15,000 Native Americans and 3,000 related family members, and experience over 100,000 patient visits each year.

Our consortium operates 7 health clinics at different locations under a self-governance compact with the Indian Health Service. We are proud to offer a broad range of services at our clinics, including medical, dental, optical, behavioral health, pharmacy, laboratory, environmental health, community health representative, outreach and health education services.

We are thankful for the support of Congress and the funding provided to improve the health status of our people. We are especially thankful for your invitation to submit written testimony. In doing so you honor the Nation-to-Nation relationship between the Federal government and Indian Tribes. Thank you for taking so seri-

This subcommittee has been a steady supporter of tribally-operated healthcare programs because tribally-driven healthcare works. The success of the IHS self-governance and self-determination contracting programs shows the monumental impacts Tribes have when they are able to take control of the healthcare system serving their members. Indeed, the programs that struggle the most in the IHS system are, unfortunately, those that are still operated by IHS.

Despite the advances achieved through Tribal self-determination, history teaches that when budgets stay flat or drop, healthcare suffers—as occurred with the 2013 sequester. The same can happen when budget increases go to bureaucratic oversight or special IHS projects that never filter down to Tribes. This is the case with the Joint Venture Construction Program, which provides a boon for a few individual sites but provides no benefit to other Tribes. For example, California Tribes have submitted 50 applications to the Program over the past 10 years, but only 1 has been granted. In addition, there are no Capital Projects for any of the California Tribes on the National IHS Capital Project List. While we do not doubt that these projects are highly deserving, we ask the subcommittee to ensure that general healthcare increases are not ignored.

Budgetary instability, coupled with excessive bureaucracy, is also a problem when IHS chooses to classify funds as “non-recurring,” including such funds as “grant” funds. This designation forces Tribes to compete with one another and injects budgetary uncertainty from year to year. Worse yet, the unnecessary designation of funds as “grants” forces us to follow an entirely separate award process and reporting mechanism whose only purpose seems to be to keep grant administrators employed.

As this subcommittee knows, the Methamphetamine and Suicide Prevention Initiative (now called the "Substance Abuse and Suicide Prevention program") and Domestic Violence Prevention Initiative funds used to flow easily through our Self-Governance Compact. But 4 years ago former IHS Director Yvette Roubideaux unilaterally changed that nicely-working process, without any consultation and over Tribal objections. Now we work under extremely burdensome reporting conditions, IHS carves aside funds for bureaucratic oversight, and we too are forced to carve out funds to meet new administrative burdens instead of serving our community. Even desperately needed Special Diabetes funds are set aside to fund Area diabetes coordinators who do nothing to enhance our programs on the ground.

We have seen a pattern in recent years where IHS reclassifies funds previously considered to be annually “recurring” monies, into the “non-recurring” categories. At first, IHS claimed this was necessary to provide full contract support cost funding in 2014 and 2015, which made no sense. But even long after Congress eased the burden on program funding by moving contract support costs into a separate appropriation, the agency continues its practice. The result is IHS seizes greater discretion over how it spends these funds to the detriment of the Tribes. As a result, Tribal budgets cannot grow to meet the increased needs of our members or even to keep pace with our expanding population. Worse yet, IHS denies us the contract support costs to which we are entitled to administer these funds, forcing us to divert more program dollars away from services.

We ask this subcommittee to instruct IHS (1) to restore funds moved from the recurring to non-recurring category, (2) to direct that these and new funds shall be distributed as "tribal shares" through self-governance compacts and self-determination contracts (and not through grants or other non-recurring funding mechanisms), and (3) to direct IHS to pay contract support costs on these funds. This is especially important given Congress's removal this year of the "notwithstanding" clause IHS had relied upon to argue that these funds were not subject to the requirements of the Indian Self-Determination and Education Assistance Act (ISDA). The ISDA works; much of IHS's bureaucracy does not. IHS should not be permitted to undermine the ISDA—the best thing Congress ever did to improve the state of Indian health.

We are grateful that Congress has recognized that “IHS does not provide the same health services in each area” and that “[h]ealth services provided to a community depend upon the facilities and services available in the local area. . . .” House Committee Report on Dep’t of the Interior, Environment and Related Agencies Appropriations Act, 2017, H.R. REP. NO. , Division G, at *54, *available at* https://www.congress.gov/115/crs/indigenous/native_american_health_services/58962.

rules.house.gov/sites/republicans.rules.house.gov/files/115/OMNI/DIVISION%20G%20-%20INT%20SOM%20FY17%20OCR.pdf. We in California have never had access to a Tribal hospital and we lack access to the specialty services that come when such facilities are available in other IHS Areas. As a result, we spend far more dollars than we receive for Purchased/Referred Care (PRC) because we must refer our patients to a private provider for specialty care instead of, for example, sending them to an IHS-funded facility as exists in Phoenix or Anchorage.

The IHS PRC distribution formula needs to be adjusted to address this location factor, so it favors Areas where Tribal and IHS specialty providers and hospitals simply do not exist. Today IHS uses a 3-tier system: Tier 1 is base PRC funding based on the prior year's allocation, and Tier 2 is for medical inflation and population growth. Although Tier 3 is for Areas lacking hospitals and for cost of living adjustments, in 7 of the last 15 years Tier 3 was never reached.

We ask that the "no access to hospitals" factor be moved to the Tier 2 allocation category so that programs lacking access are not disproportionately impacted by PRC shortages. Two GAO reports have also recommended similar changes to make the formula more equitable.

EXEMPT IHS FUNDS FROM ANY BLOCK GRANT PROPOSALS

We understand that many health reform proposals being considered in Congress would transform the Medicare and Medicaid payments for Tribal health providers, or turn these programs and Federal grant programs into block grants to be provided to individual States. Our Tribes are sovereign and have a Nation-to-Nation relationship with the Federal government. No State should be placed in the middle of that relationship. Health reform funds for Tribal programs must be exempt from any block grants made to States.

REAUTHORIZE THE SPECIAL DIABETES PROGRAM FOR INDIANS

Our patient population has a high incidence of diabetes and the Special Diabetes Program for Indians has been a great success for our organization. That said, this funding has consistently been in jeopardy due to the need for annual or bi-annual reauthorizations and separate appropriations. The Special Diabetes initiative has been one of the most successful of all Indian health programs. We therefore ask Congress to make the next reauthorization permanent and to increase the annual amount to \$200 million.

We thank the subcommittee for providing Riverside-San Bernardino County Indian Health, Inc. the opportunity to submit written testimony regarding fiscal year 2018 funding needs. The needs of the Indian health system are great, but Tribes have proven they can efficiently maximize the resources provided. We ask that you continue to increase funds for the IHS budget for fiscal year 2018, and reject the administration's proposed reductions to IHS appropriations, so that Native Americans one day will receive the same quality healthcare afforded to all other Americans.

PREPARED STATEMENT OF LAUREN RUSSELL

I am writing in support of fully funding the National Endowment for the Arts (NEA) at the fiscal year 2017 level of \$150 million. This year I was one of 37 poets awarded an NEA Creative Writing Fellowship. This was both a huge honor and an important charge. While providing some financial cushion that will allow me more freedom to write over the next couple years, the fellowship is also a big reminder that literature, and the people who make it, matter.

In this same grant cycle, the NEA donated to small presses and community arts organizations all over the country. Though less than a drop in the bucket for the Federal Government, a grant of \$10,000 or \$15,000 can keep a small press or community theater going. These small, community-based organizations are essential to keeping art alive. As a poet, I feel this impact acutely. American poetry depends on the NEA's investment in small presses and nonprofit journals, since many mainstream publishers are unlikely to take a risk on publishing "unmarketable" contemporary poets. A threat to the NEA is truly a threat to poetry in America.

The NEA is ensuring that people from diverse backgrounds have access to the arts. In fiscal year 2016, the NEA recommended more than 2,400 grants in nearly 16,000 communities in every congressional district in the country. Forty percent of the NEA's grant making budget is awarded directly to the States through their State and regional arts agencies. The NEA designates that a portion of every State and regional partnership grant be allocated to serving underserved communities.

The remaining 60 percent are awards made directly to organizations and individuals that apply through the NEA's funding categories. Forty percent of NEA-supported activities take place in high-poverty areas. Thirty-six percent of NEA grants go to organizations that reach underserved populations, including people with disabilities, people in institutions, and veterans. Thirty-three percent of NEA grants serve low-income audiences. Though the NEA's fiscal year 2016 appropriation of \$147.9 million dollars made up only about .004 percent of the Federal budget, it has a huge impact on communities and individuals across the country. Please fund it fully.

PREPARED STATEMENT OF THE SAC AND FOX NATION

On behalf of the Sac and Fox Nation thank you for the opportunity to present our requests for the fiscal year 2018 Budgets for the Bureau of Indian Affairs (BIA), the Indian Health Service (IHS), and for Tribal Environmental Funding (EPA). The Sac and Fox Nation is home of Jim Thorpe, one of the most versatile athletes of modern sports who earned Olympic gold medals for the 1912 pentathlon and decathlon.

As a Self-Governance Tribe, the Sac and Fox Nation has been impacted by the Federal Government's refusal to pay full contract support costs (CSC) for contracted and compacted programs since the statute was enacted. In 2014 and 2015, the Supreme Court determined that Tribes were entitled to CSC. Under the new budget structure, CSC accounts for BIA and IHS were created in the appropriations bill specifically for 2016 and 2017 as well as language establishing an indefinite appropriation for CSC in both agencies. So far, the full CSC that Tribes are entitled is being paid and other programs will not be reduced if payments are underestimated in the President's budget. Tribes agree that this structure achieves the Nation's legal obligation to fully pay CSC without imposing any corresponding reduction in direct services to any Tribe. We continue to request full funding for CSC on a mandatory basis in fiscal year 2018–2021 and make it a permanent, indefinite appropriation.

In general, all Tribal programs including BIA and IHS line items should be exempt from any budget recessions, sequestrations and unilateral budget reductions that are not equally assessed to other funding beneficiaries.

1. TRIBAL SPECIFIC REQUESTS

A. *\$20,000 Tribal General Assistance Program (GAP)—EPA.*—Historically, EPA has not provided a nationally consistent approach for building Tribal environmental protection program capacity under General Assistance Program (GAP) or a mechanism to measure the progress Tribes are making toward their defined program development goals. The EPA has decided to enforce a new interpretation of the GAP which prohibits Tribal Nations from using any GAP money for labor, handling, sorting, weighting and transportation of waste and recyclables. This means that the Tribal Nations recycling programs are in jeopardy because there will no longer be funds to carry out these functions. This program benefits the Tribal Complexes but also provides for drop off points for members and the community along with special community outreach events dealing with waste and other recyclables. Specifically, we would like to ask for a reversal of this interpretation or a line item dedicated to funding recycling departments work to allow these programs to continue. For Sac and Fox, \$20,000 would be sufficient to perform these services for our Tribal citizens.

B. *\$4.95 million to Fully Fund Operations and Maintenance of the Sac and Fox Nation Juvenile Detention Center (SFNJDC)—Bureau of Indian Affairs—Public Safety and Justice—Office of Justice Services—Detention/Corrections Facility Operations and Maintenance Account.*—The Tribal Law and Order Act (TLOA) requires the Department of the Interior (DOI) Indian Affairs (IA) to develop guidelines for approving correction centers for long term incarceration, as well as work with the Department of Justice on a long-term plan for Tribal detention centers. In the absence of appropriations to fully fund and fully implement the Tribal Law and Order Act (TLOA), the intent of Congress and the effectiveness and benefits of TLOA to Tribal courts, law enforcement and detention programs in Indian Country are less of a reality and more of what Tribes have experienced in the past—an unfulfilled trust obligation.

In 1996, the Sac and Fox Nation Juvenile Detention Center (SFNJDC) opened its doors as the first regional juvenile facility specifically designed for American Indians/Alaska Natives (AI/AN), as well as the first juvenile facility developed under Public Law 100–472, the Self-Governance Demonstration Project Act.

At that time, the Bureau of Indian Affairs made a commitment to fully fund the SFNJDC operations; however this commitment was never fulfilled. Even though the Nation continues to receive and use Federal dollars to address the issue of juvenile delinquency and detention for Tribes in the Southern Plains Region and Eastern Oklahoma Region, it has never received sufficient funds to operate the facility at its fullest potential.

Full funding would allow the Nation to provide full operations including (but not limited to):

- Juvenile detention services to the 46 Tribes in Oklahoma, Kansas and Texas;
- Rescue more of our at-risk youth and unserved youth in need of a facility like the SFNJDC;
- Re-establish programs we have lost due to inadequate funding such as: On-site Mental Health Counseling; Transitional Living, Vocational Training, Horticulture, Life Skills, Arts and Crafts, Cultural Education and Activities, Spiritual Growth and Learning;
- Offer job opportunities in an area that is economically depressed; and,
- Fully staff and expand staff training to address high volume of staff turnover which will allow for continuity in operations and service delivery.

The current funding level represents only approximately 10 percent of what is needed to fully fund the SFNJDC operations and maintenance. Additional funding in the amount of \$4.95 million, over what Sac and Fox already receives in base funding (\$508,000), would fully fund the facility at a level to address the need of juvenile delinquency in the tristate area and create opportunities for employment for more Tribal members.

The SFNJDC is a 50,000+ square foot, full service, 24 hour, 60 bed (expandable to 120 beds) juvenile detention facility that provides basic detention services to all residents utilizing a classification system based on behavioral needs to include special management, medium and minimal security.

Through a partnership with the local High School, students are afforded an education at the public school level, including a graduation ceremony and issuance of a certificate upon successfully achieving the State requirements. Additionally, the Sac and Fox Nation has an on-site Justice Center providing Law Enforcement and Tribal Court services and the Nation also operates an on-site health clinic which provides outstanding medical services that include contract service capabilities for optometry, dental and other health-related services.

The lack of adequate funding from the BIA and decreases in base funding have mushroomed into underutilization and erosion of the programs our facility was built to offer. The SFNJDC has the facility, staffing, ability, commitment and capacity to provide superior detention and rehabilitation services to Native American youth, as well as any youth in the tristate area in need of our services. We do not understand the Federal Government's desire to fund the construction of more detention facilities while our beds remain empty.

2. NATIONAL REQUESTS—BUREAU OF INDIAN AFFAIRS

A. *Fully fund all provisions of the Tribal Law and Order Act that authorizes additional funding for law and order programs that affect Tribal nations*

B. *Extend the Bureau of Prisons Pilot Project for Violent Offenders*

C. *Public Safety and Justice*

- a. *+ \$83 million to increase base funding for Tribal Courts* including courts in Public Law 280 jurisdictions, and to incrementally move towards fully meeting the need for Tribal court funding;
- b. *+ \$200 million BIA law enforcement and detention* including an increase in funds for officer recruitment and training and for Tribal detention facilities operations and maintenance.

D. *\$620,000 Juvenile Detention Education* these critical funds were reinstated in fiscal year 2016 at \$500,000, reflecting the bipartisan support for funding to address juvenile justice issues. Funding the program at \$620,000 level is essential funding that will be used to provide educational services to detained and incarcerated youth at BIA-funded juvenile detention facilities. One of the best methods to rehabilitate is through education, and eliminating this program creates additional costs by increasing the rate of criminal recidivism.

E. *Fully Fund Fixed Costs and Tribal Pay Costs.*—Partially funding or failing to fund Pay Costs for Tribes has devastated Tribal communities by causing critical job losses. Over 900 Tribal jobs have been lost and an estimated 300 more jobs will be permanently lost on an annual basis if 100 percent Pay Costs is not provided. The Tribal losses are being further exacerbated by recent projections of costs that have been significantly underestimated.

F. *Increase Tribal Base Funding (instead of through grants).*—Provide increases via Tribal base funding instead of through grants to Tribal governments. Grant funding, particularly inside the BIA, is not consistent with the intent of Tribal self-determination. Tribal leaders have grown increasingly frustrated by the increase in Indian Affairs funding offer through grants. Allocating new funds via grants marginalizes and impedes the Tribal Self-Determination and Self-Governance.

G. *Office of Self-Governance (OSG).*—Provide increased funding to the OSG to fully staff the office for the increase in the number of Tribes entering Self-Governance.

3. NATIONAL REQUESTS—INDIAN HEALTH SERVICE

A. *+\$314.9 million Mandatory Funding (maintain current services).*—Provide an increase of \$314.9 million over the fiscal year 2017 budget request. Current services calculate mandatory cost increases are necessary to maintain those services at current levels. These “mandatories” are unavoidable and include medical and general inflation, pay costs, contract support costs, phasing in staff for recently constructed facilities, and population growth.

B. *+\$474.4 million Purchased and Referred Care (PRC).*—Provide an increase of \$474.4 million pays for urgent and emergent and other critical services that are not directly available through IHS and Tribally-operated health programs when: no IHS direct care facility exists, or the direct care facility cannot provide the required emergency or specialty care, or the facility has more demand for services than it can currently meet.

C. *+\$6 million to restore funding for OTSG to implement the Self-Governance statute in IHS.*—As of 2017, there are 354 Self-Governance (SG) Tribes. This represents slightly over 62 percent of all federally-recognized Tribes. The Self-Governance process serves as a model program for Federal Government outsourcing, which builds Tribal infrastructure and provides quality services to Indian people.

Thank you for allowing me to submit these requests on these fiscal year 2018 Budgets.

[This statement was submitted by Principal Chief Kay Rhoads, Second Chief Jacklyn K. King, Secretary Mary F. McCormick, Treasurer Jared A. King, and Committee Member Robert E. Williamson.]

PREPARED STATEMENT OF THE SANTA CLARA PUEBLO

Introduction. Thank you Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee for the opportunity to offer outside witness testimony on the critically important topic of Federal funding for American Indian and Alaska Native programs in the Department of the Interior, National Forest Service, Indian Health Service, Bureau of Indian Affairs, and the Environmental Protection Agency. Indian country is appreciative of your hard work and the tremendous support you have provided for Native programs. My name is J. Michael Chavarria and I am the Governor of the Pueblo of Santa Clara, located in north-central New Mexico. As a Tribal leader, I have developed a deep understanding of our community's pressing needs, as well as of the immense potential of the Santa Clara People to succeed if given the appropriate level of resources and support. To further these twin objectives of progress and achievement, I offer the following fiscal year 2018 budget recommendations for the subcommittee.

Federal Trust Responsibility and Tribal Consultation. The Federal budgeting process plays an essential role in fulfilling the Federal Government's trust responsibility to Indian Tribes by ensuring that critical programs and services receive adequate funding. A critical component of the Federal trust responsibility is the mandate to consult with Tribes whenever a Federal action may impact our communities. Indeed, as you well know, the programs we are gathered to discuss today are premised on the government-to-government relationship that exists between the Federal Government and Tribes, and are not based on the racial status of Indian nations and peoples.¹

¹As the late Justice Antonin Scalia once wrote in an opinion he authored while serving on the United States Court of Appeals for the District of Columbia: “As the Supreme Court has said in rejecting equal protection challenges to legislation affecting a group which . . . might otherwise qualify as a ‘suspect class’: [T]he Constitution itself provides support for legislation directed specifically at the Indian Tribes . . . [T]he Constitution therefore ‘singles Indians out as a proper subject for separate legislation.’” *United States v. Antelope*, 430 U.S. 641, 649 n. 11 (quoting *Morton v. Mancari*, 417 U.S. 535, 552 (1974)) (emphasis added).

I. PUBLIC SAFETY AND LAW ENFORCEMENT

Closure of the Turning Points Rehabilitation Program in Yuma, Arizona. The Pueblo of Santa Clara is deeply alarmed by the overnight shutdown of the Emerald Corporation's Turning Point Program in Yuma, Arizona, on April 7, 2017. Our Pueblo—as well as other District III and District IV Tribes under the BIA Office of Justice Services—has seen many positive benefits from the program, including a rehabilitation rate of 76 percent for substance abusers participating in the program and a reduced crime rate of approximately 50 percent over the past 4 years. Yet, we received no advance notice of the shutdown. The unannounced closure has resulted in an immediate increase in detention costs and left our law enforcement officials and Tribal Court scrambling to find appropriate placements. Santa Clara requests sufficient funding to implement a similar rehabilitation program at an alternative center so these essential services can continue to be provided to our Tribal members. We also request greater Tribal involvement in the Office of Justice Services' budgeting process as it relates to incarceration and rehabilitation services.

Dedicated Funding for the DOJ Tribal Access Program. The Tribal Access Program (TAP) administered by the U.S. Department of Justice provides Tribes with access to critical information systems and training for law enforcement purposes. Launched in August 2015, the program uses a collaborative partnership approach to enable Tribes to identify and share best practices regarding the use of national crime information databases to strengthen public safety. Over 50 Tribal governments have submitted letters of interest in joining the TAP; however, due to funding restrictions only 11 Tribes were able to participate in the initial phase of the program. We request a dedicated funding stream of \$6 million in fiscal year 2018 to provide for the wider rollout and long-term viability of the Tribal Access Program to support Tribes in their public safety efforts.

II. NATURAL RESOURCES MANAGEMENT

Increased Support for the Tribal Forest Protection Act (TFPA). Effective natural resources management is key to both the economic well-being of Pueblo people and to their cultural survival. We are pleased to see that the fiscal year 2017 Omnibus provides increased funding for wildfire suppression and prevention, including full funding of the Interior and Forest Service's 10-year average for wildfire suppression costs. We believe that collaborative and effective forest management techniques are essential in preventing catastrophic fires and floods on Pueblo lands. The Tribal Forest Protection Act (Public Law 108–278) empowers Tribal governments to act as caretakers of both Tribal lands and adjacent Federal lands, and it advances Tribal and Federal interests in the development of land resource and management plans. We encourage increased Federal support for the TFPA to advance efficient and effective natural resources management.

Self-Governance Compacting of National Park Service Functions. Santa Clara is a self-governance Tribe, meaning that we have assumed control of Federal programs and funds for many functions at our reservation. As a self-governance Tribe, we can similarly assume functions at National Park Service units. With the transfer of the Valles Caldera, which is adjacent to our reservation and holds many sites sacred to us, to the National Park Service we are interested in assuming certain National Park Service functions. Santa Clara urges the subcommittee to continue funding for compacting Tribal self-governance programs.

Catastrophic Fire and Flood Mitigation Efforts. The stewardship of land, minerals, water and other natural resources is key to both the economic well-being of Pueblo people and to their cultural survival. As Tribal leaders, we strive to balance these interests through beneficial partnerships and the effective management of our natural resources. Nature, however, chooses her own course. In the summer of 2011, the Pueblo of Santa Clara was devastated by the Las Conchas Fire, at that time the largest wildfire in New Mexico history. When combined with the destructive effects of the Oso Complex Fire of 1998 and the Cerro Grande Fire of 2000, we have lost more than 80 percent of our forestlands and an immeasurable part of our heritage to the flames. The Bureau of Indian Affairs (along with numerous additional Federal agencies outside of this subcommittee's purview) played an essential role in coordinating the Pueblo's disaster mitigation efforts. We urge Congress to continue to support the Bureau of Indian Affairs programs that work with Tribes on disaster prevention and recovery efforts.

Indian Environmental General Assistance Program at the EPA. EPA funding and grants enable the Pueblo of Santa Clara to administer or support an array of projects that improve the quality of life in our community and safeguard the natural resources that provide us with physical and spiritual sustenance. Without these funds our Pueblo would face tremendous hurdles in delivering essential services

such as clean drinking water and hazardous waste management to our people. Among the most widely utilized EPA sources of funding is the Indian Environmental General Assistance Program (GAP), which assists Tribes in developing the capacity to manage their own environmental protection programs. Cuts to the GAP will directly impact front-line environmental staff working for Tribal governments and place our natural and cultural resources in unacceptable risk. We support the GAP's spirit of greater local control, cooperative Federalism, and exercise of Tribal self-determination in allowing Tribes to manage their resources. We strongly urge Congress to provide full-funding for the Indian Environmental GAP to assist Tribes in the development and implementation of sustainable environmental protection measures in Indian Country.

III. PROTECTION FOR TRIBAL CULTURAL PATRIMONY ? THANK YOU FOR YOUR SUPPORT FOR CULTURAL PROPERTY LAW ENFORCEMENT!

Bureau of Indian Affairs Cultural Items Unit. Items of cultural patrimony are not simple tangible objects or works of art. They are living vessels of our cultural heritage, carrying the ceremonies and traditions of our people down through the generations. Trafficking in sacred cultural items removes those items from our communities and causes irreparable harm to our way of life. Led by the New Mexico Congressional Delegation, Congress adopted the PROTECT Patrimony Resolution on December 1, 2016, supporting efforts to stop the illegal trafficking of our cultural heritage. In the fiscal year 2017 appropriations bill, and again in the fiscal year 2017 omnibus, this Committee successfully supported \$1 million for Bureau of Indian Affairs law enforcement to address implementation of the Native American Graves Protection and Repatriation Act (NAGPRA) and halt the illegal trafficking in sensitive cultural materials. This will make a huge difference in Tribal efforts to stop the looting and marketing of items of tremendous cultural importance that are not properly for sale, but rather our community property that needs to remain within a Tribe. We urge Congress to continue to support programs that protect our communities and work to bring these sacred items home and to maintain the \$1 million funding for fiscal year 2018 and beyond.

Historic Preservation. As Pueblo People, we are our culture. Tribal sacred sites are important to us as a people and as a nation. In recent years, an increasing number of Tribes have chosen to establish Tribal Historic Preservation Offices (THPOs) to protect these sites for future generations. Federal funding for these programs has remained flat and tied to the on-reservation status of sacred sites, meaning that the same amount of funds is now spread thinly across far more recipients. As a result, it is difficult for THPOs to perform key duties and preservation compliance responsibilities. Tribes need funding to establish or expand THPOs equivalent to State programs under the National Historic Preservation Act. We request an increase in funding for the Tribal historic preservation programs and for protection of cultural sites in the Interior budget.

IV. HEALTHCARE AND RELATED INFRASTRUCTURE

Like the veins and arteries of a human being that carry life-giving oxygen throughout the body, the healthcare facilities and related municipal infrastructure of a Tribe form the core of any vibrant and economically productive community. Yet, despite its major contributions to local and regional economies and cultures, Indian Country remains plagued by limited access to quality healthcare and antiquated infrastructure systems. Insufficient roads, eroding water supply systems, critical housing shortages, and facilities marred by environmental health hazards inhibit the ability of Tribal governments function properly and obstruct the provision of essential services to their people. We request that specific set-asides and increased support for Indian Country infrastructure development under the fiscal year 2018 budget to strengthen our communities and build towards a more promising future.

Adverse Health Outcomes Associated with Inadequate Housing. Access to affordable, structurally sound housing provides shelter from the proverbial storm and supports the physical and mental health of individuals and families. Reliable affordable housing reduces certain stressors that have been proven to contribute to negative health outcomes for low-income families by freeing up family resources for essential needs like education, food, and healthcare, as well as alleviating stressors associated with overcrowding—an endemic problem throughout Indian Country. Many of these languishing housing-related issues could be addressed by the reauthorization of the Native American Housing and Self-Determination Act (NAHASDA); however, the legislation has been unjustly obstructed for over 5 years, despite wide Congressional support. Santa Clara requests that Congress provide increased funding to the In-

dian Health Service (IHS) to address the adverse health outcomes associated with critical housing shortages in Indian Country.

Full Funding for the IHS. Indian health programs have suffered from annual budget cuts due to sequestration under the Budget Control Act of 2011 (Public Law 112–25). While other critical healthcare agencies such as the VA were exempt from Federal sequestration in 2013, the IHS was not. The disruption in Federal funding resulted in a loss of over \$219 million from the IHS budget, which translates into immediate and long-lasting negative health impacts through lost resources for primary and preventative healthcare services, staff recruitment and training, and other programs serving Indian Country. These losses are exacerbated every year due to the lack of full funding for the IHS. We urge Congress to provide the IHS with full funding and parity with other healthcare agencies through an exemption from sequestration, as well as any other reductions or cuts to the Federal budget.

Increased Support for Preventative Healthcare Services. Our Pueblo's healthcare infrastructure faces an array of challenges that pose significant threats to the safety and well-being of our people: facilities are in critical need of maintenance and repair, equipment is outdated, access to telehealth services is severely limited, and professional medical staff are difficult to recruit and retain. We also face disproportionately high rates of chronic illness that are compounded by the limited access to care in our home communities. Concerted efforts are needed to address the root of our Tribal health problems by expanding the availability and delivery of preventative services in Indian Country, particularly in the fields of behavioral and mental health. Preventative care reduces future incident rates of chronic illness and promotes the long-term vitality of our people.

We urge Congress to provide additional funding and support for expanded access to preventative care as a wise policy choice for Indian Country and for America.

Thank you for the opportunity to submit written testimony. The Pueblo of Santa Clara looks forward to working with you on addressing these complex, multi-faceted needs going forward.

PREPARED STATEMENT OF THE SEATTLE INDIAN HEALTH BOARD

Chairman Murkowski, Ranking Member Udall, Members of the Senate Appropriations Committee's Subcommittee on Interior, Environment, and Related Agencies, my name is Esther Lucero. I am the Chief Executive Officer for the Seattle Indian Health Board (SIHB). I am of Navajo and Latina descent. I strongly identify as an urban Indian, as I am the third generation in my family to live outside of our reservation. I appreciate the opportunity to present testimony today.

The Seattle Indian Health Board is a contractor and grantee as an Urban Indian Health Program (UIHP) with the Indian Health Service (IHS) under authority of the Indian Health Care Improvement Act (IHCIA) as well as a HRSA 330 funded federally Qualified Health Center (FQHC). Our goal is to improve the health of American Indians and Alaska Natives (AI/ANs) living in cities through the provision of culturally relevant health and human services. The Health Board has been in continuous operation since 1970. We offer a comprehensive array of primary healthcare services including medical, dental, mental health, substance abuse, nutrition, pharmacy, and traditional health services to more than 4,000 AI/AN people annually who represent more than 250 different Indian Tribes. We operate the Thunderbird Treatment Center, a 65-bed residential treatment center, one of the largest in Washington State.

Beyond our clinical services, the Health Board operates an AI/AN, ACGME accredited family medicine physician residency training program. We also manage the Urban Indian Health Institute (UIHI), one of the IHS' 12 Tribal epidemiology centers (TECs), and the only one with a focus on the health of urban Indians providing services to UIHPs across the Nation.

I would like to thank the subcommittee for maintaining your commitment to receiving written testimony, particularly given the time constraints in expediting the fiscal year 2018 budget request. This opportunity to provide testimony regarding UIHPs is never taken for granted.

I am acutely aware of the subcommittee's demonstrated commitment to improving the health and wellness of American Indian and Alaska Native (AI/AN) people. Last year was my introduction to this committee. I was taken aback by how you intently listened to some of the key issues in our community including; the 40 percent homelessness experienced by members of our elder program, and how the Opioid addiction crisis impacts Urban AI/AN communities in Seattle. I would especially like to thank you for the \$232 million increase to the IHS budget, and for the \$3 million increase for the UIHPs in fiscal year 2017. These increases will be beneficial in in-

creasing the impact of IHS Hospitals, Tribal 638 Clinics, and the Urban Indian Health Programs, which, together make up the I/T/U system of care for AI/AN people.

Thank you for ensuring the completion of the Report to Congress entitled: New Needs Assessment of the Urban Indian Health Program and the Communities It Serves. Some of the highlights of this report include the suggestion that the percentage AI/AN living in urban environments is increasing beyond the 71 percent I cited in my testimony last year. It gives examples of increased collaborations between UIHPs and Tribal Communities, clearly an effort to bridge past resource allocation hardships, maximize current resources and leverage services to best meet the needs of AI/AN people. It also identified the need for expansion of the UIHP to meet the ever-growing urban AI/AN population. Still, this report would have been more impactful if it moved beyond demographics, health disparities, and program assessments to define clear recommendations and follow-up measures to be monitored by this committee to ensure that not only are we assessing UIHPs, but also taking clear steps to build upon their successes and minimize their struggles to reach and better the health outcomes of our AI/AN community.

Despite the subcommittee's continued commitment to improve the I/T/U system of care, I am here today seeking your support for increased funding for the Urban Indian Health Program and the entire I/T/U, because even with the increases we have received over the last 3 years, the UIHP line-item is still less than one-percent of the overall IHS budget. We have an increasing need for services, and we are still trying to address a lifetime of a grossly underfunded system. This is of concern given the movement to repeal and replace the Affordable Care Act (ACA), which currently houses the IHCA and the permanent reauthorization for UIHP funding, and names Tribal Epicenters as Public Health Authorities. The threats to our culturally relevant system of care grow exponentially with the targeted effort to reduce/eliminate funding for Medicaid and Medicaid Expansion, two resources that have provided supplemental revenue for UIHPs that are lucky enough to also be FQHCs. For us, Medicaid dollars allowed us to launch a pilot Opioid Addiction program that includes 5 waived primary care providers to prescribe Suboxone, mental health professionals to conduct group mental health visits, provide increased access to outpatient chemical dependency treatment, and offer access to traditional health services. A \$10 million increase in fiscal year 2018 would bring us to a place where \$5 million would bring us closer to meeting the growing need for services and another \$5 million to meet capacity and infrastructure demands to meet that need. This increase, coupled with protections from sequestration, might provide UIHPs with some sense of stability. In addition, if Medicaid and Medicaid Expansion were preserved and UIHPs became eligible for 100 percent FMAP, then we are looking at expanded and impressive programs to support a population that historically has provided significant returns on investment.

In conclusion, we thank the subcommittee for recognizing that there is a funding disparity in the IHS budget to address the health needs of AI/ANs living in urban areas. We would like to reconcile the discrepancy between \$8,517 average spent per capita for healthcare per American citizen versus the \$3,136 spend on AI/ANs in the IHS system of care. As UIHPs, we are a vital component to the I/T/U system of care, it is very important that we are given the opportunity to work with our Tribal communities to best meet the needs of all AI/AN people, particularly when they migrate or relocate to urban environments. We ask that the budget formulation process better reflect the healthcare needs of the urban AI/AN community and that a feasible budget is established to adequately combat the health disparities experienced by our AI/AN population regardless of where they reside.

Thank you for your consideration of these requests.

[This statement was submitted by Esther Lucero, Chief Executive Officer.]

PREPARED STATEMENT OF THE SHOALWATER BAY TRIBE

The requests of the Shoalwater Bay Indian Tribe (Tribe) for the fiscal year 2018 Interior, Environment, and Related Agencies budget are as follows:

- Appropriate \$480,000 through the Tribe's self-government agreement with the BIA to address initial planning efforts in the first phase of a necessary Tribal relocation.
- Move forward with full and mandatory funding for Contract Support Costs (CSC).
- Funding for Tribal courts in Public Law 83–280 States.
- Shield IHS funding from sequestration.

BACKGROUND

Good afternoon Chairman Calvert and members of the Sub-Committee. Thank you for inviting the Shoalwater Bay Indian Tribe to provide testimony at this hearing on fiscal year 2018 funding for programs affecting Indian Tribes which are funded through your Subcommittee. My name is Charlene Nelson, and I am the Chairwoman of the Shoalwater Bay Indian Tribe which is located 2,800 miles west by northwest of where we are meeting today on the beautiful north shore of Willapa Bay, facing out to the Pacific Ocean.

My own personal history matches closely with many of you serving on this Subcommittee, as I understand you consistently are tasked with determining how to fund and shape Federal programs that positively impact the health, environment, and learning of American people. I worked for decades in the field of education. As a former commercial fisherman in Alaska, I came to understand the economic potential of a healthy environment. Prior to my service on Tribal Council, I worked in the Tribe's Health and Women's Wellness Program, learning firsthand that vibrant and successful Indian communities are not possible without first attending to human health.

RELOCATION ASSISTANCE

I am here today to talk to you about survival. In this case, the survival of our Tribe, its lands, homes, businesses, and its people. This is my second stint as Chairwoman of the Shoalwater Bay Tribe. During my prior period chairing the Tribe, I spent the vast majority of those 10 years spearheading an effort to help the Tribe and surrounding area survive the threat of coastal erosion. As a result of those efforts, the Army Corps of Engineers worked with the Tribe to construct an erosion control embankment south and west of the Reservation. The embankment went into service 4 years ago and this winter it took a beating and is now a new concern of the Tribe and the Corps. The embankment has temporarily halted the erosion that directly threatened the Reservation and State Highway 105, which connects the surrounding Tokeland community to schools, grocery stores, healthcare, banks, and housing.

But through the process of fighting for the Tribe's survival from coastal erosion, we learned a great deal. We learned, among many other things, that essentially the entire Reservation, with one small exception on Eagle Hill, is no higher than 6 feet above the ordinary high water mark of the Willapa Bay tides. The low elevation of the entire reservation puts it squarely within a tsunami zone that ensures, in the case of a tsunami event, that the Reservation would be wiped out. Think about that for a moment—an entire Tribe wiped out in an instant.

Attached to this testimony is a map entitled Exhibit A that lays out the Tribe's intentions: to begin the preliminary engineering, planning and initial funding to construct a road to an upland elevation, out of the tsunami zone, to begin the relocation process of the Tribe. The cost to carry out this initial phase of work is \$480,000, and the Tribe is seeking this Subcommittee's support in developing a funding vehicle to support these efforts through the Tribe's existing BIA self-governance compact.

Exhibit A shows a part of the Reservation at the bottom left intersection, as well as Highway 105 in yellow. The new road, to the north east of the main reservation, will provide access to a higher elevation land base that the Tribe owns that is safe from the threats of coastal erosion and tsunami.

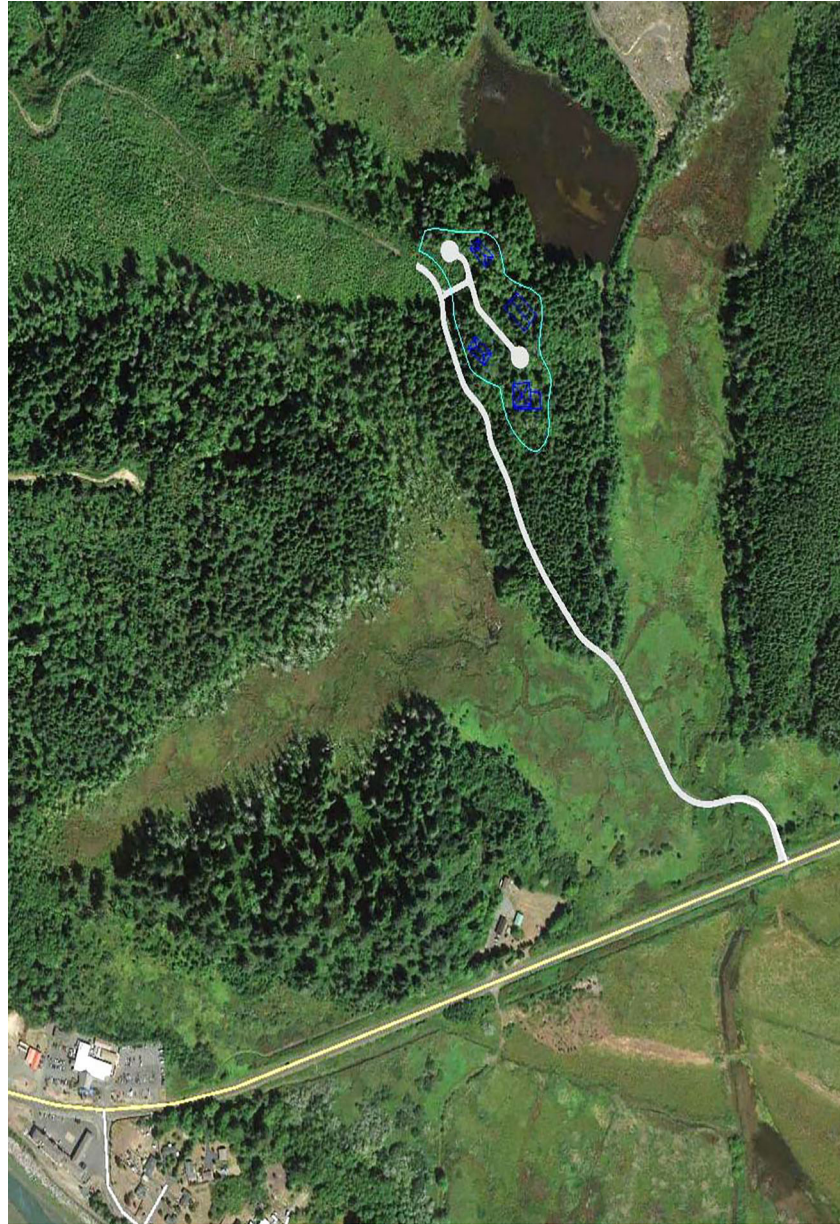


EXHIBIT A – Phase 1 Upland Development Project

Tribal Lake Road (Main
Entrance) and Tribal
Administration Site



This relocation project will require a number of partners, the Tribe, State, Interior Corps of Engineers. While our request today is for planning money for the Tribe from the BIA, other, temporary efforts are under serious consideration. For instance, realizing how dire the situation is, the State and Corps of Engineers have under serious and immediate consideration a joint project for a dynamic revetment to help protect the berm which is endangered because the wave action is now split where it hits the shore and part goes north and part comes toward the berm. We appreciate these efforts but the Tribe also needs the resources to be actively involved in what ultimately is our own relocation.

CONTRACT SUPPORT COSTS (CSC)

Our great thanks for this Subcommittee's leadership in making funding of IHS and BIA contract support costs (CSC) for fiscal year 2016, and now fiscal year 2017, an indefinite amount and also making made it a separate account in the IHS and BIA budgets. This shift makes an enormous difference in helping ensure that the Indian Self-Determination and Education Assistance Act (ISDEAA) is fully funded and implemented as Congress intended in these two agencies. It also significantly enhances the Federal-Tribal government-to-government relationship. For IHS, the fiscal year 2017 estimate for contract support costs is \$800 million, and for the BIA it is \$278 million.

Thank you also for listening to Tribes who explained why the problematic IHS-supported fiscal year 2016 enacted bill proviso which effectively denied the CSC carryover authority granted by the ISDEAA. We appreciate that this proviso is absent from the Consolidated Appropriations Act for Fiscal Year 2017.

Our objective, though, continues to be the indefinite appropriation of CSC funding as mandatory and permanent. Full payment of CSC is not discretionary; it is a legal obligation under the ISDEAA, affirmed by the U.S. Supreme Court. Funding of CSC on a discretionary basis has in the very recent past placed the House and Senate Appropriations Committees, in their own words, in the "untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs." We remain committed to working with the appropriate Congressional committees to determine how best to achieve this objective.

TRIBAL COURT ASSISTANCE FOR TRIBES SUBJECT TO PUBLIC LAW 83-280

We appreciate the much-needed support in the fiscal year 2017 appropriations bill for Tribes who are affected by Public Law 83-280 and who are striving to serve their communities with competent and appropriate judiciary systems.

The fiscal year 2017 Explanatory Language accompanying the Consolidated Appropriations Act, fiscal year 2017 would increase BIA Tribal Justice Support funding for Tribes affected by Public Law 83-280 (first enacted during the early 1950s termination era) who are working to exercise their rightful jurisdiction on domestic violence and other matters, and to increase available remedies and services for crime victims. It is very important for the future of Tribal nations affected by Public Law 83-280 to continue development of robust criminal jurisdiction systems. We quote below the fiscal year 2017 language:

"Funding for Tribal justice support is restored to \$17,250,000, of which not less than \$10,000,000 is to address the needs of Tribes affected by Public Law 83-280. The Committees remain concerned about Tribal court needs as identified in the Indian Law and Order Commission's November 2013 report, which notes Federal investment in Tribal justice in "Public Law 280" States has been more limited than elsewhere in Indian Country. The Committees expect the Bureau to work with Tribes and Tribal organizations in these States to fund plans that design, promote, sustain, or pilot courts systems subject to jurisdiction under Public Law 83-280. The Bureau is also directed to formally consult and maintain open communication throughout the process with Tribes and Tribal organizations on how this funding supports the technical infrastructure and future Tribal court needs for these jurisdictions."

SHIELD IHS FUNDING FROM SEQUESTRATION

We have requested in our previous years' testimony that the IHS budget be protected from sequestration. We again ask this Subcommittee's support of an amendment to the Balanced Budget and Emergency Deficit Control Act to exempt the IHS from sequestration of funds, just as Congress has done for the Veterans Health Administration's health programs. We are very concerned that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal

year 2017 spending cap, and when considered along with the President's "skinny" fiscal year 2018 budget outline proposal, which significantly lowers non-defense discretionary spending, we fear a significant sequestration of funds in fiscal year 2018. IHS funding for healthcare services should be made exempt from sequestration.

PREPARED STATEMENT OF THE SHOSHONE-PAIUTE TRIBES OF THE DUCK VALLEY
INDIAN RESERVATION

The Shoshone-Paiute Tribes of the Duck Valley Indian Reservation appreciate the opportunity to submit written testimony concerning the fiscal year 2018 Budget for the BIA, BLM and IHS. The Shoshone-Paiute Tribes are grateful for this subcommittee's long standing support of Indian Tribes and for sharing its understanding of Indian country with your Senate colleagues.

The Duck Valley Reservation is a large, rural and very remote reservation comprising 450 square miles adjacent to Nevada and Idaho. The Reservation is 140 miles from Boise, Idaho, and 100 miles from Elko, Nevada. Many of our 2,000 Tribal members make their living as farmers and ranchers, though a number of them are employed by the Tribes. We assume most duties of the BIA and IHS under self-governance compacts, although the BIA continues to provide law enforcement and detention services on our Reservation.

In too many instances, however, our success in these areas is largely dependent on Federal appropriations which, in turn, determine whether economic and social conditions on the Duck Valley Indian Reservation improve or worsen. While we contribute Tribal resources to these endeavors as best we can, we look to our Federal partner for support. If we fall short in available funding, our Tribal citizens suffer. Without sustained growth in these Federal programs, we cannot meet the needs of our Reservation.

As Congress has done for fiscal year 2017, we ask that the subcommittee reject the Administration's ill-conceived fiscal year 2018 budget, which calls for unwarranted reductions in non-defense agency appropriations, including an unwarranted \$12.6 billion cut to the Department of Health and Human Services and \$1.5 billion cut to the Department of the Interior. If enacted the budget would cause great harm to the Duck Valley Indian Reservation and to most Native Americans who, more than most Americans, rely heavily on Federal appropriations across multiple Federal agencies, not just Interior and DHHS.

We encourage this subcommittee to build on the increases in the fiscal year 2017 appropriation for these essential Tribal programs.

Our priorities for fiscal year 2018 include:

1. *Increase BIA Road Maintenance Program funds (Eastern Nevada BIA Roads Program of the Western Regional Office).* We respectfully ask for at least a \$10 million increase in the BIA Road Maintenance Program to the Indian Affairs budget so that the BIA Eastern Nevada Agency Roads Department can purchase a road grader, backhoe, a front-end loader, a D7 Caterpillar dozer and a ten-wheel dump truck. We appreciate the fiscal year 2017 increase, but it alone will not provide sufficient funds to replace heavy road maintenance equipment. The 1980's blade road grader has broken down again and needs replacing. Likewise, the 1980's backhoe is also outdated, and parts are a challenge to find. The employees are embarrassed to haul the backhoe in for repairs when needed because it is so old and worn (40 years old—like the grader). The dozer is a 1960's model, and the front-end loader and backhoe are from the 1970's. They need a dump truck because they do not have one. A modern ten-wheel dump truck is needed. Our Region has the largest percentage of BIA-owned roads at 21 percent. The requested increase we request will help our Region tremendously. It has been over 25 years since BIA sought supplemental funds for heavy equipment.

The BIA Eastern Nevada Agency covers the roads maintenance need for the 600 miles of public roads on the Duck Valley Reservation and the road maintenance needs on five other reservations which are hundreds of mile apart throughout north-eastern Nevada. The approximately \$70,000 received annually to maintain all of these roads is woefully inadequate. Increased Road Maintenance funding will improve road safety.

2. *Increase funding for the BIA Public Safety and Special Initiatives Program.* The BIA struggles to provide adequate law enforcement on our Reservation. For that reason, we applaud the final fiscal year 2017 enacted appropriations levels for Public Safety and Justice totaling \$385.735 million, and urge the Committee to continue support modest increases for the next year. We reject the Administration's unwise cuts to BIA Public Safety funding. We are one of three Tribes in a pilot program

funded under the BIA's "Law Enforcement Special Initiatives" program. Under this program, we receive \$250,000 in additional recurring funding to reduce recidivism on the Duck Valley Reservation. The Special Initiatives program is essentially funded at the same level for fiscal year 2017 as it was for fiscal year 2016.

We request an increase of funding to the Special Initiatives Program to assist the Tribes with the cost of placing and providing utilities to a number of buildings that the Tribes received from FEMA that will be used to support the Tribes' recidivism pilot program. The buildings will be used for education, support of family members visiting and supporting incarcerated youth, year-round equine activities (which are integral to Native American culture) and emergency medical services, all of which are important components of the Tribes' recidivism pilot program. The cost for the facilities infrastructure work is approximately \$2.5 million.

We further urge the subcommittee to include statutory language to make clear that "Law Enforcement Special Initiatives" funds may be used for the purchase or lease of temporary trailers or modular units to house personnel associated with law enforcement, corrections, probation, Tribal courts and other professionals serving Tribal offenders. For rural communities like Duck Valley, housing is often the linchpin to program success. This request will give us the flexibility we need to use Special Initiatives funding for housing law enforcement personnel.

3. *Fund the Owyhee Initiative within the Bureau of Land Management (BLM).* The Owyhee Initiative is a joint effort by ranchers, recreationalists, county and State officials, and the Shoshone-Paiute Tribes to protect what the Tribes know as sacred lands, and to manage and appropriately use public lands in the tri-state area of Nevada, Oregon and Idaho. In 2009, Congress passed the Omnibus Public Land Management Act, Public Law 111-1. Since 2010, we have worked jointly with BLM to protect cultural resources and increase public understanding and appreciation of these resources as a part of the Cultural Resources Protection Plan authorized in the legislation referred to as the Owyhee Initiative. Increased recreational use and encroachment by visitors within the Owyhee River Wilderness Area and other Federal lands, however, threaten important cultural resources. The BLM's Boise District manages 3 million acres of land in this rough remote area and they have 3-4 Rangers in their entire district. Let us help understaffed BLM officials perform their duties and help us put our members to work.

One-time BLM funding a number of years ago allowed us to purchase two Cessna planes and ATV equipment and hire one Chief Ranger to patrol public lands and report violations of cultural and religious sites to BLM officials. Our Chairman also flies patrols. We work closely with BLM and Owyhee County officials to coordinate compatible recreation use within BLM lands in Owyhee County, especially within the wilderness areas where we seek to protect cultural resource sites important to our Tribes. The Ranger and our Chairman also spot and report wildfires to BLM officials before the fires can do great damage to sensitive, remote public lands.

We seek recurring BLM funds to continue this important work to protect cultural sites and establish a Reserve Ranger Program to engage Tribal youth in cultural and related activities during the summer. The Chief Ranger is near retirement. It is essential that we hire and train replacement staff, including a pilot, to continue this important work. We need funds to hire an Assistant Director, one adult Tribal Ranger and two part-time Youth Rangers, train a qualified applicant as an additional pilot, purchase two more ATVs and two camp trailers to permit Tribal personnel to remain in the field and overhaul the two Cessna planes per FAA regulations. We hope to construct a hanger at the Owyhee Airport to centralize our operation and increase surveillance flights. We contribute nearly 50 percent of the required budget but cannot sustain this important program without Federal support. Our plan requires \$600,000 to fully fund the above activities. Modest Federal appropriations can go a long way at Duck Valley.

We also support the additional funding for BLM Cultural Resources Management and other BLM accounts used to manage and protect archaeological and historic properties on public lands. BLM lands contain the remnants of campsites, villages, hunting blinds and rock inscriptions that tell the story of the Shoshone-Paiute and other Tribes. After speaking with Shoshone-Bannock Tribal officials, together with northern tier Nevada Tribes (including the Te-Moak, Battle Mountain, South Fork and Goshute Tribes), we seek BLM funds to form a Tribal work group to spread best practices for cultural resources management and protection that we have learned over the last 20 years. We would be a good candidate for a BLM grant. It would be a wise investment to fund a multi-Tribal task force to propose and design strategies for on the ground protection of Native American cultural resources for the Upper Great Basin and High Plateau of the tri-state area of Nevada, Oregon and Idaho.

4. *Telecommunications (fiber optics)*. The Tribes continue to need fiber infrastructure over five miles for connectivity among Fish, Wildlife & Parks, Tribal Headquarters, Detention Center, Fire Station and the Owyhee Community Health Facility. The health center serves as the Wide Area Network (WAN) hub for the Tribes' and health center's computer network. Connectivity among these facilities and programs would alleviate the long-term monthly recurring cost we pay to an Ethernet Circuit provider (\$96,000 annually). We require \$500,000 in Federal funding to construct new fiber networks and cover construction inspection fees. We urge the subcommittee to increase appropriations within the BIA and IHS budgets so that Duck Valley can improve our telecommunications networks. Education IT is not the only program in need of an upgrade.

5. *East Fork Owyhee Salmon Steelhead Recovery and Reintroduction Project*. We return Chinook salmon and steelhead trout to Duck Valley through an innovative "trap-and-haul" program. Dam construction along the Columbia and Snake Rivers eliminated salmon from our Reservation for 87 years. Duck Valley is unique in that it supports two major tributaries to the Snake River. In 2014, we financed a pilot study that found that habitat in the East Fork of the Owyhee River supports a summer rearing capacity of between 3,300 and 43,000 juvenile steelhead trout and from 3,600 to 41,000 Chinook salmon. In 2015 and 2016 we returned nearly 200 Chinook salmon each summer to Duck Valley and spear fished nearly all of them. It is a joyous event to have salmon return to the Reservation. With \$210,000 in funding for the next 3 years we can complete our habitat surveys of the East Fork Owyhee River, including obtaining data on non-summer river conditions, as well as an assessment of the Bruneau River habitat. We propose to transport adult fish from Lower Granite Dam or Hells Canyon Dam and release the fish above China Dam into the East Fork Owyhee River to spawn. Emigrating juvenile fish would later be captured and released downstream from passage carriers on the Snake River to complete their migration to the Pacific Ocean. Adult salmon originating from the East Fork Owyhee River would later be captured in the lower Snake River and transported upstream. These programs are also jobs programs for our members and we value this work.

In fiscal year 2017, Congress appropriated \$200.9 million for the BIA's Trust-Natural Resources Management programs, a \$9.1 million increase from fiscal year 2016. We urge the subcommittee to support an increase in fiscal year 2018 to the BIA's Trust-Natural Resources Management program budget, including the Tribal Management/Development Program and Fish, Wildlife & Parks program. Tribes contract a significant part of the Natural Resources Management funds. An increase to the BIA's budget can help us with this innovative project to return salmon and steelhead trout to the Duck Valley Reservation.

6. *Native Plant Program/Greenhouse*. In cooperation with BLM, the Tribes gather, propagate and make available seed and other native plant materials that are indigenous to the region. Through a series of assistance agreements with BLM, we built three greenhouses and are growing seedlings (including sagebrush and bitterbrush seedlings) for planting on adjacent public lands. This program assists BLM and other agencies in their efforts to restore lands damaged by wildfires and helps employ Tribal members. The Tribes plan to have 80,000 containerized grasses and shrub seedlings available for sale, together with willow and other riparian plant cuttings and local vegetables for sale and distribution through our "Honor Our Elders" program. The Tribes have already sold plants to a mining company and gifted plants to BLM for reclamation work. We seek Interior Department appropriations of \$450,000 in fiscal year 2018 to build additional greenhouses and a facility to house equipment to dry, clean and store seed and to hire part-time greenhouse staff for marketing and finances. The Tribes request \$200,000 in each of fiscal year 2019 and fiscal year 2020 for staff and operations to expand our program and be a reliable supplier of native plants and seedlings on BLM-managed public lands.

7. *IHS*. The Tribe appreciates the \$232 million increase Congress provided for fiscal year 2017 for the Indian Health Service (IHS), and we request an increase in, especially in the area of clinical services, including Purchased/Referred Care, Contract Support Costs (CSC) and facilities construction. The Tribes continue to support full funding of CSC for IHS and BIA, and thank this subcommittee for its work to date to fully fund contract support costs without jeopardizing program funding. We respectfully urge the subcommittee to continue with its current approach of employing a separate and indefinite appropriation.

We urge the Committee to build on the fiscal year 2017 budget to meet Tribal health and safety needs that strengthen our community in fiscal year 2018 and be-

yond. The Shoshone-Paiute Tribes of Duck Valley Indian Reservation thank you again for this opportunity to submit written testimony.

PREPARED STATEMENT OF THE SOCIETY OF AMERICAN FORESTERS

The Society of American Foresters (SAF), with 12,000 forestry and natural resources professionals, promotes science-based, sustainable management and stewardship of the Nation's public and private forests. SAF appreciates this opportunity to submit written public testimony on fiscal year 2018 appropriations because sufficient funding for the USDA Forest Service (USFS) and the Department of the Interior (DOI) is vital to conserving and improving the health and productivity of our Nation's forests.

The American public relies on the 751 million acres of public and private forests in the United States to provide clean and abundant air and water, forest products, fish and wildlife habitat, recreational opportunities, forage and range resources, energy, and scenic beauty. Managing these natural assets for multiple uses is increasingly difficult with the unprecedented threats posed by wildfire, drought, insects, disease, and invasive species. Maintaining a balance demands that land managers and partner organizations work together to identify innovative ways to work across boundaries, maximize values, and improve the health of our forests nationwide.

SAF's priorities in the fiscal year 2018 budget process include a range of programs within USFS and DOI. Recognizing fiscal constraints, these requests will assist forest managers and scientists in sustaining our Nation's forests and providing a multitude of benefits for generations to come.

SAF TOP FEDERAL PRIORITIES FOR FISCAL YEAR 2018

1. Adopt a long-term solution to wildfire suppression funding that: (1) allows access to disaster funding; (2) minimizes budget transfers; and (3) addresses the compounding erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier conditions.
2. Increase funding levels for USFS Forest and Rangeland Research to no less than \$303 million, with no less than \$83 million for the Forest Inventory and Analysis Program.
3. Support Bureau of Land Management Public Domain Forestry and Oregon & California Railroad Grant Lands funding levels at no less than \$10 million and \$113.7 million, respectively.

SAF is the premier national scientific and educational organization representing forestry and related natural resources professionals in the United States. Founded in 1900 by Gifford Pinchot, our members include public and private sector natural resource professionals, researchers, CEOs, administrators, investment advisors, educators, and students. Just as forests are fundamental to our Nation, so too are the professionals who study, manage, and protect these precious resources. SAF is eager to work with Congress, Federal agencies, and partners to identify reasonable solutions to increase the pace and scale of management on Federal lands, find new ways to work with private landowners, keep forests as forests, provide incentives for active management, and deliver practical innovations to meet future challenges and market demands.

SAF is pleased with the continued commitment to increasing the pace and scale of management on Federal lands with the USFS harvest target of 3.2 billion board feet, up from 2.7 billion board feet in recent years. With up to 82 million acres in the National Forest System (NFS) still in need of restoration, SAF urges this subcommittee to encourage the agency to use all available tools to increase restoration levels by implementing more projects on Federal lands. USFS should expand collaboration with rural communities, partners, and industry to meet and exceed management goals outlined in forest plans. Authorizations in the 2014 Farm Bill facilitate quicker responses to areas devastated by insects and disease, expand the use of Stewardship Contracting, and take advantage of Good Neighbor Authority and other mechanisms that work across boundaries to achieve shared objectives. Investments in NFS Forest Products and Integrated Resource Restoration Pilots also help to improve forest and community resilience. However, decreases in Capital Improvement and Maintenance and the Administration's proposed elimination of the Collaborative Forest Landscape Restoration Program could impede fulfillment of targets critical to economic sustainability and growth of local communities.

Likewise, SAF encourages this subcommittee to recognize the importance of USFS State and Private Forestry (S&PF) programs. The Urban and Community Forestry, Landscape Scale Restoration, Forest Stewardship, and Forest Health Management programs provide important technical and financial assistance to private land-

owners and the resource managers responsible for managing more than 60 percent of America's forests. Investments in these programs are leveraged by landowners, State and local agencies, and a variety of non-governmental organizations to help to build healthy and thriving forest resources that benefit all citizens. Eliminating, consolidating, or drastically cutting funding for these programs would have profound adverse impacts on people and communities across the country—particularly in rural communities—and will jeopardize the essential benefits all citizens rely on forests to provide.

Wildfire Funding.—While wildfires predominantly threaten western landscapes and communities, recent destructive fires in the east remind us that wildfire is a serious threat throughout the country. Regardless of fire location, the financial impacts weigh heavily on every citizen.

All agencies and programs funded through the Interior Appropriations Bill suffer as wildfire suppression costs continue to rise under the current funding model. The rolling 10-year average has not met annual suppression cost needs since before fiscal year 2002, and the resulting shortfalls—both anticipated and actual—significantly disrupt important forest management projects across the country. Funds for management are then diverted into suppression, exacerbating an already serious issue. We thank the subcommittee for fully funding the 10-year average and providing supplemental funds, if necessary, in fiscal year 2017. However, agencies and first responders need a long-term solution that results in stable and predictable budgets.

SAF respectfully requests a solution that: (1) allows access to disaster funding; (2) minimizes transfers; and (3) addresses the compounding erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier conditions.

Hazardous Fuels.—A comprehensive approach to averting wildfire threats and improving forest resilience is imperative. The Hazardous Fuels and Fire Risk Management line items in the USFS and DOI budgets are integral to restoring forest health and reducing the costs of wildfire suppression. Through restoring and maintaining fire-resilient landscapes and communities, these programs support the goals of the National Cohesive Wildland Fire Management Strategy. SAF appreciates this subcommittee's consistent support for wildfire management and encourages it to allocate funds to address wildfire risks inside and outside the wildland-urban interface. In addition to preventing and mitigating wildfire risks, these programs serve as an important source of jobs, maintain critical forest products processing capability, especially in rural communities, and expand markets for the use of biomass residuals as renewable energy through efforts like the USFS Woody Innovations Grant Program.

SAF supports funding the USFS Hazardous Fuels Program at \$479 million and DOI Hazardous Fuels and Resilient Landscapes at \$178 million. We also ask that the subcommittee include report language encouraging Federal agencies to coordinate their fuels plans with other planning efforts such as State forestry and conservation plans to facilitate cross-boundary activities and increase the effectiveness of this program.

Forestry Research.—Investments in forestry research are essential for the future health and sustainability of the Nation's forests, which include 11 million private forest landowners. Although this testimony focuses on USFS Forest and Rangeland Research programs, SAF also recognizes and supports the full array of forestry research efforts led by the Bureau of Land Management, US Fish and Wildlife Service, US Geologic Survey, and others including land-grant institutions and other universities. USFS Research and Development (USFS R&D) research conducted at the five USFS research stations, the International Institute of Tropical Forestry, and in the Forest Products Laboratory is crucial. Federal forestry research develops new products and practical innovation; identifies forest ecosystem disturbance response and forest resilience; helps responses to shifting social demands and demographic changes; and quantifies the contributions of forests to air and water quality. Without USFS leadership, investigation of these critical research needs would largely be left unfulfilled. Clear and relevant research helps eliminate uncertainties and builds consensus on management actions potentially avoiding litigation and enabling more projects to move forward.

If forest research capacity in the US continues to decline, forest managers will not be able to meet current and future challenges with existing science and technical information. Continuing the trend of reductions in the USFS R&D budget will result in significant gaps in knowledge and in poor management of resources at a time of

unprecedented threats posed by wildfire, drought, insects, disease, and invasive species.

SAF supports a funding level of \$303 million for USFS R&D, with particular emphasis on prioritization of research projects uniquely suited to R&D expertise furthering agency and partner objectives.

FIA Funding.—SAF strongly supports the funding increases for the USFS R&D Forest Inventory and Analysis (FIA) program in the fiscal year 2017 Omnibus Bill and in the Administration's fiscal year 2018 Budget. FIA is the backbone of US forestry—providing the only national census of forests across all ownerships. Through FIA, USFS, with State forestry agency, university, and private sector partners, collects and analyzes forest data to assess trends on issues such as forest health and management, fragmentation and parcelization, and forest carbon sequestration. The data and information collected by FIA serve as the basis for identifying trends in forest ownership; assessing fish and wildlife habitat; evaluating wildfire, insect, and disease risk; predicting the spread of invasive species; determining capital investment in existing forest products facilities and selecting locations for new forest product facilities; and identifying and responding to priorities identified in State Forest Action Plans. The critical need for current information about the condition of our forests, with greater emphasis on the role of forests in maintaining and improving air quality, underlies the need for FIA program capacity to be increased in fiscal year 2018 and beyond.

SAF requests additional investment in FIA with a funding level of at least \$83 million. We urge the subcommittee to ensure that this increase does not come at the expense of other research programs, and provide direction for future increases to allow the program to keep pace with ever-growing and diverse information needs.

Fire Science Program.—SAF has concerns with the reduction in funding in the fiscal year 2017 Omnibus Bill and the proposed elimination of the Joint Fire Science Program (JFSP) in the Administration's fiscal year 2018 Budget. Transfer of the JFSP from the Wildland Fire Management Budget to the USFS R&D may create efficiencies, but the reduction from \$6.9 million to \$3 million in the fiscal year 2017 bill or integrating those functions in the National Fire Plan Research and Development (NFP R&D) will negatively impact the joint research program with over 200 Federal agency, university, and nongovernmental partners. Including funding for JFSP activities within NFP R&D in the USFS R&D budget with a reduction in funding for all will reduce JFSP effectiveness and hinder exploration of fire research questions important to the USDA and DOI.

SAF urges the subcommittee to restore the JFSP funding level to \$6.9 million and maintain the Wildland Fire Management budget line.

Public Domain Program.—Finally, SAF is encouraged by the recognition of the important work of the BLM Public Domain Forestry (PD) program. SAF asks this committee to consider amending the extension of the Forest Ecosystem Health and Recovery Fund authorization in the 2015 Omnibus Bill to beyond 2020. SAF is concerned with the proposed funding reduction for the Oregon & California Railroad Grant Lands (O&C) in the President's proposed budget. While funding for the O&C timber program is important, SAF urges this subcommittee to provide the needed funds to support efficient, effective implementation and monitoring to achieve all of the objectives outlined in plans, including necessary forest health and fuels treatments.

SAF supports the funding level of \$10 million for the PD program and \$113.7 million for the O&C program. We also urge this subcommittee to extend authorization of the Forest Ecosystem Health and Recovery Fund beyond 2020.

Thank you for your consideration of these important requests. SAF and its extensive network of forestry and natural resources professionals stand ready to assist with further development and implementation of these efforts and ideas.

[This statement was submitted by Frederick Cubbage, President.]

PREPARED STATEMENT OF THE SOUTHCENTRAL FOUNDATION

My name is Katherine Gottlieb and I am the President and Chief Executive Officer of Southcentral Foundation (SCF). SCF is the Alaska Native Tribal health organization designated by Cook Inlet Region, Inc. and eleven federally-Recognized Tribes—the Aleut Community of St. Paul Island, Igiugig, Iliamna, Kokhanok, McGrath, Newhalen, Nikolai, Nondalton, Pedro Bay, Telida, and Takotna—to provide healthcare services to beneficiaries of the Indian Health Service (IHS) pursuant to a contract with United States Government under the authority of the Indian Self Determination and Education Assistance Act (ISDEAA) Public Law 93–638.

SCF provides a variety of medical services, including dental, optometry, behavioral health and substance abuse treatment to over 65,000 Alaska Native and American Indian people. This includes 52,000 people living in the Municipality of Anchorage, the Matanuska-Susitna Borough to the north, and 13,000 residents of 55 rural Alaska villages. Our services cover an area exceeding 100,000 square miles. SCF employs nearly 2,000 people to administer and deliver these critical healthcare services.

SCF is a member of the Alaska Tribal Health System (ATHS) which is comprised of 229 federally Recognized Alaska Tribes and Tribal organizations who have all contracted with the IHS to carry out the management and administration of Federal Indian programs. Collectively, the Tribes and Tribal organizations form an integrated statewide network with more than 7,000 employees providing services to over 150,000 Alaska Native and American Indian people. Additionally, the ATHS is a critical component of the Alaska Public Health System serving thousands of non-Native people in rural Alaska. We believe Alaska is the only State where all Tribes have assumed such broad responsibility to own and manage our healthcare system and is shining example of how true Indian self-determination can work.

Thank you for the opportunity to submit written testify on behalf of the SCF and the 150,000 Alaska Native and American Indian people we serve.

SCF requests that in fiscal year 2018 Congress: (1) focus on general IHS program increases, especially related to population growth and inflation; (2) support increases in behavioral health funding; (3) exempt IHS from any across-the board reductions; (4) support increases for Indian Self-Determination Act section 105(l) lease payments; and (5) exempt Tribal programs from any healthcare reform efforts that would exacerbate already grave funding deficiencies.

1. FOCUS ON GENERAL IHS PROGRAM INCREASES

We thank this subcommittee for the increases enacted for the IHS budget in fiscal year 2017. However, we ask that in fiscal year 2018, the subcommittee focus on general program increases, which are shared equally by all Tribal programs, rather than increases for targeted programs—such as for leases, accreditation, or health professions—that may only go to a few Tribes and/or may come with funding restrictions that limit our ability to target them where needed most. Of the approximate \$128 million in fiscal year 2017, only \$51 million can be attributed to the IHS general services account. If all of that were used for inflation and pay cost increases (a result that is entirely up to the agency and far from certain), each program would receive approximately a 1.5 percent increase in funding. Although that falls behind the actual inflation rate and does not take into account population growth, that increase is much appreciated and provides huge benefits to our programs. We ask this subcommittee continue to consider these general needs going forward.

We also continue to support increases targeted at Purchased and Referred Care (PRC). For many years, PRC funding has not kept pace with the rising cost of healthcare, meaning these dollars provide fewer and fewer services each year and we must sometimes deny care. We also ask this subcommittee to continue to support PRC increases that also support increased services for our growing population.

2. INCREASE BEHAVIORAL HEALTH FUNDING

This subcommittee is likely already aware of two problems that disproportionately affect our population: substance abuse, especially opioid addiction, and suicide. For this reason, SCF maintains its support for the Substance Use and Suicide Prevention Program (a combination of the Methamphetamine and Suicide Prevention Initiative and Domestic Violence Prevention Initiative). We implemented these programs through our Behavioral Health Services and our Family Wellness Warriors Initiative—program that aims to address the spiritual, emotional, mental and physical effects of domestic violence, and abuse and neglect, and to break the cycle of addiction. Funding for this program and prior behavioral health initiatives has been very instrumental in this effort.

We also thank this subcommittee for eliminating in fiscal year 2017 the “notwithstanding” clause that had been included in prior appropriations measures. With that done, we ask the subcommittee to direct IHS to now treat these funds just like other IHS program funds operated under the Indian Self-Determination Act instead of as grant funding—these dollars will go much further once funding isn’t taken off the top for IHS’s administrative overhead and once we are no longer forced to use a portion to comply with unnecessary and onerous grant requirements.

That said, we must emphasize that behavioral health funding is critical for our most vulnerable population—our youth. At SCF, we run several programs that provide mental healthcare for Alaska Native youth, and that focus on building academic, vocational, and leadership skills through culturally-appropriate methods. These programs not only address past trauma, but ensure our youth stay on the path towards becoming tomorrow’s future leaders instead of falling prey to addiction. We ask this subcommittee to continue supporting these measures.

3. EXEMPT IHS FROM ACROSS-THE-BOARD REDUCTIONS

As this subcommittee is well aware, across-the-board reductions have devastating impacts on Tribal programs. Since 2013, Tribes have testified about the long-lasting consequences of sequestration and the fact that it took years for the IHS budget—and funding for Tribal programs—to recover to pre-sequestration levels. This reduction had real-world consequences, resulting in reduced programming, cuts to patient care, and stagnation of services at a time of growing need. The administration has proposed a similar across-the-board reduction in fiscal year 2018—requesting a 16 percent cut overall for the Department of Health & Human Services (DHHS). We ask that IHS be exempt from any such cuts—it is already the smallest part of the DHHS budget and is only funded at approximately 1/5 of the total Tribal needs budget of \$30.1 billion. Any further funding reduction would only serve to ensure Tribal health funding falls even farther behind that provided for the general population.

4. SUPPORT INCREASES FOR INDIAN SELF-DETERMINATION ACT SECTION 105(L) LEASE PAYMENTS

A number of Tribes and Tribal organizations have approached IHS to negotiate leases under section 105(l) of the Indian Self-Determination Act (ISDEAA) for the use of tribally owned or leased buildings where IHS programs are carried out. But, IHS correctly points out that there is no budget line from which to pay such leases. We appreciate the \$11 million provided for tribally-leased facilities in fiscal year 2017 (which includes \$2 million from Direct Operations), but we understand these funds were intended to bring up the Village Built Clinic (VBC) lease amounts closer to the actual cost of operating those facilities. Thus, any 105(l) leases funded out of this increase in fiscal years 2017 and 2018 will only serve to keep VBC lease payments deficient. Since agency 105(l) lease payments should also not come out of program funds, SCF requests that the subcommittee create within the Direct Operations account a new subaccount to pay required 105(l) Tribal lease payments.

In the face of two court rulings addressing IHS’s legal obligations to fund ISDEAA 105(l) leases, the President’s Budget asks Congress to legislatively override section 105(l) by inserting a “notwithstanding” clause which would make all lease payments entirely discretionary with IHS. In this manner, IHS would secure to itself the right to use Tribal facilities to run IHS programs without any requirement to pay for those facilities. It is also legally questionable because without paying for these facilities, IHS would essentially be augmenting the appropriation through volunteered services, bypassing the Appropriations Clause. We respectfully urge the subcommittee to reject IHS’s effort to repeal a key provision of the ISDEAA. If amendments are to be considered to the ISDEAA, it is the role and jurisdiction of the authorizing committees to consider the matter in the ordinary course.

5. PRESERVE FUNDING FOR TRIBAL PROGRAMS IN HEALTH CARE REFORM EFFORTS

We know that health reform legislation is a Congressional priority and we too know the current system still leaves many underserved. However, we must stress that the answer is not to cut funding from Tribal programs, but rather to focus on expanding coverage. In Alaska, expanded coverage has helped to alleviate some of the stress on Tribal programs that serve these individuals free of charge whether they have insurance or not. We find the repeal of the essential health benefit requirements to be especially harmful as our patients with private insurance may be denied necessary life-saving care, especially if our PRC funds are insufficient to pick up the charges that the private insurers refuse to cover. As a result, our costs of providing care would drastically increase for all of our patients, from babies born

early or with complications to our elderly. We ask Congress to consider these implications before advancing this bill or similar legislation forward.

We strongly recommend that any legislation that would change how Tribal providers receive payment from Medicare and Medicaid or that further restrict eligibility rules be carefully reviewed—again, changes that would only serve to decrease the care provided to patients and at higher cost. We serve the entire State population, yet the healthcare reform proposal would eliminate the three-month retroactive payment option which would be a disadvantage to our rural residents who often do not have the means to register for these programs until they come to Anchorage and are receiving care. Proposals to block grant the Medicare and Medicaid programs or to increase individual co-pays would only shift the burden from these Federal programs back to an already-overtaxed IHS budget and to Tribal health providers. Any reduction in our third-party revenues—revenues which support roughly half of the healthcare services we provide—would ensure that Alaska Natives continue to receive the lowest per-capita healthcare funding in the country and exacerbate deficiencies in health status, contrary to decades of Federal policy. We ask that this subcommittee exempt Tribal programs from any changes to these programs, and to look for ways to expand coverage, rather than focusing on cutting costs by simply reducing the number of beneficiaries.

Thank you again for the opportunity to provide testimony on behalf of Southcentral Foundation and the 150,000 people we serve.

PREPARED STATEMENT OF THE SQUAXIN ISLAND TRIBE

On behalf of the Squaxin Island Tribal Leadership and citizens, it is an honor to provide our funding priorities and recommendations for the fiscal year 2018 Budgets for the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS). Squaxin Island Tribe requests that Tribal program funding throughout the Federal Government be exempt from future sequestrations, rescissions and disproportionate cuts.

We applaud the subcommittee for its foresight, leadership and creativity in seeking a long-term resolution to fully fund Contract Support Cost (CSC) in the BIA and IHS. Although full funding in 2014 and 2015 was risky and did impact some other Tribal funding, in the fiscal year 2016 enacted spending bill you included an estimated amount to fully fund the CSC needs in 2016 and 2017. Under the new budget structure, going forward the full CSC that Tribes are entitled to will be paid and other programs will not be reduced if payments are underestimated in the President's budget. The Squaxin Island Tribe agrees that maintaining this structure achieves the Nation's legal obligation to fully pay CSC and those payments should not be achieved by reducing direct services to any Tribe.

THE FISCAL YEAR 2018 SQUAXIN ISLAND TRIBAL SPECIFIC REQUESTS:

1. \$500,000 Shellfish Management Program—BIA
2. \$2.5 Million to Build and Operate an Oyster and Clam Nursery for Southern Puget Sound—BIA
3. \$2.5 Million Increase for Northwest Indian Treatment Center (NWITC) Residential Program in IHS

REGIONAL REQUESTS:

1. Fully support the budget requests from the Affiliated Tribes of Northwest Washington (ATNI) and the Northwest Portland Area Indian Health Board (NPAIHB) and the Northwest Indian Fisheries Commission

NATIONAL REQUESTS AND RECOMMENDATIONS—BUREAU OF INDIAN AFFAIRS:

1. Continue to fully fund Contract Support Costs for BIA and authorize reclassification of BIA CSC to Mandatory [Permanent] Funding beginning in fiscal year 2018
2. BIA Rights Protection—Increase funding to \$56.5 million for the BIA Rights Protection Implementation.
3. Fully Fund Fixed Costs and Tribal Pay Costs.
4. Increase Tribal Base Funding (instead of through grants)
5. Fully fund all the provisions of the Tribal Law and Order Act of 2010 and the Violence Against Women Act

NATIONAL REQUESTS AND RECOMMENDATIONS—INDIAN HEALTH SERVICE:

1. Continue to fully fund Contract Support Costs for IHS
2. Authorize reclassification of IHS CSC to Mandatory [Permanent] Funding

Squaxin Island Tribes supports the Regional Budget Priorities of the Northwest Indian Fisheries Commission, the Affiliated Tribes of Northwest Indians and the Northwest Portland Area Indian Health Board.

Squaxin Island Tribe supports the National Budget Priorities of the National Congress of American Indians and the National Indian Health Board.

SQUAXIN ISLAND TRIBE BACKGROUND

We are Native People of South Puget Sound and descendants of the maritime people who lived and prospered along these shores for untold centuries. We are known as the People of the Water because of our strong cultural connection to the natural beauty and bounty of Puget Sound going back hundreds of years. The Squaxin Island Indian Reservation is located in southeastern Mason County, Washington and the Tribe is a signatory to the 1854 Medicine Creek Treaty. We were one of the first 30 federally-recognized Tribes to enter into a Compact of Self-Governance with the United States.

Our treaty-designated reservation, Squaxin Island, is approximately 2.2 square miles of uninhabited forested land, surrounded by the bays and inlets of southern Puget Sound. Because the Island lacks fresh water, the Tribe has built its community on roughly 26 acres at Kamilche, Washington purchased and placed into trust. The Tribe also owns 6 acres across Pickering Passage from Squaxin Island and a plot of 36 acres on Harstine Island, across Peale Passage. The total land area including off-reservation trust lands is 1,715.46 acres. In addition, the Tribe manages roughly 500 acres of Puget Sound tidelands.

The Tribal government and our economic enterprises constitute the largest employer in Mason County with over 1,250 employees. The Tribe has a current enrollment of 1,040 and an on-reservation population of 426 living in 141 homes. Squaxin has an estimated service area population of 2,747; a growth rate of about 10 percent, and an unemployment rate of about 30 percent (according to the BIA Labor Force Report).

TRIBAL SPECIFIC REQUESTS/JUSTIFICATIONS:

1. \$500,000—Shellfish Management—BIA

The Squaxin Island Tribe faces an ongoing budget deficit to maintain and operate the shellfish program at its current level of operation—a level that leaves 20 percent of treaty-designated State lands and 80–90 percent of private tidelands unharvested due to lack of funding. To address this shortfall and enable effective growth and development of the program, an annual minimum increase of \$500,000 is requested. Shellfish have been a mainstay for the Squaxin Island people for thousands of years and are important today for subsistence, economic and ceremonial purposes. The Tribe's right to harvest shellfish is guaranteed by the 1854 Medicine Creek Treaty. Today, we are unable to fully exercise our treaty rights due to lack of Federal support for our shellfish management program.

2. \$2.5 Million—Build and Operate an Oyster and Clam Nursery for Southern Puget Sound—BIA

A shellfish nursery is a capital project that is both proven and a cost effective technology that takes small oyster and clam seeds and provides a safe and controlled environment for the seeds to grow to a size that can survive integration onto a regular beach placement. Aquaculture is expected to provide almost two-thirds of the fish intended for global consumption by 2030. Aquaculture involves the breeding, rearing, and harvesting of freshwater and marine species of fish, shellfish, and aquatic plants. Producers farm in all types of water environments including ponds, rivers, lakes, oceans, and land-based, closed recirculating-water systems. The Squaxin Island Tribe is uniquely positioned to meet the demand for increased seed production in the shellfish industry. Ocean conditions are affecting the shellfish industry as a whole; ranking ocean acidification as the top concern. Ocean acidification is making it hard for the tiny organisms to make it through the most important stage of their life. They may eat as much algae as they can, but with current ocean conditions, such as the decreasing pH of the water, they cannot eat enough to get the energy they need to grow their shell and increase body mass. In addition, due to weather and/or other environmental factors, the regional shellfish growers in

southern Puget Sound continue to face a shortage of viable seed for their shellfish farms.

Our original treaty-designated reservation, Squaxin Island, is a restricted-access area, and therefore an ideal location for such a nursery because it will not be disturbed by residents or recreational boaters. This project would be a capital cost of approximately \$2.5 million. The Tribal in-kind contribution to the effort would include land and shoreline and operating costs. Comparable land and shoreline, if privately owned, would be easily valued in the higher millions. The Squaxin southern Puget Sound oyster and clam nursery will be an extension of another project that was created through a U.S. Department of Agriculture appropriation two decades ago for the Lummi Tribe, which created an oyster and clam hatchery in Northern Puget Sound.

3. \$2.5 Million Increase for Northwest Indian Treatment Center (NWITC) Residential Program—IHS “D3WXbi Palil” meaning “Returning from the Dark, Deep Waters to the Light”

The Squaxin Island Tribe has been operating the Northwest Indian Treatment Center (NWITC) since 1994. The Center, given the spiritual name “D3WXbi Palil” meaning “Returning from the Dark, Deep Waters to the Light”, is a residential chemical dependency treatment facility designed to serve Native American who have chronic relapse patterns related to unresolved grief and trauma. NWITC serves adult clients from Tribes located in Oregon, Washington and Idaho. Since the original Congressional set-aside in the IHS budget for alcohol and substance abuse treatment for residential facilities and placement contracts with third-party agencies in 1993, NWITC has not received an adequate increase in the base IHS budget. With the well-documented nation-wide rise in prescription opioid and heroin abuse, it is more critical than ever to increase the NWITC’s annual base in order to sustain the current services to the Tribes of the Northwest. An increase of \$2.5 million would restore lost purchasing power, ensure adequate baseline operating funds and allow NWITC to continue to meet the needs of Native Americans and their communities.

REGIONAL Requests:

1. Fully support the budget requests from the Affiliated Tribes of Northwest Washington (ATNI) and the Northwest Portland Area Indian Health Board (NPAIHB) and the Northwest Indian Fisheries Commission (NWIFC)

NATIONAL REQUESTS and Recommendations—Bureau of Indian Affairs:

1. Continue to fully fund Contract Support Costs for BIA and authorize reclassification of BIA CSC to Mandatory [Permanent] Funding beginning in fiscal year 2018
2. + \$4.5 million increase for Rights Protection Implementation to increase funding to \$56.5 million This Subactivity Account has a clear and direct relationship with the Federal trust obligation to Tribes. This program ensures compliance with Federal court orders by implementing effective Tribal self-regulatory and co-management systems. Contract agreements are designed to assure proper regulation and management of off-reservation fish, wildlife, shellfish, and plant gathering activities, provide conservation enforcement, and perform the necessary assessment and habitat protection activities that help ensure abundant and healthy populations of ceded territory resources. The benefits of these programs accrue not only to Tribes, but to the larger communities as well, because protection and enhancement of ceded territory natural resources and their habitats benefit all users of those resources.
3. Fully Fund Fixed Costs and Tribal Pay Costs—Partial funding or failing to fund Pay Costs for Tribes has devastated Tribal communities by causing critical job losses. Over 900 Tribal jobs have been lost and an estimated 300 more jobs will be permanently lost on an annual basis if 100 percent Pay Costs are not provided. The Tribal losses are being further exacerbated by recent projections of costs that have been significantly underestimated. We strongly urge full funding of fixed costs and Tribal pay costs.
4. Increase Tribal Base Funding (instead of through grants)—Grant funding, particularly inside the BIA, is not consistent with the intent of Tribal self-determination. Tribal leaders have grown increasingly frustrated by the increase in Indian Affairs funding offer through grants. Allocating new funds via grants marginalizes and impedes Tribal Self-Determination and Self-Governance. Provide increases via Tribal base funding instead of through grants to Tribal governments.

5. Fully fund all the provisions of the Tribal Law and Order Act of 2010 and the Violence Against Women Act

NATIONAL Requests and Recommendations—Indian Health Service:

1. Continue to fully fund Contract Support Costs for IHS and authorize reclassification of IHS CSC to Mandatory [Permanent] Funding beginning in fiscal year 2018
2. IHS mandatory funding (maintaining current services)—Provide an increase of \$314.9 million over the fiscal year 2017 budget request. If these mandatory requirements are not funded, Tribes have no choice but to cut health services, which further reduces the quantity and quality of healthcare services available to American Indian/Alaskan Native (AI/AN) people.
3. Purchased and Referred Care (PRC)—Provide an increase of \$474.4 million. The Purchased/Referred Care program pays for urgent and emergent and other critical services that are not directly available through IHS and Tribally-operated health programs when no IHS direct care facility exists, or the direct care facility cannot provide the required emergency or specialty care, or the facility has more demand for services than it can currently meet.

Squaxin Island Tribe supports the National Budget Priorities of the National Congress of American Indians (NCAI) and the National Indian Health Board (NIHB).

Thank you for inviting the Squaxin Island Tribe to testify on these fiscal year 2018 budgets.

PREPARED STATEMENT OF THE STANDING ROCK SIOUX TRIBE

The Standing Rock Sioux Tribe appreciates the opportunity to submit written testimony concerning the President's fiscal year 2018 budget for the Indian programs within the Department of the Interior and the Indian Health Service. We would like to express our appreciation to this subcommittee for its support of Indian Tribes. Our testimony will focus on law enforcement, education, and healthcare.

The Standing Rock Sioux Tribe has a government to government relationship with the United States of America, reflected in our Treaties which were signed in 1851 and 1868. These Treaties underscore the ongoing promises and obligations of the United States to the Tribe, and our testimony today is submitted with those promises and obligations in mind.

The Standing Rock Sioux Reservation encompasses 2.3 million acres in North and South Dakota. The Reservation's population—approximately 8,500 Tribal members and 2,000 non-members—reside in eight districts, and in smaller communities. The Tribe's primary industries are cattle ranching and farming. The Tribe struggles to provide essential governmental services to our members. The Tribe's desire is to provide jobs and improve the economic standard of living on our Reservation. We operate two modest Tribal casinos, and a small number of additional Tribal businesses, including Standing Rock Propane and Standing Rock Telecommunications, which provide needed services on the Reservation. Casino revenue is used to help the Tribe supplement services and programs for our members, but those revenues are modest and our challenges and needs are far greater than our resources.

Despite the Tribe's best efforts, our unemployment rate remains above 50 percent. In fact, over 40 percent of Indian families on our Reservation live in poverty—more than triple the average U.S. poverty rate. The disparity is worse for children, as 52 percent of the Reservation population under age 18 lives below poverty, compared to 16 percent and 19 percent in North and South Dakota, respectively. The Federal programs established and promised by treaty to aid Tribes and their members are essential. We ask the government to honor its commitments by adequately funding these Federal programs enacted for our benefit, so that our members may enjoy a standard of living comparable to that enjoyed by the rest of the Nation.

Our specific requests are as follows:

BIA—Public Safety and Justice. Public safety is a priority for the Tribe. We applaud the final fiscal year 2017 enacted appropriations levels for Public Safety and Justice totaling \$385.735 million, and urge the subcommittee to reject the Administration's unwarranted reductions and continue to support increases for next year. As you know, funding is essential for public safety in Indian Country.

Law Enforcement: The Tribe has seen firsthand that adequate law enforcement funding was key to reducing crime. A number of years ago, the Standing Rock Sioux Tribe was selected to participate in the High Priority Program Goals

initiative, which dramatically increased law enforcement positions on our Reservation. This had a significant positive impact in reducing crime. Increased numbers of police officers allowed pro-active policing rather than reactive policing. This initiative enabled officers to be assigned within each Reservation community, which meant quicker response time to calls and more positive relationships between law enforcement officers and the communities they served. The increased law enforcement presence and patrols has deterred crime and resulted in our members feeling safer. The data confirms this. When compared to the number of violent crimes (homicide, rape, robbery, assault) that occurred between 2007 and 2009, the additional staffing reduced such crimes by approximately: 7 percent in 2010, 11 percent in 2011, and 15–19 percent in 2012. The initiative demonstrated the critical importance that adequate law enforcement staffing can have in our community.

HPPG ended after fiscal year 2013 and the Tribe's law enforcement personnel were reduced from the numbers that served us so well. We strongly support an increase in funding for fiscal year 2018 for BIA law enforcement personnel. It makes no sense that these programs would not be funded in perpetuity since they have been demonstrated to work to reduce crime in Indian country.

Youth Corrections: In December 2010, the Tribe successfully completed construction of a secure 18-bed juvenile detention facility so that Tribal youth offenders may remain on the Reservation and receive culturally appropriate services if they must be incarcerated. After more than 5 years after the completion of construction, the detention center has finally opened. This facility is called the "Youth Services Center". With limited funds, only the secure portion of the plan was completed so the facility is not being utilized as we envisioned for our youth. The Tribe contributed \$2 million of Tribal funds to supplement \$5 million in Justice Department funds to build this facility. Over time this Tribally-owned facility will save the BIA a great deal of money that now pays other contract facilities to house our youth offenders. Now that the Tribe is operating the detention center, our law enforcement can avoid taking youth offenders hundreds of miles to off-reservation facilities, and depriving our communities of law enforcement officers. We strongly suggest the BIA allow greater flexibility for Tribes to use these facilities in innovative ways by supplementing detention with alternatives to incarceration, such as probation with mandatory counseling and substance abuse counseling and treatment. The fiscal year 2017 enacted budget included \$96.507 million for the BIA Detention and Corrections. We request that you provide for at least this amount, and include an increase in fiscal year 2018 to keep pace with inflation and cost of living increases for staff.

Adult Corrections: The BIA Office of Justice Services operates an antiquated 48-bed adult detention center for male and female inmates in Fort Yates on our Reservation. The detention center is a linear style facility which, because of its design, is very staff intensive. The jail was built in the 1960's and has long outlived its utility. Renovated in the 1980's and again in the 1990's, the jail fails to comply with most contemporary detention standards. The jail population is frequently two to three times above the rated bed capacity. To alleviate jail crowding, BIA OJS contracts bed space for long term adult inmates in a facility that is a 772-mile round trip from the reservation. Our Tribal Court is forced to release prisoners early to alleviate jail crowding just to make room for more prisoners. This sends the wrong message to criminals. We request that the committee consider modernizing our detention center and provide for adequate Operation and Maintenance funding which is wholly inadequate and contributes to the premature deterioration of Tribally-owned and BIA-owned facilities.

Tribal Courts: We support an increase to the modest funding appropriated for the Tribal Courts Program. The Standing Rock Tribal Court is an independent branch of government consisting of a Supreme Court, Civil Court, Criminal Court, and Children's Court. Key positions in the Tribal Court require licensed attorneys: the Chief Judge, Associate Chief Judge, Chief Prosecutor, and Public Defender. The Supreme Court consists of three Justices, two of whom must be a licensed attorney. Our Tribe cannot effectively support these courts with our small BIA allocation, even when heavily subsidized by the Tribe. And yet in order to use our Tribe's authorities provided under the Violence Against Women Act of 2013, Sex Offender Registration and Offender Act, and the Tribal Law and Order Act, we must continue to meet appropriate standards. Our Tribal courts are also crowded, even when spread across three separate buildings. The main courthouse outgrew its ability to meet our needs years ago and the lack of space severely limits our ability to adequately handle the Tribal Court case

load of 2,000 to 3,000 cases per year. Funding is critical to providing a safe and secure center to house justice programs. We request funding to adequately fund the judicial services needed for our Tribal citizens and also additional resources to begin planning for an adequate facility to operate our judicial branch.

Bureau of Indian Education (BIE). We support an increase in fiscal year 2018 funding for BIE programs. Standing Rock relies on BIE funding for three Tribal grant schools—the Standing Rock Community School (K–12), Sitting Bull School (K–8), and Rock Creek School (K–8). The Standing Rock Community School is operated through a Joint Powers Agreement between the Standing Rock Tribal Grant School and the Fort Yates Public School District. The Fort Yates Public School District, like other public schools on the Reservation (Cannonball, Selfridge, McLaughlin, McIntosh, and Wakpala), depends on Federal impact aid to cover the costs of the public school's share of the school operations. The children in the schools on the Reservation are among the most at-risk students in the Nation. At seven out of eight Public and Tribal Grant Schools on our Reservation, 100 percent of the students are eligible for the Free or Reduced Lunch Program. At the remaining school, 90 percent of students are eligible for the Free or Reduced Lunch Program. The high rate of our student eligibility for the Free or Reduced Lunch Program documents that the majority of our families live at or below poverty level.

A critical source of funds for the operation of our Tribal grant schools are the Indian School Equalization Program (ISEP) Formula funds. The funds cover the costs of the schools' instructional programs, including salaries for teachers, teacher aides, school administrative staff and other operational costs. ISEP has not seen any meaningful increase in years, and as a result, there has been a significant negative impact on the effectiveness of the schools' instructional programs. Academic programs are marginal at best and provide limited services to the students. It has become more difficult to attract and retain qualified staff. If the schools serving Indian children are to be effective and if our students are to succeed, and be college and career ready, ISEP funding must be increased.

The Administration's near flat line funding for virtually all aspects of BIE programs does not account for population growth, increased costs, or inflation. Student Transportation funding, intended to cover the costs of buses, fuel, maintenance, vehicle replacements, and drivers, has remained at the same level for years. Proposed cuts to BIE funding are unjustified. The substantial increases in fuel costs alone make it impossible to cover such costs. For Standing Rock, funds are further strained because we are a rural community, where bus runs for many of our students may take 1½ to 2 hours each way and can include travel on unimproved roads. These factors result in higher maintenance costs and shorter vehicle life. A substantial increase in funds for Student Transportation is long overdue.

The same is true for School Facility Operations and Maintenance which is drastically under-funded. In fact, O&M budgets are currently constrained at 40 percent of need. This also holds true for School Improvement and Repair. We urge this subcommittee to strongly support an increase, not only for Facility Operations and Maintenance and School Improvement and Repair, but for School Construction as well. Indeed, one of our Tribal grant schools, the Rock Creek School, is more than 100 years old and badly needs to be replaced. Federal funds to replace ancient schools—like Rock Creek—are essential. Funding for School Facility Operations and Maintenance and School Improvement and Repair, as well as School Construction should be substantially increased. We are also very concerned about the list of new schools which have been slated to be constructed. Not a single school from the Great Plains made that list, although schools from our region comprise one-third of all BIE schools. It is clear that the Bureau of Indian Education has discretion to select these schools, and they have used that discretion to effectively shut out schools in our region for the next decade. We ask the subcommittee to investigate and reconsider the existing process which we see as unfair and unlikely to serve our children for decades.

We also urge the subcommittee to support an increase in funding for Scholarships. Because of the unmet need, the Tribe spends \$1 million in Tribal funds annually to supplement this program and gives grants of \$3,000-\$3,500 to aid our students attending colleges and vocational schools. But even with this, the majority of our scholarship recipients have unmet financial need varying from \$100 to \$17,000.

Indian Health Service. We greatly appreciate the \$232 million increase Congress provided in IHS funding for fiscal year 2017. We depend on IHS to care for our 16,000 enrolled Tribal members, many of whom suffer from diabetes, heart disease and hypertension. We are especially concerned about our region. Although we are not at risk of losing certification under the Center for Medicaid Services, we hope the IHS can continue to provide quality support and timely processing of the basics

such as Human Resources, Budget responses, and Procurement. We also fully support increased funding for behavioral health, especially the youth focused programming.

We recommend that Congress prioritize the IHS preventive healthcare service programs, such as the diabetes grant program, and increase funding for these programs above the modest increase provided for fiscal year 2017, while supporting and protecting the Administration's other IHS funding priorities, especially funding for healthcare personnel. In many instances, if additional funding for clinical services and preventive health programs can be made available, illnesses and injuries could be treated at their initial stages, or prevented altogether. This is especially important at Standing Rock, where many of our members' health problems could be addressed if timely preventive care were available. We also support fiscal year 2018 increases in Dental Health, Mental Health and Purchased/Referred Care which has been historically underfunded.

Tribal Historic Preservation Offices. We strongly support an addition of at least \$2 million for Tribal Historic Preservation Offices out of the National Park Service. This modest increase will help us to protect historic and culturally significant resources throughout the region. Like so many other programs funded under this budget, these programs provide jobs to Tribal members.

PREPARED STATEMENT OF THE SUSTAINABLE URBAN FOREST COALITION

Dear Chairman Murkowski and Ranking Member Udall, and Honorable Subcommittee Members:

The Sustainable Urban Forests Coalition (SUFC) is comprised of more than 30 national organizations and corporations representing hundreds of thousands of professionals and millions of supporters who care and support sustainable trees and green infrastructure where people live. Collectively, we are asking for your support for several programs under the Interior subcommittee's jurisdiction that support urban and community forests and green infrastructure.

Our Nation's 138 million acres of urban and community forest lands affect over 80 percent of the U.S. population and are vital to creating and maintaining healthy, livable communities of all sizes by providing many scientifically proven social, economic, and environmental benefits to people. The ability to mitigate air pollution, reduce energy consumption, mitigate the heat island effect, improve human health, and reduce storm water runoff have directly or indirectly reduced costs in communities by millions of dollars. The collective value and benefits of community trees equals over \$10 billion nationwide. With a projected 90 percent of Americans living in urbanized areas by 2050, investing in trees to create livable communities needs to happen now.

A key goal in the 10-year National Urban and Community Forestry Action Plan (facilitated and stewarded by the National Urban and Community Forestry Advisory Council) is to improve the Nation's urban and community forest management, maintenance, and stewardship. The green jobs related to trees and landscapes is a \$9 billion-dollar industry and is poised to grow and create local jobs that cannot be outsourced.

SUFC is conscious of the Federal budget challenges, and greatly appreciates the fiscal year 2017 funding levels provided by this subcommittee. Respectfully, we ask you to reject the drastic cuts proposed in the President's fiscal year 2018 budget. We are deeply concerned by the zeroing out of important and effective programs like Urban and Community Forestry, Landscape Scale Restoration, and Community Forests and Open Space Conservation. Defunding or severely cutting these programs will have profound and lasting repercussions on people and communities across the country—particularly those in rural areas where these funds are essential.

USDA FOREST SERVICE: STATE AND PRIVATE FORESTRY

Urban and Community Forestry Program (U&CF)

U&CF directly assists State government, nonprofit organizations and partners that manage and steward our Nation's urban and community forests. Working with the State forestry agencies, the program provides technical, financial, research, and educational support and services to local government, nonprofit organizations, community groups, educational institutions, and Tribal governments.

U&CF helps cities and towns across the Nation prepare for storms and other disturbance events, contain threats from native and invasive pests, and improve tree infrastructure and forest cover. Properly managed community forests offer towns and municipalities a cost-effective way to manage stormwater runoff, reduce heating

and cooling costs, and attract more tourists and consumers. They help communities avoid storm and disaster costs through preparedness and training, and maximize the economic, social, and ecological benefits of their tree resources.

In fiscal year 2016, U&CF reached over 7,800 communities and 200+ million people in all 50 States, the District of Columbia, US Territories, and affiliated Pacific Island Nations. U&CF is a high-impact program and a smart investment as Federal support is often leveraged 2:1 (or in many cases significantly more) by States and partner organizations. U&CF engages citizens in cities and towns, brings together diverse partners, public and private resources, and demonstrates that Federal investment can have huge and lasting impacts on communities of all sizes.

SUFC is deeply concerned by the President's proposal to defund the U&CF program in fiscal year 2018. The 50 percent funding decrease originally proposed in the President's fiscal year 2017 budget would have had severe negative impacts in States and territories across the country. But now, zeroing out this important program would completely erode the capacity that has been developed in cities and towns of all sizes and jeopardize many local public and private partnerships and collaborative projects in which Federal assistance is essential.

—*SUFC recommends the Urban and Community Forestry Program be funded at \$31.3 million in fiscal year 2018.*

Landscape Scale Restoration (LSR)

The LSR program strategically prioritizes resources by competitively allocating Cooperative Forestry Assistance Act funds. It focuses on targeting Federal investments—leveraged by State and local resources—to areas of greatest need, highest value, or strongest innovation potential, as stipulated in each State Forest Action Plan. Urban and community forestry projects have been supported by LSR in the past. However, we want to ensure that LSR is not a substitute to the Urban and Community Forestry program, but a supplement.

—*SUFC recommends funding the Landscape Scale Restoration program at \$23.5 million in fiscal year 2018.*

Community Forests and Open Space Conservation Program (CFP)

CFP has made substantial progress in preserving forests by increasing opportunities for Americans to connect with forests in their own communities and fostering new public-private partnerships. CFP has supported nearly three dozen community forest projects in cities and towns across 17 States and territories. In the latest round of CFP grants, project partners leveraged \$10.6 million in Federal funds to secure \$34.5 million in non-Federal funding, resulting in more than 15,000 acres of community forests. This impressive leveraging ratio demonstrates the willingness of local entities to match Federal funding with significant commitments of funding and other resources.

—*SUFC recommends an increase in funds to \$5 million in fiscal year 2018.*

Forest Health Management

Forests across the country are threatened by insects and disease pathogens introduced from abroad as an unwanted side effect of international trade. The damage usually starts in urban forests because most imported goods enter this country through urban ports. As a result, municipal governments across the country are spending an estimated \$3 billion each year to remove trees on city property killed by non-native pests. Homeowners are spending an additional \$1 billion to remove and replace trees on their properties and are absorbing an additional \$1.5 billion in reduced property values. The pests do not stay in the cities, however. They spread to the rural and wildland forests and threaten their many values. While preventing introductions are the desired approach, it is essential that the U.S. Forest Service initiate programs countering these pests as soon as they are detected. Only such prompt and aggressive actions can protect urban, rural, and wildland forests from massive pest spread and tree devastation. This program provides essential expertise and assistance to State and municipal agencies and private landowners working to prevent these pests' spread and to develop effective strategies to minimize the damage they cause.

—*SUFC recommends \$48 million for cooperative lands programs under the Forest Health Management program.*

USDA FOREST SERVICE: FOREST AND RANGELAND RESEARCH

—*SUFC urges the subcommittee to provide \$303 million for the overall R&D program.*

Urban and Community Forestry Research

The Forest Service Research and Development (R&D) program provides critical financial support for urban forestry research activities to develop information and tools for understanding conditions and trends in our Nation's urban and community forests. U.S. Forest Service researchers have made huge strides in recent years through collaborative efforts to develop new tools, such as i-Tree, for mapping current tree cover, assessing trends, developing local strategies, and building greater understanding of the environmental, economic, and social services that trees and forests provide to communities.

—We urge the subcommittee to continue including language in Interior Appropriations reports encouraging the Forest Service to maintain a strong and vibrant urban forest research program.

Non-native Insects and Diseases Research

Among the major research challenges facing R&D is the destruction of our Nation's urban forests caused by non-native insects and diseases. People who value urban forests join supporters of rural and wildland forests in depending on Forest Service R&D to develop better tools for pest detection and protective strategies including chemical and biological controls and breeding of trees resistant to pests. Currently, however, R&D provides only about \$5 million for research on non-native insects and diseases—less than 2 percent of its total budget.

—In the absence of a budget line item for invasive species research, we urge the subcommittee to include language in its Interior Appropriations report encouraging the Forest Service to increase funding for research targeting non-native insects and pathogens.

Urban Forests in Forest Inventory and Analysis (FIA)

The collaborative efforts between SUFC and the U.S. Forest Service brought urban forest data into the mainstream of the agency's national data-collection program. FIA has long provided the Nation's forest census, but it had not historically included urban areas because of its definition of forests.

—We ask the subcommittee to encourage the Forest Service to continue and strengthen its efforts to integrate urban forest data into FIA so that its critical data-collection efforts address all of our Nation's forests, including our current and expanding 138 million acres of urban forest.

ENVIRONMENTAL PROTECTION AGENCY

Clean Water State Revolving Funds (CWSRF)

Green infrastructure, including urban forests, can be a cost-effective and resilient approach to managing stormwater. The use of green infrastructure for stormwater control also provides many community co-benefits enumerated above. SUFC is pleased that EPA supports the use of green infrastructure for stormwater management and that green infrastructure is an eligible use under the CWSRF—a critical financing program for local communities investing in water infrastructure. CWSRF funding was maintained in the President's Preliminary fiscal year 2018 Budget proposal at the fiscal year 2017 level of \$1.394 billion.

—SUFC supports robust funding for CWSRF along with efforts to expand the use of green infrastructure to 20 percent to meet Clean Water Act goals.

THE NATIONAL PARK SERVICE

Outdoor Recreation Legacy Partnership Program (ORLPP)

The State and Local Assistance Program provides matching grants to States and localities for protection and development of parks and recreation resources and is the primary Federal investment tool to ensure that families have easy access to urban forests in parks and open space, and neighborhood recreation resources. This nationally competitive program complements the existing State and local assistance program by creating opportunities for outdoor play as well as developing or enhancing outdoor recreation partnerships in cities.

—*SUFC requests \$110 million for the State and local assistance program, which includes \$12 million for ORLPP.*

Sincerely,

SUFC MEMBERS

Alliance for Community Trees	National Association of Conservation Districts
American Forests	National Association of State Foresters
American Planning Association	National Recreation and Parks Association
American Rivers	The Nature Conservancy
American Society of Consulting Arborists	Society of American Foresters
American Society of Landscape Architects	Society of Municipal Arborists
Arbor Day Foundation	Tree Care Industry Association
Center for Invasive Species Prevention	TREE Fund
The Davey Foundation	The Trust for Public Land
International Society of Arboriculture	Water Environment Federation
Keep America Beautiful	Wildlife Habitat Council
National Association of Clean Water Agencies	

SUPPORTERS

Alleghany Society of American Foresters	Los Angeles Beautification Team
California ReLeaf	Our City Forest
California Urban Forests Council	Parent Pioneers
Canopy	Pinchot Institute for Conservation
Casey Trees	Richmond Trees
Center for Climate Change and Health	Sacramento Tree Foundation
City of Seattle's Office of Sustainability and Environment	Save Our Forest/Fallbrook Land Conservancy
Colorado Tree Coalition	Solano Advocates Green Environments
Community Services Employment Training	Sonoma Ecology Center
Fathers and Families of San Joaquin	The Tree Foundation of Kern
Friends of Carmel Forest	Tree Fresno
Friends of the Urban Forest	Tree San Diego
From Lot to Spot	Victoria Avenue Forever
Greenspace—The Cambria Land Trust	West Coast Arborists
Huntington Beach Tree Society	Western Chapter-International Society of Arboriculture
Industrial District Green	Woodland Tree Foundation
Just One Tree	Woodstock Tree Board
Leibman Associates, Inc.	Your Children's Trees

PREPARED STATEMENT OF THE TANANA CHIEFS CONFERENCE

The Tanana Chiefs Conference (TCC) appreciates the opportunity to submit written testimony to the subcommittee regarding our priorities for fiscal year 2018 concerning appropriations for the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS). We are grateful for this subcommittee's bipartisanship—reflected as recently as the final fiscal year 2017 appropriations measure—and for the positive results the subcommittee has made possible in Alaska Native villages and throughout Indian country.

TCC is a non-profit intertribal consortium of 39 federally-recognized Indian Tribes and 41 communities located across Alaska's interior. TCC serves approximately 13,000 Alaska Natives in Fairbanks where TCC headquarters is located and in the rural villages in Alaska's vast interior, strung along the 1,400 mile Yukon River and its tributaries. Our service area encompasses 235,000 square miles, about the size of Texas. Our most eastern village is Eagle, about four miles from the Canadian border. Our most western village is Anvik, about 60 miles from the Bering Sea. Our 41 constituent villages are remote and they must overcome many challenges to build and sustain healthy communities. This subcommittee understands the critical element necessary to promote healthy communities and sustainable economies; community stability. With community stability, good results follow, like reduced crime, healthier families, better educated children, infrastructure and economic opportunity.

Our written testimony focuses on the following four areas important to the Tribal leadership and the Tribal communities TCC serves: (1) improve Tribal healthcare quality and access; (2) expand public safety, Tribal court and realty services; (3) help Alaska Natives carry out sustainable fish management practices; and (4) promote economic development and job creation in rural Alaska villages.

While TCC appreciates President Trump's recognition of the opioid epidemic and the need for public safety in his fiscal year 2018 "America First" Budget Blueprint, we cannot agree with his request to reduce spending for non-defense programs, including harmful and unwarranted cuts of 12 percent for the Department of the Interior and 16 percent for the Department of Health and Human Services, including hundreds of millions of dollars in cuts to vital Tribal programs.

This subcommittee has worked diligently, year after year, to increase funding in such critical areas as Tribal health, public safety, Contract Support Costs, education and construction in recognition of unmet Tribal needs and the resulting challenges Tribal communities face. We are very concerned that cuts to these programs may be combined with the loss of tens of millions in grants and awards to Tribes from HUD, USDA, DOJ and Education; grants that help us carry out our BIA- and IHS-funded programs. For rural interior Alaska Native communities, facing a State budget deficit for fiscal year 2018, Federal appropriations often make the difference between the success and failure of our efforts and, in turn, the wellness of our Tribal members.

1. IMPROVE TRIBAL HEALTH CARE QUALITY AND ACCESS (IHS)

Increase IHS Services Budget. TCC greatly appreciates the \$232 million increase Congress included in the fiscal year 2017 budget for the Indian Health Service, especially the increases of \$78 million for Hospitals and Clinics programs, \$14 million for Purchased/Referred Care (P/R), \$13 million for Alcohol and Substance Abuse, \$12 million for Mental Health, full reimbursement of Contract Support Costs (adding \$80 million), and \$22 million increase for IHS Facilities needs for a combined appropriation of \$5.04 billion for fiscal year 2017. Purchased/Referred Care (P/R) funds are especially critical to us. We seek a significant increase in P/R funds for fiscal year 2018. TCC is one of the only Tribal health entities in Alaska that does not have a regional hospital. Therefore, we rely heavily on P/R funds to ensure that our patients receive comprehensive health services when we refer them to third-party service providers paid for with P/R funds. For fiscal year 2018, we also request significant increases for Mental Health, Alcohol and Substance Abuse and Dental Health above the fiscal year 2017 enacted levels if we are to meet existing service requirements and expand patient health services to meet increasing healthcare needs.

TCC remains deeply appreciative of the subcommittee's creative solution to the contract support cost problem to achieve full funding without jeopardizing program funding. We respectfully urge the subcommittee to continue with its current approach of employing a separate and indefinite appropriation. At the same time, we believe each agency should add two FTEs to manage the CSC account, engage with Tribes and provide robust analysis. IHS's error in estimating 2016 and 2017 CSC requirements must not be repeated. Errors of that magnitude have direct consequences on the subcommittee's ability to appropriate funds that IHS, Tribes and Tribal organizations, such as TCC, require for the delivery of healthcare services.

Increase Budget for the Small Ambulatory Program (SAP) and IHS' 105(l) Leasing Program. We appreciate the appropriation of \$5 million for the Small Ambulatory Program (SAP) for fiscal year 2017. We ask the subcommittee to at least double this figure for fiscal year 2018 so that an additional 5–8 Tribes can construct small ambulatory health clinics in their communities. For our remote Native villages, a hub clinic is sometimes hundreds of miles away from a patient. Too often, patients must be transported by medivac at great cost. Village clinics play an integral role in providing routine healthcare as well as live saving emergency services. In addition, we request the subcommittee to direct the IHS, in report language, to explore whether a small clinic should be built in one of our Native villages.

We appreciate the \$11 million provided for tribally-leased facilities in fiscal year 2017 (which includes \$2 million from Direct Operations), but we understand these funds were intended to bring up the Village Built Clinic (VBC) lease amounts closer to the actual cost of operating those facilities. Thus, any 105(l) leases funded out of this increase in fiscal years 2017 and 2018 will only serve to keep VBC lease payments deficient. Since agency 105(l) lease payments should also not come out of program funds, TCC requests that the subcommittee create within the Direct Operations account a new subaccount to pay required 105(l) Tribal lease payments. The President's Budget asks Congress to legislatively override section 105(l) by inserting

a “notwithstanding” clause which would make all lease payments entirely discretionary with IHS. We urge the subcommittee to reject IHS’s effort to repeal a key provision of the ISDEAA. If amendments are to be considered to the ISDEAA, it is the role and jurisdiction of the authorizing committees to consider the matter in the ordinary course.

Increase funding for the IHS Domestic Violence Prevention Program (DVPP). We greatly appreciate Congress including a \$4 million increase for the Domestic Violence Prevention Program (DVPP) for fiscal year 2017. This increase will fund an additional 30 IHS, Tribal and urban Indian organizations (averaging \$133,000/award). As the CDC has noted, one out of every two AI/AN woman will experience domestic violence and one out of every three AI/AN women will be sexually assaulted in her lifetime. The DVPP provides culturally appropriate domestic violence and sexual assault prevention and intervention resources to Tribal communities. It is well documented that women in Alaska’s rural villages report rates of domestic violence that are 10 times higher than the rest of the country. We urge the subcommittee to support and significantly expand this successful and needed program in 2018.

2. EXPAND PUBLIC SAFETY, TRIBAL COURT AND REALTY SERVICES IN INTERIOR ALASKA

TCC cannot stress enough the importance our Native village leaders place on providing their communities with the resources they require to supplement limited public safety services. As a Public Law 280 State, the State of Alaska has jurisdiction over crimes in Native American communities. The BIA, with limited law enforcement funds, prioritizes public safety funds in non Public Law 280 States in the incorrect assumption that Public Law 280 States are investing the resources and personnel required to ensure public safety and law enforcement in Native and rural communities. This is not the case. The Alaska Department of Public Safety is stretched thin and too few State troopers make routine patrols in Native communities. TCC has limited recurring funds to pay for our Village Public Safety Officer (VPSO) program which works in conjunction with Alaska State Troopers. Our VPSOs are the “First Responders in the Last Frontier” and they respond to emergency calls, fire, EMS and search and rescue.

Due to limited BIA public safety funds, the role of Tribal Courts in Alaska Native villages is critical. It allows our villages to address public safety concerns at the community level—in a culturally appropriate way—that is more responsive to, and respectful of, local Tribal concerns. It seeks to heal and end criminal activity through a holistic approach, rather than through arrest, prosecution and incarceration, which perpetuates criminal and anti-social behavior and recidivism among Alaska Natives. We urge the subcommittee to reject the Administration’s proposal to cut Tribal Court funding for Public Law 280 States like Alaska and include an additional \$10 million in fiscal year 2018, within BIA’s Public Safety and Justice account for Tribal Courts (TPA) funding, and include report language that the increase should be used by BIA in Public Law 280 States, like Alaska.

We adamantly oppose any cuts to BIA Real Estate and Trust Services Funding as unfortunately proposed by the Administration. The money used to compact real estate services with Tanana Chiefs and other Tribal providers of real estate and trust services is administered with an efficiency that could never be matched. We have a realty and probate staff of only five people who manage a land area larger than most of the States. They serve nearly 7,000 landowning clients, many thousands of acres, and oversee a long list of services from Federal probate to transactional real estate to trespass investigation. This week we have one staff member more than one hundred miles from the nearest community, traveling a dozen of these miles on foot, investigating the ongoing theft of resources from a 160 acre Native Allotment, another employee supplying landowner information to the Bureau of Land Management as a wildfire spreads, and yet another taking a witness statement from a 96 year old client in the hospital. That is the snapshot of a moment in this department where virtually all services related to land ownership, transfer, development, and protection are overseen by a handful of dedicated professionals with limited funding. We currently have a backlog of over 300 cases and as the original Tribal landowners age and pass away, they leave in their wake a rapidly increasing client base adding to the growing pile. Continued fractionation of land ownership means that the number of people dependent on our services increases with each passing year. Meanwhile, the funding stays stagnant. We have responded to growing numbers by taking on incredible workloads. These programs cannot withstand funding cuts, and in fact, funding should reflect the increasing population of clients. Please add at least \$8 million to this account in fiscal year 2018.

3. HELP ALASKA NATIVES CARRY OUT SUSTAINABLE FISH MANAGEMENT PRACTICES

It is the priority of every Alaska Native to continue traditional hunting and fishing practices which promote the social, cultural and spiritual wellness of our people. We want to share a success story that was borne out of Tribal sacrifice to illustrate why increased funding for the Tribal Management/Development Program is warranted in fiscal year 2018. It concerns Chinook Salmon (King Salmon) management along the Yukon River and tributaries where our Native villages are located. During the 1990s, the average run of King Salmon in the Yukon River was just below 300,000 fish. Runs began to decline in the 2000s. In 2013, the run plummeted to a record low 60,000 fish. The Native Alaska villages along the Yukon knew that it would fall to them to make sacrifices. In 2014, the Native villages of the Yukon River came together in St. Mary's, Alaska and for future generations imposed a fish moratorium on King Salmon. In 2015, the villages agreed to further conservation efforts and continued the moratorium. The villages also formed the Yukon River Inter-Tribal Fish Commission (YRITFC), which TCC supports.

The self-imposed moratorium left Tribal members with little to no traditional King Salmon harvest. Due to their sacrifice, for the first time in over a decade, the United States met its escapement goal to Canada for King Salmon in 2014, and then exceeded their escapement goal in 2015, all to ensure the continued existence of the King Salmon in the Yukon River. In 2015, the run had rebounded to about 150,000 King Salmon. The sacrifice hurt Tribal members who depend on King Salmon for their subsistence. Forgoing fish camps in 2014 and 2015 was extremely difficult and a financial hardship on our members. It also harmed us culturally, for it is in fish camps that Alaska Native youth learn math, science, spirituality and how to fish from their elders. We cannot express how difficult a sacrifice this was for our members.

On July 17, 2016, Alaska Lt. Governor Byron Mallott, Alaska Fish & Game Commissioner, Sam Cotton, and Rural Affairs Director, Albert Kookesh, joined TCC officials and myself on a four-day trip to tour interior villages on the Yukon River and listen to community members to get a better understanding of how to improve the management of the Chinook run. We noted to the Alaska State officials who accompanied us on our tour to fish camps and the villages of Tanana, Rampart, Stevens Village, Beaver, Fort Yukon, Circle and Eagle, that the Tribal members always fed us fish. Even though they had little to share, they gave us their best. Now, we ask you to do your best; honor the Commission—and the Alaska Native stakeholders—in their efforts to save Yukon's King Salmon by increasing BIA's Tribal Management/Development Program in fiscal year 2018 to \$14.266 million, a modest increase of \$3 million, and direct that half the increase address subsistence management in Alaska by Tribal entities like the Yukon River Inter-Tribal Fish Commission. Please sustain this effort annually so that the Commission can ensure the viability of King Salmon in the Yukon River and our traditional subsistence practices. Alaska's interior, like the coast, is under environmental threat from floods, bank erosion and wildfires. The Commission has demonstrated that it stands shoulder to shoulder with State and Federal fish management officials as a capable steward.

4. PROMOTE ECONOMIC DEVELOPMENT AND JOB CREATION IN RURAL ALASKA VILLAGES

In 2016, through various support programs, we assisted nearly 200 Tribal members in Fairbanks and in our Native villages with CDL classes, employment training in facility maintenance, flooring and cabinet installation, plumbing, plastic and copper pipe fitting, wildland firefighting training, and cooking. We provided over 2,000 bus tokens to nearly 750 interior Tribal members in the city of Fairbanks who were searching for work, and gave nearly 2,000 free computer lab sessions to employment seekers. These are small, but helpful measures, and we ask this subcommittee to increase resources for BIA job training and retraining programs, and adult education programs in fiscal year 2018. There is great dignity in learning a trade and providing for your family. Such investments yield tremendous returns by allowing our members to compete more effectively for jobs. Please provide meaningful increases to the BIA budget to help promote job creation in our rural Native villages, where work is seasonal and unemployment remains high. Our current resources are simply inadequate to the task at hand.

Thank you for permitting TCC the opportunity to submit written testimony.

PREPARED STATEMENT OF ALEXANDRA TEAGUE, ASSOCIATE PROFESSOR, UNIVERSITY
OF IDAHO

Dear Senate Subcommittee on Interior, Environment, and Related Agencies:

As a 2011 recipient of an NEA fellowship for poetry, I am writing to attest that this fellowship—which represents a miniscule fraction of the Federal Government's budget—was life-changing for me and for the many students whom I have subsequently taught. After many years as an adjunct community college instructor, who struggled financially and to find time for my own writing, receiving an NEA fellowship allowed me to focus on writing my second book of poetry, *The Wise and Foolish Builders*, and to secure a tenure-track position at University of Idaho, a land-grant institution that serves many first-generation college students.

At University of Idaho, I have spent the past 6 years teaching a range of creative writing and literature classes that not only help build specialized creative writing skills, but as importantly, help students understand a wide range of others' stories and perspectives, and to express their own thoughts and experiences. I regularly hear in my student evaluations that the critical thinking and communication skills that my students gain in these courses helps them more compassionately and complexly understand the world in which they live—and they apply these communication skills and perspectives to a wide range of future careers including high school and college teaching and law. Many of my students also go on to become published writers, whose stories of cancer survival, domestic abuse, and so many other subjects are vital for others to hear.

Literature literally saves lives: I cannot count the number of students in my 20-year teaching career who have told me about hearing someone else's story through a literature or creative writing class that helped them understand some traumatic experience of their own and/or gave them a reason to keep going and overcoming the challenges they faced (whether mental health or financial or of many other sorts). In my career, I have taught formerly (and currently) homeless students; students whose children had tragically died; students who were the first in their family to even finish high school, much less college; students who were living in neighborhoods where drive-by shootings were a daily occurrence. If we care about this country and its people (which frankly I worry the Federal Government has ceased to), then we should care that we know how to communicate across difference and hear one another and give one another hope.

And that is what the NEA helps to support in so many ways, and at such a small financial cost in comparison to the vast social benefit. Please, from the bottom of my heart and my students', if you have ever read a story that mattered to you—if you care at all about the written word or self expression—do not cut these vital fellowships.

PREPARED STATEMENT OF THE THEATRE COMMUNICATIONS GROUP

Mr. Chairman and distinguished Members of the subcommittee, Theatre Communications Group—the national service organization for the American theatre—is grateful for this opportunity to submit testimony on behalf of our 521 not-for-profit member theatres across the country and the nearly 30 million audience members that the theatre community serves.

—We urge you to support funding at \$155 million for the National Endowment for the Arts for fiscal year 18.

The entire not-for-profit arts industry stimulates the economy, creates jobs, and attracts tourism dollars. The not-for-profit arts generate \$135.2 billion annually in economic activity, support 4.13 million jobs, and return \$22.3 billion in government revenue. Art museums, exhibits, and festivals combine with performances of theatre, dance, opera, and music to draw tourists and their consumer dollars to communities nationwide. Federal funding for the arts creates a significant return, generating nine dollars in matching funds for each Federal dollar awarded, and is clearly an investment in the economic health of America. In an economy where corporate donations and foundation grants to the arts are diminished and increased ticket prices would undermine efforts to broaden and diversify audiences, these Federal funds simply cannot be replaced. Maintaining the strength of the not-for-profit sector, along with the commercial sector, is vital to supporting the economic health of our Nation.

Our country's not-for-profit theatres present new works and serve as catalysts for economic growth in their local communities. These theatres also nurture and provide artistic homes for the development of the current generation of acclaimed writ-

ers, actors, directors, and designers working in regional theatre, on Broadway, and in the film and television industries. Our theatres develop innovative educational activities and outreach programs, providing millions of young people, including “at-risk” youth, with important skills for the future by expanding their creativity and developing problem-solving, reasoning, and communication abilities—preparing today’s students to become tomorrow’s citizens. At the same time, theatres have become increasingly responsive to their communities, serving as healing forces in difficult times and producing work that reflects and celebrates the strength of our Nation’s diversity.

Here are some recent examples of NEA grants and their community impact:

The NEA has awarded a \$15,000 grant to *Touchstone Theatre* in Bethlehem, Pennsylvania to support its Young Playwrights’ Lab, bringing an eight-week playwriting residency to students in 3rd–12th grade. Through this grant, Touchstone partnered with 10 public schools in Allentown, Bethlehem, and Easton to offer an afterschool residency, reaching approximately 150 students. Twice a week for eight weeks during 90-minute sessions, two professional teaching artists guide students through theatre, journaling exercises, and workshops. Students learn to create dialogue, refine plot, and enhance their editing ability. The supportive workshop environment helps students improve communication and literacy skills, build self-esteem, and develop creative voices. At the end of the Lab, a handful of student-written plays are selected and professionally produced in the annual Young Playwrights’ Festival. All Young Playwrights’ Lab student participants receive complimentary tickets to attend the Young Playwrights’ Festival.

The *Coterie Theatre* in Kansas City, Missouri received a \$10,000 Art Works grant to support the development and production of *Imaginary Friends* by Laurie Brooks. The theatre commissioned Brooks to write a play for teens and families that is adapted from a short story by her brother, award-winning fantasy author Terry Brooks. The story centers on a young teen with a serious illness who must face a demon alone. In the play, playwright Brooks will further develop these themes and add a new work of fantasy to the canon of dramatic literature aimed at teens and pre-teens. *Imaginary Friends* will open on January 26, 2018 for 28 performances and is expected to reach over 5,800 students and educators as well as families and individuals. The Coterie has an established, diverse audience drawn from all demographic areas in a city that sits on the State line between Missouri and Kansas, with 50 percent of its audiences drawn from each side. As the theatre is centrally located, the play will reach urban, suburban, and rural communities alike. Approximately 200 in-school residencies will occur to prepare students for the play’s topics. Interactive forums after each performance will further explore the play’s themes.

With a \$10,000 Art Works grant from the NEA, *Idaho Shakespeare Festival* was able to grow its Access Program and open the door to enjoy the professional theatre arts for over 30,000 people ages 5 to 100, many of whom would otherwise not have been able to attend. The program includes a tour—with over 100 performances for elementary students across the State of Idaho—that features an engaging new script, full set, costumes, and sound. Additionally, the program creates access for students of all ages, the deaf and hard-of-hearing, elderly on fixed income, at-risk youth, refugees, wounded veterans (as well as their families), and volunteer service providers to attend the Festival’s mainstage season. By integrating those with special needs into its audience, Idaho Shakespeare Festival’s Access Program has significantly broadened the demographic makeup and interest of those able to experience performances.

Perseverance Theatre, which produces theatre by and for the people of Alaska, received a \$10,000 Art Works grant from the NEA for the world premiere of *They Don’t Talk Back*, by Frank Katasse of the Alaskan Tlingit Tribe, directed by Randy Reinholz of the Choctaw Tribe. The NEA’s funding helps local communities across Alaska connect with their past and with one another. The play explores issues of family, coming of age, and honoring one’s culture in the face of change as a young Tlingit man from Juneau returns to his family’s village. Contemporary characters are paired with traditional Tlingit music and storytelling. The themes of the play are lifelong love, the impact of military service on veterans and their families, and the challenges of keeping family ties strong in the modern world. *They Don’t Talk Back* will have 19 performances in Juneau and will have 9 more in Anchorage, reaching approximately 5,000 audience members across Alaska. Outreach activities will include four pay-what-you-can performances; a performance in honor of Alaska Legislative Appreciation Night; and discounted tickets for seniors, students, and military personnel.

These are only a few examples of the kinds of extraordinary programs supported by the National Endowment for the Arts. Indeed, the Endowment’s Theatre Pro-

gram is able to fund only 60 percent of the applications it receives, so 40 percent of applying theatres are turned away—in part because available funds are insufficient. Theatre Communications Group urges you to support a funding level of \$155 million for fiscal year 18 for the NEA; to maintain citizen access to the cultural, educational, and economic benefits of the arts; and to advance creativity and innovation in communities across the United States.

The arts infrastructure of the United States is critical to the Nation's well-being and economic vitality. It is supported by a remarkable combination of government, business, foundation, and individual donors and represents a striking example of Federal/State/private partnership. Federal support for the arts provides a measure of stability for arts programs nationwide and is critical at a time when other sources of funding are diminished. Further, the American public favors spending Federal tax dollars in support of the arts.

The NEA is currently funded at \$150 million in the fiscal year 17 budget, and despite the President's proposal for a mid-year cut, the subcommittee and Congress approved a \$2 million increase. We thank the subcommittee for its leadership in supporting the work of the NEA. Please stand firm against the President's proposal to eliminate the NEA. We urge the subcommittee to fund the NEA at a level of \$155 million to preserve the important cultural programs reaching Americans across the country.

Thank you for considering this request.

[This statement was submitted by Laurie Baskin, Director of Research, Policy & Collective Action.]

PREPARED STATEMENT OF SARAH THOMAS

To the Senate Subcommittee on Interior, Environment, and Related Agencies:

I write to express my deep concern and outrage at the proposed budget cuts to the National Endowment for the Arts and the National Endowment for the Humanities, and to urge that you do not allow these cuts to decimate two institutions that are fundamental to our Nation's cultural enrichment, heritage, and status as a leader in the world.

George Washington knew the importance of the arts among other fields of knowledge, not just for personal growth but indeed for fostering national and universal understanding, transformation, and justice. He wrote that "the Arts and Sciences, essential to the prosperity of the State and to the ornament of human life, have a primary claim to the encouragement of every lover of his country and mankind."

When President Lyndon B. Johnson signed into existence the National Endowment for the Arts, he signaled their vital importance, saying: "Art is a nation's most precious heritage. For it is in our works of art that we reveal to ourselves and to others the inner vision which guides us as a nation. And where there is no vision, the people perish."

While our current President seems to think that the Nation can do without the arts, literature, and the humanities, his predecessors saw their importance to create a vibrant, just society aware of its heritage and inspired about its future. These funds contribute to educational and cultural institutions, individual artists, writers, and creators, without all of which our Nation would be impoverished and slide further away from the ideals on which it was founded.

I urge you to reconsider these unnecessary cuts (with a fraction of the profit made in a recent arms deal with Saudi Arabia, these institutions could be protected almost in perpetuity) and acknowledge the importance of the arts and humanities to our Nation's future. If you choose to eliminate them, you do so to the detriment of the Nation at large.

Sincerely yours,

SARAH THOMAS,
Assistant Professor of Hispanic Studies, Brown University.

PREPARED STATEMENT OF THE TRIBAL LAW AND POLICY INSTITUTE

On behalf of the Tribal Law and Policy Institute (TLPI), this testimony addresses important programs in the Department of Interior, Indian Health Service, Bureau of Indian Affairs, and Environmental Protection Agency as they concern Tribal justice system funding. Specifically, TLPI joins the National Congress of American Indians (NCAI) in requesting:

Program	NCAI Fiscal Year 2018 Request
DOI: Bureau of Indian Affairs	Provide increases via Tribal base funding instead of through grants
DOI: Bureau of Indian Affairs	\$82 million in additional funding for base funding for Tribal courts

TLPI is a 100 percent Native American operated non-profit corporation organized to design and deliver education, research, training, and technical assistance programs which promote the enhancement of justice in Indian country and the health, well-being, and culture of Native peoples.

Native American and Alaska Native Nations constitute a third sovereign within the American system of justice. The vast majority of the more than 350 current Tribal justice systems function in isolated rural communities. Tribal justice systems face complex jurisdictional limits over individuals in its territory, complex relationships with Federal and State criminal justice systems, inadequate law enforcement, lack of detention staff and facilities, lack of sentencing or disposition alternatives, lack of access to advanced technology, and lack of substance abuse testing and treatment options. Yet “the effective operation of Tribal courts is essential to promote the sovereignty and self-governance of the Indian Tribes.”¹ As the Supreme Court has recognized, “[T]ribal courts play a vital role in Tribal self-government, and the Federal Government has consistently encouraged their development.”²

Part of the Federal trust responsibility to Indian Tribes includes basic governmental services in Indian Country, funding for which is appropriated in the discretionary portion of the Federal budget. Tribal governments exist to protect and preserve their unique cultures, identities, and natural environments for posterity. As governments, Tribes must deliver a wide range of critical services, such as education, workforce development, and first-responder and public safety services, to their citizens. The Federal budget for Tribal governmental services reflects the extent to which the United States honors its promises to Indian people.

Yet Tribal justice systems historically have been under-funded and continue to be under-funded in most Tribal communities. In 1991, the United States Civil Rights Commission found that “the failure of the United States Government to provide proper funding for the operation of Tribal judicial systems . . . has continued for more than 20 years.”³ The Commission also noted that “[f]unding for Tribal judicial systems may be further hampered in some instances by the pressures of competing priorities within a Tribe.”⁴ Moreover, they opined that “[i]f the United States Government is to live up to its trust obligations, it must assist Tribal governments in their development. . . .”⁵ The Commission “strongly support[ed] the pending and proposed congressional initiatives to authorize funding of Tribal courts in an amount equal to that of an equivalent State court” and was “hopeful that this increased funding [would] allow for much needed increases in salaries for judges, the retention of law clerks for Tribal judges, the funding of public defenders/defense counsel, and increased access to legal authorities.”⁶ The Indian Law and Order Commission (ILOC) noted that in addition to funding shortfalls, short-term, competitive funding approach is deficient because it reflects Federal priorities rather than Tribal ones, favors hired grant-writers, requires Tribes to compete against each other, and offers only three-year programs that often leave Tribes with staff turnover and short-term programs.⁷

Allocate \$82 Million for Tribal Base Funding

In September 2015, the Bureau of Indian Affairs submitted a report to Congress that revealed that the BIA is funding most Tribal courts at a dismal 6 percent of estimated need.⁸ The BIA estimates that full funding for Tribal courts would cost over \$860 million. For Tribal courts operating in Public Law 280 jurisdictions, funding has been even lower. BIA estimates that it would cost an additional \$16.9 mil-

¹ Sandra Day O'Connor, *Lessons from the Third Sovereign: Indian Tribal Courts*, 33 TULSA L.J. 1, 2 (1997).

² See *Iowa Mut. Ins. Co. v. LaPlante*, 480 U.S. 9, 14–15 (1987).

³ United States Commission on Civil Rights, *The Indian Civil Rights Act: A Report of the United States Commission on Civil Rights* 71 (June 1991).

⁴ Id.

⁵ Id.

⁶ Id.

⁷ Indian Law and Order Commission, *A Roadmap for Making Native America Safer: Report to the President & Congress of the United States* 83 (2013) [hereinafter ILOC Report].

⁸ “Report to the Congress on The Budgetary Cost Estimates of Tribal Courts in Public Law 83–280 States,” Bureau of Indian Affairs, Office of Justice Services (Sept. 16, 2015).

lion for Tribes in mandatory Public Law 280 jurisdictions to be funded at 6 percent of need noting that “while \$16.9 million would not be widely viewed as robust or perhaps even adequate, it would match existing levels of funding in non-Public Law 280 States, which reflect a constrained fiscal environment.”

The critical financial need of Tribal courts ultimately led to the passage of the Indian Tribal Justice Act (the “Act”).⁹ Congress found that “[t]ribal justice systems are an essential part of Tribal governments and serve as important forums for ensuring public health, safety and the political integrity of Tribal governments.”¹⁰ Affirming the findings of the Civil Rights Commission, Congress further found that “Tribal justice systems are inadequately funded, and the lack of adequate funding impairs their operation.”¹¹ In order to remedy this lack of funding, the Act authorized appropriation base funding support for Tribal justice systems in the amount of \$50,000,000 for each of the fiscal years 1994 through 2000.¹²

To carry out the provisions of the Indian Tribal Justice Act, Congress authorized annual appropriations of over \$58 million annually for each of the fiscal years 1994–1999 with \$50 million annually for base support funding for Tribal justice systems. In today’s dollars this would be \$82 million per year, which would be less than 10 percent of the overall need estimated by BIA. Unfortunately, a total of only \$5 million of the more than \$58 million per year appropriated was actually appropriated through 1999.¹³ Since Congress enacted the Indian Tribal Justice Act in 1993, the needs of Tribal court systems have continued to increase, but there has been no corresponding increase in funding for Tribal court systems.¹⁴

Despite numerous congressional reauthorizations of the Act over the past couple of decades—most recently in the Tribal Law and Order Act (TLOA)¹⁵—funds have never been appropriated to implement the Act. The Act does not differentiate between Tribes subject to Public Law 280 jurisdiction or not. The promise of this much-needed base funding must be fulfilled. We ask Congress to commit to fully funding Tribal courts within the next 5 years by incrementally increasing funding each year.

CONCLUSION

Thank you for your consideration of this testimony. For more information, please contact Lauren van Schilfgaarde, Tribal Law Specialist, at lauren@tlpi.org.

PREPARED STATEMENT OF THE TRUST FOR PUBLIC LAND

Chairwoman Murkowski, Ranking Member Udall, and distinguished members of the Interior subcommittee:

Thank you very much for the opportunity to submit testimony on behalf of The Trust for Public Land in support of programs under your jurisdiction for the fiscal year 2018 appropriations process. The Trust for Public Land (TPL) is a national nonprofit land conservation organization working to protect land for people in communities across the Nation. We are extremely grateful for the support members of this subcommittee and other conservation leaders in Congress have shown for Federal conservation programs during these challenging fiscal times.

We recognize that the subcommittee will again face enormous challenges in meeting the broad range of priority needs in the Interior and Environment bill this year. The President’s Budget request for fiscal year 2018 has proposed drastic program reductions and has eliminated core Federal conservation programs that have long had an impact in communities across the country. Our work in many of your districts and elsewhere shows that there is tremendous support for conservation and access to recreation at the local, State and Federal level, and the programs under your jurisdiction play a critical role in bringing those community visions to reality.

Federal funding is an absolutely critical part of the conservation toolbox and provides manifold benefits to the American people. Given the limited public conserva-

⁹Public Law No. 103–176 (codified at 25 U.S.C. § 3601 *et seq.*)

¹⁰25 U.S.C. § 3601(5).

¹¹25 U.S.C. § 3601(8).

¹²25 U.S.C. § 3621(b).

¹³United States Commission on Civil Rights, *A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country* 79 (2003) *hereinafter “A Quiet Crisis”+.

¹⁴In 2000, Congress reaffirmed the Congressional commitment to provide this increased funding for Tribal justice systems when it reauthorized the Act for seven more years of funding at the same level of more than \$58 million per year through the Indian Tribal Justice Technical and Legal Assistance Act. See Pub. L. No. 106–559 § 202.

¹⁵Tribal Law and Order Act, Public Law 111–211, Sec. 242 (2010).

tion funding at all levels of government, TPL works to leverage Federal conservation dollars, bringing to bear private philanthropic support as well as State and local funding to forge solutions to sometimes complex conservation funding challenges. Aware of these realities, many of our recommendations are for programs to remain at the enacted level of fiscal year 2017. The major programs under your jurisdiction that we count on year in and year out are the entire suite of Land and Water Conservation Fund (LWCF) programs—including BLM, FWS, NPS and USFS acquisitions, NPS State and local grants, the Forest Legacy Program, Cooperative Endangered Species Conservation Fund, and American Battlefield Protection Program—as well as the USFWS North American Wetlands Conservation Act, USFS Community Forest Program, and National Endowment for the Arts.

Land and Water Conservation Fund.—After celebrating its 50th anniversary in 2014, Congress reauthorized LWCF in a bipartisan manner for three additional years until September 30, 2018. In the recent fiscal year 2017 appropriations bill, Congress furnished the program with \$400 million. The appropriations committees also included important conference report language that instructed the Federal land management agencies to continue ranking projects for fiscal year 2018 and to have those lists available to Congress upon request. We are extremely grateful to the members of the subcommittee for their critical role in all of these efforts, which have resulted in important conservation and outdoor recreation investments at the local, State and Federal levels. Investments in conservation and outdoor recreation make sound economic sense. The Outdoor Industry Association estimated this year that active outdoor recreation contributes \$887 billion annually to the U.S. economy, supports nearly 7.6 million jobs across the country, and generates \$65.3 billion in annual Federal tax revenue.

Most urgently, we urge you to reject the fiscal year 2018 President's Budget request for LWCF. The Budget reduces LWCF from the enacted level of \$400 million (itself a cut of \$50 million from enacted fiscal year 2016) to \$64 million. This is an 84 percent cut from the enacted level. It eliminates funding for the Forest Legacy Program, the Cooperative Endangered Species Conservation Fund, and the Highlands Conservation Act. It includes no funding for acquisition projects anywhere in the country, denying ongoing land protection efforts in Alaska, New Mexico, Montana, California, Mississippi, and many other States.

We urge the subcommittee to continue to invest in LWCF as it did in fiscal year 2017 and provide at least the enacted \$400 million for the entire program. Continued annual investment in the entire suite of LWCF programs as Congress provided in fiscal year 2017 is essential and we are ready to work with the subcommittee to ensure that dollars invested are well spent on our Nation's most urgent needs. We greatly appreciate the key role your subcommittee plays in ensuring that program dollars are used for high-priority strategic investments and appreciate that in challenging budgetary times you have maintained a commitment to this bipartisan program.

LWCF's programs bring specific and complementary conservation benefits to the American public. These key programs are:

BLM/FWS/NPS/USFS Land Acquisitions.—Every year tens of millions of Americans, as well as visitors to our country, enjoy our Federal public lands—national parks, forests, wildlife refuges and BLM conservation lands. Recent data shows that National Park Service units were visited by larger numbers than in the past 20 years. Strategic inholding and other acquisitions in these Federal areas through LWCF ensure recreation access and nature education; foster vital economic growth; protect clean water and other community resources; enhance the incomparable natural and scenic treasures that belong to all Americans; and frequently resolve complex land-use conflicts and produce management savings. Without adequate funding, the unfortunate alternative often is an irretrievable loss of public use and enjoyment of these areas and irreversible damage to the resources we all care about. We strenuously oppose the budget proposal eliminating all funds for land protection projects.

We applaud the inclusion of recreational access line items in the fiscal year 2016 and fiscal year 2017 omnibus appropriations bills for each of the four land management agencies—with particular emphasis on BLM and USFS—and support similarly focused funding in the fiscal year 2018 bill to address opening up and improving public access to the outdoors. The President's Budget eliminated recreational access funding for all four land management agencies. We urge you to restore it.

USFS: Forest Legacy Program.—For over 25 years, the Forest Legacy Program has been an extraordinarily effective program, providing assistance to States and localities seeking to preserve important working forests. It has protected over 2.5 million acres of forestland and has leveraged more than the required 25 percent match. Forest Legacy projects provide multiple public benefits through forest protection—

clean water, wildlife protection, climate change adaptation and mitigation, public access to recreation, economic development and sustainable forestry. Working with States, landowners and other partners, we have worked to submit a number of projects to protect recreation access for snowmobilers and hikers, ensure jobs in the woods, buffer important Federal and State conservation areas and provide strategic land conservation that fits a larger goal. Among these are projects to protect the recreational access and critical wildlife habitat in Montana and New Mexico, working forests along Hood Canal and Puget Sound in Washington, and forests along the Pascagoula River in Mississippi. We strongly oppose the administration's elimination of this program and instead urge your continued support for sustained investment in this strategic and successful program.

USFWS: Cooperative Endangered Species Conservation Fund.—We are grateful for the subcommittee's historic support for the Cooperative Endangered Species Conservation Fund (CESCF), which leverages State and private funds to protect threatened and endangered species habitat across the Nation. Two components of this program are funded via LWCF: the Habitat Conservation Plan (HCP) Land Acquisition program and the Recovery Land Acquisition (RLA) program. The CESCF has been critical to communities in Montana, Hawaii, and California where landowners and public wildlife managers are working together through integrated planning to foster species recovery and appropriate economic development. The land acquisition portion of this program was eliminated in the President's Budget. We support at least the enacted fiscal year 2017 level of \$30.8 million for the HCP and RLA land acquisition programs in fiscal year 2018.

NPS: State and Local Assistance grants.—Since 1965, the State and local assistance grant program has provided over \$4 billion in Federal funds for more than 42,000 projects in States and local communities for park protection and development of recreation facilities. This program reaches deep into communities across our Nation, supporting citizen-led efforts to conserve places of local importance and opportunities for close-to-home recreation. Through our Parks for People Program, The Trust for Public Land works with local communities to create, build, design, fund and care for parks, trails and playgrounds. As we continue our work with many of these communities to meet these needs, we hope the subcommittee will continue to provide funding to this important program. We also strongly support the allocation of a portion of LWCF State and local assistance funds to the nationwide competitive program, the Outdoor Recreation Legacy Program, which has now been included in four consecutive appropriations bills. Last year Congress demonstrated its commitment to this program by keeping the funding level at \$12 million, for which we are extremely grateful. We support an allocation of \$12 million for ORLP in fiscal year 2018.

NPS: American Battlefield Protection Program.—We applaud the subcommittee for its longstanding commitment to this important program, which complements acquisitions of threatened Civil War, Revolutionary War, and War of 1812 properties in national park units with non-Federal land protection of key battlefield sites. We hope that Congress can fully fund the program again at the enacted \$10 million level in fiscal year 2018.

Beyond LWCF, we urge the subcommittee to provide adequate funding to other conservation programs including:

USFWS: North American Wetlands Conservation Act.—We respectfully request your support for program funding at the enacted level of \$38.145 million in fiscal year 2018. The North American Wetlands Conservation Act (NAWCA) provides much-needed matching grants to carry out wetlands conservation, restoration and enhancement projects. NAWCA is a highly-leveraged program with a substantial record of success and is another important Federal conservation tool to support critical wetland habitat.

USFS: Community Forest Program.—Contrary to the President's Budget, which eliminates the program, we urge your continued support for the Community Forest Program (CFP), which complements existing conservation programs by helping communities and Tribes identify, purchase, and manage locally important forestlands that are threatened with development. These community forests can be tailored to local needs, from timber revenue for municipal or county budgets to recreation access and outdoor education. Every Federal dollar from CFP is at least evenly matched by funding from State, local, and private sources. The Forest Service has now approved 35 grants in 17 States and territories—including Vermont, New Hampshire, Maine, Kentucky, Montana, California, Oregon, and Washington—for innovative local and Tribal projects, and the program has generated significant interest from local entities concerned about the future of their close-to-home forests. Given the strong interest in community forests from coast to coast, we urge you to include \$5 million in the fiscal year 2018 bill for this innovative conservation tool.

Wildfire Disaster Funding Act.—We also support efforts to improve budgeting for forest fire management that will provide Federal agencies the means to fight fires without raiding other important Federal programs, like LWCF. America's forests and forest-dependent communities are at risk from outbreaks of pests and pathogens, persistent drought, and the buildup of hazardous fuels. Urbanization and development patterns are placing more homes and communities near fire-prone landscapes, leading to more destructive and costly wildfires. The current wildfire suppression funding model and cycle of transfers and repayments has negatively impacted the ability to implement forest management, among many other activities. We strongly support the bipartisan Wildfire Disaster Funding Act, which addresses Federal fire funding challenges. It would provide a fire funding solution that would 1) access disaster funding, 2) minimize transfers, and 3) address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier conditions.

National Endowment for the Arts.—Since its establishment by Congress in 1965, the National Endowment for the Arts (NEA) has provided strategic leadership and investment in the arts. Through partnerships with State arts agencies, local leaders, other Federal agencies, and the philanthropic sector, the NEA supports arts learning, affirms and celebrates America's rich and diverse cultural heritage, and extends its work to promote equal access to the arts in every community across America. NEA provides not only critical funding and resources to the arts community but also significant investments in parks and community development through its Art Works and Our Town grants. According to analysis by Americans for the Arts, every \$1 of NEA funding leverages \$9 in private and public dollars and fuels a dynamic cultural economy and generates millions of American jobs. Should NEA and its funds be cut or eliminated, the impact will be devastating to the arts community and to local park departments and community development organizations. We strongly urge the inclusion of \$155 million for the agency in fiscal year 2018 in order to preserve access to the cultural, educational, and economic benefits of the arts.

The programs highlighted here are critical to the future of conservation at the local, State and Federal levels; reflect the continued demand on the part of the American people for access to outdoor recreation; and help sustain our economy and reflect the true partnership that exists in Federal conservation efforts. As ever, we are deeply thankful for the subcommittee's recognition of the importance of these programs and urge you to maintain robust funding for them in the fiscal year 2018 Interior, Environment and Related Agencies bill. Thank you for your help and support, and for your consideration of our requests.

[This statement was submitted by Kathy DeCoster, Vice President and Director of Federal Affairs.]

PREPARED STATEMENT OF THE UNITED STATES SECTION OF THE PACIFIC SALMON COMMISSION

Mr. Chairman, and Honorable Members of the subcommittee, I am Ron Allen, the Alternate Tribal Commissioner and Chair of the Finance and Administration Committee for the U.S. Section of the Pacific Salmon Commission (PSC). The U.S. Section prepares an annual budget for implementation of the Pacific Salmon Treaty. The integrated budget details program needs and costs for Tribal, Federal, and State agencies involved in the Treaty. Tribal participation in the Treaty process is funded in the Bureau of Indian Affairs budget.

In order meet the increased obligations under the 2009–2018 Pacific Salmon Treaty Agreement the 25 affected Tribes identified costs at \$4,800,000 for Tribal research projects and participation in the U.S.-Canada Pacific Salmon Treaty process, an increase of \$470,000 over fiscal year 2016 enacted level. The funding for Tribal participation in the Pacific Salmon Treaty is a line item in the BIA's budget under Rights Protection Implementation.

Under U.S. Fish and Wildlife Service programs, the U.S. Section identified needs as follows:

USFWS participation in the Treaty process is funded at \$372,362 for fiscal year 2016. The Pacific States Marine Fisheries Commission's Regional Mark Center (PSMFC) receives support from the USFWS to provide data services to the PSC process at a level of \$236,189 for fiscal year 2016. The total for the two programs is \$608,551. This represents a decrease from fiscal year 2010 levels, which were \$417,673 for USFWS and \$315,000 for PSMFC, for a grand total of \$732,673. The US Section recommends increasing the fiscal year 2018 funding for these programs by \$50,000, which partially restores both programs to previous funding levels.

This base funding for the U.S. Fish and Wildlife Service supports critically important on-going work. The funding for Pacific States Marine Fisheries Commission's Regional Mark Center is utilized to meet Treaty requirements concerning data exchange with Canada. These program recommendations are integrated with those of the State and Federal agencies to avoid duplication of effort and provide for the most efficient expenditure of scarce funds.

Funding to support activities under the Pacific Salmon Commission comes from the Departments of Interior, State, and Commerce. The U.S. Section can provide a cross-cut budget summary to the subcommittee. Adequate funding from all three Departments is necessary for the U.S. to meet its treaty obligations. All of the funds are needed for critical data collection and research activities directly related to the implementation and are used in cooperative programs involving Federal, State, and Tribal fishery agencies and the Department of Fisheries in Canada. The commitment of the United States is matched by the commitment of the Government of Canada.

The U.S. Section of the PSC is recommending an adjustment to support the work carried out by the twenty-four treaty Tribes' participating in implementation of the Treaty. Programs carried out by the Tribes are closely coordinated with those of the States and Federal agencies. Tribal programs are essential for the United States to meet its international obligations. Tribal programs have taken on additional management responsibilities due to funding issues with State agencies. All participating agencies need to be adequately supported to achieve a comprehensive US effort to implement the Treaty.

The U.S. Fish and Wildlife Service activities are necessary so the U.S. can maintain the critical database to implement the Treaty. The work of the Regional Mark Processing Center includes maintaining and updating a coastwide computerized information management system for salmon harvest data as required by the Treaty. This work has become even more important to monitor the success of management actions at reducing impacts on ESA-listed salmon populations. Canada has a counterpart database. The U.S. database will continue to be housed at the Pacific States Marine Fisheries Commission.

Mr. Chairman, the United States and Canada established the Pacific Salmon Commission, under the Pacific Salmon Treaty of 1985, to conserve salmon stocks, provide for optimum production of salmon, and to control salmon interceptions. After thirty years, the work of the Pacific Salmon Commission continues to be essential for the wise management of salmon in the Northwest, British Columbia, and Alaska. For example, upriver bright fall Chinook salmon from the Hanford Reach of the Columbia River are caught in large numbers in Alaskan and Canadian waters. Tribal and non-Tribal fishermen harvest sockeye salmon from Canada's Fraser River in the Strait of Juan de Fuca and in Puget Sound. Canadian trollers off of the west coast of Vancouver Island catch Washington coastal Coho salmon and Puget Sound Chinook salmon. In the Northern Boundary area between Canada and Alaska, fish from both countries are intercepted by the other country in large numbers. The Commission provides a forum to ensure cooperative management of salmon populations. The agreements in the current Annex Chapters for management of chinook, coho, chum, and transboundary populations expire at the end of 2018. The Annex Chapter for management of Fraser River sockeye and pink chapter expires at the end of 2019. The U.S. and Canada are negotiating revisions to the current agreements. Based on past experience, the negotiation process will require additional meetings to reach a successful conclusion. It is important to have adequate resources for U.S. participants to negotiate the best outcome.

Before the Treaty, fish wars often erupted with one or both countries overharvesting fish that were returning to the other country, to the detriment of the resource. At the time the Treaty was signed, Chinook salmon were in a severely depressed State as a result of overharvest in the ocean as well as environmental degradation in the spawning rivers. Under the Treaty, both countries committed to rebuild the depressed runs of Chinook stocks, and they recommitted to that goal in 1999 when adopting a coastwide abundance based approach to harvest management. Under this approach, harvest management will complement habitat conservation and restoration activities being undertaken by the States, Tribes, and other stakeholders in the Pacific Northwest to address the needs of salmon listed for protection under the Endangered Species Act. The 2008 Chinook agreement continued these commitments. The combination of these efforts is integral to achieving success in rebuilding and restoring healthy, sustainable salmon populations.

Finally, you should take into account the fact that the value of the commercial harvest of salmon subject to the Treaty, managed at productive levels under the Treaty, supports the infrastructure of many coastal and inland communities. The value of the recreational fisheries, and the economic diversity they provide for local

economies throughout the Pacific Northwest and Alaska, is also immense. The value of these fish to the 24 treaty Tribes in Washington, Oregon, and Idaho goes far beyond their monetary value, to the cultural and religious lives of Indian people. A significant monetary investment is focused on salmon as a result of listings of Pacific Northwest salmon populations under the Endangered Species Act. Given the resources, we can continue to use the Pacific Salmon Commission to develop recommendations that help to ensure solutions that minimize impacts on listed stocks, especially if we are allowed to work towards the true intent of the Treaty: mutually beneficial enhancement of the shared resource.

Mr. Chairman, that concludes my written testimony submitted for consideration by your subcommittee. I want to thank the subcommittee for the support that it has given the U.S. Section in the past. Please feel free to contact me, or other members of the U.S. Section to answer any questions you or subcommittee Members may have regarding the U.S. Section of the Pacific Salmon Commission budget.

PREPARED STATEMENT OF THE UNITED TRIBES TECHNICAL COLLEGE

United Tribes Technical College (UTTC) has for 48 years, and with the most basic of funding, provided postsecondary career and technical education and family services to some of the most impoverished high risk Indian students from throughout the Nation. Despite such challenges we have consistently had excellent retention and placement rates and are fully accredited by the Higher Learning Commission. We are proud of our role in helping to break generational poverty and in helping to build a strong Indian Country middle class by training the next generation of law enforcement officers, educators, medical providers, and administrators; however, there is a long way to go and we need to expand our efforts. We are governed by the five Tribes located wholly or in part in North Dakota. We are not part of the North Dakota University System and do not have a tax base or State-appropriated funds on which to rely.

The funding requests of the UTTC Board for fiscal year 2018 Bureau of Indian Education (BIE)/Bureau of Indian Affairs (BIA) are:

- \$11 million for the line item, Tribal Technical Colleges, which is \$3.1 million over the fiscal year 2017 enacted level. Of this amount, \$6.8 million is BIE funding for our Indian Self-Determination Act contract.
- Continue fully funding Contract Support Costs with establishment of permanent, full, mandatory funding.
- Continue full funding for Tribal Grant Support Costs for tribally-operated elementary/secondary schools.
- Establishment of a tribally-administered Northern Plains law enforcement training center at UTTC.

First of all, thank you for the \$500,000 fiscal year 2017 increase for the BIE line item of Tribal technical colleges as requested by the Obama Administration. Secondly, thank you again for placing the Tribal Technical Colleges account that provides core operational funds to our institution and Navajo Technical University (NTU) on a forward funded basis as of fiscal year 2016.

We are pleased that as of fiscal year 2017 Congress will be providing forward funding for the Institute of American Indian Arts and that the explanatory language for the appropriations bill indicates that you are interested in providing in fiscal year 2018 for the remaining two colleges who are not yet forward funded—Southwestern Indian Polytechnic Institute, and the Haskell Indian Nations University.

The extended length of time to achieve forward funding for UTTC and NTU and the fact that several other Indian higher education institutions were/are still not forward funded highlights the carefulness with which Tribal college references need to be made. We are authorized under differing titles of the Tribally Controlled Colleges and Universities Act and then there are other statutory authorities for the three institutions administered through the Bureau of Indian Education.

Base Funding.—UTTC administers our BIE funding under an Indian Self-Determination and Education Assistance Act agreement, and has done so for 40 years. The UTTC portion of the Tribal Technical Colleges line item should be \$6.8 million based on an \$11 million appropriation. We will want to communicate again with this subcommittee when we know what the Trump administration has requested in the Indian Affairs budget.

Acquisition of additional base funding is critical. We struggle to maintain course offerings and services to adequately provide educational services at the same level as our State counterparts. BIE funds are central to the viability of our core postsecondary education programs. Very little of the other funds we receive may be used for core career and technical educational programs; they are competitive, often one-

time targeted supplemental funds. Our BIE funding provides a base level of support while allowing the college to compete for desperately needed discretionary funds.

We highlight several recent updates of our curricula to meet job market needs. First, at the certificate level, UTTC recognized the need for more certified welders and heavy equipment operators in relation to the oil boom and expanded these programs in response to the workforce need. UTTC is now the only welding test site in a multi-State region approved by the American Welding Society, and while the North Dakota Bakken oil boom has diminished, these professions remain in demand. The hospital facilities in the regions were unable to hire certified Medical Coding & Billing personnel so we developed and currently offer this certificate as one of our online offerings. We are now able to train students for good paying in-demand employment with a focus on career rather than just a job. Finally, upon receiving approval by the Higher Learning Commission to offer a Bachelor's Degree in Environmental Science, we began this four-year program in the Fall of 2016, thus providing experiential research opportunities for our students.

Funding for United Tribes Technical College is a good investment. We have:

- Renewed unrestricted accreditation from the Higher Learning Commission through 2021. We offer 1 diploma, 4 certificates, 14 Associate degrees, and 4 Bachelor degree programs of study (Criminal Justice; Elementary Education; Business Administration; Environmental Science and Research). Business Management, Criminal Justice, Medical Coding and General Studies are fully available and offered online. UTTC continues to be the only TCU in the country approved by the Higher Learning Commission to offer full programs online.
- Services including a Child Development Center, family literacy program, wellness center, area transportation, K–7 BIE-funded elementary school, tutoring, counseling, family and single student housing, and campus security.
- A projected return on Federal investment of 20–1 (2005 study).
- From 2015–2016, UTTC had a fall to fall retention rate of 38 percent and a 2016 fall semester persistence rate of 84 percent for the fall of 2016. Of the 87 graduates in 2016, 53 students were employed, for a placement rate of 61 percent. Additionally, 19 of those graduates continued their education.
- Students from 69 Tribes represented at UTTC during the 2015–2016 academic year.
- Our students are very low income, and 70.4 percent of our undergraduate students receive Pell Grants.
- An unduplicated count of 524 undergraduate degree-seeking students and 4 non-degree seeking students; 1,037 continuing education students; and 29 dual credit enrollment high school students for a total of 1,594 students for 2016–2017.
- A critical role in the regional economy. Our presence brings at least \$34 million annually to the economy of the Bismarck region. A North Dakota State University study reports that the five Tribal colleges in North Dakota made a direct and secondary economic contribution to the State of \$192,911,000 in 2016.

Contract Support Costs.—As mentioned above, we administer our BIE funding through an Indian Self-Determination and Education Assistance Act contract, and thus Contract Support Costs (CSC) are vital to us. We thank this subcommittee for the recognition of the legal obligation the Federal government has to pay Tribal contractors their full CSC. This has been an enormously important development for Indian Tribes. We appreciate that the fiscal years 2016 and 2017 appropriations acts place Contract Support Costs for the BIA and the Indian Health Service (IHS) in their own accounts and is funded at an indefinite amount, thus assuring full funding. Given that this funding status for CSC is year to year, we join with others in Indian Country in supporting a long-term legislative solution that will provide full and permanent funding for Contract Support Costs. Placing CSC funding on a mandatory basis is the logical resolution to a long-term solution for CSC that will also protect the programs funded on a discretionary basis in the BIA and IHS budgets.

Tribal Grant Support Costs for K–12 Tribally-Operated Schools.—We have a BIE-funded elementary school on our campus, the Theodore Jamerson Elementary School, and thus many of our college students and their children attend school on the same campus. For these elementary schools, Tribal Grant Support Costs are the equivalent of Contract Support Costs for Tribes although authorized under different statutory authorities. We thank you for providing what is estimated to be full funding for Tribal Grant Support Costs in fiscal year 2017 (\$80 million).

A Northern Plains Indian Law Enforcement Academy.—We again ask Congress to seriously look at the problem of addressing crime in Indian Country with an eye toward the establishment of a campus-based academy for training of law enforcement officers at UTTC. We ask that you direct the Secretary of Interior and the Bureau of Indian Affairs to work with the Northern Plains Tribes and others on the

timely development of a plan for the establishment of an academy to better serve the Tribes residing in the Northern tier of the United States.

Establishment of such an academy at UTTC continues to be strongly supported by the Great Plains Tribal Chairman's Association (GPTCA) via Resolution 5-1-20-16. The Resolution requests that the Secretary of Interior and the BIA consult with the Tribes on the details of a plan for establishment of the Academy. Cultural and legal differences further support why such training should be tribally-directed in order to be appropriate for the realities of Tribal communities within different parts of the Indian Country. The need is critical and continues to grow with the methamphetamine, opioid and heroin crises and the resulting social ills from these epidemics. North Dakota and other northern border regions have special problems relating to drug and human trafficking. Additionally, the expanded Tribal authorities under the Tribal Law and Order Act and the Violence Against Women Act only further the importance of trained law enforcement officers within our Tribal communities. State and national training resources would have an important role in this new endeavor.

The UTTC Criminal Justice program currently offers two- and four-year degrees, and prepares graduates for employment as Federal, State or Tribal law enforcement, correction, parole and probation, and transportation safety officers; victim advocates; U.S. Customs, Homeland Security, and Military Investigative services; and private security agents. A pre-law program is currently in development to address the shortage of law trained personnel within Tribal judicial systems. We want to expand our endeavors to help meet law enforcement needs in Indian Country. Given our Criminal Justice program, our location and our campus resources, we propose the establishment of a Northern Plains Indian Law Enforcement Academy.

Basic law enforcement training is currently provided through the BIA's Indian Police Academy in Artesia, New Mexico, which often has waiting lists. The BIA is depending on the basic training provided by State academies to supplement what is provided at Artesia. UTTC is well positioned with regard to providing both basic and supplemental law enforcement training. An academy at UTTC would allow Tribal people in the Great Plains and other nearby regions a more affordable choice for training locations while minimizing the distance and long separation of trainees from their families.

The fiscal year 2017 Indian Affairs budget (p. IA-PSJ-12) notes that training initiatives for the Indian Police Academy include developing a pre-Academy training program for candidates; developing a mid-level manager training program; and establishing an on-line distance learning program for recertification, among other things. These are things that we could do as part of an academy at UTTC or in partnership with the Indian Police Academy.

In short, the BIA should be utilizing and enhancing the resources of UTTC to make a real difference in the law enforcement capability in Indian Country. We can offer college credit to trainees, and our facilities include the use of a state-of-the-art crime scene simulator. Maintaining safe communities is a critical component of economic development for our Tribal Nations, and local control of law enforcement training resources is a key part of that effort.

We know members of this subcommittee have made a point to visit places in Indian Country and we would love to be able to arrange for you to visit United Tribes Technical College. Thank you for your consideration of our requests. Mitakuye Owasin (All my relatives)

[This statement was submitted by Leander "Russ" McDonald, PhD, President.]

PREPARED STATEMENT OF THE USGS COALITION

The USGS Coalition appreciates the opportunity to provide testimony about fiscal year 2018 appropriations for the United States Geological Survey (USGS). The USGS Coalition requests Congress to fund the USGS at \$1.2 billion in fiscal year 2018. The requested funding would allow the agency to sustain current efforts in scientific discovery and innovation and to make strategic investments that will produce the impartial knowledge and decision support tools needed by decision-makers across the country.

Few modern problems can be addressed by a single scientific discipline. The USGS is uniquely positioned to provide information and inform responses to many of the Nation's greatest challenges. The USGS is an agency that has a distinctive capacity to deploy truly interdisciplinary teams of experts to gather data, conduct research, and develop integrated decision support tools that improve ecosystem management, ensure accurate assessments of our water quality and quantity, reduce risks from natural and human-induced hazards, deliver timely assessments of

mineral and energy resources, and provide emergency responders with accurate geospatial data and maps.

The USGS Coalition is an alliance of more than 75 organizations united by a commitment to the continued vitality of the United States Geological Survey to provide critical data and services. Coalition members include scientific organizations, universities, businesses, and natural resource managers.

ESSENTIAL SERVICES FOR THE NATION

The USGS plays a unique role within the Department of the Interior, conducting research across a broad array of scientific disciplines and providing data that informs responses to many of the Nation's greatest challenges. To highlight just a few examples, USGS scientists:

- Reduce risks from natural hazards—including earthquakes, landslides, volcanic eruptions, flooding, drought, and wildfires—that jeopardize human lives and result in billions of dollars in damages annually.
- Inform management of freshwater resources—both above and below the land surface—for drinking water, agriculture, and commercial, industrial, recreational, and ecological purposes.
- Inform sound management of natural resources on Federal and State lands, including control of invasive species and wildlife diseases that cause billions of dollars in economic losses. This information is shared with other Interior bureaus and State agencies to allow for adequate monitoring and management.
- Help predict the impacts of land use and climatic conditions on the availability of water resources and the frequency of wildfires. The Landsat satellites have collected the largest archive of remotely sensed land data in the world, which informs agriculture production and our Nation's response to and mitigation of natural hazards.
- Provide vital geospatial and geologic mapping data used in economic development, environmental management, infrastructure projects, and scientific applications by States, Federal agencies, and the private sector.
- Help make decisions about the Nation's energy future by assessing mineral and energy resources—including rare earth elements, coal, oil, unconventional natural gas, and geothermal. The USGS is the sole Federal source of information on mineral potential, production, and consumption.

FUNDING

Over the years, Congress has worked in a bipartisan fashion to provide essential funding to the USGS. These efforts have paid dividends and helped the USGS provide answers to the challenging questions facing decision-makers across the country.

The USGS Coalition opposes the proposed cuts outlined in the fiscal year 2018 President's budget request of 15 percent for the USGS.

The proposed funding level for USGS is very troubling, as the agency has made numerous economies in recent years. Any cuts in fiscal year 2018 or beyond would come at the expense of scientific programs. As a science agency, much of the USGS budget is dedicated to staff as well as equipment and facilities that must be maintained and updated to ensure the continuity of data acquisition and that the data gathered are reliable and available for future scientific investigations. We believe that the leadership of the USGS is doing all they can, and has been for a number of years, to contain costs while continuing to deliver high quality science.

One strength of the USGS has been its partnerships with many other Federal agencies, States, local governments, and private entities. These relationships, however, should not be mistaken as a means to transfer Federal activities to other entities. The work of the USGS is uniquely tied to the agency, as shown in the following examples.

- A potash mineral deposit worth \$65 billion was identified in Michigan as a result of the National Geological and Geophysical Data Preservation Program. The initiative catalogs and archives geological samples acquired during oil, gas, and mineral exploration. The program is run by the USGS and helps States to preserve and inventory their geological samples and data. The rock samples from Michigan were entered into a national database, where mining companies discovered their existence and are now assessing the potential for mining potash in Michigan. Without USGS funding, these mineral samples and their potential for new revenue and jobs would likely not have been discovered.
- A major geomagnetic storm has the potential to cause a continent-wide loss of electricity and substantial damage to power-grid infrastructure. Although these events are rare, they do occur, such as the 1989 geomagnetic storm that disrupted power to the entire Canadian province of Québec. The USGS monitors

Earth's magnetic field at 14 ground stations across the U.S. This information is critical for utility companies, who use the resulting geoelectric hazard maps to assess the vulnerability of their systems and to mitigate the predicted damages, thereby preventing costly power outages.

- Nearly half of America's drinking water comes from underground aquifers. The large size of some aquifers, which can span the boundaries of multiple States, puts them beyond the scope of local water authorities. The USGS is evaluating water quality in 20 principal aquifers as part of the National Water-Quality Assessment Project. The program is testing for contaminants, such as pesticides, pharmaceuticals, and other pollutants that threaten human health.
- Precise elevation data is needed for a variety of applications, including farming, infrastructure construction, flood mitigation, and aviation safety. The U.S., however, does not yet have national coverage of high-quality topographic data. Given its expertise in mapping, the USGS is the lead entity for the 3D Elevation Program, which will acquire precise national elevation data coverage within 8 years. The program is estimated to provide benefits worth \$1.1 billion a year to government and private entities.
- Recent research by the USGS identified the potential for avian flu to move between Europe and North America when migratory birds congregate in Iceland during their migration. Wildlife diseases threaten not only the ecosystem and economic values of wild animals, but can also jeopardize human health. The USGS has unique technical expertise for surveillance and diagnosis of wildlife disease, such as identifying a potential transmission route of a deadly disease.
- Expected losses from natural hazards in the U.S. exceed \$3 billion per year. These losses can be significantly reduced through informed decisions guided by the most current and thoroughly-researched understanding of the hazards, risks, and cost of mitigation. The USGS Science Application for Risk Reduction Project was created to innovate the application of hazard science for the safety, security, and economic well-being of the Nation by directing new and existing scientific research toward addressing gaps in vulnerability to help communities build resilience to natural hazards.

Many USGS programs are highly leveraged by outside funding sources. For instance, 69 percent of funding for the National Streamflow Network (aka streamgages) comes from States, localities, Tribes, other Federal agencies, private industry, and non-governmental organizations. For each Federal dollar invested in the Cooperative Research Units Program, States and universities invest more than three dollars. Interior's Climate Science Centers have also seen investments from partner universities into education and research totaling more than \$8.2 million since the program began in 2009. In total, more than \$100 million in contributions were made in 2016 by USGS partners.

CONCLUSION

We recognize the financial challenges facing the Nation, but losing irreplaceable data can increase costs to society today and in the future. Data not collected and analyzed today is data lost forever. This is particularly significant for environmental monitoring systems, where the loss of a year's data can limit the scope and reliability of long-term dataset analysis. Moreover, the United States Geological Survey has a national mission that extends beyond the boundaries of the Nation's public lands to positively impact the lives of all Americans. For these reasons, the USGS Coalition requests that Congress work to provide \$1.2 billion for USGS in fiscal year 2018.

The USGS Coalition appreciates the subcommittee's past leadership in strengthening the United States Geological Survey. Thank you for your thoughtful consideration of this request.

[This statement was submitted by Elizabeth Duffy, Co-Chair, and Julie Palakovich Carr, Co-Chair.]

PREPARED STATEMENT OF THE WESTERN GOVERNORS' ASSOCIATION

Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee, the Western Governors' Association (WGA) appreciates the opportunity to provide written testimony on the appropriations and activities of the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), National Park Service (NPS), U.S. Forest Service (USFS) and Environmental Protection Agency (EPA). My name is James D. Ogsbury and I am the Association's Executive Direc-

tor. WGA is an independent and bipartisan organization representing the Governors of 19 Western States and 3 U.S.-flag islands.

The agencies within the subcommittee's jurisdiction wield significant influence over vast areas of the American West. 94 percent of all Federal lands are situated in the western States and the Federal Government owns over 46 percent of the land within active WGA States. The work of this subcommittee is of vital importance to Western Governors, as it helps establish how these lands are managed and how Federal agencies interact with other levels of government and the public.

Western Governors recognize that there is a certain tension between State and Federal Governments, one that is embedded in the very fabric of our Constitution. It is equally clear that these different layers of government must have a close and productive working relationship to increase efficiencies and maximize returns on taxpayer investments. The promotion of a greater partnership between States and the Federal Government is central to the mission of WGA and is reflected in our Policy Resolution 2017-01, Building a Stronger State-Federal Relationship, which I commend to your attention.

The promotion of greater partnership between States and the Federal Government is central to the mission of WGA. This is a key theme of two ongoing WGA projects: the National Forest and Rangeland Management Initiative and the Species Conservation and Endangered Species Act Initiative. Responsible forest and rangeland management can only take place when Federal, State, and local stakeholders are working collaboratively to increase the health and resilience of our lands. Likewise, fish and wildlife conservation, essential to preserving the heritage of the West, is only possible through the cooperative efforts of State and Federal officials across multiple disciplines.

Through the National Forest and Rangeland Management Initiative, Governors have acknowledged progress to address past frustration with how western forests and rangelands are managed and have developed strategies to overcome barriers and build on progress for the future. Congress has taken steps (notably in the 2014 Farm Bill) to increase the pace, scale and quality of land restoration activities, and States have responded by implementing Good Neighbor Authority, Stewardship Contracting, and Insect and Disease designation authorities. WGA will release a report in June including several recommendations to further improve the health and resiliency of western forests and rangelands. I hope you will find these useful as you examine process reforms and spending priorities in the coming months.

Western Governors believe that States should be full partners in the implementation of the Endangered Species Act (ESA) and should have the opportunity to participate in listing decisions, critical habitat designations, recovery planning and delisting decisions. The Act is premised on a strong State-Federal partnership. Section 6(a) of the ESA states that, "In carrying out the program authorized by the Act, the Secretary shall cooperate to the maximum extent practicable with the States." WGA submits that such cooperation should involve meaningful consultation opportunities for States to comment, participate, or undertake proactive measures before the Federal Government takes action under the ESA.

ESA listing decisions can have dramatic impacts on vital State interests. States possess primary authority to manage most fish and wildlife within their borders, and they are the principal recipients of economic benefits associated with healthy species and ecosystems. At the same time, species listings and their associated prohibitions and consultations can affect western States' abilities to promote economic development, accommodate population growth, and maintain and expand infrastructure. Consequently, States should have the right to intervene in judicial and administrative proceedings regarding the ESA. Western Governors urge the subcommittee to support the legal standing of States to participate in administrative and judicial actions involving ESA that, by their nature, implicate State authority and resources. For the past 4 years, the subcommittee has adopted report language directing Federal land managers to use State fish and wildlife data and analyses as principal sources to inform land use, land planning and related natural resource decisions. Western Governors are deeply appreciative of your commitment to encouraging a positive relationship between the States and the Federal Government in the use of wildlife data. Federal managers need data-driven science, mapping and analyses to effectively manage wildlife species and habitat, and in many cases States generate the best available wildlife science.

With respect to funding levels of appropriated programs, WGA recommends the enactment and full funding of a permanent and stable funding mechanism for the Payment in Lieu of Taxes (PILT) program administered by the Department of the Interior (DOI). PILT funding does not represent a gift to local jurisdictions; rather it represents important compensation for the disproportionate acreage of non-taxable Federal lands in the West. Similarly, payments under the Secure Rural Schools

and Community Self-Determination Act (SRS) are critical to compensating communities whose timber industries have been negatively impacted by actions and acquisitions of the Federal Government. Western Governors hope that you will appropriate full funding for both PILT and SRS payments in fiscal year 2018.

The subcommittee is familiar with the pressing problem of “fire borrowing,” by which funding for routine U.S. Forest Service management activities is transferred to firefighting activities. By diverting funding from activities that reduce wildfire threats, this practice increases the overall fire risk and all but ensures that future wildfires will be more damaging and costly. The rising cost of the 10-year average of fire suppression has forced USFS to shift resources from non-fire to fire accounts over time. WGA strongly supports efforts to solve the issue of fire borrowing, and has advocated the adoption of a funding structure similar to that used by the Federal Emergency Management Agency (FEMA) in its response to natural disasters to address the long term erosion of capacity associated with the current budget approach.

The 2014 Farm Bill accorded Governors the opportunity to request that National Forest System lands within their States be considered for insect and disease (I&D) designation, and the Forest Service responded by designating 46.7 million acres of land for expedited treatment. The Farm Bill authorized the appropriation of \$200 million to accomplish the work required under the statute. This work will reduce the threat of wildfires in areas of high risk, and WGA requests that funding be appropriated at a reasonable and sustainable level for I&D designation projects.

Data for water management and drought response planning is critical to western States. Western Governors request adequate funding levels for the Cooperative Water Program and National Streamflow Information Program, both administered by the DOI’s U.S. Geological Survey. This data is integral to the water supply management decisions of States, utilities, reservoir operators and farmers. They are also used for flood forecasts, making them essential for risk assessment as well as water management. These two programs are important elements of a robust water data management framework in the western States, and provide needed support for drought mitigation efforts throughout the West.

Infrastructure management is another crucial element of drought response. The Environmental Protection Agency’s (EPA) Clean Water and Drinking Water State Revolving Funds (SRFs) provide necessary support for communities to maintain and enhance their water infrastructure. Western Governors’ Policy Resolution 2017–04, Water Quality in the West, encourages adequate funding for SRFs.

The following recommendations are intended to help ensure that taxpayers realize a healthy return on the investment of limited discretionary resources. This goal will be more readily achieved to the extent that Federal agencies better leverage State authority, resources and expertise.

Western Governors continue to be concerned about the number of wild horses and burros on BLM lands. This number is presently estimated to be almost double the current Appropriate Management Level (AML). Overpopulation can degrade rangeland, causing harmful effects on wildlife and domestic livestock and threatened and endangered species habitat. WGA supports a process to establish, monitor and adjust AMLs for wild horses and burros that is transparent to stakeholders, supported by scientific information (including State data), and amenable to adaptation with new information and environmental and social change.

Western Governors previously expressed concern regarding the development of the EPA and U.S. Army Corps of Engineers’ (USACE) 2015 Clean Water Rule, as States were not adequately consulted by the agencies during the process. That Rule is now being reconsidered by the current Administration and is stayed in the U.S. Court of Appeals for the Sixth Circuit. EPA and USACE have recently begun efforts to promulgate new language to clarify the jurisdictional boundaries of the Clean Water Act and have taken positive steps to engage WGA and individual States in the rulemaking process. Western Governors look forward to working with the agencies to develop a new rule that reflects the viewpoints of the Western Governors and adequately protects States’ primary authority over the management and allocation of water resources.

States have exclusive authority over the allocation and administration of rights to groundwater located within their borders and are primarily responsible for protecting, managing, and otherwise controlling the resource. The regulatory reach of the Federal Government was not intended to, and should not, be applied to the management and protection of groundwater resources. WGA encourages Congress to include express and unambiguous language protecting States’ authority over groundwater resources in any water-related legislation, as well as clear direction to administrative agencies to respect such authority. Federal agencies should work through existing State authorities to address their groundwater-related needs and

concerns. Such collaborative efforts will help ensure that Federal efforts involving groundwater recognize and respect State primacy and comply with all statutory authorities.

States also possess delegated authority from EPA to manage air quality within their borders. Last year the EPA tightened the National Ambient Air Quality Standard (NAAQS) for ozone to .070 parts-per-million, a level equal to background ozone levels in much of the West. Attaining the revised ozone standard will present significant challenges for many western States—challenges exacerbated by factors such as wildfire, transported ozone, and background ozone. For decades, eastern States have enjoyed the benefit of financial and technical support from EPA for ozone research and mitigation. Given the unique character of the West and the region's attainment challenges, funding should be appropriated for EPA to assist western States in discharging their ozone responsibilities and in developing cooperative agreements with EPA. In addition, WGA urges Federal agencies to engage States as co-regulators in any rulemaking that results from a review of regulations under Executive Order No. 13783.

Improving electricity transmission and distribution siting and permitting is also a priority of Western Governors. WGA encourages congressional direction to Federal departments and agencies to work with States on identifying infrastructure locations and expediting permitting for facilities that improve the reliability and resiliency of electricity in the western States.

Western Governors and Federal land management agencies deal with a complex web of interrelated natural resource issues. It is an enormous challenge to judiciously balance competing needs in this environment, and Western Governors appreciate the difficulty of the decisions this subcommittee must make. The foregoing recommendations are offered in a spirit of cooperation and respect, and WGA is prepared to assist you as you discharge these critical and challenging responsibilities.

Again, thank you for the opportunity to provide written testimony. Please feel free to contact WGA if you have any questions about the content of these remarks.

[This statement was submitted by James D. Ogsbury, Executive Director.]

PREPARED STATEMENT OF THE WILDERNESS LAND TRUST

Chairman Murkowski, Ranking Member Udall and Members of the subcommittee, my name is Brad Borst and I am the President of The Wilderness Land Trust, a small, focused national nonprofit that facilitates the transfer of lands owned by willing sellers to the United States to unify ownership within designated and proposed wilderness. This work secures already conserved lands, access to and through them and creates management efficiencies.

Thank you for the opportunity to submit testimony. My testimony focuses on a very small portion of the Land and Water Conservation Fund (LWCF): funding for the Inholding Acquisition Accounts in the four land management agencies.

Access and management efficiencies are vital goals for the investment of limited Federal funds. Acquisitions made through the inholding accounts have demonstrated success over their 52-year history. Congress created these accounts when it created the National Wilderness Preservation System (NWPS) to complete and secure its commitment to that system. Continued modest funding—between \$3 and \$5 million—in each of the Inholding Accounts is vital to the success of securing and preserving Wilderness designated by Congress while fairly treating private land-owners.

When the Trust began 25 years ago, there were approximately 400,000 acres of private land within designated wilderness in the lower 48 States. Today, nearly half of the inholdings have been acquired, with approximately 175,000 acres of private lands still remaining in more than 2,800 parcels in the lower 48 States. (In addition, there are 440,000 acres of State owned lands within designated wilderness. Alaska is home to 47 percent of the total nonFederal lands—predominately Native corporation lands stemming from ANCSA comprising 693,641 acres in 686 parcels.)

Large appropriations for the Inholding Accounts did not accomplish this success. Rather, it is reliable, modest funding so that lands can be purchased when land-owners want to sell. This is the level of funding we urge continue.

Thank you for funding the Inholdings Accounts in fiscal year 2017 and I ask for your continued support in 2018. An appropriation of between \$3 and 5 million to each of the land management agencies—the Forest Service, the Bureau of Land Management, the Fish and Wildlife Service and the National Park Service—is sufficient to enable the agencies to acquire high priority inholdings from willing sellers.

Our work, along with that of many other organizations and facilitated by funding of the Inholding Accounts, aims to give the Federal Government less work. Exam-

ples of the benefits resulting from the elimination of private inholdings within designated wilderness include:

- Creates recreational access and economic development opportunities;
- Saves Federal dollars by solving management problems and inefficiencies that frequently exceed the cost of acquisition;
- Helps private landowners

CREATING RECREATIONAL ACCESS AND ECONOMIC DEVELOPMENT OPPORTUNITIES

All agencies prioritize securing access when ranking acquisition projects. In determining where to place its efforts, The Trust follows a ranking system developed, in cooperation with the Federal land management agencies and Colorado State University. Prioritizing the Acquisition of Wilderness Inholdings is a rational basis for acquisition now widely accepted and used across the country. Of the 17 separate factors in three clustered areas, the prioritization specifically calls out: enhancement of wilderness visitor experience such as obtaining legal public access or eliminating a safety hazard.

In just this past year, the Trust worked on a project that will create access to the only landlocked wilderness in the Wilderness Preservation System (NWPS), the Sabinoso Wilderness (NM), acquired lands in the Rocky Mountain National Park (CO) that will secure access to a prominent overlook in the Wild Basin portion of the Park (we hope this to be developed as accessible wilderness access) and secured recreational access in the Garcia and Elkhorn Ridge Wildernesses (CA). Several other projects are in the works, all of which are dependent on continued modest funding of the inholding accounts for success.

A review of the work completed by the Trust in the last 5 years and transferred to Federal ownership shows that 60 percent of the projects created or secured public access to conserved wilderness land. Recent purchases funded from the Inholding Accounts have secured access to the east side of the Ventana Wilderness (CA), secured trails through the Wabayuma Peak Wilderness (AZ) and the Glacier Peak Wilderness (WA) and created access to a recently designated wilderness in Idaho. More are on the way.

Additionally, on the east side of the Castle Crag Wilderness (CA) is a wall of private land that blocks access from Interstate 5. The nearby communities of Dunsmuir and Mt. Shasta are wholly supportive of transferring these lands to Federal ownership and opening up the Crag to visitation. The towns anticipate visitors that will come to the community, and its climbing, biking and skiing shops it is hoped will grow. Dunsmuir has suffered under an unemployment rate of 18 percent and looks forward to having the recreational asset of the Crag's world class climbing just outside their community. Rather than a seven mile hike around the private lands that now block access, climbers will soon access the area only one mile off of Interstate 5.

SAVING FEDERAL DOLLARS

A specific criterion within the above mentioned ranking system used by the Trust and its Federal partners is: improvement of wilderness manageability by acquiring a parcel that substantially burdens land managers.

The management of human development activities in wilderness is expensive for the agencies. The potential resource damage to the protected lands and waters is enormous. While steady progress has been made reducing private inholdings in wilderness areas in the lower 48 States, our wilderness areas remain riddled with private inholdings that greatly threaten the wilderness that surrounds them and creates a "Swiss cheese" effect.

While The Wilderness Act defines Wilderness as places where "where man himself is a visitor who does not remain," private landowners retain their rights to build roads, homes and other buildings, extend utilities, extract minerals and timber, and block public access. There are numerous cases where such inholdings have been developed in ways that seriously degrade wilderness values on the adjacent public lands. All of these activities pose challenges for Federal managers of the lands surrounding private inholdings and create significant and costly management inefficiencies.

By contrast, the cost of acquiring these properties when they are offered for sale is relatively small. That is why continued modest appropriations for the inholding acquisition program are important. About one third of all designated wilderness include remaining private lands. There is much work left to be done.

In the last 5 years, 100 percent of our completed projects included resolving one or more land management issues, ranging from the potential development of resources that would damage and are inconsistent with the surrounding wilderness,

to long-standing conflicts and the potential rebuilding on isolated parcels already consumed by wildfire. For example, we just acquired the largest inholding in the Chuck River Wilderness (AK), a now defunct gold mine and source of repeated redevelopment speculation that was a consistent management issue for the Forest Service.

The costs associated with firefighting on public lands are significant. The Western Forestry Leadership Coalition, a State and Federal Government partnership, published a report: "The True Cost of Wildfire in the Western U.S." in April 2009. Among the case studies reviewed, the lowest total firefighting cost per acre was the Canyon Fire Complex (MT) (2000). The total cost was \$411 per acre. There were only six structures involved. The highest cost per acre was the 2000 Cerro Grande fire (NM). It cost \$22,634 per acre. There were 260 residences involved. This is strong evidence that the presence of private lands and structures within public landscapes exponentially increases firefighting costs.

The Wilderness Land Trust may be the only landowner within designated wilderness that can say it has experienced both sides of firefighting costs. A property the Trust owned in the Yolla Bolly Wilderness (CA) burned while under our ownership. Significant resources were spent to protect the structures on it. On the other hand, because the Trust's Hells Canyon Wilderness property (ID) had transferred one week before a fire, firefighting efforts rightly concentrated at the edges of the wildland-urban interface.

SOLVES MANAGEMENT AND RESOURCE PROBLEMS

The Inholding Accounts have been used to acquire defunct mines from private owners, private retreats, and various properties that include the spectrum of non-wilderness uses. We are currently ready for transfer to Federal ownership a former mine in the Frank Church River of No Return Wilderness. We've closed the former un-reclaimed mine on the banks of the Wild and Scenic Salmon River. The transfer will remove a private home and no trespassing signs on one of the few flat spots on that stretch of river. It will be returned to the public, who can enjoy being able to stop and learn about past mining days, camp or fish from land on which the abandoned and open mine is now reclaimed and closed—no longer a threat to the public, or to the Wild and Scenic River from its open shafts deep into the alluvium of the river.

HELPS PRIVATE LANDOWNERS

Landowners who are ready to sell deserve to have their properties purchased. Their isolated properties are primarily the result of 19th century Congressional policy when homesteads, mining operations and timber production were encouraged without the balance of conservation. Thus, wilderness areas now designated by Congress are pockmarked with islands of private ownership that compromise the wilderness resource, become expensive management issues for the agencies and often befuddle landowners who wish to sell these properties for the benefit of their companies or families.

If the opportunity to acquire these when offered is lost, the management issues and inefficiencies that result from private lands remaining within designated wilderness continue. This is why consistent funding for the Inholding Accounts is vital. It has been our experience that these critical inholdings come on the market at a steady rate as owners make decisions based on their family or business needs. Without consistent funding, numerous opportunities to acquire these private parcels will be lost. Not for a year, but often for a generation.

Finally, it is also important to recognize that wilderness inholdings come in many shapes, sizes and prices depending on the real estate market in a particular area. A number of projects that fall in the agency project lists are inholdings. Thus, we ask that you give the highest level of support possible for Federal LWCF acquisitions.

In summary, continued consistent funding of the Inholding Accounts is vital. Without such funding, significant opportunities to acquire private parcels within our designated wilderness areas will be lost for at least another generation. We urge your support of continued funding for these accounts and as much support for Federal LWCF acquisitions as possible.

Thank you for the opportunity to testify. We greatly appreciate your work, consideration and the support of the Subcommittee in securing these appropriations.

[This statement was submitted by Mr. Brad Borst, President.]

PREPARED STATEMENT OF THE WILDERNESS SOCIETY

The Wilderness Society (TWS) represents more than 1 million members and supporters who share our mission to protect wilderness and inspire Americans to care for our wild places. When deciding on funding that affects hundreds of millions of Americans, we urge you to take into account the full economic, social, environmental and cultural value of the many programs overseen by our land management agencies.

Additionally, we urge that in crafting the Interior and Environment Appropriation bill you avoid harmful policy riders that damage our land, air, water and wildlife. Must-pass appropriations legislation is not the appropriate venue for unpopular policy provisions which undermine bedrock environmental laws like the Wilderness Act, Antiquities Act and Land and Water Conservation Fund Act. In particular, we strongly oppose riders which would authorize a road through the Izembek Wilderness Area or prevent the Bureau of Land Management from implementing the collaboratively developed sage-grouse conservation strategy.

The laudable goal of returning to regular order on appropriations must not continue to be undermined by the attempted inclusion of harmful policy riders which would damage the environmental protections all Americans value. Their inclusion only serves to further compromise an already challenging appropriations process.

Prudent investments in critical conservation programs will provide jobs and protect the health and economic wellbeing of local communities. We urge bold action in support of conservation funding for fiscal year 2018. Specifically, TWS recommends:

RECREATION & PUBLIC LANDS

Land and Water Conservation Fund

Now in its second half-century, the Land and Water Conservation Fund (LWCF) remains the premier Federal program to conserve our Nation's land, water, historic, and recreation heritage. It is a critical tool to protect national parks, national wildlife refuges, national forests, Bureau of Land Management (BLM) lands, and other Federal areas. The companion LWCF State grants program provides crucial support for State and local parks, recreational facilities, and trails. Full funding for LWCF will allow land management agencies to manage our public lands more efficiently and cost-effectively. This is in part achieved through strategic inholdings acquisition which reduces internal boundary line surveying, right-of-way conflicts and special use permits.

LWCF also funds two other important State grant programs—the Forest Legacy Program and Cooperative Endangered Species programs—that ensure permanent conservation of important forest lands and threatened and endangered species' habitat, as well as important wildlife and recreational habitat and ensures that public lands stay public for hunters, anglers, and other outdoor recreationists for generations to come.

—TWS strongly supports fully funding LWCF at the authorized level of \$900 million, with a discretionary funding level of \$475 million.

BLM National Landscape Conservation System

The National Landscape Conservation System (Conservation Lands), overseen by the BLM, comprises over 30 million acres of congressionally and presidentially designated lands and waters, including National Monuments, National Conservation Areas, Wilderness Areas and other designations. Stewardship of the Conservation Lands provides jobs for thousands of Americans while supporting vibrant and sustainable economies in surrounding communities. The Conservation Lands provide immeasurable public values from modest investments: outstanding recreational opportunities, wildlife habitat, clean water, wilderness, and open space near cities.

—TWS strongly supports \$83.122 million in fiscal year 2018 funding for the National Conservation Lands. This is a small increase, but a strong funding proposal for the Conservation Lands, and will help promote the natural, cultural, and historical resource protection provided by the Conservation Lands for the American public.

BLM Wilderness Management

We want to call specific attention to the Wilderness Management program, housed within BLM's National Landscape Conservation System. The Wilderness program plays a critical role in supporting the agency's multiple use and sustained yield mission, emphasizing continued collaboration, public involvement and youth engagement. As part of the Department of Interior (DOI) Engaging the Next Generation

Initiative, the Wilderness Management program connects communities with their public lands, providing opportunities for outdoor recreation, scientific research, education, volunteer and full time employment.

—*TWS strongly supports restoring BLM Wilderness funding to the fiscal year 2011 level of \$19.663 million.* The enacted level for BLM wilderness management is a step in the right direction, but still 7 percent lower than the fiscal year 2011 enacted level in raw dollars. To just keep the fiscal year 2011 level on pace with inflation the fiscal year 2018 request would need to be \$21.036 million.

U.S. Forest Service Recreation, Heritage, and Wilderness

The Recreation, Heritage and Wilderness program provides critical funding to improve recreational access to our national forests, give training and employment opportunities for youth and veterans, modernize and improve the recreational permitting process, and protect our cultural heritage. We recommend that funding for the Recreation, Heritage and Wilderness program be restored to support much needed trails maintenance, update signage, fight invasive species, restore watersheds, and monitor effects of climate change, among other critical needs.

—*We urge Congress to support wilderness and recreation by restoring funding to the fiscal year 2010 level of \$285.1 million for the Recreation, Heritage and Wilderness Program.* Recreation is the most ubiquitous use of our forest lands, and accounts for more than half of all job and income effects attributable to Forest Service programs (over 190,000 jobs and \$11 billion in spending effects by visitors).

BLM Recreation Resources Management

The Recreation Resources Management program provides critical funding to improve recreation access for all visitors to BLM lands, engage youth, promote public health, protect visitor safety and strengthen rural economies. Investments in the Recreation program will support increased access for all types of recreation by maintaining trails and roads, increased access for hunters and anglers to world class fish and game habitat, and small businesses, guides and outfitters through processing commercial recreation permits.

—*TWS strongly supports funding the Recreation Resources Management program at \$53.5 million in fiscal year 2018.* This is a small increase over the currently enacted levels, and would support 3 additional FTEs to ensure efficient processing of recreations permits, oversight, and visitor safety.

U.S. Forest Service Legacy Roads and Trails

The Legacy Roads and Trails (LRT) program provides essential funding to improve recreational access, advance collaborative watershed restoration projects, provide clean drinking water, and protect aquatic species. LRT funding was slashed 50 percent in fiscal year 2011 and 22 percent in fiscal year 2014. Given the recent evaluation of the Integrated Resource Restoration (IRR) program we recommend that LRT be removed from IRR to enable it to operate as a complementary program to IRR, similar to Collaborative Forest Landscape Restoration. We also do not recommend that the IRR pilot program be expanded until the test regions have proven that IRR can improve restoration without a loss of transparency and accountability. Specifically, TWS recommends:

—*Funding Legacy Roads and Trails at \$50 million, distinct from IRR.* The highest appropriation for LRT was in 2010 at \$90 million, and even then the need far surpassed the program's capacity. LRT provides tremendous returns, through leveraging other public and private funding, reducing future maintenance costs, and creating jobs and contributing to local economies.

ENERGY

Bureau of Land Management Oil and Gas Policy

TWS believes that our public lands should be treasured and maintained for the benefit of all Americans. As we continue to extract publicly owned resources—nearly 200 million acres of our public lands are currently available for leasing—BLM must do so with full funding for programs that support operational safety, inspections, and both environmental and fiscal stewardship. BLM funding should encourage balanced oil and gas development on public lands with natural resource benefits and recreation uses, and ensure that public resource are fully and fairly valued for the American people.

—TWS strongly supports restoring the BLM funding level to \$38,630 million, including increasing Oil and Gas Inspections to \$48.4 million, and increasing Resource Management Planning to \$48.1 million.

Sage Grouse Conservation Plans

Ranchers and other Americans benefit from Federal assistance in managing sagebrush across the western United States. Congress should fully fund the sage-grouse conservation strategy, which helped to prevent a listing under the Endangered Species Act. Full funding for implementation is important for the recovery of this critical western game species and those who rely on its habitat for their livelihood.

—TWS strongly supports a funding level of \$89.7 million in fiscal year 2018 to conserve and restore sage steppe habitat through the Bureau of Land Management.

Renewable Energy

TWS is a strong proponent of transitioning our country to a clean energy economy by developing our renewable energy resources responsibly. We believe renewable energy is an appropriate and necessary use of public lands when properly sited in areas that avoid habitat, resource, and cultural conflicts. Identifying and avoiding conflicts early helps ensure projects are permitted more efficiently with limited impact on wildlands. TWS hopes the Department will continue to support a program that ensures our public lands play an important role in supporting renewable energy infrastructure through environmental review, suitability screening, and identification of low-conflict designated leasing areas where wind and solar projects are likely to succeed—an approach which cut permitting times in half in the Dry Lake solar zone outside of Las Vegas.

—TWS strongly supports increasing funding for renewable energy programs across the Department of Interior to \$110.4 million in fiscal year 2018. This increase would enhance training opportunities for staff to fully implement the wind and solar leasing rule, mitigation strategies, the Western Solar Plan and the Desert Renewable Energy Conservation Plan. Implementation of these programs will facilitate efficient permitting for projects in designated leasing areas and identification of new designated leasing areas in regions with strong development demand. Finally, this funding should support the ongoing review of the West-Wide Energy Corridors to facilitate more efficient and appropriate siting and permitting for transmission lines to ensure greater access for clean energy development.

[This statement was submitted by Drew McConville, Senior Managing Director of Government Relations.]

PREPARED STATEMENT OF THE WILDLIFE CONSERVATION SOCIETY

The Wildlife Conservation Society (WCS) would like to thank Chairwoman Murkowski, Ranking Member Udall and the members of the subcommittee for providing this opportunity to provide public testimony in support of sufficient funding in the fiscal year 2018 Interior, Environment and Related Agencies (Interior) Appropriations Act for the Multinational Species Conservation Fund (MSCF), Office of International Affairs (IA), Office of Law Enforcement (OLE), and Cooperative Landscape Conservation Program (CLCP) accounts at the U.S. Fish and Wildlife Service's (FWS), the International Forestry program at the U.S. Forest Service (FS-IF), and on the final 4(d) rule revision on the African elephant. WCS is deeply concerned by the President's budget proposal, which retreats from many of the important investments this subcommittee has made in domestic and international conservation under the Chairwoman's leadership. We strongly urge you to maintain funding for these programs at fiscal year 2017 levels.

WCS was founded with the help of Theodore Roosevelt in 1895 with the mission of saving wildlife and wild places worldwide. Today, WCS manages the largest network of urban wildlife parks in the United States led by our flagship, the Bronx Zoo. Globally, our goal is to conserve the world's largest wild places in 16 priority regions, home to more than 50 percent of the world's biodiversity. We manage more than 200 million acres of protected lands around the world, employing more than 4,000 staff including 200 Ph.D. scientists and 100 veterinarians.

The American conservation tradition is based on promoting sustainable use of our natural resources in order to preserve the world's species and environment for future generations. In recognition of the current fiscal constraints, it is important to note that effective natural resources management and conservation has indirect eco-

conomic benefits, including contributing to local economies through tourism and other means. Internationally, by supporting conservation, the US is increasing capacity and governance in developing nations and improving our own national security as a result.

FWS—Multinational Species Conservation Fund—\$11.1 Million: Global priority species, such as tigers, rhinos, African and Asian elephants, great apes, and marine turtles, face constant danger from poaching, habitat loss and other serious concerns. MSCF programs have helped to sustain wildlife populations by controlling poaching, reducing human-wildlife conflict and protecting essential habitat—all while promoting US economic and security interests in far reaching parts of the world. These programs are highly efficient, granting them an outsized impact because they consistently leverage two to four times as much in matching funds.

WCS has had great success on projects using funds from the MSCF. One grant awarded to WCS in fiscal year 2016 through the African Elephant Conservation Fund will provide initial funding for rugged technology and training and equipping park rangers in Yankari Game Reserve to defend one of the last populations of elephants in Nigeria. WCS is grateful that the Committee appropriated \$11.1 million for the program in fiscal year 2017 and support an appropriation of the same amount in fiscal year 2018.

FWS—International Affairs—\$15.8 Million: The FWS International Affairs (IA) program supports efforts to conserve our planet's rich wildlife diversity by protecting habitat and species, combating illegal wildlife trade, and building capacity for landscape-level wildlife conservation. The program provides oversight of domestic laws and international treaties that promote the long-term conservation of plant and animal species by ensuring that international trade and other activities do not threaten their survival in the wild. Within IA, the Wildlife Without Borders program seeks to address grassroots wildlife conservation problems from a broad, landscape perspective, building regional expertise and capacity while strengthening local institutions. WCS asks that the subcommittee maintains support for \$15.8 million, equal to the fiscal year 2017 appropriation.

FWS—Office of Law Enforcement—\$75.1 Million: The US remains one of the world's largest markets for wildlife and wildlife products, both legal and illegal. A small group of dedicated officers at the OLE are tasked with protecting fish, wildlife, and plant resources by investigating wildlife crimes—including commercial exploitation, habitat destruction, and industrial hazards—and monitoring the Nation's wildlife trade to intercept smuggling and facilitate legal commerce. Many of the new responsibilities placed on the FWS by the National Strategy to Combat Wildlife Trafficking are enforced by the OLE, and WCS supports continuing to fund the agency at \$75.1 million. Additional funding for the program will support their efforts to maximize the scope and effectiveness of FWS' response to the international wildlife trafficking crisis by strengthening forensic capabilities and expanding the capacity of their Special Investigations Unit. It will also ensure OLE has an adequate number of law enforcement agents deployed to enforce laws against wildlife trafficking in the U.S. effectively and allow the agency to continue to support coordinated law enforcement actions against wildlife trafficking overseas through the deployment of FWS attachés in targeted U.S. embassies.

FWS—Cooperative Landscape Conservation—\$13 Million: Many of the domestic conservation programs in this bill provide funding to States to implement their conservation goals. But wildlife does not recognize political boundaries, and scarce conservation dollars can best be spent when effective planning and coordination takes place across entire ecosystems. The CLCP funds a network of 22 Landscape Conservation Cooperatives in the US and Canada, which use a collaborative approach between Federal, State, Tribal and local partners to identify landscape scale conservation solutions and work collaboratively to meet unfilled conservation needs, develop decision support tools, share data and knowledge, and facilitate and foster conservation partnerships. Funding will support landscape planning and design that will improve the condition of wildlife habitat and improve resilience of U.S. communities. WCS encourages the Committee to appropriate \$13 million for this program.

USFS—International Forestry—\$8 Million: The US economy has lost approximately \$1 billion per year and over 200,000 jobs due to illegal logging, which is responsible for 15–30 percent of all timber by volume. The FS-IF program works to level the playing field by reducing illegal logging and improving the sustainability and legality of timber management overseas, translating to less underpriced timber undercutting US producers. Through partnerships with USAID and the Department of State, FSIP helps to improve the resource management in countries of strategic importance to US security.

With technical and financial support from FS-IP, WCS has been working to conserve a biologically rich temperate forest zone called the Primorye in the Russian

Far East. The region hosts over a hundred endangered species as well as numerous threatened species, including the Far Eastern leopard and Amur tiger. FS-IP works with us to exchange information and methodologies with Russian scientists, managers, and students on a variety of wildlife-related topics to support conservation and capacity building efforts and ensure the sustainable management of forests and wildlife habitat. WCS supports an appropriation of \$8 million for fiscal year 2018, equal to the amount appropriated the last several fiscal years.

No Harmful Rider on Ivory: On the ground in Africa and elsewhere, WCS scientists are seeing, first-hand, the devastating impact poaching is having on elephants, rhinos, tigers, and other iconic species. A study published by WCS found that in 2012 alone, 35,000 African elephants were killed for their ivory—that is an average of 96 elephants per day or one killed every 15 minutes. This finding is supported by a subsequent study which also found that 100,000 elephants were poached between 2011 and 2013. Both studies show that conditions are dire for the subspecies of African forest elephants, which has declined by about two-thirds in a little more than a decade. Continued poaching at these rates may mean the extinction of forest elephants in the wild within the next 10 years and the potential loss of all African elephant species in the wild in our lifetimes. Action must be taken now to prevent this catastrophe from occurring.

There is broad consensus that the stunning increase in poaching is due to one factor—the illegal sale of poached ivory in commercial markets around the world. The illegal trade in elephant ivory and other products, like rhino horns and tiger skins, is worth at least an estimated \$8 to \$10 billion annually, and because of the lucrative nature of this industry, evidence is showing increasingly that transnational criminal organizations and terrorist groups that are involved in other major trafficking operations—drugs, humans and weapons—are engaged in wildlife trafficking as well.

There is no question that China is the largest market for illegal ivory. However, the United States is also one of the larger destinations, both for domestic consumption and as a transshipment hub for Asia. As part of Operation Crash, the US Fish and Wildlife Service and Department of Justice have successfully arrested criminals and prosecuted cases in several States over the last few years involving millions of dollars of illegal ivory and rhino horn. These busts, although few in number, are strong evidence that there is a domestic problem with illegal ivory, all of which is smuggled in from overseas and which frequently crosses State lines, placing it firmly under Federal jurisdiction.

In 2016, the FWS began enforcing a rule to close loopholes in the existing ban on commercial ivory sales that have allowed illegal ivory to be sold in the U.S. for decades. The rule requires sellers to demonstrate that ivory items qualify for an exemption from the law so consumers may be assured they are purchasing a legal product. It also tightens the existing, Congressionally-mandated ban on the import of most ivory, with some narrow exceptions, including ones for sport-hunted trophies and musicians travelling with instruments that contain ivory. The rule continues to allow the domestic sale of items such as bona fide antiques and, to accommodate the concerns voiced by many stakeholders, also allows the sale of items like firearms, knives, instruments and artworks that contain only a small amount of ivory. It is also important to note that nothing in the rule makes the possession of ivory illegal, and that States maintain the right to regulate commercial sales occurring entirely within their borders.

Past Interior bills in the House contained a provision that would have blocked FWS from proceeding on this rule, forcing the continuation of a system that we know does not work and has been a contributing factor in the poaching of 100,000 elephants over the past 3 years. WCS is grateful that the Senate has not included a similar provision in its corresponding bills. Given that there have been few complaints from any parties in the rule's first year of implementation, WCS encourages the subcommittee not to include the same or a similar rider in the fiscal year 2018 bill.

We appreciate the opportunity to share WCS's perspectives and make a case for increased investment in conservation in the fiscal year 2018 Interior, the Environment and Related Agencies Appropriations Act. Conservation of public lands is an American tradition and, as far back as 1909, Theodore Roosevelt recognized that the management of our natural resources requires coordination between all nations. Continued investment in conservation will reaffirm our global position as a conservation leader, while improving our national security and building capacity and good governance in developing countries.

PREPARED STATEMENT OF THE WILDLIFE SOCIETY

The Wildlife Society (TWS) appreciates the opportunity to provide testimony concerning the fiscal year 2018 budgets for the U.S. Fish and Wildlife Service (FWS), Bureau of Land Management (BLM), U.S. Geological Survey (USGS), and U.S. Forest Service (USFS). Founded in 1937, TWS inspires, empowers, and enables wildlife professionals to sustain wildlife populations and their habitat through science-based management and conservation. Appropriations for the following programs within the jurisdiction of the Subcommittee on Interior, Environment, and Related Agencies will affect the current and future status of wildlife and wildlife professionals in North America. To empower and enable the appropriate use of science within these programs and beyond, TWS respectfully requests the following programmatic funding in fiscal year 2018.

FISCAL YEAR 2018 INTERIOR APPROPRIATION REQUESTS—THE WILDLIFE SOCIETY

Agency	Program	Fiscal year 2017 enacted	Fiscal year 2018 TWS
FWS	State & Tribal Wildlife Grants	63M	70M
	National Wildlife Refuge System	484M	586M
	Ecological Services	240M	253M
	NAWCA	38M	38M
	NMBCA	4M	6.5M
	Partners for Fish and Wildlife	52M	54M
	Migratory Bird Management	48M	50M
	Migratory Bird Joint Ventures	13M	19M
BLM	Wildlife & Fisheries Management	103M	121M
	T&E Species Management	22M	48M
	Wild Horse & Burro Management	81M	81M*
USGS	Ecosystems Mission Area	160M	174M
	Cooperative Research Units	17M	22M
USFS	Wildlife and Fisheries Habitat	140M	140M
	Forest and Rangelands Research	289M	303M

* BLM Wild Horse & Burro Management funding request accompanies request to remove an associated policy rider.

NOTE: In addition to these fiscal year 2018 requests, TWS urges Congress to ensure the independent science-advising role of Federal advisory committees is protected during the administration's recent actions to suspend and review these bodies.

U.S. FISH AND WILDLIFE SERVICE

The State and Tribal Wildlife Grants Program (STWG) is the Nation's only program that directly supports development and implementation of State Wildlife Action Plans (SWAPs), thereby assisting States in preventing classification of more wildlife as threatened or endangered. Collectively, STWG funds support strong partnerships between Federal, State, Tribal, private, and nonprofit entities that enable wildlife professionals to implement on-the-ground conservation activities that benefit over 12,000 at-risk species. Between fiscal year 2002 and fiscal year 2010, appropriations for STWG were greater than \$70 million per year. Subsequent budget reductions in STWG, however, have not allowed this highly successful program to make adequate progress. TWS requests Congress empower the front lines of conservation with at least \$70 million for STWG.

As a member of the Cooperative Alliance for Refuge Enhancement (CARE), TWS requests at least \$586 million for the National Wildlife Refuge System's operations and maintenance accounts in fiscal year 2018. CARE estimates that the Refuge System needs at least \$900 million in annual operations and maintenance funding to properly administer its 566 refuge units, 38 wetland management districts, and 5 marine national monuments spanning over 850 million acres of land and water. Without adequate funding, habitat restoration is limited, invasive species are left unchecked, poaching and other illegal activities occur, and our Nation's wildlife heritage declines. Furthermore, the Refuge System generates approximately \$4.87 in economic activity for every \$1 appropriated by Congress. By providing \$586 million in fiscal year 2018, Congress will bring us much closer to achieving the necessary \$900 million by fiscal year 2021.

The North American Wetlands Conservation Act is a cooperative, non-regulatory, incentive-based program that has shown unprecedented success in maintaining and restoring wetlands, waterfowl, and other migratory bird populations. This program, however, has remained drastically underfunded despite its demonstrated effective-

ness. We greatly appreciate the \$3 million increase in fiscal year 2017 and ask that Congress again provide at least \$38 million for NAWCA in fiscal year 2018.

Since 2002, the Neotropical Migratory Bird Conservation Act (NMBCA) has provided more than \$58.5 million in grants to support 510 projects in 36 countries that enable wildlife professionals to conserve 386 bird species on 4.2 million acres of habitats in the United States, Mexico, Central America, South America, and the Caribbean. Moreover, NMBCA has achieved a partner match ratio of nearly 4:1 despite requiring only a 3:1 match. TWS recommends Congress increase funding to at least \$6.5 million in fiscal year 2018 to achieve greater conservation results under the program.

Through the Ecological Services Program, FWS works with diverse public and private partners to help identify species facing extinction and reduce threats to their populations so that the requirement of Federal protection can be removed. Wildlife professionals in FWS are working on new strategies to increase the efficiency and effectiveness of the Ecological Services Program and reduce regulatory burdens on private partners. To support these actions—and the increased emphasis on consultation and recovery—we recommend Congress provide at least \$106 million for Planning and Consultation, \$35 million for Conservation and Restoration, \$23 million for Listing, and \$89 million for Recovery in fiscal year 2018.

TWS regularly expresses the importance of wildlife habitat on a mosaic of public and private lands. The Partners for Fish and Wildlife Program (PFW) allows voluntary habitat restoration goals on private lands to be achieved through cost-efficient financial and technical assistance from wildlife professionals in FWS. For the role this program plays in improving private lands wildlife stewardship while working to preempt ESA listings through projects like the Monarch Butterfly Conservation Initiative, TWS requests at least \$54 million for PFW in fiscal year 2018.

The Migratory Bird Joint Ventures, part of FWS' Migratory Bird Management program, are locally-directed partnerships that develop and implement science-based habitat conservation strategies for all species of birds across North America. These partnerships have leveraged Federal funds at 32:1 to enhance and protect over 26 million acres of habitats. TWS supports \$50 million for Migratory Bird Management, including \$19 million for Joint Ventures.

BUREAU OF LAND MANAGEMENT

The Wildlife and Fisheries Management (WFM) program maintains and restores fish, wildlife, and their habitats across a large portion of America's western landscapes. This includes projects to mitigate the effects of public land use on wildlife species and their habitat. With the anticipated expansion of energy development on BLM lands—and the associated mitigation challenges—we recommend that Congress support WFM professionals with at least \$121 million in fiscal year 2018. We also appreciate the increase of \$9 million in directed funds for greater sage-grouse conservation in fiscal year 2017 and request continuation of this funding in fiscal year 2018.

The Threatened and Endangered Species Management Program (TESM) allows wildlife professionals at BLM to meet the agency's responsibilities in recovering the over 420 ESA listed species that occur on BLM managed lands. In a March 2001 Report to Congress, BLM called for a doubling of the TESM budget to \$48 million over 5 years to meet the needs of the program. Now, over 15 years later, this goal has yet to be met. In light of this, we strongly encourage Congress to increase overall funding for TESM to \$48 million in fiscal year 2018.

TWS, co-chair of the National Horse and Burro Rangeland Management Coalition, recognizes horses and burros in the U.S. as ecologically invasive, feral species. Horse and burro populations on the range reached >72,000 individuals in March 2017, exceeding BLM's estimated threshold for ecological sustainability by >45,000 animals. In fiscal year 2018 the on-range population is expected to grow beyond 85,000 animals. To achieve ecologically sustainable levels of horses and burros on BLM rangelands without substantial budget increases the current appropriations language limiting the sale and/or destruction of unwanted or unadoptable wild horses and burros must be removed from the Interior Appropriations bill. We support the President's fiscal year 2018 request to remove this language as a way to increase program flexibility and enable effective implementation of the Wild Free-Roaming Horses and Burros Act, as amended. Until Congress enables BLM to responsibly manage wild horses and burros by removing this text from the appropriations bill, Federal funds will continue to be wasted warehousing nearly 50,000 animals, rather than spent on productive rangeland management activities. Congress must enable effective management of wild horses and burros and our Nation's rangelands by empowering BLM to remove excess horses and burros from the range at a meaningful rate and

focus resources on rangeland habitat restoration. Removal of this appropriations rider, as requested by the administration, will allow this program's budget to eventually be reduced, and put Federal funds toward more effective rangeland and wildlife management activities. TWS recommends a flat budget of \$81 million for Wild Horse and Burro Management and the removal of the appropriations language. We also request Congress direct BLM to increase gather and removal of animals from the range to meet ecologically sustainable populations.

U.S. GEOLOGICAL SURVEY

As a member of the USGS Coalition, TWS supports the critical and unique mission of USGS to provide the country with objective scientific research and data collection on the complex environmental issues facing our Nation. TWS specifically requests at least \$174 million for the Ecosystems Mission Area, which contains programmatic resources for fisheries, wildlife, environments, invasive species, and Cooperative Research Units (CRU).

Within the Ecosystems Mission Area, we support at least \$22 million for the CRU program. CRUs foster Federal, State, non-governmental organizations, and academic partnerships to provide actionable science tailored to the needs of wildlife managers on the front lines, and helps develop the next generation of wildlife professionals. These partnerships leverage more than three dollars in outside funds for every Federal dollar invested into the program. An increase in funding would allow CRUs to continue to leverage outside sources and fill critical vacancies within their program to serve State cooperator interests across the U.S.

Climate Sciences Centers (CSC), a DOI program administered by the Climate and Land Use Change Mission Area, work with cooperators throughout their 8 regions to provide actionable climate science research. Following a similar model as CRUs, CSCs carry out dual roles by providing usable climate science research while also training the next generation of natural sciences professionals at host universities. These university partnerships have provided more than \$8.2 million in leveraged funds to CSCs since the program's inception 7 years ago.

U.S. FOREST SERVICE

The traditional 10-year moving average for forecasting fire suppression costs for the upcoming fiscal year have not met USFS suppression needs since fiscal year 2002. This results in funding transfers and shortfalls that negatively affect the ability of staff at USFS to implement proactive forest research and management projects. DOI and USFS need a long-term fire funding solution that will result in stable and predictable budgets. As a result, TWS supports bipartisan congressional efforts to address Federal fire funding challenges, minimize fund transfers, and address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that will restore forests to healthier more resilient conditions.

Improving the future health and sustainability of the Nation's forests and grasslands requires a strong investment in USFS Research and Development (R&D). Through long-term monitoring and collaborative research efforts with States and other partners, USFS R&D generates broad environmental and societal benefits, including an understanding of wildlife-habitat relationships for multiple species and communities that enables informed land management decisions. TWS encourages Congress to increase funding for all Forest Service R&D to a minimum of \$303 million in fiscal year 2018, including at least \$220 million directed to Forest and Rangeland Research program areas exclusive of Forest Inventory and Analysis. Furthermore, TWS appreciates the \$140 million Congress provided for the applied Wildlife and Fisheries Habitat Management program in fiscal year 2017 and we encourage Congress to continue—and consider increasing—this funding in fiscal year 2018.

[This statement was submitted by Bruce Thompson, President, The Wildlife Society.]

PREPARED STATEMENT OF THE YAKUTAT TLINGIT TRIBE

The requests of the Yakutat Tlingit Tribe (hereinafter "YTT" or "Tribe") for the fiscal year 2018 Indian Health Service and Environmental Protection Agency appropriations are as follows:

- Continue funding for the IHS Joint Venture Program and ensure that funds for staffing packages for completed programs is made available in a timely manner.
- Fully Fund Contract Support Costs.

- Increase the IHS services appropriation for Purchased/Referred Care and the IHS facilities appropriation for Maintenance and Improvement funding for healthcare facilities.
- Permanently reauthorize the Special Diabetes Program for Indians.
- Support the Environmental Protection Agency's Indian Environmental General Assistance Program, which is needed for building capacity and administering Tribal environmental programs that directly affect human health.

The Yakutat Tlingit Tribe is a federally recognized Indian Tribe located on the eastern shores of the Gulf of Alaska in the City and Borough of Yakutat, Alaska. It is only accessible by air or boat, is 225 miles northwest of Juneau and 220 miles southeast of Cordova, Alaska. Due to the geographic isolation, it is imperative that the Tribe offer high quality services on site in Yakutat. We thus provide a substantial and growing array of community healthcare services and counseling and prevention services at the Yakutat Community Health Center (YCHC), through funding from the IHS as a co-signer to the Alaska Tribal Health Compact under the Indian Self-Determination and Education Assistance Act, through a community health center grant from the Health Resources and Services Administration, State of Alaska awards, and third-party collections. While the City and Borough of Yakutat operates a volunteer Emergency Medical Services squad, the YCHC is the only provider of healthcare in the community. The Yakutat Borough is in a Medically Underserved Area and is designated as a Health Professional Shortage Area for medical, dental and mental health.

FUNDING THE IHS JOINT VENTURE PROGRAM

Under Section 818(e) of the Indian Health Care Improvement Act, the IHS is authorized to establish a Joint Venture Construction Program for projects in which Tribes and Tribal organizations construct, acquire or renovate a Tribal healthcare facility, and the IHS commits to funding the initial equipment and a staffing package for operation and maintenance of the new facility. The program is competitive, and priority is given to Tribes and Tribal organizations who agree to also fund the equipment portion of the project. Proposals are also evaluated on the need for space at the specific location, among other criteria.

The Yakutat Tlingit Tribe was selected from a competitive pool of Tribes and Tribal organizations to participate in the IHS Joint Venture program, through which the Tribe commits to building a new healthcare facility and providing equipment funding, and IHS commits to providing recurring funding for staffing on completion of the construction project. The Tribe will be constructing a new healthcare facility in Yakutat, Alaska on land owned by the Tribe. The facility is expected to encompass just over 11,000 building gross square feet. The new facility will provide improved and increased health service delivery in our remote area, so that the Tribe can expand primary care services and dental care, as well as make space available for visiting specialty providers, health aides, preventive care, behavioral health, and the Tribe's administration staff.

The Tribe believes that it is critically important for Congress to continue to commit to funding staffing packages and equipment related to the IHS joint venture program. Tribes like YTT must commit far in advance to construction costs and are reliant on the funding for staffing being available to them as quickly as possible on completion of the project (or even as the project is being finished). It can otherwise be impossible to plan for and operate a new healthcare facility without the security of knowing that the funding for staffing will be made available in a timely manner, to allow for the advertisement for and selection of healthcare professionals and other staff, and to allow time for people to relocate to Yakutat and begin their work.

The Tribe thus asks this subcommittee to support the continued funding for the IHS Joint Venture Program and ensure that Joint Venture participants received their staffing funds timely.

FULLY FUND CONTRACT SUPPORT COSTS (CSC)

The YTT wishes to thank Congress for fully funding CSC in fiscal years 2016 and 2017, and for making it an indefinite amount that is in a separate account in both the IHS and BIA budgets. For IHS, we understand the fiscal year 2017 estimate for CSC is \$800 million, and for the BIA it is \$278 million. This funding helps us to meet our own responsibilities under the Indian Self-Determination and Education Assistance Act (ISDEAA), and significantly enhances the Federal-Tribal government-to-government relationship. We also wish to thank the subcommittee for listening to Tribal comments about how the bill proviso in the fiscal year 2016 enacted bill effectively denied the CSC carryover authority authorized by the ISDEAA, and

appreciate that the proviso was absent from the Consolidated Appropriations Act for fiscal year 2017.

We ask this subcommittee to support the continued full funding of CSC in fiscal year 2018. However, our long-term goal is to ensure the indefinite appropriation of CSC funding—that it be made mandatory and permanent. Under the ISDEAA, the full payment of CSC is not discretionary, but is a legal obligation that has been affirmed by the United States Supreme Court.

INCREASE IHS SERVICES AND FACILITIES FUNDING

We ask that the subcommittee support an increase in funding for the IHS's Purchased/Referred Care (PRC) program. The Indian health system relies heavily on PRC funding to pay for specialty or emergency healthcare from outside providers. This is especially true in Alaska, given the remote locations and the distance required whenever a patient has to travel vast distances to receive care in a facility in Anchorage, for example, to address an emergency or see a specialist. While there have been increases in funding that IHS receives for PRC is not at all keeping up with the medical rate of inflation, and thus PRC funding has to be stretched further and further to provide needed care to patients.

We also request your support for an increase in the IHS's maintenance and improvement funding (M&I) for healthcare facilities, a need the Tribal Budget Formulation Workgroup deems "critical." The current IHS estimate of the backlog of essential maintenance, alternation and repair is \$473 million. M&I funding is important to federally-owned and tribally-owned buildings used to provide healthcare services, for functions such as routine maintenance, such as emergency repairs, preventive maintenance activities, and maintenance supplies and materials; environmental compliance; and improvements, such as those needed for new patient care equipment or new treatment methodologies. This funding thus greatly supports and enhances the delivery of healthcare and preventive services.

The Yakutat Tlingit Tribe doesn't qualify for M&I funding today as we do not currently own our facility we are currently in. However in fiscal year 2019, when our new clinic is open for business, we will get a line item budget from the YTT JVCP and we will receive funding for: Maintenance & Improvement (M&I), Facility Support Account (FSA), and Biomedical Equipment. It is a huge undertaking to build our own building but will need M&I funding to properly maintain the building.

SPECIAL DIABETES PROGRAM FOR INDIANS

The Special Diabetes Program for Indians (SDPI) provides crucial funding for diabetes treatment and prevention programs for Alaska Natives and American Indians, among whom diabetes continues to be an epidemic. For YTT, we have seen significant outcomes in terms of dramatically increased access to treatment and prevention services. The SDPI has been funded at \$150 million for many years, but often-times it is very close to expiring before it is reauthorized for an extended period of time. It is set to expire again on September 30, 2017.

We join with others in Indian Country in recommending the permanent reauthorization and increased funding for the SDPI program. A permanent reauthorization with annual funding of \$200 million would provide stability for our diabetes programs, which will greatly help us to plan the programs and to recruit and retain personnel. While we understand the SDPI reauthorization bill is not under purview of this subcommittee, the SDPI definitely affects the healthcare services we provide and for which this subcommittee appropriates funding. We request and would appreciate any assistance the subcommittee members could provide with your colleagues on this issue.

Additionally, as a co-signer to the Alaska Tribal Health Compact (ATHC), we request an amendment to the SDPI that would simplify the process for us to receive our diabetes funding. The current process requires that the co-signers receive SDPI awards via the DHHS grants office and then follow Secretarial regulations before the funds are added to our ISDEAA funding agreements. The grant applications, monitoring and reporting requirements are not only burdensome, but also inefficient. Tribal programs should be authorized to administer SDPI funds as part of their ISDEAA funding agreements and have their funds added directly to their funding agreements without having to go through a grants process. The ATHC's letter and paper dated April 27, 2017, which was sent to the Congressional Diabetes Caucus Co-Chairs DeGette and Reed, provide more detail on our request.

USAC

We bring to your attention a potentially devastating development and that is the proposal by the FCC to pro-rate by 7.5 percent the subsidies for Internet service.

We currently have a subsidy from USAC that pays for our Internet so we can connect thru satellite. It is at \$20k a month. Our portion is \$500 after the subsidy. If we don't have that it will sink us. There is no way we can afford an additional \$19,500 per month for connectivity. This will affect not only us but all Tribal health organizations in the State. Connectivity is the lifeline for the provision of health services in Alaska. This is obviously a case to be made to the FCC, but we would want this subcommittee and others to be aware of this issue.

SUPPORT FUNDING THE ENVIRONMENTAL PROTECTION AGENCY IGAP

Any cuts that may be made to EPA program funding will have real-world human costs. For example, the EPA's Indian Environmental General Assistance Program (IGAP) funding helps Tribes to build capacity to administer Tribal environmental protection programs that relate directly to human healthcare and safety. The IGAP include a focus on solid waste management, such as solid waste planning, solid waste/recycling collection and disposal services, as well as hazardous waste management. The program also allows us to address other environmental issues, such as water quality monitoring, recycling programs, and renewable energy, to name a few. Having these resources is essential for Tribes to be able to address long-standing environmental and human health challenges, and to recruit and retain professionals to develop and carry out our environmental regulatory programs, which can be very difficult in a remote area like Yakutat. Yakutat has been receiving their IGAP funds since fiscal year 1998. The funding has allowed for thorough assessments to be completed. Along with remediation of WWII clean up. Has provided for Wetland protection. Yakutat is resource rich with the Situk River that has all species of Salmon and Steelhead that run. This funding has allowed for baseline water quality monitoring for the forelands to begin. Our concerns are what is coming from up the River down to our foreland in Canada and Alsek. More studies need to be completed in this area. Yakutat truly needs a Science Center to study all that is happening at our doorstep.

The Tribe is greatly concerned about the current administration's proposals to cut EPA funding. If EPA Tribal programs are not funded, that could result in catastrophic harm to the Tribe and its ability to address environmental concerns, and to the health and well-being of our Tribal members. President's Trump's preliminary budget proposal (the "skinny" budget) proposes specifically to eliminate EPA's infrastructure assistance program for Alaska Native Villages. We are facing many vulnerabilities due to the changing climate in Alaska, including rising sea levels and degradation of our lands and food sources. Global warming has produced havoc in all issues. It has brought invasive plant species that choke out the native plants that Yakutat citizens rely on for Subsistence foods. Moreover, the area in which Yakutat is located is pristine and needs to be protected. The Tribe thus requests that the subcommittee support continued and increased funding for the EPA IGAP program and that it give full and open consideration to the human impacts that any reduction in the EPA budget may cause.

Thank you for your consideration of the concerns and requests of the Yakutat Tlingit Tribe.

[This statement was submitted by Victoria Demmert, President.]

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