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**THE PRESIDENT'S BUDGET REQUEST FOR
THE U.S. DEPARTMENT OF THE INTERIOR
FOR FISCAL YEAR 2022**

HEARING
BEFORE THE
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE
ONE HUNDRED SEVENTEENTH CONGRESS
FIRST SESSION

JULY 27, 2021



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TUESDAY, JULY 27, 2021

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

The Committee met, pursuant to notice, at 10:05 a.m. in Room SD-366, Dirksen Senate Office Building, Hon. Joe Manchin III, Chairman of the Committee, presiding.

OPENING STATEMENT OF HON. JOE MANCHIN III, U.S. SENATOR FROM WEST VIRGINIA

The CHAIRMAN. We convene this morning to review the President's proposed budget for the Department of the Interior. Secretary Haaland, it is a pleasure to welcome you back for your first budget hearing before the Committee as Secretary of the Interior.

The Interior Department has dual and sometimes conflicting responsibilities. On one hand, the Department is responsible for managing and protecting our national parks, wildlife refuges, the public lands, and providing for outdoor recreation, which has become increasingly important. At the same time, the Department is responsible for managing public lands and offshore resources to responsibly develop the energy and mineral resources that we need to maintain our energy independence. It is with that dual mission in mind that we should be reviewing priorities contained in this budget request.

At a high level, the President has requested \$17.6 billion in appropriations for the Interior Department in Fiscal Year 2022. That represents an increase of \$2.5 billion—or 17 percent—over the current enacted level, and a sharp contrast to the 16 percent cut proposed last year by the previous Administration.

The budget includes new mandatory funding provided by the Great American Outdoors Act, which was signed into law last year. That law is providing the Department with much-needed funding over five years to address high-priority deferred maintenance projects, as well as permanent funding for the Land and Water Conservation Fund (LWCF) at its fully authorized level.

The Great American Outdoors Act was enacted with broad bipartisan support, and I think it is important that the funding process be equitable and transparent. I appreciate that the Administration has provided Congress with lists of its proposed maintenance and LWCF and deferred maintenance projects. I hope that we can use

this hearing to get a better understanding of how the Department is prioritizing funding.

I expect that there will be much discussion this morning on the Department's policies and proposals concerning energy development on federal lands and waters. In January, President Biden issued an Executive Order pausing new oil and gas lease sales on federal lands and waters to allow time for a comprehensive review of the program. While I have supported the Administration's desire to pause lease sales to make sure the American people are getting fair returns for our shared resources, we are now well into the early summer timeline when we were told the review would be completed.

I also understand that a federal judge has issued an injunction against the Administration's pause, although I expect that decision will be appealed. In any event, we need a plan to move forward with responsible oil and gas leasing, both onshore and offshore, to maintain our energy independence. I look forward to discussing this in further detail with Secretary Haaland later in the hearing.

I will turn now to a constituency that is near and dear to my home state. Coal miners have made tremendous sacrifices and have done the heavy lifting that powered our nation to greatness. The country has benefited from the work that the scars of abandoned mine lands left in those communities, and it is imperative that we give back to coal communities for the sacrifices they made for our nation. So I was pleased to see that the President's budget called for a \$50 million increase for the Abandoned Mine Land Economic Revitalization, or AMLER, grant program, which helps to eliminate health and safety hazards and reclaim areas for future economic benefit in places like West Virginia, Pennsylvania, and Kentucky, which were the heart of the coal country. I look forward to continuing to work with you to ensure all outstanding mine land Reclamation needs—including post-1977 areas governed under title V of the Surface Mining Control and Reclamation Act, which we refer to as SMCRA—are adequately addressed.

Finally, I would like to make a note about departmental nominations. I am pleased that the Senate confirmed Tommy Beaudreau as your Deputy earlier this summer. But I am disappointed that we have yet to receive a nomination for a Director of the National Park Service. National parks, including the newest national park, New River Gorge, are seeing record visitations this summer as the nation reopens. The National Park Service has significant funding decisions to make in implementing the Great American Outdoors Act. Yet the Park Service has been without a confirmed Director since the end of the Obama Administration. I urge the President to send us a nomination so we can get this position filled as quickly as possible.

Now I will turn to my friend, Senator John Barrasso, for his opening statement.

**OPENING STATEMENT OF HON. JOHN BARRASSO,
U.S. SENATOR FROM WYOMING**

Senator BARRASSO. Well, thanks very much, Mr. Chairman. Before I start my statement, I would like to extend an invitation to Secretary Haaland. Madam Secretary, this past weekend Governor

Gordon and I were in Wyoming and we were discussing the tragedy of missing and murdered indigenous people. As you know, it is a serious issue facing members of the Northern Arapaho and the Eastern Shoshone tribes on and outside the Wind River Reservation and it is something we are dealing with in Wyoming. I know you are deeply concerned and care about this issue and I just would like to invite you to come to Wyoming, with the Governor, with me, to get your valuable insights. Thank you, Madam Secretary.

Thank you, Mr. Chairman, because I think it is very timely that Secretary Haaland is here today to testify on the President's Fiscal Year 2022 Department of the Interior budget. So welcome.

The West is facing many challenges. Wildfires and drought are threatening our communities. Rural communities, ranching and farming families face a real water crisis this year. The West is where most of our federal lands are located, yet so many of the policies of the Administration seem to be distinctly anti-western.

Last month, a federal court issued a nationwide injunction on President Biden's so-called pause on oil and gas lease sales. Under the court order, the Department is required to hold new oil and gas lease sales. To date, it has not noticed any new oil and gas lease sales and it is past time for the Administration to comply with law and hold new lease sales.

Energy production on public lands is the engine of Wyoming's economy. It creates good-paying jobs, it provides tremendous revenue for the state, for our schools, and for critical services. The Biden Administration seems intent on destroying the livelihoods of oil, natural gas, and coal workers in the West. It is tearing away all the advantages that traditional energy production brings our states, our local communities, and our families. The Department needs to change course and get back to an American energy-dominance agenda—an agenda that creates jobs and provides for energy independence from foreign adversaries.

Much of the West is also facing historic drought. Droughts are contributing to a number of issues, including wildfires. According to the National Interagency Fire Center, wildfires in the West have already consumed around two million acres, and we are early in the fire season.

In addition to drought and extreme temperatures, the lack of proactive forest management has created the perfect storm for catastrophic wildfire events. These fires threaten the safety of our local communities and the safety of our wildland firefighters. We can and should do more to make our public lands less susceptible to such devastation. This can be done, in part, through thinning forested lands.

Drought also highlights how critical water is to all aspects of western communities. We have not been building significant or sufficient water storage for western communities for years. As the West grows, so does our demand for water, yet our water supplies are dwindling. In Wyoming and many parts of the West, that means less water for ranchers and farmers. For communities in the West, the negative economic impact is significant.

The Administration has not prioritized water development in the West. The Bureau of Reclamation is the only Interior Department

agency within this Committee's purview that actually received a cut in the Administration's budget. The Department could help our western ranchers who graze cattle on federal lands by making temporary pasture available and assisting with water storage development.

The Bureau of Reclamation programs to build more water storage are expiring this year. I have introduced legislation—the Western Water Infrastructure Act—to extend these programs. Existing Bureau of Reclamation water storage infrastructure is also crumbling. The Bureau needs to fund the repairs and to modernize these facilities. My legislation addresses these critical issues.

The Biden Administration can and should do more to make America energy independent and maintain and create more jobs in the West. Much more needs to be done to make our public lands more resilient to the threat of wildfires. The Bureau of Reclamation also needs to be a higher priority for this Administration if we are to maintain and grow a viable, rural, western economy.

So I look forward to exploring these and other issues with the Secretary today. Thank you, Madam Secretary. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator. I would like to say also, just a moment of silence for our friend who passed away unexpectedly, Mike Enzi. Thank you all.

[A moment of silence is observed.]

Senator BARRASSO. Thank you, Mr. Chairman, for the nice sentiments for Senator Enzi. He was a friend and colleague to so many of us, and I am going to be going to the floor. If I leave the Committee hearing it is to go to the floor to address, at length, along with Senator Lummis, our love and appreciation of the entire Enzi family and talk about Mike's service to the state and local community and then here in the Senate. Thank you, Mr. Chairman.

The CHAIRMAN. Such a sad, sad situation.

Secretary Haaland is accompanied by Rachael Taylor, a former West Virginian. The Principal Deputy Assistant for Policy, Management, and Budget at the Department, and previously a long-time staff member on the Senate Interior Appropriations Subcommittee. So we welcome both of you, very kindly, to come back and visit with us.

Secretary Haaland, you can proceed with your statement now.

**OPENING STATEMENT OF HON. DEB HAALAND,
SECRETARY, U.S. DEPARTMENT OF THE INTERIOR**

Secretary HAALAND. Chairman, Ranking Member, and members of the Committee, first, let me offer my condolences for your loss. I am very sorry. I read the article this morning and I am just so sorry for your loss.

Chairman, Ranking Member Barrasso, members of the Committee, it is an honor to be here with you today on behalf of the Department of the Interior. It is deeply meaningful to me, as the first Native American Cabinet Secretary, to be here on the ancestral homelands of the Anacostan and Piscataway people, speaking before you.

This Committee plays an important role in the success of the Department of the Interior and our many programs. The work that

Congress has done on a bipartisan basis to support priorities such as the Great American Outdoors Act, wildland fire, and tribal programs, has been integral to the ability of the Interior to meet our mission. It has had profound impacts on the lives of Native Americans and Alaska Natives in communities across our country. In that spirit, I come before you today to present the Fiscal Year 2022 budget and to talk about how we can work together to ensure the Department is ready and to meet this moment.

The 2022 budget reflects the important role Interior will play to accomplish the Administration's goals to move our country forward during this unprecedented time. The President's budget responds by proposing \$17.6 billion in discretionary investments in Interior, as well as legislative proposals to implement the American Jobs Plan. The programs you see reflected in the budget request lift up the President's goals of addressing the climate crisis, providing much-needed resources to tribal nations, restoring balance on public lands and waters, advancing equity and environmental justice, investing in a clean energy future, and creating good-paying jobs.

I will walk through a few high-level details now, and then I look forward to discussing the details with you. First, the budget supports partnership programs that will advance the "America the Beautiful" initiative, our Administration's effort to conserve 30 percent of U.S. lands and waters by 2030, through locally led and voluntary projects. The request also allocates the full, mandatory funding for the Land and Water Conservation Fund, a program I cared deeply about as a Member of Congress, and am thrilled to help direct as Secretary. It includes \$86 million for the Civilian Climate Corps initiative.

All told, the budget includes unprecedented investments to address the climate crisis, including more than \$1.9 billion in new funding toward conservation, clean energy, climate science, and fleet modernization. This includes an increase of \$133 million to accelerate and expand activities that support clean energy deployment across federal lands and waters. It includes more than \$300 million to support fuels management activities, to reduce the risk of wildland fire, funds to help prevent wildfires from taking hold, growing in severity, and threatening communities and resources.

The budget request prioritizes investments in science, including \$200 million in new funds that will help us to understand climate impacts and make better decisions about how to mitigate, adapt, and increase resilience across the landscape and in our communities. It also provides \$300 million to support the President's Reclamation Jobs initiative and cleanup legacy pollution by plugging orphan oil and gas wells and cleaning up abandoned mines.

And it includes major investments for Indian Country. The budget includes \$4.2 billion across all Indian Affairs programs, which is \$728 million above Fiscal Year 2021 levels. This includes a focus on strengthening tribal sovereignty, including a proposal for \$150 million to reestablish the Land Consolidation Program with the Bureau of Indian Affairs.

This request also includes important increases for tribal public safety and justice programs, including \$16.5 million for programs like Interior's Missing and Murdered Unit, that address the missing and murdered indigenous peoples crisis.

And finally, to ensure our nation's legal obligations to tribes are fully met, the budget proposes to shift funding for tribal water settlements, contract support costs, and tribal lease payments to mandatory spending, starting in Fiscal Year 2023.

These are just some of the highlights of this budget request. I look forward to working with the Committee to achieve these important goals. I commit to you that I will continue to honor and respect the role of this Committee, with the confident expectation that working together, we can accomplish great things on behalf of the American people.

This concludes my remarks and I look forward to answering your questions.

[The prepared statement of Secretary Haaland follows:]

**STATEMENT OF DEB HAALAND
SECRETARY
U.S. DEPARTMENT OF THE INTERIOR
BEFORE THE COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE
JULY 27, 2021**

Chairman Manchin, Ranking Member Barrasso, and Members of the Committee, thank you for the opportunity to testify in support of the Interior Department's Fiscal Year 2022 Budget Proposal.

It is an honor and privilege for me to be here with you today as Secretary of the Interior to represent the Department and our tens of thousands of dedicated professionals. It is also deeply meaningful for me, as the first Native American Cabinet Secretary, to speak to you from the ancestral homelands of the Anacostan and Piscataway people.

I respect the important role this Committee plays in the success of the Department and our program, and it is my hope and my goal that we can work successfully on behalf the American people.

Interior's 2022 budget request totals \$17.6 billion, of which \$16.0 billion is within the jurisdiction of this Subcommittee. Our 2022 budget request is a \$2.5 billion or a 17 percent increase from the 2021 enacted appropriation. This budget will help implement the President's ambitious vision to lift up the Nation in this unprecedented time by addressing the climate crisis, providing much-needed resources to Tribal nations, restoring balance on public lands and waters, advancing environmental justice, and investing in a clean energy future.

Interior's wide-ranging programs create economic opportunities and jobs for the American people. As reflected in the Department's Economic Contributions Report for Fiscal Year 2019, Interior's mission activities supported an estimated 1.9 million jobs and \$336 billion in economic output. Interior has an important and unique mission to uphold and honor the Nation's trust

responsibilities and commitments to Native Americans, Alaska Natives, and affiliated island communities to help them prosper.

The 2022 budget lays out the important role Interior will play to accomplish the Administration's goals to move our country forward. This request includes the President's American Jobs Plan, which provides a longer-term strategy to create millions of good-paying union jobs, rebuild our country's infrastructure, and position America to out-compete others on the global stage.

Interior plays an important role in the President's plan to reinvest in the foundations of the Nation's strength. The 2022 budget addresses the need to invest in America at this critical time, when the Nation faces challenges from a pandemic, an economic downturn, climate change, and a reckoning with racial injustice. As such, Interior's 2022 budget invests in America's future. Programs focus on adaptive management and increasing resilience to the changing climate; creating jobs and economic development; using science to inform; strengthening Tribal nations' self-determination; expanding inclusion of historically underrepresented communities; promoting environmental justice; delivering Interior's core services; and providing effective stewardship of America's national treasures.

A key component of the Administration's investment strategy to address climate impacts on the ground through land stewardship and conservation is leveraging the power of Americans across the country. In May the Administration released a preliminary report to the National Climate Task Force—Conserving and Restoring America the Beautiful—recommending a 10-year, locally led campaign to conserve and restore America's lands and waters. The report provides an overarching framework to implement the President's goal to conserve 30 percent of U.S. land and waters by 2030, which will help address the climate crisis and its impacts on nature, improve equitable access to the outdoors, and strengthen the economy. The report recognizes and celebrates the voluntary conservation efforts of farmers, ranchers, and forest owners; the leadership of sovereign Tribal nations in caring for lands, waters, and wildlife; the contributions and stewardship traditions of America's hunters, anglers, and fishing communities; and the vital importance of investing in playgrounds, trails, and open space in park-deprived communities.

The America the Beautiful initiative is intended to serve as a call to action to support locally led conservation and restoration efforts across public, private, State, and Tribal lands and waters. The initiative welcomes all communities wishing to steward their lands and waters, boost the economy, and support jobs. Supporting these principles, the 2022 budget includes increases across Interior to support local partnership programs.

Consistent with Congressional direction, the 2022 President's budget allocates mandatory funding available through the Great American Outdoors Act (GAOA). That funding includes up to \$1.6 billion for deferred maintenance projects in the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), National Park Service (NPS), and the Bureau of Indian Education (BIE).

Thanks to broad bipartisan support of GAOA in 2020, \$900.0 million in mandatory LWCF resources is made available annually for conservation and recreation activities managed by Interior and the U.S. Forest Service. In 2021, Interior is providing \$420.8 million, which includes \$19.0 million from discretionary funds, to States and other partners for local conservation and recreation programs through non-Federal grants and \$280.7 million for Federal programs, including voluntary land acquisition and easement programs in the BLM, FWS, and NPS. In May 2021, Interior awarded \$150.0 million to local communities through the Outdoor Recreation Legacy Partnership grant program. Funded through the LWCF, this competitive program enables urban communities to create and reinvigorate outdoor recreation spaces and connect people and the outdoors in economically underserved communities. The LWCF programs directly support land and resource conservation and increase access to outdoor recreation across America.

In the 2022 budget, Interior proposes to allocate \$700.9 million for LWCF programs, which includes \$19.0 million from discretionary funds. The 2022 budget estimates an additional \$128.3 million will be available for State LWCF grants as a result of revenue derived from certain offshore oil and gas sales in the Gulf of Mexico.

The 2022 budget proposal includes new investments for climate-related investments to conserve and adaptively manage natural resources, increase understanding of how natural resources are changing and what that means, build resilience to protect communities and lands from significant

impacts, and contribute to the reduction of greenhouse gases. The budget proposal also contains funding for wildland fire management, drought mitigation, and science-based investments that will help the Department and communities prepare for and address the aftermath of natural hazard events. These efforts will be supported by investments for science-driven conservation to align management of the Nation's natural resources with America's climate, biodiversity, and clean energy needs.

To address the growing threat of wildfire to public health and community safety, the FY 2022 request includes a robust increase of \$117.8 million in Interior's wildland fire programs. This features an increase of \$107.4 million for hazardous fuels and burned area rehabilitation programs. This funding will support efforts to manage vegetation and reduce the intensity, severity, and negative effects of wildfire, in line with the Administration's science-based approach to risk management and complementing our other efforts to improve land health and resilience to climate change and reduce carbon emissions. This is another challenging wildland fire season due to historic levels of drought in the West, and these important investments in risk reduction continue to be top of mind.

The 2022 budget proposes to rebuild core functions and capacities within Interior that have been diminished in recent years with investments in USGS science and staffing, and the core operations of parks, wildlife refuges and public lands. The investments in Interior's budget request also provide a key opportunity for the Administration and Congress to work together to restore levels of investment in programs at the Department and across government, and to lay a foundation for core programs that improve the life of everyday Americans.

To implement the American Jobs Plan, the 2022 budget includes new investments to create good-paying jobs with a free and fair chance to join a union, rebuild the country's infrastructure, address the climate crisis, and position the United States to out-compete other countries. The proposal includes an increase of \$300.0 million to support efforts to plug orphan oil and gas wells, clean up abandoned mines, and decommission offshore oil and gas infrastructure, which will help create jobs and improve the environmental quality of energy communities by addressing serious safety hazards and risks from associated air, water, or other environmental damage. As part of this proposal, the budget includes \$169.2 million for a new Energy

Community Revitalization Program (ERCP), which will help accelerate this remediation and reclamation work on Interior-managed lands and support work on non-Federal lands through grants to States and Tribes. The new ECRP will include \$75.0 million to address reclamation and restoration within Interior and also provide \$70.0 million for assistance and support to States and \$20.0 million for reclamation on Tribal lands. The program will provide technical assistance and funding to inventory abandoned mines and oil and gas wells and to support reclamation projects.

As part of a White House forum with Federal agencies, States, industry, and labor in March 2021, the Administration announced a commitment by the Departments of the Interior, Energy, and Commerce to increase renewable energy development on Federal waters and set a target to deploy 30 gigawatts (30,000 megawatts) of offshore wind by 2030, creating nearly 80,000 jobs. Work is already underway to meet this ambitious goal. In the first months of the Administration, the Bureau of Ocean Energy Management (BOEM) approved the first major offshore wind project in U.S. waters, the 800 MW Vineyard Wind project, which will create 3,600 jobs and generate enough power for 400,000 homes and businesses. BOEM also issued a lease for the first wave energy research project in Federal waters off the U.S. West coast, identified a new Wind Energy Area in the New York Bight, and announced intent for environmental reviews for projects offshore New Jersey, Rhode Island, and Massachusetts. The budget includes \$249.1 million in funding to increase renewable energy production on public lands and in offshore waters, which will create jobs and help transition the country to a clean energy future. The funding primarily supports infrastructure permitting for onshore and offshore renewable energy projects such as solar, wind, wave and geothermal.

In anticipation of large-scale development of offshore wind energy on the Outer Continental Shelf (OCS), the Bureau of Safety and Environmental Enforcement (BSEE) is preparing to take on new responsibilities with respect to renewable energy workplace and process safety management, environmental protection, and decommissioning and site restoration. BSEE is also assuming safety and environmental enforcement operational functions for Federal OCS offshore renewable energy development. In 2022, the BSEE budget includes \$9.8 million, an increase of \$9.0 million, to establish a core foundational program to support the development of a safe, robust, and environmentally responsible offshore wind industry in the United States. The funding will enable timely and rigorous industry plan reviews, initiate a robust compliance assurance

program, promote science-based renewable energy research, and demonstrate BSEE's commitment and leadership in driving safety performance in the offshore wind industry.

In May 2021, BLM announced final approval of the Crimson Solar Project on BLM lands in Riverside County, CA. The project has the potential to deliver enough energy to power roughly 87,500 homes. The project is located within one of the areas designated for development in the Desert Renewable Energy Conservation Plan, identified through a process of extensive review and coordination. The budget includes \$55.6 million, an increase of \$25.0 million, for onshore clean energy programs managed by BLM. This amount includes \$44.6 million in the Renewable Energy program, an increase of \$14.0 million from the 2021 enacted level, and a program increase of \$11.0 million in the Resource Management Planning program to support renewable energy project siting. This funding will support the permitting and rights-of-way work associated with siting new projects and transmission lines. To ramp up to meet the Administration's renewable energy goals, BLM is reviewing policies and resources, working with other agencies to improve coordination, and reviewing current applications that could be expedited.

The 2022 budget includes an additional \$13.0 million in FWS to accommodate increased permitting reviews associated with clean energy. The 2022 budget also includes an increase of \$7.0 million to support clean energy programs and grid infrastructure in the Insular Areas. In the Bureau of Indian Affairs (BIA), program funding for clean energy deployment programs in Indian Country totals \$66.0 million, an increase of \$50.0 million from the 2021 enacted level.

President Biden has challenged Federal agencies to leverage the purchasing power of Federal procurements to spur the deployment of clean energy technologies and supporting infrastructure and the jobs they create. Interior's fleet includes approximately 30,800 vehicles. The 2022 budget includes \$73.0 million to start transitioning Interior's fleet to zero emission vehicles (ZEVs) as part of a governmentwide initiative. Funding will support either acquiring ZEVs within the owned fleet or transitioning to the General Services Administration's leased fleet, investment in the related charging infrastructure, and planning and integration to effectively support the initiative.

To address abandoned coal mine cleanup, the 2022 budget includes \$165.0 million, an increase of \$50.0 million, for the Abandoned Mine Land and Economic Revitalization (AMLER) program in the Office of Surface Mining Reclamation and Enforcement. The program provides grants to the six Appalachian States with the highest amount of unfunded Priority 1 and Priority 2 Abandoned Mine Lands (AML) sites and the three Tribes with AML programs. Grants are awarded for projects that accelerate the remediation of AML sites and encourage economic and community development.

Science is valued at Interior, and it guides management decisions. Science is a cornerstone of the 2022 budget, with strong investments in science across the Department to better support bureau missions, address climate change on the ground, and invest in tools to monitor, measure, and model solutions to important resource challenges. The 2022 budget includes \$1.3 billion for research and development programs, and these investments in mission-specific science provide a new approach to developing and delivering actionable products and reducing barriers between science production and user application.

USGS is Interior's primary science organization, with a broad portfolio related to the earth and biological sciences. The 2022 budget includes \$1.6 billion for USGS, an increase of \$326.9 million from the 2021 enacted level. The budget for USGS includes an increase of \$205.0 million, to make science the centerpiece of the Biden Administration's commitment to tackling the climate change crisis, and another \$83.0 million increase in other research and development, including support for conservation programs, such as the America the Beautiful initiative. The 2022 investments in USGS science span the range of climate adaptation and land change science, carbon sequestration and greenhouse gas monitoring, critical minerals, mine waste reclamation and reuse, hazards monitoring, and water prediction.

The 2022 USGS budget accelerates the development of tools supporting planning, monitoring, and projection, including the Protected Areas Database of the United States (PAD-US) and the Land Change Monitoring, Assessment, and Projection (LCMAP) initiative. These two tools provide solutions to the growing need for conservation planning and information about the fundamental drivers of land change and the consequences of human-caused and natural changes. Collectively, these investments will accelerate discoveries with the potential to transform

America's understanding of the natural world, launch the next generation of Landsat to study and improve life on Earth, and enable U.S. independence from adversarial nations for industrial materials needed for current technologies.

The 2022 budget includes \$60.0 million in USGS collaborative research with the new Advanced Research Projects Agency for Climate (ARPA-C) within the Department of Energy. This high-risk, accelerated research can achieve transformational advancement in climate adaptation and resilience in areas in which industry by itself is not likely to invest due to technical and financial uncertainty. The investment will focus on work in five areas critically important to Interior's mission and to tackling the climate crisis: planning tools to support habitat health and biodiversity, models for drought prediction, predictive tools for wildfire and post-wildfire risk management, coastal change and vulnerability forecasts for planning and disaster response and recovery, and models to assess the potential and risks for geologic storage of hydrogen created using renewable energy.

The Civilian Climate Corps (CCC) is an important jobs initiative that draws on America's strength to work together and build back better to revitalize public lands, infrastructure, and communities—and, in doing so, create jobs. The idea builds from the Civilian Conservation Corps, which put hundreds of thousands of young people to work on public and private lands, providing them with jobs and training to tackle the crises of the Dust Bowl and the Great Depression. The President calls for a broad CCC initiative in the American Jobs Plan, which stretches across Federal agencies and non-Federal partners throughout the country. Complementing this broader effort, Interior's discretionary 2022 budget includes \$85.5 million for CCC work on Interior's lands. In 2022, the CCC program will build upon existing programs and partnerships that share the same objectives—to tackle climate change on the ground, provide a living wage, provide skills and a pathway to employment, and reflect the diversity of America.

The Biden-Harris Administration made its commitment to Tribal nations clear from the start, emphasizing the need to strengthen and respect the government-to-government relationship with Tribes. Underscoring that focus on Indian Country, the 2022 budget proposal includes \$4.2 billion, an increase of \$727.8 million from the 2021 enacted level, across all Indian Affairs programs. The budget invests in core Indian Affairs programs and addresses outstanding gaps in

areas such as environmental quality and ensuring Tribal communities are part of the national priorities to address climate change and move toward clean energy.

The 2022 budget includes \$2.7 billion for BIA programs, an increase of \$614.9 million from the 2021 enacted level. The budget includes \$346.5 million to fully fund estimated Contract Support Costs, an increase of \$61.0 million from the 2021 enacted level, and \$36.6 million for Payments for Tribal Leases, \$15.0 million above the 2021 enacted level. The budget proposes to reclassify discretionary funding for Contract Support Costs and Payments for Tribal Leases to mandatory funding starting in 2023. Doing so will provide Tribal nations with certainty that these commitments will be met with a dedicated, predictable funding source.

The BIA request also includes \$150.0 million for a new Indian Land Consolidation Program (ILCP) to enhance the ability of Tribal governments to plan for and adapt to climate change and to build stronger Tribal communities. Reducing land fractionation and achieving Tribal majority ownership in lands enables Tribes to make decisions about land management, use, and protection that facilitate climate resilience. The new program reflects the ongoing need to continue to address fractionation on Indian lands as the Land Buy-Back Program for Tribal Nations (LBBP), established as part of the Cobell Settlement, ends in November 2022. The program estimates that by the time the LBBP program concludes, 60 percent of the unique locations within fractionated land will not have been visited by the program. Without further efforts, the program expects the number of fractional interests will likely return to pre-program levels within approximately 20 years.

The 2022 budget includes \$395.8 million for BIA Trust Natural Resources Management programs, an increase of \$136.9 million from the 2021 enacted level. The budget increases funding across the full spectrum of Tribal natural resource programs, recognizing their economic importance as well as their contributions to environmental quality and conservation. Within Trust Natural Resources, the budget includes \$61.0 million for the Tribal Climate Resilience program, an increase of \$44.0 million from the 2021 enacted level. The increase includes \$23.0 million to expand Tribal Climate Adaptation Grants, \$11.0 million in additional funding for Alaska Village Relocation Grants, and \$10.0 million for a Tribal CCC. The budget includes

\$56.2 million for Minerals and Mining projects, which focus on clean and alternative energy programs, an increase of \$40.1 million from the 2021 enacted level.

BIA's 2022 budget includes \$507.1 million for Public Safety services, an increase of \$38.5 million. This increase includes \$10.0 million to support the *McGirt v. Oklahoma* Supreme Court decision, \$10.0 million to support a body-worn camera initiative for officers, \$8.2 million to continue support for BIA participation in the Federal Opioid Initiative, and \$5.0 million for implementation of the Violence Against Women Act. The budget includes \$116.4 million, an increase of \$10.0 million, for detention and correction programs and \$43.2 million, an increase of \$4.2 million, for Tribal courts.

The 2022 BIA budget includes a \$14.1 million increase to support Human Services activities, including \$3.0 million to expand the Tiwahe Initiative. The Tiwahe Initiative is a holistic approach to addressing overall Tribal community needs that support youth, family, community safety and stability, and cultural awareness. The initiative facilitates collaboration within Tribal communities—which can help to leverage resources, share expertise, reduce duplication, and exchange information about families' needs—to formulate the most responsive approach to provide service.

The 2022 BIA budget maintains strong support for the Missing and Murdered Indigenous American Indians and Alaska Natives initiative, including \$16.5 million for the program, an increase of \$5.0 million from the 2021 enacted level. The 2022 budget also includes specific investments to address environmental quality problems on Tribal lands. Within BIA Construction, the budget includes \$29.9 million specifically to address water safety and sanitation requirements related to BIA-owned drinking water and wastewater infrastructure.

The 2022 budget includes \$270.2 million for Indian water rights settlement activities, an increase of \$71.9 million from the 2021 enacted level. This amount includes \$75.2 million within BIA, an increase of \$30.2 million from the 2021 enacted level, and \$157.6 million within the Bureau of Reclamation, an increase of \$36.8 million, for settlements. The budget proposes to reclassify discretionary funding for enacted Indian water settlements, including these two new settlements,

to mandatory funding starting in 2023. Doing so will provide Tribal nations with certainty that these commitments will be met with a dedicated, predictable funding source.

The 2022 budget includes \$1.3 billion for Indian Education programs, an increase of \$110.6 million from the 2021 enacted level. The primary focus of funding remains on support for the day-to-day operations of BIE-funded elementary and secondary schools. Funds will enable BIE to improve opportunities and outcomes in the classroom, provide improved instructional services, and support improved teacher quality, recruitment, and retention. The budget requests \$24.7 million for Early Child and Family Development, an increase of \$3.7 million, to expand preschool opportunities at BIE-funded schools. The budget also invests in postsecondary programs, including \$45.0 million for Tribal scholarships and adult education, an increase of \$10.2 million from the 2021 enacted level, and includes \$5.0 million for the Science Post Graduate Scholarship Fund, an increase of \$2.0 million, for a new initiative providing research internships to highly qualified students from economically disadvantaged rural communities.

The BIE is working collaboratively with Tribes and communities to alleviate the strains imposed by the COVID-19 pandemic on BIE students and their families, as well as on teachers, administrators, and staff across BIE's schools and the Tribal Colleges and Universities. The 2022 budget includes funding to maintain the important investments in distance learning infrastructure provided during the pandemic. The budget includes \$35.4 million for Education Information Technology, which is an increase of \$20.1 million from the 2021 enacted level. This increase provides critical funding to support upgraded broadband access at BIE schools, including recurring operating costs for network systems, such as annual learning software subscriptions and licenses. These investments will enable BIE to continue delivering education during the pandemic as well as substantially improve the efficiency and quality of education upon return to in-school learning.

To support infrastructure needs, the 2022 budget also includes \$264.3 million in discretionary education construction funds to replace and repair school facilities and address priority maintenance needs at 183 schools. The budget continues to invest in activities that promote educational self-determination for Tribal communities and includes \$94.9 million, an increase of \$8.0 million, for Tribal Grant Support Costs to cover the administration costs for Tribes that

choose to operate BIE-funded schools. This level of funding supports 100 percent of the estimated requirement.

President Biden’s EO 13985 on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government clearly states the Administration’s policy: “The Federal Government should pursue a comprehensive approach to advancing equity for all” to include those who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. The President’s call to agencies to advance equity for all is being put into action at Interior.

The Department is taking stock of current programs across Interior that address equal employment opportunity, civil rights, diversity and inclusion, accessibility, workplace culture transformation, and discrimination based on gender identity or sexual orientation. As part of this process, the Department is working with bureaus and offices to identify gaps, challenges, and best practices and to examine Department and bureau roles, responsibilities, and governance to ensure that any necessary changes are implemented. The 2022 budget includes a \$12.8 million increase across Interior bureaus and offices to better address diversity, equity, inclusion, and accessibility in Interior’s workforce.

The Administration’s emphasis on equity for all and inclusion is also a part of how Interior executes its core missions. As part of the NEPA process, bureaus and offices must consider the impacts on the natural or physical environment as well as social, cultural, and economic impacts. The Department is committed to ensuring the Federal Government honors the government-to-government relationship with Tribes and strengthens Tribal sovereignty through meaningful Tribal consultation.

The FY 2022 budget request promotes racial justice and equity in underserved communities by embedding environmental justice and racial equity goals into programs across the Department, with discrete investments in key areas. The NPS plays a particularly important role in ensuring cultural diversity in Federal programs and connecting underserved communities to the Department. The NPS is also charged with preserving and caring for structures and artifacts that tell the story of all Americans. Providing outdoor recreation opportunities, the telling of

America's story, and preservation of our collective history are an essential element of Interior's mission. The NPS 2022 budget includes \$15.0 million to expand capacity at more than 16 national park units and programs that preserve and tell the story of historically underrepresented and marginalized groups, including \$5.0 million for the African American Civil Rights Network. The budget includes an additional \$5.0 million for competitive historic preservation grants to increase support to State and local efforts to preserve sites that document the struggle for equal opportunity for African Americans. The budget includes \$10.0 million for construction at the Selma Interpretive Center for a voting rights center that honors the legacy of civil rights leaders, including the late Representative John Lewis.

The 2022 budget expands ongoing programs working to connect new audiences to the outdoors and Interior's mission activities. The U.S. Fish and Wildlife Service budget includes \$12.5 million for its Urban Wildlife Conservation Program, an increase of \$7.0 million from the 2021 enacted level. The program features 101 national wildlife refuges that are within a 25-mile radius of an urban area, such as Bayou Sauvage National Wildlife Refuge near New Orleans. With 80 percent of Americans living in cities, the program is helping people to get outside, engage with their community, and become part of the next generation of outdoor enthusiasts.

EO 14008, Tackling the Climate Crisis at Home and Abroad, establishes the Justice40 Initiative that will seek to bring 40 percent of the overall benefits of relevant Federal investments to underserved communities. The initiative will focus on clean energy and energy efficiency, clean transit, affordable and sustainable housing, training and workforce development, the reduction of legacy pollution, and the development of critical clean water infrastructure. Interior programs will play a strong role in this initiative to address racial equity and environmental justice through inclusive initiatives, such as Reclamation Jobs and Clean Energy for Tribal Communities, as well as core mission activities to construct drinking water and irrigation systems in underserved communities, encourage open areas and recreation in cities through urban refuges and parks, and increase access to broadband and power in the hard-to-reach parts of America.

The 2022 budget includes important investments in programs needed to help build back America to be better and more competitive as the world continues to change. This includes funding to support a strong, talented workforce at Interior and strengthen the core infrastructure needed to

continue to deliver Interior's missions. Staffing declined during the past 4 years by 4,382, or 6.7 percent, from 2017 through 2020. Current staffing is expected to increase so that by the end of 2021, Interior staffing levels will be roughly where they were at the end of 2018. With the 2022 budget, staffing is estimated to surpass 2017 staffing levels by 3.2 percent. As the Department works to rebuild its workforce, Interior will seek to recruit, hire, and train the next generation of talent that reflects the diversity and strength of the United States. Complementing our diverse workforce, the Department is committed to providing the tools critical for success across Interior.

Interior manages an infrastructure portfolio valued at more than \$330 billion, ranging from large dams and canals in the West to iconic national landmarks across the country. In total, the Department is responsible for roughly 43,000 buildings, 100,000 miles of road, and 80,000 structures. Operations, maintenance, recapitalization, and modernization of Interior's infrastructure are a significant part of annual cost requirements. The 2022 budget includes \$2.8 billion for operations, maintenance, repair, and construction of Interior facilities, an increase of \$241.8 million from the 2021 enacted level. This amount includes maintenance and construction across the Department, including water project construction, maintenance, and dam safety.

Much of Interior's workforce worked remotely during the pandemic, and bureaus and offices worked quickly to adapt and ensure that staff had the right equipment and bandwidth to telework effectively. These efforts increased demand on the Department's networks and heightened attention to the importance of a strong cybersecurity posture at Interior. The 2022 budget includes an increase of \$25.5 million to support the post-SolarWinds Department-wide cyber defense capability and address related gaps identified in specific bureaus.

Interior's central Financial and Business Management System (FBMS) requires modernization, and the budget requests an increase of \$5.0 million for the first year of a 2-year system infrastructure migration to prevent technical obsolescence. FBMS supports the administrative systems requirements of all Interior bureaus for core accounting, budget execution, acquisition, aspects of financial assistance, real and personal property management, fleet management, travel integration, enterprise information management, and reporting. The migration will modernize and transform Interior's administrative operations, strengthen the cybersecurity of Federal

networks and critical infrastructure, and implement security measures. As part of the modernization of FBMS, the 2022 budget includes an increase of \$4.0 million to support migration to improved cloud hosting with sufficient virtual in-memory servers needed to support the size and complexity of the Departmentwide FBMS system.

The 2022 budget includes a \$17.5 million increase to begin the next phase of the Office of Natural Resource Revenue's (ONRR's) ongoing IT Modernization effort of the Minerals Revenue Management Support System. The modernization is focused on the design, development, and deployment of the new systems and the eventual decommissioning of the legacy system. ONRR ensures that revenue from Federal and Indian mineral leases is effectively, efficiently, and accurately collected, accounted for, analyzed, audited, and disbursed in a timely fashion to recipients. Revenue distributions, which totaled \$8.1 billion in 2020, benefit States, Tribes, individual Indian mineral royalty owners, and U.S. Treasury accounts. The modernization will improve the timeliness and accuracy of payments to fund recipients by reducing the need for manual processes.

The President believes we must use every lever at our disposal to meet the moment and make necessary progress. I firmly believe we have the opportunity of a lifetime to strengthen our country, protect our environment, and improve our way of life for generations to come.

I look forward to working with you to achieve these goals. I am pleased to answer any questions you may have.

The CHAIRMAN. Thank you, Secretary Haaland. I will begin with the questions.

I have said that the Administration has the right and basically the responsibility to look at all the leases that we have, and we have paused those. So I would ask, can you shed some light on the status of the review, since after the pause and reviewing, what you may have found and what are the next steps we will take?

Secretary HAALAND. Chairman, thank you so much for that question. And first, I will just assure you that we are complying with the court order. We are evaluating our options, including what has been previously available for leasing. Of course, there is a lot of work that goes into moving that forward. We are working—the review is being finalized internally and we hope to get it out very soon.

The CHAIRMAN. If you could just give us a little bit of the progress, or whoever we can contact in your office that can give us the progress and what direction you might be going, that might give us a little better light on that, okay?

Secretary HAALAND. Yes, Chairman. I can have my staff reach out—

The CHAIRMAN. Please.

Secretary HAALAND [continuing]. To your staff and we'd be happy to do that.

The CHAIRMAN. Thank you. I appreciate that.

Also, on the American supply chains—you know, the President's order on American supply chains, which is for the critical minerals we need for so many things and products we use every day. There is nothing in there for a report of how you are going to determine where those minerals might be located and how we might best extract those for use in our American supply chain.

So if you could, tell me how you are focused on the clean energy supply chain when the budget does not really show that whatsoever.

Secretary HAALAND. Thank you, Chairman. Of course, we understand that this is important. The President believes very strongly and supports energy independence, and those critical minerals, of course, are a part of our clean energy future. The USGS [United States Geological Survey] is studying these issues. We want to make sure that whatever we do, of course, is done responsibly. We would be more than happy to follow up, as well, with your office on any details that you might request.

The CHAIRMAN. Well, we put \$50 million in that, as you recall, okay?

Secretary HAALAND. Yes.

The CHAIRMAN. And basically, we looked at how you all were disbursing and what you were using it for. And the budget request includes many priorities, including \$5 million for forecasting, but does not have anything, not anything in there for the critical mineral resource assessment, what we have in our country, what we can expect to do, and how we can support all the industry and all the need—the products we need in America.

The surest way to avoid wasteful and damaging venting and flaring—so this is venting and flaring on public lands. On private lands, most of the methane is taken off because it has value to it.

But on the public lands, we found out the impediment of not taking and why they are continuing to flare, which we think is harmful, dangerous, and wasteful. It is because they cannot get permits for pipelines to take that product to market. So if you could explain to me, are there any steps that you all have taken to reduce the flaring and venting of this product and allowing that to be taken to market? Or how are you all looking at that?

Secretary HAALAND. Chairman, thank you so much for the question and I appreciate your commitment to this issue. The Administration is focused on reducing methane emissions and I think you know that the Obama Administration issued a rule to limit flaring. But that has been involved in litigation. So we know that that is part of protecting taxpayers and the environment, of course. We'd be happy to fill you in with further details, but it is definitely a priority of ours.

The CHAIRMAN. We would be happy to sit down with you, as we can only tell you what we know is that, basically, they cannot get a permit to build a pipeline to take the methane off. We have the technology. We do it in the private sector. We do it all over the East Coast, because it is a valued product. But out west, they are not doing it and then we all are getting condemned for flaring, which is very lethal to the environment. And on the other hand, we can get it to market. So we are going to have to either adopt a policy where we can get that product to market, or you will never do anymore leasing if flaring is going to be the criteria. That is my only comment on that.

Fewer than two weeks ago, the Committee reported out a bipartisan infrastructure bill in which we authorized \$19 billion to reclaim abandoned mine lands and orphaned gas wells. Also, Senator Heinrich brought to our attention the horrible condition of hardrock mining. We know that and we are looking desperately to find the money to do that, too. But we have to repurpose everything, and we will, at the proper time. But that is something to be done. How are you all approaching that, as far as the benefits of having the program at the Department level, as opposed to just passing funds directly to agencies?

Secretary HAALAND. Thank you, Chairman. I'd love for Rachael to have an opportunity to—

The CHAIRMAN. Sure.

Secretary HAALAND [continuing]. Fill you in on some details. I can tell you that this is an important issue for us, and, in fact, I traveled recently to Pennsylvania to witness how well they are doing with reclaiming these abandoned mine lands. Rachael.

Ms. TAYLOR. So as you know, I mean, we are grateful for your leadership in working on the infrastructure package, which includes the President's commitment on these issues.

We also have some important investments in the budget request itself, which spoke to the Reclamation jobs and the proposals that you have mentioned. And that includes the AMLER program you mentioned, but it also includes some of the hardrock cleanup issues. And I think one of the issues that we are focusing on is inventorying and getting really good data across the country and that is going to be on federal lands, that is going to be on tribal lands, and that is going to be on non-federal lands as well.

So we definitely have investments that are tailored toward that. And what we had envisioned is that we would have a centralized program that would help sort of roll up all the priorities across land management agencies so we could look at the highest priorities on the federal family side. And then we would provide assistance to states and tribes so that they could deal with the hardrock mining cleanup as well. So we are continuing to engage on this issue and appreciate the priority that you mentioned.

The CHAIRMAN. Along the mining issue, I will just—my time has expired. But on the mining issue, I will tell you that there is a bigger problem, basically, with the bonding companies post-SMCRA. That's post-1977. We have been talking a lot and we put \$11 billion toward pre-1977—pre-SMCRA. Post-SMCRA, bonding companies are walking away from this. Companies are declaring bankruptcy. Bonding companies are thinking they are off the hook once the company declares bankruptcy, and nothing gets done. It is ridiculous what is going on. So I hope you look into that. We are going to be doing a deep dive into that, also, along with hardrock mining, to make sure they are going to be operating on the same procedures, Okay?

Ms. TAYLOR. Yes.

The CHAIRMAN. Thank you. Senator Barrasso.

Senator BARRASSO. Thank you, Mr. Chairman. Madam Secretary, I have some short questions, just if you could respond briefly. And the first has to do with tree spiking, where people drive metal spikes into trees. Do you know if tree spiking can kill or maim loggers or mill workers?

Secretary HAALAND. Well, I know that—Senator, I imagine so. I was not really familiar with any of that practice until recently.

Senator BARRASSO. Is tree spiking in national forests a federal crime?

Secretary HAALAND. Senator, I couldn't tell you for sure. But I imagine it's—

Senator BARRASSO. It is.

Secretary HAALAND [continuing]. It's very dangerous.

Senator BARRASSO. Yes. So should individuals who are aware of spiked trees, in terms of national forests, should they immediately inform law enforcement?

Secretary HAALAND. I imagine that anyone should inform law enforcement if it's a danger, sure.

Senator BARRASSO. So I guess the question is, should individuals who plan or otherwise are involved in tree spiking incidents and threaten the physical safety of federal officials—should they expect to be hired by the Department of the Interior?

Secretary HAALAND. Senator, if I may, I believe you are referring to the nominee Tracy Stone-Manning, and I also recognize that she was nominated by President Biden because he felt she could do the job and that she was qualified otherwise.

Senator BARRASSO. On the issue of wildfires in the West, which is a major issue, as wildfires are burning around the West. National forests burn—there is an interface now, with areas where people build homes, and forests can burn, and there are problems for, sometimes, structures who are at risk, who are at this interface where structures are built. So do you agree with this statement?—

“Perhaps the solution to houses in the interface is to let them burn.”

Secretary HAALAND. Well, I can’t necessarily agree or disagree, but I—I mean, I think the wildfires are just getting more intense because of climate change and that is why we need to make preventative measures and put resources toward protecting communities.

Senator BARRASSO. So do you agree with this statement?—“There is a rude and satisfying justice in burning down the house of someone who builds in the forest.”

Secretary HAALAND. I don’t, no.

Senator BARRASSO. Do you agree that children are an environmental hazard?

Secretary HAALAND. Do I agree that children are—

Senator BARRASSO. Children are an environmental hazard.

Secretary HAALAND [continuing]. An environmental hazard?

Senator BARRASSO. Yes.

Secretary HAALAND. No.

Senator BARRASSO. No? Okay. Do you agree that grazing on federal lands is destroying the West? These are obviously statements that someone else has made that you know, we disagree with and I want to see if you are of that same mindset.

Secretary HAALAND. I haven’t heard all these statements, Senator. I mean, I agree there are a lot of things that are destroying the West, like drought and wildfire and climate change. Of course, climate change is certainly ruining a lot of our country right now.

Senator BARRASSO. But you would not necessarily want to hire an employee in a land management position who agrees or puts forth these statements about satisfying justice and letting houses burn, or children as environmental hazards?

Secretary HAALAND. Senator, what I will say is that I, as the Secretary of the Interior, am not personally hiring anyone. I believe that is a team effort and I know that the Senate plays a very large role in any of these positions as well.

Senator BARRASSO. On June 15th, a federal court issued a nationwide injunction against President Biden’s ban on oil and gas lease sales on federal lands and waters. Shortly afterwards, a spokesman for your department said the Department would comply with the court’s order. However, to date—and here we are, it is now July 27th, six weeks later—the Department has failed to notice any oil and gas lease sales. Will the Department hold onshore oil and gas lease sales this quarter, that is, before the end of September?

Secretary HAALAND. Senator, the Department is complying with the court order. As you may know, it’s not a switch you can turn on. There is a lot of work that goes into a lease sale and so we are complying with the court’s order, we are evaluating our options, and that includes what has previously been available for leasing.

Senator BARRASSO. So will the Department then reschedule the first and second quarter of the year lease sales that had previously been postponed?

Secretary HAALAND. Senator, in addition to the fact that we are complying with the court order, I will just say that this matter is

in litigation and I can't necessarily go into any more details about it.

Senator BARRASSO. Okay. And then, finally, Mr. Chairman, the West is currently suffering historic drought conditions, as you and others on the Committee have said. Yet the budget that the President proposed seeks to cut funding for the Bureau of Reclamation, as I mentioned in my opening statement, while increasing funding for the other components of the Department of the Interior. Would you agree with me that now, during historic drought conditions, it is time to prioritize Western water infrastructure, not cut infrastructure from it?

Secretary HAALAND. Well, certainly, water is absolutely important, and we have team members who work on this issue every single day. It is a priority to them and they are in very close contact with folks on the ground in those areas.

Senator BARRASSO. Thank you, Madam Secretary. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Barrasso. Senator Heinrich, please.

Senator HEINRICH. Madam Secretary, I want to start by just thanking you for your historical leadership in Congress and otherwise on protecting the Greater Chaco Canyon area. I want to ask you what plans does the Department of the Interior have to protect this priceless cultural landscape? And are you considering an administrative withdrawal?

Secretary HAALAND. Thank you, Senator, for that question. Thank you for your letter. We appreciate your commitment to this beautiful area of our country. Of course, we consider all proposals from Members of Congress very carefully.

The Administration has requested a continuation of the 10-mile buffer area around Chaco in its budget request for Fiscal Year 2022. We will continue to engage with tribes, with Congress, and other stakeholders with respect to any other future decisions.

Senator HEINRICH. So the BLM [Bureau of Land Management] is also still in the process of amending the research management plan for the region around Chaco. But pandemic restrictions and a lack of broadband internet access—that you are more than familiar with—really meant that the public comment and tribal consultation processes for the draft plan were largely inaccessible back in 2020 to many of my constituents. How can you ensure that tribes have a meaningful opportunity to participate before that plan amendment is actually finalized?

Secretary HAALAND. Thank you, Senator. Tribal consultation is a top priority for our Department and for this Administration. In fact, our Principal Deputy Assistant Secretary for Indian Affairs, Bryan Newland, will be in Chaco Canyon, I believe, tomorrow. He intends to have meetings with tribes. He's meeting the Chairman of the All Pueblo Council of Governors there and having meetings with other folks and stakeholders on the ground.

So we will make sure that we use whatever method is best for that action, because, yes, we have to meet them where they are.

Senator HEINRICH. I appreciate your efforts there very much, because those efforts were not evident with the previous Secretary and he and I discussed this at length, and it seemed to make abso-

lutely no difference. So I appreciate your effort and those of Bryan, as well.

One of the budget challenges at the Department of the Interior has been the historic lack of investment in law enforcement. There are only about 15 law enforcement officers right now, for New Mexico's millions of acres of Bureau of Land Management land. That lack of funding often leads to looting of priceless cultural resources and a host of other problems. Are we spending enough on law enforcement?

Secretary HAALAND. Senator, thank you for the question. I have firsthand experience with this issue, so I completely understand. And it's certainly not just in New Mexico but I met with tribes when we were in Colorado and they were experiencing the same issue—three officers for a large swath of Colorado. I would maybe ask Rachael if she can shed a little bit more light on the budget issue here, but I want you to know it's a priority for our Department.

Ms. TAYLOR. Thank you, Madam Secretary. I think that sets off the issue well. Obviously, our law enforcement officers have an enormous amount of land to patrol and, you know, varied resource challenges on the ground to address.

I will say that one of the primary investments that we are making in this budget speaks to the tribal resources for public safety, which has been really important. There is a 13 percent increase across the board in public safety programs within BIA [Bureau of Indian Affairs], which is definitely, you know, in need of additional resources. And that is going to have funding that is going to implement increases across the board to tribes. It is going to have some targeted increases to deal with the recent Supreme Court decision from the McGirt case.

We have the resources that the Secretary mentioned earlier, which is a \$5 million increase for the missing and murdered indigenous people exercise. And there are some additional resources for tribal courts as well.

Senator HEINRICH. Thank you—thank you for those investments. I think they are incredibly important.

Madam Secretary, is there a link between climate change caused by our overreliance on fossil energy sources and the wildfires that we are seeing in the West?

Secretary HAALAND. I am not a scientist, Senator, but it certainly does appear that climate change has everything to do with the wildfires that we are experiencing and their intensity. Thank you.

The CHAIRMAN. Thank you, Senator. Senator Lee.

Senator LEE. All right. Speaking of wildfires, it is of grave concern to many of us in the West, where there is a lot of federal land. Would you agree with me, Madam Secretary, that water storage is a critical feature of effective fire suppression?

Secretary HAALAND. Senator, we believe that there are a lot of tools in the toolbox to fight these wildland fires and we want to make sure that we can use every single one of them.

Senator LEE. Including that one. Stakeholders in my state have indicated to me that the Department of the Interior's NEPA [National Environmental Policy Act] review of water storage infrastructure projects often presents an obstacle, that NEPA is often

delaying these projects and providing a significant impediment to getting them done. That, in turn, makes us more vulnerable to wildfires. I think there are some models that we could follow here and build off of. The Federal Highway Administration (FHWA), for example, allows states to assume NEPA review responsibilities in order to facilitate more expeditious review. I believe there are at least seven states that do this, including California, Arizona, Utah, Alaska, Texas, Ohio, and Florida. As I understand these agreements, they work well. Do you believe that states and the Department of the Interior could both benefit from a similar arrangement when it comes to water infrastructure?

Secretary HAALAND. Senator, we are certainly happy to look at any ideas that you have and we would be willing to be in touch with your office and explore that further.

Senator LEE. I appreciate that. All right. I think there are some who perhaps have a reflexive reluctance to make any changes to the way we do NEPA analysis. But it is important to remember here that states that currently participate in these programs, for example, with the Federal Highway Administration, participate in them in a way that still makes them accountable to the same standards. So just as NEPA analysis conducted by a federal agency can be stopped, because it does not adhere to the standards of NEPA, so too, a state-sponsored project is held to the same standards accountable in the same courts.

Now, it has been widely reported that your confidential report to President Biden on the Bears Ears National Monument and the Grand Staircase-Escalante National Monument recommended a full reexpansion. Now, if we want to work together toward a legislative solution, it would be helpful to be able to understand the reasoning behind your recommendation. Can you tell me when that report will be released?

Secretary HAALAND. Senator, thank you so much. The report is now in the hands of the President and it would be up to the President as to when he makes a decision and/or releases the report.

Senator LEE. The Utah School and Institutional Trust Lands Administration, also known as SITLA, owns many thousands of acres within the boundaries of the original Bears Ears National Monument. So if the monument is reexpanded to encompass its original footprint, access to many of those parcels could be complicated, or in some cases lost. Can you tell me what your recommendation might have been regarding those parcels?

Secretary HAALAND. Senator, as I mentioned, the report is in the hands of the President. Unfortunately, I am unable to share. That is actually with the President and it will be at his discretion when the report is released, and when he makes a decision.

Senator LEE. I hope he will take those concerns into account, given that they will affect Utah's schoolchildren.

Energy Fuels, which is a critical minerals company that is based in Southern Utah, has made a number of attempts to speak with officials at the Department of the Interior and at the White House regarding the pending designation. Now, Energy Fuels' work will, by all accounts, be critical in the development of any sort of new energy technologies. I suspect you would agree that, with so few of our critical minerals being produced domestically right now, it is

critical that we work with stakeholders to ensure their success. Can you please see to it that it is addressed and that they get substantive responses to their questions and concerns?

Secretary HAALAND. Absolutely.

Senator LEE. A White House official recently stated that the nomination of Tracy Stone-Manning to head the Bureau of Land Management was “A massive vetting failure”. Do you agree with that characterization?

Secretary HAALAND. Senator, I know that the President nominated her because he believes she is qualified, and I believe she is, too.

Senator LEE. Now, at the time she was nominated, were you aware that Ms. Stone-Manning had previously told a newspaper that she “Could have been charged with conspiracy . . . were it not for her agreement with the U.S. Attorney”?

Secretary HAALAND. No, Senator.

Senator LEE. Okay. I see my time has expired. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator. Now we have Senator Hirono.

Senator HIRONO. Thank you, Mr. Chairman. Welcome, Madam Secretary. I am glad to see the USGS budget includes over \$200 million in new climate-change investments. This includes adding more than \$42 million to the Climate Adaptation Science Centers, with one of the regional centers being located in Hawaii.

The budget also adds \$5 million for reducing threats of invasive species and wildlife disease in a changing climate, noting efforts will initially focus on Alaska, Hawaii, and the U.S. ancillary territories in the Pacific and the Northeast. The budget also adds \$5.4 million to the tools supporting conservation planning, monitoring, and projection budget, to expand activities in Hawaii, Alaska, and the U.S. territories, to map and model past, present, and future landscape conditions.

As you know, invasive species and climate change are significantly impacting our ecosystems in Hawaii, whether furthering threats to our endangered species, or increasing our wildfire risk. Additional support to strengthen efforts to mitigate these threats is sorely needed, and I look forward to working with you and my colleagues to make sure these programs receive strong funding.

I also note that Hawaii has recently been invited to submit a full proposal for the Sentinel Landscapes Partnership, a coalition between DOI, USDA, and DOD, as well as state and local governments and non-governmental organizations that works with private landowners to advance sustainable land management practices across military installations and ranges. And we have some pretty large military installations in Hawaii.

A Sentinel Landscape designation in Hawaii could bring additional federal resources to strengthen military readiness in the Indo-Pacific, conserve natural resources, bolster agricultural and forest economics, mitigate wildfire, and increase climate-change resilience. A Sentinel Landscape designation in Hawaii is a very unique opportunity, and only seven landscapes in the nation have received such a designation.

As DOI is the part of the coalition, I would like to express my support for Hawaii's proposal and I look forward to learning the review committee's final selection. So this is a public pitch for Hawaii's submittal.

Then, I want to get to the National Park Service. The Fiscal Year National Park Service budget also makes some important investments in Hawaii. This includes over \$6 million for land acquisition at Haleakala National Park and Puuhonua o Honaunau National Park through the more fully funded Land and Water Conservation Fund, thanks to the Great American Outdoors Act.

It also includes funding for the Advancing Racial Justice and Equity for Underserved Communities initiative to help Hawaii parks better engage native Hawaiian communities by providing for full-time community liaisons to support all Hawaii parks. The state activities include facilitating Native Hawaiian participation in park planning, programming, operations, recruiting, and outreach. And as a Native American yourself, I think you would really understand the need to engage native communities in what the Federal Government is doing—what the National Park Service is doing. So I am glad to see the Park Service making this effort to better engage the native Hawaiian community, and I look forward to working with you and NPS on this.

I actually am coming to a question. Increasing visitor diversity in public lands—there have been assessments that our parks are not accessed by minority groups, other populations, and so I would think that the Department would benefit from data relating to the diversity of visitors to our national parks. And what, if any, obstacles does the Department face in collecting such data, and measuring visitation by racial and ethnic minorities to public lands? And how can the Department and this Committee work together to expand recreational opportunities in federal public lands to under-represented populations?

Secretary HAALAND. Thank you, Senator. That is absolutely an important question and something that we support wholeheartedly. Increasing the ability of underserved communities to use our public lands is absolutely a critical focus of this Administration. We will absolutely work with you and any Senator on this Committee to move the needle on that. And if Rachael has anything to add, I would welcome her to add, as well.

Ms. TAYLOR. Just to amplify that, as you probably know, the President issued an Executive Order early on in the Administration that challenged agencies to think about the equity issues within the new programs.

Senator HIRONO. Yes.

Ms. TAYLOR. And so I am proud to say that the access to underserved communities to public lands is one of the issues that we have selected to do additional analysis on. And so we are in the process of doing that right now, and looking at the barriers that we are finding, and looking at the data collection issues, which you mentioned. Obviously, you want to succeed—you need to measure something. So we are committed to working with you and would be happy to keep you abreast as the effort moves forward.

Senator HIRONO. Yes. Mr. Chairman, I think we would all benefit from the actual measures and outreach efforts

that you are engaging in to make sure that our parks really serve our diverse population in this country. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator. Senator Lankford.

Senator LANKFORD. Mr. Chairman, thank you. Secretary, it is good to see you again. Thanks for being here. I need to walk through a couple of the details in your budget. You know, the information about the 30 by 30, or America the Beautiful initiative—setting aside 30 percent of the land in the United States for conservation purposes. Can you give us some additional details, briefly, on that, as well? Is that all going to be voluntary? It seems to be a voluntary set aside of that land. Is that your expectation?

Secretary HAALAND. Yes, Senator. In large part, yes, any additional lands—we are inviting private landowners, organizations, tribal nations to participate in that and we have met with a number of—actually, many stakeholders.

Senator LANKFORD. What percentage of America's land is already set aside that you would say is already in that initiative?

Secretary HAALAND. I understand that, give or take—please don't quote me on this—but I think the land is around 18 percent, perhaps, and the oceans, maybe, 12 or it might be—

Senator LANKFORD. So trying to be able to move that from that 18 percent to 30 percent, do you expect this to be in every state or region, or do you expect it to be nationwide? I guess what I am saying is, do you disproportionately expect the 30 percent of the land set aside to be in Alaska and Utah, let's say, and not as much as in New York State?

Secretary HAALAND. Not at all. We expect, and have had overwhelming optimism about the idea of it being a nationwide effort.

Senator LANKFORD. So this would be in each region, each state, you would expect that? For states that have higher than 30 percent already set aside, would you expect them to be able to get down to a 30 percent goal, at some point, so they would have more private ownership in their area?

Secretary HAALAND. On those specific details, Senator, I can't answer, but I get your point and the conversations will absolutely continue on this issue.

Senator LANKFORD. But you do expect it to be voluntary?

Secretary HAALAND. That is correct. Yes, for private landowners, for ranchers, for farmers, for—

Senator LANKFORD. Right.

Secretary HAALAND [continuing]. Indian Tribes.

Senator LANKFORD. I know in my state, and there are five states total that are in the area of what is called the "Lesser Prairie-Chicken Area," they have done voluntary efforts to do mitigation protection of that species for quite a while. And now there has been a step-in to say, actually, we are going to now impose different measures in there. Where we have had, for instance, in my state, a great rebound in population, there seems to be an assumption now that it is not enough. That in other areas it is not recovering well, but in your area, where it is recovering well, in my state, there is still going to be kind of a heavy hand to be able to reach in and to impose this.

So what started as voluntary measures now seems to be flipping over to mandatory measures for that, which is pretty disheartening, obviously, for folks that have done voluntary measures for a long time and have seen tremendous recovery of that species to try to work to get it off of the endangered species or threatened list. That is pretty disheartening to be able to see that.

The landowners in my area are asking for an additional six months to say “Allow us to comment, allow us to show the information.” There is data that is coming out, literally right now while Interior is making their decision on what to be able to do. There is an annual study that is coming out and they need a little bit of time to be able to present it to everyone and say “Don’t take what is voluntary and suddenly turn it to mandatory before we can hand you this information.” Is that a reasonable request, do you think, for them to get a few more months and time to be able to hand over all their final information to you?

Secretary HAALAND. I will certainly take your request back and we will absolutely consider it. As I have said, you know, we are open to ideas and your feedback.

Senator LANKFORD. They are not trying to be unreasonable. They are just trying to say “Hey, you are closing this down before I can actually hand you this information.” That is unreasonable to them. They are looking for a few more months of time to be able to hand over the final report so they can show you what is actually happening to the population count there.

The leasing activities—we have talked a little bit about this already, about the leasing activity that has stopped. And then, now, a court has said you cannot just keep this stopped indefinitely. You had mentioned earlier that it takes a while to be able to restart it. When will that restart?

Secretary HAALAND. Senator, as I said, we are working on it right now. We are complying with the court’s order right now.

Senator LANKFORD. Will it take a year? Will it take three months? Give us a guess.

Secretary HAALAND. I think I will say soon.

Senator LANKFORD. So in this quarter?

Secretary HAALAND. Soon. I don’t—I cannot answer that specifically, but as I said, we are working on it and we are happy to stay in touch with you as we make the progress.

Senator LANKFORD. So there is just an expectation that—when a court order stepped in and said “Hey, this is not legal to just stop this indefinitely”—that there isn’t actually going to be progress made toward this. We know there is an interim report that is coming out. We do not know when that is coming. Do you have an update of when the interim report is coming out?

Secretary HAALAND. As I said, we are finalizing it internally at the moment, and I cannot say specifically, but I can say soon. It is in its final stages.

Senator LANKFORD. And you will expect a final report after that interim report?

Secretary HAALAND. Senator, we will absolutely let you know when we approach that timeframe, and I can say soon.

Senator LANKFORD. So there is an interim report that is soon, a final report that is soon. Do you expect the decision on lease sales after the final report or after the interim report or before?

Secretary HAALAND. Well, after the final report is moved forward, we will have made decisions and be able to implement whatever changes are perhaps necessary and move that forward.

Senator LANKFORD. Soon?

Secretary HAALAND. Soon.

Senator LANKFORD. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator. Senator Cortez Masto.

Senator CORTEZ MASTO. Thank you, Mr. Chairman. Secretary Haaland, thank you so much for being here. Let me say, I appreciate the comments so far. The increases to the Department of the Interior's budget—particularly your focus on our tribal communities, missing and murdered indigenous women and children. Thank you so much.

There is an area I do want to focus on where there is a decrease. And it has been touched on a little bit here in the Committee, and this has to do with the drought along the Colorado River.

As you know, the Colorado is the lifeblood for many western states. It is the economic engine of the Southwest, and it supplies drinking water to 36 million Americans. And that use of that water outstrips the supply. The seven basin states, water users, the federal agencies, and Mexico have a history of close cooperation, which has become ever more important as drought and increased water demands have left the two big reservoirs—that is Lake Powell and Lake Mead—at all-time lows. And as you well know, it is expected that a shortage will be declared at Lake Mead next month and that predetermined water allocation reductions will go into effect next year.

Here is what I am concerned about as I look at the budget. For the Bureau of Reclamation, it shows that for the Fiscal Year 2022 request, there is an eight-percent decrease in the budget for the Bureau of Reclamation, particularly when it comes to water and related resources. For those water and energy management and development line-item resources, there is a seven-percent decrease.

So can I ask you, how does the Department of the Interior ensure long-term reliability of the Colorado, particularly when we are focused on drought, we are seeing more wildfires in the West than we have ever seen before, particularly in Nevada. Just in 2020 alone there were 800 wildfires, and we need water to fight these fires, as well. Please talk to me about how the Department intends to help us address this drought issue when there is a decrease in the budget for the Bureau of Reclamation.

Secretary HAALAND. Senator, thank you so much for the question and you are absolutely right. It is incredibly important. I am going to let Rachael answer that so she can give specific details.

Ms. TAYLOR. Thank you, Madam Secretary, and thank you so much for the question. I think one point about the budget—just to set the stage is, you know, we view the budget as the whole budget, which includes the discretionary funding. It also includes the amounts that were provided through the President's American Jobs Plan, which the Committee is now working to act upon. So I would

say, you know, your concerns are well noted on the discretionary side.

You know, the Committee has taken the President's jobs plan and expanded it much further to a larger water infrastructure proposal, which, you know, obviously reflects the gravity of the need on the ground. I mean, certainly what is playing out on the Colorado River Basin—we are seeing it in basins across the West. The Secretary referenced the “All of the tools in the toolbox” approach. And so I think that is the ethos that we are bringing to the table—that we are willing to look at the individual solutions everywhere, and I know that we want to work with this Committee to make sure that we are putting the resources on the ground where they are going to have the most impact.

Senator CORTEZ MASTO. So just so I understand, you are hopeful that in the American Jobs Plan and legislation we still have to pass—that will address some of the concerns that I just talked about, when it comes to drought and what we are hearing here about preserving the water along the Colorado. Is that right?

Ms. TAYLOR. The President's proposal had strong investments and I know Congress is looking to—

Senator CORTEZ MASTO. Let me talk about one of those because I do want to bring it up. We do need bold solutions and that is why I introduced the Large Scale Water Recycling Project and Drought Resiliency Investment Act. It establishes a competitive grant program within the Bureau of Reclamation for large-scale water recycling projects that have a total estimated cost of at least \$500 million. The bill authorizes \$750 million for the program. This is necessary. These types of bold programs are necessary to bring new water into the system. And there is a partnership already, between Nevada and Colorado, just on one large-scale project alone.

And so I am hopeful that the Administration, the Department of the Interior—you will support this type of legislation because this is the time for us to think bold and big and this the time for the Federal Government, the states, Mexico, all of the partners along the Colorado to really start working together to address what we know and have concerns about, which is the drought that we see in the western states now. So I am hopeful you will be there to support this legislation and many other innovative ideas.

Secretary HAALAND. Thank you very much, Senator. And of course, I am always willing to work with you. Thank you.

Senator CORTEZ MASTO. Thank you.

The CHAIRMAN. Thank you, Senator. Senator Hyde-Smith.

Senator HYDE-SMITH. Thank you, Mr. Chairman, and thank you, Secretary Haaland, for appearing before the Committee today to talk about these important issues. I am really thankful that we were able to discuss some of these concerns about a month ago in the Appropriations Subcommittee Hearing on Interior. However, it is concerning to me that many of the questions and concerns my colleagues and I brought up in that hearing still lack answers today, such as, over the oil and gas leasing ban. And as you are well aware, a federal court judge ruled the pause on new leases unlawful. Yet there has been no response or action taken by your Department to follow the law.

I am aware that the interim report—which is said to include initial findings on the status of the federal conventional energy programs and other recommendations for Congress—is going to be released, but I just feel that this Committee needs answers today and it certainly deserves transparency. So with that, I am going to go with my questions.

I would like to discuss the report that your Department is set to release. For clarification, is this report a final report or is it an interim report?

Secretary HAALAND. Senator, thank you for the question. And the report that we are set to release is an interim report and it will be released soon.

Senator HYDE-SMITH. But it is totally an interim report. Does this report bring the Department into compliance with current law?

Secretary HAALAND. We are actually in compliance with the court order, currently. We are complying with the court order right now. As we speak, the Department is working. As I mentioned, there is a lot of work that goes into even having a lease sale. And so they are complying with the court order now, today.

Senator HYDE-SMITH. So the ban has been released?

Secretary HAALAND. I suppose that the pause that you are referring to, that President Biden ordered in his Executive Order is—I suppose it's in effect. I mean, you can say that as soon as one lease sale happens that the pause is over. But what I can say is, we are complying with the court order and we are doing the work necessary to move in that direction.

Senator HYDE-SMITH. So the pause is not in place at this time?

Secretary HAALAND. Well, technically, I suppose you could say the pause is still in place. However, we are complying with the court order to move forward on releasing the report and moving this issue forward.

Senator HYDE-SMITH. Does the report contain formal, binding decisions, or anything that will be enforceable?

Secretary HAALAND. As I mentioned earlier, Senator, the report is in its final, you know, internal—the final internal draft, and I am unable to comment on it at the moment—on the details of it.

Senator HYDE-SMITH. Okay. And what action has the Department taken to be in compliance with the judge's ruling? Have there been any decisions to reinstate lease sales? But specifically, I am referring to lease sale 257.

Secretary HAALAND. Thank you, Senator. Unfortunately, I cannot comment specifically on the question that you are asking. We'd be more than happy to be back in touch with you as soon as we do have specific answers to your questions. I know that, overall, the Department is working on ensuring that we are complying with the court order.

Senator HYDE-SMITH. And with the lease sale 257, are you familiar with that lease sale—257?

Secretary HAALAND. Senator, I understand the question you are asking and I want to assure you that we are doing our best to move forward.

Senator HYDE-SMITH. Okay, because I see my time is out. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator. Senator Hickenlooper.

Senator HICKENLOOPER. Madam Secretary, first, before I do anything, I want to express my appreciation and gratitude to you for coming out to Colorado during your confirmation week. If you remember, we encouraged and made that offer and encouraged your early visit to Colorado and the entire state, I think, appreciates it. We talked about public lands, the CORE Act, wildfires. And I thought again and again we saw genuine bipartisanship and I know a lot of people in Colorado were impressed that we had Republicans and Democrats and Independents—everyone—at those meetings, all working for that sense of clean air, clean water, and public lands.

I also got the sense that you saw and heard clearly the long-term value that having a western presence holds for the BLM, by making sure that the employees are close to the land they manage. And I think you heard clearly the meaning that has—the importance of that to the local community. So I think, obviously, that presence is a shared value and is of real importance.

So I wanted to ask you of some of your takeaways from that trip, particularly from our time and conversations in Grand Junction.

Secretary HAALAND. Thank you so much, Senator, and again, I appreciate your hospitality while we were in Colorado. It was a really, really wonderful time.

And of course, I was thrilled to have opportunities to have those meetings. We met with the staff, both in person and remotely. At the BLM headquarters—we were happy to be with you during the public meeting, as well.

I think my takeaways are that we need to come to a decision fairly soon. It is important for folks to be able to know and understand what their task at hand is, and the way we do that is just to make sure that folks can hunker down and know what they are doing.

So we are taking all those—I got more—in fact, I got more comments by staff, through email, by the time I got home. And so we are looking at all of those and sort of assessing all of the comments that we heard and just appreciate that opportunity.

Senator HICKENLOOPER. I heard repeatedly that your willingness to listen—I suspect you probably got more comments than you knew what to do with.

I would be remiss if I did not put in that additional plug that, when that transfer of the BLM headquarters took place to Colorado, there has been a lot of discussion about how poorly it was done and in many ways certain of the processes which were enacted seemed to actually create unhappiness and were designed to get people to leave the BLM and to make it less functional. And I want to make sure that I reemphasize that that has nothing to do with Grand Junction and the appreciation of that community and the relationship that community has developed with BLM over this past year, and what a great sign that is for the relationship with the West, with the BLM, where most of the land is.

Let me switch to—anyway, I do not want to belabor that point. I know pretty much everywhere we went in Colorado we talked about the BLM, I think.

Anyway, as we discussed also, too many underprivileged communities grow up without any access to outdoor spaces. And your sup-

port for the Outdoor Recreation Legacy Partnership Program, from your days in the House, and more recently as Secretary, has really helped us imagine how to close that nature gap.

But obviously, we still have work ahead of us. Senator Padilla and I have championed a one-time investment of \$500 million in local parks and open space as part of the Parks, Jobs, and Equity Act. Do you see this funding for local parks and connections into disadvantaged communities as a worthwhile infrastructure priority?

Secretary HAALAND. I absolutely believe that every American deserves to be in open space and it not be a chore to get there, yes.

Senator HICKENLOOPER. Okay. Well, we share that, and I think that this is a great opportunity to do that. I am pretty much out of time. I do want to say that I heard, at least four or five times, and I think I would have heard it 100 times if I could have had more ears, that people said they would remember the Secretary of the Interior coming to some of these small towns—Palisade, Colorado and Ridgway—where people said they will remember this moment for the rest of their lives. It really does reflect very well on you and the Department of the Interior.

Secretary HAALAND. Thank you. Thank you, Senator.

The CHAIRMAN. Thank you, Senator. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman. Madam Secretary, welcome, good morning. There has been a lot of conversation this morning, or certainly a lot of questions with regards to the oil and gas review and the timing on that. Your Department has consistently said that this is going to be released early summer. Well, we are beyond early summer.

Last month, you testified before the House Natural Resources Committee that it will be coming soon. Last week, you were quoted again that it will be “soon.” You have replied to Senators Manchin, Barrasso, Lankford, and Smith this morning that it will be soon. So I am not going to ask you when you think it is going to be coming because I think I know what your answer is, and I still do not—none of us know what your answer is. And so I hope you can sense the frustration that so many of us have in anticipating this and wondering when we will be able to expect that you will be in compliance with the judge’s order.

What I would like to ask of you, and you can provide me this in writing, is a list of stakeholders and entities that you have met with in Alaska, including state officials, ANCs, tribes, and private companies, as you have been doing this outreach for the review. And I would appreciate that in a timely manner.

I want to switch to a subject that Senator Lankford touched on and this is the 30 by 30 program that has now been rebranded “America the Beautiful.” I have shared with you and with others in the Department my concern and my great frustration with the 17(d)(1) withdrawals in the State of Alaska. These are the millions of acres that are in restricted status, despite the fact that the report commissioned by Congress specifically said that these withdrawals have outlived their intended purpose. They need to be lifted now.

The concern that I have now is that one of the reasons there may be hesitancy on lifting these “d-1” withdrawals is out of a fear that

any measurable progress on the 30 by 30 goal could be impacted. You have kind of suggested to Senator Lankford, in terms of how—I am not quite sure how the Department is measuring the total numbers of lands being conserved under this program. I think we have, again, asked and not really been answered on that. But can you tell me whether any of the 17(d)(1) withdrawals that are lifted would be counted against the 30 by 30 goal?

Secretary HAALAND. Senator, I can't give you an answer on that. I don't think—in the conversations that my staff has had with stakeholders regarding 30 by 30, that issue has never come up.

Senator MURKOWSKI. Okay. I will be pursuing that to try to get a little more definition to that because that is one of the only things I can think of, in terms of why we have been further delayed on the d-1 withdrawals.

I want to speak to an issue that I am sure you can anticipate. Senator Hickenlooper recognized that you have been to small communities in Colorado. Know that we are looking forward to your visit. I understand it will probably be some time in September. And part of that visit, as you have promised me and the Committee, is that you will take that opportunity to visit with the people of King Cove.

Your Department has been working with the State of Alaska, the Department of Transportation, regarding these special use permits to conduct the surveys for the road that we have been talking about. We have had some hiccups, but I think initially your staff was really working with mine. They were working with the State of Alaska to ensure that these permits could be issued in time for the summer field season. Everything seemed to be going, really, pretty much on track until the beginning of this month. And now we find out that literally at the 11th hour of these permits being issued, the state already has contractors at the site preparing to begin to work, and we find out that the Department has rescinded the January 15 secretarial memo that was issued by Secretary Bernhardt. This was the basis for these permits being issued.

In fairness, the state was not alerted that it had been withdrawn. We were not alerted that it had been withdrawn. We had to find out that it had been requested through a media source. So now the Department is shifting this whole process for these permits by telling the state that Fish and Wildlife now needs to do a refuge compatibility analysis, a minimum requirements analysis, which may require public comment and review.

So we have a situation here where, up until just literally days ago—maybe a week and a half ago—your Department was working with the state. They were working with us for six months to shepherd these permits. And not once was there any indication that these permits would not be issued, or that there was a problem for the basis of the permits, and that the process was effectively going to need to be changed.

We have not been given any reason why the process would be changed for issuing the permits, or why the limited use of helicopters would now be denied, even though helicopters have been used for survey work in the refuge previously. So I just have to ask the question, what is going on here? Why was the state not notified that this January 15th memo had been rescinded?

And really what I need from you is, I need a commitment that these permits are going to be issued, they are going to be issued, not soon, but they are going to be issued in the next two weeks and that the state be allowed to complete their survey work during this field season as everybody had anticipated would be done.

Secretary HAALAND. Senator, I will find out. I don't know why the state wasn't notified, at this moment. But I will find that out and I will—yes, I will need to get to the bottom of that. I will take this issue back. I absolutely understand and we will make it a priority and talk about this as soon as I am back at the Department.

Senator MURKOWSKI. Thank you, Madam Secretary. I would like to provide you with just a timeline of all of the assurances that we have received in the past six months that everything was on track. I think that that will probably help you and your team. It certainly has led to the confusion and the consternation that has put us at this place today.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator. Senator Kelly.

Senator KELLY. Thank you, Mr. Chairman. Good morning, Secretary Haaland. Great to see you again and congratulations on your confirmation as Secretary of the Interior.

It is timely that you are testifying today on the Department's budget. At the same time, we are working on this infrastructure legislation. I would like to compare the Administration's budget request to the bipartisan infrastructure bill that is taking shape and your views here would be appreciated.

I will start with the drought. For Fiscal Year 2022, the Administration requests \$1.6 billion for the Bureau of Reclamation, the Department's primary water agency for western states. The American Jobs Plan proposes an additional \$2.5 billion for Reclamation to cover water efficiency and recycling. It also covers tribal water settlements and dam safety. I, personally, do not think that is enough. Across the West and in Arizona especially, we have hundreds of aging Reclamation projects, dam and irrigation canals that need repair. These are often leaking and they are inefficient. We also need resources to protect aquatic species impacted by the Reclamation projects, including fish and wildlife on the Colorado River.

The bipartisan bill reported by this Committee earlier this month provides about \$8.3 billion for Reclamation. This includes funding the water recycling, ecosystem restoration, tribal projects, and also Reclamation's aging infrastructure account that, by the way, has never been funded before. Another infrastructure priority in our rural communities—I mean, they are threatened by wildfire. The Committee's bill proposes over \$1.1 billion to the Department of the Interior for wildfire and fuels management for burned-area recovery and for federal firefighter pay.

By comparison, DOI received \$220 million for wildfire fuels management last year. And according to the Administration's budget, that amount would treat burnable vegetation across 1.7 million acres of federal and tribal lands.

So Secretary Haaland, would you agree that a lot of good work in drought and wildfire resiliency can be accomplished under the bipartisan infrastructure proposal?

Secretary HAALAND. Absolutely.

Senator KELLY. Thank you.

Secretary HAALAND. Yes.

Senator KELLY. We are hoping and working today, still, to try to get this done.

Secretary HAALAND. Thank you.

Senator KELLY. Very important for our country. It is certainly important for the West, especially for the State of Arizona.

The bipartisan bill would also authorize \$3 billion to fund clean-up of abandoned hardrock mines on federal, state, and tribal lands through an amendment co-sponsored by Senator Heinrich, Senator Daines, and myself. Arizona has roughly 24,000 abandoned mines that we know of. Some 500 of these are cold war era uranium mines on the Navajo Nation. So we need to fund the hardrock mine cleanup program. Can we count on your support for these efforts?

Secretary HAALAND. We absolutely support cleaning up abandoned mines. Yes—yes, absolutely.

Senator KELLY. The 500 uranium mines on the Navajo Nation has been a historic failure of government to not address this adequately. It is affecting the health of so many of the Navajo people and it needs to be addressed. So Senators Daines and Heinrich and I have put forth this legislation that would authorize the funds to clean up these hardrock mines. So thank you for your support. I yield back the remainder of my time.

The CHAIRMAN. Thank you, Senator. Now we have Senator Daines.

Senator DAINES. Mr. Chairman, thank you. Thank you, Secretary Haaland for being here today.

I want to talk about one of my favorite subjects. It is the grizzly bear. The successful recovery of the grizzly bear in the Greater Yellowstone and North Continental Divide epitomizes what the authors of the Endangered Species Act first envisioned. What they did not envision, however, was for these listing decisions to become hyper-politicized and to bounce around in the courts.

Here are the facts. In the Greater Yellowstone ecosystem, in 1975—and these are the Fish Wildlife Service's numbers—there were 136 grizzly bears, according to their numbers. The criteria for recovery was 390. They raised that to 500 back in 2006. And today, the FWS number is 728, nearly 50 percent above the already raised recovery target. In the Northern Continental Divide ecosystem—that is up along the Rocky Mountain Front in Central Montana—the criteria was 391 bears. Today, it is 1,068.

It has been over 16 years since the Greater Yellowstone grizzly bear was determined to be recovered—16 years. And while these two recovered populations languish on the endangered species list, conflicts with grizzlies are on the rise. In Montana, we have tragically already had two grizzly-human fatalities this year. There was a bicyclist who was bicycling across our state. She had a tent pitched in Ovando, Montana, back behind the museum there. It is a small town. And the grizzly bear came into town and ripped her out of the tent and brutally killed her.

Now, Montana has a proven track record of conserving recovered predators and is more than ready to assume responsibility of managing the grizzly bear. For the sake of our communities, for our

ranchers, for other wildlife, and the bear itself, it is time to restore management back to the state.

Secretary Haaland, a simple yes or no question. Do you agree with the wildlife biologists from your own agency that the bear has recovered in these two ecosystems?

Secretary HAALAND. Senator, if you'll permit me to just say I'm sorry for the loss of your constituents. It's a very sad story. I could—yes, the ongoing recovery is a remarkable success for the Act.

Senator DAINES. Okay, so you would acknowledge that the bear has recovered—exceeded the recovery targets in these two ecosystems?

Secretary HAALAND. It sounds like the Endangered Species Act has done what it was meant to do.

Senator DAINES. I think that is exactly right. We would heartily agree with that, that the numbers—it is not that complicated. There are targets and then, you take the FWS numbers, which I think many believe are on the conservative side, but they are still way above the recovery targets that were even raised once before, certainly in the Greater Yellowstone ecosystem. So thank you, that you agree with these—they have recovered in these two ecosystems.

Do you agree with that statement, and if so, would you support my legislation to codify the Fish and Wildlife Service's 2017 rule, delisting the grizzly bear in the Greater Yellowstone ecosystem?

Secretary HAALAND. Senator, we are more than happy to speak with you, to work with you, to make sure that we are listening. We are always happy to work with Congress, and this issue is no different.

Senator DAINES. I appreciate it. I think the frustration for so many Montanans is that you have individuals who are a long ways away, here in DC, who might not always be able to find Montana on a map, who are dictating policies that are affecting Montanans greatly when they look at their quantitative data that suggests it is very clear and compelling that the bear has recovered. We should celebrate that, that the bear has recovered, and transfer the management of the species back to the state.

I want to talk about 30 by 30 for a moment. It has been six months since the Biden Administration first announced the 30 by 30 initiative, and yet, few if any details of the plan have come out. The Administration says it is going to be locally led. It is going to incorporate working lands. But anybody with a public lands background knows that there are multiple environmental and land planning laws already in place to ensure this is already the case.

Secretary Haaland, I asked you a similar question during your confirmation hearing, but I would like to try to see if I can get a clearer answer. Given the many planning and environmental laws guiding actions on federal land—NEPA, Federal Land Policy Management Act, ESA—in what meaningful way are locally led collaborations not already guiding public land conservation?

Secretary HAALAND. Well, I believe very strongly that a lot of locally led folks are participating in conversations about our public lands. And that is why we have been careful to ensure that we are bringing those folks to the table for this issue, as well.

Senator DAINES. Right. Mr. Chairman, I am in extra innings here. Thank you for your grace and I will turn it back to you.

The CHAIRMAN. Thank you, Senator. Senator Marshall.

Senator MARSHALL. Thank you, Mr. Chairman. And Secretary Haaland, welcome back to the Committee and congratulations to you on your successful nomination. We know we are going to have a lot of fun working together and just look forward—we agree on so many goals together.

Probably two hotspots back home are the size of the federal budget and 30 by 30. Your budget asks for an increase of 17 percent. That is \$2.5 billion. Are there plans in your budget to take some of those monies to implement 30 by 30, and what does that look like to you all?

Secretary HAALAND. I appreciate the question, Senator, and thank you, also, for the card that you sent over to my office. I appreciated that very much.

With respect to 30 by 30, of course, we have felt that it is, you know, it is a collaborative initiative. We hope that many people—private landowners or, you know, organizations, farmers, ranchers will all participate in that. And we have done much to ensure that those conversations move forward.

With respect to details on that, I would love to ask for Rachael's help, and she can perhaps provide more details.

Ms. TAYLOR. Hi, Senator. Thanks so much for the question. We have spoken this morning already about how the initiative itself is in development, including what methods are going to be used to measure success and what the shape will be going forward.

I think, to the point about the locally led conservation, you know, there are two pieces to it. One is that we do want to have better data collection across landscape levels to see how lands are being managed and conserved. And so there are some resources within the U.S. Geological Survey budget that support ongoing efforts to support databases to look at land cover.

The other issue is the partnership programs that are so strong in the Department. I mean, 30 by 30 amplifies longstanding programs, state and tribal wildlife grant programs, joint venture programs in the Fish and Wildlife Service. And this is how we are reaching into some of the partner programs on the ground.

Senator MARSHALL. So my question was, do you think that you will be using that extra \$2.5 billion to purchase lands?

Ms. TAYLOR. So the land acquisition budget right now is funded through the Great American Outdoors Act, which fully funded through—through that. So that is our acquisition budget, which is done through the mandatory—

Senator MARSHALL. When it comes to CRP and other conservation programs, within your concepts of 30 by 30, will this all be voluntary, or will folks be forced to participate?

Ms. TAYLOR. It is intended to be voluntary and locally led and to pull in programs. You mentioned the USDA program and we are looking across landscapes and at different federal partners, as well.

Senator MARSHALL. Okay. Secretary, I would like to go back to the Endangered Species Act and forgive me if you have answered this already. But how do you measure success? How do you see success? You know, the grizzly bear is one example. The lesser prairie-

chicken is another example where, when there have been private-government partnerships, we have seen some success. And of course, Mother Nature and rain help a little bit, as well. We know very well how to get on that list. How do we figure out how to get off the list?

Secretary HAALAND. Senator, I know that the Endangered Species Act is guided to a large degree by science and, of course, the data and the science are certainly important in making any of those determinations.

I also—I mean, we have to add in another factor for so much of what we do, and that is climate change. We have seen how devastating climate change has been to the West, with respect to the drought that we are—the severe, extreme—I do not know how many more adjectives we can find to describe the type of drought we are experiencing in the West right now.

And so all of those factors—you know, part of it, of course, is making sure that they have the habitat that they need. And in some places, yes, species are doing better than they are in other places. So taken as a whole, that is the job for the scientists and we listen carefully.

Senator MARSHALL. Okay. Forgive me, a last question. Let's go back to CRP. Are you aware of the upstream and downstream economic consequences if we would take a third of the farmland in Kansas, or pastureland, and put it into conservation, that we would end up just needing to close high schools and, at least, every third hospital?

Secretary HAALAND. Thank you for that information, Senator.

Senator MARSHALL. Okay. Thank you.

Secretary HAALAND. Thank you.

The CHAIRMAN. Thank you, Senator.

Senator MARSHALL. Thank you.

The CHAIRMAN. Senator Cassidy.

Senator CASSIDY. Thank you, Mr. Chair. Madam Secretary, thank you for being here.

You just mentioned in your last response to Senator Marshall that your analysis will factor in the climate change issue. We have seen, as this pause has continued, that the President is now, basically, begging OPEC to increase production because he wishes to hold down gasoline prices. And yet, we know from an Obama-era study, that oil produced in the Outer Continental Shelf (OCS) of the United States is the most environmentally, if you will, lowest carbon footprint per unit of production, of any oil that comes to our shores.

Now, does your analysis include that, since clearly the Administration is begging for oil to be produced elsewhere in the world, that if it is produced in the OCS, that it actually has a lower carbon footprint per unit of production of any oil that comes to our shores? Does your analysis include that?

Secretary HAALAND. Senator, I know that we have a terrific team at the Department of the Interior, and I am positive that they are factoring in everything they need to in any decisions that they make.

Senator CASSIDY. Now, you are being far less specific than you were just with Senator Marshall, which always raises my kind of

“Spidey web” senses a little bit because it seems as if the answer to Marshall was, boy, we are looking at climate change as a factor in these forest fires. But then, when I ask if the specific analysis shows data previously developed by the Obama Administration, the answer is more vague.

Can I ask you to make sure that the scientists doing this analysis both take into consideration this previous Obama-era finding, they make explicit that it is used, and it turns out that the decision to continue the pause—which, by the way, seems to be illegal—is made, that this is explained, why it is being extended, in the light of this fact, which I just suggested?

Secretary HAALAND. Thank you, Senator. I will make sure I take this back to the Department.

Senator CASSIDY. Thank you. Now, we know that the pause is effectively defined. The federal judge has ordered a continue. But nonetheless, we have a new five-year leasing plan that will soon be required. Can you tell us what is the current status of developing the new five-year program and does the Department think it will have a final, new leasing program by the end of next June?

Secretary HAALAND. I was aware that the five-year plan, from 2017–2022, is coming to an endpoint and we do not yet have a specific timeline to release a proposed plan. But they are complying with the court decision. They are working on that, as well.

Senator CASSIDY. Of course. The court decision, as I understand, pertains to the current plan. I am speaking of the next five-year plan.

Secretary HAALAND. Yes, they are working on that next five-year plan.

Senator CASSIDY. And have you started the programmatic environmental impact statement?

Secretary HAALAND. Senator, I’d be happy to go back this afternoon, have a conversation with the Principal Deputy Assistant Secretary and make sure that you get an answer to your question.

Senator CASSIDY. Thank you. Again, you brought up the issue of climate change and how you are factoring all that in. During a recent hearing, the BOEM [Bureau of Ocean Energy Management] Director, Ms. Amanda Lefton, suggested that if we—you know, my words, not hers—but that if you leave it in the ground, you are going to decrease demand. That seems, again, a little bit—now, the Administration is begging OPEC to increase production, improving OPEC nations’ economies, while at the same time, they are pausing development in our lands. There is a heck of a lot in there that the American workers should be angry about.

But what are your thoughts on the need to influence demand in order to reduce climate change risk? Should we leave it in the ground?

Secretary HAALAND. Senator, as I have said in my confirmation hearing and many times since, the gas and oil industry will go on for years to come. I don’t see an end to—

Senator CASSIDY. I get that, but that is not my point, really. The question is—because, clearly, Valero can import oil from Venezuela or from OPEC. Venezuela is part of OPEC, but from the Middle East, as opposed to bringing it onshore from the Gulf of Mexico. So they will be in business. The question is, are we going to produce

the oil with our environmental standards, which are the best in the world? Or are we going to produce it with those of nations which take less care for emissions and which currently, the Administration is begging for them to increase production? So again, just to put a point on it, does it decrease demand if we do not produce U.S. oil?

Secretary HAALAND. I wish I were an economist and could answer you, in all certainty. My understanding is that if we move forward with our plans to create green energy opportunities for our country, that there will likely be less demand.

Senator CASSIDY. Not quite the answer, but I will not belabor. I yield back.

The CHAIRMAN. Senator Hoeven.

Senator HOEVEN. Thank you, Mr. Chairman. Secretary, thank you for being here today. We appreciate it.

I have talked to you before about the Mandan, Hidatsa, and Arikara (MHA) Nation in North Dakota. They produce about 300,000 barrels of oil a day, and much of that goes through the Dakota Access Pipeline (DAPL). And so it is a very, very important source of revenue, jobs, and economic activity to the reservation. And they depend on the Dakota Access Pipeline to get their oil to market. And this is light, sweet crude. This is not the heavy crudes. This is very light, sweet crudes and we do directional drilling and have very good environmental standards.

And so my question is, have you been briefed on the importance of energy development at MHA Nation, including their dependence on DAPL to ensure their trust resources are delivered to market? Have you been briefed on it?

Secretary HAALAND. Senator, I have not had any meetings with MHA, but none of the gas leases, or any of the pause that the President put on the gas leases are affecting tribal nations at all.

Senator HOEVEN. Right. But I just want to make sure you are aware of their energy development and that you have had briefing on—

Secretary HAALAND. I am aware that tribes do develop natural resources.

Senator HOEVEN. Well, and even in your own state, you know how much oil and gas development there is in your home State of New Mexico?

Secretary HAALAND. Yes.

Senator HOEVEN. And are you committed to working with the MHA Nation to make sure that they can continue their efforts and the importance to them of it for their economy?

Secretary HAALAND. I know that we always work to ensure that we are consulting with tribes and I believe that is our position.

Senator HOEVEN. In regard to the moratorium that the Administration has placed on oil and gas leasing, when will the Department resume scheduling lease sales?

Secretary HAALAND. Senator, in answer to your question, we are complying with the court order currently and the Department in that area is working to move that forward. I cannot give you a specific date. I wish I could but, unfortunately, I cannot.

Senator HOEVEN. Do you think that the uncertainty that creates has hindered the development of domestic energy resources?

Secretary HAALAND. I would like to just point out that, as you know, and I have said many times, the pause was on new leases, not existing leases. There are thousands of permits and leases available right now for production.

Senator HOEVEN. Do you think it is better that we develop our oil and gas resources here, or rely on imports from foreign sources, like Russia and OPEC?

Secretary HAALAND. Well, as I have mentioned, also many times, this industry will go on for years to come and we will absolutely do our job as best we can.

Senator HOEVEN. I don't know if this situation exists in New Mexico, but I would guess it does. In a lot of cases in North Dakota, we have privately owned minerals, or maybe even minerals owned by Three Affiliated Tribes on reservation. And at the same time, we have minerals that may be owned by BLM, or some other federal entity, and no surface ownership by the federal entity—no surface ownership. In those cases, those minerals are held up from development—those private minerals, because of the federal moratorium and there is no surface ownership. Do you think that is fair to those private owners, which could be Native American owners?

Secretary HAALAND. Senator, I would have to get you a specific answer for your question and we'd be happy to send that to your office.

Senator HOEVEN. But it is something you might be willing to look into, just on the basis of fairness?

Secretary HAALAND. Yes, of course.

Senator HOEVEN. Public safety is a huge issue across the country, and certainly in Indian country. One of the things that we worked on was to develop, at Camp Grafton, law enforcement training for BIA law enforcement officers. We think it is incredibly important because we have a tremendous shortage of BIA law enforcement officers, particularly throughout the Upper Great Plains. Are you willing to help us continue that effort and are you willing to support that effort?

Secretary HAALAND. Absolutely. That is an issue that happens across the country. I met with tribes in Colorado recently and they are facing the same issue. So yes.

Senator HOEVEN. Thank you. Really important, I think, to help with public safety issues. So I appreciate that very much.

Secretary HAALAND. Yes.

Senator HOEVEN. The last question I have is in regard to—in the Theodore Roosevelt National Park, we are working with Interior and DOT to fix the Scenic Loop. It goes through the whole park, and people can drive through and see buffalo and, you know, elk and wild horses, and it is just phenomenal. But we need to get that fixed. That is underway. I just would ask for your continued commitment and support to get that done as soon as we can for the benefit of everyone who visits that national park.

Secretary HAALAND. We'd be happy to work with you on any of your national parks, Senator.

Senator HOEVEN. Thank you, I appreciate it.

Secretary HAALAND. Yes.

The CHAIRMAN. Senator Lee, for a second round.

Senator LEE. Thank you, Mr. Chairman.

Secretary Haaland, in our last round of questioning, I think we finished up as I was asking you questions about Tracy Stone-Manning. You declined to say whether you agreed with the statement issued recently by a White House official, indicating that the nomination of Ms. Stone-Manning was a massive vetting failure.

Now, in a questionnaire submitted to this Committee, Ms. Stone-Manning suggested that she had never been the target of an investigation. Since that time, of course, we have learned that she was, in fact, issued a target letter, indicating that she would be indicted on criminal charges related to the tree spiking. Were you or the Department aware of those details prior to her nomination?

Secretary HAALAND. Senator, I was not aware of those details.

Senator LEE. Were you or the Department aware that Ms. Stone-Manning had hired an attorney and negotiated an immunity deal prior to testifying in the tree-spiking case?

Secretary HAALAND. No, Senator, I did not know that.

Senator LEE. Did you or the Department advise or in any way support Ms. Stone-Manning in indicating to this Committee that she had never been under investigation?

Secretary HAALAND. Senator, I have not met, nor spoken to Ms. Stone-Manning. I understand that is the President's nominee and that she is qualified to do a job that he has asked her to do. And that's pretty much that.

Senator LEE. What about the Department?

Secretary HAALAND. The Department?

Senator LEE. Have others at the Department done that?

Secretary HAALAND. I can't answer that. We'd be happy to try to answer any other specific questions you have on the record, though.

Senator LEE. As I recall, at the time Ms. Stone-Manning was nominated to be the head of the Bureau of Land Management, you had been in office for about a month as Secretary of the Interior. Were you aware of public statements that Ms. Stone-Manning had made only months before her nomination, calling for homes built in forests to burn in forest fires?

Secretary HAALAND. I had not read any of that, Senator, and—I mean, yes, I am the Secretary of the Interior, but she is the President's nominee and I am not in a—I mean, I didn't nominate her. I am here to move the Department forward on the President's priorities, and that is what I am focused on at the moment.

Senator LEE. Yes. I understand. I understand and I suspect you can also understand why, as a member of this Committee and as a Senator representing a state, two-thirds of which is owned by the Federal Government, and 40 percent of which is under the control of the Bureau of Land Management, why I might be concerned about that. And why I might be more specifically concerned about the fact that she tweeted an article written by her husband—an article that states, "There's a rude and satisfying justice in burning down the house of someone who builds in the forest." She called it a clarion call. Do you agree with that statement?

Secretary HAALAND. Senator, I don't read Twitter these days and I certainly—

Senator LEE. I am not asking whether you read Twitter. I am asking you whether you agree with the statement—as someone who represents a state where a lot of people have lost their homes

and their livelihoods and their access to public lands that they care about.

Secretary HAALAND. Senator——

Senator LEE. I do not agree with it. Do you agree with it?

Secretary HAALAND. Senator, everyday there are articles about wildfires and fires and pictures of houses burning on the front page of the New York Times. And it makes me cry every time I see that. This is a terrible issue in our country right now, these fires, and we are going to do everything we can to help remedy that.

Senator LEE. Do you believe it is appropriate for a person who has shown gratification in seeing homes burn because they are in forests to lead a key wildfire-fighting agency?

Secretary HAALAND. Senator, what I can tell you is that I am going to do my level best to ensure that we are doing everything humanly possible to make sure that fires don't burn down our communities and people's homes.

Senator LEE. Is it consistent with the desire to do everything you can to stop that from happening—would it be consistent with that objective that you have just described, which I appreciate—to put someone in charge of it who has expressed gratification over seeing people's homes burn? Now, she has a spouse that believes that allowing livestock to graze on public lands is “destroying the West.” Do you agree with that statement?

Secretary HAALAND. Senator, I suspect that anybody who is leading in any portion of the Department of the Interior will carry out the laws of this country and the priorities of the President in a very meaningful way.

Senator LEE. And you do not think she will be influenced by her feelings of gratification on seeing homes burn in forests?

Secretary HAALAND. I think that anyone who is leading the Department will do their best to ensure that we are protecting our public lands for every single American.

Senator LEE. In her academic thesis, Ms. Stone-Manning supported policies to influence Americans to have fewer children. She said that it is not a problem elsewhere and that Americans should stop at one or two kids. Do you agree with those policies?

Secretary HAALAND. I don't think that anyone can make policies like that.

Senator LEE. In the same thesis, she published a photo of a child with the caption, “Can you find the environmental hazard in this photo?” She then indicated that the child was the environmental hazard. As the father of three, it makes my stomach sick to think that anyone would label my child, or anyone else's child, as an environmental hazard. As a parent, I am sure you feel the same way. Were you or your Department aware of these statements prior to her nomination?

Secretary HAALAND. Senator, my child is 27 years old. I love her dearly. I wish I could I see her more. I, quite frankly——

Senator LEE. Is she an environmental hazard?

Secretary HAALAND. She is her mother's daughter and takes her refillable water bottle everywhere she goes and does whatever she can to honor this earth.

Senator LEE. I see my time has expired. I would close by expressing my strong concerns here. Look, I get it. Not every official in the

U.S. Government is going to agree with me. Not every official appointed by a President who is of a different political party is going to be one that I am going to agree with. There are a lot of people I can support who I disagree with.

In this Department—the Department that you head, and in this Bureau that Ms. Stone-Manning has been asked to lead, there is immense discretion—discretion that can have catastrophic consequences, not just economically, but for the day-to-day lives of the people I represent. That discretion is, in many cases, as a practical matter, almost unreviewable. Sure, court challenges can happen, but from one day to the next, there are a whole lot of those things that are really, ultimately up to the discretion of the director of that office.

I would urge you and other members of this Administration to reconsider whether this is an appropriate choice. It is not.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator. I want to thank the witnesses for joining us this morning for this discussion. Members will have until the close of business tomorrow to submit additional questions for the record.

The Committee stands adjourned.

[Whereupon, at 11:55 a.m., the hearing was adjourned.]

APPENDIX MATERIAL SUBMITTED

Senate Committee on Energy and Natural Resources
Hearing on *The President's Budget Request for the U.S. Department of the Interior for FY 2022*
July 27, 2021 Hearing

Questions from Ranking Member Barrasso

Question 1: Could you describe which agencies and programs would receive the largest increases in staffing under the FY2022 budget request, and why? In particular, relative to FY2020 staffing, BIA and BIE together would increase by nearly 1,000 employees, with a sizeable decline for BIA and a sizeable increase for BIE. BLM and FWS staffing would increase by more than 1,000 employees per agency, and NPS employees would increase by more than 2,000. What are the reasons for these proposed changes?

Response: The Department of the Interior's Fiscal Year 2022 Budget in Brief document, found on the Department's website, contains a list of Full-time Equivalent staffing that shows usage for past years, estimates for upcoming years, and any changes: <https://www.doi.gov/sites/doi.gov/files/fy2022-bib-j0001.pdf>. The FY 2022 budget request included investments intended to implement the President's vision to build back better and make the United States more competitive, meet our commitments, and rebuild the Department's workforce. If enacted, the proposal would increase the Department's staffing by 10.7 percent from 2020 figures.

Question 2: Have normal operations resumed across DOI agencies and programs? If not, what pandemic-related challenges does DOI continue to confront in fulfilling its mission?

Response: The Department is continuing to carry out its operations and programs while ensuring a safe workplace for employees and contractors and minimizing risk to the public. We are continuing to follow Centers for Disease Control guidance while taking into consideration local conditions. We are also masking in areas of high or substantial transmission, when indoors. The Department implemented a process for employees, contractors, and certain visitors to attest to their vaccination status and to ensure that additional protocols are in place to minimize risk to those working on sites. And we continue to advocate that people get vaccinated.

Question 3: Are there logistical challenges to returning employees to work at their pre-pandemic locations? How is DOI addressing any challenges?

Response: Like many businesses, state, and local governments, the Department and other federal agencies are working through the process of planning for the safe return of employees and contractors to work sites, as well as looking at future policies, like telework, to determine how they can contribute to our future work environment and employee personnel policies. It is important that reentering the physical workplace be done safely and with ample and appropriate notice to employees. We will continue to keep Congress informed as these processes proceed.

Question 4: How did the COVID-19 pandemic affect visitation to DOI lands? What levels of visitation are occurring currently relative to pre-pandemic levels?

Response: While visitation trends among different Department managed lands and units varies greatly, in general there was an initial drop in visitation during early 2020 as many parks, recreation management areas, and developed sites closed to public use in accordance with local public health and safety measures. The National Park System saw overall visitation drop by 90 million recreation visits, a decrease of 26% from the previous year, due to the early impacts of COVID-19. But about one-third of the parks had at least one month of record visitation as people sought the physical and mental benefits of being outdoors. Overall visitation to

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Department lands has largely rebounded and in many cases significantly increased. For example, overall visitation to Bureau of Land Management lands for recreation increased 13.6 percent to over 80 million visitors annually over pre-pandemic levels.

Question 5: DOI received emergency supplemental appropriations related to COVID-19. How is this money being used? What progress has DOI made in spending this money? What safeguards ensure that these emergency funds are used for intended purposes and that spending maximizes benefits to recipients and the general public?

Response: The Coronavirus Aid, Relief, and Economic Security Act appropriated a total of \$756.0 million in funding directly to Bureaus and Offices in the Department of the Interior to prevent, prepare for, and respond to coronavirus domestically or internationally. The funding was made available for multiple purposes including:

- Equipment and supplies to disinfect and clean buildings and public areas;
- Law enforcement and emergency management operations;
- Bio-surveillance of wildlife and environmental persistence studies;
- Assistance to Tribal governments;
- Information technology for teleworking capability;
- Welfare assistance and social services programs;
- General technical assistance to the insular areas;
- Employee overtime and special pay expenses;
- Response, mitigation, or recovery activities; and
- Office of the Inspector General oversight activities.

Additionally, the CARES Act enabled the transfer of \$153.75 million from the Department of Education's Education Stabilization Fund to the Bureau of Indian Education to support Tribal schools.

The Department took a thoughtful, measured approach in the management and oversight of CARES Act funding. Understanding the evolving nature of the pandemic, funding was approved incrementally during the availability period in FY 2020 and FY 2021 to ensure critical resources were directed to the most urgent and most beneficial requirements as they evolved during the dynamic events of the pandemic. This deliberate approach allowed the Department to address emerging issues during the pandemic without requesting additional funding, while ensuring critical needs were being met.

Interior takes its stewardship of taxpayer dollars seriously and actively works to prevent waste, fraud, and abuse through implementation of bureau and office administrative control of funds systems. As with all funding, Bureaus must assign staff to conduct periodic reconciliation of funds control records with accounting records or other fund status reports available in the financial system to ensure appropriate execution of emergency supplemental funding. Further, the Department's Office of the Inspector General has been conducting ongoing reviews of CARES Act funding since the funds were appropriated in FY 2020.

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Question 6: DOI is responsible for managing resources efficiently and delivering services effectively. This responsibility raises a number of fiscal issues.

- a. What do you see as opportunities to increase revenues, including through improved management of resources and programs? What are some challenges related to those opportunities?**

Response: Our goal as managers of the public's resources should always be to strive for improved efficiency in the management of resources and programs. In keeping with this charge, the Department is continuing its efforts to reform the oil and gas leasing program, including in the long-acknowledged failure of that program to provide a fair return to the taxpayer for the development of these resources.

- b. In what ways do you think the revenue-sharing requirements for DOI programs are sufficient or insufficient? For which programs, if any, would you support modifications that either increase the share of revenue retained by DOI for various purposes, the share distributed to states or local governments, or the share deposited to the General Treasury?**

Response: With regard to revenue sharing, the Department has testified in general support of legislation that would create a revenue sharing and distribution structure for receipts from solar and wind development on public lands with the states. The Department's review of the oil and gas program, made public in November, contains recommendations for increasing revenue obtained from the leasing program to ensure that the public is realizing a fair return for the development of publicly-owned resources. Both states and the U.S. Treasury will benefit from such changes.

Question 7: During the Trump Administration, DOI undertook a reorganization with a goal of improving efficiency and effectiveness of land and resource management. The reorganization consolidated the different regional boundaries of several DOI bureaus into 12 Unified Regional Boundaries. The effort also sought to improve and streamline the Department's business operations. The focus was on using shared services and best practices throughout DOI in the areas of information technology, procurement and acquisition processes, and human resources, among others.

- a. DOI has undertaken various actions related to restructuring and reorganizing agencies and offices. Are additional actions needed to enhance DOI efficiency and effectiveness in delivering services? Should additional restructuring take place so as to minimize duplication and fragmentation of services between programs, offices, or agencies or across geographic regions?**

Response: It is a priority that the Department deliver its programs and services in an efficient and effective manner. We continue to work with our bureaus and regional offices to identify best practices and minimize duplication and fragmentation of services between programs, offices, and agencies, as well as create efficiencies across geographic regions.

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- b. In recent years, DOI has requested additional funding for reorganization efforts. Does DOI anticipate a need for additional funding in FY2022 to improve functionality across DOI programs, offices, or regions?

Response: While the Department has not requested such funding since FY 2020, we continue work across our bureaus, regions, and offices to identify better ways to do business and improve communication and coordination, both internally and with our stakeholders. Funding is generally included within bureau and office budgets that supports ongoing work like this.

- c. Do you anticipate DOI will continue to retain the regional boundaries established in 2018? If a return to prior boundaries or other arrangement is favored, how would this affect the implementation of shared services as part of the reorganization effort?

Response: As noted in a previous response, it is a priority that the Department deliver its programs and services in an efficient and effective manner. We continually work with our bureaus and regional offices to identify best practices and minimize duplication and fragmentation of services between programs, offices, and agencies, as well as create efficiencies across geographic regions. This Administration's management objectives include modernizing federal systems, improving access to and infrastructure of federal data systems, and leveraging federal shared services to improve the delivery of services to the public.

- d. Given that DOI recently was subject to a data breach, does a streamlined approach to business operations and information technology interoperability provide the Department with more or less protection against future data breaches? If the streamlined business and information technology operations continue, how will DOI ensure that the Department's computer networks for individual bureaus and offices are secure?

Response: A streamlined approach to information technology is important for enhancing the Department's cybersecurity posture and improving efficiency in managing IT systems that support our business operations. We are implementing a strategy and Department-wide standards to establish streamlined business operations and IT interoperability that will provide greater protection against future data breaches. We are working with other key federal agencies, including the Department of Homeland Security, to implement cloud solutions and cybersecurity tools, standards, and processes to increase visibility into the entire DOI network for the purposes of detecting and responding to emergent threats and vulnerabilities that may pose a threat to DOI's network and information systems.

Question 8: What are BLM's top budgetary priorities for FY2022? How do these priorities reflect BLM's multiple use mission?

Response: The BLM's budget priorities reflect this Administration's commitment to strengthening climate resilience and conservation partnerships, deploying clean energy on our public lands, and creating jobs. The actions that BLM takes on the public lands are guided by the agency's statutory mission.

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Question 9: As part of a broader DOI reorganization effort, the Trump Administration sought to relocate most BLM positions and personnel based in Washington, DC, to BLM state offices across the West, and to establish a new BLM headquarters office in Grand Junction, CO. On August 10, 2020, the Secretary of the Interior signed Secretarial Order 3382, which formally established the new Grand Junction headquarters office. In the FY2022 budget submission, DOI indicated that the Department is “actively reviewing” the BLM reorganization and relocation of headquarters.

- a. What is the status of the Department’s review of the BLM reorganization? Do you anticipate BLM will leave its headquarters in Grand Junction, Colorado? If a return to the prior headquarter location in Washington, DC, or other arrangement is favored, how would this affect the ability of the agency and its staff to fulfill its mission? What would be the cost of a return to Washington D.C?**

Response: In September 2021 Secretary Haaland announced her intent to restore the BLM’s national headquarters to Washington, DC, but retain the office in Grand Junction, CO, as a regional hub and Western headquarters. The headquarters organizational review is ongoing. It is a critical component of rebuilding and strengthening the bureau and its workforce, which was depleted of senior staff following the moves made by the previous administration.

- b. How have business operations changed as a result of the headquarters relocation? What are the advantages of the shift in BLM headquarters staff to the new Grand Junction location?**

Response: As noted in the previous response, Secretary Haaland announced in September 2021 her intention to restore the BLM’s national headquarters to Washington, DC, but retain the office in Grand Junction, CO, as a regional hub and Western headquarters. The move of the bureau’s headquarters from Washington to Grand Junction resulted in driving hundreds of people out of the agency. Of the 328 positions moved out of Washington, only 41 of the affected people relocated, with 3 moving to Grand Junction. This led to a significant loss of institutional memory and talent. The Department is committed to a goal of minimizing further disruption to employees and their families during the transition toward restoring a DC headquarters presence.

Question 10: How does the Great American Outdoors Act (GAOA; P.L. 116-152) funding for DOI deferred maintenance fit into the Department’s broader proposals related to infrastructure and jobs? How many jobs might be created through the GAOA funding for DOI deferred maintenance?

Response: The Department is committed to enhancing conservation and recreation opportunities across America. The Great American Outdoors Act and the Bipartisan Infrastructure Law have provided significant investments and a commitment to public-private collaborations to reach these goals. Infrastructure projects create jobs in the construction phase, and the resulting improvements help support the recreation and tourism economies that are so important to many states. The Department has estimated its GAOA-funded deferred maintenance investments will create an average of over 18,000 jobs each year and contribute an average of \$2 billion each year to the overall gross domestic product.

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Question 11: Delaying the maintenance of roads, bridges, trails, water structures, buildings, and other assets accelerates the rate of deterioration, increases repair costs, and decreases value. What priority does the DOI budget request give deferred maintenance relative to regular maintenance?

Response: The Department has prioritized GAOA funds for larger projects that generally exceed the capabilities of other fund sources, with the goal of making the largest impact in areas with the highest deferred maintenance. For example, within the National Park Service alone, which is allocated 70 percent of the annual deferred maintenance funding from the Act, projects address significant deferred maintenance by targeting NPS's priority assets. Deferred maintenance needs are not spread evenly across park units. Priority projects generally are those that would address a high percentage of deferred maintenance needs and are large scale, generally exceeding the capacity of other fund sources. Projects proposed for FY 2022 funding have been sent to Congress as part of the regular budget process and were included in the Department's budget request.

Question 12: Is the mandatory funding provided through GAOA sufficient to address the agencies' most urgent deferred maintenance needs? What additional funding, if any, is needed and requested for FY2022 for this purpose?

Response: Yes, the Department and its bureaus are utilizing the mandatory funding provided through GAOA to address the agencies' most urgent deferred maintenance needs.

Question 13: Budget justifications for all DOI agencies typically have not specified the total amounts being requested each year for deferred maintenance. Could DOI do so as part of the annual budget request? Identification and aggregation of all accounts and sources for each agency could facilitate congressional decision making and oversight.

Response: As noted in a previous response, projects proposed for FY 2022 funding have been sent to Congress as part of the regular budget process and were included in the Department's budget request. The Department will gauge the feasibility of supplying deferred maintenance funding estimates across all sources for inclusion in the annual budget request.

Question 14: Please describe the process used to develop the priority deferred maintenance project lists that are included in the FY2022 budget request? How, if at all, did these processes differ from those used for other deferred maintenance funding sources? How will you ensure that DOI uses all deferred maintenance funding efficiently and effectively?

Response: As detailed in the FY 2022 budget justification document for Department-wide programs, the Department's land management bureaus, in conjunction with the GAOA Program Management Office in the Office of the Secretary, developed high level parameters to guide the project selection process, including: achievement of a significant deferred maintenance reduction; maximization of return on investment; safeguarding those we serve, our partners, volunteers, and workforce; and rehabilitation of assets to support conservation and recreational opportunities for years to come. Each bureau used those parameters, in conjunction with internal prioritization, selection, and review processes, to compile project lists. The bureaus continued selecting many of their FY 2022 projects from existing deferred maintenance or line item construction plans where planning and compliance was already underway. Additional information on the specific process used are detailed within each bureau's budget justification document.

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Question 15: BLM's estimate of deferred maintenance increased nearly four-fold from FY2019 to FY2020, from \$1.1 billion to \$4.1 billion. What accounts for this increase? Given this large change, what if any additional resources is the budget request seeking for BLM deferred maintenance needs?

Response: The BLM historically used an assessment method that resulted in an undervalued deferred maintenance backlog. The methodology was updated in FY 2020 to align with other DOI bureaus, and better reflects the deferred maintenance needs of BLM's transportation system. As noted in the FY 2022 budget justification, project selection criteria was developed to maximize the impact of Great American Outdoors Act program objectives across the BLM deferred maintenance portfolio. Projects were developed in the states, and BLM's State Directors approved their proposed FY 2022 projects before submitting to BLM Headquarters for consideration.

Question 16: What processes and criteria did DOI use to develop the land acquisition projects lists that are included in the FY2022 budget requests for BLM, FWS, and NPS? Are the same criteria used for line item project acquisitions as for acquisitions that foster recreational access? If not, how do the criteria differ?

Response: The federal land acquisition project lists were developed by each bureau, each using its own process for selection based on the bureau's specific management needs and statutory requirements and were then reviewed and approved by the Department. Across the Department, certain project selection criteria were similar, including prioritizing land acquisitions that present a time-sensitive or unique acquisition opportunity, involve a willing seller, include regional and local support, promote recreation access, preserve threatened resources, and support mission requirements. Additionally, in accordance with the Administration's priorities, consideration is given to projects which benefit underserved or at-risk communities and strengthen the resilience of resources to climate change impacts. The process for line item project acquisitions is similar.

Question 17: Did the DOI agencies collaborate as they identified acquisitions of types of resources or in geographic areas? Did any collaboration extend to the Forest Service, which also requested appropriations for acquisitions?

Response: As noted in the response to the previous question, each bureau independently made selections that met their mission objectives, given the opportunity for acquisition. Overall, the portfolio of federal land acquisition projects across the Department is reviewed to ensure local partner engagement and support.

Question 18: Why is more money sought for NPS acquisitions in FY2022? Should NPS footprint expand when the bureau is already struggling to manage the assets it currently holds?

Response: It is important that the NPS and other federal land managing bureaus take care of the assets and resources that they currently manage. At the same time, the bureaus must also be open to opportunities to expand access to federal lands, protect resources, and streamline management efficiencies.

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Question 19: The DOI Budget Office website previously contained historical information on the LWCF by fiscal year. This information was not only important for Congress's legislative work but likely helpful to the public in understanding the operation of the fund. In particular, two tables presented information since FY1965 on the receipts that accrued to the fund by source, the appropriations from the fund, and the unappropriated balance in the fund. Could DOI again provide this information on its Budget Office website?

Response: The Budget Office is working to provide historic and current LWCF data on its website.

Question 20: There are extensive DOI lands along or near U.S. borders. They include BLM, FWS, and NPS land. In addition, some Indian lands adjoin these borders. Federal lands along the southwestern border face a range of issues, including illegal immigration, human trafficking, drug trafficking, and damage to the environment. Also, the extent to which federal and other lands along the southwestern border should be used for the construction of barriers to deter illegal immigration and other illegal activity has been of national interest.

- a. To what degree does the budget request include proposals to strengthen security at federal lands along the southwestern border? Given the rise in border encounters reported by the U.S. Customs and Border Protection this fiscal year, how does DOI anticipate securing lands along or near the U.S.-Mexico border at FY2022 proposed funding levels?

Response: As the manager of significant land resources along the Southern Border, the Department works closely with the Department of Homeland Security to ensure our respective missions are executed safely, effectively, and with minimal disruption to the other. The FY22 President's Budget request considers employee safety, visitor safety, and resource protection, including changes in conditions at specific locations impacting national parks, refuges, and public lands. The Department has and will continue to work with DHS to identify the impacts of complete and incomplete border security infrastructure on border security, communities, tribes, wildlife, and local environments, including the impacts of erosion and improper drainage as a result of border wall projects.

Question 21: DOI has law enforcement officers in several agencies: BLM, BIA, BOR, FWS, and NPS. Their responsibilities generally include protecting natural and other resources, visitors, and federal employees. For instance, the U.S. Park Police helps with public safety and protection of historic and cultural assets during demonstrations on federal lands, including in Washington, DC. Department law enforcement officers address myriad other issues affecting DOI lands. They include border security, natural disasters (e.g., wildfires), violence and vandalism, and illegal drug cultivation. DOI law enforcement often cooperates with other federal agencies, and tribal, state, and local governments.

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- a. **The FY2022 budget would provide increases from the prior fiscal year for law enforcement activities across all DOI law enforcement units. To what degree would this increase in funding support additional staff? Are staffing levels sufficient to keep up with the demand for services? Are there particular types of positions you would seek to expand or reduce?**

Response: Requested funding will support additional staff for identified priorities in, for example, the NPS, where funding will support two recruit classes of the U.S. Park Police, as well as law enforcement responsibilities at new and existing parks. The FWS would also see increases in National Wildlife Refuge System Law Enforcement staff and in Law Enforcement operations.

- b. **The budget provides increases across several agencies to implement the use of body-worn cameras for law enforcement officers. What would this implementation look like? Would all DOI law enforcement officers be required to wear body-worn cameras? If not, which positions, activities, or locations will require them?**

Response: Across the Department, implementation and updating of body-worn cameras and related equipment is essential to promote accountability, transparency, and trust and to help to ensure the safety of our law enforcement and the communities they serve. Additional funding requested by NPS would support the purchase of additional body-worn cameras for law enforcement rangers and U.S. Park Police officers, in addition to storage for video, onsite information technology and engineering support, and resources for the standup of the program, generally. All law enforcement rangers and USPP officers would be equipped, if enacted. The FWS requests funding to modernize the camera inventory of the system that it put in place in 2014, as well as improve data management and storage capacity, increase training for Federal wildlife officers and managers, and develop standard practices in transparent reporting of law enforcement activities to the public. Finally, the BIA requests funding to support body-worn camera systems for police and correctional officers in Indian Country.

Question 22: NPS administers the National Park System, which includes 423 units valued for their natural, cultural, and recreational importance. System lands cover 81 million federal acres and 4 million nonfederal acres. NPS manages its lands with a dual mission—to preserve unique resources and to provide for their enjoyment by the public.

- a. **NPS revenues from sources such as recreation and concessioner fees declined in FY2020 as compared to preceding years, in part from reduced visitation to parks during the COVID-19 pandemic. How might such reductions in fee revenues affect parks? What actions might be needed to ameliorate any such effects?**

Response: Reduced collection of fee revenue required the NPS to prioritize spending, for example deferring projects, such as non-essential trail maintenance, that would have been funded with recreation fee revenue, and making staffing decisions that reduced spending during the pandemic.

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- b. In 2016, P.L. 114-289 established the Visitor Experience Improvements Authority, a pilot program under which NPS can issue commercial services contracts outside the terms of its governing concessions law. Revenues from these contracts are to be deposited in a revolving fund and can be used to pay down concessioners' leasehold surrender interest, among other purposes. The authority sunsets in December 2023. According to the FY2022 budget justification, NPS is in the process of developing regulations and administrative processes for the use of this authority. What obstacles does NPS face in completing these regulations and processes? How do you assess whether the current timeline allows for meaningful use of the authority before its sunset date?

Response: On January 25, 2022, the National Park Service issued a proposed rule to implement the Visitor Experience Improvements Authority allowing the NPS to solicit, award, and administer commercial services contracts for the improvement, modernization and expansion of commercial visitor facilities and visitor services programs in units of the National Park System. This authority supplements but does not replace the existing authority for the NPS to enter into concession contracts or any other authority to provide commercial visitor services in units of the National Park System. Comments on the proposed rule close on March 28, 2022. We look forward to reviewing these comments and working to finalizing the proposed regulation.

Question 23: Please describe how the budget request for USGS, as well as for other DOI agencies, support the Department's efforts to prevent, monitor, and manage invasive and nuisance species on federal lands and in federal water projects.

Response: The USGS works closely with the Department and other federal management partners to provide actionable science and tools to prevent, identify, detect, contain, manage, or eradicate invasive species that pose significant ecological or economic threats to U.S. resources. This includes advanced methods, such as environmental DNA, for detecting new invaders early in the invasion; methods for monitoring existing populations; decision-support tools to rapidly identify best management options; and control tools such as chemicals, traps, and removal techniques to reduce or eliminate nuisance species. USGS research supports the Department's Invasive Species Strategic Plan and coordinates efforts with the Department's Invasive Species Task Force and National Invasive Species Council, Department sister bureaus and other Federal agencies.

Question 24: How does the USGS budget request and the budget requests for other DOI agencies support nonfederal partners facing similar challenges from invasive and nuisance species?

Response: Preventing, detecting, and managing invasive species can only be successfully addressed through coordinated responses. USGS scientists engage our stakeholders to understand priorities, identify information gaps, conduct research and surveillance activities, create decision tools to support an adaptive management approach, and develop technologies to detect, monitor, assess risk, and control priority invasive species. USGS researchers train land- and water managers and transfer new technologies to empower management agencies to detect and respond quickly and effectively to new invasions. For example, the USGS Nonindigenous Aquatic Species Database (NAS; <https://nas.er.usgs.gov>) is the central repository for sightings of nonindigenous aquatic plant and animal species throughout the United States. The NAS provides species information, real-time search and alerts, distribution maps, and other data and analytical tools to help states manage invaders in and around their waters.

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Question 25: The Biden administration, like previous administrations, has identified two new Wyoming renewable energy transmission projects as priorities to construct and complete. The Bureau of Land Management is the lead permitting agency for both projects and has been working on them since 2008.

One project, the TransWest Express Transmission Project, is now essentially shovel-ready. But another federal agency, the USDA's Natural Resources Conservation Service, has knowingly blocked both transmission projects with a federally-funded conservation easement. The NRCS is using federal funding to block critical new transmission infrastructure like the TWE Project, which is designed to deliver renewable wind energy from Wyoming to other western states such as California, Arizona and Nevada.

What is the Secretary's Office doing to fix the problem that NRCS created?

Response: The BLM completed the environmental review for the TransWest Express in December 2016 and issued the right-of-way grant in June 2017. The BLM is working with the proponent and with other federal and state agencies to complete all permits and plan of development approvals before issuing the Notice to Proceed. In December 2021, TransWest Express, NRCS, and other parties entered into a settlement agreement that resolved an easement dispute potentially affecting the routing of the Project. We understand that the project continues to move forward.

Question 26: In your confirmation hearing for Secretary of the Interior you made the following statement:

"If I am confirmed as secretary, I would be serving at the pleasure of the President and it would be his agenda that I would move forward."

A cornerstone of the Administration's agenda is to curb the effects of climate change. To achieve this goal, the President is seeking to spur the proliferation of renewable energy use, grid-scale battery storage, and electric vehicles. I'm sure you are also familiar with reports stating that the US does not have enough domestic materials or minerals to achieve the Administration's ambitious climate and electrification goals.

There are currently several mining projects pending approval at the Department that would allow the US to develop and produce substantial portions of its renewable and clean energy mineral needs, one of which is Ioneer's Rhyolite Ridge Project. It would quadruple the nation's supply of domestic lithium and would be the world's third largest source of boron.

The BLM field office recently told Ioneer that, at the direction of agency management, the BLM would not start the NEPA process to begin reviewing the Rhyolite Ridge permits until a legally unrelated Endangered Species Act listing decision is completed by Fish and Wildlife Service, which could take two years.

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Why is the White House calling for more renewable energy and batteries and simultaneously stopping the development of domestic mines that produce the materials need to deploy those technologies?

Will you commit to publishing the Notice of Intent for the Rhyolite Ridge project in the federal register as soon as possible?

Response: The President has made clear that the sustainable and responsible production of critical minerals is important for our nation. The Administration has taken recent actions to bolster the production of and supply chain for these important resources. At the Department, our continuing goal is to ensure that development of these important resources is undertaken in the right ways and is considered in an inclusive fashion in support of the President's vision. Regarding the Rhyolite Ridge project, the FWS proposed to list Tiehm's buckwheat, the single population of which occupies land in Esmeralda County, Nevada, in October 2021, and recently published in the Federal Register a proposed rule designating critical habitat for the plant.

Question 27: Please discuss how mining projects on federal lands can help supply the metals and minerals essential for renewable energy generation, electric vehicles, and battery storage technologies that are critical to achieving President Biden's climate goals. Please share with us what specific steps your Department is taking to complete permitting processes for these projects in a timely manner.

Response: The President has made clear that the sustainable and responsible production of critical minerals is important for our nation. The Administration has taken recent actions to bolster the production of and supply chain for these important resources. We recently established an interagency working group to lead an inclusive effort on reform of mine permitting and oversight and we expect to deliver recommendations in November 2022. At the Department, our continuing goal is to ensure that development of these important resources is undertaken in the right ways and is considered in an inclusive fashion in support of the President's vision. We are also working hard to address permitting and processing improvements as required by the Infrastructure Investment and Jobs Act and will continue to do so.

Question 28: Last month, the White House issued its 100-day report with recommendations to strengthen domestic supply chains in response to President Biden's Executive Order 14017. However, the report recommends the U.S. work to "expand global production" of battery minerals, while adding new "strong environmental review permitting practices for the extraction" of domestic battery minerals.

- a. Do you agree with President Biden that the U.S. should work to "expand global production" of minerals?
- b. Do you agree with President Biden that existing environmental regulation on domestic mining are inadequate?

Response: The President has made clear that the sustainable and responsible production of critical minerals is important for our nation. The Administration has taken recent actions to bolster the production of and supply chain for these important resources. We recently established an interagency working group to lead an inclusive effort on reform of mine permitting and oversight and we expect to deliver recommendations in November 2022. At the Department, our continuing goal is to ensure that development of these important resources is undertaken in the right ways and is considered in an inclusive fashion in support of the President's vision. We

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are also working hard to address permitting and processing improvements as required by the Infrastructure Investment and Jobs Act and will continue to do so.

Question 29: Recent news reports have indicated that the Biden Administration will rely on ally countries to supply the bulk of the metals needed to build electric vehicles and focus on processing them domestically into battery parts.

a. Do you support sourcing metals and minerals from other countries where we cannot regulate environmental or labor practices?

Response: The Department supports the President's goals. He has made clear that the sustainable and responsible production of critical minerals is important for our nation. The Administration has taken recent actions to bolster the production of and supply chain for these important resources. We recently established an interagency working group to lead an inclusive effort on reform of mine permitting and oversight and we expect to deliver recommendations in November 2022. At the Department, our continuing goal is to ensure that development of these important resources is undertaken in the right ways and is considered in an inclusive fashion in support of the President's vision.

Question 30: My Committee Staff has requested a list of all mining projects on federal land nearing permitting milestones. The Department has not provided that list. **Do you commit to providing that list to my Committee staff within one week of today's hearing?**

Response: There are currently approximately 790 active mining plans of operation and another 820 active mining notices on Federal lands. The BLM is also currently reviewing an estimated 290 pending Notices and 290 pending mining plan of operations.

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Questions from Senator Wyden

Question 1: Despite direction from Congress, the Bureau of Land Management continues to reconsider renewing fire funding agreements with the Oregon Department of Forestry. Western Oregon has some of the most complex public lands in the country -- the checkerboard ownership can create a nightmare scenario for land management. It requires seamless efforts for fire protection, and for over 100 years, the federal government has worked cooperatively with the state of Oregon for fire protection on the O&C lands. In the fiscal year 2020 Interior funding bill, Congress stated that, "A departure from the existing agreements with O-D-F to provide fire protection services would neither be in the interest of lands managed by B-L-M in western Oregon, nor the significant interspersed communities and timberlands adjacent to those federal lands."

Will you commit to continuing BLM's longstanding wildfire protection agreements with the Oregon Department of Forestry?

Response: The BLM values its longstanding partnership with the Oregon Department of Forestry, Coos Forest Protective Association, and Douglas Forest Protective Association, and is committed to providing the appropriate protection to the O&C and CBWR Grant Lands.

Our future success in Oregon will be defined by our commitment and ability to work together to achieve the vision and goals of the National Cohesive Wildland Fire Strategy. This strategy recognizes that no single protection agency has enough resources to manage all fires. Partnerships and collaborative planning to prepare for and respond to wildfires are the foundation of this interagency strategy and are vital to our success in the future.

Question 2: I have urged the Department of the Interior to prioritize funding for the important and collaborative work happening on the ground in Malheur County and the Owyhee. The Bureau of Land Management provides important information to Oregonians so they can make effective and workable plans for land management. I have legislation to designate wilderness in that area, while also giving ranchers some flexibility in grazing on rangelands. Funding is needed to make these arrangements work for all the parties involved. All of the local and regional stakeholders in the area identified common ground and a shared vision for a healthy landscape.

Will you commit to working with me on this bill to help accomplish the years of work that Oregonians in Malheur County put in?

Response: The Department would be happy to work with you and the Committee on this legislation.

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Questions from Senator Risch

Question 1: Wildfires continue to be a challenge on forests and rangeland across the West. One of the most effective tools for managing fuel loads across the millions of acres of federal rangelands is livestock grazing. We need land management policies that enable the use of prescriptive grazing, fuel breaks, and other grazing management methods to better control and prevent wildfires. Can you explain how the Department of the Interior will prioritize these preventative fire strategies?

Response: Management practices like the use of prescribed fire, mechanical thinning, and other methods like grazing, where appropriate, are important approaches to reducing burnable vegetation and the negative effects of wildfires. The Department is working hard to prioritize projects and work with stakeholders across landscapes and jurisdictions. We are also focused on implementing the Infrastructure Investment and Jobs Act, which provides historic funding to address wildfire hazards by reducing risks, detecting fires, instituting firefighter workforce reforms, and building more resilient infrastructure.

Question 2: January 20, 2021, President Biden signed Executive Order 3395, which among other things, suspended the local approval of mine Plans of Operation. Although it has been incorrectly stated in this committee that this was a temporary suspension, a March 19, 2021, order from the Principal Deputy Assistant Secretary of the Department of the Interior extended the suspension indefinitely. Requiring all mine Plan of Operation approvals to go through Washington, D.C. has effectively halted mine operations. In January 2021, President Biden also signed Executive Order 14008, which called to advance clean energy in America.

Any effort to address the concerns in EO 14008 and progress clean energy domestically will require significant increases in demand for lithium, cobalt, graphite, and other minerals. Despite this urgency, American mining projects remain stuck in bureaucratic limbo.

- a. What are your plans to resolve this disconnect?
- b. What is your specific plan to return review and approval process for mine Plans of Operation to state and field offices, who originally had this authority?

Response: Following the expiration of Secretary's Order 3395 in March 2021, the memo referenced in your question was issued to provide clarity on this issue and it marked a return to practices that were consistent with previous administrations. With regard to mining, the President has made clear that the sustainable and responsible production of necessary minerals is important for our nation. The Administration has taken recent actions to bolster the production of and supply chain for these important resources. We have established an interagency working group to lead an inclusive effort on reform of mine permitting and oversight and we expect to deliver recommendations for any proposed legislative reform to Congress in November 2022. At the Department, our continuing goal is to ensure that development of these important resources is undertaken in the right ways and is considered in an inclusive fashion in support of the President's vision. We are also working hard to address permitting and processing improvements as required by the Infrastructure Investment and Jobs Act and will continue to do so.

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Questions from Senator Cantwell

Question 1: PILT Bonus Payments for Refuges

I believe we should be figuring out ways to improve the public's access to wildlife-dependent recreation at our nation's 568 Refuges. I think we should build off of the PILT program structure—providing states hosting Refuges with consistent revenues to boost public access.

Is that something the Department may be able to support? Would you be able to work with us to provide technical assistance on legislative language to ensure proper implementation?

Response: The Department supports the PILT program structure as existing federal law. The U.S. Fish and Wildlife Service works through various programs to support and increase visitor services to the public. The FWS welcomes the opportunity to work with Congress to provide technical assistance on legislation to ensure that states receive consistent funding that boosts public access to the National Wildlife Refuge System.

Question 2: Wildfires on Tribal Trust Lands

Based on current drought and fire outlooks, it is clear we need to be more prepared and provide more resources for extreme fires right now and into the future.

I have heard concerns from Washington Tribes that despite this unique trust relationship, Tribal lands are not being given appropriate consideration in the allocation of Federal wildfire suppression resources.

What is the Department doing to ensure Tribes get the fire suppression resources they need to prevent the destruction of trust lands and resources?

Response: The Department's Wildland Fire Management (WFM) appropriation provides the budget authority for preparedness, suppression operations, fuels management, burned area rehabilitation, facilities construction and maintenance, and the Joint Fire Science Program. The Office of Wildland Fire (OWF) is the principal office responsible for developing Department-wide WFM policy and ensuring program accountability through the review and oversight of the WFM budget. OWF works collaboratively to manage and allocate the appropriated funding to the bureaus for execution in accordance with the guiding policy outlined in DOI's Departmental Manual Part 620: Wildland Fire Management.

The Bureau of Indian Affairs is a signatory of the Master Wildland Fire Agreement and follows the Interagency Standards for Fire and Fire Aviation, which states, "Each Geographic Area Coordination Center Manager will be responsible for managing the daily operation of the GACC and for resource allocations within their GA." In accordance with this Agreement, the BIA provides mutual assistance for conducting, purchasing, and contracting for activities associated with wildfire suppression, fuels reduction/wildland fire risk management, fuels management, resilient landscape, burned area rehabilitation, and emergency stabilization.

The BIA, along with other federal, state, county, Tribal, and local government cooperators work collectively at the zone, geographic, and national level to prioritize all wildland fire incidents to ensure allocation of resources meet priorities identified through the Multi-Agency Coordination process. All Agencies use same standards to

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prioritize wildland fire incidents such as but not limited to: threats to life, property, infrastructure, cultural and natural resources, and other political concerns that may exist. The BIA works collectively with the Tribal Governments and Incident Commanders to identify and ensure proper fire reporting and prioritization processes are completed, which ultimately affects resource allocation for wildland fire incidents. The BIA works diligently with Tribal governments and Incident Commanders to appropriately define trust and community values at risk, approved fire suppression tactics, and subsequently ensure the appropriate resources are requested to meet the mission and objectives set to mitigate threats from wildland fire. Evaluation of values at risk and prioritization processes occur daily during ongoing wildland fire incidents.

Under Public Law 93-638, The Indian Self Determination and Education Assistance Act, the Department enters into contracts with Tribes, including construction and non-construction contracts, agreements, and compacts to carry out base wildland fire management programs, like fuels management, aviation management, and preparedness activities. Scopes of work are negotiated with Tribes, along with detailed operating budgets to support the implementation of the base programs, not including fire suppression whereas it is a reimbursable activity. Given that PL 93-638 regulations do not allow for reimbursement of costs, it is imperative that wildland fire management funding is allocated and obligated through approved contracts, agreements, and compacts at the beginning of the performance period, otherwise the Tribes may face financial management and audit failure issues, which may impact their ability to operate federal contracts in the future. Indirect Cost (IDC) funds are required to be paid when PL 93-638 contracts, agreements, or compacts are entered into for the programs, and as determined by the Tribes IDC Agreement with the National Business Center.

Question 3: Deferred Maintenance (DM) and the Great American Outdoors Act (GAOA)

GAOA was a needed down payment for the DM backlog on our public lands, but it will not fix all of our vast DM needs and fulfill our obligations to ensure every American can safely visit and enjoy their public lands.

Can you please estimate where the four Interior Department agencies' DM backlogs stand now, and then subsequently after the five years of full GAOA funding?

Response: The Department is executing the Legacy Restoration Fund authorized by GAOA to maximize the return on this important investment in our stewardship of federal lands. The funding provided by LRF will make significant progress in retiring large amounts of deferred maintenance and improving the condition of some of our nation's most treasured assets but will not eliminate the deferred maintenance needs of the bureaus, as the Department's deferred maintenance needs are greater than the funds allocated. However, our infrastructure portfolio will be improved compared to what would have occurred without this vital new funding source.

Question 4: Ridgefield National Wildlife Refuge

In my state we have an amazing National Wildlife Refuge on the Columbia River - Ridgefield Refuge, which has been in the process of building a community nature center and public recreational facility that enjoys strong local support and I understand strong support from the Fish & Wildlife Service regional office as well.

I was very pleased to see that, after being dropped from the previous administration's 5-year construction plan, the budget request contains plans for fully funding the remainder of this project in fiscal year 2023.

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Can you commit to reviewing the progress on this project and ensuring we stay on track to finish in fiscal year 2023?

Response: Yes. FWS initiated design work on the community nature center and public recreational facilities at Ridgefield National Wildlife Refuge in FY 2021, and the project is a high priority on the FY 2023 construction plan. FWS plans to solicit a construction contract to complete the project pending sufficient appropriations for the construction program in the FY 2023 budget.

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Questions from Senator Lee

Question 1: Was the Department of Interior involved in the selection or congressional outreach of Ms. Tracy Stone-Manning's nomination?

Response: The selection and nomination of individuals for Senate-confirmed positions is a Presidential prerogative. Ms. Stone-Manning was confirmed by the Senate to be the Director of the Bureau of Land Management on September 30, 2021. As with all nominees, once the President has made his selection, the Department contacts every member of the Committee to offer meetings with nominees and facilitates those engagements as part of the nomination process.

Question 2: At the time of her nomination, were you or anyone at the department aware that Stone-Manning had previously told a newspaper that she "could have been charged with conspiracy... were it not for her agreement with the U.S. attorney"?

Response: A number of details about Ms. Stone-Manning's background and work experiences had appeared in the press some number of years prior to her nomination to be the Director of the Bureau of Land Management. However, as stated in the response to the previous question, the selection and nomination of individuals for Senate-confirmed positions is a presidential prerogative.

Question 3: In a questionnaire submitted to this committee, Ms. Stone Manning suggested that she had never been the target of an investigation. Since that time, we have learned that she was compelled by a Grand Jury to submit fingerprints, writing samples, and hair samples. We have also learned that she was issued a target letter indicating that she would be indicted on criminal charges related to the tree spiking. **Were you or anyone at the department aware of these details prior to her nomination?**

Response: In addition to providing information to the Committee in the questionnaire, as part of the confirmation process the nominee also testified before the Committee and provided responses to a number of additional written questions from Committee members following her hearing. And, as noted in response to the previous question, a number of details about Ms. Stone-Manning's background and work experiences had appeared in the press years prior to her nomination to be the Director of the Bureau of Land Management. Ms. Stone-Manning was confirmed by the Senate to be the Director of the Bureau of Land Management on September 30, 2021.

Question 4: Were you or anyone at the department aware that Ms. Stone-Manning had hired an attorney and negotiated an immunity deal prior to testifying in the tree spiking case?

Response: In addition to providing information to the Committee in the questionnaire, as part of the confirmation process the nominee also testified before the Committee and provided responses to a number of additional written questions from Committee members following her hearing. And, as noted in response to the previous question, a number of details about Ms. Stone-Manning's background and work experiences had appeared in the press years prior to her nomination to be the Director of the Bureau of Land Management. Ms. Stone-Manning was confirmed by the Senate to be the Director of the Bureau of Land Management on September 30, 2021.

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Question 5: Did you or anyone at the department advise or in any way support Ms. Stone-Manning in indicating to this committee that she had never been under investigation?

Response: In addition to providing information to the Committee in the questionnaire, as part of the confirmation process the nominee testified before the Committee and provided responses to a number of additional written questions from Committee members following her hearing. And a number of details about Ms. Stone-Manning's background and work experiences had appeared in the press years prior to her nomination to be the Director of the Bureau of Land Management. Ms. Stone-Manning was confirmed by the Senate to be the Director of the Bureau of Land Management on September 30, 2021.

Question 6: You had been in office for about a month prior to Stone-Manning's nomination. Were you or anyone at the department aware of public statements she had made only months before calling for homes built in forest to burn in forest fires?

Response: As noted in response to similar questions at the hearing, I was not aware of such a statement.

Question 7: More specifically, she tweeted an article written by her husband which states, "There's a rude and satisfying justice in burning down the house of someone who builds in the forest..." She called it a 'clarion call.' Do you agree with this sentiment?

Response: In response to similar questions at the hearing I indicated that I do not agree with the sentiment expressed in this question.

Question 8: Do you believe it is appropriate for a person who has shown gratification in seeing homes burn because they are in forests to lead a key wildfire fighting agency?

Response: I do not believe it is appropriate to shown gratification at the misfortune of others. The expectation at the Department of the Interior is that all employees will follow the law in carrying out their duties. I believe that Director Stone-Manning takes the BLM's wildland fire mission very seriously and that the entire relevant Department leadership is working hard with other federal agencies to best address wildfires to protect our communities.

Question 9: Ms. Stone-Manning has espoused beliefs that livestock grazing on public land is "destroying the West." Do you agree with that sentiment? Were you or anyone at the department aware of these statements prior to her nomination?

Response: In response to similar questions at the hearing, I indicated that I do not agree with the sentiment expressed in this question. It is important that all actions taken on the public lands be carried out responsibly and in compliance with the applicable laws. I believe that Director Stone-Manning takes the BLM's multiple use mission seriously, which includes grazing which is an important activity on public lands.

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Question 10: In her thesis, Ms. Stone-Manning supported policies to influence Americans to have fewer children. She said it isn't a problem elsewhere and that Americans should stop at one or two kids. Do you agree with these policies?

Response: I have not read the thesis that you reference in your question and am not aware of the academic arguments that were addressed in it. I believe that Americans should be free to make the appropriate choices about their families.

Question 11: In this thesis she published a photo of a child with the caption 'Can you find the environmental hazard in this photo?'. She then indicated that the child was the environmental hazard. **Were you or anyone at the department aware of these statements prior to her nomination?**

Response: In response to similar questions at the hearing, I indicated that I was not aware of such a statement.

Question 12: Can you tell me what steps have been taken to restart the federal oil and gas leasing program since the preliminary injunction against President Biden's moratorium was instituted?

Response: The Department's report on the review of the program and recommending needed reforms was released in November 2021. Preparation for resumption of lease sales had been initiated and was proceeding until a District Court in Louisiana enjoined the use of the Administration's interim cost-benefit analysis rules. On March 16, the Fifth Circuit Court of Appeals in New Orleans reversed the District Court's injunction, allowing federal agencies to temporarily move forward using the Administration's cost-benefit analysis rules. As we move ahead, we will do so in compliance with court decisions, in a manner consistent with the requirements of the applicable laws, and after taking into account the recommendations made by the Department in our Oil and Gas Report released in November. BLM recently announced that it was moving forward with lease sales that incorporate many of the reforms, including a better royalty rate for the taxpayers.

Question 13: Will comments submitted to DOI on the Department's review of the oil and gas program ever be made public? If so, when?

Response: The comments received on the oil and gas program review are available at <https://www.doi.gov/sites/doi.gov/files/oil-and-gas-comments.pdf>.

Question 14: Would you agree that imposing overly onerous conditions such as shortening lease terms to the point where developers don't have adequate time to develop, adding additional reviews to slow permitting even further, and raising royalty rates above market, could inhibit bidding to a degree that would effectively create a de facto ban?

Response: Ensuring a fair return to the taxpayer for development of these publicly owned resources was one of the driving reasons that the Department, at the President's direction, carried out its review of the oil and gas program and issued its Report on the Federal Oil and Gas Leasing Program last November. The recommendations for reforms made in that Report are intended to ensure that the public receives a fair return for the development of its resources; that the leasing and development process is appropriately updated and modernized; and that a more transparent, inclusive, and just approach to leasing and permitting is put in place.

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Question 15: The Administration has been clear on its desire to pursue the 30x30 initiative. However, I think it is still unclear to many, including myself, what percent of land in the United States do you believe is already protected. **Could you clarify and describe what types of land the department classifies as conserved?**

Response: The Administration is working to develop the American Conservation and Stewardship Atlas, which will determine the baseline level of conservation and restoration for lands and waters. The Department, along with the Departments of Agriculture and Commerce and the Council on Environmental Quality, announced in January a 60-day public comment period and held listening sessions regarding the development of the Atlas. The public comment period closed on March 7, 2022. We will consider the input received from the public and anticipate the information related to this question will likely be encompassed within this review and process.

Question 16: According to the Department, what percentage of U.S. land is currently protected? Where does this number come from? How much further would you propose we go?

Response: As noted in the previous response, information related to this question would likely be encompassed within the process, currently being carried out by the Administration, of developing the American Conservation and Stewardship Atlas. Development of the Atlas will help determine the baseline level of conservation and restoration for lands and waters.

Question 17: It is also still unclear to many, including myself, what percent of United States ocean you believe is already protected. **Could you clarify what ocean the department classifies as conserved? How much further would you propose we go?**

Response: As noted in the previous response, information related to this question would likely be encompassed within the process, currently being carried out by the Administration, of developing the American Conservation and Stewardship Atlas. Development of the Atlas will help determine the baseline level of conservation and restoration for lands and waters.

Question 18: All of the federal land in my state is protected under the National Environmental Policy Act, the Endangered Species Act, Archeological Resources Protection Act, the Native American Graves and Repatriation Act, the Clean Air Act, the Clean Water Act, and the Federal Land Policy Management Act. **Do you agree that these federal lands are already protected?**

Response: While the statutes listed in this question provide federal agencies with important authorities to carry out review, regulatory, or management actions in certain circumstances within specific management jurisdictions, as noted in the previous responses, information related to the question would likely be encompassed within the process, currently being carried out by the Administration, of developing the American Conservation and Stewardship Atlas. Development of the Atlas will help determine the baseline level of conservation and restoration for lands and waters.

Question 19: Around 92% of federally owned acres are in 12 western states. **Do you believe that the West will disproportionately contribute land towards the 30x30 objective?**

Response: As noted in the initial report, issued in 2021 and titled Conservation and Restoring America the Beautiful, the intention of the program is not to measure conservation progress by lands under the care of the

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government, but by celebrating voluntary conservation efforts of farmers, ranchers, Tribal Nations, and other stewards of the land. The challenge put forward by the President is a call to action to support locally-led conservation and restoration efforts of all kinds and all over our country.

Question 20: All states contain natural treasures, regardless of geographic location. **Will all states contribute equally to any federal acquisition of land for the 30x30?**

Response: As noted in the previous response, the challenge put forward by the President is a call to action to support locally-led conservation and restoration efforts of all kinds and all over our country. One of the key principles articulated in the 2021 America the Beautiful report is that these efforts should be regionally balanced.

Question 21: Will states with more than 30% of their land already set aside be able to reduce their percentage of federally protected land down to the 30% number through the 30x30 initiative?

Response: The Administration is considering the input it received during the public comment period as it works to develop the American Conservation and Stewardship Atlas, which will determine the baseline level of conservation and restoration for lands and waters. It is important to note, however, that challenge put forward by the President is a call to action to support locally-led conservation and restoration efforts of all kinds and all over our country.

Question 22: In the committee hearing, you said that any additional lands protected under the 30x30 initiative will be “in large part” voluntarily set aside for conservation. **Could you clarify that comment? How does the Department plan to incentivize this process?**

Response: As noted above, the Administration is continuing to develop many of the fundamentals of this effort and is considering the input received during the public comment period as it works to develop the American Conservation and Stewardship Atlas. The Atlas will determine the baseline level of conservation and restoration for lands and waters. The challenge put forward by the President is a call to support locally-led conservation and restoration efforts of all kinds and all over our country, and the goal is to pursue approaches that create jobs and improve the quality of life in local communities.

Question 23: How does the Department plan to quantify the amount of land that will be voluntarily set aside for conservation efforts? What steps does the Department plan on taking to ensure that private landowners maintain these voluntary conservation measures?

Response: As noted in the previous response, information related to this question would likely be encompassed within the process, currently being carried out by the Administration, of developing the American Conservation and Stewardship Atlas. Development of the Atlas will help determine the baseline level of conservation and restoration for lands and waters.

Question 24: What types of forest fire prevention activities will be allowed on lands conserved under the 30x30 initiative?

Response: The Administration is currently considering the input received from the public comment period as it works to develop the American Conservation and Stewardship Atlas, which will determine the baseline level of

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conservation and restoration for lands and waters. However, as noted in the 2021 report, key principles of the program include following science as a guide and pursuing conservation and restoration approaches that create jobs and support healthy communities. Reducing wildfire risk and restoring ecological balance to our nation's forests could be one such approach.

Question 25: What types of grazing activities will be allowed on lands conserved under the 30x30 initiative?

Response: The Administration is currently considering the input it received during the public comment period as it works to develop the American Conservation and Stewardship Atlas, which will determine the baseline level of conservation and restoration for lands and waters. The aim is to develop an inclusive, collaborative approach to capture and reflect conservation and restoration of lands and waters.

Question 26: What types of multiple use recreation activities will be allowed on lands conserved under the 30x30 initiative?

Response: The Administration is currently considering the input it received during the public comment period as it works to develop the American Conservation and Stewardship Atlas, which will determine the baseline level of conservation and restoration for lands and waters. The aim is to develop an inclusive, collaborative approach to capture and reflect conservation and restoration of lands and waters.

Question 27: What types of energy development activities will be allowed on lands conserved under the 30x30 initiative?

Response: The Administration is currently considering the input it received during the public comment period as it works to develop the American Conservation and Stewardship Atlas, which will determine the baseline level of conservation and restoration for lands and waters. The aim is to develop an inclusive, collaborative approach to capture and reflect conservation and restoration of lands and waters.

Question 28: What types of mineral extraction activities will be allowed on lands conserved under the 30x30 initiative?

Response: The Administration is currently considering the input it received during the public comment period as it works to develop the American Conservation and Stewardship Atlas, which will determine the baseline level of conservation and restoration for lands and waters. The aim is to develop an inclusive, collaborative approach to capture and reflect conservation and restoration of lands and waters.

Question 29: What types of activities which are categorically excluded under NEPA would be allowed to take place on lands conserved under the 30x30 initiative?

Response: The Administration is considering the input received during the public comment period as it works to develop the American Conservation and Stewardship Atlas, which will determine the baseline level of conservation and restoration for lands and waters. The aim is to develop an inclusive, collaborative approach to capture and reflect conservation and restoration of lands and waters.

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Questions from Senator Daines

Question 1: Secretary Haaland, the Department of the Interior collects revenue through bonus bids from the leasing process. Due to the ongoing leasing ban imposed by President Biden the Department has not been able to collect bonus bid revenues during two of the mandatory lease sales. Do you expect the Department to request additional money from congress to make up for the lost revenue caused by the leasing ban?

Response: The Department has worked hard to comply with sometimes conflicting court judgments related to the leasing program. Permitting has continued, and the associated American jobs and revenue have also continued. Market factors, largely the price of oil, have a significant impact on revenue fluctuations. The pandemic also impacted production and revenue, but revenues have been continuing to increase as economic growth has returned.

Question 2: Secretary Haaland, the Biden Administration has set expansive goals to increase solar and wind generation. In order to produce solar panels, wind turbines and associated storage technology the U.S. will either need to increase domestic mining or import more raw materials from foreign countries such as Russia, China, the DR Congo and others. Does the Department have any plans to expedite domestic mineral permitting to meet raw material demand for solar and wind energy or does the Department believe that we should continue importing raw materials from foreign countries, including human rights abusers like the DR Congo who produce the majority of world's cobalt which is a critical component for renewable energy expansion?

Response: The President has made clear that the sustainable and responsible production of critical minerals is important for our nation. The Administration has taken recent actions to bolster the production of and supply chain for these important resources. We recently established an interagency working group to lead an inclusive effort on reform of mine permitting and oversight and we expect to deliver recommendations in November 2022. At the Department, our continuing goal is to ensure that development of these important resources is undertaken in the right ways and is considered in an inclusive fashion in support of the President's vision. We are also working hard to address permitting and processing improvements as required by the Infrastructure Investment and Jobs Act and will continue to do so.

Question 3: Secretary Haaland, how many mining projects are currently under review or permitting at the Department of the Interior?

Response: As noted in response to a previous question, there are currently approximately 790 active mining plans of operation and another 820 active mining notices on Federal lands. The BLM is also currently reviewing an estimated 290 pending Notices and 290 pending mining plan of operations

Question 4: Secretary Haaland, how many mining projects which will produce critical minerals (as defined by the Department of the Interior's final list 83 FR 23295) are currently under review or permitting at the Department of the Interior?

Response: Under the 1872 Mining Law there is no requirement to disclose the minerals being mined or targeted, however, the BLM is aware of an estimated five pending notice-level operations and 10 pending

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mining plan of operations under review in which the claimants are planning to recover minerals on the critical mineral list.

Question 5: Secretary Haaland, what is the current average timeline for the completion of a mining permit on federal land?

Response: On average, it takes about one to three years to authorize a mining plan of operations on Federal land. The timeframe can vary depending on the scope and scale of the specific plan of operations.

Question 6: Secretary Haaland, in order to meet the administration goals to increase solar and wind generation, the Department of the Interior will need to expeditiously permit energy projects on federal lands. Has the Department undertaken any review or actions to increase permitting timelines for renewable energy projects on federal lands?

Response: Yes. In January of this year the Department, along with the Departments of Agriculture, Defense, Energy, and the Environmental Protection Agency, announced the development of a Memorandum of Understanding that will improve coordination and streamline reviews for clean energy projects on the public lands. The MOU establishes an interagency coordination team to facilitate preparation of environmental reviews, accelerate renewable energy decision-making, and coordinate all agency reviews. The BLM has also initiated a rulemaking to update its 2016 Solar and Wind Energy Rule that it intends to address enhancements to prioritizing and processing of applications for solar and wind right-of-way grants or leases, update acreage rent and megawatt capacity fees. And in June the BLM issued an instruction memorandum to implement recent authority to reduce calendar year 2021 acreage rental rates for solar and wind energy projects in several counties in California.

Question 7: Secretary Haaland, unlike oil and gas production on onshore federal lands, federal onshore wind and solar do not provide revenue for local communities and do not generate production revenue for the treasury. Does the Administration's budget take into consideration the reduction of revenues if oil and gas production on federal land is replaced by wind and solar production which is the stated goal of the administration?

Response: Providing a fair return to the public from the development of oil and gas resources, including potential impacts on federal revenue and production, was discussed in detail in the Oil and Gas Report, issued by the Department in November 2021. The BLM's Budget Justification for fiscal year 2022 contains information on both outlays and collections. Regarding renewable energy production, in particular, the Department has been clear that we welcome discussion with Congress and stakeholders on the potential benefits to the American public, the treasury, and to Tribal and state governments if renewable energy production on our public lands were to generate royalty revenue.

Question 8: Secretary Haaland, does the Department support the creation of a production royalty for onshore wind and solar similar to the existing production royalties for federal oil and gas development?

Response: As noted in the response to the previous question, the Department welcomes discussion with Congress and stakeholders on the potential benefits to the American public, the treasury, and to Tribal and state governments if renewable energy production on our public lands were to generate royalty revenue.

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Question 9: Secretary Haaland, the oil and gas leasing ban has now resulted in the cancelation of two lease sales in Montana. This will have a real impact on local communities who depend on revenue generated from public lands. The leasing ban was reportedly put in place in order to study the leasing process. What specific actions needed to be taken for the study that could not have happened if leasing was ongoing?

Response: The President directed the Secretary to pause new oil and natural gas leases on public lands or in offshore waters under the terms of Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, and pending completion of the comprehensive review and reconsideration of federal oil and gas permitting and leasing practices, which was issued in November 2021. With regard to onshore leasing, BLM recently announced that it was moving forward with lease sales that incorporate many of the reforms, including a better royalty rate for the taxpayers.

Question 10: Secretary Haaland, please provide to this committee a complete list of all Montana groups, communities, elected officials, businesses, and individuals the Department, or the Administration has consulted with, or accepted comments from, while preparing the leasing review.

Response: The comments received on the oil and gas program review are available at <https://www.doi.gov/sites/doi.gov/files/oil-and-gas-comments.pdf>.

Question 11: Secretary Haaland, please detail the statutory and regulatory notification, scoping, publication, public comment, and other procedural requirements followed while preparing the leasing review. If these requirements were not followed, please state the reason this review does not meet the normal Department procedures for official actions.

Response: The report released in November 2021 was carried out at the direction of the President in Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, which required the Department to carry out a review of the program and practices and make recommendations to address long-reported deficiencies. It was not a rulemaking and was not subject to the procedures of a rulemaking. The Department held a virtual forum in March 2021 to gather input from stakeholders to inform the report. As we consider how to implement the recommendations, we will work closely with Congress, Tribes, States, and other key stakeholders.

Question 12: Secretary Haaland, will the Department have an open and thorough comment period after the release of the leasing review?

Response: The Department intentionally followed a process to ensure appropriate outreach to a wide spectrum of stakeholders, including through hosting a virtual public forum in March 2021. The comments received on the oil and gas program review are available at <https://www.doi.gov/sites/doi.gov/files/oil-and-gas-comments.pdf>. As we implement the actions and reforms recommended in the report, we will follow all of the applicable laws.

Question 13: Secretary Haaland, you have stated that the leasing review will be made available soon. Will the Department immediately resume leasing after the review has been released?

Response: The Department's report on the review of the program and recommending needed reforms was released in November 2021. Preparation for resumption of lease sales had been initiated and was proceeding

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until a District Court in Louisiana enjoined the use of the Administration's interim cost-benefit analysis rules. On March 16, the Fifth Circuit Court of Appeals in New Orleans reversed the District Court's injunction, allowing federal agencies to temporarily move forward using the Administration's cost-benefit analysis rules. As we move ahead, we will do so in compliance with court decisions, in a manner consistent with the requirements of the applicable statutes, and after taking into account the recommendations made by the Department in our Oil and Gas Report released in November. BLM recently announced that it was moving forward with lease sales that incorporate many of the reforms, including a better royalty rate for the taxpayers.

Question 14: Secretary Haaland, what steps has the Department taken in order to comply with the *Louisiana v. Biden* decision?

Response: As noted in the response to the previous question, the Department's report on the review of the program and recommending needed reforms was released in November. Preparation for resumption of lease sales had been initiated and was proceeding until a District Court in Louisiana enjoined the use of the Administration's interim cost-benefit analysis rules. On March 16, the Fifth Circuit Court of Appeals in New Orleans reversed the District Court's injunction, allowing federal agencies to temporarily move forward using the Administration's cost-benefit analysis rules. As we move ahead, we will do so in compliance with court decisions, in a manner consistent with the requirements of the applicable laws, and after taking into account the recommendations made by the Department in our Oil and Gas Report released in November. BLM recently announced that it was moving forward with lease sales that incorporate many of the reforms, including a better royalty rate for the taxpayers.

Question 15: Secretary Haaland, can you provide for this committee and the subcommittee on National Parks, the detailed process used to determine project selection for monies dispersed from the historic Great American Outdoors Act?

Response: The project lists were developed by each bureau, each using its own process for selection based on the bureau's specific management needs and statutory requirements and were then reviewed and approved by the Department. With respect to the Land and Water Conservation Fund, certain project selection criteria were similar across the Department, including prioritizing land acquisitions that present a time-sensitive or unique acquisition opportunity, involve a willing seller, include regional and local support, promote recreation access, preserve threatened resources, and support mission requirements. Additionally, in accordance with the Administration's priorities, consideration is given to projects which benefit underserved or at-risk communities and strengthen the resilience of resources to climate change impacts.

With respect to the Legacy Restoration Fund, project selections were made by each bureau based on four main parameters: improving the Department's financial health by reducing deferred maintenance, leveraging financial resources, and right-sizing the infrastructure portfolio; maximizing the citizens served by expanding outdoor recreation and public access, improving access for persons with disabilities and focusing on high use facilities; protecting those we service by enhancing both fire suppression and safety to the workforce and the public; and planning for the future, by supporting conservation, recreation and education.

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Question 16: Secretary Haaland, what is the current projected maintenance backlog for all public lands under the Department of the Interior, including the National Park Service?

Response: When GAOA was enacted, the Department's maintenance backlog was estimated to be approximately \$22.1 billion. The Department is in the process of reviewing this estimate. The National Park Service (NPS) is updating the methodology used to perform condition assessments on facilities and generate Deferred Maintenance and Repairs (DM&R) estimates used for reporting. The changes will streamline the condition assessment process and provide a more comprehensive, consistent, and timely identification of condition deficiencies and estimate of the NPS portfolio repair needs. This information will be shared publicly in the Spring of 2022.

Question 17: Secretary Haaland, the Department and the Administration has focused its budget on actions they believe will address impacts of climate change. Does the Department of the Interior's budget include items to help increase the deployment of nuclear energy which produces carbon free, clean, reliable, baseload energy?

Response: The licensing and regulation of nuclear energy facilities is under the jurisdiction of the Nuclear Regulatory Commission, and the Department of Energy also plays a significant role in this area.

Question 18: Secretary Haaland, does the Department of the Interior's budget include items to help increase the deployment of hydroelectric energy which produces carbon free, clean, reliable, baseload energy?

Response: The FY 2022 budget request includes \$3.5 million to support Department of Interior energy initiatives through increasing Bureau of Reclamation (Reclamation) project hydropower capabilities. These activities include policy development, oversight, and support services facilitating non-Federal hydropower development on Reclamation projects through Lease of Power Privilege and Federal Energy Regulatory Commission licensing. These actions allow Reclamation to derive additional value and revenue from existing public infrastructure and reduce project operating costs (e.g., water and power delivery costs). Revenues derived from incremental hydropower production are invested in the underlying public infrastructure to ensure continued, reliable operations and benefits. These investments, in combination with prior year's efforts, will ensure that Reclamation can continue to provide reliable water and power to the American West.

Question 19: Secretary Haaland, does the Department of the Interior's budget include any money to breach hydroelectric dams?

Response: The FY 2022 budget request includes funding for planning efforts to remove dams but does not include funds for construction to remove dams. The current schedule for award of a contract to remove PG&E hydroelectric dams under the Battle Creek Salmon and Steelhead Restoration Project is November 2023.

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Question 20: Secretary Haaland, the Administration recently re-branded the 30 X 30 initiative as the “America the Beautiful” initiative. Can you provide more details on this change in course and if it is indicative of any diversion from the original initiative?

Response: America the Beautiful is the majestic country that we call home. The President directed the Department, in partnership with the Department of Agriculture, Department of Commerce’s National Oceanic and Atmospheric Administration, and the Council on Environmental Quality, to develop initial recommendations on advancing his inclusive and collaborative vision in Executive Order 14008, Tackling the Climate Crisis at Home and Abroad. That vision was articulated in the report, Conserving and Restoring America the Beautiful, released in May 2021.

Question 21: Secretary Haaland, the Administration has been silent on the “America the Beautiful” initiative since publishing the last report. Will you commit to providing more regular updates to the Committee on this initiative?

Response: Yes, the Administration will provide updates to the Committee, as appropriate.

Question 22: Secretary Haaland, the U.S. Fish and Wildlife Service announced last month plans to rescind the regulations that revised the Service’s process for considering exclusions from critical habitat designations and the regulatory definition of habitat. How does this decision reconcile with the Supreme Court’s decision in *Weyerhaeuser Co. V. U.S.FWS*, 139 S. Ct. 361 (2018) and do you anticipate further agency action on critical habitat regulations?

Response: The FWS’s proposed changes, published in the Federal Register in October, are consistent with the Supreme Court’s ruling in *Weyerhaeuser Co. v. U.S. Fish and Wildlife Service, et al.*, 139 S. Ct. 361 (2018). The Court did not require that the FWS adopt a regulatory definition for “habitat” and the case was remanded to the lower court to consider whether the record supported a finding that the area disputed in the litigation was habitat for the species at issue, the dusky gopher frog. Since the Supreme Court ruling, the FWS has ensured that every critical habitat designation aligns with the Supreme Court’s decision and will continue to do so regardless of the status of a regulatory definition for habitat.

Question 23: Secretary Haaland, the U.S. Fish and Wildlife Service announced last month plans to revise the definition of “effects of the action” and associated provisions to that portion of the regulation. Has the Department determined the scope of that revision?

Response: The FWS and the National Marine Fisheries Service in the Department of Commerce are working closely to determine the scope and develop a proposed rule for possible revisions to the regulations for interagency cooperation under the Endangered Species Act.

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Question 24: Secretary Haaland, it has been seven months since the draft rulemaking clarifying the responsibilities of the Forest Service to re-consult on completed forest plans in response to the *Cottonwood* decision was first published. As Montana suffers another catastrophic wildfire season and collaboratively developed fuels projects continue to be delayed, I am all too well reminded of the Obama Administration's assessment that *Cottonwood* had the potential to "cripple forest management." When will the Department of the Interior move forward on this critical rulemaking?

Response: The Department is committed to finding collaborative, science-based approaches to conserving wildlife and managing our public lands and forests. The Department, through the FWS, the USDA Forest Service, and the Department of Commerce, through the National Marine Fisheries Service, are all working closely to determine the next steps forward on this proposed rule. Our agencies briefed your staff on these efforts in early March 2022.

Question 25: Secretary Haaland, the last Administration took several steps to conserve wildlife migration corridors in the West. Do you have plans at this time to take subsequent actions on this issue?

Response: The Department supports efforts to identify and conserve wildlife corridors. Many programs across the FWS are engaged in voluntary habitat restoration, enhancement, and protection efforts for migratory wildlife species and the connected habitat corridors upon which they depend.

Question 26: Secretary Haaland, the Forest Service has called for a paradigm shift in our National Forests and to increase vegetation management considerably. I have not heard similar calls from the Department of the Interior. Do you agree that we need to see a paradigm shift in how we are managing our forested lands?

Response: Yes, unless the way hazardous fuels are treated and addressing the impacts of climate change, we will remain in this current wildfire crisis. We are also working hard to implement provisions contained in the Infrastructure Investment and Jobs Act, which provides historic funding to address wildfire hazards by reducing risks, detecting fires, instituting firefighter workforce reforms, and building more resilient infrastructure.

Question 27: Secretary Haaland, do you agree that Western states have invested unprecedented resources, time, and funding to conserve the sage grouse and sage grouse habitat? Do you support allowing these conservation efforts to continue unfettered?

Response: The unprecedented collaborative efforts among our partners was at the core of the Department's decision in 2015 that the species did not warrant protection under the Endangered Species Act. We support continuing sagebrush range efforts by working in concert with states to maintain healthy sagebrush landscapes for wildlife and people. This includes improving sagebrush habitats, providing high quality science to inform conservation actions, and finding solutions to conserve wildlife and working lands. The Department continues to partner with the Western Association of Fish and Wildlife Agencies to implement the Sagebrush Conservation Strategy and combat invasive annual grasses and the destructive rangeland wildfires they fuel.

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Question 28: Secretary Haaland, what impact might a federal listing of the sage grouse under the Endangered Species Act have on state conservation efforts underway?

Response: The Consolidated Appropriations Act recently signed by the President contains a listing prohibition for the greater sage-grouse. In addition, the Department currently has no petitions to list the greater sage grouse and is not conducting a status review for the species. In 2015, the Department found that the species did not warrant protection under the Endangered Species Act based on the unprecedented collaboration and implementation of conservation measures by federal and state agencies, Tribes, private landowners, and other partners. The Department is continuing to work with partners to support greater sage grouse conservation.

Question 29: Secretary Haaland, can you provide a status update on finalizing the CSKT water settlement?

Response: The Department is in the process of implementing the Confederated Salish and Kootenai Tribes Water Rights Settlement, as directed under Montana Water Rights Protection Act (P.L. 116-260). The Department has established a federal implementation team to work with the State and Confederated Salish and Kootenai Tribes and meet all of the statutory conditions for final enforceability. On September 17, 2021, the Secretary executed the Compact and the Secretary and CSKT also executed the required waivers and releases of claims. The Department worked with CSKT to establish the Selis-Qlispe Ksanka Settlement Trust Fund and deposit into the Trust Fund the initial mandatory appropriation of \$90 million authorized by the Act. This year the Department intends to fully fund the discretionary appropriations to the Trust Fund using the Indian Water Rights Settlement Completion Fund established under P.L. 117-58. We are working with the Department of Justice, the CSKT, and the State to submit the Compact to the Montana Water Court for judicial review and approval as required under the Act and State law. Work on other conditions precedent for enforceability is underway.

Question 30: Secretary Haaland, what steps have been taken to address the housing shortage on reservations?

Response: The Department of the Interior Indian Affairs Housing Improvement Program offers safe and sanitary housing to American Indians and Alaskan Native families. The HIP is a secondary, safety-net program that addresses the housing shortage, sub-standard housing conditions, and homelessness in Indian communities. HIP funding supports the repair of dilapidated housing, builds new housing, and increases homeownership options in AI/AN communities. It also addresses repairs and improvements to home heating and cooling systems and allows for the installation of energy-saving measures, such as insulation and air sealing. In FY 2021, the HIP funded approximately 4,717 applicants.

HIP also contributes to the Down Payment Assistance program, which creates a pathway for homeownership for AI/AN families. Since FY 2017, this program has provided affordable homeownership for approximately 130 HIP eligible applicants by collaborating with Native Community Development Financial Institutions, the United States Department of Agriculture Rural Development, and the Housing and Urban Development Section 184. The HIP DPA is a significant part of the overall strategy to advance racial equity and support for underserved Tribal communities. As of fall 2021, there were thirty-two families seeking financing, awaiting their Certificate of Eligibility.

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In FY 2021, IA also distributed \$100 million in Congressionally appropriated funding under Public Law 117-2, the American Rescue Act of 2021, to the 574 Federally recognized Tribes specific to housing improvement for Tribes to determine how best to utilize the funds to meet their individual membership housing needs, in such areas as repair and renovation of existing homes, construction, and/or replacement of homes. Moreover, the Tiwahe Initiative fosters service coordination between programs within Tribal communities so that critical services, such as housing, effectively reach AI/AN children and families residing on or near reservations. HIP is a component of the Tiwahe effort, and in FY 2017 it was funded at six pilot sites. The Tiwahe HIP program affords the Tiwahe Tribal sites flexibility to leverage and expand assistance to single families and veterans, address the dilapidated and overcrowded housing conditions, and collaborate with other Federal housing programs to increase homeownership, repair, and rehabilitation opportunities. The Department remains committed to addressing sub-standard and overcrowding conditions facing the Federally recognized Tribes and will continue its efforts to consult with Tribal leaders and other federal agencies to identify housing needs and develop strategies to renovate, replace, and build affordable energy-designed homes.

Question 31: Secretary Haaland, given the crisis of missing and murdered indigenous people, what efforts has the Department taken to empower tribes to keep their communities safe?

Response: The BIA-OJS has worked with U.S. Attorney offices to help establish and implement Tribal Community Response Plans in accordance with the Department of Justice Missing and Murdered Indigenous Persons Initiative. The goal of these Response Plans is to establish a collaborative response from tribal governments, law enforcement agencies, and other partners by implementing culturally appropriate guidelines when investigating emergent cases of missing and murdered American Indians and Alaska Natives. The Department, in coordination with DOJ, is also actively implementing the Not Invisible Act, including the publication of a solicitation for nominations of non-federal members to join the Joint Commission, which will focus on reducing violent crimes against American Indians and Alaska Natives and address the long-standing missing and murdered Indigenous person crisis.

We are also moving forward with nation-to-nation consultations with Tribal leaders related to the Commission and implementation of the Act. We are seeking active and ongoing engagement from experts both inside and outside of the government. Incorporating Indigenous knowledge, Tribal consultation and the Commission that reflects members who know first-hand the needs of their people will be critical as we address this epidemic in Native American and Alaska Native communities. The Commission must be composed of at least 28 federal and non-federal members who represent diverse experiences, backgrounds and geography, and who are able to provide balanced points of view with regard to the duties of the Commission. The Commission will hold hearings, take testimony and receive evidence to develop recommendations for the federal government to combat violent crime against Indians and within Indian lands.

Question 32: Secretary Haaland, what is the biggest hurdle to fully staffing BIA law enforcement around the nation?

Response: The Bureau of Indian Affairs, Office of Justice Services has recently established a number of initiatives which include entering into funding agreements with the Office of Personnel Management to provide position management and classification services as well as completing a Climate and Culture Assessment, Organization Design Review, and a Workforce Supply and Demand Analysis. The BIA-OJS, through the

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White House Council on Native American Affairs Public Safety and Justice Subcommittee, has made the recruitment and retention of Indian Country personnel a priority, and BIA-OJS is working with the Indian Affairs Office of Human Capital Management to establish a Recruitment and Retention Program.

BIA-OJS has also met with the Federal Law Enforcement Training Center and the Bureau of Indian Education to begin exploring opportunities for collaboration with Indian Country schools and colleges. Many states have programs that allow students to simultaneously receive their state law enforcement certification in combination with earning their associate's or bachelor's degree. Establishing a similar program would help bolster interest in Indian Country criminal justice programs and job opportunities. We will continue efforts during the fiscal year to address this important goal.

Question 33: Secretary Haaland, does the budget provide any money to adequately staff BIA law enforcement?

Response: The Department is committed to strengthening law enforcement in Indian country and keeping Tribal communities safe by putting more officers on the streets, bolstering tribal courts and helping fight violent crime and drug abuse. The 2022 BIA budget requests \$507.1 million to operate 191 law enforcement and 96 corrections programs, the Indian Police Academy, the Office of Tribal Justice Support, Tribal Courts, and the Missing and Murdered Unit established as one of my first acts as Secretary. The budget reflects increases totaling \$53.3 million over the 2021 enacted budget to address needs that have arisen as a result of the *McGirt v Oklahoma* Supreme Court decision, expanded Missing and Murdered cases workload, and growing operational costs in law enforcement and correction programs across Indian Country.

Question 34: Secretary Haaland, does the budget provide money to address the backlog in jail and holding facilities in Indian Country?

Response: This Administration is committed to public safety on Tribal lands, as outlined in the Biden-Harris Plan for Tribal Nations. The 2022 Budget included \$47.8 million for Public Safety & Justice Construction programs including \$30.5 million for replacing aging facilities, a \$5.0 million increase over the 2021 enacted level, and \$9.4 million for improvement and repair projects.

Question 35: Secretary Haaland, please detail the statutory and regulatory notification, scoping, publication, public comment, and other procedural requirements followed while preparing the "America the Beautiful" report. If these requirements were not followed, please state the reason this review does not meet the normal Department procedures for official actions.

Response: The initial report released in May 2021 was not a regulatory document but outlined key principles and identified areas of focus and was carried out in response to the President's directive in Executive Order 14008. As noted in that document, it was a "first step toward developing a national conservation effort that –

reflects the President's ambition, his determination to combat the climate crisis and address environmental injustice while also growing our economy, and his commitment to listening, learning, and supporting the extraordinary conservation work that is already underway across America.

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Currently, we are undertaking the process of developing the American Conservation and Stewardship Atlas, a critical tool intended to measure the progress of conservation and restoration efforts across the country, with broad engagement with the public. Members of the public were given an opportunity through a public comment period, which closed on March 7, 2022, to inform how the Atlas can reflect a range of conservation actions, recognizing that many uses of lands and waters can be consistent with the long-term health of natural systems and contribute to addressing climate change and environmental injustices.

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Question from Senator Heinrich

Question: Documenting the distribution of imperiled species is one critical function of the Department of Interior, and the decisions based on this data have substantial implications for the management of public and private lands.

It is crucial that the best available science be used when making critical decisions on conserving and recovering our resources, including by using comprehensive, up-to-date data with well-defined geographic granularity.

Can you provide some insights into the data Interior uses to make conservation decisions and whether the Department has access to precise spatial data for use in complex species-related assessments?

Response: Over the last several years, the FWS has undertaken a significant investment in updating spatial data for defining the current range of listed species. The methodology for developing species range maps utilizes emerging technology, new programming, and collaboration with internal and external data managers, such as state heritage programs, to provide the best available spatial information to inform species status assessments, species classification decisions, siting decisions, effects determinations and other decisions. To date, current range maps for 750 species have been updated. One of the challenges in this effort is obtaining precise spatial data from states and other partners. Due to concerns about protecting spatial data for private property, some states do not want to share spatial data with the Service because we may not be able to withhold release of the data under the Freedom of Information Act.

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Questions from Senator Murkowski

Question 1: Your department has consistently said a report will be released 'early summer' on the review of the federal oil and gas program. While the review is being conducted, you have been very vocal about the importance of meaningful consultation with affected stakeholders and communities.

- a. Could you provide me a list of stakeholders and entities that you have met with in Alaska including state officials, ANC's, tribes, non-governmental organization, and private companies as you have been conducting outreach regarding this review?

Response: The Department intentionally followed a process to ensure appropriate outreach to a wide spectrum of stakeholders, including through hosting a virtual public forum in March 2021. The comments received on the oil and gas program review are available at <https://www.doi.gov/sites/doi.gov/files/oil-and-gas-comments.pdf>. As we implement the actions and reforms recommended in the report, we will follow all of the applicable laws.

Question 2: Currently the Department of the Interior continues to hold tens of millions of acres in a de facto wilderness status as 17(d)(1) withdrawals. My concern is how conservation progress will be tracked and measured under the 30x30 program, and how lifting these (d)(1) withdrawals will impact the measurable progress for your 30x30 land conservation goal.

- a. How is the department measuring the 'total number of lands being conserved' under the 30x30 program?

Response: The Administration is currently considering the input it received during the public comment period as it works to develop the American Conservation and Stewardship Atlas, which will determine the baseline level of conservation and restoration for lands and waters. The Department, along with the Departments of Agriculture and Commerce and the Council on Environmental Quality, announced in January a 60-day public comment period and held listening sessions regarding the development of the Atlas. The public comment period closed on March 7, 2022. We will consider the input received from the public and anticipate the information related to the questions you ask will likely be encompassed within this review and process.

- b. If Grand Staircase-Escalante, Bears Ears National Monument, and Northeast Canyons and Seamounts Marine Monuments are expanded according to your recommendation, does that expansion contribute to the 'total number of lands being conserved' according to the 30x30 goal?

Response: While the President's actions in restoring these monuments protects important natural places, as noted in the response to the previous question we are currently considering the input we received from the public comment period as we develop the American Conservation and Stewardship Atlas, which will determine the baseline level of conservation and restoration for lands and waters. The Department, along with the Departments of Agriculture and Commerce and the Council on Environmental Quality, announced in January a 60-day public comment period and held listening sessions regarding the development of the Atlas. The public comment period closed on March 7, 2022. We will consider the input received from the public and anticipate the information related to the questions you ask will likely be encompassed within this review and process.

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- c. If all or some of the 17(d)(1) withdrawals are lifted and that land becomes eligible for other purposes within BLM's multiple use mandate, would that land be counted against the administration's progress for conserving 30% of our nations lands and waterways by 2030?**

Response: As noted in the previous responses, we are considering the input we received during the public comment period as we develop the American Conservation and Stewardship Atlas, which will determine the baseline level of conservation and restoration for lands and waters. The Department, along with the Departments of Agriculture and Commerce and the Council on Environmental Quality, announced in January a 60-day public comment period and held listening sessions regarding the development of the Atlas. The public comment period closed on March 7, 2022. We will consider the input received from the public and anticipate the information related to the questions you ask will likely be encompassed within this review and process.

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Questions from Senator Hirono

Question 1: The Departments of the Interior, Defense, and State are the three interagency partners charged with negotiating the extension of the Compacts of Free Association with the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau. These agreements are set to expire in 2023 and 2024.

Congress will need to enact legislation to approve and implement the updated diplomatic agreements. These diplomatic agreements are essential to promote US interests in the Pacific region, and to strengthen relations with some of our closest allies.

Would you be able to provide an update on the status of Compact negotiations?

Response: The U.S. State Department and Department of the Interior Compact negotiating team has continued to work internally within the U.S. government and with the three Freely Associated State (FAS) governments at the technical team level on text of draft agreements on renewal and extension of economic assistance grants under Section 211 of the Compact, as well as the federal programs and services now provided under Section 221(a) of the Compact, as approved by the Compact of Free Association Act of 2003. At the bilateral level the lead negotiators for State and Interior have been consulting with FAS lead negotiators and on occasion with FAS Ambassadors to discuss the scope of agenda for further negotiations leading to agreements on Compact renewal. We have continued to exchange views and clarify terms regarding significant Section 211 economic assistance grant funding proposals made officially but without formally documented offers in 2020.

Question 2: Congress and the Administration have historically struggled to identify suitable pay-fors to fund the Compact's implementation in a timely manner. For example, Congress was not able to fulfill its financial obligations to Palau under the 2010 agreement until 2018. The inability of the United States government to fulfill its agreements and obligations to its allies undermined our nation's credibility and image as a reliable partner in the region.

The 2021 Consolidated Appropriations Act directed the Office of Management and Budget to identify a suitable pay-for to fund the Compact extensions. Has OMB reached out to DOI on this issue? If so, would you be able to provide an estimate on when Congress can expect pay-fors to be identified?

Response: The State and Interior COFA negotiators have been aware and mindful of the 2021 Consolidated Appropriations Act and the expectation that a suitable pay-for will be identified as soon as possible.

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Questions from Senator Hoeven

Question 1: During your confirmation hearing, I asked if you would be willing to recuse yourself from any matters relating to the Dakota Access Pipeline (DAPL). In your response, you committed to following the advice of the Department's Ethics Office "for any issues where there might be any of those conflicts."

Given your previous history with DAPL, and to avoid any conflicts of interest, have you consulted with the Interior Department's Ethics Office regarding recusal? If so, what was the outcome?

Response: At my confirmation hearing I noted that am committed to consulting with the career attorneys in the Department's Ethics Office and would seek and follow their advice on whether any particular matter would require my recusal. My answer has not changed.

Question 2: Due to the Interior Department's moratorium and cancellation of lease sales, private mineral holders are unable to develop the sub-surface mineral resources they own, despite their ownership of the surface acreage, because a small portion of federal mineral ownership is located in the same development area.

Is it fair to private mineral owners to have their mineral rights held up by the Interior Department's leasing moratorium?

Response: Following the injunction against the leasing pause, preparation for resumption of lease sales had been initiated and was proceeding until a District Court in Louisiana enjoined the use of the Administration's interim cost-benefit analysis rules. On March 16, the Fifth Circuit Court of Appeals in New Orleans reversed the District Court's injunction, allowing federal agencies to temporarily move forward using the Administration's cost-benefit analysis rules. The Department continues its planning processes for responsible oil and gas development on America's public lands and waters. With regard to your specific question, it is important for the Department and BLM to communicate clearly with everyone when it comes to split estate and checkerboard land issues, like those in your State.

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Questions from Senator Lankford

Question 1: Secretary Haaland, in response to questions for the record after your confirmation hearing, you stated that our public lands have long been, and will continue to be, an important source of minerals to power our economy. What steps has the Department of the Interior taken, and does the Department plan to take in FY2022, to ensure our public lands continue to be an important source of minerals – especially in light of the President's goals to expand renewable technologies?

Response: The President has made clear that the sustainable and responsible production of critical minerals is important for our nation. The Administration has taken recent actions to bolster the production of and supply chain for these important resources. We recently established an interagency working group to lead an inclusive effort on reform of mine permitting and oversight and we expect to deliver recommendations in November 2022. At the Department, our continuing goal is to ensure that development of these important resources is undertaken in the right ways and is considered in an inclusive fashion in support of the President's vision. We are also working hard to address permitting and processing improvements as required by the Infrastructure Investment and Jobs Act and will continue to do so.

Question 2: Secretary Haaland, the budget proposal outlines some new program proposals, including a proposal to create a Civilian Climate Corps. I have a few questions related to this proposed program:

- Are you concerned that a program of this nature would take labor out of the private sector?
- What tasks would workers involved in the program perform? Please be specific.
- Are there any activities that workers would be prohibited from engaging in while on the clock, such as political campaign work or union activities?

Response: The goal of the proposed program is to focus on projects that build resilience in the natural resources that the Department manages, revitalizing our public lands, infrastructure, and communities. The intention is to put Americans to work, gaining valuable job skills while rebuilding and restoring these important assets, in accordance with the applicable laws and regulations that govern the Department's activities.

Question 3: Secretary Haaland, prior to your confirmation, we discussed the issue of accessing land records at the BIA regional offices and the Osage Nation. Since you are confirmed, I want to reaffirm my ask to streamline access to oil well records for tribes like the Osage Nation in Oklahoma. This issue is significantly harming potential land leases partners who need to access records for potential mineral development. Since 2014, the DOI solicitor's office has required a FOIA request to obtain records which can take months to turn around. As a result, tribes like the Osage Nation are having difficulty attracting lease partners because of the FOIA process. **Will you commit to dedicate the resources needed to resolve this issue?**

Response: These records kept by the Osage Agency are Federal Records and contain information protected by the Privacy Act. The public may request copies of these records through the Freedom of Information Act but, in order to comply with the statutory requirements, requested materials must be reviewed and any Personally Identifiable Information must be protected before well data is released. The Agency has strived to be responsive as it moves through this process. The bureau is funding and coordinating with the BIA Osage

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Agency and the BIA Eastern Oklahoma Regional Office an ongoing digitation project in which PII is being protected, and the documents imaged and conveyed to the Osage Mineral Council (OMC) in a digital format. The OMC has prioritized certain sections of Osage County that has high oil and gas activity, and the project has focused on these areas.

Question 4: Secretary Haaland, at the hearing we had a discussion on the Department's oil and gas leasing moratorium. I have a few follow-up questions related to that conversation:

- **Will lease sales recommence immediately after the interim report is issued?**
- **Will there be a final report issued? If so, when will it be issued? What additional information will it include?**

Response: The Department's report on the review of the program and recommending needed reforms was released in November 2021. Preparation for resumption of lease sales had been initiated and was proceeding until a District Court in Louisiana enjoined the use of the Administration's interim cost-benefit analysis rules. On March 16, the Fifth Circuit Court of Appeals in New Orleans reversed the District Court's injunction, allowing federal agencies to temporarily move forward using the Administration's cost-benefit analysis rules. As we move ahead, we will do so in compliance with court decisions, in a manner consistent with the requirements of the applicable laws, and after taking into account the recommendations made by the Department in our Oil and Gas Report released in November. BLM recently announced that it was moving forward with lease sales that incorporate many of the reforms, including a better royalty rate for the taxpayers.

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Questions from Senator Cortez Masto

Question 1: Your department has worked hard to identify areas that are most suitable for siting clean energy projects on public land and to meet the renewable energy goals. But even projects sited in priority areas will still confront fees, permitting review issues, and other matters that may take a long time to resolve and could set back meeting the Administration's goals or renewable energy goals like 50 percent by 2030 goal in my state.

How can the Department better prioritize and accelerate the review and deployment of these renewable energy projects on our public lands?

Response: The President has made clear that this is a priority goal for the Administration. In January of this year the Department, along with the Departments of Agriculture, Defense, Energy, and the Environmental Protection Agency, announced the development of a Memorandum of Understanding that will improve coordination for reviews for clean energy projects on the public lands. The MOU establishes an interagency coordination team to facilitate preparation of environmental reviews, accelerate renewable energy decision-making, and coordinate all agency reviews. The BLM has also initiated a rulemaking to update its 2016 Solar and Wind Energy Rule that intends to address enhancements to prioritizing and processing of applications for solar and wind right-of-way grants or leases, update acreage rent and megawatt capacity fees. And in June the BLM issued an instruction memorandum to implement recent authority to reduce calendar year 2021 acreage rental rates for solar and wind energy projects in several counties in California.

Question 2: In recent years, the BLM has spent an inordinate amount of time and resources offering vast acreages for oil and gas development on lands where the oil and gas industry doesn't really have any development interest, and on lands that have little to no potential for development.

Making these lands available for leasing only fuels the speculation industry and wastes BLM resources while locking up the land from being managed for other purposes, like wildlife habitat preservation, outdoor recreation and grazing.

I introduced the End Speculative Oil and Gas Leasing Act that prohibits BLM from offering leases on lands determined to have low or no drilling potential.

- A. What steps are you taking to ensure low-potential lands will not be made available for oil and gas leasing and to not waste taxpayer resources on speculative leases?**
- B. Should we outright focus leasing on lands with higher potential and reprioritize management of lands with low development potential?**
- C. If the federal oil and gas leasing program focused its resources on lands with higher potential for development, how would that benefit BLM's mandate to administer lands for multiple-use purposes?**

Response: The Department testified in strong support of the goals of your legislation at a hearing before the Committee last October. This particular concern was also discussed in the Report on the Federal Oil and Gas Leasing Program, issued by the Department in November 2021 in response to the President's direction in

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Executive Order 14008. As noted in that report, non-competitive leases are frequently less diligently developed than competitively issued leases and from 2013 to 2019 average revenues from competitively issued leases were nearly 3 times greater. The practice encourages speculation and creates uncertainty in nearby communities. The BLM should ensure that no use is prioritized over others, consistent with the multiple-use mandate and sustained yield principle.

Question 3: We're seeing another devastating fire season in the West. This summer, we've already seen devastating fires like the Beckwourth Complex, Dixie, and Tamarack fires, all of which firefighters from my home state of Nevada have helped fight.

Last week, I introduced new legislation, *S.2404, the Western Wildfire Support Act*, that focuses on measures to prevent, suppress, and recovery from destructive wildfires.

Specifically, it would direct Interior to create wildfire plans for federal lands to include pre-fire planning, wildfire response management, and post-fire recovery. It directs Interior to expedite the placement of wildfire detection equipment including cameras and sensors. It creates a grant program to help local agencies acquire fire-fighting equipment including air tankers. And it creates a program to reduce the spread of invasive species.

Will you commit to working with me on this legislation and providing your support?

Response: Yes. The Department supported the intent of your legislation at an October hearing and would look forward to working with you on this legislation.

Question 4: Regarding the large military installations in Southern and Northern Nevada...both the Air Force and Navy have sought to significantly expand the footprint of their installations, which would have substantive impacts on lands managed by the Interior Department, including the Desert National Wildlife Refuge, popular recreational areas, federally-owned grazing lands, and important tribal and cultural resources. The Department of the Interior must be actively engaged in these discussions and finding reasonable, workable, and collaborative solutions with the military and local stakeholders.

What are you doing to ensure that the Interior Department is an active participant in working with the Defense Department and other stakeholders to find such solutions? Can you give me an update on your progress on this front since we last spoke about the subject?

Response: We know that this issue is important to you, and the Administration is engaged both internally, and with you and other members of the delegation to reach a conclusion on this matter.

Question 5: Regarding critical mineral development, outside of a few domestic mines, including our nation's only lithium mine in my home state of Nevada, our country has a very small critical mineral supply chain industry, and we heavily rely on foreign countries for both procurement, processing, and manufacturing of these materials.

There is a growing environmental, industrial, economic, and national security interest in investing resources to develop our own abilities in this space across the board – that includes R&D, permitting new mines, recycling and reprocessing.

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How is the Interior Department fostering the development of a domestic critical mineral supply chain?

Response: The President has made clear that the sustainable and responsible production of critical minerals is important for our nation. The Administration has taken recent actions to bolster the production of and supply chain for these important resources. We recently established an interagency working group to lead an inclusive effort on reform of mine permitting and oversight and we expect to deliver recommendations in November 2022. At the Department, our continuing goal is to ensure that development of these important resources is undertaken in the right ways and is considered in an inclusive fashion in support of the President's vision. We are also working hard to address permitting and processing improvements as required by the Infrastructure Investment and Jobs Act and will continue to do so.

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Questions from Senator Cassidy

Question 1: Please provide the Committee a specific timeline for when the Department expects to publish the final 2022-2027 National Outer Continental Shelf Oil and Gas Leasing Program.

Response: While the previous administration published a Draft Proposed National OCS Oil and Gas Leasing Program in January 2018 and began work on a Draft Programmatic Environmental Impact Statement, it took no further action for three years and did not publish a Draft Programmatic Environmental Impact Statement or a Proposed Program. The Bureau of Ocean Energy Management is now building on the previous work to advance to the next step, which is publication of a Proposed Program and Draft Programmatic Environmental Impact Statement. The Administration has been working to comply with multiple preliminary injunctions related to oil and gas leasing and applicable statutory requirements, and to advance the Administration's priorities consistent with the recommendations made by the Department in our Oil and Gas Report released in November.

Question 2: Has the Department started the Programmatic Environmental Impact Statement (EIS) for the 2022-2027 National Outer Continental Shelf Oil and Gas Leasing Program? If not, please provide a specific timeline for when the Department plans to start this Programmatic EIS as part of the timeline for publish the final 2022-2027 National OCS Oil and Gas Leasing Program.

Response: As stated in an earlier response, while the previous administration published a Draft Proposed National OCS Oil and Gas Leasing Program in January 2018 and began preparation of a Draft Programmatic Environmental Impact statement, it took no further action for three years and did not publish a Draft Programmatic Environmental Impact Statement or a Proposed Program. The Bureau of Ocean Energy Management is building on the previous work to advance to the next step, which is publication of a Proposed Program and Draft Programmatic Environmental Impact Statement. The Administration has been working to comply with multiple preliminary injunctions related to oil and gas leasing and applicable statutory requirements, and to advance the Administration's priorities consistent with the recommendations made by the Department in our Oil and Gas Report released in November.

Question 3: As the Department continues its review of the oil and gas leasing programs, to what extent will the Department consider the statement made below in Volume 1 of the Outer Continental Shelf Oil and Gas Leasing Program: 2017-2022 Final Programmatic Environmental Impact Statement on page 4-8? Please also explain how this statement and others like it will inform the interim leasing report. The statement taken from the aforementioned Programmatic EIS says,

"Overall the GHG's from the activities associated with the Proposed Action [10 Gulf lease sales] would be similar to but slightly lower than the No Action Alternative [no lease sales] in both low-and high-

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price scenarios. This similarity is due to the economic substitution effects from onshore and overseas sources expected under the No Action Alternative.¹

Response: Until the analysis for the next National Program is finalized, it would not be appropriate to speculate what it will report and how that information will factor into the Secretary's decision, which by law must consider many different factors. The Department will comply with the law and will follow the established processes and protocols for developing environmental reviews informing any decisions the Department may make. It is critically important to note that the Department will work to enhance its analyses, including by addressing deficiencies recently identified by courts and that these more thorough analyses will inform our environmental reviews as we move forward. The quotation above reflects conclusions reached in analyses prepared prior to 2016, and those conclusions may not prove valid under updated environmental analysis.

¹ https://www.boem.gov/sites/default/files/oil-and-gas-energy-program/Leasing/Five-Year-Program/2012-2017/BOEMOceanInfo/fpeis_volume1.pdf

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Questions from Senator Hyde-Smith

Question 1: In a past hearing, one of my colleagues posed the question “will you follow the law?” You answered that you will always follow the law. The Outer Continental Shelf Lands Act is law, and under that law, an offshore five-year leasing program is required. The current program is set to expire at the end of June 2022. As you know, the five-year leasing program is not something that is created overnight. As you have said yourself, it takes years to develop and finalize. **With the deadline approaching fast, and with the recent Federal Court's decision, what action has the Department taken to be in compliance with the Federal Judge's ruling? Have there been any decisions to reinstate lease sales, specifically Lease Sale 257?**

Response: As stated in an earlier response, while the previous administration published a Draft Proposed National OCS Oil and Gas Leasing Program in January 2018, it took no further action for three years and did not publish a Draft Programmatic Environmental Impact Statement or a Proposed Program. The Bureau of Ocean Energy Management is building on this previous work to advance to the next step, which is publication of a Proposed Program and Draft Programmatic Environmental Impact Statement. BOEM is working expeditiously on these documents, consistent with the requirements of the OCS Lands Act and recommendations made in the Department's report on oil and gas programs released in November 2021 and pertinent case law. As we move ahead, we must do so in compliance with court decisions, in a manner consistent with the requirements of OCSLA, and after taking into account recommendations made by the Department in our Oil and Gas Report released in November. BOEM held Lease Sale 257 on November 17, 2021, but the sale was vacated in January by the U.S. District Court for the District of Columbia. The court vacated Lease Sale 257 based on what it found to be a faulty analysis of GHG emissions. Soon thereafter another district court in Louisiana enjoined the executive branch from using other aspects of the analyses of such emissions only to have its injunction stayed. These dynamics precluded DOI from moving rapidly to remedy the deficiencies identified by the court, even as the decision on sale 257 is being appealed by parties other than DOI.

Question 2: When do you plan to resume lease sales or any re-leasing activities?

Response: Lease Sale 257 was held in November, and the comment period for Lease Sale 258 was resumed. Lease Sale 257 was challenged for alleged violations of the Administrative Procedure Act and the National Environmental Policy Act. The court vacated the lease sale based on what it found to be a faulty analysis of GHG emissions. As we move ahead, we will do so in compliance with court decisions, in a manner consistent with the requirements of the OCSLA, and after taking into account the recommendations made by the Department in our Oil and Gas Report released in November.

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Questions from Senator Hickenlooper

Question 1: About a quarter of all acres leased by the Bureau of Land Management are sold outside of auctions on a non-competitive basis at just \$1.50 an acre, a fraction of the cost of a Starbucks coffee. But the real costs for BLM are much higher: they still have to issue, monitor, and administer the leases, even though GAO found that 99% of these leases never produced oil or gas. **As DOI takes a hard look at its oil and gas leasing practices, do you see any compelling reason that BLM should be providing this effective subsidy for the most speculative projects?**

Response: The issue of ensuring a fair return to the taxpayer was one of the driving reasons that the Department carried out its review of the oil and gas program. This particular concern is discussed in the Report on the Federal Oil and Gas Leasing Program, issued in response to the President's direction in Executive Order 14008. As noted in that report, non-competitive leases are frequently less diligently developed than competitively issued leases, and from 2013 to 2019 average revenues from competitively issued leases were nearly 3 times greater. As we move ahead with reform of these programs and processes, it is important that our actions are consistent with the law and with the recommendations made in the Report.

Question 2: Deploying renewables on federal lands is key to meeting our clean energy goals, but unfortunately, the rental rates and megawatt capacity fees charged for new clean energy projects are often prohibitively high, and can fail to reflect fair market value. I am aware that the Department has announced planned revisions to its competitive leasing rule to address these problems, but we know that such agency rulemakings can take years to complete, and in the meantime we are missing a major opportunity to create jobs, deploy clean energy, and attract investment to rural areas. **What can you do to provide measurable relief from these excessive costs for shovel-ready projects today? I'm interested specifically in your ability and willingness – using new authorities under the Energy Act of 2020 – to reduce acreage rents and capacity fees so they reflect the true fair market value of public lands.**

Response: This is an important issue, particularly in certain areas in the west, where the Department has seen significant increases in the value for acreage rents for solar and wind energy projects on the public lands. The Department has taken action to address this, consistent with relevant authorities, including the Energy Act of 2020 (Act). Specifically, the BLM initiated a rulemaking effort to update its 2016 Solar and Wind Energy Rule and implement provisions of the Act and expects the rulemaking to address enhancements to prioritizing and processing of applications for solar and wind right-of-way grants or leases, and updating acreage rent and megawatt capacity fees. The BLM also issued an instruction memorandum in June 2021 to quickly implement the authority under the Act to reduce calendar year 2021 acreage rental rates for solar and wind energy projects in several counties in California.

Question 3: With respect to DOI's ongoing oil and gas leasing pause on federal lands: it is important that we find a path for appropriate reforms that allow for oil and gas activities to continue on public lands, but more adequately address the real environmental and climate costs of these activities. **What should we expect to see from DOI in the coming weeks on oil and gas leasing reforms, and what should we expect for a timeline going forward?**

Response: The Department issued its Report on the Federal Oil and Gas Leasing Program in November 2021. The Report provided a review of the onshore and offshore programs and made recommendations for reforms to

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ensure the American public receives a fair return for the development of the resources that it owns; update and modernize the leasing and development processes; and create a more transparent, inclusive, and just approach to leasing and permitting. The most recent reports show that almost 53 percent of onshore acres under lease are non-producing, and there are a significant number of unused permits to drill onshore. Offshore, seventy-two percent of the lease acreage offshore is non-producing. This shows that there is significant opportunity for production on federal lands that continues to go unused by industry.

Question 4: The dire drought situation here in Colorado has led to watering restrictions and also the closing of more than a hundred miles of river to fishing. There is a need for federal investment, not only to shore up water supplies for irrigators and cities, but to maintain flows in rivers for all of our fish and wildlife and to support our recreation economy. **What are the Department's priorities for investment to build drought, watershed health, and wildfire and climate resilience in Colorado?**

Response: As I mentioned in my written statement, the FY 2022 budget proposal includes funding for wildland fire management, drought mitigation, and science-based investments that will help the Department of Interior and communities prepare for and address the aftermath of natural hazard events. These efforts will be supported by investments for science-driven conservation to align management of the Nation's natural resources with America's climate, biodiversity, and clean energy needs. Specifically, in Colorado, the FY 2022 budget request includes salinity control efforts along the river with both the Title I (\$17.6 million) and Title II (\$7 million) Programs, while continuing to implement the Drought Contingency Plans (DCP) in coordination with the seven Basin States through the Lower and Upper Colorado River Programs. Drought response activities include \$15 million for the DCP to conserve water in Lake Mead to reduce the likelihood of the Lake declining to further critical elevations and \$3 million for the Upper Colorado River Operations Program for Demand Management.

Question 5: The Colorado River Basin Drought Contingency Plan provided the authority for Upper Basin States to move forward with a Demand Management program. **What steps do you see the Department of Interior taking to ensure that Upper Basin States are able to realize the economic benefits of such a program under the terms of the Drought Contingency Plan?**

Response: According to the 2019 Drought Contingency Plan Attachment A2, the purpose of an Upper Basin Demand Management Program will be to temporarily reduce Consumptive Uses in the Upper Basin or augment supplies with Imported water, if needed in times of drought. The intent of the 2019 Agreement was to: 1) Secure authorization for storage capacity, 2) Agree on minimum conditions, and 3) Promote communication, coordination and cooperation among the parties. Since the signing of the 2019 Agreement, the Department of Interior has awarded a grant to the Upper Colorado River Commission in support of developing an Upper Basin Demand Management Program. This grant went toward pilot projects that facilitated Upper Basin entities studying the feasibility of an Upper Basin Demand Management Program.



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Testimony of the Ute Indian Tribe of the Uintah and Ouray Reservation

U.S. Senate Committee on Energy & Natural Resources Hearing to Examine the President's FY 2022 Budget Request for the Department of the Interior

August 10, 2021

Chairman Manchin, Ranking Member Barrasso and Members of the Senate Energy and Natural Resources Committee, thank you for the opportunity to submit this testimony on the President's FY 2022 Budget Request for the Department of the Interior. Our testimony is focused on funding for Indian energy programs, law enforcement, tribal infrastructure, and health care.

SUPPORT FOR PRESIDENT BIDEN'S FY2022 INTERIOR BUDGET REQUEST

The Ute Indian Tribe is a large land base tribe. Our Uintah and Ouray Reservation (Reservation) includes 4.5 million acres making it the second largest reservation in the United States. Our Reservation is larger than many states, yet our tribal government is forced to provide law enforcement, social services, and healthcare with a fraction of the funding.

The President's FY2022 Interior budget request is a step in the right direction, and we ask that Congress further increase these amounts. The President's budget includes about \$4.2 billion for tribal programs which is about \$727.8 million over the amounts enacted in 2021. The 2022 budget includes \$2.7 billion for BIA programs, an increase of \$614.9 million from the 2021 enacted level. The budget includes \$346.5 million to fully fund estimated Contract Support Costs, an increase of \$61.0 million from the 2021 enacted level, and \$36.6 million for Payments for Tribal Leases, \$15.0 million above the 2021 enacted level. All of these amounts should be increased, and funding for tribal programs is needed in other areas.

For more than a century, the Federal government has chronically underfunded tribal programs. In treaties and agreements with the United States, we ceded millions of acres of lands and resources that provided for the foundation and success of the United States. In return, the

United States committed to funding tribal programs and providing specific support. These contracts must be upheld by the Administration and Congress.

PROGRAMS IN SUPPORT OF INDIAN ENERGY MUST BE FUNDED

The Ute Indian Tribe asks that the Committee protect and fund Indian energy programs across the Federal government. First, we are very concerned about the recent transfer of the Office of Indian Energy and Economic Development (OIEED) to the Bureau of Indian Affairs (BIA). Moving OIEED under BIA will have a disastrous impact on one of the only programs throughout the Federal government directly supporting Indian economic and energy development. OIEED is also one of the Department of the Interior's most successful programs.

OIEED was established about 13 years ago at the Secretarial level within the Office of the Assistant Secretary for Indian Affairs. Operating more independently than a regulatory agency like BIA, OIEED is flexible and able to respond to the needs of tribes as they arise. Overall OIEED provides technical assistance and resources to tribes who are working to develop economic and energy resources. OIEED is not a regulatory agency. Instead, OIEED fulfills the Federal government's treaty and trust responsibilities by supporting and assisting tribes in the development of their economic and energy resources.

One of the most successful divisions within OIEED is the Division of Energy and Mineral Development (DEMD) which promotes and supports Indian energy development. The Ute Indian Tribe, and many other energy tribes, have directly benefited from DEMD. In addition to providing technical assistance and supporting the sophisticated National Indian Oil and Gas Energy and Mineral System (NIOGEMS), DEMD is one of the only federal programs that is able to put "boots on the ground" in support of Indian tribes quickly and efficiently.

For example, just a few years ago, our local BIA Agency office was buried under backlogs of energy related permits. This backlog limited our ability to produce oil and gas, to raise revenues to fund our government and provide services to our members, and to contribute to domestic energy supplies. To help solve the problem and get permits flowing, DEMD provided teams of energy experts that were able to reduce BIA's backlogs.

In addition to supporting Indian energy development, OIEED also supports a full range of tribal economic development activities through divisions focused on economic development and capital investment. OIEED has a unique mission that would be diminished under BIA's regulatory structure. OIEED is flexible and able to quickly address changes in the areas of Indian energy and economic development.

The Ute Indian Tribe adamantly opposes the transfer of OIEED to BIA. Just like moving the Bureau of Land Management (BLM) to Grand Junction, Colorado, this is a holdover from the past Administration and an attempt to diminish important federal functions. We ask that OIEED's place at the Secretarial level be restored along with moving BLM back to Washington, D.C.

Second, Indian energy programs are seriously underfunded. We use energy development to fund our government and provide services to our members. Indian energy development provides good paying jobs on our Reservation, in surrounding communities and across our region. Yet, funding for Indian energy is a small fraction of the energy funding provided to BLM and is often at the same level as energy funding for the U.S. Fish and Wildlife Service.

This makes no sense and undercuts our ability to provide governmental services and jobs. The Ute Indian Tribe asks that the Committee prioritize funding for BIA programs that support Indian energy development.

Funding is needed for energy programs such as OIEED, DEMD, the Indian Energy Service Center, and also for our local BIA Agency real estate and environmental positions that process and oversee energy permitting. The \$4.5 million provided in FY 2016, to establish the Indian Energy Service Center was a good start, but additional funding is needed to fully staff the office. The Indian Energy Service Center provides needed support for permitting, but frontline staff in our BIA Agency are also needed.

Third, the Ute Indian Tribe asks that the Committee support funding for the Department of Energy's (DOE) Tribal Energy Loan Guarantee Program. This Program was finally funded in 2017 more than 10 years after it was originally authorized. Since then, DOE has been busy staffing the Program and making funding available to support Indian energy development. The Tribal Energy Loan Guarantee Program is the only Program in the Federal government that helps tribes overcome barriers and secure capital for large commercial scale energy projects.

Fourth, the Ute Tribe request that you support the FY2022 BIA funding for clean energy deployment programs in Indian Country. We support the \$50 million increase from \$12 million in FY2021.

TRIBAL LAW ENFORCEMENT REMAINS SERIOUSLY UNDERFUNDED

The Ute Indian Tribe has taken major steps to revise our tribal law and order codes to address an increase in gang and drug activity on our Reservation in recent years. Our new codes take a tough stance on gangs and drugs through enhanced sentencing guidelines for gang members and major drug offenders. Specifically, in response to the pervasiveness of drug trafficking and drug use on the Reservation, the Tribe has established a hybrid approach to drug enforcement that includes both a drug court and a zero-tolerance policy for repeat offenders that work in conjunction to address drug crime on the Reservation.

Our new tough codes are intended to work with our recently completed \$36 million Justice Center and Detention Facility. This Facility was built entirely with tribal funds. We were forced to use our own funds after waiting more than a decade on BIA's priority construction list after our BIA jail was condemned. We took this action in consultation with BIA and the Committee.

Despite our efforts, law enforcement programs within the Department of Justice, BIA and the Office of Justice Services (OJS) lack the funding and flexibility to fulfill their treaty and trust

responsibilities and provide for safe tribal communities. We have the space in our Justice Facility to get violent offenders, drug dealers and people with outstanding warrants off our streets. Meanwhile, every two weeks our federal partners send 30 or more adults to county detention facilities at federal expense and up to ten youth a month.

Even worse, our federal partners have told tribal judges that warrant enforcement must be slowed because the United States cannot afford to house these offenders in county jails. The lack of funding for these programs is undercutting Congressional intent. We cannot enforce the Violence Against Women Act, our gang and drug codes, and provide safe communities, if our federal partners do not have the funding or flexibility to arrest and detain offenders.

We've done our part. More than our part. It is time for Congress and the Committee to finally provide the funding increases needed so that we can provide safe tribal communities.

SUPPORT OF RECLASSIFYING PROGRAMS TO MANDATORY FUNDING

The Tribe Supports the reclassification of discretionary funding for Contract Support Costs and Payments for Tribal Leases to mandatory funding starting in 2023. This includes the reclassification of discretionary funding for enacted Indian water settlements. While we believe all all-tribal programs should be reclassified as mandatory, this is a step in the right direction.

Thank you for the opportunity to testify the President's FY2022 Interior budget request and the commitments of the United States to Indian tribes. The Ute Indian Tribe asks that the Committee increase funding levels to address chronic underfunding of Indian programs and to provide for our current program needs.