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Senate Hearings

Before the Committee on Appropriations

Department of the Interior, Environment, and Related Agencies Appropriations

Fiscal Year 2023

117*th* CONGRESS, SECOND SESSION

H.R. 8262

UNITED STATES FOREST SERVICE
INDIAN HEALTH SERVICE
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF THE INTERIOR
NONDEPARTMENTAL WITNESSES

Department of the Interior, Environment, and Related Agencies Appropriations, 2023 (H.R. 8262)

S. HRG. 117–680

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2023

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON APPROPRIATIONS

UNITED STATES SENATE

ONE HUNDRED SEVENTEENTH CONGRESS

SECOND SESSION

ON

H.R. 8262

AN ACT MAKING APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023, AND FOR OTHER PURPOSES

United States Forest Service
Indian Health Service
Environmental Protection Agency
Department of the Interior
Nondepartmental Witnesses

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2023

WEDNESDAY, MAY 4, 2022

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

The subcommittee met at 10:00 a.m. in room SD–124, Dirksen Senate Office Building, Hon. Jeff Merkley (chairman) presiding.

Present: Senators Merkley, Tester, Van Hollen, Murkowski, and Hagerty.

UNITED STATES FOREST SERVICE

STATEMENT OF HON. RANDY MOORE, CHIEF

OPENING STATEMENT OF SENATOR JEFF MERKLEY

Senator MERKLEY. Thank you, Ranking Member Murkowski, Chief Moore, and our other colleagues and constituents, welcome to this Appropriations Hearing on the fiscal year 2023 President's Budget for the U.S. Forest Service.

Much has changed since we met here a year ago to discuss the Forest Service Budget, an incredible impact, the management of our country's forested lands have for the environment, for the economy, for outdoor recreation, and for contributing to the regional identities in forests in Alaska, Oregon, and across this country.

A big change is that you are here, Chief Moore, in your first appearance before the Senate Appropriations Committee, as Chief of the Forest Service. Congratulations. I am looking forward to talking with you about your vision for the agency.

In 2021 we experienced the most expensive wildfire season in U.S. history, exacerbated by a continuing drought across the west that shows no signs of ending. Oregon alone suffered our third most devastating fire in Oregon's recorded history, with the Bootleg Fire.

That fire became so large that it created its own weather, and scorched over 400,000 acres. It cost $100 million to suppress. And this came on the heels of a gut-wrenching fire season the year before. The Labor Day Fires of 2020, in which multiple towns across Oregon were burned to the ground.

I remember when I heard about Paradise in California, thinking, thank goodness have had no devastating fire of that nature burning an entire town to the ground. And then the Labor Day Fires of 2020, town, after town, after town; so many families lost every-

thing, and I will never forget driving over 600 miles across the state, back and forth, and never getting clear of the smoke, and seeing the ruins of towns that looked that they had been firebombed in war.

Everything gone, with a few pipes, or a few bathtubs left, cars completely burned out, with the wheels, the magnesium wheels had melted and the magnesium had run across the ground, just the charred remains representing so much devastation to thousands of families.

This trend is not only affecting Oregon, it is being felt across the country. New Mexico is suffering right now, in the national news, from massive fires causing evacuations, loss of homes, the loss of habitat, destruction in the watersheds that provide drinking water throughout the state, and deadly levels of smoke-filled air. And this is only the first week of May.

Last year major fires lasted for weeks leading to the record-breaking length of high staffing and preparedness levels of over 3 months without respite. Taken together the evidence of the last several years portends a very problematic future as we face the new normal of climate chaos.

At the same time, the Bootleg Fire this past year also demonstrated the value of community and tribally-led efforts to reduce fuels as a way to manage the intensity of wildfires. I looked at areas that had been treated in advance with thinning, and with prescribed burns, and they looked very different than the areas that had not been treated.

We have to think about how we can do that kind of preparation on scale. I look forward to discussing how we work together on forest resiliency and restoration in the face of continuing climate chaos and catastrophic fire impacting our communities.

Last year we also saw the implementation of several major pieces of legislation that provide an influx of funding for the Forest Service. Through the Great American Outdoors Act, the Forest Service will receive another tranche of the 1.4 billion provided over 5 years, to make significant investments in deferred maintenance projects; from trail building, to bridge replacements, to campground and visitor facility renovations.

Additionally, the bill created a permanent funding stream for the Land and Water Conservation Fund, providing $900 million for fiscal year 2022, of which the Forest Service 129 million for land acquisition, and $95 million for Forest Legacy projects.

Through the Bipartisan Infrastructure Law, the Forest Service will receive $5.4 billion over 10 years to invest in wildfire risk reduction and ecosystem restoration, including funds for fuel breaks and hazardous fuels projects, prescribed fire, burned area restoration, state and local grants for community wildfire defense, youth conservation core projects, collaborative forest restoration projects, and fish passage restoration.

And through the fiscal year 2022 Appropriations Bill, this committee provided $7.8 billion, a $400 million increase, in the agency's annual funding. These increases were provided to radically improve forest restoration and fire risk reduction.

We increased Hazardous Fuels Reduction Funding to treat more of highest risk acres to protect lives and communities, restored the

Legacy Roads and Trails Program to prioritize fish passage improvements, and repurposing unnecessary roads as trails, increased grants to states for fire protection and forest stewardship, and boosted the funds for research into fire behavior, invasive pests and disease, like sudden oak death, which is ravaging Southern Oregon.

That is a lot of change, and a lot of funding from a lot of different directions. I am especially proud that we doubled funding for the Collaborative Forest Restoration Program. This game-changing increase will fund more projects that bring together diverse local stakeholders to improve forest landscapes. I am pleased that with this new increase and project flexibility, all the existing projects in Oregon were extended, and a new collaborative in Southern Oregon will soon be underway.

Over the last few decades, and one of the most promising things that has happened in terms of bringing a productive strategy out of the timber wars of the past, is the Collaborative Forest Landscape Restoration Program, because when all those stakeholders are in the room working out a prescription, they share their ideas, they create relationships, they go out in the woods and do tours, they talk about specific stands under different conditions.

They reach agreement, and it is phenomenal how different it is between having warring parties that are not talking, and parties that are committed to working out a common plan, and then succeed in doing so.

More importantly, we have provided $2.9 billion for staffing capacity to build up year-round staffing, and return the Forest Service to personnel levels that are necessary to carry out this work.

This funding is also available to fulfill the President's commitment to improve compensation for Federal Firefighters, including providing at least $15 an hour in pay, and to begin the process to convert firefighter staff from seasonal to permanent employment, an important upgrade in view of the reality of longer and more devastating fire seasons.

I might also note that the idea of fighting fires when the fires are burning, and doing forest restoration work when they are not, seem to go well together. Given the importance of Forest Service employees, and a positive workplace environment, to the success of these many programs, I look forward to hearing your plans for workforce development, and workplace improvements.

Finally, I want to commend you for releasing the new ten-year strategy to confront the wildfire crisis. This strategy focused on high-risk landscapes, now identified as fire sheds; that need to be addressed to reduce communities' exposure to potential catastrophic fire. I think this is a critical shift and focus, given the threat of ever-increasing, catastrophic fire.

So collectively we have put significant investments into changing the forest landscape, and we really need to know how all this work together, and how this committee can support you in implementing a dramatic turnaround in management of our forested lands.

All that to say, there is much to discuss, and I look forward to our conversation.

And with that, I turn to Ranking Member Lisa Murkowski, for any comments she would like to make.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman.

And good morning Chief. I, too, want to welcome you to your first opportunity to testify before the subcommittee. I appreciate you being here, and the opportunity to discuss the President's Budget Request, and the active role that the Forest Service plays around the county, certainly, a very key role in my State of Alaska.

I want to start with just an observation on how the political definitions of "forest health" and responsible forestry practices, appears to swing on a pendulum, unfortunately dependent on the occupant of the White House.

In reality what actually makes for a healthy, productive forest, it doesn't change with the politics. This is one of the reasons that I have been unhappy, as you know, with the decisions as they relate to one of our two national forests in Alaska, and that is the Tongass.

I know, Chief, that you are very aware of the outsized role of the Forest Service in Southeast Alaska, along with the complexities that are associated with management decisions within the Tongass. In recent years, a lot of good people have done a lot of good work to craft an Alaska-specific Roadless Rule.

That Roadless Rule exemption finalized in 2020 should stand, but instead, we see an administration that is rolling it back, and once again, forcing unnecessary, sweeping restrictions upon millions of acres in the Tongass. And at the same time it seems to me that the Forest Service is just hell bent on killing what is left of a very small timber industry, starving them of timber supply. There is basically no timber program whatsoever in the Tongass anymore. And that is just a reality.

During the Obama administration Secretary Vilsack, through a Secretarial Memo, and a subsequent Forest Plan Amendment finalized in 2016 placed the Timber Program on a fast-track transition from harvesting, primarily, old growth, to primarily young growth in 16 years.

This was not an easy thing. This was not an easy thing for many to accept, especially without the full benefit of the science to support it, but the secretary told us, he told the people of Southeast Alaska that it would ensure that a viable timber industry would continue to exist.

But now, during the Biden administration those hopeful that Secretary Vilsack would keep his promise, implement the plan, using the inventory science that has been gathered, they are losing hope.

The old growth bridge that was promised has failed to materialize, standards and guides meant to apply to old-growth harvesting are applied to young-growth stands, causing the loss of millions of board feet, if any sales are planned at all. And it is especially bitter for those who took an early leap of faith, collaborated with the agency, collaborated with the environmental groups and the tribes, and invested in that promised transition.

The Tongass exemption to the Roadless Rule has never been only about timber. It has been about the entire economy of southeast. It is the single-largest impediment to economic access in the region,

and it affects all sectors across the economy. It impacts transportation, mining, renewable energy, tourism.

When I look at the map of the nearly 17 million acres that make up the Tongass, I can't accept that we have to choose between having a healthy forest and having a healthy economy. We can and we should be allowed to do both.

And Chief, I am counting on you to work with me, work with the people of Southeast to provide just that opportunity; and that Southeast Alaska Sustainable Strategy may result in some projects, but what I am hearing from folks back home, is that it is not sufficient to support a year-round economy.

The chairman has mentioned the issues related to fire, and I know that we are going to have a lot of discussion about that this morning, but really, regardless of the issues, whether it is wildland firefighting, hazardous fuels management, special-use permitting, and beyond, issues surrounding agency capacity are often cited as barriers to access.

The Forest Service has repeatedly committed to making human capital planning a priority. In many cases, lack of capacity is directly linked to funding, we get that. In others, it is a function of problematic priority. We hear a lot about the need to hire more full-time, permanent wildland firefighters across the country. In Alaska we need increased capacity to facilitate our recreation industry, support for critical minerals, mining projects, broadband access, and of course as I mentioned previously, timber supply for our withering timbering industry.

Each of my colleagues that interact with the Forest Service, I am sure, are going to be able to identify agency needs within their states, and that is why I am interested in hearing today, not only how the budget request proposes to address capacity issues, but more importantly what Forest Service is actually doing right now, because people are going to want to hear clearly, what is happening on the ground right now to address capacity.

Again, I know that fire is top of the list of worries for so many of us, and again, we will continue to hear that, this year, fire season in Alaska is expected to get a late start because we had a pretty good snowpack, but we have already had the first wildland fire at an area of Southwest Alaska, outside of Kwethluk, and it burned significant acreage for that region at this time of year, in April. And my understanding is that fire has finally abated, and not because it was addressed with any form of management, Mother Nature managed it because, ultimately, that fire went further north and ran into the existing snow that was still on the ground.

But it is not just fire, but yet it is also that tinder for the fire that we all worry about, we continue to see areas in Alaska where the impacts, the devastation from the spruce bark beetle, you drive through and the difference in the trees, the colors, whether you are on the ground or in the air, you can see the impact, driving through the Mat-Su Valley, through the Kenai Peninsula.

And when you see that immediately you think, what is this doing to contribute to further threat of a fire? I know my colleagues in the Lower 48 are dealing with drought and similar tree mortality issues, so I am hoping that this morning we will also get an under-

standing of what Forest Service wildfire planning looks like for this year.

I also hope to hear about how the Forest Service is spending the funding received from the Bipartisan Infrastructure Bill, as the chairman mentioned, and how efforts are made possible by the funding.

We will work together with regular discretionary appropriations to improve the health and resilience of our Nation's forests.

So again, Chief, I appreciate that you are here today. And I look forward to the opportunity, to not only engage with you and some questions today, but ongoing throughout the course of this year. Thank you.

Senator MERKLEY. You have heard from us as is the Senate tradition, but we are really here to hear from you. So we look forward to your testimony. Please proceed.

SUMMARY STATEMENT OF HON. RANDY MOORE

Chief MOORE. Okay. So Chair Merkley, Ranking Member Murkowski, and members of the subcommittee, thank you for inviting me to testify before you today.

As I close in on my first year, and actually my first 10 months as Chief, I appreciate the opportunity to provide an overview of the benefits that the Forest Service deliver to the American people.

The outcomes we plan to achieve with the resources provided in this proposed fiscal year 2023 Budget: The bottom line for the Forest Service is in our motto, "Caring for the land and serving people." It is what we really are all about. Our job is to sustain healthy, resilient landscapes for current and future generations. That is underneath that motto.

The National Forest and Grasslands cover about 193 million acres across 43 states and Puerto Rico. They are the source of drinking water for more than 60 million people living across 3,400 communities in 36 states. In 2020 the National Forest System supported more than 370,000 jobs, and contributed more than $35 billion to the GDP.

But the benefits that Americans get from their forests and grasslands are now at risk. These risks include the wildfire crisis facing the nation, and the impacts of our changing climate. The Forest Service is squarely facing these risks. Improving conditions we are seeing will require some science, sustained resources, the use of tools in our toolbox, and a robust workforce, as well as work in collaboration with our partners.

I appreciate the confidence that Congress has demonstrated in the Forest Service with the Infrastructure Investment and Jobs Act. These funds, coupled with the fiscal year 2023 budget request, will help restore the long-term health and resilience of the Nation's forests and grasslands.

The Forest Service's fiscal year 2023 discretionary budget request is $9 billion. Working with our partners we will improve the resilience of landscapes across watershed boundaries, we will look to reduce wildfire risk by treating the right acres at the right scale. We will be looking to restore infrastructure, support our recreation, invest in reforesting landscapes that have been ravished by wildfires, storms, and other events.

The wildfire crisis has been building for decades, but we now have the science and tools to implement projects that would truly make a difference. The budget dedicates about $321 million for hazardous fuel. Now, this work will support 3.8 million acres of hazardous fuel reduction treatment projects. This investment supports the agency's ten year strategy to confront the Nation's wildfire crisis.

At the same time, we are preparing for another long and arduous year, made worse by a continuing severe drought across the west, and particularly in the southwest, which we are seeing on TV today.

Also in the Central and Southern Plains, our priority is to protect the health, safety, and well-being of the fire management community, and the public we serve. Our forces are mobilizing to address these significant wildfire situations right now across the Southwest.

Currently, the Forest Service is at about 90 percent planned hiring of 11,300 firefighters, for the year as of this past April, last week actually. We are putting several things in place to address this shortage. The fiscal year 2023 budget dedicates about $1 billion to Wildland Fire Management salaries and expenses.

This investment will enable us to pay all firefighters at least $15 an hour, it will fund an additional 300 firefighters, and support resilience, and mental health programs. But we need to find a permanent solution to increase our firefighters' pay, and make other system changes to ensure that firefighting is a career, and that others will pursue it in the future, so that we have the resources to address the challenges we face. And I would like to work with you on that.

Climate change is altering ecosystems nationwide. It has amplified impacts of fire, insects, disease, and invasive species shrinking habitat for our native plants and wildlife. The fiscal year 2023 budget builds on the climate change investments contained in the fiscal year 2022 budget.

Our 2023 budget request of $318 million for forest and rangeland research will continue our work in addressing climate change and other critical research needs. Our infrastructure needs are pressing, as are economic needs of Americans.

The fiscal year 2023 budget request stimulates construction and maintenance activities in national, regional, and local economies. We are grateful for the Great American Outdoor Act funds that have stabilized our $6.3 billion maintenance backlog.

The National Forests and Grasslands belong to every American, they encompass ancestral lands of tribal territories. Every person should feel a personal invitation in connection to these lands. The Forest Service is addressing equity by ensuring that historically underserved groups can more fully access and participate in agency programs and services.

We have taken significant steps to improve policies, accountability, training, and to ensure that the work environment is equitable, is respectful, and free of harassment from any kind.

We know what is at stake if we don't address the wildfire crisis. The health of our communities, the clean water, the camping trips,

the wood products, jobs that Americans depend on, and the national forests and grasslands that provide them.

The risks facing these lands are significant and growing, that is why we need to act now, we need to act together, and we need to act with dedication to meet the challenges before us, with sound science as our guide.

We are all in, and we are ready to serve as we have been since 1905. Thank you, and again I am grateful to you all for your interest and support, and I look forward to any questions that you might have.

[This statement follows:]

PREPARED STATEMENT OF HON. RANDY MOORE

Chair Merkley, Ranking Member Murkowski, and members of the Subcommittee, thank you for inviting me here today to testify on the President's fiscal year 2023 Budget request for the U.S. Department of Agriculture (USDA), Forest Service.

The fiscal year 2023 President's Budget for the USDA Forest Service discretionary appropriations totals $9 billion, including $2.21 billion for the wildfire suppression cap adjustment (in the Wildfire Suppression Operations Reserve Fund). In addition to discretionary appropriations, the request includes $743 million in mandatory funding for Permanent and Trust funds. To address the wildfire crisis we are facing, the fiscal year 2023 request focuses on risk-based wildland fire management; compensation for wildland firefighters; tackling the climate crisis; improving infrastructure, providing economic relief and supporting jobs; and advancing racial equity. To improve the conditions we are seeing on the ground, it will take use of the best available science; hard work shoulder to shoulder with partners; use of all the tools in our toolbox; and a robust workforce.

Since 1905, the Forest Service has served the American people through conservation. Our mission is to sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations. We work with partners through our Research and Development and State and Private Forestry mission areas to sustain all of the Nation's forests, about 766 million acres in multiple ownerships. Overall, that is about a third of the Nation's land area. We directly manage the national forests and grasslands, including about 19 percent of the Nation's forests. The national forests and grasslands cover about 193 million acres on 154 national forests and 20 national grasslands in 43 states and Puerto Rico. We also work with countries around the globe to support sustainable forestry and the conservation of the natural resources that billions of people depend on for their livelihoods.

Our purpose is to sustain healthy, resilient landscapes for all the benefits that people get from them, both now and for generations to come. We meet the needs of our citizens by conserving the values, benefits, goods, and services from the Nation's forests and grasslands. People depend on the Nation's forests and grasslands for their social, economic, and ecological well-being. The Forest Service meets those needs in myriad ways.

Water is the source of all life, and about 53 percent of the Nation's total runoff from rivers and streams comes from forests. Almost 18 percent comes from the National Forest System alone, even though it occupies only about 8 percent of the Nation's land area. In the West, more than half of the total regional runoff comes from the national forests and grasslands. Nationwide, more than 60 million people depend on the national forests and grasslands for their drinking water. More than 3,400 communities in 36 states depend on the National Forest System for their municipal water supplies, including cities like Portland, Denver, and Atlanta.

Climate change is causing historic droughts in the West and placing water supplies and other natural resources at risk. Carbon sequestration is vital for combating climate change. Forests take up vast quantities of carbon in trees and soils—in fact, forests are America's largest terrestrial carbon sink. Our forests, plus harvested wood products and urban forests, offset almost 15 percent of the Nation's total carbon dioxide emissions and almost 12 percent of all greenhouse gas emissions. The National Forest System alone stores almost 14 billion metric tons of carbon, or about a quarter of the Nation's carbon storage in forests. Each year, the National Forest System adds about 31 million metric tons of carbon of net gain.

The National Forest System is a tremendous source of jobs and economic opportunities for Americans. Many rural communities depend on the National Forest Sys-

tem for roads and other infrastructure as well as for employment, goods, and services. In fiscal year 2020, the National Forest System supported more than 370,000 jobs and contributed more than $35 billion to the national gross domestic product (GDP). Outdoor recreation alone accounted for 45 percent of those jobs and 38 percent of the contribution to the GDP in 2020. Forest landscape management and investments, including fuels and forest health treatments, accounted for more than a quarter of the jobs and 31 percent of the contribution to the GDP. Forest products, minerals and energy, and livestock grazing also played an important role. In fiscal year 2021, the national forests generated 12.9 billion board feet of timber—enough timber to build about 180,000 new single-family homes. Together, various kinds of resource extraction accounted for about a quarter of the jobs and 27 percent of the contribution to GDP. Forest products alone supported more than 42,000 jobs and contributed more than $3.7 billion to GDP.

The main way that many Americans use and enjoy their national forests and grasslands today is for outdoor recreation. We have 370,000 miles of road to give people access to their favorite spots. Our visitors have 159,000 miles of trail they can use across landscapes of all kinds. They can use 220,000 miles of stream across the National Forest System, and those are the favorite spots by far; most outdoor recreation occurs within half a mile of a stream. In 2020, we had 168 million visitors. People come to use and enjoy the national forests and grasslands together with family and friends, with benefits that include physical exercise and all the mental and other health benefits that come with it. For local communities, this is where they live, work, and play. Outdoor activities and scenery give them a sense of identity and place, adding to their quality of life.

All this is now at risk on forests and grasslands nationwide. Many ecosystems nationwide are degrading and losing habitat for our native plants and wildlife. Climate change is altering environmental conditions nationwide. Drought has contributed to outbreaks of insects and disease that have killed tens of millions of acres of forest across the West. Changing environmental conditions have lengthened fire seasons into fire years and worsened wildfires across the West. At the same time our forests are becoming more overgrown and unhealthy. Expanding development into the wildland urban interface puts more homes into fire-prone landscapes. One American home in three is now in the wildland/urban interface, increasing wildfire risk to these communities, because 80–90 percent of all wildfires are human-caused.

The growing wildfire risk is due to accumulating fuels, a warming climate, and expanding development in the wildland/urban interface. But we know what to do based on decades of science and experience. To protect communities and natural resources, we need to restore healthy, resilient fire-adapted forests.

For decades, we have been putting fuels and forest health treatments into place, but it has been a challenge to coordinate funding and capacity across landownership boundaries at the needed scale. We have tended to place our treatments where we can rather than where we should. The result is that the scale of our work on the ground has not matched the place and scale of highest risk; therefore, the risk has continued to grow.

In the right places at the right scale, our science-based thinning and burning treatments work to protect communities, infrastructure, and natural resources while helping wildland firefighters respond to wildfires safely and effectively. We now have the science and tools we need to size and place treatments in a way that will truly make a difference for confronting the wildfire crisis. Science tells us that less than 10 percent of the fire-prone areas in the West are responsible for 80 percent of the exposure. That is where our focus will be: on the landscapes where the risk to lives, homes, communities, and natural resources is greatest.

The Forest Service cannot succeed in this alone. The wildfire crisis facing the nation confronts us across ownerships. This is not just about the National Forest System. The highest risk firesheds are typically in multiple ownerships, with wildfire ignitions potentially coming from multiple directions across boundary lines. Fortunately, we have decades of experience working through partnerships and collaboration based on common values and shared goals across shared landscapes.

Delivering water, wood, wildlife, and all the other values and benefits that our citizens want and need from the Nation's forests and grasslands depends on success in confronting the wildfire crisis through sustained investments over multiple years. It also depends on the hard work of motivated employees who feel valued, safe, and respected in a workplace free of harassment that reflects the diversity of the people we serve. Understanding the challenges many people have faced particularly during the pandemic, we have redesigned services to maintain the mental health and resilience of our employees, particularly our wildland firefighters. We are working across government to enhance the work experiences of firefighters and to provide the pay and benefits they deserve.

The investments highlighted below reflect services the Forest Service delivers through our National Forest System, State and Private Forestry, and Research and Development mission areas. These investments enable the Forest Service, together with our partners, to restore the long-term forest health and resiliency across landscapes the American people cherish. The citizens we serve deserve nothing less.

HIGHLIGHTS FROM THE PRESIDENT'S FISCAL YEAR 2023 BUDGET REQUEST FOR SPECIFIC PRIORITIES

Each of the requested investments detailed below showcase the agency's priorities:

—$321 million for hazardous fuels reduction, which will allow the agency to mitigate wildfire risk on 3.8 million acres in high priority and high-risk areas. This investment builds on the hazardous fuels funding the Forest Service will receive through the Infrastructure Investment and Jobs Act in 2023 and supports the objectives of the agency's 10-year wildfire crisis strategy.

—$1.15 billion for Wildland Fire Management Salaries and Expenses to fund additional firefighters and firefighting support personnel and support this Administration's direction that all firefighters receive a minimum wage of $15 per hour. This increased workforce capacity will enhance year-round fire response and hazardous fuels reduction activity and allow the Forest Service to continue important investments that support the health, well- being, and resilience of the agency's wildland firefighting force.

—$1.68 billion for National Forest System Salaries and Expenses. Funding will strengthen areas needed to support the Infrastructure Investment and Jobs Act, the agency's 10-year wildfire crisis strategy, and the Great American Outdoors Act. This funding will also help the agency bolster capacity in critical non-fire programs, which have lost staffing in recent years, and thereby enhance social and economic benefits to the American public.

—$110 million for Recreation, Heritage and Wilderness to increase capacity for critical recreation operations, planning, services, and improvements, with particular emphasis on creating welcoming, sustainable, and equitable recreation opportunities for all Americans with a focus towards underserved and Tribal communities.

—$98 million for Vegetation and Watershed Management to support healthy and resilient watersheds and landscapes, sustain the production of clean and abundant air and water, assist with meeting the Administration's climate goals, support post-fire restoration work, and contribute to healthy and productive rural communities and Tribal Nations.

—$45 million for Minerals and Geology Management, which will support efforts to locate and prioritize orphaned oil and gas wells for remediation and the inventory, environmental analysis, and clean-up of mine reclamation sites.

—$26 million for Grazing Management to support post-fire restoration, provide for strategic incentives to grazing permittees, and build vibrant rural economies.

—$59 million for Forest Health Management to ensure healthy forests and functional landscapes and to address the effects of climate change on public lands in support of the conservation priorities of the Administration.

The fiscal year 2023 Budget request also builds on the approach to climate change articulated in the fiscal year 2022 Budget and leverages the historic investments enacted in the Infrastructure Investment and Jobs Act to implement the Administration's climate agenda. The request supports the expansion of the scope and scale of research and science delivery related to reforestation, carbon sequestration, carbon accounting, mitigating forest pests, and post-fire restoration, and invests $6 million to support the USDA Climate Hubs in fiscal year 2023.

Through Great American Outdoors Act (GAOA) (Public Law 116–152) funding, the Forest Service continues to repair and upgrade vital infrastructure and facilities in the national forests and grasslands through the National Parks and Public Land Legacy Restoration Fund. GAOA also permanently funds the Land and Water Conservation Fund (LWCF), investing in conservation and recreation opportunities in public and private lands through the Forest Legacy Program and Federal Land Acquisition.

According to the agency's 2020 economic analysis, Forest Service GAOA projects are projected to support approximately 4,400 jobs and contribute $420 million to the Gross Domestic Product on an average annual basis over the 5-year authorization of the National Parks and Public Land Legacy Restoration Fund. In fiscal year 2023, the Forest Service proposes $94.3 million for the Forest Legacy Program, $123.9 million for Federal Land Acquisition, and $285 million for the National

Parks and Public Land Legacy Restoration Fund. The fiscal year 2023 project lists are included in the fiscal year 2023 Budget request.

LEGISLATIVE PROPOSALS AND ADMINISTRATIVE/GENERAL PROVISIONS

The fiscal year 2023 President's Budget proposes several key legislative changes to improve our effectiveness in delivering programs and services:

—Interest Bearing Account: This legislative proposal would allow the Forest Service to establish an interest-bearing Treasury account for funds received in settlements and other legal actions. This proposal is based on a USDA Office of Inspector General audit recommendation.

—An addition to the Administrative Provisions that would provide authority to Job Corps staffs to continue to effectively operate in the new budget structure. The Enterprise Program, Geospatial Technology and Applications Center, remnant Natural Resource Managers, and National Technology and Development Program are already covered under this provision.

—A new General Provision that would provide legislative relief from the Forest Resources Conservation and Shortage Relief Act of 1997. This proposal is in response to a Government Accountability Office audit on timber exports.

—The Budget also requests 1 year extensions of the following authorities: Mining Applications; Contract Support Costs; Forest Botanical Products; Grazing Permits; Puerto Rico Schooling; Federal Lands Recreation Enhancement Act Reauthorization; Forest Service Facility Realignment and Enhancement Authorization; Shasta-Trinity Marina Fee; Interpretive Association Authority; Forest Botanical Products; Forest Ecosystem Health and Recovery Fund; and Local Contractors.

The Forest Service is committed to the values of equity, inclusion, and equal opportunities for its employees and the public it serves. We are actively recognizing opportunities within the agency that ensure historically underserved groups, including Tribes, more fully access and participate in Forest Service programs and services. We are also embracing diversity, equity, and inclusion in the workplace and ensuring a safe, resilient, and harassment-free work culture where employees are treated with respect and dignity. The Forest Service has taken significant steps to improve policies, raise accountability, upgrade reporting systems, and conduct ongoing training focused on workplace environment to stop harassment, bullying, and retaliation. We are also creating welcoming, sustainable, and equitable recreation opportunities for all Americans. This work is essential and will continue in fiscal year 2023.

In closing, the President's fiscal year 2023 Budget request for the Forest Service prioritizes investments to improve the resilience of landscapes and watersheds across boundaries and reduce wildfire risk by treating the right acres at the right scale; and by restoring infrastructure, supporting outdoor recreation, investing in reforestation of impacted landscapes, and removing barriers to access. We look forward to working with this Subcommittee to fulfill the President's goals and our key responsibilities for the long-term benefit of the Nation's forests and grasslands, and for all Americans. I will be glad to answer your questions.

Senator MERKLEY. Well, I thank you very much for your testimony. I wanted to, first, ask you about, in your written testimony, I don't think you addressed this just now, but notes that the National Forest System adds 31 million metric tons of carbon net gain, you know, as we have seen the amount of fires devastating across the country, and the trees that are dying, like the Red Zone in Oregon, where we have massive pine beetle infestations.

And I remember flying in a small plane, and just like, as far as I could see, the forest in every direction it was just red, red and dying. And now all those needles have dropped. And I have hiked through those same areas, just desolated trees.

So does that 31 million, is that an average over a certain number of years? Is that an analysis of 1 year past? Does it take into account the loss from disease and from fire?

Chief MOORE. Yes. That encompasses all of that; in fact, when our science are telling us that if you look at the National Forest

in total, it is a carbon sink of about 450 billion metric tons of carbon. Now, when you look at the 31 million tons that we have as at a capacity on an annual basis, that is inclusive of some of the new growth that take place on in our National Forest, but it also minuses some of the things like you mentioned, disease and insects, which we know is not absorbing carbon when it is dead.

I think the bigger question might be, you know, how do we take advantage of this carbon market? And how should we be discussing some of the potential opportunities to manage the National Forest, as it relates to carbon sequestration, and some of those related things?

So I think that that is a good question on the table, it is something that the agency is starting to discuss, but we have to educate ourselves, greatly, from where we are now in that issue.

Senator MERKLEY. Well, I will come back and follow up later. But if it is 30 million tons, and then the entire sink is 450 billion, we are talking about one-ten-thousandth of increase in carbon storage. That is, you know, less than 10 percent of 1 percent, or 1 percent of 1 percent. I mean that is a very small fluctuation.

Anyway, it is interesting, and I hadn't seen those numbers before, I can come back to that. I want to turn to the Collaborative Forest Landscape Restoration Program which I mentioned in my remarks, because I have seen the value of bringing what were formerly warring stakeholders together, creating a strategy, implementing a strategy, keeping it out of the courts, providing multiyear plans that result in harvesting of logs for the mill, more logs, more jobs in the forest, on the trucks, in the mill, making sure that the mill knows that there will be a supply. It has been a win-win all the way around.

The Infrastructure Bill provided $100 million for these projects over 5 years, but these projects are generally authorized for 10 years and then are extended. How do we—how are you going to square the investments over 5 years with the general structure of these collaboratives? And essentially in 5 years will we be facing a cliff that committee will need to address in trying to extend the collaboratives that are developed under the Infrastructure Bill?

Chief MOORE. Yes, Senator. So if we were to continue to receive that amount of discretionary funding, additional funding would be needed in years six through ten. The hope would be to use some of the appropriated dollars to carry those collaboratives forward after the 5 years.

I agree with you 100 percent the collaboratives have been great. It has been an outstanding way of bringing the community of people together to have more decision space, and what goes on out in their forest.

So we have seen just huge gains in support and collaboration by taking that approach. And I know that both you and Senator Murkowski have been very instrumental in looking at shared stewardship, and really leaning the agency into working in that mode. And I think that collaboratives is one of the benefits of that method of operating.

Senator MERKLEY. Okay. Well, we have to be very aware that that is on the horizon, a few years to come. And you mentioned that you are at about 90 percent of your hiring goals for this sea-

son. In terms of thousands of jobs, is that 30- or 40,000 jobs that are vacant?

Chief MOORE. No. Let me back up just to provide a little context on that. So you know, what has been happening with this whole fire issue, is that over the past 15 years the Forest Service has lost about 40 percent of its non-fire workforce. And so now with the Bipartisan Infrastructure Law, what we are looking to do is bring back some of that capacity that we have lost over time.

We have lost—that 40 percent is about 8,000 employees. Those are the employees that really work to do the work that we are discussing here today. Our hope is to fill about half of that, and leverage the other half working with partners, nonprofits, and of that nature.

And so we feel like we have gained some efficiency in the work that we do. We feel like we have huge opportunities to leverage our ability to get more work done, by working with partners. And that is being demonstrated now, whether it is through collaborative, or whether it is through other opportunities as we look at trying to get a handle on forest management.

Senator MERKLEY. Okay. Well, let me zero in specifically on the positions for fighting fires. How big is the shortfall there?

Chief MOORE. So the goal was to hire about 11,300 firefighters, this is within the Forest Service. We are currently at about 10,200, so that is about the 90 percent there.

Now, that number is a national number. There is a lot of complexity in that, depending on how you look at it geographically. You know, for example, if I were to look at Region 5 and Region 6, let us say, Oregon, and Washington, California; you know, you have a lot of firefighters there, and so what is happening is that we are making offers, there is a lot of declinations in those offers. There is a lot of competition in the labor market for these skills, because when you have counties, states and private firefighters offering sometimes double the salary that the Forest Service firefighters are making, it is very hard to compete with that.

And so that is part of the challenge that we are seeing now, and why we are only at 90 percent. But that 90 percent it is a lot less than that in certain geographic locations, it is as low as 50 percent in some areas.

Senator MERKLEY. All right, well that 50 percent sounds a little scary, thinking about the fires that we will be facing in our various states.

Is it the case then that we should publicize that you are hiring, and if folks want to be in the woods on a really important public job, with a lot of responsibility. You are looking for their applications?

Chief MOORE. Yeah. Well, certainly. And you know, we look for certain quals as well. You know, I might add too, you know, I say 90 percent, and we have a lot of declinations in some areas. You know, we have a plan to shore that out, we are going to be hiring all the ways in through July, to fill in some of those vacant positions.

We also have the ability to do contract hiring, what we call AD, administratively determined firefighters. We also have the opportunity to look at bringing on additional workforce as needed. And

so we feel like we can make up for that, but how that, ultimately, looks is yet to be determined.

We just finished up our April spring hiring, and those statistics are being looked at now, so we will know how successful we are with this last hiring round.

Senator MERKLEY. Okay.

Chief MOORE. But we do have a plan in place to make up for the shortfall that we are currently seeing.

Senator MERKLEY. Thank you. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman. And just adding to what you have outlined there, Chief, in your exchange with the Chairman, I am very cognizant that Alaska's fire season begins earlier than most of the country, and typically that has actually worked to our benefit, because when we have the big fires, and we need that surge of fire crews, they are able to come up from other parts.

And then conversely, as our season winds down, some of the expertise that we have in Alaska is able to be shared in the Lower 48. But I also want to mention the extreme opportunities—or I don't want to say extreme—but just the real opportunities that we have with our village fire crews. And the expertise that they have developed over the course of years, I continue to hear that there are challenges in ensuring that those fire crews have the training that they need, the ability to move up.

But if there was ever a ready, and a capable, and an eager-to-work demographic, it is certainly there. So I would commend that to you.

I wanted to start off my questions this morning with regards to the Bipartisan Infrastructure Bill. As you know I was very involved in helping to shape that. I am really quite proud of what we were able to put in, the 5.4 billion over 5 years, the Forest Service receives through the Infrastructure Bill. I think these are going to make some real progress towards putting our forest on a healthy and resilient path.

Can you tell me when and how communities will be able to take advantage of funding provided for state and private forestry, for activities like the early detection, the rapid response, against invasives, and then Wildfire Community Defense Grants, what are you looking at in terms of your timing?

Chief MOORE. So we have already issued the budgets to the regions, so they have those moneys now. And where we are, you know, where agreements are required, we have program leaders and program managers now putting together those agreements and contracts to be issued. So they will hit the ground as soon as the contract components and the agreement components are put in place, but they already have the funding, and they are already moving out and implementing those goals.

Senator MURKOWSKI. Okay. We had a grant symposium in Anchorage a couple weeks back, and it was extraordinary to me to see the level of interest from Alaskans all over the state, who flew into Anchorage to hear just exactly what the details are on some of these grants, and the opportunities and the timing. So we want to be able to share that information, and again, get that out in time of what we know to be just an earlier fire season.

Can you outline how the large investments in thinning, and the fuel breaks, and the prescribed fires, and in all of these activities that we have funded through the Infrastructure Bill how these—I guess how these funds will impact what we are trying to do here, with for instance, the efforts to put in place fuel breaks. Tell me how we are going to work this?

Chief MOORE. So part of what we were trying to achieve, and what we are achieving through the Bipartisan Infrastructure Bill is, first of all, bringing the community of people together to make some decisions on where they wanted to invest initially.

Now, we have had our scientists map the different fire sheds all across the country. And those firesheds are an acreage of about 250,000 acres. And so when you look at the number of fire sheds in a landscape then we are relying on the local community to weigh in on how and where we initially take action.

This first year that we wanted to start activity, you know we wanted to kind of hit the ground running, so to speak. You know, we wanted to demonstrate that we can make this work. And so where we already had NEPA completed, where we already have support, whether it is through the collaboratives or other places, then we have funded those activities first.

We are going to fund more than that, but they are the first ones in this first year. And you know, the Secretary and I had made a trip to Colorado earlier this year to announce the beginning of that. So we do have projects that we are looking to implement as of this year.

In fact, you know, I want to recognize that we have been moving really quick, because we have not only developed a ten-year strategy within 5 months, but we have also looked at working with the different regions across the country, and their collaboratives to look at where we would do these projects.

And so we are there, we have already issued the funding to start the work on the first group of projects under the BIL, and it is on its way now.

Senator MURKOWSKI. So if you have outlined your strategy, and you know where you are going, have you identified any barriers that you are looking at, and saying, okay, this is going to make this a little more challenging, and are those barriers in the area of just capacity to execute? Can you describe whether or not you have the capacity that you need to do everything that you are mapping out here for the Infrastructure Bill?

Chief MOORE. Yes, Senator. No. We do not have the capacity currently. That is what we are to add, is capacity in that. We do have the ability to begin the work on these first initial projects that I mentioned. In the first ones we looked at about ten different Landscapes across eight states, as our initial look, and so we—and I will give you an example of how we are trying to get this done, and how we trying to build capacity.

We know that a lot of this work is going to be done with and through partners, and in order for that work to be done with and through partners we need to make sure that we have our agreements in place, and where contracts need to be let, to have that workforce in shape.

So we have begun to hire to higher capacity in our grants and agreements staff, as well as our contracting staff, so that we are prepared to implement the instruments that it would take to get this work done.

We have also looked at hiring a number of engineers as well, because that is a lot of infrastructure work, a lot of the road work, trail work. And so now, as we speak, we are in the process of hiring foresters, and recreation, special-use people, to bring that capacity to the forefront.

So we are moving out on a lot of different fronts so that we can have the best chances of success as possible, as we implement the projects, and the works underneath the Bipartisan Infrastructure Law.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Senator MERKLEY. Thank you. Senator Van Hollen.

Senator VAN HOLLEN. Thank you, Mr. Chairman; Ranking Member Murkowski. Chief Moore, good to see you.

Chief MOORE. Thank you.

Senator VAN HOLLEN. I want to talk a little about the Chesapeake Bay.

Chief MOORE. Yes.

Senator VAN HOLLEN. As you know, the Chesapeake Bay Watershed comprises six states, plus the District of Columbia. If you look at the land mass that drains into the Bay, the ratio of that land mass to the water body is the greatest in the country certainly.

So it is a big challenge, as more and more people move into that watershed, and the forestry piece of this is important to preventing the ultimate runoff of pollution into the bay. And we have a Chesapeake Forest Restoration Strategy. As you know, it was most recently updated in 2020, to rebuild riparian forest buffers, tree canopy habitat, and urban and community forestry as we work to improve stormwater management.

And the Forest Service has shown great leadership as a part of the program's Forestry Workgroup. But we also know that back in 2019 we, collectively, set a goal to restore an additional 900 miles of forest buffers each year, until at least 70 percent of the riparian areas in the watershed were forested, and we are way short. We are not even close; even as we work to meet the 2025 goals of the Chesapeake Bay Agreement.

So my question to you is, you know can we do? And what role can you play in our effort to get back on track and meet those goals?

Chief MOORE. So thank you, Senator. And as you know, that is more of a state and private issue. So specifically as we relate, or as we talk about Chesapeake Bay, we are working with the state issuing grants, as well as providing technical assistance, to not only the state, but through the EPA as well. Particularly as it relates to having forested buffer zone there, I think we had about 900 miles or so, of buffer zone, forest buffer zone.

And so we are honoring that by working with EPA and the state, and we do provide quite a bit of technical assistance on that, as it relates to forestry.

Senator VAN HOLLEN. So many years ago, as part of an earlier version of the Farm Bill, I worked to include in the House, provi-

sions that specifically gave the Forest Service a more direct role within the Chesapeake Bay cleanup effort. That then got folded into a broader national effort, but assuming that if we provided through legislation or through appropriations a more direct role for the Forest Service, that you could put those resources to good use. Is that right?

Chief MOORE. Well, we will honor whatever Congress wants us to, and we would do it with delight.

Senator VAN HOLLEN. Well, I am glad to hear that. I will be working with my colleagues here, because we are falling short. We are also working to reinstate, we, Senator Cardin, and myself, and the congressional delegation, not just from Maryland but from others, to reinstate what we call the Chesapeake Bay Czar. This was a position that was established during the Obama administration, as you know, to oversee all the agencies.

And I am confident that we will have that position filled. And I just ask you here to make sure that you and your team, you know, are fully plugged into that effort.

Chief MOORE. Sure.

Senator VAN HOLLEN. If I can have your commitment there.

Chief MOORE. You do.

Senator VAN HOLLEN. So do you—but you are a member right now of the overall sort of Advisory Committee.

Chief MOORE. Right.

Senator VAN HOLLEN. And as you point out, you are dealing with a lot of state forests and private forests, but what is your assessment as part of that team as to why we are falling so short of the goals?

Chief MOORE. I can't answer that from a Forest Service perspective as yet, Senator. But I will certainly look into it with staff and get back with you on that.

Senator VAN HOLLEN. I would appreciate that.

Chief MOORE. Okay.

Senator VAN HOLLEN. If you can get back to it. That is all I have. Thank you, Mr. Chairman.

Senator MERKLEY. Thank you. Chief Moore, one of the conversations in my home state is about the best strategies for making forests more resilient, more resistant to fire, and we have a—really a consensus around, let us say, the Ponderosa Pine Forest, where we have seen extensive thinning, mowing, prescribed burns, a huge impact on slowing fires down, and allowing firefighters to get through the forest to the front of the fire, and always a real success.

And the Milli Fire was bearing down on Sisters, Oregon, and when the fire ran into an area that had been thinned and gone through several prescribed burns, it really came to a stop. I mean, it was really impressive. But we have a significant amount of different opinions over other types of forest, and some of the Douglas-fir forests. On the one side there is an argument that on the second-growth forest where all the canopies are the same level, thinning really makes a difference, slows down the fire, et cetera.

And others who bringing to bear and saying, actually when you are opening up the canopy you end up with more oxygen driving the fire, and it actually doesn't make the forest more fire resilient.

I just have a request that you will bring your best scientists to bear to help us understand how, in different types of forests, the strategies work—what strategies work best for making the forest more fire resilient. It would be a shame if we do things that actually don't work. And can I have your commitment to have your scientific teams help us understand this issue?

Chief MOORE. Yes. You sure do.

Senator MERKLEY. Thank you. Thank you. In fiscal year 2022, for the first time in a decade we included Congressionally Directed Spending Projects. I don't call them "congressionally directed", I call them "community-initiated", because they are community initiated.

Chief MOORE. Yeah.

Senator MERKLEY. And it is not about us making decisions, we do that all the time. It is about communities making decisions, and then us lobbying for what those communities say they need. So I was really glad to see that be part of this bill.

One example in Oregon was $500,000 that went to Lomakatsi Restoration Project in Southern Oregon, and it will support community-driven fuels reduction. We are receiving questions now about what is the timeline for when these different community-initiated project grants will actually—when they will see a check. And any insight on that?

Chief MOORE. Well, as I mentioned earlier, the budget has already been allocated out to the regions, and so now it is just a matter. I don't know that particular project, that specific one, but in general, where we are now is making sure that we have the agreements in place, and the teams should be working at it as we speak, and as soon as that has been checked, then we should start seeing contracts let, or agreements begin to be implemented.

Senator MERKLEY. Great. If your team in Oregon is running into any significant hurdles, I would just ask that they let me know.

Chief MOORE. Sure.

Senator MERKLEY. So we can try to, collectively, overcome those and get these projects underway, because people are very excited about getting funding for these various efforts.

I want to turn to the issue of H–2B workers, and Senator Wyden and I pushed really hard for funding back in 2009 and 2010 for a lot of money to thin forests, produce saw logs, more jobs, so on, and so forth, and it turned out that a lot of the contracts were not given during a time of high unemployment to folks who were hiring in America.

We had 5,000 people on a waiting list for forest jobs in Oregon. They weren't even consulted or notified about these jobs, and the contractors who were hiring from out of country were undercutting the bids of people who were hiring in-country.

Right now, we are at a lower level of unemployment, so it is not quite the same situation, but I keep pushing the Forest Service to develop regulations to make sure that contractors who are working to hire people, who want these jobs, Americans who want these jobs.

I come from Douglas County it is like the David Douglas Tree Forest of the country, and people are born with a chainsaw in their hand. They love to work in the woods. And the fact that they are

being completely bypassed by the procedures, totally unacceptable, it was a scandal then, it will be a scandal again, if we don't have rules and guidelines in place.

So what is the Forest Service doing to ensure that American workers who want to take these jobs are getting fully notified, and the contractors who are working to hire them have a full chance to get these contracts before we turn to H–2B workers?

Chief MOORE. So Senator, we do have a process where we do—whenever we have contracts out, we send it out to a list of contractors—who is on that list. Now if we are missing some companies, or even some individuals in this, we would like to know who they are, so we can add them to that—the list that we send mailing list out on our contracts. So here again, the specifics I am not sure of, but in general, that would be our process for how we award contracts.

Senator MERKLEY. Well, I will give you an example for the types of things that were going on. Contractors were self-certifying that they had looked for American workers, Self-certification wasn't working because they were advertising in California for jobs; in Oregon they were advertising saying you need to speak two languages, which obviously, not very many Americans are fluent in two specific languages; all sorts of strategies to not—and absolutely no contact with the people who are on the state list who wanted these jobs, no consultation.

You all have a report due to us on June 15th to analyze this situation, I hope it is a really good report, and it is very important that we get it on June 15th. So I wanted to raise that. I know that it is a million things you are doing right now, but can you make sure we get a comprehensive report of how the Forest Service is going to address this problem?

Chief MOORE. Yes, sir, Senator. In fact, I am aware of the report, and we are working on it, and the goal is to of course, complete it on time.

Senator MERKLEY. Great. Thank you. Thank you very much. Senator Hagerty.

Senator HAGERTY. Thank you, Chairman; and Ranking Member Murkowski. I appreciate you holding the hearing today.

Chief Moore, good to see you.

Chief MOORE. Thank you, Senator.

Senator HAGERTY. Chief Moore, early in the morning of Tuesday, April 26, Tennesseans awoke to the very sad news, that the Ocoee WhiteWater facility had been engulfed in flames. Fortunately, first responders were there to get the fire under control, and no one was injured. Unfortunately, the building that hosted the first-ever Olympics kayak and canoe events during the 1996 Olympics, and hosts now more than 300,000 visitors a year, has been deemed a total loss.

Officials with the Tennessee Bureau of Investigation and the U.S. Forest Service are now investigating the cause of the fire. The Ocoee WhiteWater Center means so much to my constituents. The Polk County Chamber of Commerce calls it "The Crown Jewel of Polk County." Local officials tell me that the beautiful mighty Ocoee River is the tourism hub that Polk County depends on.

Chief Moore, my first question is: Can you provide me with an update as to where we stand, specifically, if you could discuss the partnership that you have with state and local officials in Tennessee?

Chief MOORE. Yes. So let me first say, too, it is so unfortunate that that happened to that facility. It was one of the crown jewels across the country anywhere. So we are very saddened by that as well.

Right now, our law enforcement personnel are investigating this with state personnel. So you know, until that is complete, we won't really know how to proceed forward with that. We do know that our expectation is to, for the time being, seal that off, at some point look at opening parts of it back up to the public. How and when we do that, we will be discussing that with a lot of our local constituents and partners out there.

Senator HAGERTY. And I appreciate your working closely with our local partners, as we enter the busiest season for outdoor recreation in my Home State of Tennessee the local businesses there in Polk County really depend on the tourism that the Ocoee River attracts.

And Chief Moore, I want to ask you, if I can tell my constituents, that despite the center being closed—and I understand the reasons—that the river is open for business?

Chief MOORE. Yes. We will look at. And that is part I want to look at. We are not going to make this decision independent of a lot of our involvement from the locals down there. So we want to look at, when is it, the appropriate time to open the river back up. The intent is to certainly open it back up, but when, there is a lot of, you know, things that need to take place that I am not at liberty to discuss, but we fully intend to open it back up. And we will be engaging locals in there, in that decision.

Senator HAGERTY. Well, anything you can do to expedite that, Chief Moore, is going to be deeply appreciated by me, and by everyone in the State of Tennessee, and by the many people around the country that want to use that facility. Again, it has a dramatic economic impact for Polk County. And Polk County has had, as many counties have, has had a rough go. So anything that you can do to expedite that and to keep us informed of what you need, if it is resources from us, et cetera.

Chief MOORE. Certainly.

Senator HAGERTY. I am going to be tracking this very closely. In the longer term, do you have a sense of whether you are going to construct a new building there, you know, where the old facility was?

Chief MOORE. You know, I would certainly like to tell you that we would like to replace that. That is perhaps a conversation that we can have with you.

Senator HAGERTY. Mm-hmm. Well, perhaps what we could do is have another meeting. We don't have to do it today, but offline. But to really lay out what the timeline will be. The first, get the river open, I think that is the most critical thing, again because of its economic impact, and the longer-term where you would see on this timeline, a rebuilding of the facility.

But I appreciate your commitment to work with me and my constituents as well to give regular update on this.

Chief MOORE. Absolutely.

Senator HAGERTY. If you could do that. I would like to turn to another topic, the Land Between the Lakes; that is a one-of-a-kind recreation area that sits across Kentucky and Tennessee, and attracts millions of tourists a year, to fish, to boat, to camp, to hike. I was there as a kid, as a Boy Scout, it means a lot to the area as well.

And I want to say that thanks to the leadership of this committee Congress has provided additional resources, above the regular regional allotment, for the national recreation area there, including the Land Between the Lakes.

There is more work to be done there though. And I co-sponsored an important bill, led by Leader McConnell that will help the Land Between the Lakes secure the Federal resources that are necessary to improve recreation, maintenance, safety, and to preserve the natural heritage there.

I am going to continue to work with state, and local, and Federal leaders in Kentucky and Tennessee to ensure that the Land Between the Lakes is maintained and preserved for generations to come, just like it was there for me when I was a boy.

Chief Moore, can you tell me how the additional resources that have been provided by this committee, how are you going to prioritize those?

Chief MOORE. Yes. So thank you. So we started with the law enforcement presence. You know, at one point, probably when you were a kid growing up, we had a number of law enforcement personnel, and of course the Forest Service was not managing it at that time. We had gone down to about three law enforcement personnel there to patrol that entire area.

Senator HAGERTY. The area.

Chief MOORE. And so we heard a lot from the local community, about needing to get that addressed, even the law enforcement community in that area as well. So I had sent down our director for law enforcement to meet with law enforcement personnel there, to talk about the long-range plan for that area; and so since we have hired three additional LEOs, law enforcement officers, there so now it is up to six from three.

Senator HAGERTY. Okay.

Chief MOORE. And so we are looking at replacing and adding additional personnel there, because it is one-of-a-kind type recreation opportunity there. And I think to hear you talk about that is one thing, but to be able to visit that area it is just a—you know, we talk about jewels here this morning, but it is a fantastic recreation place, facility.

So our intent is to make sure that that is operating, and that it is open to the public, and it is an enjoyable experience.

Senator HAGERTY. I appreciate that. And I appreciate you working closely with Tennessee and Kentucky local officials to make that happen.

Chief MOORE. Yes.

Senator HAGERTY. One last question. If you could discuss, Chief, how recent changes in the Forest Service budget structure have in-

creased transparency, and how that provides local leaders with more information about how the management of the Land Between the Lakes will be undertaken?

Chief MOORE. Yes. So, if you look historically at the budget, and how it came down in the different buckets across the agency, and as we had started losing capacity, it was a lot of confusion in how employees were going to be funded. I think with this new budget process we have here, we know that we have a salary and expense bucket.

Senator HAGERTY. Mm-hmm. Yeah.

Chief MOORE. So employees are not trying to chase jobs to pay for their salaries. And so I think that that is a really good thing. The other thing is that, you know, over time, I feel like we needed to do what we are doing now, with budget modernization. I have never been one to think that every unit needed an entire budget structure, and so we have moved away from every unit then having their own budget to have it, you know, managed from a broader geographic area.

And we think that there is a lot of efficiencies, as well as transparency in that process. And we are beginning to see a lot of, not only salary savings, but efficiencies in how we manage the budget. And so now, we are looking at project work on the ground, that is what really matters, and we are not trying to look at the different pools of salaries where you may be working somewhere that it is not a priority.

Now, it gives us the ability to be more flexible, it gives ability to focus on really on project-level work, and to be able to communicate our accomplishments in the different project-level work.

Senator HAGERTY. No, anything you can do to target resources better and prioritize them better, I applaud. Thank you for your time here today, Chief.

Thank you, Mr. Chairman.

Senator MERKLEY. Thank you, Senator Hagerty. And Senator Tester, we are going to go with one question with the Ranking Member before she has to run to Homeland Security, and then she will return; and we will come to you.

Senator MURKOWSKI. Thank you. Thank you, Mr. Chairman. And thank you Senator Tester.

Chief, I had mentioned in my opening statement a discussion about special-use permits and where we are with capacity to issue all that. As you know, in Southeastern Alaska, the Forest Service permits, as they come in for whether it is our small air carriers who are taking people for over flights, or touch and go in places, like Misty Fjords. Everybody has got to get their permit. And we have had a lot of tension with that over the years, as these have not been able to be issued and in a timely manner.

We are really hopeful that we are going to have a strong tourist season this year, bringing a lot of folks back to Alaska, and they want to get around within the Tongass there. In recent years, Forest Service has used an enterprise approach to bringing expertise to regions with the high special-use permit demand. I mean, we are poster child for that.

Last I heard, this effort helped Region 10 clear more than 40 percent of the special-use permit backlog. What I am—while I recog-

nize, okay, that is good progress there, my concern is that a surge approach is not going to allow us to both catch up on the remaining 60 percent, and then stay current going forward.

So can you tell me what you are doing to put Region 10 on a sustainable path for special-use permitting, and if you have the capacity to do that?

Chief MOORE. So thank you, Senator. So we are building capacity, is the short answer on that. And you know, with the bipartisan infrastructure law, it has given us the ability to add that. One of the biggest challenges we have had across the agency is being responsive in a timely manner to special-use requests and permits.

And so our approach has been to really look at that enterprise approach where we would bring in, what we would consider a strike team to really get at a lot of the backlog of special uses, because, you know, that is the walk-in-the-door kind of business.

And when people are not satisfied with how responsive we are, you know, it creates just kind of a bad environment for the agency.

Senator MURKOWSKI. Mm-hmm.

Chief MOORE. And so we have tried to put extra focus on that by having these strike teams to get at these backlogs, but the requests are huge. But we are determined to work through them. And I know cabins may come up later, but we are determined to work through that. And I think we are making a lot of good progress, and we will just need to continue to build on that progress. And I am hopeful, looking at the BIL funding, to help us do that, or sustain it.

Senator MURKOWSKI. Well, I hope that you are right. Again, we appreciate the fact that we have got attention to it, and we are starting to deal with some of that backlog. But again, how do we do this on a sustainable basis?

Chief MOORE. Yes.

Senator MURKOWSKI. So if you don't think that you have got what you need within the Infrastructure Bill, you know, please let us know how we can help facilitate. Before we get to special-use, to the Forest Service cabins, and you anticipated that question, I appreciate that. I wanted to talk about the Chugach Region Land Study.

As you know, under the Dingell Act, the Department of Interior, in cooperation with Forest Service, was required to complete a study on this within 18 months of enactment of that bill. That bill was enacted into law in March of 2019, and we are still waiting for the results of the study.

This is one of those situations where we have to have Forest Service and BLM working together, and each time that I ask for both of the agencies for an update I get fingers pointing one to the other.

And in fairness I am not interested in assigning blame here, but I am interested in knowing when this very important study is going to be completed. These land exchanges are super critical to our economic health and development in the region. And I need to know if you can give me some definitive answer in terms of when we can expect to see this study delivered to Congress.

Chief MOORE. So you know, I personally followed up with the Regional Forester there to get some specifics of where we are, particu-

larly with what we are being requested to do. So I have been assured by the Regional Forester that as of January, that we have given BLM everything that they need to move forward in this decision.

And so Senator, if you are hearing something different, may I suggest that both the Forest Service and BLM get in the same room with you, so that we can maybe get to the bottom of where we are with it.

Senator MURKOWSKI. I would like to do that. I had hoped that you might have an answer for us. This was raised several weeks ago in Anchorage directly with the Regional Supervisor there. And so I am a little discouraged that we don't have a better answer than everybody sit down in the same room here, because again, it just seems like both sides are pointing the finger at one another.

And in the meantime, we have a situation where nothing is moving, despite the very clear advisory that was contained—it wasn't an advisory, it was the law, to say that this report is out there. So I will share with you that what I am hearing on the ground is that BLM has done everything that they need to do, and that it is with the Forest Service at this point in time.

So we have got conflicting information. And again, if you are the folks that are waiting for this land exchange, you don't care which agency is at fault. All you know is the government is the one that is denying the completion of this very important conveyance.

So let us get together and resolve this finally, because it is not just the study that we are waiting for, then we have to get the exchanges completed, and that in and of itself is yet another exercise in time. So we will follow up with you, Chief, on that.

Chief MOORE. Well, Senator, let me say you do deserve a better answer than perhaps what you are getting. And so I will commit to working with my counterpart to see if we can't get a better answer than what you are receiving.

Senator MURKOWSKI. I appreciate that. Thank you, Mr. Chairman. I will be back.

Senator MERKLEY. Senator Tester.

Senator TESTER. Thank you, Mr. Chairman.

Chief, it is good to have you here; rather than to see you on Zoom. So it is good to see you in person. Any of those three people in the back do your bio, they are responsible for it?

Chief MOORE. Well, they have input for sure.

Senator TESTER. Do they? Well, so if you look at the third paragraph, "Moore began his 43-year career in 1978 with USDA–NRCS." That is 44 years. Okay. And I just want to say thank you very much for your service to this country.

Chief MOORE. Thank you.

Senator TESTER. Thank you very much for the job you are doing. Although sometimes we argue and fight, that is how democracies work, right?

Chief MOORE. Right.

Senator TESTER. And we find common ground. I want to come back to an issue called the Crazy Mountains for a minute. We have talked about this on Zoom before.

Chief MOORE. Mm-hmm.

Senator TESTER. Senator Heinrich and I have been talking about this access issue for months. And so the question is, can you explain how the Forest Service decides where and how it is going to defend prescriptive easements?

Chief MOORE. So a process, and it is in our directives, is to really involve our publics. And so we try to work through any kind of land disputes with the private landowner, as well as just the publics in general. And you know, in the simplest form, Senator that is our process of working through the disputes, particularly as it relates to access.

Senator TESTER. So is there a formal opportunity for public input from public comment in review during the process?

Chief MOORE. Are we talking specifically about the "Crazies"?

Senator TESTER. Yeah. And then after you are done with the "Crazies" specifically, generally, for all of them, they all should be the same. There shouldn't be much difference, right?

Chief MOORE. But yeah. We always involve the public, I mean, as a Federal agency, we can always engage the public and involve the publics in particular things.

Senator TESTER. But there is a difference between engagement of the public, and public comment opportunities?

Chief MOORE. Yes.

Senator TESTER. Is there a public comment opportunity?

Chief MOORE. Well, that is why I was wanting to know if you were speaking in reference to the "Crazies".

Senator TESTER. Well, in the "Crazies"—it is the public comment, yeah.

Chief MOORE. In this particular case, there has not been a public involvement, public comment period.

Senator TESTER. Okay. So I think it is important. I mean, transparency in government is good, and nobody is perfect. Even I make a mistake, rarely, but occasionally. And I would tell you, you know hunting, you know habitat, you know the great outdoors.

Chief MOORE. Yes.

Senator TESTER. The best habitat in the world is not worth much unless you can get access to it.

Chief MOORE. Right.

Senator TESTER. Really, if you are looking at it from the hunting side of things. So if there hasn't been public comment, what recourse do forest users have if a trail that they have used for decades is closed?

Chief MOORE. Well, you know, here again, that is part of that public process. If our public is concerned about a trail that is closed, you know, they would talk and——

Senator TESTER. Oh. They have been chirping, and in fact, they even went to the courts. I mean, and I am not advocating for any of that, but they have been talking.

Chief MOORE. Yeah. We are talking about prescriptive rights though; is that correct?

Senator TESTER. Yeah. I mean, we are talking about prescriptive easements, correct.

Chief MOORE. Yeah. So Senator, you know, we have been working on this for a while.

Senator TESTER. Yeah.

Chief MOORE. And, you know, we are still trying to find the best option for working through access.

Senator TESTER. Okay. So let us approach it from the service standpoint. Does access or reduced access, which I think can be claimed in the "Crazies" example, impact your ability, as the Forest Service Chief, to manage this landscape for logging, grazing, and other activities?

Chief MOORE. Well, I think you can certainly say that there are some potential for that to happen, and when it does happen and we try to work through that. And sometimes it is more of an issue with litigation that we work through, other times it is not. It is through sitting down, and through a public involvement, engagement process that we can come to an agreement.

Senator TESTER. All right. I am going to get back to litigation in a second here. But does the Forest Service have a statutory, a statutory responsibility to protect public access to public lands?

Chief MOORE. Yes. That is a very tricky question of course. So the answer is, we don't have a statutory requirement, but yet we do have a requirement to maintain access for public.

Senator TESTER. So I hope we can continue to work on this issue together. I think it is really important. I can't tell you how important it is.

Chief MOORE. Yes.

Senator TESTER. As you know, I always tell folks, you don't have to be a millionaire to be a hunter in Montana, because we all own those public lands. But if you don't have access to them, and it is sealed off because of whatever reason it might be, I won't throw anybody under the bus, then the public really doesn't own those lands anymore.

It is a fact. And as far as litigation goes, and look, I have been sued a number of times, in different capacities on Boards that I have been on; and these guys aren't crazy, they are not. They just want to make sure that—they want to make sure that they still have the ability to get in there and enjoy the great outdoors.

I want to talk a little bit about Butte Basin Creek Watershed. And I don't anticipate that you know anything about it. What this area is, is the water supply for some would argue, the greatest city in America, Butte.

Chief MOORE. Okay.

Senator TESTER. Butte, Montana. There, because of climate change and beetle kill, there is a ton of dead trees there in this drainage that supplies this town, city with water. Okay?

Chief MOORE. Yes.

Senator TESTER. Forest Service land. It is in the back country. I mean, during the winter you can skate some miles across the lake, but the bottom line is, is that it is going to take some work and some planning. These logs have been down so long that they are not dimension lumber anymore. They probably could be used for something called biochar.

Chief MOORE. Right.

Senator TESTER. And which, by the way, it has got some benefits, and something that we should be probably taking a harder look at and pushing. But what I want from you today as the Chief of the Forest Service, I talked to the Chief Executive of Butte-Silver Bow

last weekend, last Friday. And he said, I need somebody out here from the Forest Service so we can look at this, and so I can explain to them what needs to be done, so that we can get this cleaned up.

This is one of those deals, Chief, that if we don't get—and this ain't going to put logs on trucks, so nobody is going to get a promotion for doing a bunch of logging. This is going to be cleaning up a watershed that is really, really important for this region.

And if I could get somebody that is of consequence, somebody that you trust could actually make a difference, I would be very grateful for that.

Chief MOORE. Okay.

Senator TESTER. And so, that would be something that would be good. It is very parochial, but I wouldn't be here talking to you about it in Washington, D.C., in front of a committee that I could beat the hell out of you on a budget, if it wasn't important. Okay?

Chief MOORE. Yeah. Well, Senator Tester, I will tell you. I know a little bit about that project. In fact, it is one of the projects that we are going to be funding this year. And so you should be seeing some activity out there taking place this year on that particular project.

Senator TESTER. Well, just so you know, and I know you know this, I had a debate in Butte in 2006, and this issue was brought up. This is 15 years old, and we need to really get on it. We do. Thank you.

Chief MOORE. You bet.

Senator MERKLEY. Thank you, Senator.

I want to turn to, the ten-year strategy, and there is not a lot of detailed discussion in it on how the Forest Service will work with the tribes on fuels management. That is a significant issue in my part of the country. The Klamath Tribe was involved in the work that helped do fuels treatment in an area that was burned by the Bootleg Fire, and it certainly helped.

The Klamath Tribe wants to be a partner with the Forest Service on some of the restoration work on the Bootleg. The Warm Springs Tribe is pursuing a co-management arrangement on Mount Hood National Forest, which abuts our reservation.

What is your sense or vision for tribal participation in forest management, particularly in resilience and restoration?

Chief MOORE. So Senator Merkley, I think the tribes have a tremendous opportunity as we look at trying to address the ten-year strategy. As a matter of fact, if we look at the landscape that we made some initial investments in, and I mentioned earlier about the different fire sheds, within those landscapes, where we have also created a layer, that looks at all the disadvantaged communities across the country, particularly in the west.

And so as we look at making decisions on how we want to prioritize working in, that is one of the layers for consideration of a decision, is that, does it engage disadvantaged communities? And if so, then that could be one of our decision points.

So there are a lot of opportunities. The other thing that we are trying to really emphasize is that traditional ecological knowledge which the tribes have. And they have been doing this for many years. We want to continue to take advantage of the opportunity

that we have to engage them in how we make decisions on those landscapes.

Senator MERKLEY. So tribes that are interested in partnering with the Forest Service will, under your leadership, the Forest Service will hold government-to-government meetings with them to try to work out arrangements?

Chief MOORE. Yes. In fact, about a-week-and-a-half ago I had a tribal roundtable, and the whole idea was to engage them as partners into how we make decisions, particularly as it affects them. And so the roundtable was very revealing in terms of information, and we were really pleased with the outcome. So we will follow up with that. And if you are interested in knowing more about that, Senator, we can certainly make sure that you are——

Senator MERKLEY. Thank you, great. No, we will follow up on that. There was a program, the Community Capacity and Land Stewardship Program that was a partnership with the National Forest Foundation, and local organizations that were working on smaller scale restoration projects that weren't large enough, or in the right geographic areas, to qualify for CFLR, the Collaborative Forest Landscape Restoration Program.

And there was a challenge as to whether those projects had the right authorization. So we included a requirement in this year's Omnibus to, essentially, provide that framework. And for you all to report back to us on June 15th, how you would resume those smaller scale projects that have been really so important in just a whole number of communities.

And I want to make sure that——I know that you have got a million things on your mind, that you are familiar with this, and that these smaller projects—smaller grants have your support.

Chief MOORE. Well, they certainly do have our support, in fact, as we look at implementing the Bipartisan Infrastructure Law, a lot of those smaller ones are included in some of the project work that we are doing.

Senator MERKLEY. Great. Great. Thank you. And I will look forward to that June report. The Job Corps Civilian Conservation Centers have been, for a long time, part of the Forest Service portfolio. There was an effort under a previous administration to close the 24 residential Job Corps Centers on Forest Service lands, and remodel the program.

It was a huge outcry, because in my part of the country, the folks coming out of these programs who are youth who are trying to get back on their feet, often from a troubled or difficult past. So it has been a real win, win; a win for these youths who find their course in life, and get back on their feet, and for the Forest Service that needs their skills and training.

Can you assure me as to whether these programs have your support?

Chief MOORE. Yeah, absolutely. And they also have the Secretary's support as well. You know, this is one of the programs that we are really proud of. And I could tell that you are too. We still have the 24 Job Corps Centers. And, you know, the Job Corps Center really builds on just a long, proud tradition of the Civilian Conservation Corps. So that is continuing.

One of the ways that we are modernizing, or at least broadening out the Job Corps, is to look at some of the needs that we have on the National Forest. One is the Advanced Fire Academy, looking at creating a curriculum within Job Corps that gives us the opportunity to train a lot of our Job Corps students so they can become future employees working in that, as well as in forestry sector.

And so we are really excited about that. We had two centers that offered the advanced fire training. We now have five. And so it is building. We feel like there is an opportunity to continue to increase how we engage, and interact with Job Corps. And so that is a very important component and priority for us, Senator.

Senator MERKLEY. When can we get the first one of those in Oregon?

Chief MOORE. I believe one is in Oregon, but I will double check that.

Senator MERKLEY. The Advanced Wildfire Training Center? I will check, but I am certainly interested in seeing that program. I teamed up with Minority Leader Mitch McConnell, to save those 24 centers when they were proposed for elimination. But we would like—so certainly I am an advocate, and I will follow up on the Advanced Wildfire Training Centers.

Chief MOORE. Yeah. My information is that one of the new ones is in Oregon.

Senator MERKLEY. I am glad to hear that. I will be checking on it immediately. Only a few seconds left, so I am going to not ask you a question, because I know my colleague has—but I will come back for a few more after the Ranking Member goes through her third round.

Senator MURKOWSKI. Thank you, Mr. Chairman.

So as promised, Forest Service cabins; I don't know that you and I have had a chance to speak directly about it, certainly with your predecessor, and others, they know of my interest, particularly in the southeastern part of the state where these cabins are not only used by families for recreation, but they are also oftentimes just a real safe haven. If somebody is lost, or injured, or just needs a place out of the cold.

And I have been concerned over the years because we had seen these, many of these cabins that had either aged out a little bit, or just were in areas where there wasn't high use. The Forest Service was basically embarking on a plan to destroy or remove the cabins.

I did work within the Infrastructure Bill to secure funding for the operation, repair, reconstruction and construction of these cabins. And I just want to make sure that we are clear that these are not just priorities for Lisa Murkowski because I was raised in that area, and know of the use, but these are priorities for Alaskans up and down.

And again, something that really has enhanced the region, and really enhances that relationship that the Forest Service has with the locals in the area; so my concern is, is that I have heard some rumors that there are still plans to remove some cabins rather than to reconstruct, or to repair.

I have also heard that the plan is for a no-net loss of cabin, which in other words, you take off one and you put in another, which is not the same thing.

So if you have an update for me on the status of these cabins and the region's plan going forward, if you have that now that is super great. I would appreciate it. But would want to know how the district and—excuse me—the region is intending to use the funding that we provided within the Infrastructure Bill.

Chief MOORE. Okay. So Senator, I will look into the removing and the no-net loss. But I will tell you that, you know, an announcement is forthcoming where we are looking at putting a substantial amount of BIL funding into the cabins, looking at restoration, and reconstructing on some of them. And so that is forthcoming.

But in terms of the no-net loss, and some of the language that you might be hearing, I will look into that.

Senator MURKOWSKI. Okay.

Chief MOORE. I have not heard that.

Senator MURKOWSKI. Good, good. Sometimes rumors are just nothing more than that. So we will chase them down. I mentioned the spruce bark beetle, and what we are seeing in parts of Matanuska Valley, and pushing up further into Talkeetna area, but also down on the Kenai Peninsula, a real concern, certainly for wildland fire.

And we have, you, the Forest Service through their Western Bark Beetle Initiative, been a key partner working with the Alaska Division of Forestry. I think that that has been important, focusing on the monitoring, some limited tree removal, and education assistance.

And while the education and monitoring are important, I think we both know that they are not enough to restore forest to a more resilient state. And so that is why we put more funding to mitigate wildfire in Alaska, in both the fiscal year 2022 Interior Bill, and through the Bipartisan Infrastructure Bill.

So can you give me an update this morning in terms of how you are planning, how the Forest Service is planning to help get this money to communities where the beetle kill really does pose that significant wildfire threat?

Chief MOORE. So Senator, first, thank you, for all the work that you did and given us the money to do this type of work, so much appreciation to you, and your colleagues here, and the committee.

I, you know, like most of our projects or—and like most of the work that we do, our intent is to engage with the communities out there where the work is to occur, to make sure that, you know, they are engaged in this, but also our partners. I think one of the questions that we have not talked about that I would like to, at least, put on the table is that, you know, not just in Alaska, but all across the country, you know, we have disease and insect problems.

And we have other types of small diameter, or low value kind of kind of material. And there is a huge opportunity to talk about wood innovation.

Senator MURKOWSKI. Yes.

Chief MOORE. And looking at applying grants to, really look at different uses of wood. The cross-laminated timber, the CLT is one of those, biochar, which was mentioned earlier, is another one of those opportunities. And so I think that as we are working with the communities out there, we really want to engage them, because we know that trying to create jobs, particularly, in our small rural communities is really important.

And we have so much material out there that there is no reason that we could not create job opportunities in these smaller communities. But in order to do that, we need to really jump into this wood innovation. We are really optimistic about what we are seeing from our scientists in this area, and I think it is one of the frontiers that we could really utilize there in Alaska, particularly with the problems you have there with the spruce worm.

Senator MURKOWSKI. Well, I am glad that you have raised that. I can't tell you the number of people who have said to me, you know, I am driving down the highway to go down to the Kenai, and it is just all this dead standing stuff, and there must be some use for it. Obviously, if it is right by the roadside, it is easier to access. If there is no road access, it is really difficult, it is challenging and costly.

But there, when you think about our ability to be creative, let us create some value out of what is a dead commodity that will just eventually topple, and be nothing more than fodder for fires coming through. So I am interested in knowing what the Forest Service is learning, and not only what technologies might be out there, but the commercialization of it, and how we actually make that real.

One more question for you. And this relates to pre-commercial thinning, working to improve young-growth stands, whether it is in the Tongass or elsewhere. I think we all recognize that pre-commercial thinning is useful, it is necessary for healthy forests, and as well as for the wildlife habitat.

There is also a recognition that you have got a limited time where thinning is actually effective. And then you get to a point, there is a point there where it is really not a viable strategy anymore. It is my understanding that to address the PCT backlog, the Forest Service needs to treat roughly 6- to 8,000 acres a year in Alaska.

This is one of those areas where we do have broad support amongst the stakeholders there in Southeast to do the work. Can you give me any update there on what Forest Service is doing to address the backlog on PCT? And what do you need to—what do you need to do to make it happen, again recognizing that you have got a window here?

Chief MOORE. Yeah. So first of all, we agree on the importance and the significance of this issue. And I will also share with you that the region is receiving really a significant amount of funding this year to address that issue. So we are looking for them to, here again, work with some of the locals there in Alaska to decide how best to do that.

But we are funding that effort, and we are funding it with a significant amount to get some of this work done, because it is critical.

Senator MURKOWSKI. Well, critical and time is important. So I appreciate that. The last thing I am going to raise, is just putting

something on your radar—I don't know if you have heard of our effort on the Alaska Long Trail?

Chief MOORE. Yeah.

Senator MURKOWSKI. This is something that a lot of people know about the historic Iditarod Trail, but what we would like to do is understand the feasibility of whether we could add this Alaska Long Trail to the list of national scenic trails. This would include a portion of the Iditarod, but it would effectively go from Tidewater all the way up to Fairbanks.

It is something that there is a great deal of interest. We actually included in an Energy Bill, out of the committee yesterday, a review or a study to determine the feasibility of adding the Long Trail. So I just kind of put that out on your radar there. We did include funding within the fiscal year 2022 bill to work on the Southern Trek of the Iditarod Trail, which would, again, be part of it.

So just hoping that you would work with us as, we try to provide further recreation opportunities on portions of the trail that move through Forest Service lands.

Chief MOORE. Sure. We would.

Senator MURKOWSKI. Good. Thank you. Thank you, Mr. Chairman.

Senator MERKLEY. So a couple more questions. And one development is that Oregon had 14 timber companies, and 14 environmental groups that produced a Private Forest Accord, and this Private Forest Accord was then enacted by the State Legislature to modify our Forest Practices Act. One of the issues that they are wrestling with is the implementation in regard to stream buffers, and how those stream buffers affect sedimentation and other impacts on the streams in terms of both the trout and the salmon.

And they would like to get a lot of help from the Pacific Northwest Research Station to understand how to implement this in a most effective fashion. This is a place where the Forest Service's research efforts could be—get real significant results at a time when people are looking for answers. Can we get the help of the Forest Service in figuring out how to—I realize it is a state law—but how to implement this in an effective fashion?

Chief MOORE. Yeah, yeah, it is a state law, and I would be interested to know what type of help would be most useful from PNW.

Senator MERKLEY. Great. Great. We will follow up with you in that regard. And then, while we are on the topic of research, there is a lot that the Forest Service is doing on mass timber, which is important to our state, and nanotechnology and wood strength, the ability to develop the, you know, 4- to 18-storey buildings with mass timber.

Not until recently, we were talking about 4 to 12, and 4 to 14, and 4 to 18, as we understand the technology better. But the main point I want to make is that the work that the Forest Service is doing in these areas, including the work on sudden oak disease, suppression, improving carbon sinks, documenting lifecycle carbon impacts. Identifying the best forest management strategies for wildfire resiliency, as I mentioned before, is to be able to translate that research into products that Congress, members of Congress,

and members of the House and Senate can say, okay that helps inform us about the conversations we are having here.

I am basically encouraging you, and just to get your response that your team doing all this excellent work can help translate it into products to help inform the debate and discussion up here on Capitol Hill.

Chief MOORE. Yeah. I think we would certainly love to be a part of that. As you may know the Forest Product Lab in Madison, Wisconsin, is one of the premier labs anywhere in the world. And so I think when we talk about new technologies and wood innovations, we would love to be a part of that discussion. So we would be happy to work with you.

Senator MERKLEY. I just went to the Mass Timber Conference, and it has developed into an industry that has an annual event, that has so many companies doing so many fascinating things, and numerous different strategies of cross-laminated timber, and mass plywood. And we have got a lot of research done, through the Oregon State Center, on charring, on how to design the joints. It is just a continuous evolution. How to make it more beautiful than it already is, et cetera, more earthquake resistant than it already is. And so it is an exciting development. We hope to really produce and manufacture mass timber products to export to the world. And so it is an exciting development.

Thank you very much. Let me turn to my colleague to see if she has any final questions.

Senator MURKOWSKI. Mr. Chairman, I have nothing further. I have got some follow-ons that I think we will do with the Chief and his team. But just, thank you for being here, and giving us your time this morning. And the follow up that we know will come.

I think we both have talked about a lot of the resources that are coming as a consequence of the Infrastructure Bill, and I think there is opportunity and promise, but we still are talking an awful lot about how we build the capacity.

And Chief, I hope you are right that you think we are going to be able to get the necessary folks in time for what we fear will be a tough fire season. I recognize that it is really hard to find anybody for any jobs right now. And these are tough jobs. We recognize that. So just thank you for your efforts.

Chief MOORE. Thank you.

Senator MERKLEY. Thank you for your insights, we both come from states where forests are a very big deal to us. And so we are delighted to have your partnership as we wrestle with these issues.

ADDITIONAL COMMITTEE QUESTIONS

And if there are no other statements; hearing record will be open until the close of business on May 11th, 2022. Thank you.

QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

Question. The Northeastern States Research Cooperative (NSRC) awards competitive grants for Northern Forest Research, directed through the Northern Research Station, the Forest Service, the Hubbard Brook Research Foundation, and institutions in each of the four Northern Forest states, including the University of Vermont's Rubenstein School of Environment and Natural Resources. The program supports cross-disciplinary, collaborative research across the 26 million acres of forests, and it focuses research that directly supports rural communities and forest-

based economies in this economically-stressed region. I have been a strong advocate for this program since it grew out of the Northern Forest Land Council and was authorized through the 1998 Farm Bill.

The Forest Ecosystem Monitoring Cooperative (FEMC) serves as a hub to facilitate collaboration among Federal, state, nonprofit, professional, and academic institutions for monitoring of forested ecosystems, maintaining long-term data, and facilitating its use by researchers. The states of Vermont, New York, New Hampshire, Connecticut, Massachusetts and Maine all actively participate in the cooperative. The program is a critical resource for the study of ecological trends over time, such as climate change. The FEMC and its predecessor, the Vermont Monitoring Cooperative, have, with my support, been included in each budget for the U.S. Forest Service since 1990.

Will the Forest Service continue supporting the Northeastern States Research Cooperative and the Forest Ecosystem Monitoring Cooperative?

Answer. The Forest Service supports the mission and goals of the Northeastern States Research Cooperative (NSRC) and appreciates our many past and present collaborations with the universities and institutions that participate in the Cooperative. Since the Cooperative was founded in 2001, it has led more than 300 research projects at 45 institutions. The agency values mutually beneficial partnerships with universities, non-profits, and State cooperators to leverage agency resources to deliver reliable and actionable science to inform forest management. Resources available for strategic partnerships depend on the overall funding level for Forest and Rangeland Research. Language directing funding above the fiscal year 2022 enacted level to NSRC without a commensurate increase in overall funding to Forest Service Research and Development would reduce resources available to address critical science needs identified by land managers and other stakeholders outside the four-state collaborative across the Eastern Region. The increasing percentage of the R&D budget committed to spending directives like NSRC (50 percent of the R&D budget in fiscal year 2022, up substantially from approximately 20 percent in fiscal year 2020 and 25 percent in fiscal year 2021) increasingly constrains the agency's ability to support ongoing research and science delivery addressing other high priority forest science needs. Collaborative research partnerships are essential to achieving the agency's mission, and these partnerships are most productive and cost effective when the agency has discretion to engage with the broadest range of partners possible.

The Forest Service has a long-standing relationship with the Forest Ecosystem Monitoring Cooperative (FEMC) and has provided financial assistance through State and Private Forestry for several decades. We are pleased with the direction the organization has taken to develop a strategic plan for broadened regional engagement and cooperation and its focus on priority issues. This work supports the production of information resources and data that enable science to inform resource management in the region. We will continue to participate with the FEMC and support its efforts.

Question. Will the Forest Service include these long-standing regional programs in its fiscal year 2024 budget request?

Answer. In planning its outyear program of work, the Forest Service anticipates continuing support for NSRC and FEMC as collaborative partners to address priority work across the region. This approach prepares the agency to meet the expectations Congress provided in the report language for the upcoming year. Because we do not have plans to have NSRC and FEMC become independent Forest Service programs, funding requests for NSRC and FEMC would not be called out explicitly in the Agency's fiscal year 2024 budget request. These programs would continue to be supported through Forest and Rangeland Research and State and Private Forestry.

Question. One of my greatest achievements while serving Vermont in the United States Senate has been supporting the U.S. Forest Service in adding well over 100,000,000 acres—more than 25 percent—to the Green Mountain National Forest. Vermonters treasure open space and generally see the Forest Service as a good steward of the land. In fiscal year 2022, I secured funds through Congressionally Directed Spending for the pending Roaring Branch project. Meanwhile, the Big Spruce/Taconic Gateway—another significant potential acquisition—is currently unfunded.

How and on what timeline are you planning to address permanent protection of the Big Spruce/Taconic Gateway project?

Answer. The Forest Service considered the Big Spruce—Taconic Gateway project for fiscal year 2023 Land and Water Conservation Fund (LWCF) funding; however, the project did not rank high enough under the nomination criteria for inclusion in the fiscal year 2023 President's Budget. We will be reviewing the project again for

fiscal year 2024 funding and will work with the local unit and partners to strengthen the project's nomination package.

QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

Question. Alaska, and many of the western states, have numerous historical fuel and fire breaks on Federal and non-Federal lands that are in need of maintenance to remain effective. The ability to utilize Federal funding to strengthen historical breaks would provide for both firefighter safety and protection of communities.

How will funding provided through the Infrastructure Investment and Jobs Act and fiscal year 2022 discretionary funded be allocated and applied to the maintenance/preservation of these valuable investments?

Answer. Maintaining investments in existing fuel and fire breaks is essential as we move forward in implementing the 10-year Wildfire Strategy, and at the national level, a significant portion of our regular hazardous fuels appropriations will be allocated to this maintenance work. The Alaska Region, however, has not allocated funds specifically to maintaining historical fuel breaks in fiscal year 2022 because of the need to respond to the ongoing spruce bark beetle outbreak. In the last 2 years, the Alaska Region has focused most fuels-related work on addressing the outbreak and we anticipate the same emphasis will be necessary over the next 3 to 5 years. Notably, we estimate that 15 percent of the acres identified for beetle-related treatment overlap or are adjacent to previously treated areas. Treating these acres to address the beetle epidemic will also strengthen the existing fuel and fire breaks. In addition, under State and Private Forestry, the Forest Service is working on cooperative agreements to obligate Congressionally directed spending to the City of Kenai, Mat-Su Borough, and the State of Alaska Division of Forestry. This funding will be geared toward fuel breaks and to deal with a significant number of dead white spruce.

QUESTIONS SUBMITTED BY SENATOR MITCH MCCONNELL

Question. I recently introduced a bill, the Land Between the Lakes Recreation and Heritage Act (S.3997), to ensure the U.S. Forest Service devotes the appropriate and necessary funds for recreation and maintenance purposes at Land Between the Lakes (LBL). This was necessary due to ostensive neglect towards this unit from the Forest Service (USFS). In fact, while appropriations to USFS as a whole had increased by 36 percent over 10 years, allocations to LBL had actually decreased. As a result, LBL has had to dip into their reserve funds to cover costs that should be provided through the region's allocations.

Will you commit to working with the unit and regional office to devote the appropriate funds and resources to LBL in fiscal year 23 and beyond?

Answer. We commit to working with the unit and regional office as resources are allocated to the field. Further, we commit to working with your office to ensure your questions regarding allocations are answered.

Question. Diminished funding has forced LBL to restructure their budget to meet salaries and expenses. It has also rendered it unable to devote resources to improving the unit through maintenance and recreational activities. It appears LBL is being punished for performing well.

Does the Forest Service view the LBL reserve account, funded by collected fees, as a reason to allocate less to the unit?

Answer. No, the reserve account is not viewed as a reason to allocate less to the unit. In fact, the Forest Service has made a significant and sustained investment in the Land Between the Lakes National Recreation Area (LBL) through annual appropriations and other sources of funding authorized for LBL. LBL receives 10.04 percent of the base recreation allocation to the units (not including Congressional Directives to LBL). That is the second highest in the region behind National Forests in NC at 11.25 percent. The Congressional Directive funds received by LBL in fiscal year 2021 ($666,668) and fiscal year 2022 ($1 million) increased the LBL allocation for recreation to the highest in the Southern Region. In fiscal year 2022, LBL received 52 percent of the base recreation allocation to the units due to the $1 million Congressional Directive. As a result, the recreation allocation to LBL increased by 67 percent while all other units across the Southern Region decreased by 28 percent. LBL ranks 11th in the Southern Region in visitation with 958,000 visits or 4 percent of the visits in the region. LBL is ranked 14th in national forest acres in the region with 171,000 or 1 percent of the total acres.

Additionally, as expenses have increased, reliance on the reserve account has also increased. The Forest Service is committed to being the best stewards of the dollars we are provided and will continue to look for new ways to maximize our existing funding.

Question. Should the LBL Recreation and Heritage Act become law, will you commit to carrying it out exactly as the language intends?

Answer. The Forest Service recognizes the significance of the Land Between the Lakes Protection Recreation and Heritage Act and the uniqueness of this treasured piece of public land within the National Forest System. We share the commitment to ensure the LBL is a safe and enjoyable place for visitors to recreate. The Forest Service would like to work with the Minority Leader and Congress to address our concerns with the LBL Recreation and Heritage Act to ensure we continue to be good stewards of the LBL.

Question. It has been stated that the main purpose of a National Recreation Area is to preserve and enhance recreational opportunities, rather than natural resource utilization.

With this in mind, how do you intend to administer the fiscal year 23 Budget for LBL?

Answer. The LBL intends to use fiscal year 2023 funding in the following order of priority:

1. Road and facility maintenance.

2. Infrastructure improvement.

3. Additional fencing on the Elk and Bison Prairie to protect the elk herd and manage chronic wasting disease

Question. Will you also commit to better transparency and collaboration with local officials and residents to ensure the unit is managed in a way that is suitable for those who use it most?

Answer. LBL leadership has spent several years working diligently and purposefully to develop open discourse between the unit and local leaders, including engagement and education on the unit's finances. The Forest Service intends to continue its investment in LBL through our people, funding, and the strong partnerships we have developed with local organizations and the communities we serve. We continue to work closely with local leaders and staff from the Kentucky and Tennessee Congressional Delegations to be transparent with financial data. For example, Chief Moore committed to sending the National Law Enforcement Director to the LBL to meet with cooperators regarding law enforcement on the LBL. This meeting occurred on April 13, 2022, and additional meetings will follow. We are committed to continuing local dialogue with county officials and Congressional offices around strategic investments and opportunities at LBL, and we will continue working with our cooperators to support law enforcement needs at LBL.

QUESTION SUBMITTED BY SENATOR MARCO RUBIO

Question. In January, the U.S. Forest Service announced a 10-year "Wildfire Crisis Strategy" to comply with the provisions of the Infrastructure Investment and Jobs Act (IIJA), which appropriated $5.5 billion to the Forest Service for land management on National Forest Service lands, including for active land management and hazardous fuels reduction. The Strategy focuses primarily on wildfire risk in western states, and does not mention Florida once, despite Florida being home to three national forests. Additionally, the Forest Service announced $131 million in funding from IIJA in April, with none for Florida.

How will the Forest Service make equitable allocations of IIJA monies moving forward to ensure that wildfire risk can be mitigated across all of our National Forests?

Answer. The Bipartisan Infrastructure Law provided the Forest Service a down payment on the work the agency intends to accomplish under the Wildfire Crisis Strategy. The 10 priority landscapes announced in April 2022 in support of the Wildfire Crisis Strategy focus on the West because of the fire history there over the past several years. The agency has been working with external partners, using science and fire history as an underpinning for determining where to prioritize investments. Most of the exposure to communities from wildfire exists in the west, and specifically, 80 percent of that exposure exists in 10 percent of the landscape within a mixed conifer vegetation type.

Our focus with the Wildfire Crisis Strategy is to mitigate exposure as much as we can to high-risk communities, while also maintaining and creating resilient land-

scapes. In addition to this approach, we have also looked at other funding sources like disaster relief funds and regular appropriation funds to invest in areas like Florida that are not priority areas within the Strategy but still need fuels work done both on and off national forests.

The National Forests in Florida received a $720,698 hazardous fuels allocation from base appropriations for fiscal year 2022. Additionally, of the $6 million the Southern Region received in disaster supplemental hazardous fuels funds enacted in the 2022 Continuing Resolution, $1.03 million was sent to the Ocala National Forest in Florida.

SUBCOMMITTEE RECESS

Senator MERKLEY. This hearing is adjourned.

[Whereupon, at 11:38 a.m., Wednesday, May 4, the subcommittee was recessed, to reconvene subject to the call of the Chair.]

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2023

WEDNESDAY, MAY 11, 2022

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

The subcommittee met at 10:00 a.m. in room SD–124, Dirksen Senate Office Building, Hon. Jeff Merkley (chairman) presiding.

Present: Senators Merkley, Tester, Van Hollen, Heinrich, and Murkowski.

INDIAN HEALTH SERVICE

STATEMENT OF HONORABLE ELIZABETH FOWLER, ACTING DIRECTOR

ACCOMPANIED BY JILLIAN CURTIS, CHIEF FINANCIAL OFFICER

OPENING STATEMENT OF SENATOR JEFF MERKLEY

Senator MERKLEY. Today, we convene this hearing at an important time when health care remains at the forefront of our minds as we attempt to move past the COVID–19 pandemic. We faced a number of challenges with wave after wave of new variants, and we continue to confront the challenges of new variants to come.

But I'm hopeful that we're finally making progress and emerging from this pandemic with a better understanding of the virus and with more tools in our toolbox available to fight its effects and the fact that we're all here in person today is a very good sign of the progress that we have made.

Welcome, IHS Acting Director Elizabeth Fowler. Good to have you as well as Indian Health Service (IHS) Chief Financial Officer Jillian Curtis. Good to have both of you here today and for your willingness to answer the questions that the Senators may have.

I look forward to hearing from both of you on how a combination of fiscal year 2022 funding and previously-appropriated supplemental funding is being used to address the pandemic's ongoing impacts in Native communities, how we are working to improve patient outcomes, how bipartisan infrastructure funding will make an impact on water infrastructure, and most importantly, how we are planning to deal with future health care challenges with your agency's proposed fiscal year 2023 budget.

Native communities have been disproportionately affected by the COVID–19 pandemic with Native COVID mortality rates twice as high as non-Native populations. Native Americans and Alaska Na-

tives have been hospitalized due to COVID-complications at a rate four times higher than non-Hispanic white individuals.

Unfortunately, these differences are not uncommon even outside the context of COVID–19. These disparities in health care have long existed. The pandemic simply highlighted and exacerbated them.

So the work to improve health outcomes for Native American communities remains a vital challenge that we must tackle. To that end, this committee provided Indian Health Service with 6.6 billion in the fiscal year 2022 Omnibus, a 394 million increase in the agency's funding.

These increases were provided in the hope that we can move the needle towards bettering the lives of Native Americans. This is not only a moral obligation, it's a trust and treaty responsibility that we must never lose sight of.

We can never fully atone for the sins of the past in this country but we can and must do our best to live up to our responsibility for providing the best available health care as enshrined in treaties. Because no matter who you are or where you live, health care simply is and ought to always be a fundamental right in America.

I am pleased to see the Biden Administration shares this commitment and has proposed significant new investments in the Indian Health Service. The request includes $9.1 billion in funding for fiscal year 2023 or a 2.49 billion or 38 percent increase, and for the first time the request includes a proposal to move IHS from discretionary funding to mandatory funding.

I am keeping an open mind on this proposal and look forward to discussing this in more detail in this hearing during our questions, but I'll say right now that I agree with the sentiments to want to provide financial stability to the agency and to Native communities, and I'm pleased to see ideas being proposed to prompt discussion on how we can address chronic problems.

I do have concerns, however, that despite the significant important reasons to change the funding trajectory, we need to also make sure that there is an important congressional oversight role and so how do those two pieces fit together: the possibility of mandatory funding and congressional oversight.

I think I speak for most, if not all, of my colleagues on this committee when I say this is something we are not easily willing to forego. We feel that annual appropriations is an important tool for ensuring close oversight and a close working relationship with agencies and the programs we oversee.

We need to learn a lot more about how this proposal would work and I look forward to having that detailed discussion with you in the near future.

I am pleased to see proposed IHS facilities requests of $1.6 billion, an increase of 626 million or 67 percent, for tribal infrastructure, medical equipment, water infrastructure investments to improve access to drinking water and clean water systems in Indian Country.

This investment in water infrastructure is critically important for the health and well-being of any community. The water infrastructure funding provided for fiscal year 2022 comes on top of the

$3.5 billion that I'm proud we're able to provide for tribal water systems in the bipartisan infrastructure law.

There is a direct correlation between improved water and sanitation systems and improved public health. The infrastructure funding was, frankly, an astounding level of investment. It cleared out a backlog that we know will soon be replaced by other projects that are desperately needed by other Native communities.

I look forward to hearing how all of this funding is being spent and how we can continue to focus on these investments.

In Oregon, for example, the Confederated Tribes of Warm Springs has 57 miles of pipes in such a state of disrepair that much of the community is repeatedly left without running water and are under almost perpetual instructions to have to boil their water to make it safe to drink.

The system is operated by a computer that was established from a landfill that's running on a very old and unsecured version of Windows. It's been obsolete for many years, just a symbol, if you will, of how out of date this infrastructure is, how much it's in need of restoration.

In 2022, these are stories we shouldn't be hearing about in the United States of America. We must do better. So there's a lot to discuss and I look forward to that conversation.

And now I'd like to turn to our Ranking Member Senator Murkowski for any opening remarks that she would like to make.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman, and good morning. Good morning, Ms. Fowler. It's good to have you before the committee here this morning. We had an opportunity to have you before the Indian Affairs Committee last week, so appreciate you coming back to the Hill, and an opportunity to discuss the fiscal year 2023 budget proposal.

Mr. Chairman, you have noted the issue about the decision that has been made by the Administration proposing to reclassify the entire agency's budget and so I just want to thank you for having a hearing on this proposal because given that we're looking at this proposed reclassification to put the entire agency budget for fiscal year 2023 as mandatory, really the 2023 IHS budget proposal is technically not in the jurisdiction of the Appropriations Committee.

So I'm glad that we are having the decision to move forward with this hearing despite some jurisdictional issues.

While we're not completely back to pre-pandemic level of activity, I am hopeful that we've turned the corner on COVID. Over the course of the pandemic, IHS received approximately nine billion in supplemental funding to address both pandemic-related expenses and other long-term infrastructure needs, like electronic health records, information technology, and, in addition to the investments made by COVID supplemental packages, the bipartisan infrastructure law enacted last year dedicated 3.5 billion for the IHS to fund all listed wastewater and sanitation projects, as the Chairman has mentioned.

I have consistently raised this funding as a priority in our hearings. So it's no secret that securing the money to address the IHS

backlog was something that I worked really hard on to make sure it was included in the final infrastructure package.

We've heard about potential administrative cost concerns associated with these funds. So I'll have some follow-up questions related to this in our back and forth after statements here.

When you consider the COVID supplemental packages, the bipartisan infrastructure law, and the annual appropriations bills, the IHS has received approximately 37.5 billion over the preceding 4 years. I think that this demonstrates our commitment to working together in a bipartisan manner to address our shared tribal priorities across the board.

Whether working together to navigate the budget unpredictability and instability surrounding the 105L issue, providing money to fully fund staffing packages, or trying to address the overall needs of the entire health delivery system while also taking into consideration administration and congressional interests during a pandemic, I think the work has been together and that has been so important.

When I became Chairman of this subcommittee back in 2016, the annual appropriations level for the agency was 4.8 billion. An indefinite appropriation for contract support costs was created in my first bill as Chairman. Tribal lease payments were not a significant portion of the budget, and one of my priority issues, sanitation construction, was funded at 99 million.

Last year in Fiscal 2022, the agency received 6.6 billion. In 7 years, the IHS has received an approximate 37.5 percent increase in programmatic funding while the overall allocation of the Interior Appropriations bill received an estimated increase of 15 percent over this same period.

So I think it's important to recognize that this could not have been accomplished if IHS was only my priority. This had to be a shared priority and it clearly, clearly was.

The increases the IHS has received relative to the overall increases for the Interior bill clearly sends the signal that this agency is of bipartisan/bicameral importance, and the fact that this subcommittee provided significant increased funding to the IHS even during times of budget constraints and caps should indicate that we are all dedicated and all committed to ensuring access and quality care for Indian Country.

So in light of all of our shared accomplishments, I was disappointed to read the 2023 budget proposal. Last year the Administration proposed advanced appropriations for the entire agency as well as a budget reclassification for the contract support costs and the highly unpredictable 105L tribal lease payments.

Advanced appropriations, as you know, Ms. Fowler, is something that I have personally been supportive of over the years. I also know that when this concept was proposed in the budget last year, many of my colleagues and staff had technical questions that went unanswered unfortunately and unexplained for months.

This delay likely contributed to the omission of this concept in the final Omnibus bill, but I was hopeful that those conversations would have carried forward in an effort to potentially set us up for success for at least some accounts in fiscal year 2023, but this doesn't appear to be the direction that the Administration took.

Not only does this budget proposal fail to take a lessons learned approach in an effort to be successful, this budget proposal takes a series conversation and I think it makes it less serious which is disappointing.

Another area of concern is the recent actions of the agency related to contract support costs. As you know, a large number of tribes and tribal organizations are concerned the agency is attempting to change the way these costs are calculated as a result of the Cook Inlet Tribal Council decision and the Fort Defiance letter.

So I appreciate the answers to my letter on this topic, but I hope that we can get some additional information here today, and while we're glad you are here today to provide testimony and answer questions, I think it's just so important. We need permanent leadership. We need permanent leadership at IHS.

As we all know, the agency was first put on GAO's High Risk List back in 2017 and it's still there. It's critical the agency have stable executive leadership in place to make decisions and address those high-risk concerns.

So this past March the Administration nominated Ms. Roslyn Tso, a citizen of the Navajo Nation and current Director of the Navajo Area Indian Health Service, as the new Director. I do believe that this is one of the last nominations for agency leadership positions to be received in the Senate.

So while this is welcome news for us, I am concerned about the length of time that it has taken to receive the nomination.

The annual appropriations process is never easy or quick, but it is one that we work on together. So as we look to fiscal year 2023, I hope that we're able to continue this bipartisan tradition.

With that, Mr. Chairman, back to you, and I look forward to the discussion this morning.

Senator MERKLEY. Thank you very much, Senator.

Now we turn to Honorable Elizabeth Fowler. Welcome.

SUMMARY STATEMENT OF HON. ELIZABETH FOWLER

Ms. FOWLER. Good morning. Chairman Merkley, Vice Chairman Murkowski, and Members of the Committee, thank you for the opportunity to testify on the President's fiscal year 2023 Budget Request for the Indian Health Service.

Before I turn to the fiscal year 2023 Request, I want to first acknowledge and thank each of you for your work over the years in growing the IHS budget and prioritizing tribal issues within your bill.

With your support, the IHS budget has grown by 57 percent in the last decade, and we know that type of growth is challenging to accomplish in a constrained discretionary funding environment.

Patients across Indian Country have benefited from your efforts. This growth in funding has enabled us to address some of the most critical issues facing the Indian Health System, from addressing exponential growth and legally-required contract support costs and Section 105(l) lease agreements to resolving accreditation emergencies to bolstering the core administrative functions of the agency.

We know you also fought hard to tackle urgent disparities facing Indian Country, such as the opioid epidemic, HIV, maternal health and suicide prevention.

Over the years this work has always been underscored by our shared goal to improve health outcomes for all American Indians and Alaska Natives. HHS deeply appreciates this partnership and commitment.

It is with this shared goal in mind that the Administration approached the fiscal year 2023 Budget Request for the Indian Health Service. We know that despite our shared efforts, IHS is still underfunded. Whether you look at per capita spending rates compared to other Federal health programs or other national health expenditure benchmarks, it is clear that current funding is not sufficient to meet the needs of the over 2.7 million American Indians and Alaska Native patients that IHS serves each year.

This underfunding of the Indian Health System directly contributes to stark health disparities in tribal communities. American Indian and Alaska Native people born today have a life expectancy that is 5.5 years shorter than the U.S. all races population with some tribes experiencing life expectancy as much as 12 years shorter than the general population.

Longstanding health disparities were compounded by the pandemic with American Indians and Alaska Natives experiencing disproportionate rates of COVID–19 infection, hospitalization, and death. Addressing these inequities is a moral imperative for our nation, and it will require bold action from all of us to ensure we are upholding our commitments to Indian Country.

IHS MANDATORY FUNDING PROPOSAL

That is why the President's fiscal year 2023 budget proposes the first-ever mandatory budget for the Indian Health Service. I acknowledge that this is a substantial change that would fundamentally impact how IHS receives funding from Congress. The Administration did not propose this change lightly.

We believe that a change of this magnitude is needed to deliver on the government's health care responsibility for Indian Country.

This proposal is in line with longstanding recommendations from tribal leaders across the nation, including in the Tribal Consultation and Urban Confer HHS conducted last year on long-term funding solutions for the IHS.

The fiscal year 2023 IHS budget is a starting point for ongoing conversations with tribes and Congress to consider and refine the proposal through the legislative process.

Just to summarize, the fiscal year 2023 budget includes a total of $9.3 billion in mandatory funding for the Indian Health Service which is $2.5 billion above the fiscal year 2022-enacted level.

For fiscal year 2024 to 2032, the budget would grow automatically to account for the growing costs of providing health care as well as population and pay growth.

This budget would address the three core issues identified by GAO: funding stability, predictability, and adequacy. These changes will allow IHS, tribal health programs, and urban Indian organizations to more effectively plan and implement health care services to best meet their community needs.

As we work towards securing stable and predictable funding to meet the needs of Indian Country, we are committed to working closely with our stakeholders and understand the importance of working with partners, including Congress.

Thank you again for the opportunity to speak with you today, happy to answer any questions that you might have.

[The statement follows:]

PREPARED STATEMENT OF HON. ELIZABETH FOWLER

Good afternoon Chairman Merkley, Ranking Member Murkowski, and Members of the Committee. Thank you for your support and for inviting me to speak with you about the President's fiscal year 2023 Budget Request for the IHS.

The Indian Health Service (IHS) is an agency within the Department of Health and Human Services (HHS) and our mission is to raise the physical, mental, social, and spiritual health of American Indians and Alaska Natives to the highest level. This mission is carried out in partnership with American Indian and Alaska Native Tribal communities through a network of over 687 Federal and Tribal health facilities and 41 Urban Indian Organizations (UIOs) that are located across 37 states and provide healthcare services to approximately 2.7 million American Indian and Alaska Native people annually.

On March 28, 2022, the White House released the President's fiscal year 2023 Budget, which proposes the first-ever fully mandatory budget for the IHS. The bold action taken in the fiscal year 2023 President's Budget demonstrates the Administration's continued commitment to strengthen the nation-to-nation relationship. This historic proposal addresses long-standing challenges that have impacted communities across Indian Country for decades.

The Indian Health system is chronically underfunded compared to other healthcare systems in the U.S.[1][2] Despite substantial growth in the IHS discretionary budget over the last decade, by 57 percent from fiscal year 2012 to the current fiscal year 2022 enacted level, the growth has not been sufficient to address the well documented funding gaps in Indian Country. These funding deficiencies directly contribute to stark health disparities faced by tribal communities. American Indian and Alaska Native people born today have a life expectancy that is 5.5 years shorter than the U.S. all-races population, with some tribes experiencing life expectancy as much as 12 years shorter than the general population. They also experience disproportionate rates of mortality from most major health issues, including chronic liver disease and cirrhosis, diabetes, unintentional injuries, assault and homicide, and suicide. The pandemic compounded the impact of these disparities in tribal communities, with American Indians and Alaska Natives experiencing disproportionate rates of COVID–19 infection, hospitalization, and death.

LONG-TERM FUNDING SOLUTIONS

Our budget plays a critical role in advancing a healthier future for American Indian and Alaska Native people. Growth beyond what can be accomplished through discretionary spending is necessary to address funding gaps and remediate health disparities. Mandatory spending is a more appropriate avenue to provide high-quality healthcare that is reliable and widely available for American Indians and Alaska Natives.

To address this historic underinvestment in IHS, the mandatory budget provides $9.3 billion in fiscal year 2023, which includes $147 million in current law authorized funding for the Special Diabetes Program for Indians. This is an increase of +$2.5 billion or 37 percent above the fiscal year 2022 enacted level. This immediate surge of funding is necessary to address long-standing gaps in healthcare and tackle chronic health disparities faced across Indian Country.

Mandatory funding for the IHS provides the opportunity for significant funding increases that could not be achieved under discretionary funding caps. Further, this mandatory funding proposal would authorize and appropriate funding over 10 years, through fiscal year 2032, ensuring predictability that would allow IHS, tribal, and urban Indian health programs the opportunity for long-term and strategic planning.

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[1] Government Accountability Office Report—Indian Health Service: Spending Levels and Characteristics of IHS and Three Other Federal Health Care Programs https://www.gao.gov/assets/gao-19–74r.pdf

[2] U.S. Commission on Civil Rights Report—Broken Promises: Continuing Federal Funding Shortfall for Native Americans https://www.usccr.gov/files/pubs/2018/12–20–Broken-Promises.pdf

This increased stability and ability to conduct longer-term planning will improve quality of healthcare, promote recruitment and retention of health professionals, and enhance management efficiencies for individual health programs and the Indian Health system at large.

Specifically, the mandatory budget proposal culminates in a total funding level of approximately $36.7 billion in fiscal year 2032. When compared with the fiscal year 2022 enacted level of $6.8 billion, the Fiscal year 2032 proposed funding level represents an increase of nearly +$30 billion or +442 percent. In total, the 10-year budget includes over $248 billion for the IHS.

The budget also exempts the IHS from sequestration for proposed funding, which is the legislatively mandated process of budget control consisting of automatic, across-the-board spending reductions to enforce budget targets to limit Federal spending. Exempting the IHS budget from sequestration ensures funding for direct healthcare services for American Indians and Alaska Natives is not reduced and is consistent with the treatment of other critical programs such as veterans' benefits and nutrition assistance programs. The budget also includes inflation factors to address the growing cost of providing direct healthcare services, including pay costs, medical and non- medical inflation, and population growth.

This request responds to the long-standing recommendations of tribal leaders shared in consultation with HHS and IHS to make IHS funding mandatory, and IHS will continue consulting with tribes to inform future policy and budget requests.

PRIORITIZING HIGH QUALITY HEALTH CARE

In fiscal year 2023, the budget prioritizes investments that advance high quality healthcare and tackle the stark inequities that exist in the Indian Health system. This includes a +$243 million increase to the Indian Health Care Improvement Fund to provide additional health services and address resource disparities across the Indian health system. Likewise, the budget prevents a sharp reduction in services by providing an additional +$220 million to partially sustain the one-time American Rescue Plan Act investments that were appropriated to expand access to mental health and substance abuse prevention and treatment services, and to expand the public health workforce in Indian Country.

The Budget also includes a +$215 million general increase to Hospitals and Health Clinics to expand access to direct healthcare services, which would provide an estimated 41 thousand inpatient admissions and almost 16 million outpatient visits at IHS and Tribal facilities. The Purchased/Referred Care program, which supports the purchase of essential healthcare services not available in IHS and Tribal healthcare facilities, is expanded by +$206 million, providing an estimated 7,333 additional inpatient admissions; 182,319 additional outpatient visits; and 8,006 additional patient travel trips. This Purchased/Referred Care increase would also support establishment of an Arizona statewide Purchased/Referred Care Designation Area, as directed in the Indian Health Care Improvement Act, which will expand access to care for over 67,000 IHS patients in Arizona. The Budget also expands dental health services by supporting an additional estimated 1 million dental visits in fiscal year 2023 through a +$48 million investment. Expansion of these programs is essential to ensure that IHS can provide high quality medical services and support critical healthcare services through contracts with hospitals and other healthcare providers to purchase specialized or critical care when IHS and tribally-managed facilities are unable to provide the services directly.

In addition, Current Services, which offset the rising costs of providing direct healthcare services, are fully funded at +$207 million. These resources will help the IHS to maintain services at the fiscal year 2022 levels by shoring up base operating budgets of IHS, Tribal, and urban Indian health programs in the face of increasing costs. Similarly, +$102 million is provided to fully fund staffing and operating costs for eight newly-constructed or expanded healthcare facilities. These funds support the staffing packages for new or expanded facilities, which will expand the availability of direct healthcare services in areas where existing healthcare capacity is overextended.

The budget also makes targeted investments to address our Nation's most pressing public health challenges, which disproportionately impact American Indian and Alaska Native communities. This includes HIV and Hepatitis C (+$47 million), improving maternal health (+$4 million), and addressing opioid use (+$9 million).

IHS also recognizes the importance of providing culturally competent care to American Indians and Alaska Natives who live off-reservation or in urban areas. To address this, the Urban Indian Health Program is expanded by +$27 million to provide additional culturally competent direct healthcare services through a network of 41 Urban Indian Organizations located in urban areas across the country. This in-

vestment will provide an estimated 1.1 additional million healthcare, outreach, and referral services to urban Indian users in fiscal year 2023.

In fiscal year 2023, the budget also makes numerous investments in high priority areas, such as recruitment and retention of high quality health professionals, expansion of the successful National Community Health Aide Program, expanding emergency medical services, and other activities that support high quality healthcare.

While these fiscal year 2023 investments will make significant progress to address the most urgent healthcare needs, further growth is needed to address sustained underfunding of the Indian Health system that has resulted in documented gaps in funding and service provision. Over 5 years, from fiscal year 2024 to fiscal year 2028, the budget grows to address the funding gap for direct healthcare services documented in the fiscal year 2018 level of need funded analysis.[3] The level of need gap analysis calculated $11.2 billion as the point in time estimated funding shortfall identified for a baseline of health services in fiscal year 2018. This funding increase would be distributed across the IHS funding lines that provide direct healthcare services, ensuring a broad benefit of this investment for all tribes, while also seeking to address funding disparities within the Indian Health system.

MODERNIZING CRITICAL INFRASTRUCTURE

In addition to funding for direct healthcare services, additional investments are needed to address substantial deficiencies in physical and information technology infrastructure across the IHS system. Outdated infrastructure can pose challenges in safely providing patient care, recruiting and retaining staff, and meeting accreditation standards. From fiscal year 2023 through fiscal year 2028, the budget includes critical funding increases to reduce or eliminate existing facilities backlogs and modernize the IHS Electronic Health Record (EHR).

Specifically, the budget provides $285 million in fiscal year 2023 and +$6 billion from fiscal year 2024 to fiscal year 2028 to stabilize the current system and replace IHS's EHR with a modernized system. The current IHS EHR is over 50 years old, and the GAO identifies it as one of the 10 most critical Federal legacy systems in need of modernization. The IHS relies on its EHR for all aspects of patient care, including the patient record, prescriptions, care referrals, and billing public and private insurance for over $1 billion reimbursable healthcare services annually. The EHR holds an extremely high degree of mission criticality given the ability to provide much-anticipated clinical and administrative capabilities used in modern systems for the delivery of timely and impactful healthcare. Expected benefits from adopting and implementing a modernized system include, but are not limited to, improved patient safety, improved patient outcomes, better disease management, enhanced population health, improved clinical quality measures, opioid tracking, patient data exchange, third party revenue generation, and agency performance reporting. Additionally, the new system will be interoperable with the Department of Veterans Affairs, Department of Defense, tribal and urban Indian health programs, academic affiliates, and community partners, many of whom are on different health information technology platforms.

The IHS system also faces substantial physical infrastructure challenges—IHS hospitals are approximately 40 years old on average, which is almost four times the age of the average hospital in the United States. Infrastructure deficiencies directly contribute to poorer health outcomes for American Indians and Alaska Natives. The Budget addresses these needs by fully fund the 1993 Health Care Facilities Construction Priority list. The remaining projects on the list include the Phoenix Indian Medical Center, Phoenix, AZ; Whiteriver Hospital, Whiteriver, AZ; Gallup Indian Medical Center, Gallup, NM; Albuquerque West Health Center, Albuquerque, NM; Albuquerque Central Health Center, Albuquerque, NM; and Sells Health Center, Sells, AZ.

Furthermore, the budget includes $102 million in fiscal year 2023 and +$454 million over 5 years, from fiscal year 2024 to fiscal year 2028, to ensure IHS can replace medical and laboratory equipment at the end of its six to eight-year life cycle. Many IHS hospital administrators reported that old or inadequate physical environments challenged their ability to provide quality care and maintain compliance with the Medicare Hospital Conditions of Participation. The administrators also reported that aging buildings and equipment is a major challenge impacting recruitment and retention of clinicians.

[3] (FY) 2018 Indian Health Care Improvement Fund Workgroup Interim Report https://www.ihs.gov/sites/ihcif/themes/responsive2017/display__objects/documents/2018/2018__IHCIF__WorkgroupInterimReport.pdf

Maintaining reliable and efficient buildings is also challenge as existing healthcare facilities age and the costs to operate and properly maintain healthcare facilities increases. Many IHS and Tribal healthcare facilities are operating at or beyond capacity, and their designs are not efficient in the context of modern healthcare delivery. In fiscal year 2023, the Budget tackles this challenge by including a +$172 million increase for maintenance and improvement to reduce the Backlog of Essential Maintenance, Alteration, and Repair, as well as routine maintenance and repair to sustain the condition of Federal and Tribal healthcare facilities, and environmental compliance projects to meet changing healthcare delivery needs. The Budget proposes to fully fund all existing projects by fiscal year 2028.

Lastly, the IHS is grateful for the additional $3.5 billion in Sanitation Facilities Construction funding provided by the Infrastructure Investment and Jobs Act (IIJA). These funds will make a transformational impact in shoring up essential sanitation facilities across Indian Country. In order to maintain existing project completion deadlines and support IHS and Tribes in successfully implementing IIJA resources, the budget includes +$49 million to support implementation of the $3.5 billion provided by the IIJA for Sanitation Facilities Construction (SFC). This funding will support additional salary, expenses, and administrative costs beyond the 3 percent allowed in the IIJA. These funds would also be available to Tribal Health Programs, which is not currently permissible under the 3 percent set-aside for administrative costs in the IIJA.

The budget also proposes a new $18 million program to recruit and retain new public health engineers by partnering with colleges and universities to implement a scholarship program with service requirements in support of Sanitation Facilities Construction projects across Indian Country. The IHS owns over 10.2 million square feet of facilities across 2,119 buildings and 1,758 acres of Federal and trust land. The nature of this space varies from sophisticated medical centers to residential units and utility plants. Facilities range in age from less than 1 year to more than 167 years. A professional and fully- functional workforce is essential to ensure effective and efficient operations.

SUPPORTING SELF-DETERMINATION

IHS continues to support the self-determination of tribes to operate their own health programs. Tribal leaders and members are best positioned to understand the priorities and needs of their local communities. The amount of the IHS budget that is administered directly by tribes through Indian Self-Determination and Education Assistance Act contracts and compacts has grown over time, with over 60 percent of IHS funding currently administered directly by tribes. Tribes design and manage the delivery of individual and community health services through 22 hospitals, 319 health centers, 552 ambulatory clinics, 79 health stations, 146 Alaska village clinics, and 8 school health centers across Indian Country. In recognition of this, the budget includes a mandatory indefinite appropriation for Contract Support Costs and Section 105(l) lease agreements with estimated funding levels of $1.1 billion for Contract Support Costs and $150 million for Section 105(l) Lease Agreements in fiscal year 2023. The budget maintains indefinite mandatory funding for these accounts across the 10-year budget window to ensure these payments to tribes are fully funded.

COVID–19 RESPONSE AND FUTURE EMERGENCY PREPAREDNESS

Throughout the COVID–19 pandemic, the IHS has made incredible achievements to save lives and improve the health of American Indian and Alaska Natives across the nation. The IHS has worked closely with our Tribal and Urban Indian Organization partners, state and local public health officials, and our fellow Federal agencies to coordinate a comprehensive public health response to the pandemic. Our number one priority has been the safety of our IHS patients and staff, as well as Tribal community members.

However, it is clear that COVID–19 has disproportionally impacted American Indian and Alaska Natives. Deficiencies in public health infrastructure exacerbated the impact of COVID–19 on American Indians and Alaska Natives. Based on data from 14 states, age-adjusted COVID–19 associated mortality among American Indians and Alaska Natives was 1.8 times that of non- Hispanic Whites. In 23 states with adequate race and ethnicity data, the cumulative incidence of laboratory-confirmed COVID–19 among American Indians and Alaska Natives was 3.5 times that of non-Hispanic Whites. In the state of Montana, COVID–19 incidence and mortality rates among American Indian and Alaska Natives were 2.2 and 3.8 times those among White persons, respectively. The CDC has also reported that 1 in every 168 American Indian and Alaska Native Children experienced the death of a parent or

primary caregiver due to COVID–19, 4.5 times more likely than non-Hispanic White children.

The budget's proposed investments proposed in direct services and infrastructure will make substantial progress toward ensuring these stark disparities are not repeated in future pandemics. Additionally, to ensure that the IHS is prepared for future emergencies, the budget requests +$10 million for emergency preparedness activities at IHS Headquarters and Area offices to establish a dedicated emergency preparedness workforce at IHS and support relevant training and capacity building efforts. These additional resources will ensure IHS has adequate emergency preparedness capacity to serve American Indian and Alaska Native communities during future public health emergencies.

CLOSING

The fiscal year 2023 budget makes bold strides toward the goal of ensuring stable and predictable funding to improve the overall health status of for American Indian and Alaska Natives. The budget is a historic first step and the start of an ongoing conversation with tribes to ensure the IHS system is meeting the healthcare needs in Indian Country. HHS looks forward to working in consultation with tribes, urban Indian organizations, and Congress to refine this historic proposal through the legislative process to achieve sustained improvements in health status and strengthen the Nation-to-Nation relationship.

Senator MERKLEY. Thank you very much, and with your agreement, we'll put your entire written testimony into the record. No objections on the committee, so ordered.

And let's start with this question of the mandatory funding. So it certainly does relate to having stable and predictable budget, but as I mentioned in my initial testimony, there's always some reservation on Capitol Hill to forego the oversight function, and this is set up as a structure for a 10-year period, and it's quite different from the advanced appropriation request that I championed last year at the request of IHS and that we supported in our Senate bill.

ADVANCE APPROPRIATIONS

We ultimately did not get agreement on the final negotiations between the four corners, the final decision-makers, but I thought that that had a lot of merit to make sure Indian Health Services did not shut down during an government shutdown which was a previous significant problem.

Is it the case that the Administration is dropping its request for advanced appropriations in favor of the reclassification of mandatory spending?

Ms. FOWLER. So the mandatory proposal for the Indian Health Service, if enacted, would eliminate the need for advanced appropriations for the agency.

CONGRESSIONAL OVERSIGHT

Senator MERKLEY. Okay. So the answer is yes, and how would you envision that there would be any congressional oversight under that structure?

Ms. FOWLER. We understand that if the mandatory proposal were to be enacted, that we would fall under the jurisdiction of our authorizing committees which we would work with in an oversight role, but we also understand the need to continue to be responsive to the Appropriations Committees, as well, and we would be happy to work with the Appropriations Committees on any questions or

inquiries or any interests that they have in continuing to review our budget and request information from us.

Senator MERKLEY. So in partnership with our colleagues from Indian Affairs, we've been trying to schedule a meeting with OMB and IHS to explore the technical details and there's not been a responsive communication from the Administration.

So can we get your assurances that this meeting will happen shortly?

Ms. FOWLER. Yes, as I understand, OMB will be leading a briefing that we anticipate will occur next week.

Senator MERKLEY. Okay. Great. Because if the Administration is not responsive, then it's clear it's not a serious proposal and so we're ready to dive into the details and explore it, but we need the partnership from the Executive Branch in that regard.

COVID PREVALENCE

So let's turn to COVID. So the positive test rate remains high, and we are seeing across the country stagnating vaccine rates.

Are we seeing the same trends across Indian Country?

Ms. FOWLER. We are. We are seeing higher positivity rates, but we believe that is from more patients coming in who are symptomatic for testing but a lower volume of testing and so as an example, in January there were 12,000 COVID tests performed and in April there were 2,000 tests performed. So the positive test results combined with the lower denominator is resulting in a higher positivity rate.

Senator MERKLEY. That makes sense. Thank you for explaining that.

COVID VACCINES AND THERAPEUTICS

And the Administration has requested $22.5 billion for COVID response and there was no specific request for IHS, but it's my understanding that the funding requested by HHS, Health and Human Services, that a certain share would be transferred to IHS. Is that your understanding, as well?

Ms. FOWLER. Yes, IHS is a jurisdiction that receives vaccines and therapeutics from the HHS.

Senator MERKLEY. Okay. Do you know how much would be transferred under the Administration's vision?

Ms. FOWLER. It's not a funding amount that gets transferred. We receive the vaccines directly and we receive the therapeutics and some supplies directly.

Senator MERKLEY. So let's talk about the therapeutics. We've got a couple companies that have produced pills, Merck and Pfizer that seem to be significant.

Are these pills being currently distributed to IHS facilities? Do people who need those therapeutics, can they readily access them?

Ms. FOWLER. Yes, currently we are able to meet 100 percent of the demand from the IHS, Tribal, and Urban Facilities that are requesting those therapeutics.

Senator MERKLEY. You are requesting therapeutics?

Ms. FOWLER. I said we're able to meet 100 percent of the demand from those facilities that are requesting therapeutics.

Senator MERKLEY. Okay. Great. We've seen interesting reports across the nation from health care clinics that essentially have had the therapeutics, but they don't even prescribe them when people come in. It's been a strange arrangement where we've got a tool that can be very helpful and when a person is early in the phase of the infection and not necessarily being fully utilized.

I'm not talking about Indian Health Service specifically, more health services more broadly.

WARM SPRINGS WATER INFRASTRUCTURE

Let me turn to Warm Springs water infrastructure, and as we've discussed in the past, they've got an ancient system of pipes. The pressure gauges are always breaking or pressure control valves. The pipes are splitting. It's just the contamination results in a lot of the times the water simply is unsafe to drink. They've been under the continuous boil notices, meaning they have to boil their water to drink it.

So we are really pleased that the infrastructure bill had $3.5 billion to clear the backlog on the sanitation deficiencies list at the time of passage and we're looking forward to seeing the projects actually get done.

Do you have a timeline for the Warm Springs project?

Ms. FOWLER. So the last time we talked, there was a preliminary engineering assessment that was going to be completed, which has been completed. We now know that the project will cost roughly $24 million to complete. It is a Tier 1 project. So we do anticipate that it will be funded with fiscal year 2022 funding, whether from the Infrastructure Investment and Jobs Act funding or the annual appropriation.

As I understand it, it will take 30 to 36 months to complete once we have the funding available for the project, which we anticipate will be very soon.

Senator MERKLEY. Great. Is very soon like within the next couple weeks?

Ms. FOWLER. I would think so, yes.

Senator MERKLEY. Can you personally keep me briefed on this? It's so important to the Warm Springs Tribe in my state.

Ms. FOWLER. Yes.

Senator MERKLEY. Thank you very much.

I'll turn to Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

CHANGE IN IHS BUDGET PROPOSALS

Ms. Fowler, I'd like to go back to the discussion that the Chairman has raised about mandatory versus the discretionary. You confirmed to him that in fact the Administration has now decided to take an approach on mandatory as opposed to the advanced appropriation, and you indicated that, well, if we move to mandatory, that means that we don't have to look to advanced appropriations.

But I guess I'm trying to understand why, why the Administration chose to move in this direction instead of proposing advanced appropriations again.

Ms. FOWLER. Thank you, Senator Murkowski.

I'm just going to be frank here. The Indian Health System needs substantial funding to meet the needs that are out there in Indian Country, and we're not able to accomplish that within the discretionary spending caps on the mandatory side of the budget as has been proposed for fiscal year 2023 and the 10-year timeframe.

We're proposing that the budget will grow by almost 300 percent over that 10-year period, and so we believe that it is an approach that is more suitable for funding Indian health care.

MANDATORY FUNDING LEGISLATIVE PROPOSAL

Senator MURKOWSKI. Well, as I mentioned in my statement and as I have said over the years, I believe that IHS has been chronically underfunded and we need to make improvements.

You and I both noted in our comments that those improvements over the years have been dramatic in terms of the funding, but with funding also comes the role of oversight and that's where the committees come in.

I am in that enviable position, maybe it's not so enviable, maybe it's just more responsibility, but I am not only the appropriator for IHS as the Ranking Member on this subcommittee but I'm also the authorizer as the Ranking Member on Indian Affairs Committee, and so I appreciate what you've shared that there's going to be a meeting with OMB coming up.

This is the first that I have heard of it. I'm asking my staff to confirm whether they have been notified of any such meeting because so far as I know, there is no legislative proposal out there in terms of new authorizing language to account for this shift and what we're trying to figure out here is whether or not you have identified how you're going to be paying for the shift to mandatory appropriations.

At what point do you expect that you will send to the Indian Affairs Committee a legislative proposal to mark up a mandatory funding bill for fiscal year 2023?

Ms. FOWLER. I know that there's a supporting document that is under development. I will have to get back to you on that timeframe of when we'll be able to submit it.

Senator MURKOWSKI. So I guess I have to admit a little bit of confusion here because what we've got is technically there's no discretionary appropriations language or money proposed for fiscal year 2023. The discretionary funding levels for the IHS in fiscal year 2022 was $6.6 billion.

So in theory, if there's not a discretionary proposal for the Interior bill this year, there's $6.6 billion that is currently unaccounted for.

So, Mr. Chairman, we're looking here at $6.6 billion in base Indian Health Service funding that can't be used by an authorizing committee to pay for mandatory funding on an annual basis. It certainly wouldn't cover the scoring for a 10-year window that you've just noted, but it's also been 2 months now since the budget was released.

The end of the fiscal year is a little over four and a half months away. So the clock is ticking here. So if you're planning on sending this plan up, I don't see how you're giving us the time as whether we are authorizing or whether we are appropriating to consider

this in a way that is viewed as a serious proposal, and so I share the Chairman's concern here that if this is serious coming from the Administration, if we recognize that we've got to be doing this together, you've got to be working with us a little bit more instead of coming to a hearing and saying, well, we're going to sit down and talk with you about what the plan is.

We are in the midst now of these budget and appropriations discussions. So I don't know. Is it your proposal that there be no IHS title in the fiscal year 2023 Interior appropriations bill this year?

Ms. FOWLER. That is the proposal, yes.

Senator MURKOWSKI. So there would be nothing in the IHS title?

Ms. FOWLER. Correct.

APPROPRIATIONS COMMITTEE OVERSIGHT

Senator MURKOWSKI. So oversight again absolutely key to everything that we do around here. In fairness, I don't think we do enough of it, but I think that this is one of the areas within the Appropriations Committee where we are able to do active oversight.

Will you commit to answering questions from this Appropriations Subcommittee even though you would propose to delete the discretionary account from the Interior bill?

Ms. FOWLER. Yes, we will commit to that.

CONTRACT SUPPORT COSTS (CSC)

Senator MURKOWSKI. Let me ask about contract support costs. I've raised the issue of the decision in Cook Inlet Tribal and the Fort Defiance letter. There's a lot of questions and concerns. Again, we received your response last week, but there's still some things that I need some clarification on.

For the record, in your letter you state that "the agency interprets the Cook Inlet decision and the Fort Defiance letter as a restatement of current law and practice." You also say that "the IHS will maintain current methods for calculating CSC and that there's no plan to change any of the calculations."

So the question that I would have for you this morning is are both of those statements correct and would you support codifying current practice in legislative text if you would agree that those statements are correct?

Ms. FOWLER. I agree that the statements are correct. We're not changing any method of calculating contract support costs as a result of the Cook Inlet decision. We believe the Cook Inlet decision affirms current statute, and current interpretation of the statute, and therefore we believe that there's not a reason to codify the current practice of calculating contract support costs.

Senator MURKOWSKI. So there's some buzz out there that this may be a situation where Cook Inlet was just one example. In the case of the Fort Defiance letter, it stated that the "Federal Government errantly overpaid CSC in prior years and were seeking to correct it."

So the discussion that is out there is whether or not the Fort Defiance issue is the only example where the Federal Government errantly overpaid. So the question that I would have of you is whether you know if this is the only instance in which IHS has

made overpayments and whether or not you conducted any type of an analysis that would lead you to that conclusion.

Ms. FOWLER. So there's a process for reconciling contract support costs owed to tribes. We're required to fully pay the amount of contract support costs required for a tribal contract.

During that process of reconciliation, sometimes there are overpayments that are identified. Sometimes there are underpayments that are identified. The tribe can bring a Contract Disputes Act claim for an underpayment, and IHS can do the same for an overpayment, and there are other instances where the Indian Health Service has identified overpayments of contract support costs and has sought repayment or has sought to reconcile the overpayment through the means that are available to us.

Senator MURKOWSKI. So, Mr. Chairman, my time is well over. I may come back to this because I'm trying to determine whether or not there's been any type of a comprehensive analysis of whether or not overpayments are at issue and the extent of that.

I'll defer now to my colleague.

Senator MERKLEY. Thank you.

SANITATION AND FACILITIES PROJECTS

Senator Heinrich.

Senator HEINRICH. Thank you, Chairman.

Ms. Fowler, there are literally hundreds of projects representing over $3.3 billion on the IHS fiscal year 2021 Annual Report of Sanitation Deficiency Levels. Projects in my state alone represent nearly $200 million in water and sanitation projects.

As you know, Congress included a total of $3.5 billion for the IHS Sanitation and Facilities Account to be spent over the next 5 years in the infrastructure law.

Walk us through what the current status of actually getting that funding on the ground and how IHS is preparing agency personnel and resources to get those projects on that list built.

Ms. FOWLER. Thank you, Senator.

When the Infrastructure Investment and Jobs Act was passed, Indian Health Service quickly planned and implemented a consultation process on an allocation method for that funding. We held some sessions in December and a session in January. So we held several consultation sessions on the funding.

Once those sessions were completed, we compiled the comments. We reviewed the comments and considered every piece of input that we had received from the tribes. We then began working on a spend plan.

We also worked on a spend plan for the administrative portion of the funding and working to identify what staffing resources were going to be needed in order to implement the funding and worked to identify how we were going to hire that many staff. It's a considerable number that are going to be needed. And so we had a couple of different tracks that were moving, proceeding.

We're at the point now where our spend plan for the projects is in the last stage of review, and we anticipate that we'll be able to announce the decision that we made for which projects are going to be funded with the fiscal year 2022 portion of the $3.5 billion very soon.

We are also putting——

Senator HEINRICH. How much will that represent in actual projects? Do you have a dollar figure yet?

Ms. FOWLER. Let's see. It's $700 million per year and then there's three percent—sorry. I'm going to ask my Chief Financial Officer. She probably has the numbers at her fingertips.

MS. CURTIS: Certainly. We do expect that the bulk majority of the resources will be used specifically for project construction. There is the $21 million for admin, of course, and then the small portion of funding that goes to the OIG who we have already started engaging with on oversight issues, but we expect——

Senator HEINRICH. So you're planning to largely just split it up equally over the 5 years?

MS. CURTIS: Since we received the same $700 million each year, we will take a similar approach each year.

TIMELINE FOR PROJECT CONSTRUCTION

Senator HEINRICH. Okay. How soon do you think we can see actual work on the ground within the projects that you've selected? Not trying to micromanage which projects make it into that first tranche, but when are we going to see the actual work begin?

Ms. FOWLER. I would say actual construction is actually going to take some time. It's going to take several months because even the Tier 1 projects, which are ready to fund, still require some additional documentation to be completed and so that will take some months to complete.

So before actual construction and on the groundwork begins, I would say it's going to be into next year before that even begins on any project.

ALBUQUERQUE IHS SYSTEM

Senator HEINRICH. Okay. Let me shift gears to over the course of the last year, the Albuquerque area IHS System closed two hospital intensive care units, one at Acoma-Canoncito-Laguna, another at Mescalero. They did that citing lack of resources as a contributing factor to the closures, and IHS has now decreased service in both locations to only business hour urgent care centers.

As you know, Congress has passed historic funding for the IHS through CARES, through the American Rescue Plan, and this budget also increases overall funding for the IHS.

So I'm trying to reconcile the disconnect between the historic funding that we've passed in the last 2 years, the increase in the current budget, the increase that we heard of about over the course of the last 5 years, and the disconnect between that and the lack of service at Acoma-Canoncito-Laguna and at the Mescalero site.

Why are we seeing those reductions in services at the same time we're increasing overall funding?

Ms. FOWLER. Let me start with the Acoma-Canoncito-Laguna facility. The lack of resources there was the result of two of the three tribes withdrawing and seeking to manage their own health care programs under the Indian Self-Determination and Education Assistance Act.

Senator HEINRICH. The 638 Program?

Ms. FOWLER. Yes, the 638. So the resources that were left that were the Pueblo Acoma share of that funding of that hospital was not enough to sustain an inpatient facility and so we did use CARES Act funding. We did use some supplemental funding to maintain operation, ER and inpatient services, at that facility for a year beyond the intended closure of the facility, but at that point there were no other resources that were available to us to continue those services.

The Mescalero facility, the issue there is the inpatient census had been decreasing to the point that we could not accomplish accreditation as an inpatient facility.

The Joint Commission would not survey the facility as an inpatient facility because there were not enough inpatients that it would consider it to be a hospital at that point.

I don't think that that is unusual in very rural areas of the country, and so we started to consider what is the best way to continue to ensure access to primary health care for the tribal members who reside in that location and taking the resources, running an inpatient facility is very expensive because you have the 24-hour support that's needed, and so we began to consider what is the best approach for some of our hospitals that were unable to achieve that accreditation that's necessary and also to assure the quality and safety of the care that's being provided.

And so we chose to shift to the urgent care model and the primary health care availability during the normal business hours of the clinic.

Senator HEINRICH. Thank you, Chairman.

Senator MERKLEY. Senator Van Hollen.

AMERICAN INDIANS IN URBAN AREAS

Senator VAN HOLLEN. Thank you, Mr. Chairman.

Ms. Fowler, it's great to have you here and it's great to have a University of Maryland alum.

Let me turn to the issue of American Indians in urban areas because in the state of Maryland, we have 40,000 individuals who identify themselves as American Indian or part American Indian and nearly half of that population resides in Baltimore, and as you know nationally seven out of 10 American Indian or Alaska Native people reside in urban areas.

In my view, this is a population that has not received the attention or services that are deserved. That's why earlier this year Senator Padilla and I and a few others wrote to the President and the Vice President asking the Administration to form an Urban Indian Interagency Workgroup. We've not gotten a response yet. So my opportunity is to ask you about this.

Would you support the creation of such a workgroup and work with us to focus more closely on the needs of American Indians in urban areas?

Ms. FOWLER. The Indian Health Service considers urban Indian organizations to be a vital component of the Indian Health System, and we would gladly participate and support any interagency efforts to address health care for urban Indians.

Senator VAN HOLLEN. Well, if you could do me a favor, we can give you a copy of this letter that was sent by a number of Sen-

ators, we would like a formal response from the Administration as to whether they support our request to establish this kind of workgroup which we think would be important. Can you do that for us?

Ms. FOWLER. Yes, we will.

SUPREME COURT DECISION ON ROE V. WADE

Senator VAN HOLLEN. All right. As you know, there's lots of concern and uncertainty with the real prospect the Supreme Court could overturn Roe v. Wade. We don't know what the final decision is but that's certainly what the draft decision indicates.

As you know, the Indian Health Services are the sole providers in many cases of reproductive health services to American Indian populations.

We also know that the Hyde Amendment has restricted the ability of many of these women to obtain reproductive services. We also know that in the cases of rape where the Hyde Amendment does permit the use of these funds that has to be reported to the police within 60 days, and we also know and Senator Murkowski and others have highlighted the fact that American Indian women have been especially vulnerable and targeted for violent crime, including rape.

So I guess my question to you is if the Supreme Court decision does knock out the right to an abortion pursuant to Roe v. Wade, what planning do you have in effect to ensure that women, including victims of rape, have access to reproductive health services?

Ms. FOWLER. Great question. We've actually begun some discussions around this topic. I don't have anything specific I can share with you today, but we are considering there is some regulations specific to the Indian Health Service that we're looking at that pertain to this area and our chief medical officer will be working with our reproductive health experts on reviewing and examining the current Indian Health Service policy and considering any updates that will be necessary.

Senator VAN HOLLEN. Well, I appreciate that. We've been looking over the current policy in light of what could come from the Supreme Court, and I do think it requires updating to ensure that these women have the reproductive health services they need.

I have no further questions. Thank you.

Senator MERKLEY. Thank you very much, Senator. It's so rare to leave a little bit of time on your clock. Thank you.

Senator Tester.

IHS STAFFING

Senator TESTER. Thank you, Mr. Chairman, and I'll use it. So thank you, Senator Van Hollen.

It's good to have you here. Thank you very much for being here in front of the committee.

What would you say the biggest challenge is for IHS right now?

Ms. FOWLER. Staffing.

Senator TESTER. Right answer. Thank you. You didn't have to go down this line like I did a few years ago.

This budget puts significant money, $21 million, additional, I believe, is that correct, into staffing? You can correct me if I'm wrong. I'm just looking at some notes I've made here very quickly.

Ms. FOWLER. Well, when you're referring to staffing, is that to hire staff or is that for recruitment and retention?

Senator TESTER. Hopefully that's for both. Is it more than that?

Ms. FOWLER. It's more than that.

Senator TESTER. Okay. Good. So the question then that I would ask is, is that, I think your priorities are correct in this budget. Staffing is a problem. Doctors, nurses. Do you have a plan on how to utilize those dollars to get the biggest bang for the buck and get the people onboard that you need because I think there's a GAO report from a few years back that said you were about 25 percent short?

Ms. FOWLER. So the funding that we've requested in the President's budget is there are a number of items that are included that will be really helpful to us in addressing our staff shortages from incentives, additional compensation.

There's a legislative proposal to exempt our loan repayment and scholarship programs from taxes. There is not a provider, but we are proposing $18 million to establish a scholarship program with payback obligations for engineers.

Senator TESTER. And these are new programs, correct? These are programs that you haven't had in the past?

Ms. FOWLER. They're expansion. They're either enhancing our current programs. There are some new ones, as well.

Senator TESTER. Okay. So in Montana, for example, it doesn't matter if it's Indian Country or if it's in urban clinics, we need more people. So how are you going to get out to recruit those folks? How are you going to tell them that you have these new programs out there available to them and that IHS is a good place to work?

Ms. FOWLER. Well, I think that part of the funding that we're asking for, if it's enacted, will help us to beef up our recruiters so that we can do more work, direct hands-on work with students. We're working to increase our residency programs.

We want to get students into the Indian Health Service before they graduate, so they'll be interested and come work for us. There's actually several strategies that we're already employing, we hope to deploy, as well, using the new funding.

Senator TESTER. That's good. My advice is to be as aggressive as you possibly can. Otherwise, it's going to be hard to make this happen because the doctor shortage is everywhere and IHS, because of trust responsibilities we have and because it provides health care to people who really need health care, we need to make sure we're staffed up.

IHS FACILITIES

Can you talk about the facilities line items in your budget a little bit? Are they plussed up because if you don't have good facilities, you're not going to be able to recruit doctors and nurses? So are the facilities line items plussed up to a point where it's adequate and, if so, tell me why?

Ms. FOWLER. Yes, as a matter of fact, the budget proposes to complete the Health Care Facilities Construction Priority List that

was established in 1993 within the first 5 years of this 10-year proposal. It will provide an additional $72 million for our equipment needs so that we can—when we get providers who are just coming out of medical school and coming to work for us, they're used to some bells and whistles, and they don't currently see that within the Indian Health Service.

So being able to upgrade and keep our equipment updated is going to be helpful in that regard.

Senator TESTER. Okay. So you're a hundred percent correct and with the increases in budget also comes accountability and so I would expect that you guys will be very transparent in how you're doing business so that we know that the dollars that are appropriated at whatever level gets to the ground because there's a lot of need out there, both in staffing and facilities, as you already know.

ADVANCE APPROPRIATIONS

Can I ask, IHS did not include advanced appropriations in the 2023 budget, is there a reason for that?

Ms. FOWLER. If the mandatory budget proposal is enacted, then advanced appropriations will not be necessary because the mandatory proposal will automatically appropriate the funding each year for the next 10 years.

Senator TESTER. Okay. So are you advocating, just to help educate me on this, that this entire budget be mandatory funding?

Ms. FOWLER. Yes.

Senator TESTER. What percentage is mandatory funding now?

Ms. FOWLER. Only $147 million for the Special Diabetes Program for Indians.

Senator TESTER. How much is the rest of the——

Ms. FOWLER. The total $6 billion budget.

Senator TESTER. And a $147 is mandatory?

Ms. FOWLER. $147.

Senator TESTER. So in the case of a potential government shutdown, you guys have to shut down, and if there was mandatory funding you would not?

Ms. FOWLER. So let me clarify. Because we provide health care, we don't shut down. We're considered excepted. We just can't pay our staff if we don't have any other source of funding.

Senator TESTER. But that's a problem.

Ms. FOWLER. Yes, it is.

Senator TESTER. Okay. All right. Have you had consultations with Indian tribes on the issue of mandatory versus discretionary funding?

Ms. FOWLER. Yes, we have.

Senator TESTER. And on advanced appropriations, also?

Ms. FOWLER. We've not consulted on advanced appropriations, but we've been hearing for years from tribal leaders that they desire advanced appropriations.

Senator TESTER. Okay. All right. Well, I want to thank you for being here. Thank you for your knowledge on this budget, and I appreciate the opportunity.

Thank you, Mr. Chairman, Ranking Member Murkowski.

Senator MERKLEY. Thank you very much, Senator Tester.

BIPARTISAN INFRASTRUCTURE BILL

I want to turn to the bipartisan infrastructure bill and one of the things that is in it is a limit of 3 percent for "administrative costs," but administrative costs apparently includes project critical activities, like the engineering, in which case 3 percent doesn't make sense because the engineering is often more than that and so like designing a new water system is a significant undertaking.

I don't think of that as administrative costs at all. I think of it as a core part of the construction from beginning to end to get it designed right.

So I have pushed for a higher limit of 10 percent on this, but from your experience, is this 3 percent limit a problem?

Ms. FOWLER. It is a problem. We do not believe that it will fully fund all of the administrative costs that are necessary to implement the IIJA funding in a timely way.

Senator MERKLEY. Okay. Well, thank you. We want to keep working with you to explore that question.

Maybe the key is that engineering shouldn't be identified as an administrative cost. I mean, administrative costs, you think of payroll and communications and so forth, but engineering is not what I think of in that category.

URBAN INDIAN ORGANIZATIONS

We'll continue that conversation with your team and with our colleagues here, and let me turn to the Urban Indian Organizations and Senator Van Hollen mentioned the importance of that, certainly important in my state of Oregon, and we did have the increased funding of—well, it was 17 percent increase.

Did more grants go out to Urban Indian Health Organizations as a result?

Ms. FOWLER. We did not fund any more, any additional Urban Indian Organizations with that funding, but what it will do is allow some of the programs that are currently referral-only programs to initiate services, actual clinical services to provide the patients.

Senator MERKLEY. Okay. I will submit questions for the record to better understand how we're spending the additional money in that account and understanding how urban Indian population is being better served, like what specific changes have occurred. Thank you.

STUDENT LOAN REPAYMENT PROGRAM

And Senator Tester raised the issue over staffing, significant issue, and one of the things that you testified last year was the Student Loan Repayment Program was the most effective tool you have in recruiting.

Have you done specific changes to that program as a result of the additional funding for staffing?

Ms. FOWLER. We haven't made changes to the program, but what it does is allow us to fund more providers with loan repayment. The five million that's provided in fiscal year 2022 will fund a hundred additional providers.

Senator MERKLEY. Okay. So the program remains the same, but it remains available at more locations in Indian Country?

Ms. FOWLER. Yes.
Senator MERKLEY. Okay. Great. Thank you. Thank you.

PROVIDER ABUSE

I want to turn to the Weber Report and the Weber Report, it's a terrible story about how there was a doctor, Dr. Weber, who abused children within the Indian Health System and we had an independent report that was commissioned by IHS that found that officials at the Federal Agency on—I'm quoting now from a New York Times article in October "silenced and punished whistleblowers in an effort to protect the doctor who sexually abused boys." This is like the story we never want to hear.

Have those individuals who silenced and punished whistleblowers been fired?

Ms. FOWLER. So a number of those individuals that were involved in the Weber case are no longer with the Indian Health Service and any individuals who were found by the Office of Inspector General who needed to be disciplined or should be disciplined were disciplined.

Senator MERKLEY. Can we get details on that?

Ms. FOWLER. To the extent that we're able to provide that type of information.

Senator MERKLEY. Okay. The report has a number of recommendations and other ideas have also been mentioned. So I'll just quickly run through them.

One recommendation of the report was you put in place whistleblower protection coordinators at 12 regional offices. Have you done this?

Ms. FOWLER. We've not done that yet.

Senator MERKLEY. Why not?

Ms. FOWLER. Funding and it's a resource issue.

Senator MERKLEY. Hmm. Okay. I am kind of stunned by that answer because if we're talking about 12 individuals in a system as large as the Indian Health Service to make sure that whistleblowers are protected, it seems like it should be a very high priority, should it not?

Ms. FOWLER. Well, the approach that we've taken to the recommendations, not only to that report but to recommendations from the OIG, from the past Administrations, White House Task Force on Protecting Children, we've consolidated those recommendations.

There was some overlap, but there are some differences amongst those recommendations, as well. We currently have a chartered committee that has reviewed each and every one of the recommendations, determined that their status of implementation within the agency. They're reviewing those recommendations that have not been implemented yet, which would include the whistleblower coordinators, and they are going to make recommendations on the priority for implementing those recommendations and whether or not additional resources will be required to implement them.

Senator MERKLEY. All right. I'll tell you what I think why it feels to me like this is such an important question because in the medical community, there is a huge reluctance to report on the conduct

of any other members of the medical community and so those who do so, it's very difficult for them to do so, and if they are not protected, if they are essentially fired, it sends a message that no one else will report and if no one else will report, if no one reports, abuse occurs, and so I see whistleblower protection as essential.

Now I will in follow up to this hearing ask about this long list of suggestions, and I think one of them you have implemented. There is a Hotline in place. There's a number in place to call, is there not?

Ms. FOWLER. There is a dedicated Hotline for reporting.

Senator MERKLEY. Great. And is that well publicized throughout the system now?

Ms. FOWLER. It has been publicized, but we are currently planning to increase the visibility of the Hotline and make sure that it is well publicized.

Senator MERKLEY. Okay. And I'll want to get details on it, find out how many—when it went live, how many calls have come in, are they being responded to.

Again, people will be reluctant to call if their careers are at risk because they share information, and, you know, we have seen this issue that arises in every institution. Yeah. I mean, it does so much damage to every single child who is abused, for a lifetime, that there has to be a huge priority.

Another is on training and so I'll want to get details about what you've done to implement training for IHS employees and contractors. Stronger patient safety protocols that are recommended, I'll want to get details on that.

The preservation of records, which apparently were very poorly done in the past, I'll want to get details on that, and the Blackfeet Nation in Montana, which was very directly affected by Mr. Weber's abuse, is asking for an apology from IHS, and I'll want to get details on whether IHS has responded to that request or if perhaps you know now, you can tell me.

Ms. FOWLER. I don't know the status of that request.

Senator MERKLEY. Okay. Thank you. This should be a huge priority. Not one more child should be at risk. I mean, we keep seeing these horrific things that occur in organization after organization, like, for example, the Olympic Gymnast Association, like who would imagine, and so if people who are sexual predators know that they will be reported on and that those who report will be protected, it dramatically changes the situation.

IHS MANAGEMENT

One of the things I was very struck about in this article was that it said, "IHS management ignored or suppressed efforts to address this danger." Well, when that happens, that means more children are abused, like a thousand percent unacceptable.

Ms. FOWLER. Senator, I agree with you 100 percent. I believe we have taken many steps that are addressing the root causes of the failures that occurred in the Weber case. I believe we made many improvements and I believe the culture is changing within the Indian Health Service, and we're happy to provide those additional details.

Senator MERKLEY. Thank you.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman, and know that I absolutely agree with your concern about this.

Ms. Fowler, you mentioned that it is a matter of resourcing. Yes, it's always about our resourcing, but it's also a matter of prioritization, and if this was something that had just hit the news and we were responding to it, it's one thing, but it's not. It's been out there for awhile and again I think this is where I still remain a little bit concerned about the approach the Administration is taking with regards to moving over to mandatory.

You have been on the GAO's High Risk List since 2017. I mentioned that we are just now at a point where we're going to be able to take up the confirmation of the Administrator for IHS, and, you know, the fact that maybe it's just a hard position to fill. I think it really is. I think it's very, very hard, but still it makes me think that the Administration doesn't place a high enough priority on it to really try to move that, and when you're going to be implementing such a really systemic change, when you move an entire, an entire Indian Health System to a new approach and you don't have an IHS Administrator in place, it makes me question whether or not you have the talent that you need, the senior executive team that you need to make some really important decisions that will need to be implemented and implemented in such a way that it gives members who have been around these issues a long time.

Senator Tester, as you know, was formerly Chairman of the Indian Affairs Committee. I've been on the Indian Affairs Committee for 20 years now and have served as the Ranking Member now several different times.

These are issues that we all care very deeply about, but this is leadership and when leadership is saying a whistleblowing protection is not going to be prioritized as it needs to be doesn't give me the degree of confidence where I can say all right, as the appropriators, we're not going to be in there on an annual basis and having the input that the appropriators do.

I appreciate what you said, but you'll come back to the committee, but I know for a fact that we oftentimes have to use the hammer, if you will, of we're going to bring in front of the committee to answer to you about where these funding priorities have been.

FOLLOW–UP IHS MANDATORY PROPOSAL BRIEFING

I just want to add that I did check with my folks on Indian Affairs and have been made aware that OMB is having a tribal consultation on the fiscal year 2023 budget with tribes, but we're not aware of any other meeting out there and recognize that OMB tribal consultation and a meeting to discuss this shift to mandatory in my view would be very, very different. So again I just raise this to underscore my concern.

CONTRACT SUPPORT COSTS

I was talking about contract support costs before I deferred to my colleague here, and I wanted to just ask a further question in this vein.

The issues of contract support costs and the situation with Cook Inlet Tribal and Fort Defiance arose during a renegotiation. So what guidance have you given tribes or tribal organizations who are expected to renegotiate agreements with IHS and do you anticipate that those agreements are going to have to go through an added level of scrutiny now, now that this has all transpired?

What's the situation with these renegotiations in light of Fort Defiance?

Ms. FOWLER. The process for negotiating contract support costs is outlined in our Contract Support Cost policy, which was developed with a tribal workgroup, tribal Federal workgroup, and then we did full consultation on that policy.

So we do have a policy that has been agreed upon with tribes for addressing when a contract is coming to an end, how we look at the terms of the contract, including contract support costs.

Senator MURKOWSKI. Including whether or not overpayments have been made?

Ms. FOWLER. And it includes a process for reconciling the contract support costs because the way the process works, we pay contract support costs at the beginning of the period of performance, at the beginning of the fiscal year, if that's the period of performance, based on the budgeted amounts, and then it's reconciled against what the actual contract support costs need was once that need is known which is after the end of the fiscal year.

So there's a process in place that where it's routine and it's normal to identify whether there's an underpayment or overpayment that exists for that contract, for contract support costs.

Senator MURKOWSKI. So you don't see that there would be any additional scrutiny or anything that would slow or hinder these renegotiations then?

Ms. FOWLER. No additional scrutiny than the current process that we currently use.

105(L) TRIBAL LEASES

Senator MURKOWSKI. Okay. Let me ask about 105 tribal lease payments. This is something that I raise every year before the committee, that and village-built clinics.

In the fiscal year 2021 Omni, we all agreed to separate out the 105(l) costs. We created a separate appropriations account similar to what we did with contract support.

Additionally, there was a general provision that was included that directed both IHS and Interior to begin this process to establish guidelines regarding the parameters for which lease agreements could be structured and paid for.

But since the 105(l)s have started being paid, we've seen estimates really kind of all over the board, I think wildly unpredictable, and they have certainly injected some budget uncertainty into the process.

Do you consider that the 105(l) leases are stable and are predictable?

Ms. FOWLER. I would say no and that makes it very difficult for us to identify the amount that's needed to fund them.

Senator MURKOWSKI. Which has been a frustration of mine because again we've got to figure it out here and we're all trying to

look into that crystal ball to understand where we're going, what is it going to look like, and we've asked for a more reliable schedule.

So then going to the Administration's fiscal year 2023 mandatory appropriations proposal, you have a $150 million proposed there. So is that the current up-to-date estimate for the tribal leases because again you and I have both recognized we haven't seen a level of stability and it's hard to predict.

We've seen estimates that are shifting anywhere from $10 million to $50 million in a matter of months. So what are you basing the $150 million on, and do you think that that is a figure that you can actually rely on then by the time that IHS would submit mandatory funding text?

Ms. FOWLER. So the $150 million was based on the best information available at the time. So we don't know what the final amount is going to be. We don't know if there are going to be any additional tribal leases that are proposed. So it is going to be very difficult to provide a firm number for the amount that's needed.

However, we do expect that the amount for both contract support costs and the 105(l) lease agreements would remain an indefinite appropriation because of the very nature of those two funding accounts.

Senator MURKOWSKI. So, I mean, this has been the challenge, is the ability to understand and predict what we can anticipate year over year. So if you've got a new account structure, 105(l) has been separated from the village-built clinics but both provide funding for lease agreements.

So the question for you is whether or not the village-built clinics should be funded from the same account as 105(l)s, recognizing that they both provide for funding for lease agreements, because in last year's Omni we included report language for the IHS to include an analysis or a study on the funding levels for village-built clinics. We're trying to get a handle on that one, as well.

So your thoughts on whether you separate them out and can you tell me where you may be on this report for village-built clinics (VBCs)?

Ms. FOWLER. We're currently gathering the information for the report, and we do anticipate meeting the deadline that was in the bill which I believe was 270 days we were provided.

Regarding the two programs, village-built clinics, as you stated, is separate from the 105(l) lease agreements account. It's funded within the services appropriation. It operates in a different way. It's under a different authority and so there are some village-built clinic leases that are not eligible to be funded through a 105(l) lease.

In addition, there are some tribal programs who prefer to continue to have the VBC versus a 105(l) because the VBC leases are part of their self-determination agreement on a recurring basis, they get paid on a recurring basis, versus the 105(1) process which requires a proposal and some negotiation regarding what's in the proposal.

So I think there's going to continue to be a need for both the village-built clinics program and the 105(l) lease account.

IHS BUDGET PROPOSAL CHANGE

Senator MURKOWSKI. Well, I don't know. I'm listening to this, Mr. Chairman, and the more we have discussions on some of these very granular details that are very, very budget-specific, again it brings me back to what the committee had thought was a pretty workable proposal in terms of advanced appropriations and so I'm still trying to reconcile with the fact that we've seen a pretty dramatic shift in the Administration's views on how they want to address the IHS budget and moving it completely to mandatory, completely eliminating the discretionary aspect of it, and also given that there's some very technical things, like we're talking about the distinction between the 105Ls and the VBCs, I'm concerned about the proposal that we have out there and don't believe that it is fleshed out enough.

Certainly we will look forward to having conversations with folks in the Administration.

ELECTRONIC HEALTH RECORDS (EHR)

The last point that I will raise is we've been talking about electronic medical records for forever, it seems. Last year finally IHS did a data call with tribes and I think that that was good, but again we now have to make sure that our systems are talking with one another, whether it's IHS through VA, which is a big deal for us in Alaska.

We need to understand who's going to pay for any necessary upgrades to the system, whether tribes are responsible for the cost or whether IHS is planning to do this. So there's a lot more to do with implementation, but again I think that that will help with some of the efficiency that we need within IHS.

Thank you, Mr. Chairman.

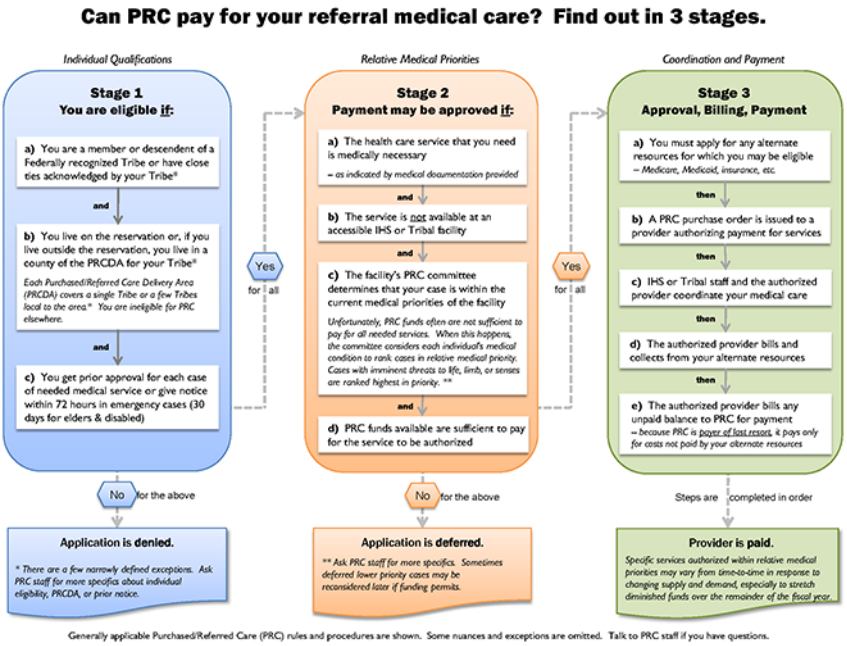
Senator MERKLEY. Thank you, Senator Murkowski, and I so much appreciate your attention to detail on these programs because how they get implemented makes a big difference on the ground to so many people in Indian Country.

PURCHASE AND REFERRED CARE

I want to note a last issue before we adjourn. I had requested information about purchase and referred care, the PRC Program, and was supplied with a chart that I'll ask consent to put into the record.

So ordered.

[The information follows:]



Senator MERKLEY. I looked at it and I just went my goodness, this is a nightmare for how a person, a member of a tribe in a place like Washington, D.C., accesses medical care, and if they have a medical emergency and they have to go to the emergency room, they have to give notice within 72 hours after. They might still be very, very sick or still be in the hospital at that point to have a chance to apply and this chart says, you know, the PRC fundings are not sufficient to pay for all needed services and so it's basically saying we're not sure even if you get a setup, that notice in 72 hours that you're going to get helped and this is what's wrong with health care in America.

When accessing medical services requires a complicated chart like this going through like, I don't know, what is it, about 12 different bubbles of checks and while you're trying to recover from an illness or an injury.

So I will have questions to follow on with about this. One of the fellows on my team is a tribal member who has brought to my attention this real-life example of here in Washington, D.C., that he would have to go to New York or North Carolina to receive care or to get a referral to another facility.

So I will be exploring with you how we can make this system work better, and one of the questions I will ask about is whether tribal members are given equivalent insurance card to be able to submit when they need to get medical services or emergency services in a location where there is not an IHS facility.

ADDITIONAL COMMITTEE QUESTIONS

So with that, thank you, Senator Murkowski and Members of the Committee, and if there are no other statements, the hearing record will be open until close of business on May 18th, 2022.

Thank you. Thank you, Director Fowler, and thank you, Ms. Curtis, for your expertise and hard work to make this system work well all across Indian Country.

SUBCOMMITTEE RECESS

[Whereupon, at 11:27 a.m., Wednesday, May 11, the subcommittee was recessed to reconvene subject to the call of the Chair.]

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2023

WEDNESDAY, MAY 18, 2022

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

The subcommittee met at 10:00 a.m. in Room SD–124, Dirksen Senate Office Building, Hon. Jeff Merkley (chairman) presiding.

Present: Senators Merkley, Reed, Tester, Murkowski, Capito, Hyde-Smith, and Hagerty.

ENVIRONMENTAL PROTECTION AGENCY

STATEMENT OF HON. MICHAEL REGAN, ADMINISTRATOR
ACCOMPANIED BY MR. DAVID BLOOM, CHIEF FINANCIAL OFFICER

OPENING STATEMENT OF SENATOR JEFF MERKLEY

Senator MERKLEY. Ranking Member Murkowski, Administrator Regan, Mr. Bloom, welcome. We are delighted to have this hearing today.

Welcome to this Appropriations Hearing on the fiscal year 2023 President's Budget Request for the Environmental Protection Agency.

Administrator Regan, we are in a climate emergency, and everyday life, we are feeling the impacts. And out in Oregon we feel it through the wildfire season, we are seeing it through heat waves, and through drought, through dropping groundwater levels, through decreased average snow packs, through warmer, smaller streams for our trout and our salmon, and we certainly see it offshore where our kelp forests are being decimated by an ecosystem driven out of balance by the warmer, more acidic ocean waters.

As we come together today a massive wildfire is threatening communities in New Mexico, been doing so for more than a month, uprooting lives and communities, as tens of thousands of people have been forced to evacuate. And it is shocking how normalized deadly months-long fire seasons have become over just a decade.

As you know, the Environmental Protection Agency has a critical role in tackling climate chaos, the Clean Air Act charges EPA to protect our communities from greenhouse gas pollution, and those same communities are counting on EPA to act swiftly and boldly. The impacts are here now, and we don't have any time to waste.

We need to act with urgency to address our country's long history of environmental injustice. Everyone in this country deserves clean

air, clean water, and a stable climate. But we know that the burdens of environmental pollution disproportionately fall on the shoulders of low-income communities, and communities of color.

And I am very pleased that our fiscal year 2022 Appropriations Bill took an important step to address this injustice, providing historic level of $100 million for EPA's Environmental Justice Program.

This significant increase will support community-driven projects to improve local environments and public health, will embed environmental justice voices throughout the Agency, helping ensure the EPA programs and decisionmaking are responsive to on-the-ground stakeholders. Of course, much more work remains to make the progress we need to remedy environmental justice challenges.

Administrator Regan, I applaud your continued focus on expanding EPA's efforts, as reflected in the fiscal year, fiscal year 2023 Budget Request. And I look forward to hearing how the Agency has moved to spend last year's fiscal year 2022 money effectively, efficiently, and for this proposed increase that you have in this budget.

And I want to emphasize the importance of continuing the work to ban asbestos from our shelves, more than 60 nations, virtually every developed nation, has already recognized asbestos as a deadly substance, and has acted to protect citizens by banning it. It is time for us to join the rest of the developed world, and I appreciate EPA's recent commitment to ban the most common form of asbestos, one of the six asbestos fibers. It is a welcome progress, but we need to absolutely end this dangerous public health threat once and for all.

Today is also an opportunity to hear about how EPA is administering the more than $55 billion for water infrastructure, Superfund cleanups, and other programs funded in the Bipartisan Infrastructure Bill; these resources will help communities finally make progress on long-standing challenges.

All across Oregon, I hear from small, underserved communities with crumbling water infrastructure that struggle to provide reliable, clean drinking water, or maintain wastewater systems. We need to prioritize programs that can reach these communities who can't come up with financing or matching funds equal to the huge price tags that these water projects require.

I look forward to discussing with you how EPA is working to ensure the funding from the Bipartisan Infrastructure Bill, and EPA's existing water programs is reaching these underserved communities, and how this subcommittee can be a partner in that effort.

These one-time investments can make a real difference across the country. But we shouldn't have reached this crisis point in our infrastructure in the first place. We need enduring, consistent progress in addressing our environmental challenges, and for that we need major changes to our annual budget. We need to rebuild our environmental protection framework which was battered by the decade of budget caps, and by short-sighted efforts to deliberately dismantle or damage this framework.

As Congress has charged EPA with additional responsibilities to address toxic chemicals, eliminate climate warming hydrofluorocarbons, support water infrastructure, and the Agency's resources have not kept pace with these expanded duties. They

have not even remained level. The Agency's workforce is down nearly 3,000 staff below its 2010 total, down to numbers not seen since the 1980s. And we certainly know that the challenges are increasing, not decreasing.

And as states, tribes, and local partners have faced new responsibilities their grant funding has also deteriorated in real terms.

I was disappointed that the fiscal year 2022 budget deal did not allow us to accommodate the full scale of need for rebuilding the EPA and its grant programs supporting state, tribal, and local programs. And I am relieved we were able to avoid more of a backslide, but I look forward to the conversation today on the fiscal year 2023 request on where we can actually make additional progress.

On far too many of the challenges our communities face there is a common theme, we are behind, we are overdue, we are late. We need urgency, we need boldness, the impacts are here now, there is not a second to waste.

I want to impress upon you today the urgent need for EPA to take bold action on its vital mission of protecting human health and the environment.

And with that, I will turn the microphone over to Ranking Member Murkowski.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman, and good morning.

Administrator, welcome back to the committee; I am glad to be talking about EPA's fiscal year 2023 Budget Request. I think it is fair to say that it has been a big year for the Agency since you testified before us last June. In that time Congress passed both the Bipartisan Infrastructure Law, as well as the fiscal year 2022 Omnibus.

As one of the negotiators for that Bipartisan Infrastructure Bill, I am very proud of what we were able to include with over $60 billion in needed investments to our aging infrastructure through EPA programs.

The Infrastructure Investment Jobs Act included almost 50 billion for water infrastructure improvements, 5 billion to help clean up contaminated sites, and also 275 million for a new grant program under the Save Our Seas Act, to help our communities better handle waste and recycling management.

I have always prioritized funding for EPA programs that really do focus on getting tangible results in providing cleaner air, cleaner water, and support for our lands across the country.

As you know, because we have had many conversations about this, Alaska has some unique needs and challenges on infrastructure, and therefore it is just an imperative that we continue to work together to ensure that Alaska receives the intended benefits from these investments that we have just talked about.

I do appreciate, I am very grateful that representatives from the Agency attended a grant symposium that we held in Anchorage just last month. It was not only well attended, it was extraordinarily well attended by people from across the state; about 1,300 people flew into Anchorage, to come, to listen to representatives from the agencies.

And what I got back in terms of feedback was, it was not only that I got a glossy brochure on the benefits of certain programs, they actually got answers to status on different projects. And so very appreciative for that level of engagement, but I do hope that a high level of engagement will continue as the Agency rolls out this infrastructure funding, but also with the congressionally directed spending projects that are contained in the fiscal year22 Omnibus.

I know that many in my state are particularly anxious right now as they are awaiting the guidance on CDSs from the Agency on how and when they might receive their funding.

While we have done a lot of great work together on infrastructure and other issues I, unfortunately, must note that I do have some serious concerns on some of the regulatory actions under this administration, and particularly as it has to do with waters of the United States.

I believe that the new WOTUS Rule proposed last year is too broad, and it fails to recognize the special characteristics on the ground in Alaska, and this continued ambiguity on a definition, along with the overreach of the current proposal is going to have impact. And it will be a negative impact on economic development within Alaska.

I was happy to be able to host a WOTUS roundtable in Alaska. Thank you for making sure that Assistant Administrator Fox was there. I think that that was a very good opportunity for that kind of back and forth. It is my hope that many of the concerns that were voiced by state officials and other Alaskans that she heard at that roundtable will be reflected in the Final Rule.

So unsurprisingly, we can't agree on every issue out there, but know that I do appreciate your willingness, your continued willingness to hear me out on some of these issues. Some of them are more controversial than others, but also your commitment to work with me on so many of these important matters to Alaska.

One long-standing issue to my state has been the contaminated lands that the Federal government conveyed to Alaska and to Alaska native communities, decades ago. A large percentage of these contaminated lands, as you know, have not yet been cleaned up, and the Federal government, for too long, has not shown any real willingness or interest to accept the responsibility that is theirs, for the remediation of these lands.

And we know, we know because we see it played out all the time. If these were—if this was a private entity, some business or corporation and they failed to comply with cleanup and remediation, they would be out of there, they would be sued. Instead, it is the Federal government. And even adding further insult to the injury, is knowing that in so many cases contaminated lands were conveyed to Alaska Native peoples as a settlement for their native claims in—as part of the Native Claims Settlement Act.

So Administrator, I appreciate the openness that you and your team have shown so far in engaging on this issue, and for agreeing to explore some creative solutions. I think you know, I think Assistant Administrator Fox clearly felt, this is a matter of environmental justice to our Alaska Native, and to our rural communities.

And I know that that is important to you. I know that is important to this administration.

So as the Agency looks to expand its role in helping on contaminated lands, I am going to be asking for your support in having us work together to make some real progress on this issue.

So as we look to the Fiscal 2023 Budget Request, the Agency proposes significant new increases across accounts. There are some proposed increases in the request that I can support, a number that I can't. And I commend the request, though, for maintaining strong support for state, and tribal grant, and loan programs, along with the other infrastructure investments already mentioned. I think that these programs achieve real on-the-ground improvements for communities nationwide.

I am also pleased to note that the request prioritizes funding for efforts to better understand and tackle PFAS, so many communities in my state, and I know in others as well, face PFAS contamination and the problems—that poses for providing clean water and other services to residents.

So we need to both prevent new PFAS contamination, as well as remediate contaminated areas as soon as possible. So I am hoping to hear more on how the budget request will achieve just that, and build upon the funding that we provided in the infrastructure law to help with PFAS remediation.

So again, I want to express my appreciation for your personal commitment to work with me on many of these issues that may be very discreet, very unique to Alaska. I do hope that, along with our conversations, our staffs can once again set up the All Things Alaska call, so we can kind of go down our list as we work through some of these measures.

So I will have an opportunity to present some questions to you throughout, but again, my thanks for being here this morning, and for the level of engagement that we have had today. Thank you so much.

Thank you, Mr. Chairman.

Senator MERKLEY. Administrator Regan, we look forward to your testimony.

SUMMARY STATEMENT OF HON. MICHAEL REGAN

Mr. REGAN. Well, thank you, Chairman Merkley, and Ranking Member Murkowski, and members of this committee, I truly appreciate the opportunity to appear before you today to discuss the bold vision laid out in the United States EPA's Proposed fiscal year 2023 Budget Request.

In this budget request we lay out an ambitious and transformative plan for the EPA, with the goal of a healthier more prosperous Nation, where all people have equal access to clean air, clean water, and healthier communities,

President Biden's proposed fiscal year 2023 Budget Request for EPA provides 11.9 billion to advance key priorities, including tackling the climate crisis, delivering environmental justice and equity for all, protecting air quality, upgrading the Nation's aging water infrastructure, and rebuilding core functions at the Agency to support and keep pace with the growing economy.

Over the last year, we have made important progress towards many of these goals. And I am proud of the foundation that we have laid together throughout our partnerships that have underpinned our success.

But there is still much more work to be done to ensure that all children have safe, healthy places to live, learn, and play, build a stronger, more sustainable economy, and to advance American innovation and ingenuity.

Put simply, investing in EPA is an investment in the health and well-being of all the communities we serve, and in the economic vitality of this great nation.

I have had the privilege to visit many of your communities in your states, and see first-hand the environmental and public health challenges many of your constituents continue to experience. From unprecedented flooding events, to crumbling wastewater infrastructure I have even spoken to mothers whose children have been lead poisoned. I have met with people who are living with toxic waste in their backyards. I have seen conditions that are simply unacceptable in the United States of America. From investing in our nation's climate resilience, to cleaning up contaminated lands, there is no shortage of critical work to be done.

But members of this committee; let me assure you, EPA is up to the task. We are eager to work with all of you to deliver for our fellow Americans, and to secure our Nation's global competitiveness. But we need your support.

Both the urgency and economic opportunity presented by climate change require that we leave no stone unturned. The 2023 budget invests 773 million towards tackling the climate crisis, and reaping the benefits that come with it. Healthier communities, good-paying jobs, and increased energy security. The communities hit the hardest by pollution and climate change are most often communities of color, indigenous communities, our rural communities, and economically disadvantaged communities.

For generations many of these communities have been overburdened with higher instances of polluted air, water, and land. This inequity of environmental protection is not just an environmental issue, a justice issue, but it is a civil rights issue as well.

In fiscal year 2023 EPA will expand upon its historic investments made in Environmental Justice and Civil Rights, to reduce the historically disproportionate health impacts of pollution in communities with environmental justice concerns.

Across the budget, EPA is investing more than 1.4 billion to advance environmental justice, clean up legacy pollution, and create good-paying jobs in the process. Across the country, poor air quality affects millions of people, perpetuating harmful health and economic impacts. In fiscal year 2023, the Agency will protect our air quality by cutting emissions of ozone forming pollutants, particulate matter, and air toxics.

The President's budget includes 1.1 billion to improve air quality and set standards that reduce pollution from both mobile and stationary sources.

A thriving economy also requires clean and safe water for all. Although progress has been made, many still lack access to healthy

water, face inadequate wastewater infrastructure, and suffer the effects of lead pipes.

America's water systems are also facing new challenges, including cybersecurity threats, climate change, and emerging contaminants such as PFAS. This budget proposes more than four billion to upgrade drinking water and wastewater infrastructure nationwide, with a focus on underserved communities. These investments build on historic resources allocated in the Bipartisan Infrastructure Law.

The fiscal year 2023 President's Budget positions EPA to create durable environmental policy that sets our nation on a path to win the 21st century. It increases the Agency's capacity to allow us to meet the pressing need faced by millions of Americans, and fundamentally improve people's lives for the better.

Thank you all for the opportunity to be here today, and offer this testimony. And I look forward to our continued partnership to achieve these ambitious yet necessary goals.

And I welcome all of your questions. Thank you all.

[The statement follows:]

PREPARED STATEMENT OF MICHAEL S. REGAN

Thank you, Chairman Merkley, Ranking Member Murkowski, and members of the Subcommittee. I appreciate the opportunity to appear before you today to discuss the bold vision laid out in the U.S. Environmental Protection Agency's proposed fiscal year 2023 Budget request. In this Budget request, we lay out an ambitious and transformative plan for the Agency with the goal of a cleaner, healthier, and more equitable Nation where all people have equal access to safe and clean water, air, and communities.

THE FISCAL YEAR 2023 PRESIDENT'S BUDGET REQUEST

President Biden's proposed fiscal year 2023 Budget request for EPA provides $11.9 billion to advance the key priorities outlined in our new fiscal year 2022–fiscal year 2026 EPA Strategic Plan, including tackling the climate crisis, delivering environmental justice, protecting air quality, upgrading the Nation's aging water infrastructure, and rebuilding core functions at the Agency. Almost half of EPA's Budget request, $5.7 billion, is directed to support Tribal, state, and local partners through grants and to directly reach communities. Additionally, the Budget includes an increase of more than $900 million to fully fund the water programs authorized in the Drinking Water and Wastewater Infrastructure Act (DWWIA). The Budget complements the resources provided in the bipartisan Infrastructure Investment and Jobs Act (IIJA) and will expand the Agency's capacity to protect human health and the environment across the Nation.

TACKLING THE CLIMATE CRISIS

Under the continued leadership of the Biden-Harris Administration, EPA is prioritizing addressing climate change with the focus and resources the crisis demands. President Biden has directed a whole of government effort to confront this urgent threat, and EPA will be at the center of delivering on this agenda. The fiscal year 2023 Budget invests $773 million towards the strategic goal of tackling the climate crisis while also uplifting underserved and overburdened communities, creating good-paying jobs, and building a cleaner energy economy.

At EPA, we know both climate mitigation and adaptation are essential components of the strategy to reduce the threats and impact of climate change. We will invest in programs to reduce greenhouse gas emissions, including an additional $100 million for air quality grants to states and tribes to reduce greenhouse gas emissions on a local and regional scale. We will direct an additional $60 million to improve knowledge of the impacts of climate change on human health and the environment through our research programs—an increase that more than doubles EPA's climate change research. We will leverage an additional $35 million to implement the American Innovation in Manufacturing Act to continue phasing out hydrofluorocarbons (HFCs), and we will invest an additional $13 million in wildfire prevention and readiness.

Tackling the climate crisis depends not only on the Agency's ability to mitigate the effects of climate change, but also our capacity to adapt and deliver targeted assistance to ensure our partners across the Nation are also prepared to meet these challenges. As part of a whole-of-government approach, EPA will directly support Federal partners, Tribal governments, states, territories, local governments, environmental justice organizations, community groups, and businesses as they deal with the impacts of climate change. As part of this effort, the Budget provides $150 million to expand the availability of Diesel Emissions Reduction Act (DERA) grants and rebates, focusing on school buses, ports, and where conditions disproportionately affect vulnerable populations, including our children. EPA will provide $20 million for climate adaptation efforts to strengthen the adaptive capacity of our partners. In addition, the Agency will lead through example and prioritize climate resiliency investments across EPA-owned facilities. We will invest $35 million to pursue aggressive energy, water, and building infrastructure improvements to advance the Agency's use of carbon-pollution free electricity.

ELEVATING ENVIRONMENTAL JUSTICE

The communities hardest hit by pollution and climate change are most often communities of color, indigenous communities, rural communities, and economically disadvantaged communities. For generations, many of these vulnerable communities have been overburdened with higher instances of polluted air, water, and land. This inequity of environmental protection is not just an environmental justice issue, but also a civil rights concern. Neither an individual's skin color nor the wealth of their zip code should determine whether they have clean air to breathe, safe water to drink, or healthy environments in which their children can play. And yet, the development, implementation, and enforcement of environmental laws, regulations, and policies has not always ensured the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income.

To address these inequities, EPA recognizes that effective environmental policy must clean up the legacy pollution that many historically overburdened and underserved communities have lived with for far too long and ensure equitable practices for the future. A foundational component of the Agency's work to address environmental justice is the President's Justice40 Initiative, with the goal of delivering at least 40 percent of the overall benefits of relevant Federal investments to underserved and overburdened communities.

In fiscal year 2023, EPA will expand upon the historic investments made in fiscal year 2022 towards advancing environmental justice and civil rights, aimed at reducing the historically disproportionate health impacts of pollution in communities with environmental justice concerns. Across the Budget, EPA is investing more than $1.45 billion to advance environmental justice by cleaning up legacy pollution in overburdened and underserved communities and creating good-paying jobs. To ensure the success of these investments, we propose creating a new Environmental Justice National Program to be led by a Senate-confirmed Assistant Administrator to elevate and maximize the benefits of environmental justice efforts across EPA. Under this new Program area, more than $300 million is included for the Environmental Justice program to expand support for community-based organizations, indigenous organizations, Tribes, states, local governments, and territorial governments in pursuit of identifying and addressing environmental justice issues through multi- partner collaborations. This includes $150 million in six environmental justice grant programs to support states, tribes, and local communities in addressing the impacts of environmental harms. Importantly, the Budget includes $25.9 million to increase civil rights capacity across the Agency and ensure recipients of EPA's financial assistance comply with Title VI of the Civil Rights Act. The budget would also invest $100 million will support a new community air quality monitoring and notification program. The Budget proposed additional funds and FTE to increase fenceline inspections in communities with disproportionately high pollution exposure.

ENFORCING ENVIRONMENTAL LAWS

Enforcing and ensuring compliance of our Nation's environmental laws is central to achieving EPA's mission. The Agency holds, and will continue to hold, bad actors accountable for their violations, with a particular focus on communities with multiple pollution sources. This Budget invests $213 million for civil enforcement efforts, such as increasing enforcement efforts in communities with high pollution exposure and preventing the illegal importation and use of hydrofluorocarbons in the United States. The request also includes $148 million for compliance monitoring and $7 million to implement a coal combustion residuals compliance program.

We know that overburdened and underserved communities are often victims of environmental crime. Accordingly, the Budget sets aside $69 million for criminal enforcement efforts, including funding for a specialized Criminal Enforcement Initiative focused on addressing environmental justice issues in partnership with the Department of Justice (DOJ).

ENSURING CLEAN AND HEALTHY AIR FOR ALL COMMUNITIES

Poor air quality still affects millions of people across the country, perpetuating harmful short- and long-term health and quality of life impacts. In fiscal year 2023, the Agency will improve air quality for communities by reducing emissions of ozone-forming pollutants, particulate matter, and air toxics. The President's Budget includes $1.1 billion for the strategic goal of improving air quality and reducing localized pollution, reducing exposure to radiation, and improving indoor air for communities across the country. The Budget dedicates $152 million to the development and implementation of national emission standards to reduce air pollution from vehicles, engines, and fuels. EPA's work to set these standards provides certainty to industry, builds on advances in technology, and reinforces market movement towards a cleaner energy system that provides reliable and affordable energy.

The Budget includes $289 million to assist Tribal, state, and local air pollution control agencies in the development, implementation, and evaluation of programs for the National Ambient Air Quality Standards (NAAQS) and to establish standards for reducing air toxics. EPA will continue to build on its historic progress in protecting human health and the environment from the harmful effects of air pollution and work to assure clean air for all Americans, with a particular focus on those in underserved and overburdened communities.

ACHIEVING CLEAN AND SAFE WATER FOR ALL COMMUNITIES

Clean and safe water is a foundation for healthy communities and a thriving economy, and the Agency is committed to ensuring clean and safe water for all, especially for overburdened and underserved communities where adequate drinking water and wastewater infrastructure has not been a priority. Although immense progress has been made across our Nation, many still lack access to safe and clean water and suffer the effects of aging infrastructure and legacy lead pipes. America's water systems also are facing new challenges, including cybersecurity threats, climate change, and emerging contaminants of concern, such as PFAS.

In fiscal year 2023, EPA will continue our work with Federal, Tribal, state, and nongovernmental partners to advance water quality science, provide clean and safe water for all communities, and protect our Nation's waterbodies from degredation. The Budget proposes more than $4.1 billion to upgrade drinking water and wastewater infrastructure nationwide, with a focus on underserved communities. This includes a total of $2.8 billion for the Clean Water and Drinking Water State Revolving Funds and $80 million for the Water Infrastructure Finance and Innovation Act (WIFIA) program. Also included is $1.2 billion for grant programs authorized in the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN), the America's Water Infrastructure Act of 2018 (AWIA), and the Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) and $25 million for a new water sector cybersecurity grant program dedicated to help utilities and operators protect their systems. EPA requests to fully fund all the water programs authorized by DWWIA, including $565 million to create 20 new water grant programs, a $240- million increase to the Sewer Overflow and Stormwater Reuse grant program, and other critical water infrastructure investments. To further the President's goal of replacing all lead pipes within the next decade, the Budget proposes a $160-million increase for grants to reduce lead in drinking water. This Budget request will complement the supplemental funds provided by the bipartisan Infrastructure Investment and Jobs Act (IIJA), totaling $8.4 billion in EPA's State Revolving Funds for fiscal year 2023.

In fiscal year 2023, EPA will continue to work across environmental programs to advance Agency efforts to tackle Per- and Polyfluoroalkyl Substances (PFAS) pollution. As part of the President's commitment to tackling PFAS pollution and EPA's PFAS Strategic Roadmap, the fiscal year 2023 Budget proposes approximately $126 million for EPA to increase its understanding of PFAS and their human health and ecological effects; restrict PFAS use to prevent new PFAS pollution from entering the air, land, water; and remediate PFAS that have been released into the environment.

From the Chesapeake Bay to Lake Pontchartrain to the Puget Sound, the United States is home to water bodies of ecological, cultural, and economic significance. The Budget invests $578.6 million to continue strong support for EPA's Geographic

Water Programs to protect and restore these water bodies of special ecological and economic importance to the Nation. EPA's Geographic Programs deliver technical and financial assistance to solve problems and support healthy resilient ecosystems and to maintain, restore, and improve water quality, which yields environmental, economic, and recreational benefits to their communities.

SAFEGUARDING AND REVITALIZING COMMUNITIES

Preventing and cleaning up environmental pollution that harms communities and poses a risk to public health and safety continue to be a top priority for the Administration. The fiscal year 2023 Budget enables the Agency to clean up hazardous waste sites in communities across the Nation, including those where vulnerable populations, such as children, the elderly, and economically-disadvantaged individuals, reside. EPA collaborates with Tribal, state, and local partners to improve the livelihood of all residents of the United States by addressing contaminated sites, including Superfund, brownfields, leaking underground storage tanks, and other waste sites and restoring them to productive use. Reuse and restoration of these sites directly support President Biden's Justice40 initiative.

The Budget provides $1.15 billion for EPA's Superfund programs to continue cleaning up some of the Nation's most contaminated land and to respond to environmental emergencies. In fiscal year 2023, EPA will begin to use the Superfund chemical tax revenue collected in fiscal year 2022, along with the $3.5 billion provided to EPA under IIJA and other appropriated resources, to implement the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The Budget also includes $215 million for EPA's Brownfields programs to provide grants and technical assistance to communities along with 60 additional Brownfields community specialists. Taken together, these investments will ensure EPA is cleaning up sites and fully engaging the communities we serve in the process.

ENSURING THE SAFETY OF CHEMICALS FOR PEOPLE AND THE ENVIRONMENT

Chemicals and toxic substances are ubiquitous in our everyday lives and are often released into the environment from their manufacture, processing use, or disposal. EPA has significant responsibilities under amendments to the Toxic Substances Control Act (TSCA) to ensure the safety of chemicals in or entering commerce and addressing unreasonable risks to human health or the environment. The Budget provides $124 million and 449 FTE to implement TSCA and deliver on the promises made to the American people by the bipartisan Lautenberg Act, an increase of more than $60 million. These resources will support EPA-initiated chemical risk evaluations, issue protective regulations in accordance with statutory timelines, and establish a pipeline of priority chemicals for risk evaluation.

The Agency also has significant responsibility under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to screen new pesticides before they reach the market and ensure pesticides already in commerce are safe. In addition, EPA is responsible for complying with the Endangered Species Act (ESA) and ensuring that federally endangered and threatened species are not harmed when the Agency registers pesticides. The fiscal year 2023 Budget includes an additional $4.9 million to enable the Pesticide program to integrate ESA requirements in conducting risk assessments and making risk management decisions that protect federally threatened and endangered species from exposure to new active ingredients.

RESTORING EPA'S CORE CAPACITY AND FOLLOWING THE SCIENCE

The Budget strategically increases the capacity of the Agency across both mission and mission support functions to position the EPA to address both current challenges and prepare for the future. EPA has lost nearly 1,000 staff in recent years, hindering the Agency's ability to carry out its mission to protect human health and the environment. The Budget looks to restore EPA's programmatic capabilities that focus on achieving clean air, land, and water and tackling climate change. Restoring capacity across the Agency and building a diverse and equitable workforce will strengthen our ability to tackle multiple priorities, from clean air and water, to cutting edge research at the Agency. Underpinning all our work is a commitment to follow the science, which is why this budget includes $864 million for the Science and Technology account, an increase of more than $100 million above current levels that will ensure programs have the best available data to inform decisions.

The Budget increases the Agency workforce by more than 1,900 new FTE relative to current levels, for a total of more than 16,200 FTE. The Budget will also dedicate resources to continue strengthening the Agency's ability to recruit, hire, develop, promote, and retain top talent and remove barriers to equal opportunity at manage-

ment and staff levels to strengthen and advance diversity, equity, inclusion, and accessibility.

CONCLUSION

The fiscal year 2023 President's Budget positions the EPA to advance our important goals of protecting human health and the environment, championing environmental justice, and tackling the climate crisis. With these investments we can advance a better future for all our citizens and ensure the benefits of a cleaner environment for future generations.

Thank you for the opportunity to be here today to submit this testimony for the record. I look forward to our continued partnership to achieve these ambitious yet necessary goals and welcome any questions you may have.

Senator MERKLEY. Thank you very much for your testimony. And we have your lengthier, more detailed written testimony, which I ask unanimous consent to enter into the record; so ordered.

So you mentioned climate and the funding for climate; what are the most important funding increases for making progress in tackling climate chaos, in staff, in research, in grants, what is the vision?

Mr. REGAN. You know, thank you for that question. We have a very strong vision, and the 2023 budget request covers a range of those. On standards we want to focus on the implementation of the bipartisan AIM Act which will phase down the consumption and production of HFCs, we want to hit that mark of 85 percent reduction over the next 15 years, so the Agency requests an additional $35 million, and 28 FTE to be sure that we can do that.

We also want to continue to focus on keeping pace with the growing economy, and the demands of the market, and the employment of our strong unions, by continuing to push on the light-duty vehicles, and the heavy-duty vehicles transition to a lower carbon transportation economy.

We want to continue to focus on very innovative and transformative technology standards, like the one to reduce methane from the oil and gas sector, technology standards that allow for artificial intelligence, remote sensing, and just fascinating innovation and entrepreneurship that can help capture that lost product, while also protecting the planet.

And then also, we are having some very engaging conversations around the power plant sector. The budget requests $100 million for air quality grants for states and tribes. We believe that states, and tribes, and localities know their communities better than the Federal government ever could; and on the research side $60 million to improve the knowledge of the impacts of climate change on human health.

So we have got some really, what I would call, pragmatic but focused request as it relates to climate change and public health.

Senator MERKLEY. You can largely sum up the challenge ahead as electrifying everything with renewable energy to decrease both the massive methane and carbon dioxide releases, and one piece of that is electric vehicles; and you have laid out in the, or we have laid out in the Bipartisan Infrastructure Law, 5 billion to replace diesel school buses. So it is one piece of that initiative.

And we have in the Omnibus, fiscal year 2022 Omnibus, $92 million to replace diesel engines through, DERA, the Diesel Emission Reduction Act. And so we are starting to see the impacts of this, 11 school districts in Oregon are preparing to use electric school

buses as part of their fleet, but it is just the very beginning of this effort. How will this new funding speed up the transition to electric vehicles?

Mr. REGAN. It is critical. We are definitely building on the success of the DERA program, and we are grateful for those resources to do that. DERA for a long time has demonstrated how funding support for cutting-edge clean technologies reduce exposure to diesel emissions for all people. I am really excited, and get really excited to talk about the $5 billion for clean school buses.

There is nothing more important than cleaning up the yellow school buses that carry our most precious cargo to and from school every day. And so there are approximately 500,000 school buses on the road right now, the $5 billion for clean school buses is going to be transformational in terms of better protection for our children, and our school bus drivers, but it sends a very strong signal to the manufacturers as well, that there is a market demand for these cleaner vehicles.

Senator MERKLEY. Okay. So brass tacks, when will you start awarding the School Bus Replacement Grants?

Mr. REGAN. We are going to make an announcement very soon about the first tranche of grants, it will be $500 million. That is very soon, and we are excited about that. And then the second tranche will come a few months after.

And by the way, we are going to make it as easy as possible, we want these resources to be able to go directly to these school districts, so we are going to have online access, and we are going to have easy forms, and we are also going to have built-in technical assistance to these school districts to be sure that those districts that need them the most actually get the resources.

Senator MERKLEY. Is very soon, like June?

Mr. REGAN. Very soon is next couple of weeks we are going to make a very important announcement.

Senator MERKLEY. Good. Okay, great, great. And then I want to turn to the issue of wildfire smoke. We didn't use to talk about smoke, but so many of our fires burn so long, and in such a fashion that smoke is having a huge impact. It is affecting our agriculture. It has affected the grapes, our wine grapes. It has affected all kinds of community efforts.

You know, including like, for example, the furniture salesman who says, how do I sell this furniture that, you know, everything smells with wildfire smoke? Not to mention what people are breathing, and their need for places they can go, of the aggravation of asthma, it is just having a significant impact. Impact on our children, impact on our adults, the problem is getting worse.

So I am very pleased that in the Omnibus I secured $4 million to start a new EPA grant program that helps communities prepare for, and protect against wildfire smoke.

So can you tell me? Have grants gone out the door? And is this going to help communities better protect themselves and their community members?

Mr. REGAN. It absolutely will help us communicate more effectively, to moms who want to go out for jobs, or children who want to go out and play, and are not really understanding what the implications of wildfire smoke may be from thousands of miles away.

So this is going to give EPA a competitive advantage to communicate these health disparities to those who need it the most. We are currently planning stakeholder engagements this summer to inform how we can best assist states, tribes, and public preschools, local educational agencies, and we are going to issue a competitive grant solicitation targeted for this fall, late this fall, that meets the needs of the impacted community.

So we want to do a little bit more homework up front, make sure that the impacted community has what it needs in terms of communication, and then put that grant process out there.

Senator MERKLEY. Great. And I hope you will also replicate your emphasis on simplicity. So many of the small communities, you know, do not have grant writers, they find that the process is so complicated that they give up, and don't apply in the first place.

Mr. REGAN. Yeah.

Senator MERKLEY. And my team tries to assist them, and guide them, how they can effectively apply, but we want to make sure that small communities, and small counties, with limited staff are able to apply effectively.

Mr. REGAN. Absolutely. And one of the things that we have really focused on with our core budget, and flexibility with the Bipartisan Infrastructure Law, EPA providing technical assistance, and that is where you see us asking for additional resources in our regional offices.

We know these communities don't have the technical capacity, and there are many aspects of that that I have quite frankly wanted to replicate, and spending time with Tom Vilsack and USDA, having people on the ground to provide that technical assistance is invaluable.

Senator MERKLEY. Thank you. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Administrator, I might commend to you and your team to do a check-in with the school district in Tok, Alaska. They have been engaged in a pilot of an EV school bus up there, how these buses—or how this bus operates in extreme cold weather environments. I am not going to comment on the success, or lack of success, but just to recognize that there are some considerations, and I think we can learn something from what they are doing up there.

I want to direct my first questions to you regarding waters of the United States. And as I mentioned in my opening, there is perhaps different impact to a state like Alaska where a significant portion of our state is considered to be wetlands. So it kind of puts us in a different place than most other states, and it impacts economic development, particularly in our rural communities that are trying to do very small, perhaps very routine projects, and get stopped after this.

So this was, again, a good roundtable that Assistant Administrator Fox was able to engage in. And so I would like you to share with me this morning, how you plan to integrate the feedback that was heard at that roundtable from Alaska constituencies, and more specifically, to the issue of compensatory mitigation.

One of the challenges that we have with compensatory mitigation in the state is that we don't have areas that are in need of mitigation. For us, we may need some more creative solutions allowing

the Agency to explore whether its projects, like water infrastructure projects, that are desperately needed in rural Alaska and Alaska Native villages that will improve water quality, just improve life there.

So what are you planning to do with the feedback that you have received? And are you considering these beneficial proposals in lieu of what could—what would be determined more typical compensatory mitigation?

Mr. REGAN. Well, thank you for that question. I can tell you that we were very thoughtful in these regional roundtables, and we chose 10 regions that we believe would be more reflective of the diversity across the country. And Assistant Administrator Fox came back from Alaska with a lot of great intelligence.

We are definitely not just checking boxes or going through the motions, these round tables are very instructive for us, and will inform how we approach waters of the U.S. As a former state regulator, I know the difficulties of ambiguity. I also understand the frustrations of an overly complex and administratively burdensome rule, that doesn't necessarily reflect the needs of North Carolina, or Alaska, but maybe advantages a state like Florida.

And so what we are trying to do is to strike a balance, where we meet our legal obligations under the Clean Water Act, as a Federal agency and a Federal government, but also provide the flexibility and autonomy that we know states need to handle some of the conditions that are on the ground.

And so that is the goal we are trying to achieve. I believe that when you look at the current proposed rule, it goes back to 2015 which was a—in my opinion—a simpler rule prior to some of the changes that were enacted. It will codify some of the decisions that the Supreme Court has made. But it will retain the permitting exemptions, which are identified in the Clean Water Act itself, and a lot of the exclusions that we know our farmers and ranchers in states like Alaska will need.

So we are trying to strike a balance where we get a legally sound, durable rule that gives states the flexibility to do some of the more innovative things that I think Assistant Administrator Fox heard during the Alaska roundtable.

Senator MURKOWSKI. I am glad to hear you use the word "flexibility". Again, this is not an effort to get around a rule, this is just a reality that we don't have a system that accommodates what compensatory mitigation might look like in other parts of the country. And yet you have extreme need, extreme need, when it comes to certain aspects of water, water quality, water safety; and so just your commitment to keep working on this to ensure that the state's input is considered is appreciated.

Mr. REGAN. Okay.

Senator MURKOWSKI. Let me switch to the contaminated lands, and again you have heard me express my concerns and how critical an issue this is, and how unacceptable it really is that so little progress has been made to date by the Federal government.

We have to do better on this, we must do better on this, and again I want to make sure. I am not blaming your Agency, I am not blaming the EPA, but I do think that EPA is uniquely positioned to help us find a real—and to use your word—a durable so-

lution to this problem that has plagued these communities in Alaska for so long.

So thank you for your willingness to engage on this. I appreciate what you have done so far, but we are here in the committee now, we are talking about providing resources and to help drive new initiatives within the Agency. So I would ask for your commitment today, to have our two staff sit down together by the end of this month, and begin to explore some creative solutions to this problem.

Mr. REGAN. You absolutely have my commitment there, and I think your staff will find that the Acting Assistant Administrator Carlton Waterhouse, who grew up and spent some time in Alaska, who was leading our Superfund and Brownfield efforts, has some really innovative ideas about how we can approach this problem. And he has been doing a great job conversing with DOI, DOD, DOE, NOAA.

So we have got some ideas. We need the resources, we need to start putting shoulder to this wheel. And you have my commitment, you also have Carlton's commitment, to focus on the unique issues that are facing the Alaska natives.

Senator MURKOWSKI. Well, I appreciate that. And you are right, we need to resource it, we just can't talk about it, we have been talking about it for too long, and the result has been the same, which is, nothing. So I appreciate this willingness to work together, and I look forward to what we are going to do to change this dynamic.

Mr. REGAN. Absolutely.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Senator MERKLEY. Thank you. Senator Tester.

Senator TESTER. Yes. Thank you, Chairman, Ranking Member. Administrator Regan, thanks for being here.

I want to start out parochial. Last week I talked to you about getting people on the ground at Columbia Falls, to talk about the issue that they have. My staff tells me that they were there yesterday; is that accurate?

Mr. REGAN. It is, yes.

Senator TESTER. Okay. So the Superfund process tends to be a little bit—well, we will call it clunky; there is probably a better word for it than that, but it is pretty complicated. Are there plans to ensure that the public has an opportunity to give input on any potential solution, and are there plans for the people to be able to give input after the remediation plan goes public; both "pre" and "post"?

Mr. REGAN. Absolutely. This is an area where we, number one, we believe in community engagement.

Senator TESTER. Okay.

Mr. REGAN. To your point, this is especially important. So we did have a meeting just yesterday, and I think the report back to me was it was a great meeting. We are also planning monthly activities with the community leading up to any release of any proposed plan.

Senator TESTER. Good.

Mr. REGAN. We want to be sure the community has active opportunities to contribute to the process.

Senator TESTER. I appreciate that, and look forward to making sure that that does happen because it is critically important.

Now I want to talk about waste in place. We have got a number of places in Montana. You know this, Butte, Smurfit-Stone, potentially, Columbia Falls, where Waste in Place is used.

Let us stick with Columbia Falls, we could go to either one of them, and Smurfit-Stone is the same kind of thing. We have got an area of land that has been contaminated, that is next to the Flathead River that flows into Flathead Lake; that is at the headwaters, of water that impacts the entire west. Okay?

If it is Waste in Place, the question becomes why do we even do that, number one? And number two, is there adequate testing that can be done to make sure that this stuff isn't leaching? Because the reason it was brought to the attention of the EPA to begin with, is because common sense would tell you this stuff is going to leach into a river that runs right through it.

And so the question is, is that when it comes to Waste in Place, do you have accurate or adequate testing regime to be able to make the determination, or whether it is actually the right thing to do?

Mr. REGAN. We do under the Superfund Program and the Circular Program we have in place the abilities to do a thorough scientific evaluation, and we also have the methodologies in place to do the appropriate monitoring if Waste in Place is the proposed option.

Senator TESTER. So if Waste in Place is a proposed option it doesn't, like I said, it doesn't matter where it is, we have got the same kind of situation on Smurfit that is going to be dealt with. Can that area ever be developed?

Mr. REGAN. You know, I would have to circle back with the experts to determine, number one, what the cleanup levels would be around there. And two, what the developmental opportunities would be at the point of the closure, and the securing of it, and any kind of future economic development opportunities.

Senator TESTER. Because the reason I say that is because when I was in Columbia Falls, in particular, but it is the same thing with any of these, these places are pretty landlocked. I mean, they are in the middle of mountains, and they have got water running, and this area had been industrial.

And I think the hope the hope that I had, the community could have a different hope, and I would absolutely yield to them on their opinion, but the hope that I had is it would be cleaned up to a point where it could be developed. And it would be cleaned up to the point where we didn't have to worry about a river that is—the headwaters would pollute one of the largest lakes in the west, and everything downstream from it.

Mr. REGAN. Yes. Well, I can assure you that any remedy chosen is to protect public health, first and foremost, as well as the environment. I will circle back with you on the answer of future economic development opportunities.

Senator TESTER. Yes.

Mr. REGAN. But I can tell you, we thoroughly look at what is most protected, disturbing, trying to move, and excavate, and transport radioactive materials, or looking at a way we can contain it to be most protective of public health and the environment. So

I will circle back with you on the future development pieces, but I can assure you, it is designed to protect public health.

Senator TESTER. Okay. That is good, because last time I checked, as my Native American friends would say, "Water literally is life", you can live without a lot of things, you can't live without clean water.

Mr. REGAN. I agree.

Senator TESTER. I want to thank you and your staff for your work on the Kootenai. As you well know, this is an impaired watershed with selenium flowing into the United States from Canada. I have been trying to get attention to this issue for some time, and your regional staff have been very helpful in organizing a multi-agency response.

I am frustrated that negotiations with Canada seem to have stalled again, but I want to make sure you have the resources and staff that you need to support the State Department in those conversations, and from the International Joint Commission. In depth, if we ever get to a reference, is there anything we can do to help you with the fight?

Mr. REGAN. I think the support that you have given. I greatly appreciate it. And we are positioned very well to support the State Department, this has been a priority for me. As you know, I have also sent the word directly to my counterpart in Canada through our international bilaterals as well. And so we hope to get it unstuck and continue to make progress.

Senator TESTER. And this isn't in your bailiwick, but it certainly is in the State Department's. I mean, Canada is a huge friend of ours, a great trading partner, and the fact is that there is water that flows from United States North, we shouldn't be polluting them, and they shouldn't be polluting us. And that is really the bottom line.

I want to talk very, very briefly, in the next 40 seconds, and about what we are doing in the area of climate change. Now, we have got gasoline, diesel price is 5.50 a gallon. Last week I had one of these hearings, it was 5.44, it is 5.50 this week. God knows what it is going to be next week. And I think this is a real opportunity to get more energy into the marketplace.

And I would encourage you, as we talk about batteries, and buses, which is important, but let us get it so we can have batteries and cars that go more than 350 miles. Let us get it in over-the-road semis that emit a lot, let us get it in my field tractor.

Mr. REGAN. Yes.

Senator TESTER. Let us get that battery technology. I think the motor technology is there, the battery technology is not. So I would encourage you to do what we can do to get that, and get it affordable. If it is affordable, and if it is in the marketplace, people will change overnight, and we don't have to give subsidies for it. And so I would just encourage you to try to push that envelope as much as possible.

I like tax incentives, they are great, but they don't fix the problem. If we have affordable battery technology, that fixes the problem.

Mr. REGAN. I agree. And I can tell you I have spent time with the executives, and the CEOs, and the presidents of Mack Truck,

Volvo, and others, the technology is there, it is on the horizon, we are looking at the cost effectiveness of it. But when we look at our heavy-duty vehicles rules, stages one and two, we are just as focused on our longer range vehicles and our trucks, as we are on our light-duty vehicles as well. So I agree with you.

Senator TESTER. I appreciate that. Thank you.

Thank you, Mr. Chairman, and Ranking Member.

Senator MERKLEY. Senator Hyde-Smith.

Senator HYDE-SMITH. Thank you, Mr. Chairman.

And thank you, Mr. Regan, for being here today; and you know exactly what I am going to talk about, because it is one of my very top concerns, as being the Senator for Mississippi, and always has been since the day I got here.

The Yazoo Backwater Area Pump Project, and it is a concern to me, but it is definitely a concern to the Mississippi Delta.

The November 17th, 2021, letter from the EPA Office of Water, the U.S. Army Corps of Engineers, brought this long overdue, congressionally authorized flood control project to a screeching halt, leaving thousands of Mississippians without hope of decent flood control, and more than $10 million in taxpayer money totally just flushed down the drain.

Mr. Administrator, I cannot begin to express my frustration and disappointment by your Agency's decisions, which was, by all accounts, an abuse of the EPA's authority under the Clean Water Act.

And to my colleagues on this committee, this may be a Mississippi issue today, but make no mistake, the same abuse of authority may end up in your backyard tomorrow.

Mr. Administrator, you and other administration officials, including the White House Council on Environmental Quality, profess that the Yazoo Backwater pumps are a priority, and that you are actively looking for a solution. And talk about an environmental injustice, this is a true minority community who live in true poverty. They cannot afford homeowners' insurance.

And you heard a testimony, I think, of Mr. Anderson Jones that talked about an elderly man that talked about his Senior Class Party that he went to with mud on his pants because he had to wade through the water. And he said, "My grandchildren are wading through those same waters." I will never forget that man's testimony.

What is the status of that process? And are you involving local stakeholders? Are the congressionally authorized pumps an option under this administration, and if not, why not?

Mr. REGAN. Well, thank you for that question. And I also thank you and the delegation for the invitation to host me in Mississippi and Vicksburg, and actually see it firsthand. That was really helpful.

You know, I am going to stay with my commitment to you, which is this process is a priority. I think what I agree to, and we are meeting that obligation, is I pull the White House in. I think there is been a—number one, this issue has been there for decades. We can agree that it is not political because I think it was the Bush administration that put the veto in place, and the Trump adminis-

tration that had a process that was deemed political interference to change the Bush administration's decision on this project.

But that aside, I have asked the White House, the Council For Environmental Quality, to convene all of the Federal agencies that are involved: U.S. Fish and Wildlife, U.S. Army, USDA, and FEMA, to focus on this project. And we have done just that. We have got technical experts from all of those agencies reviewing all of the available data. There are no options off the table, to your question.

Green and gray, hard and natural infrastructure solutions are on the table. What I can say is our teams have started meetings, and there are weekly two-hour meetings occurring over the next month to put solutions in front of both leadership at EPA, and U.S. Army Corps of Engineers.

So we are tracking on that timeline that I committed to you on. We have got all of the agencies; we have an interagency council actually focused on this problem. I committed to you and Senator Wicker that, instead of continuing to kick the football down the road, like we have seen for the past 20, 30 years, we are going to get a solution to this problem.

Senator HYDE-SMITH. During all these meetings, and all these hearings that you are having, and all the agencies that you say you are bringing in, it should be very clear that the letter that was sent, that the pump project is subject to EPA's 2008 veto of a different Corps plan. You should easily find that.

According to the EPA Assistant Administrator of the Office of Water, the 2020 proposed plan is the same plan proposed by the Corps in 2007. The 2020 proposed plan would discharge fill material into the same disposal site prohibited under EPA's 2008 veto.

This is just not true. The facts are, the proposed location of the pump station in the new 2020 plan is in a completely different county than the 2007 plan's project site. That is a big difference. And when I got that, and I saw that you were looking at the things in 2007 in a completely different county, I was just totally amazed.

Another fact, the 2020 plan included in the new mitigation features to help sustain aquatic habitat, fisheries, and mussels during low flow season, the 2007 plan called for nothing of that sort. That is a big difference.

Another fact, the 2020 plan included an adaptive management plan in light of the uncertainty related to the effects of pumping out surface water within that area, and to allow the flexible decisions making when operational adjustments are needed. The 2007 plan did not include any of that. So this is a big difference. And the list goes on.

The bottom line is, the 2020 plan is not the 2007 plan, given the long list of differences detailed in the Corps' Final Supplemental Environmental Impact Statement, how can your Agency determine that these two plans are basically one and the same?

Mr. REGAN. I think that, you know, the experts—I think you we can agree that this issue has been going on since 1940 or 50s, and EPA, and Army Corps, and Fish and Wildlife, these agencies have been having this discussion for 50 years, and placing the blame in different categories.

Senator HYDE-SMITH. But it is time to straighten it out

Mr. REGAN. It is. Which is why I am proud to say that for the first time in 50 or 60 years, I got the White House to convene an interagency council to pull all these agencies together so that staff can't hide, people can't hide, we are going to take a look, we are going to do the analysis, and we are kind of—we are going to come out with a solution.

And I feel very good about the process that we have underway, because it has never been done before. And what you are going to find, with the proposed solutions, is for the first time in decades you are going to see a U.S. EPA, a USDA, you are going to see an Army Corps, and a U.S. Fish and Wildlife in the same administration stop bickering, and agree on what we believe to be a legally sound, and engineering durable solution to the Yazoo pump issue.

The other thing that we are going to also do, because you raised Environmental Justice, is Army Corps' evaluation of the Yazoo Pumps Project has never done an evaluation on EJ, never provided any data to support that. We are going to do that this time around.

So we want to button this thing up. I want to button this thing up, probably not as much as you do, but I want to button this thing up, because it is the right thing to do. And I believe we can get it done.

Senator HYDE-SMITH. Well, if you look at the facts and the science, you can get it done. And I am just asking that all of this is cleared up, because this is information coming from your office that needs to be cleared up, and I truly appreciate you trying to find the solution.

And it has been a long time coming, and I just hope that this is a quick resolution to this, and that it is not two or three more years down the road, because these people in the Mississippi Delta need your help. And it did come to a screeching halt after it was congressionally approved.

So I think you have got a lot of explaining to do. I think you have got a lot of corrections to make. And I truly appreciate your efforts in this.

Mr. REGAN. Well thank you. And I agree with you, 50, 60, 40 years, however many years, is way too long. And this is a priority for me, and we want to find the solution.

Senator HYDE-SMITH. Thank you very much.

Senator MERKLEY. Thank you. Senator Capito.

Senator MOORE CAPITO. Thank you, Mr. Chairman.

Thank you, Mr. Administrator. Good to see you again. And I look forward to our visit together, to West Virginia in June. And thank you for agreeing to do that. I appreciate that.

I am going to follow up on a topic we have talked about, I think it is about 13 months now, and that is the EPA's involvement in developing the U.S. nationally determined contribution target. Since you testified in April we did receive some documents. And thank you for that. So your staff had also agreed to schedule a briefing.

So that has not been scheduled yet. So I am asking you to please have that briefing scheduled as soon as we can with my staff.

Mr. REGAN. Okay.

Senator MOORE CAPITO. Good.

Mr. REGAN. And it is that briefing on?

Senator MOORE CAPITO. On the materials that were submitted.

Mr. REGAN. Okay.

Senator MOORE CAPITO. The other question on those materials, there was information that—I think there was a feeling that maybe not all of the information was brought forward. You had previously said that EPA provided qualitative information about our regulatory and voluntary programs, and discussed approaches to quantitative analysis.

So in the materials we didn't see any of that quantitative analysis. And I am wondering, did we get all the materials? I mean, are you satisfied that you have presented all the materials to our staff that we have been requesting?

Mr. REGAN. I am. I posed this question just yesterday, and my staff knows how serious I am about being responsive to your requests.

Senator MOORE CAPITO. You knew you would see me, right?

Mr. REGAN. And so to the best of my knowledge, you all have all of the materials that we have.

Senator MOORE CAPITO. Okay. And I look forward to the briefing. I think that will help us understand more some of the data. I think there were some questions as to how the data was presented.

Mr. REGAN. Okay.

Senator MOORE CAPITO. I did ask you, and this is a question, and there have been a couple articles about, you are asking for a thousand more employees in this budget. How many people are presently full-time at EPA?

Mr. REGAN. We have—let me get you an accurate number here—we have right now 14,000—about 14,824 employees.

Senator MOORE CAPITO. Okay. So the thousand would take you up to 16,200, so you are not even at your full capacity right now?

Mr. REGAN. Yes, our fiscal year 2023 budget request would support right around 16,000.

Senator MOORE CAPITO. Right, so you are still, you are still shy. You are still not hiring into the max that you have from last year quite yet? You must not be, because a thousand would be 15,200, so you are 600 people shy of your max.

Mr. REGAN. We are still hiring.

Senator MOORE CAPITO. Are all of those people back in the office and working post-pandemic?

Mr. REGAN. Yes. Our return to work strategy was, it began February 28th, our political appointees, and senior Agency leadership returned. Beginning March 28, our managers, and our non-bargaining staff returned. So we are still—we worked extensively with our unions, still working with our unions. But you know, we are, in the coming weeks, all of our EPA employees will be fully phased into, what we are calling our new schedules.

Senator MOORE CAPITO. Yeah. And your new schedule for some people includes fully remote work, right?

Mr. REGAN. Well, yes.

Senator MOORE CAPITO. According to an article, yeah, that I read.

Mr. REGAN. Yes.

Senator MOORE CAPITO. And then also, coming in one day every two weeks, another——

Mr. REGAN. Yes we have a range of flexibilities——

Senator MOORE CAPITO. So this is not actually everybody coming in, it can be a blended system, correct?

Mr. REGAN. Correct.

Senator MOORE CAPITO. Okay. You know, I had a meeting yesterday with some energy folks, and you have been, in your confirmation, and I think every time you have been in front of all of our committees, and I think you have exhibited this. In certain instances you have pledged to have all stakeholder involvement to listen to everybody before making a decision, knowing that you are not going to please everybody in the room.

And there was a general feeling within this as related to pipelines, and natural gas development, that they had made numerous requests to EPA to be a stakeholder, to have their positions heard.

And I think we all see what is happening in Europe, we know that the reliance on our own natural—our own energy resources, in an all-of-the-above energy plan, and we are feeling—I think most of us in energy states feeling as though that is not really moving forward through the administration with some of the pipelines that have been canceled. I have an MVP pipeline in West Virginia that has had some huge difficulties, even though it is 95 percent complete.

I just want to ask for your pledge again, that folks in the energy industry have an ability to come, knock on your door, and actually have their side of the story heard. I think they are doing a lot to reduce their emissions in half on the methane side, and other side, I know you are getting ready to do a Methane Rule.

I sense some frustration with them. Do you publish who you meet with? And have you had meetings with folks in that industry around the Methane Rule?

Mr. REGAN. Yes, we are fully transparent with who I meet with, and who staff meets with. And yes, I have met with leadership from the power sector, the oil and gas sector. I was down in Houston at a CERA Conference meeting with executives around all of the potential for methane capture, and the like.

And so if there is a frustration, I would love to get that from you and your staff. But it is my understanding, and personal experience, that we are meeting with all of our stakeholders.

Senator MOORE CAPITO. Well, I will circle back with them and make sure that that your door is open and that you are willing to meet with them.

Mr. REGAN. Yes.

Senator MOORE CAPITO. Maybe it is just not this particular—these were a whole variety of different people, and I was sort of frustrated by that.

On the Justice40 issue, I have tried to, like, dig deep into that to see—it is pledged that 40 percent of the funding that is going, is going to go to justice communities. Are you quantifying that? I mean, is there a website that we can go to that is going to show me where and how this pledge of 40 percent is actually being translated into different communities, in Alaska, or West Virginia, or Mississippi?

Mr. REGAN. Yeah I think that—so the Justice40 Initiative, obviously, is being quarterbacked out of the White House and so——

Senator MOORE CAPITO. So who would we go to at the White House?

Mr. REGAN. The Center for Environmental Quality, Brenda Mallory's job.

Senator MOORE CAPITO. Right. Okay.

Mr. REGAN. And as agencies, we all participating in pilot projects to demonstrate how to do this. So let me give you a couple examples. With the Bipartisan Infrastructure Law, the $5 billion for Superfund and Brownfield, as we put that money out, you know, we have got more than 50 or 60 percent—I will get you the right number—that goes to disadvantaged communities. When we look at our——

Senator MOORE CAPITO. Are you using the screening tool that the CEQ put together?

Mr. REGAN. No we have our own screening tool.

Senator MOORE CAPITO. Is it different than CEQ?

Mr. REGAN. I think there are some differences, and EPA has had an Environmental Justice screening tool for decades. We also are very well versed in environmental justice, we are one of the agencies that has been doing this for a number of years, and some of this is actually built into our programs.

Like with the State Revolving Loan Funds, 49 percent of our dollars have to go to disadvantaged communities. So EPA has some built-in infrastructure that really does a good evaluation of where our resources actually go. So we are using ourselves as pilot projects for the Justice40 Initiative, as some of that has been built out.

Senator MOORE CAPITO. And then you feed that up to CEQ?

Mr. REGAN. That is right.

Senator MOORE CAPITO. Are you satisfied you are reaching the 40 percent?

Mr. REGAN. I am very satisfied with the focus that my Agency has given to environmental justice, and equity issues, and when I look across my programs, numbers matter to me, data matters, fairness, and equity, and transparency matters. With our State Revolving Loan Fund Program, with our Brownfields and Superfund, we are doing an excellent job making sure that the people that need these resources the most, are actually getting the resources.

Senator MOORE CAPITO. Thank you.

Senator MERKLEY. Thank you very much, Senator Capito.

Senator Reed.

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

And welcome, Mr. Administrator. Good to see you. I am looking forward to hosting Deputy Administrator McCabe, in our Region 1, Administrator David Cash from Rhode Island to celebrate the success of the Southern New England Program, or the SNEP program as we call it.

I once had the privilege to work as chairman of the subcommittee, along with my ranking member, Senator Murkowski, to create the SNEP program.

Thank you, Lisa.

And it is doing a lot of great work in Southern New England, the estuaries, and the Narragansett Bay, and all throughout Massachusetts, Connecticut, and Rhode Island. Can you speak to the im-

portance of these geographic programs in terms of your overall mission?

Mr. REGAN. Oh. Well I listen there. They are national treasures, they are invaluable, and we are thankful to Congress for the resources that we received in the 2022 budget to help accentuate the value there, not just from an ecosystems' protection standpoint, but that many of these geographic programs provide drinking water for so many millions of Americans.

The $15 million in the Bipartisan Infrastructure Law, specifically for the Southern New England Program, will definitely surge the efforts to protect water quality and ecological health for diverse habitats.

But you know, I think that the program, this specific program ensures that the strategies that we are putting in place are comprehensive, durable, and sustainable. So the short answer is invaluable, we have it as a high priority, the budget reflects that priority, and we are doing the most with the resources that we are applying.

Senator REED. Well, thank you, Mr. Administrator. One of the aspects why this program is so important is that the Narragansett watershed, actually most of it is in Massachusetts. So Narragansett Bay is in Rhode Island, so if we get funding for Narragansett Bay, that is nice, but if we are not dealing with the source of pollution in Massachusetts and elsewhere, and this program's flexibility, given the Regional Director the ability to fund projects in Connecticut, Massachusetts, Rhode Island, that ultimately enhance the quality of the Narragansett Bay, it is just first rate. So thank you for your support.

Mr. REGAN. Okay.

Senator REED. Environmental justice is a critical issue. In this pandemic we saw the impacts, dramatically, of disparities between racial and ethnic groups, in terms of so many different programs, and Environmental Quality is one of those programs.

I was pleased to see the President included it in the '23 budget EPA's State Environmental Justice Cooperative Agreement Program. In my Department Of Environmental Management, excuse me, is working to set up its own justice program. Can you talk about how you are going to help develop these local Environmental Justice programs?

Mr. REGAN. Absolutely. And I believe it is critical that they are developed at the local levels, and I believe it is critical that the communities are involved. And I thank you for your leadership in this space.

Senator REED. Sure.

Mr. REGAN. And what Rhode Island is doing. We are excited about what Rhode Island is doing. I know my team has recently connected with your staff to think through how to stand this up. And we want to be sure that that the state is aware of the Environmental Justice Cooperative Agreement Grant Program, because we believe it will be instrumental in not only setting up the program in Rhode Island, but pulling some of the best management practices from programs that we have seen all across the country.

And so we are excited, we are engaged, and if there is anything that we can do to help with that success, we stand ready.

Senator REED. Well, thank you. I am going to sort of put on my hat, in my service as committee member, and ask you about cybersecurity challenges in your department. Unfortunately, no area of life today is immune from cybersecurity, and that is something that has sensitivity in national security agencies, but I don't know of the same sensitivity in quote-unquote, "domestic agencies".

But can you just comment, from your perspective, as to your cybersecurity issues?

Mr. REGAN. There are. We are laser focused on this, this has been a high priority for me since becoming administrator, because as a state regulator I recognize the vulnerabilities when I was director in North Carolina, 180,000, I believe, independent water systems in this country, most states don't really have a good understanding of the cyber-protective measures that are in place, and how vulnerable they are.

Senator REED. Yes.

Mr. REGAN. And so, yes, in this budget we are requesting 15.5 million for EPA's activities to help enhance the states' cybersecurity: 25 million to create a new grant program that helps water systems establish and build necessary capabilities, 35 million for technical assistance, and then 50 million to support a new grant program for the resilience and sustainability of public water systems serving more than 10,000 people. This is a priority for us, and we are laser-focused on it.

Senator REED. Well, I appreciate it, because there are—we have in Rhode Island a major water system, the Providence Water System, which through the foresight of my ancestors many, many years ago, they bought a large part of Scituate, which is a community to the west, and they are supplying most of the state.

But we have small systems that are being operated by three or four people, and they do not have the sophistication to deal with, you know, any type of cyber attack. So I think you this is a good start, but we have to be able to reach down to the lowest——

Mr. REGAN. Yes.

Senator REED [continuing]. you know, the smallest areas, and also don't assume that that the big water systems know what they are doing either. This is rather novel for these types of organizations. But thank you very much for your great work, and I look forward to working with you.

Mr. REGAN. Thank you.

Senator REED. Yes. Thank you.

Senator MERKLEY. Senator Hagerty.

Senator HAGERTY. Thank you, Chairman Merkley, and Ranking Member Murkowski. It is good to be with you today.

Administrator Regan, good to see you as well. First, I want to talk a bit about the proposed Environmental Management Disposal Facility, we call the EMDF at Oak Ridge, in my Home State of Tennessee. DOE is cleaning up legacy waste and buildings from the Manhattan Project era of the Cold War.

The cleanup has been a success story so far. For the first time in history the United States has cleaned up a former uranium enrichment complex, it has done so 4 years early, and under budget. I am sure my colleagues here are pleased to hear that. It has made

more land available for economic development, and like you, I served in my Home State Cabinet.

We are excited about the potential this creates from an economic development perspective, and it gives us an opportunity to reuse some previously contaminated land for other DOE purposes as well. One of the concerns about this though, is that the current on-site disposal facility will be full by 2028, and that threatens to delay clean up, leave contaminated buildings on site, it could cost hundreds of jobs and waste, again, millions of taxpayer dollars.

For over a decade the State of Tennessee, the Department of Energy and the EPA, have been discussing approval of a second disposal site. And the process has been transparent, it has been rigorously reviewed, I must say, it has been open to public comment.

And I was very pleased to hear that on May 4th the DOE, the EPA, and the State of Tennessee reached an agreement on site groundwater study, waste acceptance criteria, and protection of water quality in Bear Creek, in this area.

DOE is currently hosting a 30-day public engagement period, and just last night DOD hosted a public meeting in Oak Ridge, Tennessee, to discuss this facility.

I want to particularly call out and commend one of your—one member your team, Jeff Prieto, your General Counsel, who has done an excellent job. He and I talked about this before his confirmation. He stayed in touch with me. I appreciate him working with me on this issue to get us to this point.

So Administrator Regan, on June the 7th, next month, when the 30-day comment period closes, what will the next steps be for your Agency to get through the process and sign a Record of Decision?

Mr. REGAN. Well, and Senator, thank you for that. I think our staffs are very proud that we are on time, under budget, and making some headway here. What I will do is I will circle back with you and your team on what those exact next steps are, because I don't have that right here at my fingertips.

Senator HAGERTY. Understood, my main goal is to see that there will just be no further delays in the process. That we get it done, get it approved, get the Record of Decision in place. There are substantial costs—risk of cost overruns associated with this, if we don't get the agreement in place now, the timeline is going to get pushed, and we are going to have a real problem in terms of running out of storage space there.

Mr. REGAN. I hear you loud and clear.

Senator HAGERTY. I appreciate your personal attention to that.

Mr. REGAN. Absolutely.

Senator HAGERTY. Thank you, Administrator. I would like to turn now to another topic that impacts our Nation's gas prices, and capacity, and that is the topic of small refinery exemptions. I am sure you are well familiar with this.

You know, prices at the pump are at record highs, Americans are feeling a lot of pain right now, and there doesn't seem to be major relief in sight. However, your Agency continues to move forward with attacking small refineries by denying all petitions for small refinery exemptions from the renewable fuel standard. My understanding is that the EPA has already issued 31 retroactive denials

for petitions that were awarded in 2019, that covered the 2018 compliance years.

And industry anticipates that you will deny all 60-plus SRE petitions that are pending for 2019, 2020, and the 2021 compliance years. I just want to ask, Administrator Regan, is that accurate?

Mr. REGAN. We have made the first tranche of decisions because of a court order deadline. And the second tranche of decisions have not been made yet. What I will say is I think that the 10th Circuit's decision really informed how the Agency should approach these SREs.

And what we have tried to do also, in addition to the SRE issue, is not necessarily have it in isolation, but in the context of thinking about how we look at refineries, and biofuels, and RVOs, and just getting that program on a much stronger footing.

So what I can commit to you is that we are looking for a way to provide certainty to both the AG industry, and refining industry in terms of those obligations under the RVO Program, and how that plays into these exemptions—that these exemption decisions that the Agency is having to make.

Senator HAGERTY. One thing I want to point out is that how these decisions unfold will have a real impact on compliance cost. And compliance costs, particularly with respect to these exemptions that we are talking about, have grown, my understanding, is 69 percent since the EPA published the 67 percent of—the proposal to eliminate small refinery exemptions.

That moves, what was a 0.13 cent per gallon compliance cost, up to 0.22 cents per gallon. And if all of these further exemptions are denied that will take that compliance cost even further.

Mr. REGAN. Yeah, I would like to—and I think we would have to sort of look at those sort of site-by-site, because when you take a look at the exemptions that were not recently granted, there is also compliance flexibility built into that. So it ranges from, you know, some decisions have been made in the past so far back that some of that compliance was forgiven.

There is also some that were made more recent that have payment plans, or compliance plans, put in place in a phased way. So it wasn't a blanket denial, you are on your own. I think that that was carefully thought through, and there were very serious considerations given to those who we felt did not deserve the compliance, even though decisions were made years past, and we are making this decision today we thought we would—we did it with thought and care.

Senator HAGERTY. So you have got an easy payment plan, so to speak, when you have come back and denied retroactively?

Mr. REGAN. Yes. There is a payment plan that has been built into those decisions that were made most recently. I can't speak to the decisions that haven't been made yet.

Senator HAGERTY. Sure.

Mr. REGAN. But when you look back at the ones that were denied you can look back at different flexibilities built in for repayment.

Senator HAGERTY. I understand the concept here. I would just encourage you strongly, given the fact that we are hitting record high gas prices at the pump every day, families are having to make decisions between groceries that they buy, or filling up their tank.

And anything that would increase compliance cost, I think we should look at very carefully right now.

And having blanket exceptions, you know, retroactive withdrawals of exemptions, I think you know, obviously, puts upward pressure on prices, when you have an opportunity right before you to put downward pressure by granting the exemptions.

So I am going to encourage you, please to consider reversing course here, in this blanket exemption denial, and please take into account the impact on, you know, hard-working families that are trying to make things work at home, at the pump.

Not doing it, I think it implicates, not only the economics of an American family, making it harder for them to get by, it has upward pressure on inflation, it also impacts our national security. And all of this I think is something that is extremely challenging, in my mind, to understand why we would be pursuing a policy like this at this point in time, when we see the type of inflation and energy costs that we have got.

I am also concerned about the way the policy is being done in terms of being implemented through guidance, rather than going through a more formal rule-making process that would actually subject it to congressional review, because I can tell you that we would like to have the opportunity to review this.

It feels like a policy change to me, and particularly given the economic implications on the American consumer, it is significant. So again, I would encourage you to take a very strong look at that and reconsider.

Mr. REGAN. And I appreciate that, and we are—listen I understand that people are hurting, the price at the pump is really putting pressure on all of our fellow citizens, because of this unprovoked war. And I will say that we are very thoughtful about that——

Senator HAGERTY. Just to clarify, this started well before the unprovoked war.

Mr. REGAN. Well, on the SRE.

Senator HAGERTY. The war may be exacerbating it, but these decisions don't have anything to do with the war in Ukraine.

Mr. REGAN. I think that the prices that we are looking at now, and then some of the pressure that the refineries are facing, this war doesn't help. And these SRE decisions that, quite frankly, I don't enjoy making, but have been forced to make because, during the previous administration the previous administration gave these exemptions out in a way that the 10th Circuit Court disagreed with. And so they were remanding it back.

The decisions that we are making in terms of these SREs, we are trying to do it in a way where we follow the law. And I am trying to stay on the right side of the law, while also doing exactly what you just laid out, which is being sensitive to the prices that we are facing now, and how we can do that to alleviate the burdens of just average, everyday——

Senator HAGERTY. I appreciate your sensitivity to that, Administrator. And I would encourage you then to put it through a formal rulemaking, so we can have proper notice and comment, and proper review by this body. Thank you.

Mr. REGAN. Thank you.

Senator HAGERTY. Thanks, Mr. Chairman.

Senator MERKLEY. Thank you very much, Senator.

I am going to try to get through a bunch of questions quickly. And first in terms of water infrastructure for tribes, and I am particularly concerned about the situation faced by the Warm Springs in Oregon who have a myriad of problems with their water system. And the Indian Health Service is using the Bipartisan Infrastructure Bill to tackle that to a degree.

But some of the issues are ineligible for funding through that mechanism, including the water system that supplies hospital, and schools to the drinking water system. Do you have a sense of how the funding that comes through your side of the world might be able to help in that situation?

Mr. REGAN. You know, we are very in tune with this issue, and will absolutely continue to work with the Indian Health Services, and we will keep you and your staff in the loop. I would say that, you know, EPA's experts have met with the Indian Health Service to explore some flexibilities and innovation here. We don't have the funding or the authority to directly support operation maintenance and repair, but that hasn't prevented us from continuing with the conversation to think about where and how EPA can weigh in on this very important issue.

Senator MERKLEY. Well I like the terms "innovation" and "flexibility", so let us brainstorm on how to get this—how to get this done.

Mr. REGAN. Okay.

Senator MERKLEY. So that we have a complete water system in that situation. And in fiscal year 2022, we had a number of water infrastructure challenges that were addressed through, what I would call community-initiated projects, here in D.C. they are called congressionally-directed, which makes no sense to me.

Mr. REGAN. Okay.

Senator MERKLEY. Because it is all about the communities initiating ideas, and then we fight for our communities to get those things funded. And they are very happy when we fight for them, and are able to assist them with the priorities that they see on the ground. But when are those grants going to start actually going out the door?

Mr. REGAN. I believe the—let us see—we have about 483 congressionally-directed projects totaling about 841 million. We are committed to a timely and transparent process, but to be perfectly honest it is the implementation of what we consider to be a new program. The magnitude is great, and while the 2022 appropriations gave resources for the projects, it did not provide dedicated administrative funding to support the implementation.

So we are trying to stand that up as quickly as possible, and we are working on that that final process. I believe, if my information is correct, fall of 2022 I believe is our targeted timeframe there.

Senator MERKLEY. Well, let me explain something that you probably have realized. There is a hundred Senators who have communities that have received grants, and they are very excited about the grants in there, but they are very concerned about costs going up while they are waiting.

They are like: Okay, we submitted a proposal. We were awarded a grant. Why can't we get the check? I would like you to brainstorm with your inner circle on, like, realizing that these communities will be really well served by finding a way to expedite that process, because I am sure you don't a hundred senators calling you up and saying: My community just found out their costs doubled because the grants haven't come yet.

Mr. REGAN. I agree with that 100 percent.

Senator MERKLEY. I am sure you don't want those phone calls. All right, so I want to turn to the issue of plastics. You can't hardly pick up any kind of newspaper that doesn't talk about the expanding problems with microplastics, the problems with the plastics being swept out to sea. You know, in the past all the mantra was the three R's, reduce, reuse, and recycle.

And when I look at those little triangles, and we sit there and we go, hmm, can this piece of plastic that was on top of my coffee cup be recycled when it has coffee on it? And there is a whole lot of wish cycling, where you put things into a recycling bin, but they are not actually getting recycled. And a lot of those plastics that have those triangles with those numbers on them, there is not even a market, there is not even—nothing is happening with them. We are just deceiving the American public about it.

In fact recycling has dropped from 8 percent to 6 percent over this last year. So it is not working. What really happens with plastics, is not the three R's, but it is the three B's, they are burned, they are buried, or they are borne out to sea. And now, because of the microplastics, every American is consuming, it is estimated, about a credit card worth of plastic a week.

And, you know, there is a lot of chemicals in those plastics, hormone disruptors, so on, and so forth. This can't be good for our children, it can't be good for anybody, and we need to radically improve plastics. How are you going to make that happen?

Mr. REGAN. Well, I can tell you this was a surprise to me, but in my conversations, especially with young people in this country, the very number one issue is climate change, but a close second is plastics. And this is something that in recycling, something that EPA is really focused on.

We are in the process of developing a national strategy to reduce plastics and other waste in waterways and oceans—which identifies key actions that are needed to reduce and collect plastic waste material. And these are strategies that are part of a series of strategies on building a circular economy for all, that we believe will fulfill the mandate for strategy under our Save Our Seas Act 2.0.

And so that is where we are focusing most of our time, efforts, and resources, and we believe that will contribute to the solution that you are looking for.

Senator MERKLEY. Yeah. Well, here is my impression. There is a whole lot of nice sounding language regarding reducing waste, and improving recycling in a circular economy, but a whole lot of inaction and actually delivering changes. When we grab our coffee, and we get a plastic cap on it. Why is that necessary? Why can't it be done in some other fashion?

I mean, you have got research teams, you have got experts, we need a dramatically improved plan, not just simply a new version

of a recycling strategy that fails for a whole host of very understandable reasons. And so I am going to really push the Agency to say, this is a huge, huge issue. And failure on this is a massive failure for the American people. So I will keep pressing for a really dramatic, significant set of solutions to be proposed and implemented by the Agency.

Mr. REGAN. Yes, absolutely.

Senator MERKLEY. Thank you. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Just to follow up on the Chairman's comments about plastics. As you well know, we have challenges in Alaska with recycling efforts, just limited capacity. Most of our recycled product is shipped outside, probably down to Senator Merkley's state in Oregon.

Senator MERKLEY. We are happy for you to keep that up there.

Senator MURKOWSKI. Well, we are trying to get it out, and get it to a place where it can be recycled, but the marine debris that we deal with, that just comes to our shoreline as a result of the currents, it is just—we may be doing a good job of keeping our state clean, but it gets delivered on our beaches, it gets delivered on our coastline.

And so it is costly to remove it, and of course the longer that it stays there in the title zone, the more the debris deteriorates into microplastics, the more challenging it is on a host of different levels. So the Agency, I think, is rightly looking at what more we need to be doing. I was pleased to see that a Phase 2 Small Business Innovation Research Grant was provided to an Alaska constituent who has a pretty innovative way of recycling plastic ocean waste. So we are encouraged by levels of innovation like that.

But as you are looking to expand grants for recycling efforts, I am hoping that you are also going to be considering in seeking funding for marine debris and plastic ocean waste collection and recycling efforts, as well as that, as well as what you have just discussed with the Chairman.

Mr. REGAN. Okay.

Senator MURKOWSKI. So I mentioned PFAS, again this is a big issue for us in Alaska, but I know that it is a priority for others on the committee, and here in Congress, and in my state the list of communities that is facing the challenges of PFAS and PFAS contamination is only growing.

As you know, we had 10 billion in the Bipartisan Infrastructure Law that is going to be helpful, but we have got to start making meaningful impact on PFAS contamination while we wait for Federal standards. And I think the Infrastructure Bill is a good first step on that.

So can you walk the committee through how you envision this 10 billion from that law making a difference on PFAS? And how the Agency is working with states, working with our local communities to perhaps provide some best practices on how to spend these funds on remediation of PFAS?

Mr. REGAN. Absolutely. You know, this is a top priority for the administration, and so we have got a couple of tracks going, but we do have this PFAS strategy for the $10 billion. You know, most of these funds are being pushed through to the states being provided, as fully forgivable loans or grants without a state match re-

quired. So that is going to help us get the resources to the communities that need them the most, in terms of putting some protective measures in place.

We are also working on guidance for the proper destruction and disposal of PFAS, so we want to be able to not only give these communities resources to handle the products, but we want to be able to give the right guidance as well.

Senator MURKOWSKI. So are you working with the Department of Defense on that in terms of the proper destruction of PFAS?

Mr. REGAN. We are on track to update our guidance on that. And yes, we are working with the Department of Defense, we are working with HHS, we are working in an inner agency capacity to be sure that we are all focused on solving the same problem.

Senator MURKOWSKI. Okay. All right. Well, sooner is better than later, but I think you agree with that. And I appreciate that the administration is placing a priority on it.

PM2.5, we can't have a hearing on EPA's budget without talking about fine particulate matter. This is an ongoing issue of course, in primarily the Fairbanks North Star Borough. I just wanted to check in with you on the current status of the PM2.5 standards. In June of last year you announced that you were going to re-examine the previous administration's decision in 2020 to retain the existing particulate matter on national ambient air quality standards.

So can you give me an update on the Agency's review, and if you have made a decision to revise the 2020 Rule? And if so, what the timeline is for a proposed and then a final rule on that?

Mr. REGAN. Yes. We are working on. We are continuing to work closely with the Alaska Department of Environmental Conservation, and the Fairbanks North Star Borough to continue to provide technical assistance there. I think we have met, or our team has met with the mayor a number of times this year, just to talk about PM2.5, more specifically the challenges of wood stoves.

And we are continuing to coordinate and meet regularly with Nescon to better understand some of the concerns. And then we are—we have, you know, since 2016 awarded over $31 million in grants. So we are continuing to have that conversation, to look at some of the unique aspects of the Fairbanks community, and we are just going to continue to push that ball.

Senator MURKOWSKI. Well, if there is a new proposed rule, we want to make sure that there is going to be plenty of opportunity for public review and comment on that, and just making sure that these very unique concerns related to the issues there, again primarily in Fairbanks North Star Borough are considered.

Mr. REGAN. Absolutely.

Senator MURKOWSKI. So you mentioned wood stove testing, and again, this is an issue where you have a real genuine, committed effort by those in the community to address a problem, and we have got a situation where we don't have the technology, or the standards to—that are in place to appropriately address this issue.

So what we have is a situation where people in the Fairbanks area, in a non-attainment area want to try to address their own level of emissions. They are being told that if you buy a new wood stove, then you are going to be able to make some impact there.

And yet the Agency is letting wood stoves come to market that don't meet the existing standards. And so we have got a great program through the Targeted Airshed Grant, but this wood stove change-out, we are using good Federal money, important taxpayer dollars, but because of the standards issue it is not making a difference. And that is not fair to the constituents, it is not fair to the Agency, it is really not fair to anyone. So this is something that we have got to do better on.

I had the mayor and his assistant fly out to Washington, D.C., specifically to have a meeting with folks in the Agency, and when they got here they were told: Okay fine, your meeting is on Zoom, and we will meet you—you know, come online at X o'clock.

They came to my office instead. And I said no, you have flown all away from Fairbanks, Alaska, to be here, we are going to get the individuals that you have been talking to, in. This goes to the point that Senator Capito raised about, you know, whether or not EPA folks are actually back in office. And they told me that that was the very first week that they had been called back in, and weren't quite sure what their protocols are.

I just share that with you, because it was a real live instance where you have got a serious issue with constituents, they have managed to make the effort to come back here, and their government isn't there. So their Senator has to call the Agency and demand a meeting.

They came over, it worked out fine, they got good information back and forth, I think both sides would agree it was a meeting worth taking. But I just need to know that we are going to—we are going to see some better efforts in how EPA is reviewing the current wood stove standards, and how, in the meantime, you are you are engaging the industry to fix the current flaws here. So it is it is something that shouldn't be so hard, and I am hoping that we are making better progress than we have seen.

I have gone on far longer than I have. But thank you, Mr. Chairman, for letting me raise that issue before the Administrator this morning.

Mr. REGAN. Thank you for sharing that.

Senator MERKLEY. Thank you. Senator Hyde-Smith.,

Senator HYDE-SMITH. Thank you, Mr. Chairman.

You know, I keep up with the Mississippi River on my phone, because of the unnecessary flooding that we just stay under a threat of. And a few days ago the Corps closed the Steele Bayou floodgates, because the Mississippi River is on the rise. And that means the rivers and streams that are inside the levee system, they have no exit because we have no pumps.

So with any measurable rainfall right now, today, as we sit here in the next several hours, in the next few days, we could be looking at another flood. And I just want to invite you that if that does occur, I would love for you to come down and join me in a helicopter ride over the river, to see the significance. And that is all I have.

Thank you, Mr. Chairman.

Senator MERKLEY. Thank you very much, Senator.

I imagine, Administrator, you are familiar with the term, "Insect Armageddon"?

Mr. REGAN. Yes.

Senator MERKLEY. We have seen a massive drop in insects in this country. I am really struck by how being a kid when we drive north and south in the state; we would always be stopping to clean all the insects off our windshield, and now that is a very, very rare moment.

And we see it in things, for example, like the collapse of the monarch. And California has taken efforts to do things, such as plant significant amounts of milkweed, but one of the things, that I took a trip down to California to go to over one of the overwintering spots along the coast.

And they are noting now some of the challenges include things like, with climate change, the milkweed rhythm is changing, and sometimes the milkweed isn't out at the time that the monarchs need to start leaving the coast to the first kind of evolution of—because they go through several life—several life cycles of subsequent groups in a single year.

And also that milkweed that people might plant to help out monarchs in their home gardens and so forth, they may be contaminated with neonicotinoids, or other pesticides that will actually hurt pollinators rather than help them.

Anyway this issue of pollinators is a big deal for the broader ecosystem, and how is the EPA really tackling this problem?

Mr. REGAN. Well, thank you for that question. And you know, we recognize, as you do, that pollinators are important to the environment and the economy. And I think the Endangered Species Act is one of EPA's best tools to protect endangered pollinators when we register pesticides.

And so we have invested heavily in strengthening our work in this area. In the 2023 budget it proposes to include, for the first time ever, a targeted increase for our ESA pesticide work. So we have asked for $4.9 million and 10 FTE to focus specifically on this issue.

We are also working to finish our review of some of the pesticides that pollinators are vulnerable to, although some of this work has slipped a little bit behind where we want to be, we are continuing to forge ahead on this very important issue. So it is a priority, and it is reflected in our budget.

Senator MERKLEY. I will give you just one example of the types of things that might be real facts on the ground changes, and that is to have a system in which we can make sure that as we replant pollinators, or the flowers, and appropriate plants for pollinators, we are making sure that that they are raised in a fashion, that is that the plants are prepared in the nurseries in a fashion that doesn't make them damaging to insects rather than helpful.

And so it is just one of the pieces to look at. And I hope that there will be a moment 10 years from now when we can say that that 98 percent collapse in the monarch has been reversed before we lose the western monarch. But it is just as—it is a beautiful symbol, but it is representative of the broader challenge of a whole classes of pollinators, including, obviously, our bee populations.

I want to turn to your broad effort to rebuild the EPA, and we have seen a proposal for a really significant expansion, and you have got a lot going on with toxic chemicals, and water supplies,

and hydrofluorocarbons, you have got a massive set of responsibilities.

So as you look at your plan to go forward, and your work—restore your workforce, you are also facing a retirement wave. And I understand that 43 percent of your workforce have enough service that they could be retirement eligible within 5 years. And so not only rebuilding the vacancies you have now, but preparing for probably a significant wave of retirements.

How will your budget proposal rebuild and modernize EPA's enforcement and compliance efforts in the context of this personnel challenge?

Mr. REGAN. You know, I think that the enforcement piece is something that I have indicated we are wanting to build up and build capacity up very quickly, because we have a lot of laws and rules on the books that just aren't being enforced, that protect our most vulnerable.

So our enforcement budget is mostly comprised of many of those employees—any of the employees that are in our regional offices. Our 2023 budget request is about $104 million, we are asking for 122 FTE that will ensure EPA can follow through with compliance and enforce our Nation's environmental laws.

I would say that, you know, unfortunately, our enforcement budget has remained flat over time as payroll costs have increased, in addition to cost of living adjustments. And so as a result, during the past decade, we have seen about a 22 percent of our enforcement capacity, or resources drop.

We need more boots on the ground. We need to be able to follow through and do our job to protect our fellow citizens. And so this fiscal year 2023 budget has that pragmatic, and practical request in there to get us to that workforce level that we need to be at.

Senator MERKLEY. So I did specifically mention enforcement. But let me turn more broadly to your overall number of staff that you need to add. And I was glancing back, looking at the fiscal year 2023 request proposes to fund 16,200 FTE, an increase of 2,000 above fiscal year 2021 staffing level. So now let me just kind of zoom out to this broader challenge of those—how essential are those 2,000 staff members? And I think you are going—is that in addition to the thousand that you are you are hoping to hire through the Bipartisan Infrastructure Bill?

Mr. REGAN. We are looking at an addition, yes. We know that the resources that we are asking for, for the Bipartisan Infrastructure Law, those are resources that look at a five-year window. We are trying to really rebuild the core EPA workforce here.

To the point you just made about 25 percent of all EPA employees are eligible to retire with 19 percent eligible in the next 5 years. And so we can look at just really basic examples. If we want to implement the TSCA laws the way Congress has asked that we do, we need the bodies there to do that. We have about 200 less staff to focus on processing, and getting new chemicals to the market, than we did in 1988.

So we need to rebuild capacity at the core, but we also really need to rebuild capacity in strategic programs that, quite frankly, are trying to keep pace with the growing economy.

Senator MERKLEY. Yeah. Thank you, and thank you for highlighting the toxic chemicals bill, the TCSA Bill, with the Lautenberg rewrite of it, the Lautenberg amendments. And consumers in America, are just kind of really believe that we are monitoring the chemicals that go into products in a way we are not. But TCSA makes that possible as rewritten, but you need the personnel, the 200 FTE that you noted, the additional 200 FTE to make it work. I think that is incredibly important.

On that note, I will turn back to my colleague from Alaska.

Senator MURKOWSKI. Mr. Chairman, I want to thank the Administrator for being here this morning, for the engagement that you have had with each of us on issues, some very parochial, some more national in scope, and just would ask that you continue with a very direct engagement as you have committed to.

I share the Chairman's desire, and concern, and knowing what we can anticipate with regards to the guidance, and the guidelines with the congressionally directed spending. This is something where I think we know full well, certainly on the water and wastewater projects that we have in Alaska, a very, very keen interest in starting to move out on this quickly.

And in many parts of my state we have got issues where timing is pretty important, as the season is not unlimited as we work to build out these projects. I wanted to just ask a question, and based on—based on your response to the Chairman, you probably have not yet determined, but the staffing set asides from the infrastructure bill funding, curious to know whether they could be used to help offset the costs of administering the congressionally directed spending projects.

That is something that has been raised. So as you are considering that, perhaps you should just include that as part of the discussion as you are moving forward in laying down this particular guidance.

And with that, Mr. Chairman, I thank the Administrator. And thank you for having a good hearing today.

Mr. REGAN. Thank you very much.

ADDITIONAL COMMITTEE QUESTIONS

Senator MERKLEY. Thank you, Senator. And if there are no other statements, the hearing record will be open until the close of business on May 25th.

QUESTIONS SUBMITTED BY SENATOR DIANNE FEINSTEIN

CALIFORNIA COAST DUMPING CLEANUP

Question. I continue to be deeply concerned about industrial waste dumped off the California coast between the 1930s and 1960s that still remains in our ocean. This toxic waste includes DDT—a chemical so harmful it was banned in 1972.

We now know that oil and gas-related chemicals are also likely to have been dumped there as well. Scientific studies point to decades of detrimental impacts to the marine life, including cancer in dolphins, sea lions and California Condors.

The survey conducted by NOAA and partners in March 2021 mapped approximately 36,000 acres at 3000 feet depth of the sea floor. This area, known as dumpsite #2, revealed around 26,000 dumped barrels of industrial waste, and over 100,000 other debris objects. We also know based on historical record, there are a total of 14 known offshore dumpsites off the California coast. This is alarming.

Both EPA and NOAA have informed my office a number of times that they have more questions than answers on this problem and a follow-up survey mission is the

best next step to understand the state of the barrels, as well as the chemicals in them and around them in the water and on the sea floor. Yet, more than a year later, neither agency has provided a funding estimate or including funding in the fiscal year 2023 budget proposal despite repeated requests by my staff, nor a plan of action for next steps. Lastly, EPA has yet to fulfill its commitment to a public website for the public to learn more and understand the scope of the issue.

Administrator Regan, I ask, once again, that EPA and its partners act with urgency and prioritize this issue. Can you describe the next steps EPA will take to help us better understand the impacts of this historic ocean dumping?

Answer. This historic toxic dumping is a major problem off the California coast.

Although the United States outlawed this practice decades ago, major problems and risks from these lingering chemicals still exist. Based upon scientific studies, EPA agrees that these deep- water sites need to be further examined. EPA is collaborating with state and Federal agencies and key institutions, including the Scripps Institute of Oceanography and the University of California Santa Barbara, to identify a strategy to investigate this area and the potential risk to human health and the marine environment.

Question. Does EPA have the statutory authority it needs to monitor or conduct testing on the impacts of the DDT and other toxic waste that was dumped decades ago but remains active in our environment?

Answer. CERCLA provides discretionary authority under Sections 104(a) and 104(b) to undertake monitoring and testing of releases or threatened releases of hazardous substances, such as DDT and to respond to releases or threats of release, including releases into United States territorial waters or ocean waters with natural resources under the exclusive management authority of the United States. The US Coast Guard is delegated lead response authority for releases in the coastal zone, with EPA serving in a support capacity, subject to further agreement between the Agencies.

BAY DELTA WATERSHED

Question. I appreciate the President's budget proposal investing in geographic ecosystem restoration programs nationwide including San Francisco Bay Delta, however, I am disappointed that San Francisco Bay appears to be the only program—when compared to at least seven others—not to have received a funding increase despite demonstrated need of the region and success of the program.

The San Francisco Bay Delta watershed system is one of the largest in the nation. It covers 75,000 square miles and includes the largest estuary on the west coasts of North and South America. It also contains the only inland delta in the world. In addition, the watershed provides a primary source of drinking water for 25 million Californians, irrigation for 7000 square miles of agriculture, and includes important economic resources such as California's water supply infrastructure, ports, deepwater shipping channels, major highway and railroad corridors, and energy lines. In the Delta specifically, declining water quality and increasing demand for limited water resources are the subject of intense review and planning to protect this valuable resource for the future.

The watershed includes a diversity of fresh water, brackish water, and salt water aquatic habitats. Several endangered and threatened aquatic species are found here including delta smelt, steelhead, spring run Chinook salmon, winter run Chinook salmon, and others. Two-thirds of California's salmon pass through these waters, and at least half of the state's Pacific Flyway migratory water birds rely on the region's wetlands.

Administrator Regan, can you provide an explanation as to why San Francisco Bay did not receive an increase from fiscal year 2022 funding levels in your budget proposal for fiscal year 2023 while at least seven other programs received double or more, including similar programs such as Puget Sound and South Florida?

Answer. EPA is committed to continue working with Congress, as well as our Federal and state partners, to protect human health, support economic growth, and improve environmental conditions for Americans that live and work in the San Francisco Bay Delta.

The fiscal year 2023 President's Budget was formulated before enacted levels were fully available for the San Francisco Bay Program and, therefore, reflected a $3 million increase when compared to the fiscal year 2022 Annualized Continuing Resolution Levels as contained in the request.

SOUTH COAST AIR QUALITY DISTRICT

Question. For over 20 years, the South Coast Air Quality District has been working to meet Federal Clean Air Act standards. Since these standards were set in

1997, California has led the nation in taking action against pollution and climate change.

While I am appreciative of the EPA's action to reinstate California's waiver so it can set its own fuel emissions standards, as well as actions to increase standards for heavy-duty trucks and regulate hydrofluorocarbons, I think we can both agree that the Federal government must do more to limit emissions, including from ocean-faring cargo ships, trains, and out-of-state trucks and airplanes—all of which affect the South Coast's air quality. Until it does so, it is unreasonable to expect that the state will meet their Federal air quality goals, and still more unreasonable to penalize air quality districts for non-attainment. Further, the withholding of highway funds in pursuit of this penalty will only make it more difficult for the district to complete projects which would help them reach their attainment goals.

What is the EPA doing to fast-track emissions standards for interstate and international travel and commerce, including ships, trains, trucks, and airplanes?

Answer. EPA recognizes the significance of the public health challenges that California faces and is acting on a range of fronts to reduce emissions from the transportation sector. That includes: a March 2022 proposal to reduce oxides of nitrogen from Heavy Duty Vehicles, for which EPA intends to finalize standards by December 2022; evaluating whether emissions from piston-engine aircraft operating on leaded fuel contribute to air pollution that endangers public health and welfare, then issuing a proposal this year for public review and comment, and taking final action in 2023; and leveraging the significant investments in the Bipartisan Infrastructure Law's Clean School Bus program to achieve air quality improvements in communities and help drive the market for electric heavy duty vehicles. In addition, EPA is engaged as an active member of the U.S. Government delegation at the International Maritime Organization working on programs to reduce air pollution from ocean-going vessels and at the International Civil Aviation Organization working on programs to reduce air pollution from aircraft. Refer to the proposed rule https://www.epa.gov/regulations-emissions-vehicles-and-engines/proposed-rule- control-air-pollution-aircraft-engines.

Question. What plans does the EPA have to help the South Coast Air Quality District meet their attainment goals, given large sources of federally preempted sources of pollution in the area?

Answer. EPA appreciates these air quality challenges and shares your concern about reducing pollution from sources needed to reach attainment. A coordinated, collaborative Federal- state partnership is critical to address these long-standing air pollution problems. EPA's Office of Air and Radiation (OAR) and Region 9 leadership are working closely with the South Coast Air Quality Management District (SCAQMD) and the California Air Resources Board (CARB) to address these time-sensitive issues regarding Clean Air Act obligations and sanctions. OAR and Region 9 have established a team that began meeting with SCAQMD and CARB to develop a common understanding of the area's ozone attainment challenges, potential Federal and state solutions, required timelines for achieving compliance with ozone air quality standards, and potential triggers of Federal sanctions. EPA is committed to determining how EPA, our colleague agencies, and our state and local counterparts can move forward to ensure attainment and maintenance of the ozone NAAQS.

Question. What is EPA's long-term enforcement posture to ensure air quality districts are able to meet their goals and avoid inappropriate penalties in future situations?

Answer. EPA's desire is always to help air quality planners meet the requirements and the goals of the Clean Air Act collaboratively, and we will continue to provide support to state and local compliance monitoring and enforcement programs with the goal of achieving the reductions envisioned by the regulatory framework designed to improve air quality.

RENEWABLE FUELS

Question. Currently, the EPA allows biomass cleared from areas that are "at risk from wildfire" to be classified as a renewable fuel. However, that definition relies on outdated information that may not include many locations in California that are actually areas of high wildfire risk according to the U.S. Forest Service, as I mentioned in my December 2021 letter to you. If vegetation cleared from wildfire hazard areas could be classified as renewable biomass under EPA rules, it would help reduce wildfire risk in these areas, improve forest health, and make use of cleared vegetation.

Will you update this guidance with a more recent U.S. Forest Service Wildfire Hazard Potential map to more accurately reflect California's wildfire risk?

Answer. It is clear that climate change and extreme weather are exacerbating wildlands fires across the country. As requested in your December 2021 letter, EPA has been working with the U.S. Forest Service and interested stakeholders to evaluate if such a change is permissible under the Clean Air Act. Any changes to EPA's current approach will need to go through notice and comment rulemaking to amend the existing regulations.

As the EPA processes additional pathways for biofuels under the Renewable Fuel Standard, including from canola and rapeseed oil, I urge the agency to be as aggressive as possible with other pathways. The agency's expertise is critical to evaluate new transportation fuels lifecycle greenhouse gas benefits.

Question. What is the current status for additional pathways that is EPA considering, such as biomass and biogas for electric or fuel cell vehicles or those technologies that pair direct air capture and/or carbon capture and sequestration?

Answer. EPA intends as part of an upcoming rulemaking to propose new regulations that would allow renewable electricity to participate in the RFS program, consistent with Congressional intent to expand renewable fuel use. EPA has met with multiple stakeholders over several months to gather input on the upcoming proposal, which will provide details regarding how program implementation would work.

WILDFIRES

Question. Wildfires in California have become increasingly prevalent and intense in recent years. While the science exploring the environmental impacts of these fires is ongoing, comparatively little attention has been paid to the health impacts for Californians resulting from the resulting poor air quality. Researchers in my state have attempted to quantify these impacts and found that wildfire smoke was linked to 11,500 deaths in California between 2008—2018. Another recent study estimated that the 2020 California wildfires resulted in an additional 20,000 COVID–19 cases as people were more likely to stay indoors. As smoke from California wildfires can potentially impacts states as far away as New York, more funding is needed to study the impacts of these wildfires across the nation.

Administrator Regan, what is the EPA doing to fund research on the environmental and health impacts of wildfire smoke? Have you explored using the EPA STAR program to prioritize this research?

Answer. EPA works to mitigate the public health impacts of both wildfire and prescribed fire smoke events. EPA provides trusted information about air quality conditions and health impacts before, during and after fire and smoke events. EPA also conducts research and builds the tools needed to understand the impacts of fire on air quality, water quality, and health.

EPA researchers are working to increase understanding of who is most at risk for adverse health effects of smoke; what strategies and approaches are effective in communicating impacts of wildfires on air quality and health to reduce smoke exposures and protect public health; how best to measure and model wildfire emissions and related air quality; and the impacts of wildland fire on surface waters and drinking water quality. This work will help citizens and local governments to understand and minimize the impact of wildfire smoke on public health.

EPA is also working with tribes, states, and other Federal agencies to address wildfires. EPA is expanding the Wildfire Smoke Air Monitoring Response Technology (WSMART) program to increase the capacity of air agencies and air resource advisors affiliated with the Interagency Wildland Fire Air Quality Response Program to expand air quality monitoring during wildfire smoke events.

EPA Wildfires Research is expected to be funded at approximately $3.0M in fiscal year 2022. A $4.8 million increase to address wildfires research is being requested in fiscal year 2023 for a total investment of $7.8M.

In 2021, as part of its Science to Achieve Results (STAR) program, EPA awarded $9 million in grant funding for researchers to address behavioral, technical, and practical aspects of interventions and communication strategies to reduce exposures and health risks of wildland fire smoke. To improve public health, the institutions receiving these grants are conducting research to understand what actions might be effective for reducing exposures to wildland fire smoke and how best to communicate these actions to various groups.

QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

LAKE CHAMPLAIN

Question. I want to thank you and the administration for once again including $20 million in funding in the President's budget to support the EPA's Geographic Program for Lake Champlain. The Lake—Vermont's "Great" Lake—is critical not only to our state's economy, but to the entire Champlain Valley. New and ongoing threats, however, from climate change, invasive species, water contamination, and more, demand continued investment in restoration and preservation.

You and I have spoken about the success of the EPA's Lake Champlain Program. It is a model for other geographic area programs across the country. What future investments do you believe are necessary to ensure that Lake Champlain remains protected, and with it, the economies that rely on the Lake?

Answer. The Infrastructure Investment and Jobs Act, or Bipartisan Infrastructure Law (BIL) invests $40 million in Lake Champlain which will allow us to extend additional support throughout the basin to support underserved and disadvantaged communities and increase resiliency in the face of climate change through programs to conserve important lands and access to them, improve aquatic organism passage, reduce flooding, and restore the function of floodplains in the basin. This investment in Lake Champlain and other geographic programs across the country will help clean up waters and accelerate our work in special places like Lake Champlain. Support for activities to address aquatic invasive species through the Vessel Incidental Discharge Act (VIDA) will also serve to protect the important ecosystem of the Lake Champlain basin. Potentially detrimental species, such as the round goby that is currently threatening to enter the basin, could have far-reaching impacts on the fishery and water quality that the economy of the basin depends on. On top of their base appropriations, these expanded and multi-year resources will accelerate the programs' long-standing work to improve water quality, enhance ecosystem and community resilience, conduct environmental education and outreach, and more. EPA is committed to being a strong partner to support their growth and to working with Congress and key local stakeholders to ensure effective, efficient, and equitable implementation.

BURLINGTON HIGH SCHOOL CONTAMINATION

Question. When you last appeared before this Committee, I spoke with you about the high levels of PCBs found in Burlington High School shortly before the 2021–2022 school yhttps://www.yahoo.com/entertainment/scheana-shay-reveals-million-dollar-130827403.htmlear was set to begin, forcing the school to relocate in order to remediate these toxic chemicals—and construct a new high school, free of toxins on the site. The cost of the project is staggering.

Burlington is Vermont's largest and most diverse city, with the greatest number of disadvantaged students in the State. Congress has provided billions of dollars through the bipartisan infrastructure to support projects like this one. What support can the EPA provide, beyond technical assistance, for dire situations such as the need for environmental remediation at Burlington High School, which is attended by over 1,000 Vermont students?

Answer. EPA is committed to improving children's environmental health in schools and has provided information on and implemented programs to address PCBs. EPA continues to engage across state, tribal, and local government partners, and their stakeholders, to reduce or eliminate PCB contamination, particularly in schools and environments with children or susceptible sub-populations as well as disadvantaged and environmental justice communities, so that all Americans are safe from environmental and health hazards, including exposures to PCB- containing materials.

The fiscal year 2023 President's Budget includes an increase of $1.7 million to provide some additional capacity for the Agency to help assess the risk of PCB exposure at local schools and buildings. EPA support for capacity building and improved ventilation in schools serving communities with environmental justice concerns are options for funding under the American Rescue Plan (ARP) Act. In fiscal year 2021, EPA launched the Healthy Learning Environments in Low- Income and/or Minority Communities grants program to address children's environmental health in schools and childcare settings using ARP funds. EPA would welcome the opportunity to work with you on ways to address environmental and health hazards in schools. Our staff from Region 1 have been supporting Burlington and will continue to do so.

LAKE CHAMPLAIN BASIN PROGRAM

Question. The Lake Champlain Basin Program was created by the Lake Champlain Special Designation Act of 1990. It brings together partners in Vermont, New York, and Quebec to coordinate and fund solutions to the challenges faced by the Lake Champlain Basin. For over 30 years, the program has addressed phosphorus pollution, toxic substances, biodiversity, and aquatic invasive species. Today, these interconnected issues are exacerbated by the effects of the climate crisis. Considering the growth of the Lake Champlain Basin Program since its establishment in 1990, its reauthorization in 2002, in addition to the increasing complexity of challenges in the Lake Champlain watershed, would you agree that it is timely to consider reauthorizing the program expediently?

Answer. Thank you for your leadership on efforts to protect and restore this resource of national significance. EPA is one of several agencies that jointly administer the Lake Champlain Basin Program. Lake Champlain is a precious resource, and as such EPA stands ready to provide technical assistance to Congress on any effort to reauthorize the program to account for changes in the 20 years since the last reauthorization. EPA Region 1 and OGC have provided technical support to Chairman Leahy's staff on the proposed reauthorization and are available and willing to respond to any additional requests for assistance.

Question. I am currently working on legislation to again reauthorize the Lake Champlain Basin Program. What resources, both fiscal and technical, is the EPA prepared to bring to the table to ensure the future protection and preservation of Lake Champlain?

Answer. The Bipartisan Infrastructure Law (BIL) provides $40 million to address climate change mitigation and adaptation, phosphorus loadings, invasive species, and toxic substances that threaten Lake Champlain's water quality and ecosystem health. EPA has historically provided technical support to the Lake Champlain Steering Committee and its partners through requests for assistance, funding of the New England Water Pollution Control Commission (NEIWPCC), the Lake Champlain Basin Program (LCBP), and the states of New York and Vermont, and provides technical insight and guidance as members of various LCBP subcommittees, the Executive Committee, the Steering Committee, and the Lake Champlain Federal partnership. As the program has grown, EPA is committed to increasing its support of the program through the addition of technical and support staff in EPA Regions 1 and 2. EPA also coordinates on aquatic invasive species with the Great Lakes National Program Office through the Vessel Incidental Discharge Act (VIDA) and provides technical support as necessary. EPA is committed to continuing to support the Lake Champlain program and would welcome the opportunity to work with you on future protection and preservation.

QUESTIONS SUBMITTED BY SENATOR CHRIS VAN HOLLEN

CHESAPEAKE BAY

Question. One of the most important roles for the EPA Administrator and EPA in the restoration of the Chesapeake Bay is to demonstrate leadership and a commitment to a restored Bay. We are only a short 3 years away from our 2025 commitments under the Chesapeake Bay Agreement to meet our mutual goal of clean water. The Chesapeake Bay agreement identifies the pollution reductions necessary to meet water quality standards in the Bay and EPA's role in achieving those reductions. Given that 86 percent of the remaining pollutant load reductions must come from agriculture, it is imperative that the EPA work with USDA to ensure sufficient financial and technical assistance are provided to Bay region farmers so that we can get the job done.

Ensuring that we are on the right pathway to meet our rapidly approaching 2025 clean-up deadline is critical; I appreciate that the EPA has used a "most effective basins" approach to get the most bang for the buck in critical areas of the watershed. How does the EPA plan to continue that approach, and how can EPA work with USDA to direct agricultural conservation funds to where they will be most helpful in the Bay in order to get the maximum load reduction possible?

Answer. Nutrient pollution is a serious challenge affecting water quality across the country. Making progress on reducing excess nutrients and improving water quality will require all the tools available, including regulatory, non-regulatory and market-based programs to promote collaboration among urban and agricultural sectors. EPA uses a host of tools to support our partners, including states, tribes, and farmers, to reduce excess nutrients in watersheds using regulatory, non-regulatory,

market-based, and other collaborative approaches. EPA is committed to working with USDA among others.

EPA will continue to focus funding in the "most effective basins" (MEB) of the watershed to reach the goals of a restored Bay. At the same time, EPA will work with our partner agencies to accelerate the implementation of the most cost-effective best management practices in reducing nutrient and sediment pollution within the "most effective basins." This year over $22 million is being targeted through MEB funding, $15 million of which comes from additional funding provided through the Bipartisan Infrastructure Law.

EPA, USGS, and the University of Maryland developed the "Priority Agricultural Watersheds" mapping tool to inform where to target Federal funding to agricultural conservation practices to reduce the greatest nitrogen and phosphorus loads to the tidal Chesapeake Bay. Since 2010, this regional screening tool has been used by EPA and USDA in their funding ranking criteria to target EPA Chesapeake Bay grants and USDA Farm Bill program funding for the greatest agricultural load reductions to the tidal Chesapeake Bay. In July 2021, EPA and USGS updated and enhanced this mapping tool with the most recent USGS SPARROW model and State agriculture-impaired streams data. More recently, EPA has updated its Most Effective Basins map, which will provide complementary information for the Priority Agricultural Watersheds. EPA and USDA's Natural Resources Conservation Service continue to coordinate Federal funding to support implementation of priority agricultural practices in priority watersheds to achieve the greatest nutrient reductions to the Chesapeake Bay. Additionally, EPA, NRCS, and USGS developed recommendations to enhance monitoring to document water-quality improvements to conservation practices. In 2021, EPA, NRCS, and USGS published reports summarizing their coordination efforts and recommendations:

—Report NRCS EPA Ag Conservation Funding Team (https://www.chesapeakebay.net/channel_files/41834/report_nrcs_epa_ag_conservation_fundingteam.pdf) and

—Report NRCS EPA USGS Federal WQ Monitoring Team (https://www.chesapeakebay.net/channel_files/41834/report_nrcs_epa_usgs_Federal_wq_monito ring_team_122220.pdf).

An example of how EPA and NRCS are working together to make it easier for Chesapeake Bay agricultural partners to access Federal funding for their conservation work is the Decision Memo they signed on June 21, 2021. This memo allows agricultural partners to use Chesapeake Bay grants as "match" (partner contribution) for the NRCS Regional Conservation Partnership Program (RCPP) projects. RCPP projects can be as high as $10 million and require an equal amount of match from applicants. Allowing applicants to use EPA's Chesapeake Bay grants as match has been a game-changer for applicants and made them more competitive for these national funds.

Question. The Bipartisan Infrastructure Law provided $238 million for the Chesapeake Bay Program through 2026 on top of annual appropriations, this will supercharge our efforts to clean up the Bay. Earlier this month, EPA announced the allocation of $40 million in first-year funds with $25 million administered through the NFWF Chesapeake Stewardship Fund, and $15 million for distributed to the watershed states and D.C. for Most Effective Basins. Is it the Agency intent allocate funding at the same ratio in fiscal year 23?

Answer. EPA is grateful to Congress for including the Chesapeake Bay Program in the Bipartisan Infrastructure Law (BIL) . The Agency is committed to timely investment of all infrastructure funds, knowing this will allow the program to accelerate actions to restore and protect the Chesapeake Bay and its watershed. The Chesapeake Bay Program will continue to support the Most Effective Basins grants to jurisdictions and is gathering input this summer to ensure future allocations are aligned with the highest priority needs. The Bay Program will continue supporting the competitively awarded Small Watershed Grants (SWG) and Innovative Nutrient and Sediment Reduction Grants (INSR) which are up for competition again this year. A request for proposals is planned for later in 2022.

CLEAN AIR

Question. For decades, the State of Maryland has worked diligently to address pollution to meet air quality standards and to protect the health of our constituents. In Baltimore, the rate of asthma- related hospitalizations is among the highest in the country—three times higher than the U.S. average. These pollutants lead to increased pulmonary and cardiovascular-related illnesses and disproportionately impact communities of color. Ensuring these communities receive the resources they

need is critical and I thank you for the work the EPA has done to expand the efforts of air pollution control agencies to reduce greenhouse gases, yet more is needed to be done. On August 11, 2021, the Center for Biological Diversity filed suit against EPA Administrator Michael Regan in the District Court for the Northern District of California Oakland Division. Plaintiffs allege that EPA has failed to undertake certain non-discretionary duties under the Clean Air Act in Detroit, Anne Arundel County, and Baltimore County and fails to meet National Ambient Air Quality Standards for sulfur dioxide levels.

What efforts has the EPA made to address these urgent issues and support states like Maryland in meeting our clean air standards? How will EPA support the Office of Air and Radiation ability to regulate and reduce pollution from the power generation and transportation sectors?

Answer. Under the Clean Air Act's "good neighbor" provision, EPA provides a backstop to state actions by promulgating Federal Implementation Plans (FIPs) when a state fails to submit, or EPA disapproves, a good neighbor SIP. EPA has promulgated several national-scale rulemakings to fulfill its FIP obligations to address interstate pollution for ozone and fine particulate matter NAAQS, including the Clean Air Interstate Rule (CAIR); the Cross-State Air Pollution Rule (CSAPR); the CSAPR Update; and most recently, the Revised CSAPR Update. Emissions reductions from electric generating units (EGUs) were achieved through these rules via regional allowance trading programs. Before these actions, EPA had regulated certain non- power plant sources (along with power plants) in the 1998 "NOx SIP Call." EPA's recently proposed transport rule builds upon these prior rulemakings and extends the proposed emissions reductions to industrial sources beyond the power sector and to several states not included in prior national-scale actions.

Regarding areas failing to meet the National Ambient Air Quality Standards for sulfur dioxide (SO2), EPA, on January 28, 2022, issued a finding that the Detroit, MI, nonattainment area failed to attain the SO2 standard by the attainment date. EPA is working to finalize a Federal implementation plan for this area by the consent decree deadline of September 30, 2022. Regarding the Anne Arundel/Baltimore County nonattainment area, EPA has a consent decree deadline of October 31, 2022, to take final action on the state's SO2 attainment plan for this area and is working with the state to meet this deadline.

EPA is also moving expeditiously to reconsider the 2020 decisions to retain both the ozone and the particulate matter (PM) National Ambient Air Quality Standards (NAAQS). This approach adheres to rigorous standards of scientific integrity and provides ample opportunities for public input and engagement. These reconsideration decisions reflect EPA's commitment to a rigorous NAAQS review process, with a focus on protecting scientific integrity. An important part of that is to ensure the Clean Air Scientific Advisory Committee (CASAC) is fully equipped to provide me the advice needed to make the best decision possible. EPA moved to reinstate pollutant specific CASAC panels to assist the CASAC in ongoing reviews, including in these two reconsiderations.

Power plants remain the largest stationary sources of harmful pollutants like nitrogen oxide and sulfur dioxide and are the nation's second largest source of greenhouse gas pollution. EPA is committed to using the full scope of its authorities, including its Clean Air Act authority, to regulate greenhouse gas emissions from power plants, to protect communities, and to reduce the pollution that is driving climate change. In March, EPA outlined its approach to working with the power sector to continue to deliver affordable, reliable power while reducing pollution to protect public health. EPA is working to develop a set of clean air, clean water, and waste disposal standards. The approach includes engaging industry and working in a transparent manner, protecting public health and overburdened communities, and pursuing an integrated approach that provides a framework for investment decisions.

EPA is moving forward on critical actions to address pollution from the power sector. Building on a robust foundation of public engagement, we plan to finalize the Mercury and Air Toxics Standards Appropriate and Necessary Finding this year and propose a review of the MATS Risk and Technology Review in early 2023. We will continue to conduct outreach in 2022 on greenhouse gas rules for new and existing power plants and propose Clean Air Act section 111 rules in early 2023. These steps are an important part of the Administration's commitment to advance standards to ensure that all Americans are protected from the power plant pollution that harms public health and our economy. They also demonstrate our commitment to achieving a cleaner power sector, and to doing so in a way that provides regulatory certainty and a long-term planning horizon for companies, state regulators and investors; that maintains reliable and affordable electricity for families and businesses; and that creates jobs and economic opportunities. It is critical to the success of these efforts

that EPA receive the fiscal year 2023 President's Budget request. For example, the President's Budget requests an increase to support the regulation of stationary sources of air pollution through developing and implementing emissions standards, regulations, and guidelines. The fiscal year 2023 President's Budget also includes a request for additional resources for NAAQS review work and related implementation activities, such as development of guidance, review of SIPs and permits, and air monitoring and analyses.

PFAS

Question. PFAS contamination in our nation's waterways pose enormous health risks to communities across the country, and many private drinking water wells currently don't have any standards. How does EPA plan to ensure that communities on private wells aren't being harmed by PFAS? Will there be support for well remediation?

Answer. In October 2021, EPA Administrator Michael Regan released the PFAS Strategic Roadmap—EPA's whole-of-agency approach to tackling PFAS. The Roadmap sets timelines by which EPA plans to take specific actions and commits to bolder new policies to safeguard public health, protect the environment, and hold polluters accountable. The actions described in the PFAS Roadmap each represent important and meaningful steps to safeguard communities from PFAS contamination. Cumulatively, these actions will build upon one another and lead to more enduring and protective solutions.

EPA recognizes that PFAS contamination has impacted communities across the country, including communities and households that rely on home drinking water wells. The Agency is taking action to use the best-available science to tackle PFAS pollution, protect public health, and provide critical information quickly and transparently, while also providing infrastructure funding to help communities—especially disadvantaged communities—deliver safe water. In addition to direct actions to protect drinking water under the Safe Drinking Water Act (SDWA), EPA is bringing deeper focus to preventing PFAS from entering the environment in the first place (through actions under the Toxic Substances Control Act and the Clean Water Act) and to broadening and accelerate the cleanup of PFAS contamination to protect human health and ecological systems.

The SDWA's regulatory and financing programs are generally designed to assist public water systems, which the law defines as a water system that has at least 15 service connections or that regularly serves at least 25 individuals. The SDWA does provide authority to use funds from key financing programs (including the SRFs and the new BIL Emerging Contaminants grant program) to connect households on private wells to public water systems. Funds from these programs may be used to connect households currently on private wells to create a new public water system as defined in the SDWA, and to install appropriate treatment solutions to reduce PFAS in the new public water system. The SDWA authorities for the SRFs and for the new BIL Emerging Contaminant Program do not allow for states to fund projects for private well remediation.

EPA includes information about steps that people who get their water from a home drinking water well can take to reduce exposure to PFAS in drinking water on the agency's website at Meaningful and Achievable Steps You Can Take to Reduce Your Risk (https://www.epa.gov/pfas/meaningful-and-achievable-steps-you-can-take-reduce-your-risk). EPA also maintains a website at Private Drinking Water Wells (https://www.epa.gov/privatewells) that educates well owners more broadly on topics such as the importance of testing home drinking water wells and shares information on protecting health, including links to other Federal and non-profit websites that host additional educational materials and resources to help these well owners. EPA highlighted these resources for the public when releasing health advisories for four PFAS on June 15, 2022.

EPA's Office of Water has committed to setting enforceable limits in drinking water for PFOA and PFOS, with a proposed rule coming this fall and a final rule by the end of 2023. It has also committed to setting binding discharge standards (effluent guidelines) for different categories of industry that discharge PFAS. EPA issued a final PFBS assessment in April 2021, after addressing scientific integrity concerns with a version of the assessment released on January 19, 2021. EPA finalized a similar assessment for GenX in 2021 and is also moving ahead to assess the toxicity of additional PFAS. Finally, EPA is taking action to improve Clean Water Act permitting and to deepen our understanding of PFAS in fish tissue and working closely with USDA, the risks of PFAS in biosolids.

QUESTIONS SUBMITTED BY SENATOR SHELLEY MOORE CAPITO

STAKEHOLDER MEETINGS

Question. What is your procedure for handling stakeholder meeting requests when you are unable to take the meeting? Are the meetings that you cannot attend delegated to be handled by other US Environmental Protection Agency (EPA) staff?

Answer. Engagement and transparency are important values to me. That said, when scheduling conflicts or other limits prevent my ability to accept meeting requests, EPA usually offers a surrogate who has relevant expertise.

FULL–TIME EQUIVALENTS STAFFING

Question. How many full-time equivalents (FTEs) are currently employed by EPA? What is the average number of EPA FTEs that reported for work in person in the EPA headquarters buildings daily from April 1, 2022 to May 31, 2022? What is the average number of EPA FTEs that reported for work in person in each EPA regional office daily from April 1, 2022 to May 31, 2022? Please break down by regional office. What is the average number of EPA FTEs that reported for work in person at any other EPA facility daily from April 1, 2022 to May 31, 2022? Please break down by facility.

Answer. As of June 1, 2022, EPA has 14,450 onboard employees. EPA currently projects utilizing 14,313.8 full time equivalents (FTE) through the end of fiscal year 2022 across annual appropriations, user fee, and supplemental appropriation accounts, including the Bipartisan Infrastructure Law.

EPA recently expanded existing workplace flexibilities, such as telework and flexible schedules, so the EPA workforce will operate in a hybrid manner. EPA also provides an option for full-time remote work only if all duties are portable. These flexibilities are implemented according to policy and adherence to established eligibility criteria and provide for better work- life balance and prioritize the well-being of our workforce.

EPA completed its phased re-entry to the workplace in late April, with all personnel who report to an EPA location returning per their work schedule. EPA anticipates that a hybrid workforce may lead to reduced facility lease and utility costs in outyears as EPA works to right- size our footprint. The fiscal year 2023 President's Budget request resources to support this rightsizing and enable EPA to expand the use of collaboration technology to support a hybrid work environment.

SUBCOMMITTEE RECESS

Senator MERKLEY. Thank you very much, Administrator Regan, I think about the huge set of issues that you are responsible for I know you are diligently trying to make a difference through your leadership, and your rebuilding of the Agency. We support you in that. This matters a great deal for all of us. So thank you.

No further comments. This hearing is adjourned.

[Whereupon, at 11:45 a.m., Wednesday, May 18, the hearing was adjourned, and the subcommittee was recessed, to reconvene at a time subject to the call of the Chair.]

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2023

WEDNESDAY, JULY 13, 2022

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

The subcommittee met, pursuant to notice, at 9:32 a.m. in room SD–124, Dirksen Senate Office Building, Hon. Jeff Merkley (chairman) presiding.

Present: Senators Merkley, Feinstein, Reed, Tester, Van Hollen, Heinrich, Murkowski, Blunt, Hyde-Smith, and Hagerty.

DEPARTMENT OF THE INTERIOR

STATEMENT OF HON. DEB HAALAND, SECRETARY

ACCOMPANIED BY DENISE FLANAGAN, DIRECTOR, OFFICE OF BUDGET

OPENING STATEMENT OF SENATOR JEFF MERKLEY

Senator MERKLEY. The hearing on the Interior and the Subcommittee will come to order.

And welcome, Secretary Haaland, and welcome to Denise Flanagan, so good to have you with us; and to our colleagues, and to our constituents.

Today's hearing will review the Department of Interior's fiscal year 2023 Budget Request.

And before I get started, I just wanted to highlight that during this session of Congress the subcommittee, after a conversation that I have had with Senator Murkowski, we have forgone the plastic water bottles that you see at hearings all across Capitol Hill. And I mention that simply because plastic is becoming an issue that the Department is dealing with, that America is dealing with, that the world is dealing with, because it is impacting our lands, our oceans, our wildlife, even our own bodies.

And because, Secretary Haaland, under your leadership, the Interior Department is taking steps to address the issue of plastic pollution, and last month you signed a Secretarial Order to phase out single-use plastics on public lands. And really want to thank you for that effort; lays out a ten-year plan.

I encourage you to consider whether there is a way for it to be a plan that takes less than a decade given the significance of plastics on public lands. But the fact is that you have taken very significant action, and I applaud that.

Turning to the American landscape, I want to start with wildfires, wildfires that are absolutely devastating to many of our western states. Compared to this time last year, four times as many acres have burned in this year, 2022. And it is not just the fires and their impact on the forest, but it is also the enormous risk to our communities, and to our citizens, the massive amount of smoke and air pollution that they produce.

I will never forget the 2020 Labor Day Fires in Oregon where I traveled some 600 miles back and forth across the state, never getting out of the smoke, and seeing six communities absolutely burned to the ground. And then meeting with what were—became thousands of citizens that had lost their homes, lost everything. And communities that were just absolutely obliterated, and it is so challenging to restore the lives, restore the communities.

So fire is a big deal for America. It is a big deal for the Department of Interior. And I am very pleased that as Chair of this subcommittee, I was able to work with colleagues on the Bipartisan Infrastructure Bill that provided $20 billion of appropriated funds for the Department of Interior programs, for programs within this subcommittee's jurisdiction.

And specifically, 2.5 billion over 10 years to invest in wildfire risk reduction and ecosystem restoration, including funds for fuel breaks, for hazardous fuels projects, reduce the amount of fuels in the forest, prescribed fires, and burned area restoration.

Another effort that we have undertaken is to provide funding for the training of National Guard members to be able to assist and become fire crews when we are in desperate need of additional fire crew members. This has been an important undertaking, those crews have been very valuable, and it is something that we are working to continue.

At this point more than a thousand personnel have been trained, and I know that as we continue to fund this program, train many more.

I was struck a couple weeks ago in conversations, meetings about this fire season that there is great difficulty in filling out the crews that are needed, and that effort to have the National Guard members provide additional support makes a lot of sense.

The final fiscal year 2022 Interior Bill funded five forest collaboratives across Oregon increased the ability to do these landscape restoration projects that provide trees to the mill, and jobs in the forest, and healthier forests, and forests that are more fire resilient.

And for the first time, we created a program to specifically address public health impacts of wildfire smoke. It is critical the Department use all its resources and tools at its disposal, including tribal co-management, interagency agreements, like the Western Oregon Operating Plan, and Forest and Rangeland collaboratives to get this funding on the ground, and put it to work protecting our communities.

While I am pleased with these accomplishments, I recognize that the fiscal year 2022 Budget deal did not address all the urgent challenges that your Department faces, urgent challenges and climate chaos, and loss of biodiversity, significant staffing shortages, to mention a few.

And I am disappointed that the final deal continued to include some legacy policy writers that harm the environment, like the sage grouse writer that prevents U.S. Fish and Wildlife Service from employing the best possible science in terms of the survival of that species.

But the final fiscal year 2022 Bill included a lot to be proud of. In addition to wildfire risk reduction, we increased funding for national monuments planning. We secured 10 million to construct a voting rights center, the Selma Interpretive Center, to honor the legacy of civil rights leaders, including the late Representative John Lewis.

We funded $7 million for the Indian Boarding School Initiative that I will be asking more about, and really applauding today. And we stopped the bleeding by halting the backslide of staffing levels for programs that promote clean water, protect our public lands, and conduct critical environmental research.

And I want to thank you, Secretary Haaland, for the Department's efforts to push completion of a resource management plan for the Cascade-Siskiyou National Monument, a plan that is really needed for the expanded monument. I know you are making very significant process on that, and I am just encouraging you to keep that process going forward with all due momentum. It will be a day to celebrate when we have that final resource management plan.

And I want to thank you and the Department for the wonderful success of the Monarch Summit that we held together last month. I have got my Monarch pin on, and I will be getting you one as well. And bringing experts together for two days to really address this enormous collapse of the Monarch population and all its implications was really—generated so much energy that you could just sense the excitement in the room that that effort was highlighting some very significant issues that need to be highlighted.

We are going to have a set of proposals that come out of that, but I just wanted to put up this chart for the Decline of the western monarch, we see that in the year 2020 we had less than 2,000 monarchs, that is less than five-thousandths of a percent of the numbers that we had back in the 1990s. This is catastrophic.

We have had a slight rebound, a very good year, last year, a slight rebound to where—but we are still less than 1 percent of the western monarchs. And I have been to Pismo Beach, I have seen the overwintering grounds in California, that actually it is a whole several hundred sites along the coast where they gather to avoid freezing over the winter.

We discovered some very important things in the summit, for example, that climate change is affecting survival because it is upsetting the timing of when the overwintering monarchs leave the coast, and the time that the milkweed comes out of the ground on which they lay their eggs. And we found out that the challenge with the milkweed that we might acquire in our nurseries; is that it is contaminated with pesticides that can actually kill monarchs, and so we have to have a pesticide-free milkweed production.

There is a tremendous amount that came out of that. We have to address this, and this actually isn't just about the monarchs, it is about pollinators in general, that play such an essential role in our ecosystem.

So thank you so much for collaborating on that, and I will look forward to maintaining the momentum on the ideas that come out of that meeting.

So let me switch to a broader question of climate change. I know that President Biden has publicly advocated for a paradigm shift on how we manage our public lands and waters for energy development, but in practice what we have been seeing is an all-of-the-above approach; an approach that will not boldly address our climate challenge, and that involves both addressing the demand and the supply of fossil fuels.

And we are definitely at a point where business as usual doesn't work. Now, we have just talked about the fires, but there is so much more going on in my home state: The loss of the snowpack, the acidification of the oceans, just everywhere we look we are being impacted by these changes in a very, very harmful way. It is affecting our fishing, it is affecting our farming, it is affecting our forests.

And so I want to encourage the Department to do all in its power to boldly address climate. And so just to express some of my concerns, the Department's long-awaited analysis of Federal oil and gas leasing did not incorporate or address climate change. The Department has defended environmental impact statements that do not contemplate climate change, statements that have been rejected by the courts, subsequently, as inadequate.

The administration put forward the largest lease of drilling rights in the Gulf of Mexico in U.S. history, a sale that was also halted by a court challenge, challenging the environmental impact statement.

The Department may have been legally required to offer a sale but it wasn't legally required to offer a massive sale. And I know you and I have spoken about other aspects of where I think the Department can really, really work to try to boldly address climate as we look at energy resources. And earlier this month the Department released a five-year plan for offshore drilling, it highlights a range of leasing options, including the no-leasing option. There is nothing in the Outer Continental Shelf Lands Act that requires offering these leases, and I urge you to choose the no-lease option in your final plan.

In Oregon, we are terrified of the impact on our ocean resources. Our salmon, our crabbing, our shrimp, just a whole range of critical ocean resources, and we are very, very concerned about the potential impacts of a disaster on our shoreline, our coastal communities. Just oil washing up on the shores would be absolutely devastating, and we simply must adopt more of a keep-it-in-the-ground perspective since we are at this tipping point of the devastating impacts of climate change on our states.

The Intergovernmental Panel on climate change in its 2021 Report used the term—or issued it, they called it A Code Red for Humanity, and amassing evidence of the catastrophic changes that we are experiencing. In American lingo we would call this "a five-alarm fire".

Record-setting global temperatures year after year, catastrophic wildfires, increasing frequency and severity of storms causing devastating impacts on lands and people, large-scale flooding that

heavily damaged Yellowstone National Park is an example, cost millions to repair, oceans' 30 percent more acidic impacting our sea life, the fishing industry, and our fishing communities; droughts devastating the livelihoods of our farmers and our ranchers.

And we have, in addition to carbon dioxide that is all talked about, we have the challenge of fossil gas, methane, we refer to it in public as natural gas. It is methane gas, it is fossil gas.

And this chart shows what the eye sees when it looks at a facility which you can't see any visible emissions, and then when you have I think it is infrared photography you see there is a massive plume of methane being admitted.

And I will put into the record, if there is no objection a chart that shows satellite data, massive number of examples like this from across the country that are being observed.

Senator MERKLEY. And as we get better satellite data we are getting a far better understanding of the massive leaks. The estimate right now in the Permian Basin is 10 percent of the fossil gases leaked in the atmosphere, making it worse than coal in terms of the impact on climate.

So thank you for hearing me out on my concerns about the bold pivot we need to make. The administration can do a lot, and I encourage bold action.

Now, we may hear something today about the high gas prices and the need for more drilling. So I just wanted to share a few comments about that. It is like a heroin addict saying that the solution to heroin addiction is more heroin.

Let us recognize several basic facts: The prices we experience are extremely painful to Americans, they are devastating, they are primarily the result of disruption from Putin's war on Ukraine, and the resulting embargo on Russian energy, in combination with the rising demand as the economy rebounds from COVID. And these prices are also the result of gouging by the oil companies which have tripled their profit margins from refining.

Let us also recognized the oil companies' own leases that would allow them to drill on 20 million additional acres of Federal land and water that they are not using, if oil companies want to drill more they already can.

Next, that the timeline for building out new infrastructure will not have any impact on the current cost of gas because of that long timeline that it takes, and that the answer in the long term to the high cost of petroleum at the pump is an end to our addiction to that petroleum by building, rapidly building a renewable energy economy.

We want to stop enriching Russia and Iran, if we want to reduce the price we suffer at the pump then we need to end our addiction to fossil fuels.

Madam Secretary, you have enormous responsibilities that are so important to our lands and the future of this country. I know you are absolutely dedicated to that effort, we will explore many of that through the questions today. And I really appreciate your service.

With that, let me turn this over to Senator Murkowski.

STATEMENT OF HON. LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman. Good morning Madam Secretary, welcome back to the committee. I look forward to the opportunity to discuss the President's budget request this morning, and a number of specific activities that the budget proposes to support.

I appreciate my colleague and the chairman leading off with a discussion about fire. It is pretty tough in Alaska right now. We are up to about 2.8 million acres burned already. We had 13 new fires just in the past 24 hours. The smoke issues, particularly in the Interior, have been a real challenge this summer that we have seen now in other parts of the state as well. It is dry. And the good news for us right now is that the rains are coming, and that is a positive, but we need to make sure that we are not just praying for rain as the policy here. To make sure that the fire threat doesn't bring about further damage.

Obviously, some differing views on the committee here in terms of our energy resources, and how we utilize them to the benefit of our country, certainly to the benefit of places like Alaska which is, of course, a producing state. So I would like to talk about a few of the issues, and I will be a little parochial here just to start off.

But on Friday the Bureau of Land Management released a draft supplemental EIS for the Willow Project within the NPRA, and I think you saw the press release on that. I welcomed that step. I can't stress enough the need for the Department to move forward with final approval for the Willow Project. It is my very sincere hope that the Department will soon be able to issue permits so work can begin on this project during the upcoming winter season '22/'23.

We have had the conversation, Madam Secretary, I have had the conversation with the President, I have had the conversation with just about everybody in the administration that will listen to me on Willow, because I firmly believe that we need to have a realistic plan for the future of our energy supply, and I think that Alaska definitely fits within that plan.

The chairman mentioned the near-record high gas prices that families are seeing. It is bad all over the country. But if you are in a community like Yakutat, I follow the weekly gas prices in various communities around the state Yakutat is paying about $7.25 a gallon for fuel. It is just tough.

And so they are asking me: What are the tools that are available? What can the administration be doing? What can Congress be doing to help dampen these price increases that we are seeing? And for me it comes down to the basics of economics, supply and demand.

And I am one who believes very strongly that the administration, and here in this country, we need to use those tools at our disposal to increase domestic production, to improve our energy security, particularly as we are seeing the global disruptions, and the unrest.

And I have I have said it before, and I will say it again, Alaska stands ready, willing, and certainly able to be a big part of that so-

lution, all while we insist on meeting the highest environmental standards in the world.

The chairman has mentioned the five-year plan for the offshore oil and gas that the Department recently proposed. And again, given what we are seeing here at home, over in Europe, I truly, truly believe that our national security interests require that we increase our domestic supply of these resources, including from our offshore areas.

You know, I have heard the reference before that oil is an addiction. I recognize that we have a reliance on it, but when I think of an addiction like a heroin addiction, I think about it as something that there is no—there is no upside to heroin addiction. Our reality as a country is that we have a resource that not only we need right now, but the world needs right now, and it is not just to fuel our vehicles.

I think we are moving to different transportation fuels, but that is a transition. But everything that we use, practically, has some aspect of petroleum in it. And so until we can figure out what that substitute is, this petroleum base that really powers, and moves, and allows us to function as a modern society is something—is something that is in demand. And again, we can choose to look to others to meet that demand and make ourselves more vulnerable, more reliant on others, and particularly others that don't even like us, or whose environmental track record is awful, or whose human rights track record is awful.

So I have said, as we transition from a fossil-based society, a transition requires that there be a path forward that is sensible for your economy, and sensible, really, technologically. And so we got a lot of work to do there.

I feel strongly when it comes to the five-year plan that the administration has to move, and move quickly to finalize a plan that keeps at least the current acreage available for offshore leasing, including in my state, that your proposed plan included the option of holding no-lease sale at all, which I think that that is unacceptable, for the Department to even consider a five-year plan that would include no-lease sales. I just don't think makes sense. And I think it is actually harmful to our economy and our national security.

The national interest demands the administration avoid a costly gap in leasing, and that it conducts offshore sales. So I want to see annual sales in Cook Inlet, not one sale every 5 years. Failure to have meaningful oil and gas programs, including in the 1002 area where the administration is illegally disregarding the law, will reduce domestic investment at the worst possible time for our country, and for our global allies.

I think the President needs to focus on places like Alaska, not Saudi Arabia, not Venezuela, not Iran, and then work with us to achieve just that.

So I have said before, Madam Secretary, Alaska is willing, and able, and ready to increase our Nation's and our allies energy security. All we really need is permission from the Federal Government to get moving, get those permits, and we are there.

Another area where I am hoping to see progress with the administration is in its commitment to mineral development. I do appre-

ciate the President's invocation of the Defense Production Act, and the Department's budget request to support critical mineral efforts.

I think, again, making sure that we are focusing on supply, where we have the supply, and we certainly have that in this country, matters. Domestic supply matters to our energy security, it also matters to our mineral security. And like oil and gas one of the keys here to meeting this challenge is for the Department to actually make mine permit determinations in a timely manner.

We have heard, not only in this committee, but we have certainly heard in the Energy Committee, that if we want to be competitive globally, if we want to be a producer and not just an importer, we cannot afford for it to take 10 years to permit a mine on public land.

So I want to work with the Department to ensure that our vast potential is realized in Alaska, whether it is gold, or silver, or copper, all of our critical minerals, but it seems that for every step forward we take on policy, we are taking two steps backwards on projects. Perfect example of that is the Ambler Access Road, just kind of stunning that the administration has openly conflicted its commitment to supply chain security, and deliberately set back one of its best options to improve it.

Ambler has a guaranteed right-of-way under a 1980 law, under ANILCA, that the Federal Government has to abide by. I do understand, of course, the need for tribal consultation, I strongly support it, but that can occur even as Access Project continues.

So telling Ambler to stop all work and lose the field season I think is a ridiculous approach that undermines any credibility the administration may be seeking on mineral security. What we need here is a strategic focus to reduce our dependence on China and Russia, other adversarial nations, but not an incoherent approach on minerals.

So Madam Secretary, to an area that I think we have much more agreement on, and that is working together to provide resources to our tribal communities, whether we are talking about public safety, and justice, natural resources, construction programs, working with our tribes throughout Alaska, and in Indian Country, I think that this has been one of those areas where we do have bipartisan support. We do have bicameral priority.

We know that the appropriations process is never quick, it is never easy, but as we work through the process I do think it is important for us to continue this bipartisan approach to these issues to ensure high priority program areas like PL280 programs are funded.

And then I want to wrap my remarks by thanking you for coming to Alaska to hear from so many Alaskans. The trip that you took to not only visit with people who came to Anchorage to meet with you, the meetings that you had, but also your travels to see first-hand some of the unique challenges and opportunities.

I think this is particularly illustrated by our visit to King Cove, and your opportunity to hear from residents about the critical need for a life-saving road. So I do appreciate that, and value the time that you gave us for that.

So as you consider this and other Alaska-specific issues, I hope you will build upon the experience that you had on the ground, and

consider the views of those most directly impacted by departmental decisions.

I know that there are many areas where you and I just—we don't see eye-to-eye on some of these matters related to Alaska, but I appreciate your willingness to work with me on areas that we do have agreement. And I am ever hopeful that as you are continuing to hear from Alaskans, you will come to understand our state and the potential that it has really as an economic center, and what we can provide and contribute for energy and mineral security, while at the same time an equal priority is to protect and care for our lands and our people.

We need a lot from the Department, more than we are getting right now, but thank you. Thank you for being here.

Mr. Chairman, I appreciate a little indulgence with the length of time in the opening, but much to be said this morning.

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

Senator MERKLEY. Thank you very much to our Ranking Member Senator Murkowski.

And Madam Secretary, the responsibilities that your Department has create many challenging decision points, and the Senate at its best, is a chance for senators to articulate their visions that come from their personal experience in their home states. You have heard a little bit of the diversity of opinion this morning, and I think that is a very—a healthy thing for a hearing to be able to express those opinions and thoughts. And the administration now gets to wrestle with them.

With that, we are looking forward to your opening statement. Thank you.

SUMMARY STATEMENT HON. DEB HAALAND

Secretary HAALAND. Thank you, Chairman, and Ranking Member Murkowski, and members of the subcommittee. It is an honor and a privilege for me to be here on the ancestral homelands of the Anacostan and Piscataway people, to speak with you today on behalf of the President's 2023 Budget for the Department of the Interior.

Before I begin, I want to acknowledge that you and your staffs are busy with your markup of the Interior Bill. I sincerely appreciate all of the work that all of you are doing to support the critical missions of our Department, and I and my staff appreciate the opportunity to assist you in any way that we can throughout this process.

I also want to thank you for your support of Interior's programs in the 2022 Omnibus Appropriation. I appreciate your efforts to build capacity within the Department, and to fully fund our fixed costs which are our must-pay bills. I have had the honor of being Secretary of the Interior for over a year now and I recognize the importance of this moment for the future of the Department and for our country.

Through my travels, and while working in Washington, D.C., I have seen firsthand how every single day in every corner of our country our employees go to work with a focus on results. They work with their local communities, with states, with tribal nations,

and other partners, to conserve and steward our Nation's natural resources and cultural heritage for the benefit of everyone.

Interior's programs are helping generate jobs, grow the economy, and build resilience to the challenges of our changing climate. Just last week Assistant Secretary Estenoz and I viewed the devastating flood damage in Yellowstone National Park, and we met with Senator Tester, Senator Daines, and Governor Gianforte, and other local leaders, to discuss ways Interior can repair the damage and restore access to the park.

I am grateful, over the past year, to have visited many of you in your states and meet the great people that you represent. The work we do would not be possible without your leadership and support. And I look forward to our continued partnership. Working together, we can make tangible differences in the lives of families across the country.

With your support we have already made great progress. In the last year, we took steps to accelerate the development of renewable energy on public lands and waters, we launched the Federal Indian Boarding School Initiative to address the intergenerational impacts of Indian Boarding School policy. We deployed resources to build resilience to address the drought crisis, we pursued justice for missing and murdered indigenous people, and worked to keep tribal communities safe, and help communities prepare against the threat of wildfire by strengthening our Federal firefighting workforce and the resilience of our lands.

We also began implementing the Bipartisan Infrastructure Law, a once-in-a-generation investment that will help communities to tackle the climate crisis while creating jobs, advancing environmental justice, and boosting local economies.

This funding is already at work at Interior kick-starting ongoing efforts to address intensifying drought, wildfires, flooding, and legacy pollution.

The President's 2023 Budget complements this with a request of $18.1 billion for the Interior Department. Of this, $16.6 billion is within the jurisdiction of this subcommittee. Our total request is a 12 percent increase from the 2022 enacted appropriation.

Specifically, the President's budget invests in our country with an unprecedented total of $4.5 billion for Indian Affairs programs, focused on tribal sovereignty, and stronger tribal communities. Up to $1.5 billion for wildland fire management to increase firefighting capacity, continue the transformation to a more permanent and professional wildland fire workforce, and ensure Federal firefighters are paid at least $15 an hour.

A total of $4.9 billion across Interior to strengthen natural resource management, and improve the resilience of tribal and Interior managed lands, $125 million to advance the President's ambitious clean energy goals, by increasing offshore wind energy power generation, and permitting of onshore renewable energy technologies.

More than $1.4 billion for research and development programs across the Department to ensure science continues to underpin Interior's core mission activities, and implementation of our Department-wide Diversity, Equity Inclusion, And Accessibility Initiative

to proactively advance equity, civil rights, racial justice, and equal opportunity.

I have great ambitions for the Department of the Interior and what we can accomplish on behalf of the American people. Working together we can do more to create good-paying union jobs, increase the resilience of our lands, expand our ability to fight wildland fires, and mitigate drought, strengthen tribal nations, and improve the lives of Americans everywhere. I look forward to continuing our strong partnership.

In conclusion, we are doing our part to advance priorities that build a better America. Thank you, again, for having me, and our budget director, Denise Flanagan. We are happy to answer any questions that you may have.

[The statement follows:]

PREPARED STATEMENT OF DEB HAALAND

Chair Merkley, Ranking Member Murkowski and Members of the Subcommittee, thank you for the opportunity to testify in support of the Interior Department's fiscal year 2023 Budget Request.

It is an honor and privilege for me to be here with you today. When I testified before this Committee last year I had only been confirmed for a few months. Now that I have had the opportunity to spend a year at Interior it is even more of an honor to represent the Department and our over seventy thousand dedicated professionals. Every day, in every corner of the country, our workforce shows up with a singular focus on achieving results. They work with

States, Tribal Nations, and other partners to conserve and steward the Nation's natural resources and cultural heritage for the benefit, use, and enjoyment of the American people. Interior's programs are helping to generate jobs, grow the economy, and build resilience to the challenges of our changing climate.

I have also enjoyed working with the Members of this Subcommittee this year. I have had the honor to visit many of you in your States and to meet the great people you represent. I look forward to continuing Interior's long tradition of working together with the Interior Appropriations Subcommittee to accomplish great things for the American people. This Subcommittee plays a vital role in the success of the Department of the Interior (DOI) and I look forward to our continued collaboration.

OVERVIEW OF INTERIOR'S BUDGET

Interior's budget request totals $18.1 billion in current authority, of which $16.6 billion is within the jurisdiction of this Subcommittee. The total budget request is an increase of $1.9 billion, or 12 percent, from the 2022 enacted appropriation. This request includes an increase of $269.0 million to cover fixed-cost increases, such as rent and Federal salary adjustments, needed to maintain staffing and core operations for the bureaus and offices funded through the Interior, Environment, and Related Agencies Appropriation. An additional $340.0 million is accessible through the budget cap adjustment for wildfire suppression to ensure funds are available in the event the annual appropriation is inadequate to meet suppression needs.

The 2023 President's Budget request complements the landmark 2021 Bipartisan Infrastructure Law (BIL) investments we are now implementing. This once in a lifetime investment provides the significant down payment needed to address longstanding health and safety risks from abandoned coal mines and oil and gas infrastructure across the country. These investments are increasing the resilience of critical ecosystems, Tribal Nations, and communities to meet the challenges of critical drought and threats of wildland fires, which pose unprecedented risks across the country.

The 2023 President's Budget for Interior complements this investment and maintains the Administration's commitments to deliver jobs and economic growth, build up America's resilience to climate change, advance a transition to clean energy, strengthen the Nation-to- Nation relationship with Tribal Nations, and expand work with partners to conserve lands and increase access to outdoor recreation. Overarching these, the 2023 budget continues to reflect the importance of science, diversity and inclusion, and the goal to leverage the power of collaboration to support Interior's important missions.

The 2023 President's Budget proposes allocations for important mandatory funding investments available through the Great American Outdoors Act (GAOA), including $1.6 billion for deferred maintenance projects through the National Parks and Public Land Legacy Restoration Fund (LRF) 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). The 2023 budget allocates $681.9 million in mandatory funding for Land and Water Conservation Fund (LWCF) programs, which includes $294.8 million for voluntary land acquisition projects.

The 2023 budget proposes important legislative and technical adjustments to secure mandatory funding for important funding for Tribal Nations. In addition, the Administration supports funding the renewal of our Compacts of Free Association (COFA) relationships with the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI), and the Republic of Palau. Financial assistance under the COFA is scheduled to end after 2023 for the FSM and the RMI and in 2024 for Palau. The Administration will request necessary mandatory funding to be appropriated to the Department of State, with language calling for continued implementation by the Department of the Interior. The United States remains committed to its longstanding partnerships with the governments and the people of the Freely Associated States as we work together to promote a free and open Indo-Pacific.

STRENGTHENING TRIBAL NATIONS

It is deeply meaningful for me to speak on behalf of the Administration's 2023 budget for the Department of the Interior which includes an unprecedented total of $4.5 billion for Indian Affairs programs. This is an increase of $880 million from the recently enacted 2022 appropriation and the request prioritizes Tribal sovereignty, strong Tribal communities, and advances equity and opportunity for all American Indians and Alaska Natives.

The 2023 request reflects the input of Tribal Nations through the Tribal Interior Budget Council as well as the government-wide Tribal consultation on the President's fiscal year 2023 Budget held by the Administration last September. The budget expands many core programs and goes further to address outstanding gaps to improve environmental quality and ensure Tribal communities are part of the national priorities to address climate change and move toward clean energy. The 2023 President's Budget also expands the inclusion of Tribes in proposed investments across other Federal agencies and across Interior.

The 2023 budget request for Bureau of Indian Affairs (BIA) programs totals $2.8 billion, an increase of $583.4 million from the 2022 enacted appropriation. The BIA budget features investments to address the most critical needs in Indian Country, foremost among these is upholding the Federal trust relationship with Tribal Nations and strengthening the government- to-government relationship. Within this request is $464.5 million to cover the estimated 2023 requirements for Contract Support Costs and 105(l) Tribal lease requirements which the Administration proposes to reclassify as mandatory funding in 2023. This proposal honors the Administration's commitment to ensure continued full funding to support Tribal operating costs associated with the self-determination and self-governance of Federal programs. I look forward to working with Congress to secure this mandatory funding for Tribal Nations.

The budget also proposes legislation to complement the $2.5 billion investment in the BIL which will accelerate completion of enacted Indian Water Rights Settlements. This mandatory investment is reflected in the 2023 request for BIA Indian Land and Water Rights Claims.

Additionally, the 2023 budget proposes $340.0 million in mandatory funding over 10 years to support the operations, maintenance, and repairs associated with enacted Bureau of Reclamation Indian Water Rights Settlements. The Administration is also interested in working with Congress on an approach to provide a mandatory funding source for future settlements.

INVESTING IN TRIBAL COMMUNITIES

The 2023 budget for BIA features an investment of $44.7 million to strengthen Tribal communities by expanding the Tiwahe Initiative to provide more opportunity for Tribes to manage and integrate programs which impact their communities. Under Tiwahe, a portion of the funding assists Tribes at selected sites to implement a Tribal driven approach to deliver services more effective and efficiently. Tiwahe 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 approaches to provide services. Since 2015, the Tiwahe Initiative has focused primarily on promoting family stability

through several Human Services programs. The Department's 2023 budget expands Tiwahe in Social Services, the Indian Child Welfare Act, and establishes new programs in Tribal Justice Support, and Economic Development programs.

The new Tiwahe program in Tribal Justice Support will assist Tribes as they work to strengthen Tribal justice practices and protocols to meet the child, youth, or adult needs within their communities. The new program features support for Tribal Healing and Wellness Courts as alternatives to incarceration. The Tiwahe program in Economic Development will support Tribal development of unique solutions tailored to their communities to create economic opportunity. Including an economic development component of Tiwahe was a priority request from the Tribal Interior Budget Council for the 2023 budget.

The 2023 budget includes $562.1 million for Public Safety and Justice programs and $70.3 million for Public Safety Construction, for a total of $632.4 million to address these needs. The combined increase is $38.3 million above the 2022 enacted appropriation. The 2023 request includes $282.4 million for boots-on-the-ground police services, $127.0 million for the operation of Detention and Corrections programs, and $52.7 million to support Tribal Courts. This funding includes $32.0 million to address increased requirements of Tribes impacted by the McGirt Decision, and $10.0 million to equip BIA funded law enforcement officers with body- worn cameras as part of a DOI-wide effort. The 2023 budget includes $16.5 million to address the crisis of Missing and Murdered Indigenous People.

BIA's budget includes additional investments in Tribal communities in areas such as Tribal climate resilience, clean energy, road maintenance, environmental quality projects, Tribal broadband grants, and funding to raise the minimum Small Tribe Supplement payment for existing eligible Tribes in this program. The budget also proposes key investments to strengthen Tribal sovereignty of their homelands with $14.8 million for the acquisition of new Tribal lands and $80 million for Indian land consolidation to address the ongoing fractionation on Indian lands. These investments are paired with proposed language to clarify Federal recognition requirements for land into Trust cases in light of the Carcieri v. Salazar.

The 2023 budget request includes $7.0 million to continue the progress made with the Federal Indian Boarding School Initiative launched in June 2021. Interior is uniquely positioned to assist in the effort to recover this history. Interior has focused initial efforts of the initiative on Tribal outreach, collection and review of Department documents and records, and compilation of existing data in the Department's jurisdiction. Funding in 2023 will support additional outreach, research, and documentation to locate potential gravesites at former school locations and to help ensure the remains of those who are found are identified and protected. Additional resources are included in the budget to increase funding for Native language grants, which are essential to revitalizing this critical component of Native culture.

ADVANCING INDIAN EDUCATION

The 2023 budget includes $1.6 billion for Indian Education programs, an increase of $294 million above the 2022 enacted level. Native students face stark inequities in access to education, many of which were highlighted and exacerbated by the COVID–19 pandemic. To help address this gap, the budget invests a total of $891.5 million, an increase of $98.3 million above the 2022 enacted level for BIE-funded elementary and secondary school programs. This includes $500.6 million for the Indian Student Equalization Program formula funds, which provide the primary support for academic activities in the classroom, instructional services, and teacher training, recruitment, and retention. The budget includes $146.4 million to operate and maintain BIE-funded schools and fully funds the estimated requirement for Tribal Grant Support costs to cover administrative costs for Tribes that choose to operate BIE-funded schools. The 2023 budget also features specific investments, including $23.0 million to maintain support for distance learning and enhanced technology at BIE schools and $4.0 million for Native language immersion programs.

The budget includes $185.2 million for postsecondary schools and programs, an increase of $20.7 million above 2022 enacted. This includes $131.7 million for Haskell Indian Nations University and Southwestern Indian Polytechnic Institute, Tribal Colleges, Universities, and Technical Colleges and $53.5 million for expanded Tribal scholarships and adult education programs.

Addressing BIE-funded school facilities that are in poor condition and deferred maintenance backlogs at more than 180 schools in the BIE school system continues to be a top priority for the Department. The 2023 budget includes $420.1 million in annual funding for Education Construction, an increase of $155.8 million above the 2022 enacted appropriation. An additional $95.0 million in mandatory funding through the GAOA will also be available in 2023. The continued emphasis on BIE

school infrastructure conditions has produced tangible results, with four new campuses opened to students in 2021 and another three schools to be completed in 2022. The 2023 requested increase will support planning, design, and construction for six BIE replacement school projects.

ADDRESSING CLIMATE CHALLENGES AND BUILDING RESILIENCE

Interior has unique responsibilities on behalf of our country to steward many of our lands, waters, and natural resources; provide essential scientific information about those resources; and uphold the Nation's commitments to American Indians and Alaska Natives. As such, Interior's programs inherently include a focus on the climate crisis. Similar to farmers, ranchers, community planners, and disaster preparedness professionals across the country, Interior land and resource managers are seeing climate-related changes on the ground and are working to address them. Worsening drought, increased weather risks, more extreme wildfires, profound threats to wildlife habitats, warming water temperatures, and new threats from invasive species are among the tangible challenges land and resource managers face right now.

The 2023 budget recognizes that Interior plays a crucial role in the whole-of-government approach to tackling climate change. The 2023 budget continues funding for the immediate challenges of the changing climate while laying the foundation to build America's resilience and promoting economic growth, creating good-paying jobs, and ensuring that 40 percent of the benefits of certain climate and clean energy investments accrue to disadvantaged communities.

WATER CHALLENGES

The effects of the current drought conditions in the West are severe and long lasting, and a full recovery will take years. The challenges these communities are facing now will likely continue through 2023. Drought analyses, combined with projections of future hydroclimate conditions, suggest that overall, drought severity and duration will increase across the West in the coming century. A growing risk to effective water management in the western United States is climate change. The BIL provides $8.3 billion for the Bureau of Reclamation to invest over 5 years to build up America's ability to address pervasive drought conditions in the West. This work is underway with States, Tribes, and communities in the most drought-affected geographic areas to ensure predictable and sustainable water supplies.

Complementing this transformative investment, the 2023 budget before the Energy and Water Development Appropriations Subcommittee includes $1.4 billion for Reclamation programs and projects. This request supports a suite of water conservation, recycling, and planning programs to help communities mitigate drought and climate change impacts. The 2023 budget includes $62.4 million for Reclamation's WaterSMART (Sustain and Manage America's Resources for Tomorrow) programs, which work cooperatively with States, Tribes, and local communities as they plan for and implement actions to increase water supply.

The Reclamation budget includes additional investments to support drought-impacted areas of the West. For example, $11.5 million is requested for the Lower Colorado River Operations Program to implement drought contingency plans and response actions to maintain elevations at Lake Mead. Another $2.0 million is requested for water infrastructure investments along the Texas border, and $5.0 million of the request within the Central Valley Project in California is specific to drought planning and resiliency efforts that will be implemented in coordination with the California Department of Water Resources.

WILDLAND FIRE MANAGEMENT

In the United States, on average, more than 62,000 wildfires burn 7.5 million acres every year. In 2021, Interior's wildfire managers saw that the intensity of fires increased earlier in the year and required elevated levels of fire preparedness for longer periods. The Nation remained at Preparedness Level 4 or 5 for a record 99 consecutive days, requiring a significant commitment of firefighters and firefighting resources over an extended period. Communities and wildland firefighters across the West felt the devastating impacts of these changing fire patterns.

The 2023 budget request for the Wildland Fire Management (WFM) account is $1.2 billion, an increase of $173.5 million above the 2022 enacted appropriation. An additional $340.0 million in wildfire suppression resources is available in the Wildfire Suppression Operations Reserve Fund, as authorized by the Consolidated Appropriations Act, 2018 (Public Law 115–141) to ensure the availability of sufficient funds above the appropriated amount for suppression in the event of a severe fire season.

The 2023 budget includes $477.2 million for Preparedness, an increase of $106.6 million above the 2022 enacted appropriation. This request will enable Interior to increase firefighting capacity, continue the transformation to a more permanent and professional wildland fire workforce, and support pay and compensation reforms, including the President's commitment that Federal firefighters are paid at least $15 per hour. The budget proposes $304.3 million for Fuels Management and $20.5 million for Burned Area Rehabilitation. The budget request for Fuels Management will enable Interior to increase the pace and scale of fuel treatments by proactively addressing wildfire risk on Federal and Tribal lands and reducing carbon emissions. This discretionary request complements the $218.6 million investment in Fuels Management and Burned Area Rehabilitation available through the BIL in 2023 to address the significant need for this work. The budget funds Suppression Operations at $383.7 million, in accordance with Division O of the Consolidated Appropriations Act, 2018 (Public Law 115–141).

BUILDING RESILIENT COMMUNITIES

Communities across the country are considering the changing climate not only as in the context of disaster preparedness but also as they plan long-term infrastructure and program investments. Interior programs support these efforts in a variety of ways. USGS manages the Groundwater and Streamflow Information Program, which maintains a nationwide network of streamflow and water-level information from more than 11,000 sites. The budget includes $117.0 million for this program, an increase of $6.4 million above the 2022 enacted appropriation. The information from the network is available online to help natural resource managers, scientists, and emergency managers across the country with monitoring for floods and drought and with forecasting water availability for natural resources and crops. The budget also includes $60.9 million for the USGS Coastal and Marine Hazards and Resources Program, an increase of $19.1 million above the 2022 enacted appropriation, to expand work providing information that informs long- and short-term planning and mitigation of the impacts of climate change to the Nation's coastlines.

The budget includes $61.0 million for Interior's Tribal Climate Resilience program, an increase of $32.0 million above the 2022 enacted level. This funding supports Tribes in climate resilience planning, assessment, and adaptation activities and planning and design work for Tribal communities evaluating the need for or pursuing climate-related relocation. The budget includes $117.3 million for Assistance to Territories, which supports the Insular Areas through the provision of basic services as well as targeted investments related to climate change, including $3.5 million for work related to coral reef ecosystems and other natural resource needs and $15.5 million for clean energy projects and grid infrastructure improvements, an increase of $4.5 million above the 2022 enacted appropriation.

The 2023 budget for USGS includes $10.0 million to support a climate information portal. The portal would integrate climate-relevant Federal data, tools, and information to help Tribal, State, and local governments; communities; and commercial entities understand potential climate- related hazards and guide infrastructure investment decisions and other efforts to build resilience to extreme events equitably and inclusively. Entities could use this research enterprise portal to explore the potential impact of climate hazards among human populations, economies, and built and natural environments; assess vulnerability and risk and determine which risks require actions; evaluate and evolve building standards and designs to help ensure that new infrastructure and capital improvement projects are climate resilient; and prepare climate impact assessments.

RESOURCE STEWARDSHIP

The 2023 budget includes increases to strengthen natural resource management across the Department to improve the resilience of Tribal lands and the lands Interior manages. The 2023 budget includes $4.9 billion across Interior to support the restoration, conservation, and improvements needed for healthier lands, waters, and ecosystems and their resident species. Healthier lands are more resilient to the effects of the changing climate, and investments that are made now will help ensure the unique and spectacular lands and resources Interior manages endure for future generations.

The 2023 budget proposes significant increases in the Bureau of Land Management, Fish and Wildlife Service, Bureau of Indian Affairs, and the National Park Service for resource stewardship programs which are at the heart of Interior's mission. The budget includes $553.0 million for resource stewardship programs in the National Park Service, an increase of $170.9 million from the 2022 enacted appropriation. This additional funding will help to build capacity within the national

parks to address natural resource challenges, expand youth and job program partnerships through the Civilian Climate Corps to restore national park resources, and invest in inventorying and monitoring to support proper stewardship of park ecosystems and species.

Across Interior, the 2023 budget includes $174.2 million to address invasive species, including targeted early detection and rapid response efforts. Invasive plants and animals outcompete native species, disrupt ecosystem function and deplete resources, exacerbate hazards such as fire and landslides, damage infrastructure, and spread wildlife and human disease. In addition, the Administration supports congressional efforts to amend Title 18 of the Lacey Act to return the longstanding authority of FWS to prohibit interstate transport of injurious species. Recent incidences of injurious species, such as invasive mussels contaminating commercial products, demonstrate the need to restore this authority.

THE AMERICA THE BEAUTIFUL INITIATIVE

Interior plays a critical role in helping the Administration's America the Beautiful initiative meet the President's ambitious goal to work with States, Tribes, Territories, private landowners, local communities, and other partners to conserve 30 percent of U.S. lands and waters by 2030 to help address the climate crisis and its impacts on nature. This initiative will help strengthen the economy, address the interconnected climate and biodiversity crises, and advance environmental justice and people's access to nature.

The America the Beautiful initiative features partnerships like the recently launched Task Force on Collaborative Conservation which includes Interior, the U.S. Department of Agriculture, and the Western Governors Association. The Task Force will work to enhance collaboration across Federal, State, and local jurisdictions to support cross-boundary coordination on issues such as wildfire mitigation, invasive species control, and habitat restoration, and support the voluntary stewardship effects of ranchers, farmers, and other private landowners to keep working lands working.

Building on the conservation efforts of the previous Administration, Interior is working to further the goals of Secretary's Order 3362 to enhance migration corridors and winter range for elk, mule deer, and pronghorns in the West; this work includes a grant program, administered by the National Fish and Wildlife Foundation, for projects that improve big game habitat through voluntary efforts on private and Tribal lands.

In 2023, America the Beautiful builds on these efforts and other broadly supported actions to advance land and water conservation in a manner that is locally led, is guided by science, honors Tribal trust and sovereignty, and is respectful of landowners. The implementation of this initiative continues to rely on broad engagement, including that of hunters, anglers, outdoor enthusiasts, private landowners, Tribal Nations, States, territories, and local officials. These important partners and stakeholders drive the strategies that reflect the priorities of all communities.

In 2023, through the Rivers, Trails, and Conservation Assistance Program, NPS will provide free, on-location help to communities working to create and restore parks and conservation areas. Completed projects have helped restore rivers, wildlife habitat, and impaired resources and have improved outdoor recreation opportunities to meet changing demands. Through Tribal Climate Adaptation Grants, BIA supports Tribes and Tribal organizations with planning, capacity building, and actions to address climate risks. With climate change disproportionately affecting the Arctic and northern areas of the United States, the program's planning and data development awards alone are estimated to benefit more than 440,000 Alaska Native people.

The 2023 budget invests across the Department to support partnerships that encourage conservation. For example, FWS includes funding to broaden support for habitat restoration on private lands that are located along migration corridors and waterways through Candidate Conservation Agreements with partners. The budget includes $20.4 million for the Candidate Conservation program and $67.4 million for the FWS Partners for Fish and Wildlife program, which assists private landowners who are interested in restoring and enhancing wildlife habitat on their lands.

CREATING JOBS TO MEET ENVIRONMENTAL AND ENERGY CHALLENGES

Interior programs supported an estimated 1.9 million jobs in the U.S. economy in 2019, according to the most recent Department of the Interior Economic Contributions Report. Those jobs were driven primarily by Interior's work in the areas of energy and minerals, recreation and tourism, irrigation and other water-related activities, and grants and payments. Interior's 2023 budget continues these core activities

and includes additional investments that complement funding made available through the GAOA and the BIL, which are targeted to boost economic and job growth. The President's Budget proposes growth in areas that position the country to be more competitive in the changing economy and environment.

CLEAN ENERGY JOBS OF THE FUTURE

Interior is working hard to meet the President's ambitious goal to deploy 30 gigawatts (GW; 30,000 megawatts [MW]) of offshore wind energy by 2030 to fight climate change and create nearly 80,000 jobs. To provide context for the Administration's ambitious wind energy goal, earlier this year, I commemorated the groundbreaking of the second commercial-scale offshore energy project approved for Federal waters, which will have the capacity to generate 130 MW of wind energy—enough to power more than 70,000 homes and businesses. The South Fork wind energy project will be located offshore Rhode Island and New York. In addition, nine additional project reviews were initiated in the first year of the Biden-Harris Administration.

As of July 2022, the Bureau of Ocean Energy Management (BOEM) oversees 27 active commercial wind energy leases in the Atlantic Outer Continental Shelf (OCS), initiated the review of 10 offshore wind projects on those leases, and approved the Nation's first two commercial projects off of Massachusetts and New York, which will be built with union labor. BOEM plans to complete the review of 14 additional projects by 2025, representing 25 GW of new, renewable energy for the Nation. BOEM held the New York Bight offshore wind sale on February 23, 2022, offering six lease areas covering more than 488,000 acres for potential wind energy development. The sale resulted in winning bids from six companies totaling $4.37 billion, which was the Nation's highest grossing competitive offshore energy lease sale in history, including oil and gas lease sales. BOEM also held an offshore wind lease sale in the Carolina Long Bay on May 11 for two lease areas, which sold for approximately $315 million. To continue progress on the leasing path I announced last fall, BOEM plans to hold the first offshore wind lease sale in the Pacific for areas off the central and northern coast of California before the end of the year.

The Administration is actively working with States, Tribes, ocean users, and key stakeholders to plan sales in the Gulf of Mexico and offshore the U.S. Central Atlantic coast in 2023. Additional planning is underway for potential lease areas offshore Oregon and Hawaii and in the Gulf of Maine. The 2023 budget includes $51.7 million for BOEM's Renewable Energy programs and $7.7 million for the Bureau of Safety and Environmental Enforcement (BSEE) to establish an offshore renewable energy inspection and regulation program. Compared to the 2022 enacted appropriation, the 2023 request for these two programs combined is an increase of $18.6 million.

Onshore, the Administration's clean energy goal is to permit 25 GW of renewable energy by 2025, as required by the Energy Act of 2020. Interior plays a central role in achieving this goal by carrying out environmental reviews for clean energy projects on our Nation's public lands, conducting meaningful consultations with Tribal Nations, and assessing potential impacts to species. To help achieve this goal, the 2023 budget includes $49.7 million for BLM's Renewable Energy program, an increase of $18.7 million above the 2022 enacted appropriation, to expand the number of Renewable Energy Coordination Offices which specialize in permitting for renewable energy projects on public lands. To further improve coordination across the Government, Interior has signed a memorandum of understanding with the Departments of Agriculture, Defense, and Energy and the Environmental Protection Agency to streamline clean energy reviews. The BLM Resource Management Planning program also includes $11.0 million to support the siting of renewable energy projects on public lands.

BLM has prioritized and is actively processing dozens of large-scale renewable energy projects and transmission lines; as of June 2022, the bureau is working to complete the environmental review and permitting for 64 utility-scale onshore clean energy projects proposed on public lands. This effort includes 48 solar projects, 3 wind projects, 9 geothermal projects, and 4 interconnecting gen-tie lines that are vital to the feasibility of clean energy projects proposed on non-Federal lands. Combined, the 64 projects have the potential capacity to add more than 41,000 MW of renewable energy to the western electric grid. BLM also has approximately 60 applications that are still under initial or preliminary review, and the bureau has been receiving additional wind and solar applications weekly.

To facilitate the development of geothermal projects, the request includes $3.6 million for USGS to characterize and assess domestic geothermal energy resources and work with partners to advance technologies to utilize those resources. Geo-

thermal resources are a significant source of renewable electric power in the western United States and, with recent advances in technology, are becoming a potential source of a large fraction of baseload electric power.

To further support the achievement of clean energy goals, the Administration is working to accelerate the transition of Federal fleet of vehicles to 100 percent zero-emission vehicles (ZEVs). By leveraging the buying power of the Federal Government and transforming its fleet of more than 600,000 cars and trucks to an all-electric fleet, the Administration aims to accelerate America's industrial capacity to supply domestically produced ZEVs and electric batteries to create new good-paying jobs and address the climate crisis.

Interior's fleet includes approximately 30,800 vehicles located across the country. Interior owns 70 percent of the vehicles, 80 percent of which are light- to medium-duty trucks, vans, and sport utility vehicles. The 2023 budget includes $61.9 million to accelerate the transition of Interior's fleet to ZEVs. Funding will support either acquiring ZEVs within the owned fleet or transitioning to the General Services Administration's leased fleet, investing in the related charging infrastructure, and making plans and integrating those plans to effectively support the initiative.

BALANCING THE NATION'S ENERGY PORTFOLIO

The 2023 budget includes $476.6 million for oil and gas programs in BSEE, BOEM, and BLM, an increase of $63.7 million above the 2022 enacted appropriation. The budget for BSEE includes $246.1 million for safety and environmental stewardship programs. The budget for BOEM provides $63.6 million for conventional energy programs to support OCS planning, leasing, and oversight, including inventorying oil and gas reserves, overseeing ongoing activities, ensuring adequate financial assurances for decommissioning liability and risk management, developing and implementing the National OCS Oil and Gas Leasing Program (National OCS Program), reviewing and administering oil and gas exploration and development plans as well as geological and geophysical permitting, and conducting economic analyses and resource evaluations.

As required by section 18 of the OCS Lands Act, BOEM prepares the National OCS Program, which sets the schedule for proposed offshore oil and gas lease sales over a 5-year period. The National OCS Program is designed in a manner to best meet the Nation's energy needs while carefully considering factors to balance the potential for accessing oil and gas resources with the potential for adverse impacts from such activities.

The 2023 budget includes $166.8 million for BLM's Oil and Gas Management program, including $51.0 million for inspection activities to be offset by an onshore inspection fee. The 2023 budget proposes to offset the cost of BLM's Oil and Gas Inspection Activities program from appropriations to revenue from a new inspection fee. In addition to administering oil and gas leasing and ensuring environmentally responsible development, the budget request will allow BLM to remediate legacy well sites in the National Petroleum Reserve—Alaska.

RECLAMATION JOBS IN ENERGY COMMUNITIES

The BIL provides nearly $16.0 billion, mostly for States and Tribes, to reclaim abandoned coal mine lands and orphaned oil and gas wells across the country. Both important investments will support needed jobs, address environmental hazards and risks, and restore lands for other uses.

The 2023 budget includes related—but not duplicative—funding to address reclamation needs not addressed through the BIL. The budget includes $65.0 million in the Energy Community Revitalization Program for abandoned hardrock or non-coal mine reclamation, which was authorized but not funded in the BIL. States and the Interstate Mining Compact Commission have indicated that abandoned hardrock mines can be found across the country, and many States do not have good inventories or strong programs to manage those sites. Interior has identified thousands of mines and features on its lands that pose safety risks and generate environmental contaminants. The 2023 program will include $33.0 million for assistance and support to States, $10.0 million for reclamation work on Tribal lands, and $17.0 million to address reclamation and restoration on Interior lands.

BLM has estimated that more than 51,000 abandoned hardrock mines are on BLM lands, and of that number, 10 percent have environmental impacts and 95 percent pose physical safety risks. In recognition of the 150th anniversary of the Mining Law of 1872, the Department has established an Interagency Working Group to comprehensively review hardrock mine permitting and oversight on Federal lands to help ensure that mining operations adhere to strong social, environmental, and labor standards. As part of this whole-of-government effort, the Department will

host extensive public input and comment sessions on potential hardrock mining reforms.

To address the volume and complexity of abandoned hardrock mines on BLM lands, the 2023 budget includes $62.2 million for Abandoned Mine Lands (AMLs) and Hazardous Materials Management. The budget for the Office of Surface Mining and Reclamation Enforcement (OSMRE) includes $115.0 million for AML Economic Revitalization grants. This funding allows coal communities in States and Tribes with the greatest amount of unfunded AML problems to leverage mine land reclamation with local economic development.

INFRASTRUCTURE

Interior manages an infrastructure portfolio valued at more than $400.0 billion, which captures a variety of structures, including dams, storage buildings, and national icons. The Department is responsible for roughly 43,000 buildings, 100,000 miles of road, and 83,000 structures. Interior's funding focuses significantly on the operations, maintenance, renewal, and modernization of infrastructure, which directly helps create jobs and benefit local economies.

The 2023 budget includes more than $2.8 billion to address the Department's infrastructure operations, maintenance, renewal, and modernization needs. Interior's annual request for infrastructure funding is in addition to the estimated $1.6 billion in mandatory funding that is available to Interior each year through 2025 through the Legacy Restoration Fund included in the GAOA. These funds are available to address the Department's deferred maintenance backlog in NPS, FWS, BLM, and BIE schools. The U.S. Forest Service also receives up to $285 million in LRF funding each year.

At the end of 2022, Interior's LRF program will have initiated 222 projects touching all 50 States; Washington, DC; Puerto Rico; and the U.S. Virgin Islands. When completed, these projects are estimated to address $2.2 billion of Interior's deferred maintenance backlog, create an average of 18,000 jobs each year, and contribute an average of $1.9 billion each year to the overall gross domestic product.

The 2023 budget request reflects a change the National Park Service began in 2022 to transform its facilities condition assessment process. This transformation will provide a more streamlined, comprehensive, consistent, and timely identification of estimated repair needs to maintain the NPS asset portfolio, including how it reports deferred maintenance and repair (DM&R). The new approach reduces the burden on parks and supports a more operationally useful assessment of the condition of and estimated deferred maintenance requirements for the NPS asset portfolio. This approach will improve the allocation of NPS infrastructure investments. NPS will calculate DM&R needs for its assets using three components: parametric condition assessments, a commonly used tool, for industry-standard assets; Federal Highway Administration assessments for transportation assets; and work orders for most other assets.

As NPS implements its process, Interior's other bureaus are exploring the lessons learned to improve their infrastructure investment processes. Historically, attention has focused on Interior's DM&R backlog as a proxy for infrastructure investment requirements, but mission fulfillment requirements also include operations, other maintenance, renewal, and modernization. This shift is part of an ongoing effort to manage Interior's assets to better direct limited resources to address more critical maintenance, renewal, or modernization needs. This approach aligns with Interior's longstanding investment criteria for asset management programs, which consider facility condition as merely one factor to ensure that assets can capably deliver mission requirements or other benefits.

BALANCING DEVELOPMENT AND CONSERVATION

Interior also plays a critical role in balancing conservation and the development needed for vibrant communities with strong economies. The 2023 budget includes $152.8 million for the FWS Ecological Services Planning and Consultation program to support reviews and permitting of clean energy and other infrastructure and development projects. These investments will help facilitate consultation and permitting required under the Endangered Species Act (ESA), including for ESA consultations required to implement the Bipartisan Infrastructure Law. FWS works collaboratively with industry, agencies, Tribes, and other stakeholders to provide technical assistance that informs project development to help avoid, minimize, and mitigate impacts on wildlife and habitats. The budget also includes $12.3 million for the FWS Migratory Bird Management program to conduct activities to support development while protecting migratory birds, notably iconic bald and golden eagles. These investments in the Migratory Bird Management program will help modernize Inte-

rior's permitting process to access the latest scientific and energy technology information when evaluating development proposals.

CIVILIAN CLIMATE CORPS

The Civilian Climate Corps (CCC) is an important Administration initiative that draws on America's strength to work together to revitalize public lands, waters, infrastructure, and communities—and, in doing so, create jobs. This initiative expands the Department's longstanding partnership, apprenticeship, and youth engagement programs to restore Interior's lands and waters, improve access to outdoor recreation, increase reforestation, and inventory cultural heritage and paleontology sites, among other activities. These programs provide job opportunities and experience, teach skills, provide a pathway to employment, contribute to the resilience of unique lands and resources, and reflect the diversity of America. The 2023 budget includes $60.0 million to expand these programs, provide program participants with a living wage, and put more people to work restoring public lands.

BIA has also established the Indian Youth Service Corps to conserve and protect Indigenous people's natural and cultural resources through maintenance, research, resilience, and mitigation. Program activities align Indigenous traditional cultural values with projects that provide sustainable benefits for program participants and Tribal communities. The program expands BIA's Pathways Internship Program, which targets American Indian and Alaska Native students for internships across seven BIA programs and complements the BIA CCC program.

ADVANCING AND INCORPORATING SCIENCE ACROSS INTERIOR

Science is integral to the accomplishment of Interior's core mission activities. The 2023 budget includes more than $1.4 billion for research and development programs across the Department, but the application of science is also essential in carrying out direct mission activities. FWS has integrated scientific information to help improve and streamline the environmental review process for Federal projects. The Consultation Package Builder leads agencies through development of biological assessments, and plans are in place to expand available data of species and their locations.

Interior's natural resource managers rely on science every day as they gather, analyze, and apply inventorying and monitoring data to inform stewardship decisions. The ability to examine data regarding the status of lands, waters, ecosystems, and the resident species plays an increasingly important role in understanding and building resilience to the effects of climate change. The 2023 budget includes funding to support adaptative management and applied science within the operating accounts of BLM, FWS, and NPS.

USGS is Interior's primary science organization, providing science and actionable information about natural hazards, natural resources, ecosystems and environmental health, mapping and land imaging, and the effects of climate change. The 2023 budget includes $147.1 million for applied science in species management and land management, directly supporting the work of Interior bureaus. USGS also supports a network of Climate Adaptation Science Centers (CASCs), which promote scientific collaboration to tackle regional climate science challenges. The budget includes $124.7 million for this work, which helps provide resource managers with the ability to integrate the best available science into everyday resource management. The newest CASC, hosted at the University of Minnesota's Institute on the Environment, will pay special attention to Tribal concerns and build off the unique and robust experience of Midwest Tribes with adaptation science and practice.

USGS science plays an important role in addressing significant challenges that have substantial societal and environmental impacts. Frequently, USGS science is paired with resource management expertise in Interior bureaus as well as with other Federal and non-Federal partners. An example of this collaboration is USGS' role in ongoing governmentwide work to address the problem of invasive carp. USGS research in this area supports early detection, risk assessment, and development and assessment of tools to control the number of invasive carp. Removal efforts using a USGS-developed method in Barkley Lake, KY, removed tens of thousands of pounds of invasive silver and bighead carp. Research testing on the effectiveness of an acoustic deterrent system at Lock and Dam 19 on the Mississippi River will support efforts to stop the upstream expansion of invasive carp. Research on other deterrents, such as carbon dioxide, have proven effective against grass carp in laboratory tests. The 2023 budget includes $47.9 million to continue research on biological threats and invasive species, an increase of $7.5 million from the 2022 enacted appropriation.

PROMOTING EQUITY, DIVERSITY, AND INCLUSION OF UNDERSERVED COMMUNITIES

The Administration is adopting a whole-of-government approach to advance equity, civil rights, racial justice, and equal opportunity. The Interior 2023 budget request supports the actions needed to recognize and redress inequities and to proactively advance diversity, equity, inclusion, and accessibility within the Department's workforce.

STRENGTHENING INTERIOR'S COMMITMENT TO DIVERSITY AND EQUITY

The 2023 budget includes $16.8 million as part of a Departmentwide Diversity, Equity, Inclusion, and Accessibility initiative. Funding will be used to increase capacity in the bureaus and in the Department's Office of Diversity, Inclusion, and Civil Rights; Office of Human Capital; and Office of Collaborative Alternative Dispute Resolution to:

—Improve Interior's Equal Employment Opportunity (EEO) adjudication, investigations, and processing of final Department decisions and increase EEO training across the Department;

—Expand capacity for alternative dispute resolution and EEO complaint mediation;

—Assess hiring programs to eliminate barriers to effective and inclusive recruitment; and

—Ensure consistent and equal pay for equal work.

In February 2022, I established the first-ever Diversity, Equity, Inclusion and Accessibility Council to prioritize equity and inclusion and to incorporate best practices into the Department's work across its many bureaus, programs, and services. The budget includes additional specific investments to expand the Office of Diversity within FWS and to establish an Office of Equity and Inclusion within BOEM.

For far too long, environmental policy decisions have failed to adequately account for environmental injustice, including the disproportionate, disparate, and cumulative impacts pollution and climate change have on low-income communities and communities of color. To address those inequities, the Administration is working to implement the Justice40 initiative to ensure that 40 percent of overall benefits of certain Federal investments in climate and clean energy are directed to disadvantaged communities. Interior bureaus and offices have been working as part of governmentwide efforts to refine the criteria and metrics needed to implement this important initiative. The 2023 budget includes $4.0 million for dedicated staff and technical support to provide programmatic expertise, coordination, and outreach support across the Department. These additional resources will enable the Department to implement the Justice40 initiative while quantifying the benefits and positive impacts of Justice40-covered programs on disadvantaged communities across the country.

BUILDING A MORE INCLUSIVE AGENCY

Interior is also working to make our mission programs and services more inclusive of diverse and underserved communities. The 2023 budget includes targeted investments to better connect with and be more responsive to new audiences. Examples of this effort in the budget include the following:

—The Natural Resource Damage Assessment and Restoration program includes $8.1 million to better address environmental justice issues.

—USGS includes $800,000 to enhance scientific capacity partnerships through technical training internships with Tribes, Alaska Native communities, and underserved communities.

—FWS includes $4.0 million for an expanded Native American Programs Coordination Office.

—NPS includes $5.7 million to establish an Office of Native American Affairs and support Tribal liaisons at national parks to strengthen partnerships and improve coordination with Tribal Nations and support the Native American Tourism and Improving Visitor Experience (NATIVE) Act.

The 2023 budget also expands ongoing programs that are working to connect new audiences to the outdoors and to Interior's mission activities. For example, the FWS budget includes $12.5 million for its Urban Wildlife Conservation program. This program leverages the 101 national wildlife refuges that are within 25 miles of an urban area through local partnerships. The program helps to connect the refuges to their local communities through outreach and programming, creating opportuni-

ties for the 80 percent of Americans who are living in urban areas to benefit from time spent in nature.

The NPS mission includes the preservation of America's cultural and historical resources. Including the cultural practices and history from across America in carrying out this mission is an important responsibility. The 2023 budget includes several important investments that reflect inclusion and diversity:

—Support for the African American Civil Rights Network to present a comprehensive narrative of the people, places, and events associated with the African American Civil Rights movement—$5.4 million.

—Historic Preservation Fund support for Historically Black Colleges and Universities—$10.0 million.

—Grants to Indian Tribes to support Tribal historic preservation offices that preserve the distinct cultural heritage of American Indian Tribes nationwide—$23.0 million.

—Competitive historic preservation grants to support State and local efforts to preserve sites that document the struggle for equal opportunity for African Americans—$21.8 million.

—Transfer of $3.3 million to the 400 Years of African American History Commission for research and programs throughout the United States to recognize and highlight the resilience and cultural contributions of Africans and African Americans over 400 years.

—Expanded capacity at more than 30 national park units that preserve and tell the story of historically underrepresented and marginalized groups or conduct programs that reach out to local underserved communities.

—Assessment and addressing of transportation barriers to National Park System units from underserved communities—$5.0 million.

—Establishment of the Park Accessibility for Visitors and Employees Network—$5.0 million.

BUILDING AGENCY CAPACITY

Interior is working to strengthen the Department moving forward and continuously improve the delivery of our mission programs and services to the American people. Efforts related to improving Interior's workforce and operations and better leveraging technology and information are underway across the Department.

WORKFORCE AND OPERATIONAL IMPROVEMENTS

Interior's mission activities rely on a talented and dedicated workforce, and many bureau operations are labor intensive and complex. At the end of 2020, however, Interior's staffing was at a 10-year low, with 60,558 full-time equivalents (FTEs). Despite the pandemic, by the end of 2021, staffing had increased to 62,027 FTEs. When fully enacted, the Department's 2023 budget would support 68,133 FTEs.

As the Department rebuilds its workforce, Interior is working to recruit, hire, and train the next generation of talented people who will reflect 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. DOI will regularly conduct equity assessments and pursue more meaningful engagement with underserved communities to make sure they are visible and considered during outreach and hiring efforts. The budget includes $2.3 million for Human Capital initiatives, which include the use of Talent Teams to strengthen recruitment and improve outreach to diverse candidates.

With regard to the Wildland Fire Management workforce, Interior is working closely with the U.S. Department of Agriculture, Forest Service, and the Office of Personnel Management to ensure that Federal wildland firefighters receive pay that is competitive with the pay received by other firefighters. The 2023 budget continues to support a transition to a more permanent wildland fire workforce, with improved training and career development opportunities to encourage the retention of experienced and skilled staff members.

To better support Interior's uniformed law enforcement efforts, the 2023 budget includes $21.1 million to ensure that Interior law enforcement personnel have body-worn cameras and the associated data storage capability they need. The 2023 budget proposal would provide coverage for all Interior law enforcement officers.The Department continues its work to strengthen BLM's workforce, which experienced a significant loss of expertise during the 2019 reorganization of the bureau, when the BLM headquarters was moved from the Washington, DC, area to Grand Junction, CO. At that time, more than 80 percent of the employees in positions identified for

relocation chose not to relocate, and many employees moved to positions outside BLM and Interior. BLM is working now with employees to rebuild a headquarters in Washington, DC, and to fully leverage the strengths of the western headquarters in Grand Junction, CO, and in BLM field offices across the West.

LEVERAGING TECHNOLOGY AND INFORMATION

As part of a governmentwide initiative, the Department is working to incorporate a stronger analysis process through evidence-based program evaluations that rely on data. To improve data-management practices, the budget invests $2.3 million to increase transparency by establishing a robust data-management program, organizing data through an enterprise data registry. The budget also includes $4.3 million for an independent evaluation fund to support efforts to conduct independent evaluations of programs, initiatives, and processes across Interior. DOI will also develop and implement a Departmentwide Enterprise Risk Management program to better identify and address systemic risks across the agency. The 2023 budget includes an additional $700,000 to support evidence-based evaluations and risk-management work across the Department.

To better support this data-driven work, the 2023 budget includes $54.3 million to continue to modernize and enhance the Department's enterprise business management system, the Financial and Business Management System (FBMS). FBMS supports the administrative system's requirements across the Department for core accounting, budget execution, acquisition, aspects of financial assistance, real and personal property management, fleet management, travel integration, enterprise information management, and reporting.

In 2023, the Office of Natural Resources Revenue (ONRR) will invest $17.5 million for the next phase of its ongoing Information Technology (IT) Modernization effort, which will focus on the design, development, and implementation of the new system and the eventual decommissioning of the legacy financial system. ONRR ensures that revenue from Federal and Indian mineral leases is effectively, efficiently, and accurately collected, accounted for, analyzed, audited, and disbursed to recipients in a timely fashion. Revenue distributions, which totaled $8.8 billion in 2021, benefit States, Tribes, individual Indian mineral royalty owners, and U.S. Treasury accounts. IT Modernization will provide the capacity, flexibility, and agility to reduce long-term operations and maintenance costs, and it will strengthen the cybersecurity of Federal networks and critical infrastructure.

In the area of law enforcement, the 2023 budget includes $11.0 million to implement a unified Law Enforcement Records Management System (LERMS). With LERMS, Interior will be able to centralize law enforcement activities—including criminal investigations, jail management, and citation tracking—and securely transmit law enforcement records across the Department and other law enforcement agencies and courts. At present, data sharing between the two legacy law enforcement systems is limited, and systems are inaccessible in rural areas, such as at national parks that do not have cell service or the Internet and require officers to reenter handwritten paper ticket and report information at a computing device when a connection becomes available. The current systems do not have the capability to electronically transfer ticket information to the U.S. Courts or report mandatory data to the Department of Justice and the Federal Bureau of Investigation (FBI). By transitioning to a unified LERMS, the realized efficiencies and increased capabilities will allow DOI law enforcement officers to spend more time protecting people and resources and will promote accountability.

Interior bureaus and offices use field communications to carry out critical operations, including law enforcement, wildland firefighting, land and resource management, scientific studies, and emergency management. The 2023 request includes $28.6 million to be distributed across BIA, NPS, FWS, USGS, and the Office of the Chief Information Officer (OCIO) to modernize field communications. This DOI Field Communications Modernization investment is part of a strategy to address needed upgrades in Interior's field communications systems to ensure more efficient and reliable voice communication and remote broadband connectivity to provide employees working in the field with voice, video, and data capabilities for all missions. In many locations, this deployment will enhance or replace voice-only, mid-20th-century land mobile radio technology with technology that is cheaper to operate and maintain. Operations and maintenance costs may be significantly reduced, and communications capabilities will likely increase by assessing current capabilities and needs, leveraging current technological solutions, and seeking to deliver more cost-effective cellular and satellite services.

Interior is also investing in cybersecurity to ensure that the security and integrity of our systems are not compromised. In January 2022, the Cybersecurity and Infra-

structure Security Agency, FBI, and National Security Agency encouraged all agencies to increase cyber resilience in light of elevated risk. Interior continues to pivot to keep pace with a dynamic cybersecurity environment and deploy needed mitigation tools and upgraded capabilities. The 2023 budget includes $44.3 million to address high-priority cyber defense requirements, better detect emerging threats, make needed improvements to Interior's IT networks, initiate supply chain risk management analysis, and maintain ongoing operations.

CONCLUSION

The 2023 President's Budget for Interior sets ambitious goals, but they are achievable. Working together, we have the opportunity to invest now to strengthen our Nation for all Americans, protect our environment, and ensure our future generations continue to not only enjoy, but improve our way of life. I look forward to doing this work together. Thank you again for having me, and I am pleased to answer any questions you may have.

Senator MERKLEY. Thank you very much Madam Secretary. And we, without objection, will put your full testimony, written testimony into the record.

I will begin rounds of questioning now, seven minutes, I will stop asking questions when my seven minutes are up, and I will ask everyone else to do the same so that we can make sure everyone gets a chance to make inquiries that are important to these issues across the country.

Let me start with the Klamath Basin. The Klamath Basin in Oregon has experienced many, many years of drought, a number of worst-ever drought years, and it puts enormous stress on the water resources, water resources that have declined both with the changing weather patterns, and also with the loss of less water coming out of the Cascade snowpack.

And we have, Congress has provided $162 million in the Bipartisan Infrastructure Law, and more than 16 million through the Fish and Wildlife Service for the Klamath Basin, helping to address those issues. But these funds will be funds that will not last forever, and the question is kind of, what is the plan to be able to help the Basin figure out the path for the future under these difficult circumstances.

I really appreciate that a team, led by Liz Klein, just recently completed a trip to the Basin, and your Department has convened a number of roundtables with stakeholders. So just, what is the status of that 162 million, and how will the funding be distributed? And what is the timeline?

Secretary HAALAND. Chairman, thank you so much for the question. And first of all I think you know how much we all care about the Klamath Basin, and we have people in our Department, Liz is one of those, Tanya Trujillo another, and of course Camille Touton, who work every single day on this issue. And there is not enough water, obviously. And that is the incredibly challenging piece of all this.

I thank you for recognizing that we are doing our best to work with partners on the ground. I think it is incredibly important that we are in contact with the people whose lives are affected by this issue. And I want to assure you that every single day our team is working with partners in the states to evaluate the options for renewing discussions about how to foster the long-term issues moving forward.

I think that we will take our cues from folks on the ground, and know that our team is dedicated. I wanted to also recognize that the Tribal communities are important in this piece as well. You might know that I had a chance to meet with all those folks, virtually, and just understand that even though people don't agree on everything they agree that they care deeply about this place.

So thank you. And we are happy to keep you informed of the progress on this issue as we move forward.

Senator MERKLEY. Thank you. I absolutely will follow up, because how we spend that $162 million is going to be so important to the future and success of all the stakeholders in the Basin.

I want to commend you for your leadership on the Indian Boarding School Initiative.

You have embarked on a mission to document a dark chapter in American history. Just fully supportive of these efforts, and well, a lot of those schools, a number of them were in Oregon, ten of those schools, one of which Chemawa is still operating under—but unfortunately under very different circumstances, so from that past.

How will the Department use the fiscal year 2022 funding of $7 million to further the efforts for this program?

Secretary HAALAND. Thank you very much, Chairman. As you know, we finished our first report on the Boarding School Initiative. We are working on the second report. We also started a nationwide listening tour, if you will a healing journey tour. We had the first piece of that this past weekend at the Riverside Indian School in Anadarko, Oklahoma. We will travel to your state likely, as well as to many states across the country.

The second report in the Boarding School Initiative will dive deeper into the issues that we raised, and it is largely driven by what the tribes would like us to do as well. So we are keeping close contact with all of that. We appreciate your support. There is more work to do to bring closure and healing to this issue, and so the $7 million is going to go toward the healing journey, toward researching and writing the second report, and any subsequent reports that would come after that.

Senator MERKLEY. I think we are all going to learn a lot from this effort. It is an incredibly important effort. Thank you.

Public Law 280 is a nearly 70-year-old law affecting criminal jurisdiction in tribal lands in six states, including Oregon. I know that criminal jurisdiction on tribal lands is complicated, the situation for each affected tribe is unique, but essentially there are 32 tribes across the country that should qualify for funding assistance with their criminal jurisdiction programs that have not been included in the past. And this is profoundly unfair.

And I want to draw it to your attention, and I want to advocate that these are 32 tribes be treated fairly. And just ask how you might champion appropriate, equal fair treatment of these tribes that have been excluded, even though they qualify?

Secretary HAALAND. Chairman, thank you so much for the question. Of course justice services and law enforcement in Indian Country is a priority for all of us, and I recognize that sometimes it can be difficult given where the tribal communities are located. But safety all across Indian Country is a priority for me.

We have focused on increasing capacity in areas where we have existing law enforcement programs, growing our Missing and Murdered Unit, and I know you were supportive of that, so thank you, and improving detention and correction centers. We recognize the need to turn our attention to the 32 non-PL280 tribes, like the Cow Creek, who have not had the opportunity to receive direct service law enforcement from the BIA. For tribes in this situation, we are looking at strategies to provide them an opportunity to receive law enforcement funding in a manner that doesn't diminish the level of support for tribes who receive the law enforcement services for funding.

So it is a good balancing act. But I assure you that we care deeply, and this is an issue that we will continue to work on. And of course, we are happy to be in touch with you about it.

Senator MERKLEY. Thank you, Madam Secretary. I appreciate your recognition that those 32 tribes deserve to be included in the program, and we will work with you in that regard.

And let me turn this over to Ranking Member Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Madam Secretary, you know very well the issues related to our legacy wells up north, particularly within the National Petroleum Reserve. We provided significant resources to the Department to address these, last year $22 million, but what we are hearing is the concern, and I know it has been raised with you, that these wells are not being plugged to the appropriate standards.

In March, there were releases that came from previously plugged legacy wells, you know, once they are plugged they shouldn't be a problem. But what we are facing is the standards that are used by the state government in Alaska are more stringent, and they result in better remediation outcomes.

I don't know if this is a staffing issue at BLM. If so, we can work to address that. But I need you to commit to me to have BLM review the remediation and plugging standards that are used by the State of Alaska to see what improvements can be made to BLM's own standards. And I would hope that after you get such a review we can sit down and work through this?

Secretary HAALAND. Absolutely. We are happy to work with you on all of that, Senator.

Senator MURKOWSKI. Okay. Thank you. Then what I would ask again is if you can do this review, and if in 3 months we will follow up for a meeting to go over that, I would appreciate that.

Secretary HAALAND. Yes, of course.

Senator MURKOWSKI. On the fire as I mentioned what we are seeing up in the state right now, 512 fires this year, covering 2.8 million acres of land. Interior received $1.5 billion in the Infrastructure Bill for wildland fire—or wildfire mitigation and preparedness. I think it goes without saying, but we certainly need funding to conduct the hazardous fuels reduction.

Can you tell me how much of the infrastructure money has been distributed, and how soon you expect to see that funding get out the door?

Secretary HAALAND. Thank you so much. The Bipartisan Infrastructure Law provided over $1.4 billion for Interior's fire programs

over a five-year period, Wildland Fire Management Program allocated $407 million in 2022, and the Interior and U.S. Forest Service recently announced $120 million will be paid out as a supplemental salary payments to wildland firefighters. That was so we could ensure firefighters are paid at least $15 an hour. Some programs will take longer to implement fully because of upfront planning and other requirements.

Senator MURKOWSKI. Can I stop you on that?

Secretary HAALAND. Yes.

Senator MURKOWSKI. Because when I asked a similar question in the Energy Committee recently to Chief Moore, he said, you need to have a plan. This is an issue where, again, I think the states have plenty of plans that are out there, and so I am not sure where the issue is in getting these resources directed out to the states. So I am trying to follow this through with Forest Service so if there is—if there is still some delay, if we are waiting for plans, in the meantime places are on fire.

Secretary HAALAND. Yes.

Senator MURKOWSKI. So can you help me in understanding what more we can be doing to get these funds out the door?

Secretary HAALAND. As you know we work with the Forest Service quite a bit with respect to wildland fire. I am happy to have someone follow up with your staff on this issue.

Senator MURKOWSKI. Good.

Secretary HAALAND. And make sure that everything is in place. And I am willing to do whatever we can to make sure it happens.

Senator MURKOWSKI. I appreciate that.

I mentioned the five-year plan, and in Cook Inlet, and I think there was a lot of concern in May when the Department canceled Lease Sale 258, citing lack of industry interest. And I can say with real certainty that was not the case. But in the environmental analysis the Department's experts stated that if no lease sale occurred the price for gas would increase, as would emissions due to use of alternative fuels.

So I mean, the problem that we are facing here is, in Alaska, we are already paying some of the highest gas prices in the country, and so it was just kind of stunning to people to actually read the Department's own words that canceling this sale would actually increase the emissions, increase the cost.

So can you tell me why this particular sale was canceled? What consultations were done with industry that led to this claim about lack of industry interest? Because the folks that are coming to me are saying: We absolutely are interested, were interested, now there is no opportunity because it has been taken off the table.

Secretary HAALAND. Thank you, It was the fact that actual oil companies did not show interest in Cook Inlet, I recognize that the Oil and Gas Association did show interest, but for us to move that forward we would have had to have interest from the actual companies who would be bidding on the leases.

Senator MURKOWSKI. Yeah, but there has been nothing that was laid down they can't indicate what their interest is. It is kind of a, you know, chicken and for example, or horse before the cart. I mean, but what happened was there was no ability, no opportunity to even show an interest because the sale was entirely cancelled.

Secretary HAALAND. Well, I appreciate your perspective on this, and I am not sure what to say, other than what I have already said. In any other lease sales we have actual companies showing the interest and putting forward, ideas for those opportunities, and we didn't get that with respect to Cook Inlet.

Senator MURKOWSKI. Madam Secretary, my time has expired. I will just share that what we face is that 80 percent of the natural gas that comes to the most populated portion of the state, comes out of that Cook Inlet. And there is a real concern that now that this is taken off the table what comes next.

Thank you, Mr. Chairman.

Secretary HAALAND. Thank you.

Senator MERKLEY. Thank you. Senator Heinrich?

Senator HEINRICH. Thank you, Chairman.

Secretary, welcome. I have been very glad to see the funding from the Great American Outdoors Act begin to go to work over the last couple of years. But I am deeply concerned about agency process bottlenecks that really frustrate our ability to get LWCF, Land and Water Conservation Fund projects done in a reasonable timeframe.

And I certainly recognize the importance of accurate and professional appraisals, but I don't understand why that process should take years as it often now does. That was not the case in the past in these agencies, and it is not the case in the private real estate market certainly.

So what can we do to ensure that Land and Water Conservation Fund projects can be completed in a timeframe that works both for the public, but also for the landowners who engage in these transactions?

Secretary HAALAND. Thank you so much, Senator. It is nice to see you.

Senator HEINRICH. Good to see you.

Secretary HAALAND. Thank you for the question. We are working with our LWCF bureaus and the Appraisal and Valuation Services Office to set up a comprehensive review that looks at the root causes of these delays. And that includes internal processes and external factors as well. We are happy to follow up with you as that moves forward. And I understand the frustration.

Senator HEINRICH. So my hope is that we can get this to a place where the appraisal's process can be done in a matter of months as opposed to years. You are familiar with the L Bar Project in New Mexico.

Secretary HAALAND. Yes.

Senator HEINRICH. We specifically avoided working with the Federal Government in that transaction, other than the Federal funding that came from Pittman-Robertson. But we didn't use LWCF dollars in that project because the timeframe just would not allow for it. So we have to get to a place where we can do marquee projects that really—the kind of projects that the public really gets excited about, but on a timeframe that works for these landowners.

Secretary HAALAND. Thank you.

Senator HEINRICH. I want to ask you a little bit about Hardrock Mine Cleanup. As you know, on the Bipartisan Infrastructure Bill, Congress finally authorized a program dedicated to abandon

Hardrock Mine Reclamation. Something that has existed for abandoned coal mines for decades. We all know that bill didn't include funding for that program, but your Department budget request includes 85 million in new funding for Hardrock Cleanup, something I very much appreciate.

But it directs it through other existing programs rather than through the specific program authorized specifically for this purpose. So I just want to ask: Does the administration support funding for the dedicated Hardrock Program authorized in the Bipartisan Infrastructure Bill?

Secretary HAALAND. Yes.

Senator HEINRICH. Great. We look forward to working with you on that. I think it is going to break new ground, and we are going to be able to do some really good projects that should have been addressed decades ago. And I look forward to working with you closely on that.

The number of Tribal Historic Preservation Officers, THPOs, has grown rapidly over the last couple of decades. Funding from the Historic Preservation Fund has not kept pace as you know. More than 200 tribes have a Historic Preservation Office, but each THPO receives only about $75 thousand right now to support all the work that they do, to review projects that impact tribal cultural sites, both on and off tribal land. How can we get the Tribal Historic Preservation Offices the resources that they need to fully protect their communities' sacred spaces?

Secretary HAALAND. Thank you for the question, Senator. And of course I fully support the Tribal Historic Preservation Offices. It may be the only Federal program that helps tribes to protect and conserve their cultural history and resources, so they are incredibly important. Our 2023 budget proposes an $8 million increase for those offices, and of course we are always available to help support them in any way that we can.

Senator HEINRICH. Yeah. I hope this committee will look closely at this because you know, we are spreading the same resources over more and more tribal THPO offices.

Secretary HAALAND. Yes.

Senator HEINRICH. And it is not a sustainable approach right now. Secretary, as you are all too aware, American Indians and Alaska Natives who are living on reservations face violent crime rates, up to 20 times those living off reservation. More than 80 percent of Native Americans will experience violence in their lifetime, and there are currently thousands of missing indigenous people.

So I want to ask you a little bit about BIA and how they set their law enforcement priorities, and specifically referencing situation that we have had in New Mexico. Basically, why instead of focusing on this crisis that is truly a crisis, are limited BIA resources being used to enforce Federal cannabis laws on reservations where cannabis has already been legalized by the sovereign tribe there?

Secretary HAALAND. Thank you for the question, Senator. I believe very strongly that we should respect tribal laws and work in partnership with tribes on their public safety priorities, and they know their communities far better than we ever will. This question also involves the authority and policy of the Department of Justice,

and I respect that we have to have an Administration approach to this.

So it is absolutely noted. We have been approached by tribes on this issue as well, and it is something that we are not ignoring.

Senator HEINRICH. I appreciate that. And I think this is a conversation that I look forward to continuing, because I just think it is a horrible misappropriation of focus at a time when we have such pressing needs. And obviously, you know, in my state, the state has chosen to legalize cannabis, a number of tribes have followed suit. Whatever you think about that as a policy matter, we have such more important, pressing criminal needs in Indian Country right now, that we need to set our priorities appropriately.

So thank you, Secretary. And my time is expired.

Senator MERKLEY. Thank you, Senator. And Senator Hyde-Smith is next.

Senator HYDE-SMITH. Thank you, Mr. Chairman; and thank you, Secretary Haaland, for being here today.

Madam Secretary, the draft proposed program issued recently by the Interior Department, in my opinion, is filled—it is just full of uncertainty for the oil and gas industry, ambiguity, and for instance, it indicates the Department will consider up to ten Gulf of Mexico lease sales, plus the option for one sale in Alaska's Cook Inlet that we have talked about, but does not guarantee any.

What are the odds that the Department could break with the past precedent and exercise the option to hold zero lease sales as the proposed five-year lease plan is finalized?

Secretary HAALAND. Thank you very much for the question, Senator. First what I will say is that we do have a 90-day public comment period, and those comments that come in will be factored into any decisions that we make. I can't prejudge anything at this time but I absolutely appreciate your perspective, and know that we will work to have a balanced approach to this issue; and happy to stay in touch with your office as we move forward.

Senator HYDE-SMITH. So you do think we will have some lease sales?

Secretary HAALAND. I can't prejudge this issue until we come to a decision. That will be after the 90-day public comment period.

Senator HYDE-SMITH. Outer Continental Shelf Oil and Gas, has lower greenhouse gas intensities than fossil fuels used to substitute for energy not produced in the Gulf. Importing foreign energy also increases emissions because other countries sending us these resources have lower emission standards than we do. Are you aware that a no-sell option could in fact increase the price of all energy, oil, gas, coal, and electricity?

Secretary HAALAND. Thank you for that comment, Senator. I appreciate that.

Senator HYDE-SMITH. So are you aware that it could increase the price of the energy, oil, natural gas, coal, and electricity, is a question?

Secretary HAALAND. Well, I appreciate your perspective on this. When we are talking about our five-year plan, we don't take cost into consideration in that respect, because we are focusing on managing our natural resources.

Senator HYDE-SMITH. But because their standards are lower, their emission standards are lower; I mean you don't agree that that could increase the price?

Secretary HAALAND. Senator, I would be happy to follow up with your office on that if you would like. I appreciate the question.

Senator HYDE-SMITH. And I appreciate the question. But I would also appreciate an answer.

Secretary HAALAND. What I could say is that I know that there is a lot that goes into the price of fuel, and I know it is expensive right now. As I have said many times before there are about 9,000 approved drilling permits across the country currently that are not being used, 10.4 million acres of offshore Federal waters already under lease, as of July approximately three-quarters of active leases on the OCS are non-producing.

I know that there is a lot that goes into considerations with the price of fuel, but I want to assure you that at the Department of the Interior we are doing our jobs and following the law to move any of these issues forward.

Senator HYDE-SMITH. Okay. And talking about those leases, let us talk about permits. What is your Department doing to streamline the approval of right-of-way permits so gathering lines can be installed more quickly on public lands, and to help make sure companies can use those 9,000 Federal permits the White House keeps referring to, and capture methane during production?

Secretary HAALAND. Thank you for the question. I would love to follow up on this question with your staff. I know that is an issue. We take our job seriously, Senator. I know that it is important for us to move this issue forward. And BOEM, the Bureau of Ocean Energy Management, continues to advance permits for these activities, and 49 have been issued since November of 2020.

Senator HYDE-SMITH. Has there been the permits for those 49 issued as well?

Secretary HAALAND. Forty-nine permits have been issued since November.

Senator HYDE-SMITH. Of the leases you have 49 permits?

Secretary HAALAND. Yes, ma'am, as I understand it.

Senator HYDE-SMITH. Okay. In your opinion, what is the earliest we can see a lease sale?

Secretary HAALAND. I can't pre-judge that.

Senator HYDE-SMITH. Your Department has issued a draft plan to the public that has yet to file the request for information, that I am sure you are familiar with, which is the action that triggers the first 45-day comment period that is necessary. As you know, pre-leasing activities, such as area identification, NEPA review, environmental impact statements, and other activities are allowed so work can begin as quickly as possible once the lease is finalized.

Since your Department has already well passed deadline for conducting lease sales, what progress has been made inside your Department on preparing a request for information on any pre-leasing documents to ensure the most efficient transaction once lease is finalized?

Secretary HAALAND. Thank you, Senator. I want to just make sure that I mention the fact that the reason why this five-year plan has been late to begin with is because it was dropped by the last

administration. They started it and didn't finish it. We picked it up after that. They took no further action after releasing the draft proposed plan in 2018.

So we are moving forward expeditiously on the next steps. We have two steps of five completed. We released the proposed program on July 1st. On the Environmental Impact Statement, we began the 90-day public comment period on July 8th, and then we will incorporate input to develop and publish the proposed final program which can be approved by the Secretary, and adopted 60 days later following Presidential and Congressional consideration.

Senator HYDE-SMITH. So it is the last administration's fault; who by the way, was energy independent?

Senator MERKLEY. Thank you, Senator Hyde-Smith. Your time has so expired. But you are welcome to adopt a second round if you would like.

Senator HYDE-SMITH. Thank you.

Senator MERKLEY. Senator Reed.

Senator REED. Well, thank you very much, Mr. Chairman.

Welcome, Madam Secretary, and Ms. Flanagan. There has been throughout the morning, beginning with the chairman, a discussion of the Biden administration's policy on gas prices, oil and gas leasing. And you have mentioned some facts and I would just like to get them right back on the table, if I could. And you may answer these questions, as yes or no.

But Madam Secretary, is it true that in the first year the Biden administration would produce more oil from Federal lands onshore and offshore than in any year in history?

Secretary HAALAND. Yes, Senator.

Senator REED. Is it true that oil companies have nearly 9,000 approved but unused drilling permits?

Secretary HAALAND. Yes, that is correct.

Senator REED. It is true that there are more than 20 million acres of unused Federal leases, 12 million onshore, and 8 million offshore?

Secretary HAALAND. Yes.

Senator REED. Is it true that the oil companies aren't using roughly half of their onshore Federal leases?

Secretary HAALAND. That is correct.

Senator REED. And is it true that oil companies aren't using roughly 75 percent of their offshore Federal leases?

Secretary HAALAND. Yes, sir.

Senator REED. So it seemed one conclusion is that even though there is an ample capacity to drill, that the companies for reasons related to the business have decided they are not going to drill. Or because of the price of oil is so high right now that they literally can make more money just extracting for existing wells, and not increasing production which would lower cost; is that one possible analysis?

Secretary HAALAND. Well, I think there is a lot that goes into what the cost of fuel is. And I think there is a lot happening around the world that has caused fuel prices to go up.

Senator REED. No, I think there is. And I think also too, we are at a moment where, as the automobile industry announces that within 10 years or so they will just sell electric cars, I think there

is a lot of discussion among the boardrooms at hydro carbon companies of: Do we really want to make billion-dollar investments? But I think these factors are beyond the administration's control, they are the decisions of the companies that are making them at the moment.

I want to thank you for joining myself, and all of my colleagues, and delegations, and the White House, and Congressmen Langevin and Cicillini. Last summer when you signed in a ceremony to formally establish the boundaries of the Blackstone River Valley National Historic Park, and making it an official into the National Park Service, and thanks to the tireless work of the Park Service's real state, and local officials, and volunteers.

We have already received a recovery and revival of dozens of historic villages and along the river, kayaking, other sports, hiking. But the park service still has a long way to go, as you well know. They have to acquire the Old Slater Mill which is literally the place where the Industrial Revolution began in the United States, complete its shale management plan, you know, build out administrative offices.

I am glad to see that the administration put a slight increase in the budget this year, but I am convinced they are going to need more resources. So I would ask you to commit to work with me and my office to increase funding so that we can really tackle the establishment of this park.

Secretary HAALAND. Absolutely. And thank you, Senator. I was happy to join you for that issue. The 2023 budget includes $1.9 million for the park, and that would support fixed-cost increases, and staffing capacity, which I know is important during these times. We want the park to grow. And so there is a budget in there for that.

Senator REED. I would mention it runs into Massachusetts, so this is a two-state enterprise. And also I must give credit to my predecessor, John Chafee, who really started this process many years ago. He would be very happy today. We have talked about offshore wind. Rhode Island has the only offshore wind project in the United States, and it was built, and it was built very efficiently. We are generating power now for the entire island of Block Island, and actually the excess power is going into the state grid.

And we are also committed to purchasing another 600 megawatts of offshore wind power. Indeed the New York Bight Wind Energy area is talking about a $4.4 billion sale of energy, hydro, and energy power, wind energy power. One of the players in this whole process is BOEM, and they were very responsible and very responsive when we were doing our project, but they have to be very cognizant of other stakeholders, particularly fishermen. And this is an issue that I would ask your attention to. The BOEM released the Draft Fisheries Mitigation Guidance last month, but I think much more should be done.

And can you indicate what other steps BOEM might take, or will take to expedite the licensing of these projects?

Secretary HAALAND. Thank you for the question, Senator. I know that BOEM takes this charge incredibly seriously. They do include the fishing industry in the leasing process, and all the proposed projects have stakeholder engagement consistently. Since 2008

BOEM has invested more than $70 million on environmental studies that address renewable energy issues, including developing fisheries best management practices.

Under these circumstances I know that moving to clean energy, or transitioning to a clean energy economy is not without important issues. So I know that BOEM cares deeply. The fishing industry is incredibly important, not only to the economy, but to the health of our country.

We are happy to speak with you about this if there are other ideas that you have. But I want to assure you that they are working very hard to make sure that the industry is fully engaged in the process and the projects that we are doing.

Senator REED. Thank you very much, Madam Secretary. Thank you, Mr. Chairman.

Senator MERKLEY. Thank you. And now, Senator Hagerty.

Senator HAGERTY. Thank you, Senator Merkley; Senator Murkowski, for holding this hearing.

Secretary Haaland, thank you, for appearing here today. We had some very bad news this morning, the Consumer Price Index, inflation posted at 9.1 percent. That is a 40-year record high. If you look at gas prices at the pump, they are at all-time record highs. American families are suffering tremendously right now.

Secretary Haaland you are responsible for granting oil and gas leases on Federal land, Federal lands account for about a quarter of U.S. oil production. Yet on July 1st, despite the fact that American families are facing record high prices, your Department announced that it might not issue any new offshore oil and gas leases for the next 5 years, and you limited yourself to a maximum of 11 leases.

And in the process your Department said that this quote, "Significantly narrowed the 47 leases proposed by the previous administration," and in support of this effort to reduce U.S. oil and gas production you declared, and I would like to read the quote, "From day one President Biden and I have made clear our commitment to transition to a clean energy economy."

So Secretary Haaland, I want to ask you, at what point, at what point is this transition to a green energy economy that you and President Biden are trying to force, worth making American families pay $6 a gallon at the pump?

Secretary HAALAND. Senator, thank you for the question. And first of all, I completely understand, I raised my kid as a single mom. It is difficult right now, and I have had those experiences. So I want you to know that I care deeply about American families who are suffering right now.

Of course we are still coming off of a two-year pandemic that really affected our country in so many ways. I do want you to know that while the vast majority of U.S. oil and gas production occurs on private lands, Federal lands have produced more oil than any time in our history.

Senator HAGERTY. So you are telling me that the Biden administration is a champion of oil production here in America?

Secretary HAALAND. I am just saying that because of the way the leases and permits have gone over the last several years, oil pro-

duction from Federal lands and waters right now is at an all-time high.

Senator HAGERTY. Well, I think it is important what you signal to the marketplace. Chairman Reed brought this up. American oil and gas companies are not investing right now because the environment has been terrible for them. You have created an environment here. You have sent every message since this administration took office that the Biden administration will ensure that oil and gas investments do not pay off in America, killing the Keystone XL Pipeline.

If you think about the message that comes to the industry when they find out that you are not going to allow new leases on oil and gas properties, or you are going to limit yourself to only 11 over the next 5 years, at the maximum, this is sending a very bad message.

What I need to understand from you, is at what point, at what point does the pain that American families are feeling, that you indicate you are appreciative of, is it $6 a barrel that you say, I am going to give up this attempt to force this green new energy program, and go back to maximizing oil and gas production here in America?

At what point will you commit? And I am asking you to commit, to increase oil and gas production to address the pain that American families are feeling?

Secretary HAALAND. Senator, I would like to also mention to you, and I have said this many times. There are 9,000 unused permits currently; permits that oil companies can use to drill that are not being used. And onshore, more than 12 million acres are under lease, offshore 8 million acres are under lease.

Senator HAGERTY. So I just want to make this clear, that you are saying that the Department of Interior under the Biden administration has championed oil and gas production here in America?

Secretary HAALAND. Well, I can say that because of how things have gone over the last several years, there are thousands of permits, and land under lease that could be used by these companies to drill.

Senator HAGERTY. What we need to see to address the pain at the pump right now is an expansion of supply. You have many tools at your disposal, and as the Secretary of Interior I am asking you, will you commit to use every tool at your disposal to expand oil and gas production at this point given the pain that we are suffering right.

Secretary HAALAND. Senator, my job as Interior Secretary is to conserve and manage the natural resources and cultural heritage for every single American. I said from day one that we would do that using a balanced approach, and I feel very confident that our team is looking at every issue. And we are working to make sure that this is a balanced approach.

Senator HAGERTY. Madam Secretary, you mentioned the word "balance", but balance is precipitating massive pain. If you think about where gas prices were the day that your administration took office, $2.30-odd a gallon, we are now looking at $6 a gallon of oil or gasoline at the pump. American families are suffering dramatically.

And I will come back and ask you again. At what point do you back off this attempt to force a transition to green energy? At what point will you use the tools at your disposal to expand oil and gas production here in America?

Secretary HAALAND. Senator thank you for the question. I know that nationally, as of July 11th, the gas prices were at $4.68 a gallon that is still incredibly high. And Senator Murkowski mentioned that in Alaska they are a lot higher. I understand this, and I understand exactly what that means, because I have been in positions like that in the past.

Senator HAGERTY. Well, please, I implore you to use that understanding to feel that pain, and do something about it. You have the power—you control a quarter of the production lands here in America, the oil and gas leases that could be permitted. Please commit to me that you will do everything in your power to use your authority to expand production now?

Secretary HAALAND. Senator, there are 9,000 unused drilling permits right now today, and millions of acres of land.

Senator HAGERTY. I have heard this, but that is less than 10 percent of the total that we are talking about. That is a distortion. That is a distraction. I am asking you to send the message to industry to do everything that you can to expand oil and gas production. You will not commit to doing that, Secretary?

Secretary HAALAND. Senator, again I would just like to say that gas and oil production as at an all-time high on Federal lands currently, at this time.

Senator HAGERTY. What we need to see is a message to the marketplace that expands production not constrains it. How do you explain the record high prices that we are experiencing, were it not for that? How do you explain the fact that we are no longer in a position to be a net energy exporter? How do you explain the transition from $2.30 gas to $6 of gasoline that has happened in the 18 months this administration has been in office?

Secretary HAALAND. Senator, thank you for the question. We are more than happy to follow up with your office.

Senator HAGERTY. I am very disappointed that you are not able to commit to the simple notion that you should use the authority that you have, Madam Secretary, to expand production now to alleviate the pain for the American public. We are suffering dramatically, our economy is in tough shape, 9.1 percent inflation right now, and record high prices.

Thank you, Mr. Chairman.

Senator MERKLEY. Thank you very much, Senator Hagerty. Senator Feinstein?

Senator FEINSTEIN. Thank you very much, Mr. Chairman. I would say to the Senator, it may just not be this woman's fault. Let me read you something from the Los Angeles Times, "Officials recently announced they were unable to fill about 1,000 temporary firefighter positions, and looking to make emergency hires by shortening the onboarding process. As California faces what is expected to be a punishing fire season only 62 percent of Federal firefighter positions here are filled, according to a source within the agency. Before 2020 nearly all spots, nationwide, typically would be filled

at this time of year, said the source, who requested anonymity to discuss sensitive internal matters.

"In addition, roughly a third of all Forest Service fire engines in California are on five-day staffing. Meaning there aren't enough crew members to operate them seven days a week. An additional 13 percent of engines are, quote, "Down staffed, end quote. Essentially parked because of a lack of firefighters, the source said."

So I don't blame this person. Something is wrong in the system, somewhere somebody is putting a hold on things in the fact that they are disguised, they take the blame, and fire rises throughout my state. I am really concerned about it.

The Forest Service has acknowledged challenges in reaching this year's national target of 11,300 firefighters, especially in the Pacific Northwest, and Southwest regions which include, Oregon, Washington, and California. The recruitment and retention problems are in areas quote, "Where state and private firefighter wages are outcompeting Federal firefighter wages, housing costs are not affordable, and positions are in remote locations." The Agency said in a statement. Would you support that?

Secretary HAALAND. Thank you so much for the question, Senator. I want to commiserate with you on the fires in your state. New Mexico had the most devastating wildfire in our state's history recently, and so I understand how devastating that can be, especially when you love your state so dearly.

We are working every single day to make sure that we are supportive of the firefighters on the ground, raising the pay so they can have the personal resources they need to raise their families. And certainly, yes, filling those positions——

Senator FEINSTEIN. I don't mean to cut you off. But I have limited time. My understanding is, as far as California is concerned, there are 1,800 Federal wildland firefighter vacancies; is that correct?

Secretary HAALAND. Senator, I don't have this specific number, but we are happy to get back with your staff on that.

Senator FEINSTEIN. Yes. I am concerned. We have a lot of Federal land in California, and a lot is burning, and I need to put a real emphasis on this. This is important. Large amounts of land, California has 20 million acres of Federal forest land in our state, we have to provide the fire services, particularly with lightning and weather changes.

So I am really concerned. And I am not blaming you. I think we have to take a look at what future weather conditions are going to bring about for us, and really see that we have the people in place to deal with those conditions.

Right now in my state I do not believe we do. So I would like to ask that you participate in an effort to take a look at what has happened in fire-prone areas, and see that we have enough coverage to take care of our people, and our land.

Secretary HAALAND. Senator, nationally we expect to reach our target hiring goals for wildland fire fighters, which is 5,600. I know that we are working every day to fill those vacant positions.

Senator FEINSTEIN. Well, wait. Are you saying you have 5,600 vacant positions?

Secretary HAALAND. We want 5,600 total personnel.

Senator FEINSTEIN. The number I have been given is 1,800 Federal wildland firefighter vacancies. Is that true or false?

Secretary HAALAND. We are happy to follow up with you on the exact number, Senator. We have wildland firefighters both in the Department of the Interior, and the Forest Service as you mentioned. We are happy to follow up with you on the exact number of vacancies. But I want you to know that we are working every day to fill those vacancies.

Senator FEINSTEIN. Well, this is a big problem, Mr. Chairman. We have a lot of Federal land in California, and we also have a lot of fire, the LA Times runs an article, "Hellish fires, low pay, trauma, California's Forest Service Firefighters face a morale crisis." And that is what is happening in the state.

And goes on, "California faces what is expected to be a punishing fire season, only 62 percent of Federal firefighter positions are filled, according to a source within the agency. Before 2020 nearly all spots, nationwide, typically, would be filled at this time of year, said the source, who requested anonymity to discuss sensitive internal matters."

You are under oath. Are those figures correct?

Secretary HAALAND. Senator I don't have the exact figures, but we will absolutely reach out to your staff as soon as I get back to my office and let you know.

Senator FEINSTEIN. Well, Mr. Chairman, this is World War III for me. I cannot let the state burn and knowing that positions that we passed are not being filled.

Senator MERKLEY. Senator, you are you are absolutely right. There are a tremendous number of vacancies. The recruitment is very difficult. I do note that the Interior Department is working towards year-round positions, to try to have wildland firefighters be able to do hazardous fuel reductions when they are not fighting fires. They have implemented the $15 minimum pay, which is helpful, but not competitive with the state positions in California.

And I just appreciate that you continuously really advocate for this, because our western states are burning, we need our firefighters.

Senator FEINSTEIN. Let me go on one more.

In addition, roughly a third of all Forest Service fire engines in California are on five-day staffing. Meaning, "There aren't enough crew members to operate them seven days a week. An additional 13 percent of engines are down-staffed, essentially parked because of lack of firefighters," the source said.

Senator MERKLEY. Thank you, Senator. And we can put it into the record, and do some follow-up questions, and I really appreciate you bringing attention to this issue.

Senator FEINSTEIN. Yeah. I appreciate it. This is the Los Angeles Time, June 14th.

Senator MERKLEY. Without objection, I enter it into the record.

[The information follows:]

Los Angeles Times

Hellish fires, low pay, trauma: California's Forest Service firefighters face a morale crisis

By Alex Wigglesworth | Published June 14, 2022

Chris Mariano became a federal wildland firefighter because he wanted to help protect the Northern California landscapes and communities he'd grown to love.

Years later, after working his way up to squad boss of the elite Truckee hotshot crew for the U.S. Forest Service, Mariano resigned in a viral letter that is the latest example of how low pay, grueling work and mental stress are driving experienced professionals out the door at a time when extreme wildfires are becoming more destructive.

"It almost feels as though we're out there doing the very best we can, but it's not enough," Mariano said. "And that's tough, to know that you're giving everything you have, and communities are still being lost."

Morale within the Forest Service has plummeted to an all-time low, current and former firefighters say.

The work is backbreaking physical labor that pays an average starting wage of $15 an hour, not including hazard pay and overtime. Raises promised in last year's infrastructure bill remain in limbo. Low wages have combined with skyrocketing housing costs to ensure that many firefighters can't afford to live in the places they work.

The conditions have left the Forest Service struggling to recruit and retain employees.

Officials recently announced that they were unable to fill about 1,000 temporary firefighter positions and looking to make emergency hires by shortening the onboarding process.

As California faces what is expected to be a punishing fire season, only 62% of federal firefighter positions here are filled, according to a source within the agency. Before 2020, nearly all spots nationwide typically would be filled at this time of year, said the source, who requested anonymity to discuss sensitive internal matters.

In addition, roughly a third of all Forest Service fire engines in California are on five-day staffing, meaning there aren't enough crew members to operate them seven days a week. An additional 13% of engines are "down staffed" — essentially parked because of a lack of firefighters, the source said.

The Forest Service has acknowledged challenges in reaching this year's national target of 11,300 firefighters, especially in the Pacific Northwest and Southwest regions, which include Oregon, Washington and California.

The recruitment and retention problems are in areas "where state and private firefighter wages are outcompeting federal firefighter wages, housing costs are not affordable, and positions are in remote locations," the agency said in a statement.

The Forest Service is able to order up emergency personnel — generally retired agency employees who can support incident-management teams and other firefighting duties — and said it is working to bring on more contractors to help.

Riva Duncan, who was a wildland firefighter for 31 years before retiring in December 2020, is troubled.

"The information we're seeing for ourselves and hearing from our folks on the ground is painting a pretty dire picture," said Duncan, now executive secretary of the advocacy group Grassroots Wildland Firefighters, adding that some hotshot crews are struggling to maintain their qualification status.

Some longtime firefighters say the problem is a direct consequence of low pay.

The California Department of Forestry and Fire Protection and some other state and municipal agencies can pay starting salaries that are twice as much and typically compensate firefighters for 24-hour shifts while on assignment. Federally employed firefighters are generally paid for only up to 16 hours a day, Duncan said.

Jesus Munoz, 20, recently left the agency after just a month and a half of working on an engine in the Lassen National Forest. He was commuting 130 miles from Nevada to stay during the week at barracks that were often infested with bugs, rodents and squirrels, he said. The rent on his home and the barracks — it costs firefighters to stay there while on duty — plus gas and groceries, consumed virtually all of his $15-an-hour salary.

"It was almost to the point where my paychecks, as soon as I got them, they were gone," he said. "We're getting paid $15 an hour to put our lives on the line."

Forest Service firefighters typically are classified as forestry technicians and currently start at an annual base salary of $24,749 to $32,174. President Biden's bipartisan infrastructure bill signed into law in November directed officials to create a federal wildland firefighter job classification and to increase the salary by the lesser of $20,000 or 50%, provided officials determine the job is located in an area where it is difficult to recruit or retain personnel.

But more than six months later, no raises have been doled out and it's unclear when they will take effect or to whom they will apply. The Forest Service says it hopes to get the money into paychecks this summer.

"It's frustrating that there are still so many unknowns," Duncan said.

Pay is not the only problem. Physical and mental trauma and extended periods away from home are causing an increasing number of firefighters to call it quits. Assignments often last 14 to 21 days, with three days off in between — a particularly difficult schedule for those who have a family or are trying to start one, firefighters say.

Many of those fleeing are mid-career professionals whose expertise is needed to run engine and hand crews.

"It's that institutional knowledge that is leaving the Forest Service," said Jonathon Golden, 40, who resigned in 2019 after more than 10 years. "Yeah, we're losing a workforce, but the Forest Service is also going through a brain drain of how to successfully suppress fire in complex environments." Those environments increasingly involve the wildland-urban interface, where fire poses the most risk to lives and property, he said.

A permanent seasonal worker, Golden said he'd "beat himself up" to get 1,000 hours of overtime each season to sustain himself through the months he wasn't working. Still, he said, it's not enough to cover his federal health coverage premiums year-round, so he incurs debt.

"It was kind of like this weird thing where you were finding yourself hoping for overtime, hoping for fire so you could pay this debt back faster or have more money coming in," he said. "But also at the same time, that was taking you away from home." Golden's first son was born in 2017; that Christmas, his son's first, Golden was working a fire near Ojai, he said.

Finding a place to call home was also a challenge. Federal firefighters receive no housing stipend. In some areas, the Forest Service provides barracks, but the rents are pegged to market rates, Golden said.

"There are very few places where I worked where housing was available, and even if it was available, the conditions were questionable," he said.

Mental health issues have also become an increasing problem as fires have grown more dangerous and damaging.

In a recent survey of more than 700 current and former wildland firefighters conducted by a Forest Service firefighter and advocate, 78.5% of respondents reported mental health issues they attributed to the stresses of fighting fires, while just 32.3% said they felt they had the time and resources to seek help.

"Considering the multitude of stressors that [wildland firefighters] must face while serving their communities, it's unsurprising that mental health is a major point of concern," wrote survey author Rachel Granberg, who sought to identify barriers to recruiting and retainment. "Ample anecdotal evidence suggests that substance abuse, depression, anxiety, bipolarity, and death by suicide are rampant among the ranks."

One service employee — an assistant engine operator who spoke with The Times on the condition of anonymity because he feared retaliation — said he was considering retiring after this year, due to low pay and trauma.

"If this money from the infrastructure bill doesn't come through, more people are leaving," he said. "Everybody at my station including the captain is just holding on to see if they might get a raise."

He was forced to take an unauthorized second job in order to support his family, he said, resulting in 80-hour workweeks.

And the perilous work, which has included close calls and the deaths of co-workers, has taken a toll on his mental health, he said; after suffering persistent blackouts, he was diagnosed with PTSD.

"I literally had gone to a place where I was driving the crew rig with the guys to a fire and then waking up down the highway still driving," he said. After finding he was unable to get timely help through the agency's Employee Assistance Program, he decided to find his own therapist and pay out of pocket, he said.

"I pay almost $400 a month just to not want to kill myself, and I'm probably going to stop paying that because I can't afford it — not on the salary they're paying us," he said.

For Munoz, the decision to quit came after he suffered a shoulder injury during physical training. He encountered long waits when trying to receive treatment through the workers' compensation program and still hasn't been able to book an appointment with a specialist.

His longer-serving colleagues advised him to look for work elsewhere, he said.

"Even some of the hotshots, some of the best of the best, when I was talking to them about moving on from the agency, they were telling me: If you can get out young, do it," he said.

"For the most part, everyone seemed like they were miserable when it came to their physical and mental health," he added.

The hardships experienced by wildland firefighters are also borne by their families.

Michelle Hart, 36, the wife of a Forest Service smokejumper — a firefighter who parachutes into wildfire zones — recalled the stress of being unable to reach her husband for weeks at a time when he worked in remote areas. She lived in constant fear that she'd get a call from an unknown number bearing bad news.

That call finally came last May. Her husband, Tim, had suffered mortal injuries in a hard parachute landing at a New Mexico wildfire.

As he lay in a hospital bed, Michelle promised that she would do everything she could to make his life and his death matter.

"To have lived through such a hard time of being away from someone, knowing he slept in his truck, went through horrible conditions, then ended up dying for this job — it felt like there was a lot of injustice there," she said.

In the aftermath, Michelle worked with Golden and other Grassroots Wildland Firefighters volunteers to develop a list of needed reforms, then met with dozens of legislators to push for them.

The result — The Tim Hart Wildland Firefighter Classification and Pay Parity Act — is currently before the U.S. House, and would establish a new pay scale that starts at $20 an hour, housing stipends and other forms of compensation. It would also put in place a more robust mental health program and require presumptive

healthcare for diseases including heart and lung disease and certain cancers. Right now, unlike most state and municipal firefighting departments, federal firefighters must prove these diseases were caused by their employment.

In his widely shared resignation letter, Mariano said the issues federal firefighters are struggling with today are the same ones they have struggled with for decades. What has changed are the conditions they work in.

"The wildfire environment has changed and agency leadership has failed to acknowledge these new risks, responsibilities, liabilities and the burdens placed on their employees," he wrote. "As a result, we are facing a dire retention issue."

He blamed the drive for "political success" and lack of modern wildland firefighting experience among agency leaders as a root cause of the problem.

In an interview with The Times, Mariano said he felt compelled to speak out to make the public aware of the issues so they can lean on legislators and effect change.

"You give everything on the line every day, and we ask individuals to go above and beyond every single day and to work in dangerous environments with potential long-term health effects, and they can't afford to buy houses or live comfortably," he said. "It's a tough pill to swallow."

Senator FEINSTEIN. Thank you very much.

Senator MERKLEY. Thank you. Senator Blunt.

Senator BLUNT. Thank you, Chairman. And Secretary, good to have you here today.

Congress, a few years ago, mandated that states would have a Wildlife Action Plan. In our state, in Missouri, we have great outdoor recreation, we have great hunting, we have great fishing. For a long time one of the oldest and most successful conservation commissions in the country was funded just by hunting and fishing licenses our state added 40 years ago a sales tax for conservation

and parks. I don't know any state that has done a better job trying to fund its own efforts for conservation.

But the Congressionally Mandated State Wildlife Action Plans, effort to be sure that we don't have things moved to the endangered species list, for that plan to be successful we need more than the amount of money that Missourians have been able to dedicate to that.

Senator Heinrich and I introduced the Recovering America's Wildlife Act. Under that Act, Secretary, you would be in charge of implementing the Act, and the Act is designed to help for the states to be able to mandate their own state wildlife action plans. How large role do you see for your Department in trying to tell the states what they need to do, as opposed to implementing the funding that this Act would provide?

Secretary HAALAND. Thank you, Senator, for the question. And thank you so much for your efforts to conserve our country's wildlife. And of course I feel very confident and grateful to my team at Interior because we want to be able to work with everyone to make sure that we are achieving our goals.

I could say that the Fish and Wildlife Service would help prevent the need to list species. We could amplify partnerships, support conservation on private lands, leverage money, and so forth.

I feel that one of our strengths at the Department is working with those local communities, governments, states, and so forth to make sure that we are all achieving the goals that we need to achieve.

Senator BLUNT. Well, I appreciate that, and I appreciate the fact that the administration has endorsed the Recovering America's Wildlife Act, and just want to be sure at this hearing we have discussed the topic, that the purpose of the act is to help the states fund their own plans. And certainly Congress gave the authority to the states to mandate that they have a Wildlife Action Plan, and this funding would be used there.

There has been some concern that this legislation would empower the Fish and Wildlife Service, and increase the authority of the Endangered Species Act. I don't think it does either one, but at some point it is very important what you think it does.

Do you view this bill as a method of increasing fish and wildlife enforcement activity, or more as an opportunity to collaborate with the states to prevent states from being listed were the Endangered Species Act ever has to come into effect when the states are doing the job they want to do, and they are trying to do?

Secretary HAALAND. I would take it as the opportunity to assist the states. We feel very strongly that it is the folks on the ground who know their communities far better than we do, and so it makes sense that we are working to support the work that they are already doing on the ground, and give the best assistance and help that we can.

Senator BLUNT. Well, I think at least 49, and at least 49 of the state agencies are in favor of this, the National Association is in favor of this. I look forward to seeing this bill on the floor sometime between now and the end of this year, hopefully even between now and the end of the fiscal year.

But your effort to help with the successful implementation of getting the funds to the states, to do what the states have proposed to do under the mandate that Congress has giving them, would be a very important part of that, and I am glad to hear what you had to say today about it.

Secretary HAALAND. Absolutely. Thank you.

Senator BLUNT. Thank you.

Secretary HAALAND. Thank you, Senator.

Senator BLUNT. Thank you, Chairman.

Senator MERKLEY. Thank you very much. Senator Van Hollen?

Senator VAN HOLLEN. Thank you, Mr. Chairman.

And Madam Secretary, great to see you and your team here. You won't be surprised I am going to ask you some questions about the Chesapeake Bay. And specifically, I want to thank you for your leadership, and support, and assistance from the National Park Service as we work to establish the Chesapeake National Recreation Area, which would highlight the cultural, historic, and ecological significance of what is a national and natural treasure, the Chesapeake Bay.

I am excited about the ongoing discussions Congressman Sarbanes and I, and other members of the delegation from Maryland, and Virginia as well, have been reaching out to stakeholders. And we appreciate the technical support that we have received from your team, including Wendy O'Sullivan, of course the Director of the Chesapeake Bay Office of the National Park Service. I would just ask you for your continuing commitment to work with us as we plan on introducing this legislation.

Secretary HAALAND. Absolutely. We support you on this and thank you for recognizing that our and technical assistance has been helpful to you.

Senator VAN HOLLEN. It has been. And as you know, you have testified to it today, it is in your written remarks at least, that we are all trying to do more with less staffing, so anything you can do to fully engage your team in this effort. We are trying to get this introduced in the coming weeks and months. And again we appreciate all the efforts. I know that you have got staffing vacancies. In fact, as I understand it the National Park Service has lost roughly 29 percent of its staff from 2010 to 2020. We are talking about thousands of employees. What are your plans to help fill that gap? Let me just give you one other local example.

Secretary HAALAND. Okay.

Senator VAN HOLLEN. The Chesapeake and Ohio Canal National Historic Park has seen an 85 percent increase in visitation over the last 15 years, with a roughly 50 percent decrease in staff. So that is one example. What are your plans to try to re-staff the National Park Service?

Secretary HAALAND. Thank you, Senator. And we have absolutely realized that this is an issue. Our budget includes $148.3 million across the National Park Service to support more than 1,100 additional full-time equivalents that would strengthen critical functions. This includes funding to build park capacity and address critical operating responsibility at park units in Maryland.

I just came from Yellowstone, and there is always an issue with housing, too. Well, you probably saw the video of their staff hous-

ing floating into the river after the flood. So I know that housing is an issue for National Park Service staff as well, and so we are taking all these things into consideration, and really trying to find solutions to make sure that we can have the folks where we need them.

Senator VAN HOLLEN. Well, we look forward to working with you. I know the chairman and I think the ranking member as well would like to see the National Park Service, you know, adequately staffed, and continue to recruit skilled and talented folks.

Secretary HAALAND. Absolutely.

Senator VAN HOLLEN. Let me ask you about the Chesapeake Gateways and Trails Program. This helps provide technical and financial assistance to the Bay Watershed, and we work to engage communities across the Chesapeake Bay regarding conservation, and important recreational opportunities, including better access to the Chesapeake Bay.

The program is part of laying the groundwork toward that larger effort that I mentioned, and which is to make the Chesapeake Bay a unit of the National Park Service. Right now, this program, the Gateways Program, we have been successful at getting the annual appropriations, but it is not yet authorized. Would you, as the Secretary, support authorizing that program on an ongoing basis?

Secretary HAALAND. For the Gateways Trails Program, our budget includes $3 million, and of course we support that. We love all our outdoor spaces, and we will do whatever we can to help.

Senator VAN HOLLEN. Well, we appreciate that. I will be working with the chairman, and others. I mean this is the Appropriations Committee, but we are working with the authorizers to get that fully authorized. But we appreciate the fact that that is in your budget.

There is one important item regarding the Bay that is not included in your budget. It is called the Chesapeake WILD Program. It was a piece of legislation that I worked on with Senator Capito on a bipartisan basis. It was included in the larger piece of legislation a number of years ago.

And it authorizes the Fish and Wildlife Service's ongoing participation. That was not included in your budget appropriation request. Can you assure us that you will work with this committee to make sure the Fish and Wildlife Service continues to remain engaged? We will be pressing for the continued appropriation, in fact, an increased appropriation for that.

Secretary HAALAND. Absolutely. It is a wonderful program. There was $4 million available for these grants that was funded through the 2022 appropriation. We know that it funds and supports locally driven conservation, which it is very important.

So thank you. Yes. I think the goals of this program are consistent with the Administration's move to ensure that we are conserving these spaces for Americans.

Senator VAN HOLLEN. Thank you. While I have you here, I also just want to mention the important role that the U.S. Geological Service plays within the overall Bay Program. For example, the USGS Eastern Ecological Science Center has provided us important information regarding migratory birds, and other native species as well, at the Patuxent Research Refuge in Laurel, Maryland.

Do you have any thoughts on how we can increase the collaborative efforts with respect to the U.S. Geological Service as part of the Bay effort?

Secretary HAALAND. I will make sure that they reach out to all of you. Thank you for recognizing how important the USGS is to the work that we do. We are happy to work with you. If you would like me to have someone reach out to your staff, we can do that soon.

Senator VAN HOLLEN. That would be great.

Secretary HAALAND. Yes.

Senator VAN HOLLEN. Thank you, Madam Secretary. And thank you for all your good work.

Secretary HAALAND. Thank you as well.

Senator VAN HOLLEN. And that of your team.

Secretary HAALAND. Thank you, Senator.

Senator VAN HOLLEN. Thank you.

Senator MERKLEY. Thank you very much, Senator Van Hollen.

So we are going to have a second round, but I also think Senator Tester is going to be here in a few moments. And I just want to start by noting that the question was raised as to whether this administration has created a hostile economic environment for oil and gas companies. And the short answer is that the oil and gas companies made—just the American companies—$205 billion in net profits last year, absolutely record-setting.

The record-setting profits this last quarter, massive stock buybacks, and they have tripled their margins on refining, so they are truly gouging the American public. And so if we want to stop this gouging, the windfall, the big oil windfall profits tax is the way to do it, and that I invite any colleagues who are as concerned as I am about the price of the pump, to join us to stop this gouging, by the oil companies, of the American consumer.

Switching gears, I recently led my colleagues in urging the Department to renew its commitment to the Western Oregon Operating Plan. This plan ensures a coordinated, interagency approach to wildfire response between the state, the tribes, the communities, and BLM. This is so important that we put into the fiscal year 2022 Omnibus direction requiring the BLM to maintain or expand the scope of that agreement, which means no shrinking of the agreement. But despite that, we keep hearing concerns from the Oregon Governor, local officials, emergency managers, Oregon tribes that BLM is seeking to shrink the scope of the agreement.

Now, Southern Oregon communities like Ashland, and Medford have been repeatedly declared high-risk areas from wildfire by both Federal and state agencies, and a couple of our Southern Oregon communities, like Talent and Phoenix were absolutely devastated in the 2020 wildfires, that just devastated those towns.

So will the Department honor the requirement in 2022 fiscal year to make sure that this Western Oregon Operating Plan is maintained in its full scope and functionality?

Secretary HAALAND. Chairman, thank you so much for the question. And of course the BLM remains committed to maintaining the Mutual Aid Response Agreements for wildland fire management. The BLM partnered with the Oregon Department of Forestry for 2022 and 2023, and they are discussing currently 2024.

Senator MERKLEY. Absolutely. And that discussion is being directed by what we put into 2022, that it be maintained in its scope and functionality. And I want to make sure that I have your commitment, that will honor that requirement in the 2022 bill to maintain the scope and functionality of that plan?

Secretary HAALAND. Yes, Senator.

Senator MERKLEY. Thank you. Thank you.

Secretary HAALAND. Yes, absolutely. Fire is a top priority for our Department across the board. We understand how important this is, and I appreciate your concern as well. We are always happy to work with you.

Senator MERKLEY. Well, I appreciate the commitment you have expressed to make sure it sustains its scope and functionality, incredibly important to my state.

I am going to squeeze in one last question before I turn this over to Senator Tester. The Department has noted it is going to be considering a listing for the Monarch and the Endangered Species Act in the year 2024. That should send a signal that we have 2 years to do everything possible to restore the monarch, as I pointed out in the beginning. Even after a big rebound we have less than 1 percent of the historic number of monarchs.

Our children are growing up—whose parents saw these butterflies everywhere have never seen one. And they play an important role as pollinators. We know that we have to massively increase the habitat, and we can use public lands, we can use highways, we can use conservation agreements, but will we be able to populate those lands with both flowers producing nectar, and also milkweed for caterpillars?

And those flowers that produce nectar are great for all the pollinators, so we have to develop a massive effort to restore flowers and milkweed. And I know that the Department was just fabulous in partnering on the Monarch Summit. This of course, pollinator—nectar-producing flowers are so important to a whole range of pollinators, certainly our bees as well.

And I just want to ask: Will you continue to work over these 2 years before the—to do everything we possibly can to massively increase habitat for the monarch and other pollinators?

Secretary HAALAND. Thank you, Senator. I appreciate so much your dedication to this. So with the $4 million increase provided in 2022, the Service will inventory and monitor pollinators, support on-the-ground projects for monarch habitat restoration, and stand up a new Office of Pollinator Conservation. Of course that funding also helped with the Monarch Summit for National Pollinator Week that we hosted along with you. And then our 2023 budget includes an additional $5 million increase for this work.

Senator MERKLEY. Thank you. I look forward to continuing to press forward on this.

And let us turn to Senator Tester.

Senator TESTER. Yeah. Thank you, Mr. Chairman.

And I want to thank you, Secretary Haaland.

I apologize for having to get here late. And if you had to extend this hearing for me, thank you, Mr. Chairman. But we had to chair the Commerce Committee on the TSA Director.

At any rate, I also want to thank you, Secretary Haaland, for being in Montana last week, I think it was a week ago tomorrow, as a matter of fact. I appreciate you being there, and I appreciate your fast response, and the fast response from this administration on the disaster that happened in Southern Montana, a 24-hour disaster that caused a billion dollars worth of damage.

We got to see it together, and we got to see what the challenges are, and they are many. One of the challenges is, is there is a temporary road between Cooke City and Gardiner. Is there any hope to get that road in a position where it could provide more than just essential services?

Secretary HAALAND. This is the road from Gardiner into the park?

Senator TESTER. Yeah, basically into the park, that is correct.

Secretary HAALAND. Yes, thanks to the $60 million from the relief fund of the Department of Transportation. They are working very hard. We drove on that road, in fact, when we were there.

Senator TESTER. Right.

Secretary HAALAND. And they are working to expand it now.

Senator TESTER. Okay.

Secretary HAALAND. So that it is two lanes rather than one.

Senator TESTER. So I know that it takes a long time to make assessments when the damage is this bad. From the folks you have talked to, and you may not be able to respond to this, if you can't I understand, is there any hope to getting access to the northern part of that park open before the season ends?

Secretary HAALAND. Senator, both the North and the South Loop are open now, 93 percent of the park is open to visitors. We want visitors to visit, we want them to spend time in those communities right outside the parks, we want them to enjoy their summer.

Senator TESTER. Thank you for clarifying that, but the ability to get there through the North End is severely limited. Is there going to be any possibility of getting that North End open before the season is over?

Secretary HAALAND. Well, I am happy to follow up with your staff, as soon as we get the most super recent update on that road.

Senator TESTER. Okay.

Secretary HAALAND. But I know they are working on it, and as far as I understand, both the North and the South Loops are accessible.

Senator TESTER. Okay.

Secretary HAALAND. Encourage folks to go on the website to figure out which gates are open.

Senator TESTER. For sure.

Secretary HAALAND. And make sure they don't waste time driving somewhere they can't.

Senator TESTER. Sure. So you are the last person I should have to talk about this, because you understand the public safety crisis in Indian Country probably better than anybody else in the administration. For years, through different administrations, I have heard from the Northern Cheyenne Tribe about the BIA's failure to provide adequate law enforcement on that reservation. I don't think they are the lone example. I think they have some problems, I think most of it deals with manpower, and deals with the prison

availability. The question is, in this budget is there adequate dollars to deal with the law enforcement challenges that occur in Indian Country all across this country? I bring up Northern Cheyenne because Northern Cheyenne is probably in the greatest need right now.

But the truth is, I could be talking about any reservation in Montana, truthfully, any of them have challenges when it comes to law enforcement. So as you look at this budget, as we look at this budget, is this budget up to snuff when it comes to making sure that we have enough law enforcement to keep folks safe?

I won't even go into Missing and Murdered Indigenous people. I will leave—I won't go into human trafficking, I won't go into any of that, I will just go into just basic law enforcement. Do we have enough folks—money in this budget to deal with that?

Secretary HAALAND. Senator, thank you for your dedication to this issue, and I really appreciated the opportunity to speak with tribes directly when I was there with you in Montana not too long ago. And you are right I do understand the challenges associated with making sure that we have folks on the ground in these areas.

The 2023 budget request includes a total increase of $41 million for nationwide detention and corrections programs which I know are also foundational as well as public safety and justice facility construction. I know that is half the battle. I know there are a lot of issues and we are working hard to make sure that we can get folks on the ground in those areas.

Senator TESTER. And you will have to—I was listening but I didn't hear it, so you will have to repeat it. How much of those dollars that you just talked about, there is some for public safety construction, but how much of that is dedicated toward additional officers?

Secretary HAALAND. Let us see. 282 million for criminal investigation and police support, detention centers.

Senator TESTER. Okay.

Secretary HAALAND. I will get you that number. You want to know how much for actual people, for boots on the ground?

Senator TESTER. I mean, I think there is a case to be, made as you well know, for construction of facilities. You got to have it someplace. I mean in Northern Cheyenne's case, if they can't get into the facility that holds nine people, they have to haul them 1,000 miles. Okay?

Secretary HAALAND.Yes.

Senator TESTER. So there is a case to be made for public safety construction. There is also a case to be made for manpower. What I am looking for, and I can have my staff dig this up, truthfully, because it is not on my written sheet that they gave me. These questions I want to know. I want to know how much of that budget is for manpower, over what was put in the last budget, because I don't think static funding is going to get it done in Indian Country.

And the same thing on the construction end of things. And I hate building prisons. I hate it. I just think it is a waste of money. We ought to be dealing with this long before we get to this point. But nonetheless it is a necessary evil in my opinion. And so how much of that money is there for public safety construction? And I know there is some, but is it enough?

Secretary HAALAND. As I mentioned, for public safety construction: $41 million.

Senator TESTER. Okay.

Secretary HAALAND. We will absolutely get you a number for the actual boots on the ground for people that we hire.

Senator TESTER. Yeah.

Secretary HAALAND. We will get you that today.

Senator TESTER. Thank you. And I know you will. And I appreciate that. I think that as I look at these large land-based tribes in particular, and those are the ones I am familiar with, because those are the ones we have in Montana, law enforcement is a continual challenge. By the way, water is a challenge, schools are a challenge, housings are a challenge, I mean go down the list, and law enforcement is a challenge. So thank you very, very much.

Secretary HAALAND. Yes, thank you, Senator.

Senator MERKLEY. Thank you very much, Senator Tester. And one of the issues I raised earlier here in the hearing was that there are 32 tribes that are not receiving any funding for law enforcement, though they fall under the same qualifications; and advocating that we try to start figuring out how to help those that have none, while sustaining and increasing the support for the tribes that are receiving some support.

Madam Secretary, thank you for your testimony.

And Ms. Flanagan, appreciate you being here to support that.

ADDITIONAL COMMITTEE QUESTIONS

And the record will remain open for members of the committee to submit questions for the record, or statements that they would like, until July 20th. And of course we will get those questions for the record to you and your team at Interior.

What a breadth of issues that we consider through the Department of Interior. Thank you for your hard work, and your leadership, and your entire team.

And if there are no further comments; and seeing that I am now alone, there are none.

QUESTIONS SUBMITTED BY SENATOR DIANNE FEINSTEIN

Question. The global helium supply has been dramatically impacted by leaks and disasters at several helium production facilities around the world as well as Russia's invasion of Ukraine. Several scientific and medical facilities throughout California are now facing critical shortages of this important resource, and those that can get it are seeing price increases of more than 1,400 percent.

Secretary Haaland, what steps is your Department taking to ensure that a stable supply of helium, which is critical for science, medicine, and national security, is restored?

Answer. According to the United States Geological Survey (USGS), the Federal Helium System (FHS) produced approximately 7.8 percent of the total helium produced in the United States in 2021. In addition, the USGS report shows that the U.S. is a net exporter of helium, exporting five times as much helium in 2021 as it imported. While foreign supply disruptions impact the global price of helium, these disruptions do not pose an immediate threat to U.S. national security or economic interests given the current U.S. status as a net exporter of helium. Further, the Federal helium supply from the FHS accounts for a small percentage of total helium produced in the U.S. As a result. the Department does not anticipate a significant fluctuation in the supply of helium.

Additionally, the Department has implemented Section 1109 of Public Law No: 116–9, also known as the "Dingell Act," which amended the Mineral Leasing Act to allow the extraction of helium from gas produced from Federal oil and gas wells

to maintain the lease as if the extracted helium were oil and gas. This serves to incentivize companies to produce helium from Federal wells where natural gas production may no longer be sufficient by itself to maintain the lease.

Finally, the Department remains committed to meeting the requirements of the Helium Stewardship Act of 2013 (50 U.S.C. 167a-q; HSA) to dispose of the FHS. The act is intended to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets. In preparation for the sale and conveyance of the FHS and continued delivery of helium, the Bureau of Land Management (BLM) has required the purchaser of the FHS to assume the delivery requirements of the current fiscal year 22–27 Helium Storage Contracts.

Question. The past several fiscal years have seen significant increases to the Department's budget for the management of wild horses and burros, including an 18 percent increase in fiscal year 2022 and a request for another 12 percent increase this year.

I understand that the humane management of these wild horse herds nevertheless remains a problem, with the size of these herds impacting the native landscape and the health of the horses themselves.

Last year, this Committee provided the Department with the direction and authority to use up to $11 million for fertility control measures needed to keep these herds at a manageable level.

Secretary Haaland, can you tell me what steps you are taking to keep these herds of wild horses at a sustainable level? What progress have you made in implementing more fertility control treatments?

Answer. In response to chronic overpopulation and severe drought conditions impacting western public lands, the BLM continues to increase its efforts to reduce overpopulation in wild horse and burro herds and achieve sustainable population levels. In fiscal year 22 the BLM removed 19,011 animals from the range and treated 1,558 animals with fertility control, which is the highest level that has been achieved. This follows several years of increased removals and treatments; removals over the past 5 years (fiscal year 18–22) totaled approximately 43,941 animals, and the BLM and its partners completed 4,815 fertility control treatments in that time period. Thanks in part to these efforts, the total population has declined for the second year in a row to an estimated current on-range population of 82,284 as of March 2022.

Fertility control works best when herds are close to target population sizes. Moreover, fertility control can help slow population growth, but it does not immediately address overpopulation. Removing animals is the only effective way to humanely reduce on-range populations. As populations reach sustainable levels, the BLM plans to implement increased fertility control to stabilize herd sizes.

The BLM continues to invest in the research and development of better, longer-lasting fertility control vaccines for wild horses and burros. The Bureau published a Wild Horse and Burro Strategic Research Plan in 2021 that identifies the development of safe, long-lasting fertility control methods as the top research priority. The BLM plans to award contracts for three new research projects in the coming months, pending NEPA analysis.

Question. Secretary Haaland, scientists project that with climate change, the Colorado River will lose a third of its flow on average within a generation. That is more than 5 million acre feet, or enough water for 30 million people.

I have two bills that will help with this problem. The first, the STREAM Act, would provide more than 1 million additional acre-feet of water per year on average, in combination with the bipartisan infrastructure law. That's enough water for more than 6 million people.

The second bill, the Canal Conveyance Capacity Restoration Act, would allow California to capture water and recharge aquifers during the few big storms we get.

Secretary Haaland, my staff has worked with your Department while drafting these bills. Will you commit to reviewing them? I hope we can count on your support.

Answer. The Department is committed to use every resource available to ensure that irrigators, Tribes, and adjoining communities in California and across the West receive adequate support to build resilient communities and protect our water supplies for people and the natural environment. Regarding the legislation that you reference, the Department testified on both of these bills at a hearing before the Senate Energy and Natural Resources Committee last spring.

The Department supports the goal of S. 1179, to repair storage and conveyance capacity to critically important components of the Central Valley Project (CVP), as well as the goal of restoring salmon populations in the San Joaquin River. We have been working to address reductions in conveyance capacity due to subsidence and

other factors which have impacted facilities of the CVP in California, including through funding under the Water Infrastructure Improvements for the Nation Act. The Bureau of Reclamation is working with the California Department of Water Resources to develop planning documents and engineering studies to determine the work required to correct the subsidence related to the San Luis Joint Use facility.

Regarding S. 4231, we appreciate the bill's ambitious goal of expanding our Nation's capacity to address the drought crisis through small-scale storage, water recycling, desalination, and aging infrastructure investments, as well as to address the critically important issue of ecosystem health. We would like to continue working with your office to ensure the authorities within this bill are implementable, effective, and can be integrated with existing laws recently passed, including the Bipartisan Infrastructure Law.

Question. Secretary Haaland, as you know, the Wildlife Refuge System is the only system of Federal lands dedicated to the conservation of wildlife and habitat.

California has 44 wildlife refuges, and many species depend on these lands for their survival, including sea otters and Californian condors.

Additionally, millions of Americans visit these lands every year and have the opportunity to learn about our state's incredible biodiversity.

I am now working to establish a new wildlife refuge in Riverside County that will support local wildlife and provide equitable access to nature for all Californians.

Secretary Haaland, despite having these irreplaceable resources, California's wildlife refuges are chronically underfunded and understaffed—and sometimes not staffed at all.

Answer. The fiscal year 2023 President's budget requested an increase of $82 million over the fiscal year 2022 enacted budget to address capacity issues on the National Wildlife Refuge System (NWRS). This increase will restore needed capacity for the Refuge System's basic needs.

Question. How would increases in funding to the National Wildlife Refuge System improve California's public lands?

Answer. With an increase in appropriated funding, the NWRS will be able to strategically add capacity by hiring full-time, skilled professional and seasonal staff as well as field technicians; enhance Tribal relationships; increase community outreach; increase student recruitment through the Pathways program; fully implement Civilian Climate Corps hires; and provide additional financial assistance to public and private partners.

Increased funding will further enable the NWRS to deliver programmatic goals including adaptively managing lands, combatting the spread of invasive species, and providing adequate water management programs on national wildlife refuges. Due to persistent and long-term drought in much of the West, it is important for the NWRS to assess landscape conditions and prioritize areas for conservation and restoration interventions. The NWRS will be able to utilize increased funding to build ecological resilience to climate change and enable landscapes to be more resistant to drought and the effects of fire.

In a typical year, more than 700,000 teachers and students use the Refuge System as their outdoor classroom. Increased funding will further enable the Urban Wildlife Conservation Program (UWCP), which includes urban national wildlife refuges such as San Diego National Wildlife Refuge, to expand opportunities to bring more youth and education programs to refuges. This program will help develop the next generation of environmental stewards. Increased NWRS funding will also enable the UWCP to expand infrastructure opportunities for urban populations to better access local national wildlife refuges through connected trails, bus routes, and roadways.

Lastly, the Refuge System maintains a $40 billion infrastructure portfolio. The FWS estimates a fully implemented life-cycle management approach to maintain its portfolio would require about 1.3 percent of the infrastructure portfolio value annually. The 2022 enacted level for FWS NWRS programs focused on asset management was $147 million, which includes $47 million focused on addressing deferred maintenance backlog that is created when resources are not available to address life cycle asset management needs at the most appropriate and cost-advantageous time.

QUESTIONS SUBMITTED BY SENATOR JON TESTER

Question. Prior to fiscal year 1997, the amount of "New Tribes" funding received by newly recognized tribes varied greatly. New tribes would assess their needs, design or propose operational programs to meet their needs, and submit proposed budgets to implement the proposed programs. In fiscal year 1996 alone, this led to newly recognized tribes receiving a low of $127,000 and a high of $1.492 million in

"New Tribes" funding. In fiscal year 1997, the "New Tribes" funding methodology was simplified by providing $160,000 in base funding for new tribes with less than 1,500 members and $320,000 to tribes with a population of 1,501 to 3,000 members. The funding level for new tribes with more than 3,000 members was to be determined on a case- by-case basis.

In fiscal year 2011, the population component of the methodology was slightly changed moving from 1,500 to 1,700 members for the $160,000 base level funding and 1,701 to 3,000 for the $320,000 funding level.

The Little Shell Tribe of Chippewa Indians, with a Tribal membership of approximately 6,100 members, qualifies for the "case-by-case" determination under the BIA's longstanding policy. If the funding level for Tribes with 1,701 to 3,000 members is $320,000, that equals to a range of $106.66 to $188.12 per Tribal member. According to this methodology, the Little Shell Tribe's "New Tribes" allocation should be in the range of $650,000 to $1.14 million annually. It is critically important to provide the Little Shell Tribe with adequate "New Tribes" funding as it is the Tribe's third and final year in the program. The Bureau of Indian Affairs Budget Justifications and Performance Information for fiscal year 2023 notes that "Once a Tribe has been acknowledged as a federally recognized Tribe, its designated funding remains in the New Tribes line item for three fiscal years at which time the funding is then base transferred for the Tribe to the Aid to Tribal Government line item."

Failing to right-size "New Tribes" funding in fiscal year 2023 to meet the Little Shell Tribe's population needs creates inequity and establishes precedent for future funding allocations.

Would you support a higher New Tribes allocation for the Little Shell Tribe in fiscal year 23 in line with Department of the Interior's past precedent?

Answer. The New Tribes enrollment criteria was modified in fiscal year 2011 to align with the enrollment criterion used for Small Tribes Supplement funding. BIA does not calculate funding at the level of the individual members served in determining distributions and instead uses a banded approach that provides a flat amount for Tribes with enrollment up to 1,700 and double that funding for Tribes with enrollment from 1,701 up to 3,000. At the time the Little Shell Tribe received recognition, their estimated enrollment number of 5,300 members was provided to Indian Affairs. BIA determined their enrollment number was roughly 3 times the amount of 1,700, so Little Shell was provided $480,000 annually as their New Tribe base, which is 3 times the level of funding provided to a Tribe with enrollment up to 1,700.

QUESTIONS SUBMITTED BY SENATOR CHRIS VAN HOLLEN

C&O CANAL

Question. I appreciate that the National Park Service worked with us in Maryland to move the C&O Canal National Historic Park Headquarters in Williamsport last year. This site serves as the administrative hub for all 184.5 miles of the park. Can you provide an update on the move and the impact that this new headquarters will have on the region?

Answer. After 20 years in downtown Hagerstown, approximately 10 miles from the park, the park headquarters officially moved in March 2021, to its new location adjacent to the park in Williamsport, MD. The relocation to Williamsport brought park management back to the park grounds. Operationally, the move has led to several efficiencies including greater integration of operational and administrative staff, improved communication with the field, and improved resource/knowledge sharing with local stakeholders and partners. The headquarters move has become a catalyst for economic development. Visitation to the area has increased and many new small businesses have opened. In addition, the park headquarters site includes two historic buildings that will be rehabilitated and leased to commercial businesses that will provide much needed amenities to park visitors and create 10–15 jobs.

Due to the pandemic, the official ribbon cutting was delayed until September 21, 2022. Over 100 attendees from Federal, state, county and local government who collaborated and supported the project were in attendance.

GLEN ECHO

Question. The National Park Service has owned and operated Glen Echo Park since 1971, and has entered into multiple cooperative management agreements with Montgomery County, which partners with the Glen Echo Park Partnership for Arts

and Culture to offer year-round cultural and recreational activities. This cooperative partnership allow Marylanders and all park visitors to enjoy all the park has to offer. However, as Montgomery County works with NPS to pursue vital upgrades needed for the park grounds, it is critical that the management plan is updated to support the continued partnership between the County and NPS. I have heard repeated concerns from constituents about delays in simple repairs as well as the long-term plans for maintenance of historic properties.

Will you commit to working with my office and Montgomery County to improve the turnaround time on maintenance and repairs? What steps will you take to ensure the management plan is updated to support recreational access to Glen Echo Park?

Answer. The NPS remains committed to working with your office and park partners to support recreational access to Glen Echo Park. For instance, the NPS has moved some park staff to free up space for in-person partner programming which has returned post-pandemic. More generally, the NPS continues to work with Montgomery County and is committed to the top priorities agreed to in July 2021. The NPS and the County regularly engage in strategic planning related to deferred maintenance and capital improvements as well as routine planning to ensure operations are in keeping with environmental and historic requirements for Federal property.

The park has undertaken several planning efforts in collaboration with the County and Glen Echo Park Partnership for Arts and Culture (GEPPAC). In the past year, the park team participated in the GEPPAC sponsored Urban Landscape Institute effort to inform future master planning of the site. This three-month effort will aid in amending and updating the NPS Developmental Concept Plan, implementation of which is subject to future funding. Additionally, the NPS has awarded a contract to complete a historic structures report for the Spanish Ballroom; the park and partner collaborated to create a scope of work for this contract that considers both deferred maintenance and capital improvements for the ballroom. Finally, the NPS has engaged throughout the year in significant and substantive ways to expand the existing agreement to include the Clara Barton National Historical Site. Montgomery County has written a letter of interest supporting the expansion, and the NPS has included County and partner staff in the design team and as consulting parties.

The County is working to fulfill their obligations to complete routine and life-cycle maintenance and repair of all facilities used in the operations of the park at its sole expense. To that end, the NPS is currently working to provide a permit to the County for repaving the upper parking lot.

LANDSAT

Question. Last year, I had the opportunity to visit NASA Goddard Space Flight Center in Greenbelt, Maryland with Vice President Harris to see first-light images from Landsat 9, a partnership between NASA and the U.S. Geological Survey (USGS). We know that users around the county rely on the ongoing measurements taken by Landsat satellites to monitor and measure the changes in our land, and more locally, its data has been used to monitor changes in the Chesapeake Bay.

Given how the Landsat program is constantly evolving to continue its mission of providing remote sensing data for the Earth, what can we expect to happen with Landsat Next? What is the Department's plan for this new Landsat mission?

Answer. The Department of the Interior (Interior) is working closely with the National Aeronautics and Space Administration (NASA) under a Sustainable Land Imaging (SLI) Interagency Agreement to develop the next Landsat mission called Landsat Next. The SLI Joint Steering Group met in February 2022 and agreed to pursue a multi-element SLI architecture, including a new government-managed Landsat Next mission and partnerships with the international and commercial remote sensing sectors.

The Landsat Next mission concept will take advantage of new technologies like smaller satellites and improved sensors to sustain the 50-year Landsat data record while delivering greater capability to meet the ever-increasing demands of the user community. This would include more frequent, better resolution, and high-quality land imaging data. The Landsat Next mission concept leverages commercial sector capabilities under government oversight to build and launch the satellites; develop the ground segment; operate the on-orbit satellites; and disseminate the data via the commercial cloud.

Landsat data are used for a wide range of regional and global applications, including monitoring agriculture crop health and production; assessing consumptive water use; tracking urban heat islands; conducting wildfire science; disaster response and

remediation; detecting harmful algal blooms; and documenting forest extent and health.

LAND AND WATER CONSERVATION FUND

Question. Secretary Haaland, thank you for the efforts that the Department of Interior (DOI) has made on strong implementation of the Great American Outdoors Act (GAOA), specifically the dedicated funding provided for the Land and Water Conservation Fund (LWCF). Conservation is a key priority of mine, and environmental protection is critical in the Chesapeake Bay watershed, where land protection and water quality are inextricably linked and where the health of the Bay directly impacts our economy and our entire way of life. The need for LWCF in communities and public land areas all across America has outstripped the annual LWCF funding available.

GAOA was an important step in the right direction to try to meet the country's needs, but the $900 million provided annually under that legislation reflects a figure set more than 40 years ago, which cannot keep up with current prices, especially in our rapidly growing area of the country.

How can we best support the diverse and urgent conservation needs that are funded through the LWCF, particularly in areas such as the Chesapeake that are interconnected and interdependent on the health of the watershed?

Answer. Thank you for your support of the Land and Water Conservation Fund (LWCF). The Great American Outdoors Act (GAOA) authorized full and permanent funding of $900 million annually from the LWCF, ensuring the Nation's commitment to conservation and recreation endures for future generations. The fiscal year 2023 President's proposal for the Land and Water Conservation Fund would allocate $807.034 million to the Department of the Interior for LWCF programs, including $125.175 million from the Gulf of Mexico Energy Security Act (GOMESA). Timely enactment of final annual appropriations enables the Department to allocate this funding earlier in the fiscal year and do more work to address these diverse and urgent conservation needs.

The U.S. Fish and Wildlife Service (FWS) has several active land acquisitions at National Wildlife Refuges within the Chesapeake Bay watershed. In fiscal year 2021, FWS acquired 88 acres at Blackwater National Wildlife Refuge and 264 acres at Great Dismal Swamp National Wildlife Refuge. In fiscal year 2022, FWS received a donation of a conservation easement on 465 acres at Rappahannock River Valley National Wildlife Refuge. FWS continues to advance its conservation mission within the watershed and is working with willing sellers on potential future acquisitions.

The LWCF also authorizes funding for land acquisition under the Cooperative Endangered Species Conservation Fund, specifically for land acquisition related to the recovery of species listed under the Endangered Species Act and to complement Habitat Conservation Plans. States within the Chesapeake Bay watershed are encouraged to apply for these grants as a means of protecting habitat for listed species and restoring the watershed.

MONARCH BUTTERFLIES

Question. First, I was heartened to hear that there was real progress at the recent monarch butterfly summit this summer involving Federal agencies, research scientists, habitat managers, and volunteer groups. Recognizing the vital pollinator role of native bees, and the emerging science and diversity of partnerships developing at the USGS Eastern Ecological Science Center Native Bee Inventory and Monitoring Lab in Maryland, how will the DOI and USGS leverage this opportunity to also advance native bee science and conservation?

Answer. The USGS is pleased to report that the USGS Bee Lab, part of the USGS Eastern Ecological Science Center (EESC), continues to grow and provide critically important services to pollinator conservation efforts led by local, State, and Federal government agencies and non- profit organizations. The lab is currently the only facility within Interior whose staff are capable of identifying the 4,000+ native bee species in the United States. In response to increased partner demands, in 2023, the USGS will double the size of the lab space, with the opening of the newly remodeled Annex facility that will provide research and office space for additional collaborating partners, support education and training efforts, and house entomological collections. This year, the Bee Lab will host co-located staff positions sponsored by the U.S. Fish and Wildlife Service, USDA Office of the Secretary, Northeast Association of Fish and Wildlife Agencies, and the USGS Cooperative Fish and Wildlife Research Unit Program, as well as over 150 volunteers and interns from local colleges, universities, and high schools. The USGS also recently signed a Memorandum of Understanding with the Smithsonian Institution that will increase opportunities for

research and education between the USGS and Smithsonian's museums and research centers.

The USGS Bee Lab is currently engaged in a broad range of research, training, and technical assistance activities to help meet increased demand from partners at local, state, and Federal government agencies, as well as non-profit organizations and citizens groups. Current areas of investigation include: the development of planting strategies for monarch butterflies and native bees; the identification of plant species that benefit both monarch butterflies and native bees; surveys of public and private lands for native bees; status assessments for individual native bee species; documentation of insect pollinators for native plant species; and the development of broader planting strategies at larger geographic scales. In addition, lab staff teach a weekly online course in bee identification that has over 200 participants, and also offer bee identification courses through Interior's National Conservation Training Center in Shepherdstown, West Virginia.

Moving forward, the USGS is working to expand the expertise available at the EESC. This would include a Quantitative Methods and Decision Science Team to assess population trends and habitat use and restoration strategies, as well as decision science to inform pollinator conservation decisions. Another area of relevant expertise to pollinator health is within the Ecological Patterns and Processes and Animal Health Diagnostics and Surveillance Team. This team could expand its research capacity to better understand drivers and stressors influencing trends in pollinator species and associated ecological and socio-economic impacts.

The USGS welcomes further inquiries regarding its native bee research and conservation efforts and invites the Senator and his staff to visit the USGS Bee Lab facility in Laurel, Maryland.

MIGRATORY BIRD TREATY ACT

Question. There has been a documented loss of nearly 3 billion birds across North America in recent years. This staggering loss of biodiversity and the impacts of social and economic consequences are of deep concern. How will the DOI support migratory bird science programs at USGS such as the North American Bird Banding Laboratory and Breeding Bird Survey and migratory bird conservation and management programs at the U.S. Fish and Wildlife Service (FWS)?

How will the DOI leverage these efforts with other Federal, state, Tribal, non-governmental organizations, and the public to reverse these concerning declines?

Answer. The severe decline in migratory bird populations is a deep concern of the Department of the Interior. The data are alarming, as they reveal that the losses are widespread among many species of grassland birds, seabirds, forest birds, shorebirds, and aerial insectivores. Time is of the essence to act now due to myriad threats to birds from habitat loss and degradation, human caused mortality, and ecosystem impacts due to the changing climate. The Migratory Birds program leads the FWS response to this crisis, and it has established and begun implementing a visionary approach to tackle this complex conservation issue. Working across regional boundaries and programmatic areas, FWS has established a core team and a national coordinator to focus on the problem. Together, FWS is implementing a "5-and-1" strategy— named for its focus on five priority bird groups (grassland birds, forest birds, shorebirds, marine birds, and aerial insectivores) and one major source of bird mortality (collisions with manmade structures). Six sub-teams have been established focused on each of the five priority bird groups and the mortality source. This represents a holistic path forward for focused conservation.

Currently, the 5-and-1 teams are having varying degrees of success. The collisions team created a buildings initiative to address light and glass collisions at FWS facilities and developed a tool to assess collision risk with buildings. To date, more than 40 percent of FWS buildings have been surveyed and those identified as a high collision risk are being modified. FWS now requires all new buildings and major renovations to include bird-friendly designs, which both protects wildlife and improves energy efficiency. Additionally, FWS, in its capacity of serving as Chair of the Council for the Conservation of Migratory Birds, has shared their success stories on light and glass collisions with other Federal agencies and is encouraging them to take similar actions.

Other teams, like the marine bird team, have identified high priority areas and partnerships where resources should be directed to slow population declines. Seabirds face many challenges: declining and shifting prey distributions; warming and rapidly changing ocean conditions; loss of nesting and roosting habitats due to human development, disturbance, and sea level rise; bycatch mortality; plastic ingestion and debris entanglement; offshore energy development; and pollution. Because of their mostly pelagic existence and wide-ranging movements, there are

many gaps in the knowledge about seabirds and how to best address the challenges they face.

The fiscal year 2023 President's budget includes nearly $5 million for the Migratory Birds program that would provide the conservation capacity needed to allow FWS' 5-and-1 teams to scale up activities and engage with partners. This investment could be transformational, permitting targeted investments in partner engagement, monitoring, technical assistance, conservation planning, and promoting bird-friendly practices that would greatly leverage the resources of other FWS programs and other Federal, state, Tribal, and private conservation partners to dramatically increase the pace and scale bird conservation.

QUESTIONS SUBMITTED BY SENATOR BILL HAGERTY

Question. Tennessee is home to the Great Smoky Mountains National Park, the most visited national park in the country. In 2021 alone, over 14 million people visited the Smokies. The Park serves has an important economic driver for Tennessee and the surrounding region, the impact was even further felt during the COVID pandemic when many small businesses in the area were forced to stay closed.

Secretary Haaland, how will you prioritize our national parks operations budget and the park's access to resources now that more Americans are going outdoors and the number of visitors to our national parks this summer is expected to continue to increase. Is there a contingency plan for this expected increase?

Answer. The fiscal year 2023 President's Budget Request makes bold investments essential for the NPS' continued mission success while remaining committed to the daily mission of ensuring that the American public continues to have an enriching experience at every NPS site. In particular, the budget funds fixed costs to support baseline operating levels and provides funding to build park capacity throughout the National Park System in visitor services, park protection, facility operations and maintenance, and park support.

Question. Secretary Haaland, can you detail the formula the National Park Service utilizes to determine how much funding each National Park receives? Additionally, are the numbers of visitors and utilization of the park services considered as part of this formula?

Answer. The NPS is responsible for safeguarding irreplaceable magnificent natural wonders and significant historical and cultural resources. Each unit of the NPS is unique. There are parkways with hundreds of miles of road; canyons that are miles deep; battlefields, caves, lakes, and rivers. Due in part to these differences, each park has its own set of priorities and manages its park operational budget according to the unique needs of the park, its visitors, partners, community, and resources. While visitation is often a key driver of need for additional operating capacity, it must be considered alongside many other factors during the budget formulation process.

QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

Question. I appreciate the efforts of the Department and Bureau of Land Management so far in implementing the Alaska Native Vietnam Veterans Allotment program as I authorized in the Dingell Act. We have an obligation to these Alaska Native Veterans to ensure their allotment applications are completed in a timely and efficient manner. I am concerned though that the Bureau of Land Management (BLM) does not have the current capacity to meet this task before the program expires in December 29, 2025. I want to make sure BLM has the resources needed to contact all eligible veterans and be able to process the 2,900 plus applications it may potentially receive.

What is BLM's plan to ensure that all applicants will have their applications processed within the deadline established in the Dingell Act?

Answer. The BLM developed a streamlined process to review incoming applications, complete the associated cadastral surveys, and issue the Allotment Certificates. If complete applications are received without conflicts, the BLM's streamlined process will support issuing the Certificate of Allotment within 1 year after receipt of the application. The last day a veteran or heir of a veteran can file an application is December 29, 2025. All complete applications should therefore be processed by December 2026 if the corresponding budgetary resources are available.

Question. Can you please provide this committee, either now or after this hearing, an estimate on the total costs required to complete all potential veteran applications by the deadline established in the Dingell Act?

Answer. The largest cost associated with completing the application process is a cadastral survey. Due to the remoteness of selected allotment locations, helicopter support is typically needed to access the allotment. The cost for surveying one allotment can range between $25,000 to $35,000. In fiscal year 23, approximately 65 surveys will be completed for a total estimated cost of $2.2 million. It is estimated that up to 2,000 eligible individuals or their heirs may apply during the open selection period. The BLM estimates it will cost approximately $50 million to $70 million to complete all 2,000 potential surveys, however this estimate will fluctuate based on the actual number of applications received.

You recently had the opportunity to visit Alaska and hear directly from Alaska Native Vietnam veterans how important it is to them for their allotments to be near where they live have ties to, as well as to be accessible. The BLM lands that have thus far been offered up do not meet that criteria.

Question. Do you support making additional lands available for selection, including opening up Fish and Wildlife Service lands?

Answer. Current law (the Dingell Act) provides that the BLM can provide eligible individuals the opportunity to select an allotment of up to 160 acres from vacant, unappropriated, and unreserved Federal lands in Alaska. The BLM has made more than 28 million acres of lands available for selection.

In November 2020, the FWS delivered a report to Congress titled, Report to Congress: Identification of National Wildlife Refuge System Lands in Alaska That Should Be Made Available for Allotment Selection by Eligible Alaska Native Vietnam Era Veterans (Report to Congress (fws.gov)). FWS developed this report with input from over 160 Alaska Native Tribes and 100 Alaska Native Claims Settlement Act (ANCSA) Corporations. In the report, FWS identified 3.6 million acres of refuge lands that could be made available for selection by eligible veterans with Congressional authorization if the BLM eligible lands are not adequate.

Question. What is the fiscal year 2023 proposed funding level for the Public Law 280 states in the President's Budget Request?

Answer. The President's Budget proposes $15.0 million for Tribal Justice Support funding directed to Public Law 280 Tribes in fiscal year 2023.

Question. To help address the crisis of Missing and Murdered Indigenous Persons across the United States, the Secretary announced the formation of a new Missing & Murdered Unit (MMU) within the BIA in 2021 to better coordinate law enforcement resources and seeks an additional $5 million for this effort for investigative personnel. It's my understanding previous funding has been to open new offices so can you tell us here today what is the base amount of funding being used for this new law enforcement unit and exactly where are these units located?

Answer. The additional $5.0 million provided in the fiscal year 2022 appropriation brought total funding for the Missing and Murdered Indigenous People (MMIP) initiative up to $16.5 million to support the BIA Missing and Murdered Unit. Of this funding, $2.5 million is used for advanced training on forensics and other specialized training for the MMU investigators. The table below identifies existing MMU agent locations as well as new locations planned for additional agents.

Current Agent Locations	Additional Agent Locations
Albuquerque, NM	Bemidji, MN
Anchorage, AK	Farmington, NM
Billings, MT	Gallup, NM
Bismarck, ND	Muskogee, OK
Bloomington, MN	Riverton, WY
Carson City, NV	Sacramento, CA
Fort Apache, AZ	Salt Lake City, UT
Nashville, TN	Seattle, WA
Oklahoma City, OK	Sioux Falls, SD
Phoenix, AZ	
Rapid City, SD	
Shelby, MT	

Current Agent Locations	Additional Agent Locations
Vancouver, WA	

Question. An issue that I have worked on for several years now is the Small and Needy Tribe program. This program is vitally important to the many small tribes in Alaska and for the last several years we have tried to work with Administration officials to determine the proper funding levels so that all eligible tribes receive the maximum amount allowed. Over the years we have struggled to get good information about what the program level should be in order to fund all currently eligible tribes at the maximum level, and, not only has the program level consistently changed there have been challenges in tracking and obligating funds. As result, the annual appropriations bills has been carrying report language for the last few years that continues to go unanswered. Given the historical challenges in determining eligibility, funding levels, and meeting Committee directives, it's a bit surprising to see such a dramatic increase of $18 million being proposed in the fiscal year 2023 budget.

In fiscal year 2018, the Committee was informed that $5 million was the amount of funding necessary to fund all known, eligible small tribes up to the established maximum funding level. Yet, the fiscal year 2023 budget proposal is asking for an additional $18 million. Can you explain what has changed in the last 3 fiscal years regarding this program to warrant the increase?

Answer. In fiscal year 2019, Indian Affairs (IA) began to improve the allocation process for the Small and Needy Tribe programs focusing on the means by which the tribal base information (location and base TPA funding) and enrollment tracking were managed and reported. This improved process allowed IA to automate a base funding report from the Primary Tribal Priority Allocation (TPA) Base tables used for the Small and Needy Tribe funding distributions and to integrate the new enrollment data collected in fiscal year 2021, which has continued to improve our efforts to ensure we are including all eligible Tribes. This has resulted in a larger count of eligible Tribes for the funding under this program. Additionally, at the request of Tribes and the Tribal/Interior Budget Council (TIBC) our request for additional funding in fiscal year 2023 includes raising the minimum level of funding for all Tribes to $300,000.

Question. What tribes are currently eligible to receive this funding and what is the methodology and data the DOI uses to determine eligibility?

Answer. Currently, IA determines Tribes to be eligible for the Small Tribes Supplement program based on location and base TPA funding. Alaska Tribes are eligible if they receive $200,000 or less in TPA base funding and Tribes in the lower 48 States are eligible if they receive $160,000 or less in base TPA funding. In fiscal year 2021, under the existing criteria, 87 Tribes were deemed eligible and received funding.

IA conducted consultation with Tribes concerning the methodology and criteria for issuing Small Tribes funding as instructed in the 2022 appropriations report language. The program is undergoing a review of all feedback from that consultation and based on that, is developing revised criteria that will enable us to bring all known, eligible small Tribes up to a newly established, increased minimum base funding level which may differ from the $300,000 minimum proposed in the fiscal year 2023 Budget. The increase is in line with inflation to ensure a reasonable level of funding for a Tribal government to operate. The current base levels were established in 1994 and are no longer sufficient for small Tribes to run viable Tribal governmental operations. Raising the threshold for minimum base will result in additional Tribes qualifying.

Once BIA fully works through the Tribal consultation comments and updates the parameters of the program, we will be able to determine a final count on the number of eligible Tribes and what level of funding would be needed to bring all eligible Tribes up to the minimum threshold. The amount requested in 2023 was based on an estimate using the original criteria.

Question. What is the status of the congressional directives contained in recent appropriations bills?

Answer. The congressional directives are currently being addressed and will include the results of the above-mentioned Tribal consultation.

Question. Resource management planning is an expensive and time consuming exercise. In calendar year 2021, the BLM finalized updates of the Bering Sea Western Interior and Central Yukon Resource Management Plans. This was a culmination of effort that began in 2013 and spanned multiple administrations. In addition to the incredible time invested, these efforts were expensive and my understanding is that the cost to finalize these two plans exceeded $20 million.

Unfortunately, the BLM has undertaken a rewrite of these RMPS, which will result in Alaska's lands being kept in a further state of limbo and will prevent the State and Alaska Natives from gaining title to lands that were promised to them over 50 years ago.

Why is the Department rewriting these RMPs that were developed by career staff across multiple administrations?

Answer. The Central Yukon Resource Management Plan (CYRMP) was released as draft for public comment in December 2020. The BLM is focused on identifying the next steps in the ongoing planning process and will soon be announcing the path forward.

The Bering Sea Western Interior (BSWI) RMP has been finalized, and the Record of Decision was published in January 2021. That plan remains fully in effect and is being implemented by the BLM.

Question. How long will the rewrites take and how much do you anticipate it will cost?

Answer. The BSWI RMP remains in effect and is being implemented, and the CYRMP is in the planning process between the draft and final stages. Additional costs are not anticipated.

Question. How much funding is included in the President's Budget Request for fiscal year 2023 for proposals and related planning efforts for the lease sale required in the 1002 area by the Tax Cuts and Jobs Act?

Answer. The President's Budget Request for fiscal year 2023 did not request any additional funding for the lease sale required in the 1002 area by the Tax Cuts and Jobs Act. The BLM estimates the fiscal year 2023 lease sale preparation costs to be approximately $300,000, which would be executed with appropriated base funding.

Question. The Center for Biological Diversity (CBD) filed a in early June that coincided with the U.S. Fish and Wildlife Service's publication of its Proposed "Hunt-Fish" Rule which would preclude the use of traditional ammunition and tackle going forward on several National Wildlife Refuges. The Department entered into closed door settlement negotiations with CBD even before a court could provide any merit to their claims. I'm concerned that rather than going through the land management planning process, the Department is entering into closed-door settlement negotiations with an advocacy organization where Tribal consultation and input from the public will be absent.

Has a settlement been reached with the Centers for Biological Diversity in their lawsuit against the Fish and Wildlife Service?

Answer. FWS develops the annual Hunt-Fish Rule over a 14-month cycle. This process begins each June and concludes in August of the following year, with the goal of publishing the final rule in time for the fall hunting seasons. FWS began developing the packages for the 2022- 2023 Hunt-Fish Rule, which included proposals at several refuges to require non-lead ammunition or tackle, in June 2021. The final rule was published in September 2022. This process began prior to receiving the Center for Biological Diversity's (CBD) lawsuit in December 2021 and their June 2022 petition, and therefore is unrelated to their actions.

The Department of Justice (DOJ) was authorized by FWS to draft a tentative settlement agreement with CBD that will be approved by FWS prior to finalization. The current stay from the Court ends on November 2, 2022. FWS and the Department of the Interior's Office of the Solicitor expect settlement to be reached in this case.

Question. If so, please provide a copy of the settlement to the subcommittee. If not, will you commit to providing a copy of the settlement to the subcommittee within 10 days of the settlement being reached? If you will not commit to providing the subcommittee with a copy of the settlement, please explain why.

Answer. As the litigation is ongoing, FWS is not able to share the draft settlement agreement at this time. FWS commits to sharing a copy of the settlement agreement within 10 business days after the conclusion of the case.

Question. Is the Department negotiating with CBD on banning lead ammunition and tackle as part of the settlement of the CBD petition?

Answer. FWS cannot commit to reaching a particular result in any future notice-and- comment rulemaking process, which would be considered pre-decisional. As such, FWS cannot commit to requiring non-lead ammunition or tackle on the Na-

tional Wildlife Refuge System as part of any settlement agreement with CBD or rulemaking petition submitted by CBD. It is not uncommon for FWS to require non-lead ammunition or tackle on FWS lands and waters when it determines through scientific analyses, as part of National Environmental Policy Act (NEPA) analyses, refuge plans, and compatibility determinations, that lead ammunition and tackle have negative impacts on species. FWS will respond to CBD's petition for rulemaking as required by the Administrative Procedure Act. FWS considers all petitions from the public, non- governmental organizations, States, and other partners, in order to best serve the American public.

Question. The aforementioned "Hunt-Fish" Rule proposes to ban lead ammunition and tackle on certain public lands by 2026 and I am concerned that this is a precursor to further regulatory actions. Given that approximately 95 percent of all ammunition contains lead components, banning traditional ammunition is certain to price a significant number of hunters and target shooters who hunt and shoot on public land out of the market. It would also have a significant impact on conservation. I my home State of Alaska alone, we would stand to lose over $12 million in Pittman Robertson funding in the event of a traditional ammunition ban.

Please share what science was discovered since you became Secretary that supports the ban that you propose. Is the science sound enough to warrant decreasing access and opportunity for millions of taxpayers as well as hurting wildlife conservation efforts?

Answer. The best available science demonstrates that lead ammunition and tackle have negative impacts on both wildlife and human health. FWS included many of these studies in National Environmental Policy Act (NEPA) documents and Cumulative Impacts Report, and incorporated these sources in the 2022–2023 Hunt-Fish Rule. In total, there are over 90 scientific sources cited, which are available through the final Cumulative Impacts Report available at the following site: https://www.regulations.gov/document/FWS–HQ–NWRS–2022–0055–16123. A key example of the available scientific evidence is the recent study by the U.S. Geological Survey (USGS) which found significant population-level impacts on eagles nationwide from the use of lead ammunition for hunting. The study, published in the journal Science (Volume 375, Issue 6582, February 18, 2022), is available at the following site: https://www.science.org/doi/10.1126/science.abj3068.

FWS has received an increasing number of comments from the public, including a significant number of hunters and anglers themselves, over the past few years on the annual Hunt-Fish Rules, asking FWS to further consider requiring non-lead ammunition and tackle on national wildlife refuges based on the increasing body of scientific literature illustrating the negative impacts of lead on wildlife.

Some public comments FWS received from those who would prefer it not regulate lead ammunition and tackle alleged that the scientific analysis lacked evidence of "population-level" impacts to species. However, from studies like the USGS eagle study, there is significant evidence of population-level impacts for some species. For other species that are not impacted at the population-level, the science illustrates that many individuals are at risk of death or lead poisoning from ingestion of lead through gut piles, picking up spent pellets on the ground or lake bottoms, or even in bodies of water depending on the acidity of the water.

FWS is required by statute to make decisions that support its conservation mission and to find uses on national wildlife refuges compatible with the mission and refuge purposes before allowing them. FWS will regulate when the science illustrates that the use of lead ammunition and lead tackle presents a risk for any species that are especially susceptible to lead. FWS prioritizes access for hunters and anglers when compatible and only pursues restrictions on how the use is allowed when necessary to support its mission.

Question. Will the Department consider the impact of potential lost conservation funding when making decisions about whether to finalize a ban on traditional ammunition?

Answer. FWS considers the socioeconomic impacts of how it manages hunting and fishing programs before making changes. This includes considering the impacts of any requirements to use non-lead ammunition or tackle on hunters and anglers. The viability of alternatives to lead ammunition and tackle have increased over time, both in terms of price and availability. In light of recent ammunition shortages and increases in price of all ammunition, the gap has been closed even further. As noted in the 2022–2023 Final Hunt-Fish Rule, FWS does not anticipate significant decreases in hunter participation caused by regulation of lead use on refuges, and it has not seen significant hunter decreases at refuges where non-lead requirements have been implemented in past rules.

FWS also does not anticipate an impact to Pittman-Robertson (PR) excise tax funds used for conservation funding from any action on FWS lands and waters.

Hunting and fishing on FWS lands and waters is a small fraction of the overall hunting and fishing that occur in the United States. FWS' experience is that non-lead requirements have not resulted in a decrease in hunting on national wildlife refuges. Therefore, FWS anticipates the impact to conservation funding from non-lead requirements on national wildlife refuges to be very small.

Question. I was disappointed in your June 17th Secretarial Order 3408 which revoked the previous Secretarial Order 3368 that created a publicly available repository on the Solicitor's website where everyone, members of congress and the general public can see settlement negotiations that the Department has entered into. This is in addition to the Equal Access to Justice information that is provided in the annual budget request. Your press release indicated that the Secretarial Order you rescinded was a waste of taxpayer funds.

Can you elaborate on how much the department spent on the implementation of SO 3368 and what portions of the disclosures on the Department's website were responsible for the supposed waste? How did you determine whether the previous transparency order provided a "tangible benefit" to the public?

Answer. The Department's additional expenses included annual developer costs to create and maintain the website; costs for employee time in compiling and uploading information; and costs for preparation of and fees for Federal register notices. The total cost of compliance with SO 3368 during its effective period is estimated at $94,582. After review of the limited benefits achieved from these additional expenses, the Department found that SO 3368's requirements either duplicated existing rules or policies governing settlements or added requirements that are not found in law or policy and raised concerns about consistency with court orders and/or the confidentiality expectations of parties in litigation. The Department concluded that spending Departmental resources in this way did not advance the Department's goals of enhancing transparency or safeguarding the public interest. Further, information about settlements and attorneys' fees is publicly available in alternate sources, including the annual reports to Congress and a Department of Treasury online database.

Question. Can you please provide an example of how the previous order prevented the Department from entering into "rational and fair" settlement agreements?

Answer. The Department's approach to settlements is governed by our internal policies and those of the Department of Justice, which prevent the Department from entering into settlements that make excessive commitments of time or resources or compromise the Department's legal authority. After review of SO 3368, we determined that it reiterated those substantive constraints but added new and vague procedural requirements that did not support the substantive criteria.

For example, SO 3368 included a requirement to provide notice to non-party States or Tribes with "substantial direct" interest in all complaints or petitions filed against the Department, its bureaus or officers. The Order also established a new notice-and-comment process for certain settlements. These new bureaucratic requirements are not found in laws, regulations, or court rules and therefore interfered with the normal litigation and settlement process. The Department cannot share specific examples without violating promises of confidentiality regarding settlement negotiations, which are governed by Federal Rule of Evidence 408 and ensure frank and open discussions to reach agreements.

Question. On the same day that President Biden called for a reliable supply chain of critical minerals during his Securing Critical Minerals virtual event, the Department of the Interior announced creation of the Interagency Working Group on Mining Regulations, Laws and Permitting. The specter of major changes to the regulatory framework for mining projects is certain to cause investors to rethink the U.S. a prime jurisdiction for mining investment at a time when the U.S. is exceedingly over reliant for mineral imports from geopolitical adversaries. Why would the department seek to initiate these actions, potentially freeze investor confidence, at a time when mineral demand is expected to skyrocket?

1. What are the next steps for the Interagency Working Group?

2. What opportunities will there be for continued engagement with stakeholders moving forward?

3. What engagement has occurred with States?

4. When does the Interagency Working Group expect to complete its work and provide recommendations?

5. I understand there are roundtable discussions planned with various stakeholders. Please provide the dates and locations for any proposed roundtables.

Answer. The Interagency Working Group on Mining Regulations, Laws, and Permitting (IWG) has conducted extensive outreach throughout the year and is review-

ing tens of thousands of comments received in response to a Request for Information published in March 2022, including hundreds of letters with specific recommendations from Tribal Nations, State governments, the mining industry, environmental and conservation organizations, academics, and others. The IWG held meetings with the leadership and members of the Interstate Mining Compact Commission, Environmental Council of the States, Association of American State Geologists, and National Association of State Trust Lands, in addition to discussions with individual state officials upon request.

The IWG is currently working to complete a report to Congress of its findings. The report will provide recommendations about any substantive changes needed to meet the Country's need for mineral resources, including critical minerals, while respecting our obligations to Tribal Nations, protecting the environment, supporting communities, and addressing legacy mining issues.

Question. The Department recently touted its efforts to reinvigorate renewable energy projects on Federal lands. To accomplish this, the Department developed organizational enhancements and improved process efficiencies for optimizing Federal permit coordination for renewable energy projects.

Why are the same type of efficiencies used to permit renewable energy projects not used to permit domestic energy and mineral projects, particularly those that are the front end of the supply chain for renewable energy technologies?

Answer. Critical minerals are key inputs to manufacturing advanced technologies including renewable energy generation and storage. In response to recommendations from the 100–Day reviews directed by E.O. 14017, America's Supply Chains, and Section 40206 of the Bipartisan Infrastructure Law (BIL), the Department has established an Interagency Working Group to comprehensively review hardrock mineral laws, regulations, and permitting requirements. As part of this whole-of-government effort, the Department has hosted extensive public input and comment sessions on potential hardrock mining reforms and intends to publish a report with legislative, regulatory, and policy recommendations in fiscal year 2023. Regarding domestic energy, the BLM continues to approve oil and gas applications for permits to drill (APD) and industry currently has in excess of 8,000 approved APDs available to them for domestic production.

Question. Have there been any new coal leases or lease modifications approved, either for thermal or met coal, under your leadership at the Department of the Interior?

Answer. Since 2021, the Department has approved one 630-acre Emergency Bypass lease issued in North Dakota for lignite thermal coal.

Question. Are there any outstanding coal lease or lease modification applications currently pending before the Department of the Interior? If so, how long have those applications been pending?

Answer. Currently there are 16 Lease By Applications (LBAs) and 3 Lease Modification Applications (LMAs) before the BLM. However, eight of the LBAs are on hold by the applicant's request or the Federal acreage is part of the land exchange in Section 1255 of the Dingell Act and will be turned over to the State. In the case of lease applications for Federal minerals that are part of the Dingell Act, the LBAs are put on hold until the surface and mineral estate are transferred to the State (see John D. Dingell, Jr. Conservation, Management and Recreation Act, Public Law 116–9, Section 1255, Exchange of BLM and School Institutional Trust Lands Administration land), at which time the State assumes all responsibility for the leasing decision and associated environmental analysis. The others are in various stages of NEPA evaluation, cost recovery MOUs, in bankruptcy court, part of legal action, or the BLM has requested more information from the applicant and is waiting for a response. BLM is evaluating the impact of the recent court order reinstating Secretary Jewell's coal leasing moratorium on the pending applications. All these factors make the timeline for LBAs and LMAs highly variable and in many cases outside the control of the Department of the Interior. The table below summarizes pending coal actions and provides the case number for ease of reference.

Pending Coal Lease and Lease Modification Applications

LBA	LMA	Status	Application Received
COC–71978		Hold-Applicant Request	10/12/2007
COC–78449		Hold-Applicant Request	4/6/2017
KYES–55296		On Hold-Mine is on standby	7/3/2007
ALES–55797		Met Coal-HQ BLM NEPA Review	8/13/2009
ALES–56519		Hold-Applicant Request	9/22/2010

Pending Coal Lease and Lease Modification Applications—Continued

LBA	LMA	Status	Application Received
ARES–57757		NEPA Ongoing	12/21/2012
WVES–59357		Consent-USACE Surface Management	7/30/2018
MTM 105485		Cost Recovery	2/13/2013
NDM 111186		NEPA Ongoing	5/17/2019
NDM 111489		HQ BLM NEPA Review	10/30/2019
	MTM 110693	Cost Recovery-RMP Litigation	6/17/2021
OKNM- 127509		Hold-Applicant Request	10/27/2011
	OKNM- 91569	Cost Recovery	12/3/2012
UTU–080043		Hold-Dingell Act	3/1/2002
UTU–093214		Hold-Dingell Act	3/28/2018
UTU–092226		NEPA-Part of Settlement Agreement	7/10/2019
	UTU–077114	NEPA-Part of Settlement Agreement	6/7/2019
WYW164812		Request Status Update from Applicant	10/7/2005
WYW184599		Hold-Applicant Request	8/24/2015

Question. What the current status is of the ongoing Federal coal review and what are the anticipated next steps in the review, including timing of those steps? How is the Department taking into account the comments and economic needs of Federal coal states and tribes who would like to develop their natural resources?

Answer. On August 12, 2022, the District Court for the District of Montana Great Falls Division (Case 4:17-cv-00030–BMM Document 23) ruled the NEPA analysis used for lifting the coal leasing moratorium enacted by Secretary Jewell (Secretary Order 3338) was insufficient and the Court reinstated the coal leasing moratorium until the NEPA deficiencies are addressed. The BLM is currently working to develop a path forward for the Federal coal program.

Question. It has been over a year since Executive Order 14008 launched an effort to conserve at least 30 percent of our lands and waters by 2030. Unfortunately, there is widespread confusion regarding what Federal agencies will actually count as conservation, what will account for local and state conservation programs, and how land use designations that overlap with management plans for various activities will be factored. Compounding these uncertainties is the issue of multiple use and how industries that rely upon Federal lands will be treated, many of which have been fully engaged in conservation partnerships and effective voluntary conservation activities for decades, demonstrating that development and conservation are not mutually exclusive.

When will the Department of the Interior be able to provide the Committee with a definition for what is considered "conservation" under the initiative?

Answer. The principles of the initiative and initial general steps, including development of the American Conservation and Stewardship Atlas, were outlined in our report, issued last May, titled Conserving and Restoring America the Beautiful. That report also outlined our recommendations for early focus of the initiative. We are coordinating with the Departments of Agriculture and Commerce, and the Council on Environmental Quality, on development of the Atlas. We have undertaken broad public engagement as we move through the process, including a public comment period that closed in early March. We expect to be able to release a "beta" version of that Atlas by the end of the year and will continue to update the Committee from there.

Question. How will the Department quantify how much existing U.S. lands and waters under Federal stewardship count as currently being "conserved"?

Answer. Under the initiative we expect a flexible, inclusive definition given the many uses of land and waters that can be consistent with the long-term health of ecosystems and many types of conservation that exist on Federal, Tribal, State, and private land and waters. It will also help to address to the impacts of climate change and environmental injustices. We have undertaken broad public engagement, including a public comment period that closed in early March and are coordinating with the Departments of Agriculture and Commerce, and the Council on Environmental Quality, on development of the Atlas.

Question. Will lands currently subject to multiple use be considered "conserved"?

Answer. As noted in the previous response, the Atlas will reflect the many uses of land and waters that can be consistent with the long-term health of ecosystems and help address the impacts of climate change and environmental injustices.

Question. The Bureau of Land Management (BLM) announced a notice of intent on the Federal Register in November 2021 to solicit comments to inform the BLM's

preparation of Environmental Impact Statements (EIS) to address the management of Greater Sage-grouse and sagebrush habitat on BLM-managed land in the States of California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, and Wyoming through a land use planning initiative. Comments closed in February 2022.

What other opportunities will BLM provide the public to maintain involvement with the NEPA and land use planning processes?

Answer. After the BLM and its cooperating agencies prepare the Draft EIS, the BLM will seek public input on the document during a 90-day comment period. After the comment period, the BLM will review all the public input and adjust the EIS, as necessary. The resulting Final EIS will then be provided for public review during a 30-day protest period.

Question. Will there be a Governor's consistency review on any proposed land use plan amendment/final EIS?

Answer. Yes, the BLM will provide the Proposed RMP Amendment/Final EIS to all the affected Governor's offices for a 60-day consistency review.

Question. What is the timeline of activities related to the finalizing activities under the November 2021 solicitation?

Answer. The current schedule has the BLM working with its cooperating agency partners to prepare the Draft RMP Amendment/Draft EIS and anticipates providing the document for public review and input in July 2023. Following the 90-day comment period and time for reviewing received comments, preparing responses, and updating the EIS, we expect to publish the Proposed RMP Amendment/Final EIS in February 2024, making it available for a 30-day protest period and 60-day governor's consistency review. Pending resolution of any potential protests or issues raised by governors, we expect to publish the decisions in June 2024. As with similar planning efforts, these dates are our best current estimates, but could be subject to change to adapt to changing conditions.

Question. The BLM announced in August 2021 and published a notice of intent stating it will begin re-initiation of consideration of whether a proposed 10-million-acre mineral withdrawal of Federal land from location and entry under the Mining Law to conserve priority greater sage- grouse habitat is necessary.

What is the current status is of the consideration of a mineral withdrawal?

Answer. In 2021, the U.S. District Court in Idaho vacated the BLM's 2017 cancellation of its NEPA efforts to consider a mineral withdrawal providing additional conservation in some priority greater sage-grouse habitats. To comply with the court order, the BLM has reinitiated the

NEPA process, beginning by reviewing the 2016 Draft EIS and updating the information and analysis to reflect new science and results from monitoring.

To ensure the BLM is considering the most current information, we have contracted with the USGS to update the 2016 Mineral Potential Report, in particular to consider the potential for critical minerals within the proposed withdrawal areas. A draft report has been completed, which the BLM is currently reviewing to provide comments back to the USGS. Once those comments have been addressed, the USGS will issue the updated report as final.

The BLM is concurrently reviewing new science on greater sage-grouse that has been published since 2015 to assess whether the proposed areas for withdrawal are providing the conservation benefit anticipated in 2015.

Question. What are the anticipated next steps in the review?

Answer. When the mineral potential report is final, that information will be combined with the biological analyses to update the alternatives from the 2016 Draft EIS. The BLM will then conduct an analysis of the refined range of alternatives to consider the impacts of a proposed withdrawal of some, none, or all of the sagebrush focal areas that were initially recommended for withdrawal. In coordination with cooperating agencies, including State, local, and Tribal governments, the BLM will prepare a Draft EIS that includes the updated alternatives and associated impact analyses. The Draft EIS will be provided for public review and comment in 2023.

Question. How are you taking into account the comments and economic needs of states and tribes who would like to develop their natural resources?

Answer. The BLM has renewed cooperating agency agreements with State, local, and Tribal governments to assist in preparing the Sagebrush Focal Area Potential Mineral Withdrawal EIS. Those cooperating agencies will be able to provide valuable input on local, social, and economic conditions and the associated effects of the alternatives on local economies. The BLM will use their input to analyze the impact of the various alternatives on social and economic conditions. This will be informed by the mineral potential report, which will form the basis for preparing a reasonably foreseeable development scenario based on mineral availability, mining sector trends, and economic conditions and will include the economic potential for develop-

ment of any recoverable material. The data will be presented in the NEPA documents and will be considered before any final decisions are made by the agency.

Question. The Federal government relies on private parties to explore Federal lands to locate and develop minerals that are essential to our quality of life, national security, and economic competitiveness. Access to exploration activities for these minerals is essential to the development and production of minerals. Put simply, we need more mines on public lands to demand for domestic critical mineral production.

How will the Department promote access to mineralized lands for development?

Answer. Under the Mining Law of 1872, hundreds of millions of acres of public lands may be accessed freely and without prior authorization for the purpose of entry and location, allowing exploration and the staking of claims for valuable mineral deposits. The Bureau of Land Management (BLM) processes new claim filings and annual claim maintenance fees, ensuring that those claims are available for exploration and development under applicable laws. The BLM also reviews mining notices for exploration work and reviews and approves plans of operation for larger-scale exploration and commercial mineral development. The BLM continues to expeditiously review and approve new mineral exploration and development work to provide access to mineral deposits and allow for development in a way that prevents unnecessary and undue degradation of public lands.

Question. Does the Department consider the anticipated mineral demand for clean energy technologies as a determining factor before taking administrative action that would preemptively block or negatively impact development of a mine project?

Answer. The BLM processes all mine plan applications in accordance with applicable laws and ensures that any exploration or mining operations do not cause unnecessary and undue degradation of the public lands. The Mining Law of 1872 does not require operators to report the quantity or type of minerals that are produced by their operations to the BLM.

Question. The Infrastructure Investment and Jobs Act (IIJA) provided over $11 billion for coal abandoned mine land funding and the Department released draft guidance in May of 2022 for select states and Tribes on how to apply for 2022 grants pursuant to this funding. Given that the guidance expands the scope of eligibility to non-coal AML projects, how will DOI ensure adequate oversight of states and Tribes with these new funds while increasing the efficient use of taxpayer dollars? Also, please provide an update on the timing of the rulemaking that would establish requirements and obligations for states and Tribes to receive this funding.

Answer. The Draft Guidance published in May 2022, by the Department of Interior's (DOI) Office of Surface Mining and Enforcement (OSMRE) did not expand nor propose to expand the scope of eligibility for use of the IIJA funds to non-coal AML projects. Title VII, Section 40701 of the IIJA states the following:

> *This section appropriates $11,293,000,000 billion in funds for deposit in the Abandoned Mine Reclamation Fund . . . Grants under this section must only be used for activities described in subsections (a) and (b) of section 403 and section 410 of SMCRA.*

Thus, this new funding source may only be spent on eligible abandoned coal mine projects as set forth under the referenced provisions of the Surface Mining Control and Reclamation Act (SMCRA). The Final Guidance published on July 21, 2022, provides, consistent with the requirement of Section 40701, for the use of IIJA grant funds on priorities resulting from legacy coal mining that pose a threat to public health, safety, and the environment (including acid mine drainage projects), water supply restoration projects and coal AML emergency projects.

DOI–OSMRE has put a series of measures in place to ensure adequate oversight of State and Tribal implementation of the IIJA with this new funding. Actions taken and anticipated include, recruiting and hiring additional staff with the relevant skill sets across OSMRE's headquarters and regional offices to ensure effective execution of the program. OSMRE, among other things, is developing a training program for State and OSMRE employees engaged in IIJA implementation, reviewing state and Tribal Reclamation Plans to ensure consistency with the IIJA provisions, developing performance metrics to ensure the objectives of the IIJA are met, and requiring information in grant applications on specific projects, beginning in fiscal year 2023. The Final Guidance document is available to assist States and Tribes in meeting the IIJA objectives with detailed requirements and expectations for successful implementation of the IIJA AML program.

Further, DOI–OSMRE has built in efficiencies to ensure the proper use of these taxpayer funds by basing the design of the IIJA program on the existing AML-fee based program in several respects. Examples include, directing IIJA funds only to eligible States and Tribes with approved Reclamation Plans, requiring separate

grant applications for the IIJA grants and the traditional AML-fee based grants, ensuring enhanced reporting transparency to enable the tracking of IIJA fund expenditures, and leveraging existing internal control measures such as periodic drawdown reviews and Single Audit Compliance reviews to minimize the potential for waste, fraud and abuse.

OSMRE continues to evaluate the need and the timing for IIJA rulemaking.

Question. In February 2022, the Department submitted a request to the Court to remand the ROD/EIS for the Ambler Access Project. In that request, the Department expressed a commitment to completing the necessary consultation, analysis, and supplemental work in a timely manner. It is now August 2022 and it appears that no significant progress has been made in this process.

1. When does the department intend to initiate the necessary work?

2. And will there be a schedule for work to be completed?

3. Does BLM Alaska intend to select a third-party contractor to conduct the necessary work on the Ambler Access Road Project supplemental EIS? If so, when will that contractor be selected?

4. BLM Alaska has delayed approvals for scientific, cultural surveys, and non-ground disturbing field activities this summer. With a very short window during the summer months in Alaska to conduct this work, the project could be set back an entire year. Additionally, the delays have already caused significant financial damage to the project. Does the BLM intend to provide approval for any of this important work? If so, when will these approvals or denials be conveyed to the project proponents?

Answer. The Ambler Access project was remanded to the BLM by the U.S. District Court for the District of Alaska, based on the Department of the Interior's request for a voluntary remand to address certain procedural and legal defects. Following a period of intensive review and planning among the BLM, the project proponent, stakeholders, and Tribes, the Bureau began the supplemental environmental impact statement (SEIS) process by publishing a notice of intent in the Federal Register on September 20, 2022. The notice kicked off a 45-day scoping period, ending November 4, 2022. In parallel with the scoping period, BLM is pursuing the necessary procurement steps to engage the services of a third-party contractor to prepare the SEIS. We expect to release the solicitation early in fiscal year 2023.

Since the court required that the BLM maintain the "environmental status quo" until the obligations outlined in the voluntary remand were met, the BLM was unable to approve ground- disturbing field work for this project in 2022. However, limited ground disturbing activities were approved contingent upon completion of a 28-day notice to the Plaintiffs; this requirement was met on September 19, 2022. We will continue to work closely with the proponent, Tribes, cooperators, and all other interested parties as the 2023 field season approaches.

SUBCOMMITTEE RECESS

Senator MERKLEY. This hearing is adjourned.

[Whereupon, at 11:29 a.m., Wednesday, July 31, the hearing was adjourned, and the subcommittee was recessed, to reconvene at a time subject to the call of the Chair.]

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2023

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

NONDEPARTMENTAL WITNESSES

[CLERK'S NOTE.—The subcommittee was unable to hold hearings on nondepartmental witnesses. The statements and letters of those submitting written testimony are as follows:]

PREPARED STATEMENT OF THE ALLIANCE FOR THE GREAT LAKES

The Alliance for the Great Lakes is a nonpartisan nonprofit working across the Great Lakes region to protect and restore the Great Lakes. Founded in 1970, we have worked for 50 years on programs to ensure public access to clean, safe and affordable drinking water; protect water quality; stop the establishment and spread of harmful invasive aquatic species, including invasive carp; reduce plastic pollution; and advocate for increased drinking and wastewater infrastructure funding and programs to ensure that water remains affordable for all Americans. Our membership and supporters are located throughout the eight States in the Great Lakes region and each year we mobilize more than 15,000 volunteers to take action to ensure that our shorelines and beaches are healthy, safe and clean.

The Great Lakes are not only a national treasure but are a globally significant resource containing 20 percent of the world's available freshwater supply. The Lakes provide some 30 million Americans with drinking water and are vital to communities in Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin. The Great Lakes not only provide water, but they also support jobs, commerce, agriculture, transportation, and tourism for millions of Americans. Protecting the health of the Great Lakes is integral to the environmental and economic health of the region.

But the Great Lakes face continued threats from the harmful legacy of decades of pollution that threaten our communities with cancer-causing contaminants, drinking water restrictions, and fish consumption advisories. Action is needed at all levels of government to address these threats, as well as emerging issues associated with climate change. The fiscal Year 2023 Interior, Environment and Related Agencies Appropriations bill under this subcommittee's jurisdiction funds an array of programs and projects in the Environmental Protection Agency that are critical to the restoration and protection of the Great Lakes. This written testimony highlights just three of the programs under your consideration: the Great Lakes Restoration Initiative and water infrastructure funding for the Clean Water and Drinking Water State Revolving Funds. Although all of these programs received significant investment in the Infrastructure Investment and Jobs Act of 2021, continued funding at increased and authorized levels is necessary to deal with the significant challenges each program faces and additional detail is provided below.

GREAT LAKES RESTORATION INITIATIVE

The Great Lakes Restoration Initiative (GLRI) is an Environmental Protection Agency funded grant program that supports State, Federal, Tribal and local efforts to protect and restore the Great Lakes. GLRI funding is allocated by a 16-member Federal interagency task force and regional working group to address water quality

issues associated with pollution and legacy contaminants; habitat loss/degradation and invasive species consistent with a 5-year action plan containing measurable goals and objectives. Since its inception in 2010, nearly $3 billion has been provided to fund more approximately 6,000 projects throughout the Great Lakes region.

For every $1 the GLRI invested, it is estimated that the investment will produce more than $3 in additional economic activity regionwide through 2036. Accordingly, the GLRI is revitalizing our waterfronts and leading a resurgence in water-based outdoor recreation and increasing tourism across the region. For fiscal Year 2023, we recommend that the Committee fund this program at $400 million. This funding level is consistent with the congressional project reauthorization in the Great Lakes Restoration Initiative Act (Public Law 116–294, Jan. 5, 2021) which authorizes $400 million in funding for fiscal Year 2023. In addition to supporting States, Tribes and local communities, GLRI funding also supports US Treaty obligations under the Boundary Waters Treaty of 1909 between the US and Canada and its Great Lakes Water Quality Agreement.

INVESTING IN WATER INFRASTRUCTURE

Another important area under the subcommittee's jurisdiction is funding for water infrastructure. We greatly appreciate the $48 billion in funding provided for water infrastructure in the Infrastructure Investment and Jobs Act of 2021 (IIJA). In addition, IIJA increased the authorized levels of funding for key water infrastructure programs, including the Clean Water and Drinking Water State Revolving Funds. Despite the significant investment in water infrastructure funding last year, the Environmental Protection Agency estimates that nationwide approximately $743 billion is needed over the next 20 years to repair, replace and upgrade water infrastructure. In the Great Lakes alone it is estimated that the eight States need $188 billion to upgrade aging water infrastructure. Furthermore, the Congressional Budget Office estimates that Federal funding for water and wastewater utilities has decreased fourfold since 1980, leaving State and local governments to pick up the tab.

Although the need for water infrastructure funding far outstrips available annual funding levels, we are encouraged and pleased that the IIJA authorized higher levels of funding for key water infrastructure programs which is a necessary step toward addressing the myriad of issues plaguing water infrastructure utilities and local communities. Accordingly, we encourage you to appropriate funds for these programs at the authorized level for fiscal Year 2023 which means $3.87 billion for the Drinking Water State Revolving Fund and $4.38 billion for the Clean Water State Revolving Fund. These funding levels are a significant increase over funds appropriated in fiscal Year 2022 and are necessary to allow for continued progress to address water infrastructure funding needs and to ensure that families nationwide have access to safe drinking water and healthy waste water services.

We appreciate the subcommittee's consideration of our views and its work and funding support over many years for programs that protect and restore the Great Lakes. As the source of drinking water for 30 million Americans and as a significant driver in the regional economy of eight States, investments in programs that protect and restore the Great Lakes are critical to ensure the economic and environmental health of this important resource.

[This statement was submitted by Don Jodrey, Director of Federal Relations, The Alliance for the Great Lakes.]

PREPARED STATEMENT OF THE ALLIANCE TO SAVE ENERGY AND PARTNERS

We the undersigned coalition of businesses, trade associations, and environmental, and energy efficiency advocates, write in support of increasing the Environmental Protection Agency's (EPA) Energy Star budget for fiscal Year 2023 to $80 million. Energy Star is a highly successful public-private partnership program that delivers tremendous impact in addressing climate change and generating consumer energy savings on what can only be described as a less than minimal budget of $33.9 million. Despite its bipartisan reputation as a cost-effective and high-impact program, Energy Star has nonetheless been subject to declining funding in recent years.

Our request to effectively double Energy Star's budget to $80 million reflects the urgency to address climate change to avoid far larger public costs and to help mitigate the exorbitant prices consumers and businesses pay for energy today. According to the EPA's fiscal Year 2023 budget justification, in 2019 alone, Energy Star helped American families and businesses save nearly 500 billion kilowatt-hours of elec-

tricity and avoid $39 billion in energy costs.[1] This resulted in emission reductions of nearly 390 million metric tons of GHGs- equivalent to roughly 5 percent of U.S. GHG emissions. This reduction is additionally estimated to result in $7 billion to $17 billion in public health benefits.[2] Since the program began in 1992, it has accounted for more than 4 billion metric tons of GHG reductions and avoided over $500 billion in energy costs.[3] Additionally, the production of Energy Star products supports 700,000 jobs in our economy- roughly 35 percent of an estimated 2.1 million U.S. energy efficiency jobs in 2020, aligning with President Biden's American Jobs Plan.[4]

Despite the program's success, Energy Star has seen its funding steadily decline from a high of nearly $54 million over a decade ago to $33.9 million today. If we were to simply adjust for inflation, Energy Star would have a budget of approximately $68 million in today's dollars versus a decade ago. Moreover, as the program's budget has decreased, the expenses necessary to effectively carryout Energy Star's function have increased, including but not limited to personnel costs; IT and data to meet program growth in addition to needed cybersecurity requirements; program integrity and certifications; maintaining and upgrading the Energy Star Portfolio Manager which plays an increasingly important role for benchmarking and building performance standards; and product expansion in response to the climate urgency. The steady decrease in funding priority has greatly restricted Energy Star's ability to keep up with fast-changing markets and to expand the program's reach in sectors where large untapped energy savings are achievable, including low-to-moderate income, disadvantaged, and Tribal communities.

According to the International Energy Agency (IEA), getting to "net zero by 2050 hinges on a global push to increase energy efficiency."[5] Together with broad bipartisan support and nationwide brand recognition above 90 percent, Energy Star is an important and impactful tool to address climate change.[6] If we are to meet the current challenges before us and increase our efforts to mitigate climate change, increasing the Energy Star budget is necessary.

Thank you for your leadership on these important issues, and we look forward to working together to strengthen the Energy Star program. If you have any questions or need additional information, please contact Vincent Barnes (vbarnes@ase.org) or Olivia Leos (oleos@ase.org) with the Alliance to Save Energy.

A. O. Smith Corporation
Acuity Brands
Alliance to Save Energy
American Council for an Energy Efficient Economy
American Institute of Architects
Association of Energy Engineers
Building Performance Coalition
Business Council for Sustainable Energy
California Energy Commission
Carrier Global Corporation
DuPont
E4TheFuture
Federal Performance Contracting Coalition
Google
Illuminating Engineering Society
Institute for Market Transformation
International Copper Association
Knauf Insulation
Large Public Power Council
Lutron Electronics
Metrus Energy
Midwest Energy Efficiency Alliance
National Association of Energy Service Companies
Natural Resource Defense Council
Polyisocyanurate Insulation Manufacturers Association
Sacramento Municipal Utility District
Seattle City Light
Signify North America Corporation
Snohomish PUD
Southeast Energy Efficiency Alliance
U.S. Green Building Council
Uplight
Watsco, Inc

[This statement was submitted by Alliance to Save Energy and Partners.]

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[1] fy-2023-congressional-justification-all-tabs.pdf (epa.gov) (see Energy Star impact report 2020 for updated numbers: 520 billion kilowatt-hours of electricity and avoid $42 billion in energy costs).

[2] Id.

[3] https://www.energystar.gov/about.

[4] https://www.energystar.gov/about/origins__mission/impacts.

[5] https://www.iea.org/articles/net-zero-by-2050-hinges-on-a-global-push-to-increase-energy-efficiency.

[6] https://www.energystar.gov/about/.

PREPARED STATEMENT OF THE AMERICAN ALLIANCE OF MUSEUMS

Chairman Merkley, Ranking Member Murkowski, and members of the subcommittee, thank you for the opportunity to submit this testimony. My name is Laura L. Lott and I am the President and CEO of the American Alliance of Museums (AAM). We urge your support for Fiscal Year 2023 funding of at least $203.55 million for each the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH). We also urge robust funding for the Smithsonian Institution. In addition, we request your support for the Historic Preservation Fund, including at least $65 million for State Historic Preservation Offices (SHPOs) and $34 million for Tribal Historic Preservation Offices (THPOs). We support $24 million for African American Civil Rights Grants, $12 million for Historically Black Colleges/Universities, $5 million for Equal Rights Grants, and $3 million for Underrepresented Community Grants. We request funding of $35 million for the Save America's Treasures program and $12 million for Paul Bruhn Historic Revitalization grants. We support at least $10 million in funding for U.S. Semiquincentennial celebration grants for the country's 250th commemoration.

Before detailing these funding priorities for the museum field, I want to express my appreciation for the increases enacted in fiscal Year 2022. The additional funds for the NEH, NEA, and historic preservation activities will enhance museums' work to enrich their communities and preserve our many heritages. The subcommittee's choice to make these investments in fiscal Year 2022 speaks volumes about its commitment to our Nation's cultural institutions. We also are grateful for last year's supplemental grant funding of $135 million (American Rescue Plan) for each endowment to help cultural organizations, including museums, cope with and respond to the devastating impact of the COVID–19 pandemic. Early in the pandemic, essentially all museums were closed to the public. 33 percent of museums were at some risk of permanent closure without immediate support-a threatened loss of 12,000 museums and 124,000 jobs. While Federal relief funding has provided critical lifelines, a survey shows attendance remains down 38 percent on average from pre-pandemic levels, and 17 percent of directors still feel there is some risk of closing permanently without additional relief. The need, like the pandemic, is still with us.

Representing more than 35,000 museum professionals and volunteers, institutions-including aquariums, art museums, botanic gardens, children's museums, cultural museums, historic sites, history museums, maritime museums, military museums, natural history museums, planetariums, presidential libraries, railway museums, science and technology centers, and zoos-and corporate partners serving the field, AAM stands for the broad range of the museum community.

Museums are essential community infrastructure for many reasons:

—Museums are economic engines and job creators. According to Museums as Economic Engines: A National Report, U.S. museums (pre-pandemic) support more than 726,000 jobs and contribute $50 billion to the U.S. economy per year. The economic activity of museums generates more than $12 billion in tax revenue, one-third of it going to State and local governments. For example, the total financial impact that museums have on the economy in the State of Maine is $195 million, including supporting 3,405 jobs. For Ohio it is a $1.54 billion impact supporting 25,973 jobs. This impact is not limited to cities: more than 25 percent of museums are in rural areas. The import of these data is not the numbers alone-but the larger point that museums give back tremendously to their communities in numerous ways, including economically. The Federal funding for NEA, NEH, and the other programs does not stay in Washington, DC-it goes back to communities across the Nation. And it is leveraged many times over by private philanthropy, and State and local investments.

—Museums are key education providers. Museums spend more than $2 billion yearly on education activities; the typical museum devotes 75 percent of its education budget to K–12 students, and museums receive approximately 55 million visits each year from students in school groups. Museums also answered the call and significantly ramped up online educational programs and resources for students and families throughout the pandemic. Museums help teach the State and local curriculum in subjects ranging from art and science to history, civics, and government. Museums have long served as a vital resource to homeschool learners. It is not surprising that in a public opinion survey, 97 percent of respondents agreed that museums were educational assets in their communities. The results were statistically identical regardless of political persuasion or community size.

—Museums will be essential to rebuilding communities as we emerge from the pandemic. During the COVID–19 pandemic, museums across the country have

continued contributing to the ongoing education of our country's children by providing lesson plans, online learning opportunities, and drop-off learning kits to teachers and families. They are using their outdoor spaces to grow and donate produce to area food banks, as well as maintaining these spaces for individuals to safely relax, enjoy nature, and recover from the mental health impacts of social isolation. They provided access to childcare and meals to families of health care workers and first responders, have donated their PPE and scientific equipment to fight COVID–19, and are serving as vaccination centers. Despite the financial and psychological stress caused by the pandemic, museum professionals are filling the gaps to meet the needs of their communities and will be vital to their recovery. Museums are demonstrating the critical role they play in our country's infrastructure and deepening their social impact in their communities, addressing learning loss, and fostering intra-community trust and dialogue.

The National Endowment for the Humanities (NEH) is an independent Federal agency created by Congress in 1965. Grants are awarded to nonprofit educational institutions, including museums, for educational programming, infrastructure and the care of collections. NEH supports museums as institutions of lifelong learning and exploration, and as keepers of our cultural, historical, and scientific heritages that can foster critical dialogues on challenging issues.

In October 2021, NEH awarded $87.8 million in American Rescue Plan (ARP) funding to nearly 300 cultural and educational institutions, including museums, to help them recover from the economic impact of the pandemic, retain and rehire workers, and reopen sites, facilities, and programs. Grant awards were made in all 50 U.S. States.

In fiscal Year 2021, in addition to the money distributed through ARP grants, the NEH awarded 677 grants totaling more than $85.4 million to institutions across the U.S., including museums. All of NEH's divisions and offices support museums, including the Office of Challenge Grants which offers matching grants to support much needed capacity building and infrastructure projects at museums. Humanities councils in every State and U.S. territory sponsor family literacy programs, speakers' bureaus, cultural heritage tourism, exhibitions, and live performances. Many councils also offer grants to local cultural organizations, including museums.

In preparation for the U.S. Semiquincentennial in 2026, NEH's new "A More Perfect Union" initiative provides funding opportunities across the agency's seven grantmaking divisions for humanities projects that promote a deeper understanding of American history and culture and that advance civic education and knowledge of our core principles of government.

Here are just two examples of how NEH funding was used to support museums' work in your communities:

—The Portland Art Museum, OR, received a $750,000 Challenge grant (2020–2024) for construction of a pavilion to connect the museum's primary buildings, providing expanded and enhanced art and public spaces, increasing accessibility, and furthering physical and intellectual connections between the collections and programs. A community commons will become one of Oregon's grand free public spaces. The grant will leverage $3 million over the 4-year grant period, with funds coming from individual donors and foundations.

—The Baranov Museum in Kodiak, AK, received a $49,740 ARP grant to support sustaining and enhancing the museum's temporary exhibits program. The museum co-curates two exhibits per year with members of the Kodiak community and develops a series of programs/events that pair with each temporary exhibit to create community-centered, mission-driven programming to advance cultural and educational opportunities directly connecting with its mission and values.

The National Endowment for the Arts (NEA) makes art accessible to all and provides leadership in arts education. Established in 1965, NEA supports great art in every congressional district. Its grants to museums help them exhibit, preserve, and interpret visual material through exhibitions, residencies, publications, commissions, public art works, conservation, documentation, services to the field, and public programs.

In January 2022, the NEA announced it had recommended ARP awards totaling $57.7 million to 567 arts organizations, including museums, to help the arts and cultural sector recover from the pandemic. Organizations are using this funding to save jobs and to fund operations and facilities, health and safety supplies, and marketing and promotional efforts to encourage attendance and participation. Grants were recommended to organizations in both rural and urban communities in all 50 States. Among the recommended organizations, 27 percent were first-time NEA grantees

and 78 percent were small- or medium-sized organizations with budgets of less than $2 million.

Since 2010, the NEA has collaborated with Blue Star Families and the U.S. Department of Defense on Blue Star Museums, which provides free museum admission to active duty military and their families all summer long. In 2019, more than 2,000 museums in all 50 States participated, reaching on average more than 900,000 military members and their families.

The Federal role of the NEA is uniquely valuable; receiving a grant from the NEA confers prestige on supported projects, strengthening museums' ability to attract matching funds from other public and private funders. On average, each dollar awarded by the NEA leverages up to nine dollars from other sources. No other funder-public or private-funds the arts in every State and the U.S. territories. Forty percent of NEA's grant funds are distributed to state arts agencies for re-granting.

Here are two examples of how NEA funding was used to support museums' work in your communities:

—The High Desert Museum in Bend, OR, received a $35,000 grant to support an exhibition of commissioned artwork by Plateau Indian artists that demonstrate the resiliency of Indigenous cultures. The exhibition will feature artwork alongside narratives and images from their respective communities, which will be exhibited alongside stories and videos of Tribal youth learning about cultural traditions.

—The Anchorage Museum, AK, received a $70,000 grant to commission artists to create work that focuses on sound, the environment, and wellness. Artwork from emerging and professional artists will be presented, with a focus on artists from the Circumpolar North and Indigenous artists who work on issues connected to climate change and climate justice, as well as musicians whose work is derived from sound ecology.

In addition to these direct grants, NEA's Arts and Artifacts Indemnity program also allows museums to apply for Federal indemnity on major exhibitions, saving them as much as $30 million in insurance costs every year and making many more exhibitions available to the public-all at virtually no cost to the American taxpayer.

The Smithsonian Institution comprises some of the most visited museums in the world. The National Museum of African American History and Culture has captivated audiences from around the globe, underscoring the power of our National museums to educate and inspire. We support funding increases that would allow these world-class museums to undertake critical collections care, make needed technology upgrades, conduct cutting-edge research of every type, and increase access for all. And we applaud the establishment of the Smithsonian American Women's History Museum and the National Museum of the American Latino.

The Historic Preservation Fund is the funding source of preservation awards to States, Tribes, local governments, and nonprofits. State and Tribal Historic Preservation Offices carry out the historic preservation work of the Federal Government on State and Tribal lands. Historic preservation programs are not only essential to protecting our many heritages; they also serve as economic development engines and job creators, and provide vital funding to help museums serve their communities.

I hope that my testimony helped make it clear why these priorities are of critical importance to the Nation and how they provide a worthwhile return on investment to the American taxpayer.

[This statement was submitted by Laura L. Lott, President, CEO of the American Alliance of Museums.]

PREPARED STATEMENT OF AMERICAN BIRD CONSERVANCY

To help bolster programs needed to reverse bird declines and the loss of three billion birds since 1970, American Bird Conservancy respectfully requests continued funding increases for bird conservation programs in the fiscal Year 2023 Interior Appropriations bill. These include the Neotropical Migratory Bird Conservation Act (NMBCA), Migratory Bird Joint Ventures, State of the Birds Activities, ESA recovery, and mosquito control in Hawai'i.

Congress and the Biden Administration must take bolder action to fight climate change by protecting carbon-dense old growth forests, re-establishing Obama administration mitigation policies, and emphasizing development of low-impact distributed solar energy. Funds are needed to research solar energy producing glass products

that reduce bird collisions, and to mitigate wildlife impacts from renewable energy development. Thank you for considering these requests.

Fiscal Year 23 Bird Conservation Recommendations

(all figures in millions)

Program	FY 21 Final	FY 22 Budget	FY 22 House	FY 22 Senate	FY 22 Final	FY 23 Budget	FY 23 to Bring Birds Back
Neotropical Migratory Bird Conservation Act	$4.9	$7.9	$6.5	$6.0	$5.0	$7.9	$20
Migratory Bird Joint Ventures	$15.1	$17.6	$18.8	.....	$15.56	$18.09	$20
State of the Birds + Mosquito Control Project	$3.5	$3.5	$4	$4.25	$3.75	.....	$12 FWS +$6 NPS +$2 USGS +

Migratory Birds—NMBCA: Please increase funding for migratory bird conservation including wintering grounds in Latin America and the Caribbean by providing $20 million for the Neotropical Migratory Bird Conservation Act. This program is essential to the conservation of wintering habitats, building capacity of our Latin American and Caribbean partners, and providing greater access to conservation resources in a region where it is urgently needed. Senators Ben Cardin and Rob Portman have introduced S. 4187 to update and reauthorize the program at $20 million for fiscal Year 2023 and ramping up to $25 million by 2027.

Migratory Bird Joint Ventures (JVs) are essential to address the conservation needs of migratory birds, and they leverage significant matching contributions from partner organizations and foundations. We recommend that to help reverse bird declines the Joint Ventures be allocated $20 million.

Hawai'i and Mosquito Control: We greatly appreciate the $3.75 million in funding provided in the fiscal Year 2022 spending agreement for State of the Birds Activities dedicated to arresting the bird extinction crisis in Hawai'i. For fiscal Year 23, please allocate $12 million for State of the Birds activities and the mosquito control project in Hawaii needed to save endangered forest birds and prevent multiple imminent climate-induced extinctions. An additional $6 million for the National Park Service and $2 million for the US Geological Survey is requested to support the mosquito control project.

Reducing Window Collisions: Provide $10 million to continue work by the National Park Service and other agencies to retrofit Department of the Interior buildings and visitor centers to make them bird-safe. To build on the significant progress underway to retrofit National Park Service structures to reduce bird collisions, we recommend $10 million in funding, and we greatly appreciate the following commendable fiscal Year 22 House Interior bill report language:

Bird-Safe Solar Glass—A Win-Win for Climate and Wildlife: Provide $10 million in annual funding to research and develop bird-safe solar-collecting windows. Research on both bird-safe and solar collecting glass products can be combined to create a valuable and desirable product for both commercial buildings and homes that can generate renewable energy while also greatly reducing bird deaths from window collisions.

Endangered Species Recovery: Increase funding for avian recovery programs, particularly in Hawaii as mentioned above, and for critically endangered birds such as the California Condor, Spectacled Eider, and Florida Grasshopper Sparrow. An additional $5 million for recovery activities is needed for these and other listed birds with declining populations such as the Marbled Murrelet which was recently listed as endangered by the State of Oregon. Funding is needed to enable FWS to conduct at-sea surveys in all Marbled Murrelet conservation zones in the same year providing decision makers with a complete and accurate population status assessment.

FAIR AND EQUITABLE MIGRATORY BIRD CONSERVATION

We ask the Committee to please:

Continue expressing support for a Biden administration rulemaking to clarify protections for birds under the Migratory Bird Treaty Act, and to further conserve birds by establishing an incidental take permitting system and general sector permits to reduce preventable mortality as outlined in the Migratory Bird Protection Act.

Support an expansion of the Neotropical Migratory Bird Conservation Act. The administration is proposing $7.9 million for fiscal Year 23, and legislation is soon to be introduced authorizing a $20 million appropriation ramping up to $25 million by fiscal Year 2027. This program is essential for making bird conservation accessible to Latin American partners working to conserve wintering grounds for the migratory birds that flock to and breed in the U.S.

GREATER SAGE-GROUSE CONSERVATION

We remain deeply concerned by the Greater Sage-Grouse ESA listing rider given a recent US Geological Survey report indicating the species is in severe decline, and that that trend is anticipated to continue. Therefore, we urge that bill language be added directing Federal agencies to manage for the grouse as though it were an endangered species under the Endangered Species Act.

The remaining grouse strongholds need immediate protection. To protect both grouse and climate, we request a spending limitation precluding oil and gas drilling and leasing in priority sagebrush habitat. In addition, we recommend the Committee add bill language directing the Bureau to protect identified priority sagebrush habitat as Areas of Critical Environmental Concern to be managed for conservation and restoration purposes.

CLIMATE CHANGE AND ENERGY DEVELOPMENT

We appreciate the report language included in the fiscal Year 22 Senate bill encouraging reduction of wind energy development impacts and application of available best practices, and urge that this thoughtful guidance be continued as the pace of renewable development increases. Please include language emphasizing environmentally appropriate siting and minimizing wildlife impacts of renewable energy facility development by encouraging Federal agencies to avoid ecologically important areas on public lands and in Federal waters.

We urge you to encourage Federal agencies to aggressively incentivize and subsidize energy efficiency measures, and deployment of solar in the already-developed landscape (i.e., distributed solar). A recent study by The Nature Conservancy and Defenders of Wildlife found that distributed solar energy could power all of Long Island, New York, with capacity to spare. Distributed solar has a much greater role to play in combating climate changes, and is a powerful job creator with no substantial impacts to wildlife.

PUBLIC LANDS PROTECTION AND FOREST CARBON

We are encouraged by the Executive Order to map and conserve Old Growth and Mature Forests which could make a major contribution to address climate change. Most carbon (80 percent+) is released into the atmosphere soon after logging. This makes the cutting of mature and old growth forests particularly harmful because of the decades or centuries-long carbon debt that is then incurred. This policy is long overdue: ABC and conservation partners have been asking for sound science-based policies to enlist forests into the fight against climate change by conserving mature and old growth forests in the Pacific Northwest since 2009.

Addressing the duel climate and biodiversity crises will require land use changes to protect existing carbon stores held in standing forests, as well as adoption of new conservation measures to maintain or restore biodiversity hotspots. Please include language recommending:

1. The protection of existing carbon stores in mature and old growth forests that provide habitat for the threatened Marbled Murrelet and Northern Spotted Owl.

2. Interior, Agriculture, and Commerce Departments initiate a joint study to identify and map lands and waters of highest priority for maintaining biodiversity and climate resilience. Please see our comment regarding the America the Beautiful Atlas.

PESTICIDES

We are concerned by the slow response to scientific studies indicating organophosphate and neonicotinoid pesticides are causing significant environmental harm including insect population declines, bird population declines, waterway contamination, and soil contamination. Please include report language encouraging EPA to:

1. Restrict the pre-emptive use such as seed-treatments of all currently registered neonicotinoid products; and 2. Conduct a scientific review of their impacts to birds, insects, and the overall environment and report these findings to Congress; and, 3.

Clarify the Treated Article Exemption, FIFRA § 152.25 so as to not include pesticide coated seeds; and 4. Uphold the tolerance revocation on chlorpyrifos while banning all uses of it; and 5. Request that FWS ban the use of agricultural pesticides on National Wildlife Refuges and other important bird habitats similar to the manner in which it was previously requested neonicotinoids be phased out via Memorandum in 2014.

LEAD AMMUNITION AND FISHING TACKLE

As many as 16 million birds die each year from ingesting lead, with population level impacts to Bald and Golden Eagles. In addition, recovery of the endangered California Condor is currently being prevented by ongoing lead poisonings. To address this threat, we ask FWS to:

1. Move to phase out lead ammunition and fishing tackle within a reasonable time period.

2. Provide interim protection from lead within the range of the California Condor, on National Wildlife Refuges, and on other important bird areas.

3. Provide funds for hunter education, outreach, and acquisition of nontoxic products to facilitate a smooth transition away from lead.

[This statement was submitted by Steve Holmer, Vice President of Policy, American Bird Conservancy.]

PREPARED STATEMENT OF THE AMERICAN HIKING SOCIETY

With the full support of American Trails, American Motorcyclist Association, Back Country Horsemen of America, Equine Land Conservation Resource, International Mountain Bicycling Association, National Wilderness Stewardship Alliance, Rails-to-Trails Conservancy.

Chair Merkley, Ranking Member Murkowski, and members of the subcommittee, on behalf of American Hiking Society and the millions of trail users our collective organizations represent who spend their time, money and energy to get out on trails for recreation, health and wellness, and to volunteer, I thank the Committee for the opportunity to provide testimony on the importance of adequately funding our Nation's trails and public lands to ensure access for all. We ask the Committee to adopt the following funding requests so the Federal Government can continue to leverage private contributions and benefit from volunteer labor as well as provide inexpensive, healthy outdoor recreation options for your constituents and all Americans. Appropriations for Federal land management agencies requested herein, coupled with the significant resources provided by non-profit partners, serve to accelerate collective stewardship of our Nation's public lands and waters and enhance climate adaptability.

SUMMARY OF REQUESTS

Forest Service:

—Capital Improvement and Maintenance (CMTL), Trails at $30.51M, including $11.957M for National Scenic and Historic Trails, and funding for the National Forest System Trail Stewardship Trail Partner Funding;

—$72M to fund Recreation, Heritage & Wilderness;

—$100M to fund Legacy Roads & Trails as a separate line item

Bureau of Land Management:

—Trails Line Item

—National Conservation Lands at $87.145M;

—$9.644M to fund National Conservation Lands- National Scenic Historic Trails, sub-activity Recreation Resources Management, $1.5M for deferred maintenance projects on the Iditarod and Pacific Crest Trails, and $10k for an Indigenous Places Names project on the Arizona Trail

U.S. Fish and Wildlife Service:

—Refuge Visitor Services at least $93M

National Park Service:

—Rivers, Trails, & Conservation Assistance (RTCA) program at $15M;

—Park Service Operations for the National Trails System maintained at a minimum of $22.18M;

—Volunteers in Parks programs at a minimum of $8M, including dedicated funding to the National Trails System;

—Visitor Services sub-activity, Youth Partnership Programs at a minimum of $10.95M, including an acknowledgment of the benefits for trails;

—Outdoor Recreation Legacy Partnership (ORLP) Program, at a min $125M

US Geological Survey:

—$1.5M to fully fund the National Digital Trail Project (NDTP)

(Across Agencies) Restore Staffing for Federal Land Managers

FOREST SERVICE RECOMMENDATION

National Forest trails benefit everyone and receive increasing public use each year. Collectively, the National Forests provide 159,000 miles of trails for activities ranging from hiking, biking, horseback riding, off-highway vehicle usage, groomed winter trails for cross-country skiing and snowmobiling, and access points for "river trails." Roughly 120,000 of the 159,000 miles of trails are in need of some form of maintenance or repair.

Program: Capital Improvement and Maintenance, Trails
FY23 Funding Level Requested: $30.51M
FY22 Level: $18.5M
Department: US Department of Agriculture
Agency/Account: Forest Service, Capital Improvement and Maintenance, Trails
Report Language requested: "Volunteer groups, Tribal organizations, and non-profit partners are integral to the trail building and maintenance required for the 159,000 miles of trails on National Forest System lands, including more than 10,000 miles of nationally designated scenic, historic, and recreation trails. The Committee supports the Forest Service's 10–Year Trail Shared Stewardship Challenge and continuing the Trail Stewardship Partner Funding Program to facilitate these efforts. The Committee is aware of the growing need to sustain and increase the capacity for resilient trail building within the outdoor recreation community."
"National Scenic and Historic Trails.—The Committee directs the Forest Service to continue to provide specific trail operation, maintenance, and construction funding and accomplishment data for the National scenic and historic trails in future budget justifications."

Program: National Forest System Trail Stewardship Trail Partner Funding Program
Department: US Department of Agriculture
Agency/Account: Forest Service, Capital Improvement and Maintenance, Trails
Report Language requested: Within Capital Improvement and Maintenance, Trails the committee supports continued funding for the National Forest System Trail Stewardship Trail Partner Funding Program. Much of the Forest Service's trail work is accomplished today by volunteer groups and non-profit partners. The Forest Service has a successful Trail Stewardship Partner Funding challenge cost share program that leverages Federal funding by 3 to 5:1.

Program: Recreation, Heritage & Wilderness
FY23 Funding Level Requested: $72
FY22 Level: $38M
Department: US Department of Agriculture
Agency/Account: Forest Service, Recreation, Heritage & Wilderness

Program: Legacy Roads & Trails
FY23 Funding Level Requested: $100M
FY22 Level: $5M & restored line item.
Department: US Department of Agriculture
Agency/Account: Forest Service, Legacy Roads & Trails

BLM RECOMMENDATION

The BLM manages 13,468 miles of trails over 245 million acres -more land than any other Federal land management agency and contains a diversity of landscapes

that often provide the public less structured but nonetheless diverse recreational opportunities. BLM recreation resources and visitor services support strong local economies. More than 120 urban centers and thousands of rural towns (comprising 64 million people) are located within 25 miles of BLM lands.

Program: Bureau of Land Management Trails Funding
FY23 Funding Level Requested: See Report Language Below
FY22 Level: Report Language Included
Department: Bureau of Land Management
Agency/Account: Trails
Report Language requested: "The committee directs the Bureau of Land Management to create a trails line item in the BLM budget, including $9.63M for National Scenic and Historic Trails."

Program: National Conservation Lands
FY23 Funding Level Requested: $87.145M
FY22 Level: $49.274M
Department: Bureau of Land Management
Agency/Account: Bureau of Land Management, National Conservation Lands

Program: National Conservation Lands-National Scenic Historic Trails, sub-activity Recreation Resources Management
FY23 Funding Level Requested: $9.63M
FY22 Level: $6.547M
Department: Bureau of Land Management
Agency/Account: Bureau of Land Management, National Conservation Lands
Report Language requested: Within National Conservation Lands, unit-level allocations for each of the National scenic and historic trails shall be provided.

FWS RECOMMENDATION

Refuge Visitor Services provides funding for trail maintenance across FWS-managed land. Located in every U.S. state and territory, and within an hour's drive of nearly every major U.S. city, National Wildlife Refuges provide incredible opportunities for outdoor recreation, including hiking, hunting, fishing, birding, boating and nature photography across 2,500 miles of trails. More than 37,000 jobs are reliant on refugees. Funding at a level of $93M will provide for trail maintenance across the land and water trails, refuges, wetlands, and hatcheries, including 11 National Scenic and Historic Trails and forty-four National Recreation Trails.

Program: Visitor Services
FY23 Funding Level Requested: $93M
FY22 Level: $77.237M
Department: Department of Interior
Agency/Account: Fish and Wildlife Service, Visitor Services

NPS RECOMMENDATION

National Parks, and the world-class experiences their 18,844 miles of trails provide, are one of the most unifying forces in America. Well-maintained trails improve the quality of visitor experiences and enhance visitor safety.

Program: Rivers, Trails, & Conservation Assistance (RTCA)
FY23 Funding Level Requested: $15M
FY22 Level: Unknown
Department: Department of Interior
Agency/Account: National Park Service, National Recreation and Preservation
Report Language requested: Within, National Recreation and Preservation, $15M for the Rivers, Trails, & Conservation Assistance program.

Program: National Trails System
FY23 Funding Level Requested: $22.18M
FY22 Level: $16.856M
Department: Department of Interior
Agency/Account: National Park Service, Park Service Operations
Report Language requested: Within, Park Service Operations, $22.18M for administration of the National Trails System.

"*National Trails System.*—The Committee understands the importance of providing adequate funding to develop and maintain the National Trails System for future generations to enjoy. The Committee urges the Service to continue its efforts to support construction and maintenance projects and volunteer coordination efforts, including activities in support of non-unit National Scenic Trails."

Program: Volunteers in Parks
FY23 Funding Level Requested: $8M
FY22 Level: Unknown
Department: Department of Interior
Agency/Account: National Park Service, Park Partnership Support Functions
Report Language requested: The committee recommends funding through Volunteers in Parks be provided for volunteer support of the National Trails System, National Rivers, and National Park Service trails.

Program: Youth Partnership Programs
FY23 Funding Level Requested: $10.95M
FY22 Level: Unknown
Department: Department of Interior
Agency/Account: National Park Service, Visitor Services
Bill Language requested:
Report Language requested: The committee recommends funding through the Youth Partnership Programs be provided for support of the National Trails System, National Rivers, and National Park Service trails.

Program: Outdoor Recreation Legacy Partnership
FY23 Funding Level Requested: At least $125M
FY22 Level: Unknown
Department: Department of Interior
Agency/Account: National Park Service, State Conservation Grants
Report Language requested: The committee recommends funding through the Outdoor Recreation Legacy Partnership Program be provided for support of trails, including the National Trails System.

US GEOLOGICAL SURVEY RECOMMENDATION

Program: National Digital Trail Project
FY23 Funding Level Requested: $1.
FY22 Level: $0.85M
Department: U.S. Geological Survey
Agency/Account: U.S. Geological Survey, Core Science Systems

(ACROSS AGENCIES) RESTORE STAFFING FOR FEDERAL LAND MANAGERS RECOMMENDATION

Federal land managers, including those overseeing recreation and trails programs across NPS, USFS, BLM, and FWS sites, continue to face staffing shortages impacting the ability to adequately manage, maintain, and conserve the Nation's trails. Across the board land management agency staffing needs to be increased in order to support all aspects of trail management and maintenance, including volunteer engagement and partnerships, land acquisition, on the ground maintenance of trails systems that are desperately in need of attention to reduce maintenance backlogs, ensure that trails are safe and accessible, and address current and anticipated high levels of public use.

[This statement was submitted by Kathryn Van Waes, PhD., Executive Director, American Hiking Society.]

PREPARED STATEMENT OF THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM (AIHEC)

REQUEST SUMMARY

On behalf of the Nation's Tribal Colleges and Universities (TCUs), which are the American Indian Higher Education Consortium (AIHEC), we are pleased to present our Fiscal Year 2023 (FY 2023) appropriations recommendations for the 29 colleges funded under Titles I and II of the Tribally Controlled Colleges and Universities Assistance Act (TCU Act); the two tribally chartered career and technical postsecondary institutions funded under Title V of the TCU Act; the two Bureau of Indian Education (BIE) postsecondary institutions; and the Institute of American Indian Arts (IAIA). The BIE administers these programs, with the exception of IAIA, which is funded in its own account. We respectfully recommend the following funding levels:

—$93,257,409 to fund institutional operations under Title I ($75,447,409) and Title II ($17,000,000), along with TCU Endowments ($109,000) and technical assistance ($701,000), of the TCU Act. This funding would provide the Congressionally authorized amount of $9,937*/Indian student for first time since the enactment of the TCU Act more than 40 years ago (*$8,000 per Indian student adjusted for inflation). This request also provides an additional $100,000 for needed technical assistance, which has been level-funded for 15 years despite growing numbers of developing TCUs and increased demands for accountability and student success.

—$15,000,000 for Title V of the TCU Act, which provides partial institutional operations funding for two tribally chartered postsecondary career and technical institutions.

—$11,772,000 for the Institute of American Indian Arts.

—$30,000,000 for Haskell Indian Nations University and Southwestern Indian Polytechnic Institute, the BIE's two postsecondary institutions.

—$35,000,000 for TCU Infrastructure Improvement, authorized under section 113 of the TCU Act.

OPPORTUNITY AND INNOVATION IN INDIAN COUNTRY

The nation's 35 accredited TCUs operate more than 75 campuses and sites in 15 States. TCU geographic boundaries encompass 80 percent of American Indian reservations and Federal Indian trust lands. American Indian and Alaska Native (AI/AN) TCU students represent more than 230 federally recognized Tribes and hail from more than 30 States. Nearly 80 percent of these students receive Federal financial aid and nearly half are first generation students. In total, TCUs serve more than 160,000 AI/ANs and other rural residents each year through a wide variety of academic and community-based programs. TCUs are public institutions, chartered by federally recognized Indian Tribes or the Federal Government. No TCU is chartered by any other entity, and although several financially challenged institutions may desire to be a Tribal Colleges or University, the criteria and standards are unambiguous, with Tribal control being the central pillar. Further, all TCUs receiving Federal funding have full and sustained accreditation by independent regional accreditation agencies and, like all U.S. institutions of higher education, must regularly undergo stringent performance reviews to retain their accreditation status. Each TCU is directly accountable to its Tribal community/communities, and each one is committed to improving the lives of its students through higher education and to moving AI/ANs to self-sufficiency. Our collective vision is strong sovereign Tribal Nations through excellence in Tribal higher education. To achieve this vision, TCUs have become workforce and job creation engines, public libraries, Tribal archives, small business incubators, and community computer labs. They operate Native language learning centers and immersion programs, community gardens, economic development centers, childcare centers, and applied research hubs for everything from natural resources to food sovereignty and community behavioral health.

Despite the hope and opportunity that higher education brings to Tribal communities, as well as the trust responsibility and binding treaty obligations, the Federal Government has never fully funded TCU institutional operations authorized under the TCU Act (*$9,937 per Indian student = $8,000 per Indian student adjusted for inflation). But TCUs are resilient and resourceful, and we are proud to be leading the Nation in many areas, including preparing an AI/AN workforce of nurses, land managers, and teachers for tribal-serving schools. For example, half of all AI/AN special education teachers in Montana are graduates of Salish Kootenai College. TCUs prepare professionals in high-demand fields, including agriculture and natural resources management, information technology, and building trades. By teaching the job skills most in demand on our reservations, TCUs are laying a foundation for Tribal economic growth, which is the only way to move Tribes and Tribal members to self-sufficiency. Yet, we know that workforce development is not enough. We must do more to accelerate the move to self-sufficiency—we must move beyond simple workforce training. We must create new industries and new businesses and build a new culture of innovation. Our job creation initiative is focusing initially on advanced manufacturing through a partnership with the U.S. Department of Energy, National Laboratories, TCUs, and industry. Already, we are seeing results with new TCU-Tribal-Industry partnerships, new contracting opportunities, and new jobs for our students and graduates.

Tribal Colleges and Universities continually seek to instill a sense of hope and identity within AI/AN youth, who will one day lead our Tribal nations. Unaccept-

ably, the high school dropout rate for AI/AN students remains around 50 percent. TCUs work with local schools to create a bridge for AI/AN students as early as elementary school, encouraging them to stay focused on achievable goals, finish high school, and go on to the local TCU. TCUs offer dual credit courses for high school students, provide math teachers for local high schools to improve course delivery, and host weekend academies, after school programs, and summer camps for middle and high school students. At the other end of the spectrum, TCUs offer GED/HiSET training and testing and have 2+2 partnerships to bridge programs with regional universities. All are solid steps to bolster future prospects for AI/AN youth and break the cycle of generational poverty.

COVID–19 PANDEMIC IMPACT ON TCUS

Despite facing serious financial, Internet connectivity and equipment, and faculty professional development challenges that are far worse than other schools and colleges in the U.S. and having student (and faculty) populations at greater health risk than other groups in the U.S., the Nation's 35 accredited TCUs have worked diligently to respond to the COVID–19 pandemic in a comprehensive manner, addressing both the needs of students and community. As place-based, community-anchoring institutions, TCUs had no choice but to continue to serve Tribal nations to the best of their abilities. Most TCUs have not closed at any point during the pandemic, and those that ceased operations did so only for a few weeks. As TCUs work to mitigate the devasting impacts of the pandemic in Tribal communities, TCUs are also facing drastic changes in enrollment with a future impact on Federal funding formulas.

Academic Year (AY) 2022–23 Challenges: As the economic decline resulting from the COVID–19 pandemic extends into the foreseeable future, the losses facing TCUs are growing. Most TCUs start their fiscal year on July 1. As TCUs plan for fiscal Year 2023 (AY 2022–23), they face:

—Reduction in support from chartering Tribal governments due to Tribal enterprise revenue losses, and the need for Tribes to divert scarce resources to address critical COVID–19 response issues (e.g. Tribal health budget increases, growing Tribal member safety net expenses). Past Tribal TCU support in 2018–19: $33,331,078; support in 2017–18: $31,049,542.

—Declines in enrollment as students drop out or fail to return because they lack Internet connectivity and cannot participate in online classes or because they need to increase work hours (if jobs are available) to help support families in economic crisis. TCU Fall 2019 Enrollment: 15,114; TCU Fall 2020 Enrollment: 14,844.

—Students facing growing financial challenges are unable to fully pay tuition and fees. This results in TCUs providing tuition waivers and writing off more tuition payments than in previous years. TCUs—as place-based, open door institutions—write off a significant amount of tuition each year because they want students to benefit from the opportunity of higher education. Annual TCU tuition write-off: 2019–20: $4,405,422; 2018–19: $4,000,595; 2017–18: $2,906,650.

TCU INFRASTRUCTURE NEEDS: BROADBAND, FACILITIES, AND OPERATIONS & MAINTENANCE NEGLECTED FOR 40 YEARS

For TCUs to realize our goals of strengthening our Tribes as sovereign nations and building a 21st century Native workforce, TCUs must have the facilities and infrastructure capable of educating and training students in a safe environment. It simply cannot be done on the scale needed in classrooms with leaking roofs and exposed and substandard electrical wiring; outdated computer labs; students sleeping in cars and trucks because there are no dorms; and the slowest—yet most expensive—Internet access of any institution of higher education in the country. Yet, that is what TCUs are asked to do.

We thank the House and Senate Interior Appropriations Committees for working together in fiscal Year 2021 to provide $15 million to create the new BIE "Tribal Colleges and Universities Facilities Improvement and Repair Fund". In July 2021, each TCU received $428,571 to begin to address urgent facilities and maintenance needs. In order to build on the committee's initial investment, we recommend further investments in the following areas:

TCU Facilities Study: We recommend the subcommittee provide funding for a comprehensive and unbiased TCU Facilities Study, to include all 35 accredited TCUs. to survey the condition of existing facilities, examine facilities-related health and safety concerns, and identify current and long-term infrastructure needs (25

U.S.C. 1812). Originally authorized over 40 years ago in the TCU Act, an in-depth study will provide a thorough inventory of facilities-related needs.

TCU Infrastructure Construction: The results of the proposed TCU facilities study will likely expand on the needs identified in a July 2021 AIHEC survey, which revealed many chronic unmet facilities and infrastructure needs, including lack of student and faculty housing, inadequate classroom space, insufficient libraries, and outdated laboratories. The self-reported survey resulted with the following estimates: $400 million (total) in deferred maintenance and rehabilitation costs and $2.7 billion (total) to complete existing master plans. We respectfully request $35 million be allocated in fiscal Year 2023 to begin addressing TCU infrastructure needs.

TCU Operations and Maintenance Account: In order to properly manage, fully use, and extend the lifespan of TCU facilities, AIHEC recommends the subcommittee provide funding for a TCU Facilities Operations and Maintenance Account. Currently, BIE K–12 schools receive operations and maintenance funding to address safety and health concerns, perform routine maintenance to optimize the lifecycle of facility-related systems, and protect land and property value. As outlined throughout this document, TCUs are creatively addressing a myriad list of needs with limited, thinly stretched budgets. The creation of a dedicated TCU Operations and Maintenance Account would allow TCUs to fully use current BIE TCU operational funding for "academic, educational, and administrative purposes" as outlined in the TCU Act, while building more parity within the BIE K–20 system.

CHALLENGES: INDIAN STUDENT COUNT AND GROWTH ISC FORMULA AND NON–BENEFICIARIES

As noted earlier, TCU operations funding remains insufficient, and our budgets are further disadvantaged; because, unlike other institutions of higher education, most TCUs receive operations funding based on the number of Indian students served, with "Indian student" defined as a member of a federally recognized Tribe or a biological child of an enrolled Tribal member. Yet, approximately 15 percent of TCU enrollments are non-Indian students. Many TCUs seek operating funds from their respective state legislatures for non-Indian state-resident students ("non-beneficiary students"), but success has been inconsistent. Given their locations, often hundreds of miles from another postsecondary institution, TCUs are open to all students, Indian and non-Indian, because we know that postsecondary education is the catalyst to a better economic future in rural America.

GROWTH OF TCUS

Since the enactment of the TCU Act more than 40 years ago, TCUs have never received the modest Congressionally authorized funding level ($9,937 per Indian student, $8,000 adjusted for inflation). Yet, we are so close: an increase of $17 million over the fiscal Year 2021 level is all that we need to fully fund TCUs for the first time ever. In the context of other Federal programs, our request is quite modest. For example, the only other minority serving institution that receives operating funding from the Federal Government, Howard University, received $205,788,000 for undergraduate programs in fiscal Year 2019, or about $23,000 student, along with $3 million for its endowment. We ask only for $9,937 per student for the Title I TCUs.

Over the past 10 years, this subcommittee has worked diligently to provide the extra resources needed to enable all TCUs to be funded on an academic year schedule. We are extremely grateful for this. The benefit to TCUs of being able to plan an annual budget and start the academic year with operating funding has been tremendous. Yet, during the time it took to provide this funding, four new TCUs became eligible to receive funding under Title I of the TCU Act: College of the Muscogee Nation (Okmulgee, OK), Red Lake Nation College (Red Lake, MN), Tohono O'odham Community College (Sells, AZ), and White Earth Tribal and Community College (Mahnomen, MN). Unfortunately, Title I funding has not kept pace with inflation, much less received increases sufficient to support new TCUs. For example, between fiscal Year 2014–2018, funding for the 28 Title I TCUs was flat despite the growing need for higher education across Indian Country. As we move forward, we are worried about TCU operating funding: at least three new TCUs could join the pool soon (Alaska Pacific University, California Tribal College, and San Carlos Apache College). The addition of these TCUs is important for Indian Country, but only if support is available to ensure that they can operate effectively.

CONCLUSION

TCUs provide quality higher education to thousands of AI/ANs and other rural residents and provide essential community programs and services to those who might otherwise not have access to such opportunities. The modest Federal investment in TCUs has paid great dividends in terms of employment, education, and economic development and has significantly reduced social, health care, and law enforcement costs. The global pandemic has exacerbated existing challenges and created new challenges for TCUs as they plan for an uncertain future. More than even, TCUs need your ongoing support. We appreciate the subcommittee's past support of the Nation's TCUs and your thoughtful consideration of our fiscal Year 2023 appropriations requests.

[This statement was submitted by Carrie L. Billy, President & CEO.]

PREPARED STATEMENT OF THE AMERICAN INSTITUTE OF BIOLOGICAL SCIENCES

The American Institute of Biological Sciences (AIBS) appreciates the opportunity to provide testimony in support of appropriations for the Smithsonian Institution, United States Geological Survey (USGS), United States Fish and Wildlife Service (USFWS), and Environmental Protection Agency (EPA) for fiscal year 2023. We encourage Congress to provide additional funding to the Smithsonian Institution in fiscal Year 2023, including at least $60 million to the National Museum of Natural History with new funding to support scientific and curatorial work. We urge Congress to provide the USGS with $1.85 billion in fiscal Year 2023, with at least $360 million for its Ecosystems Mission Area. We further request that Science Support within USFWS be provided at least $36 million in fiscal Year 2023. Lastly, we request that Congress provide EPA Science and Technology with at least $850 million in fiscal Year 2023.

The unprecedented loss of biological diversity and the associated negative impacts on human health and well-being are of significant concern. As human population grows and people increasingly come into contact with new environments and species migrating into new habitats, the risk of new diseases, such as zoonotic pandemics, is of growing concern. Biological diversity, however, offers a buffer against the spread of pathogens and contributes to environmental sustainability and increases our resilience to natural disasters. Robust Federal investments in scientific research and monitoring that improves our understanding of biological diversity and ecosystem function must be a priority as we emerge from the COVID–19 pandemic. The agencies funded by this appropriations bill are centrally involved in conducting, supporting, and using this scientific research for public benefit.

AIBS is a scientific association dedicated to promoting the use of science to inform decision-making that advances the biological sciences for the benefit of science and society. AIBS works to ensure that the public, legislators, funders, and the community of biologists have access to information to guide informed decision-making.

SMITHSONIAN INSTITUTION

Scientific collections and the professionals and scientists who collect, care for, and study these resources are a vital component of our Nation's research infrastructure and bioeconomy. Collections are a critical resource for advancing the knowledge needed to address current global challenges such as climate change, biodiversity loss, and pandemics.

The Smithsonian Institution's National Museum of Natural History (NMNH) is a valuable Federal partner in the curation of and research on scientific specimens. Scientists at the NMNH care for 146 million scientific specimens and ensure the strategic growth of this internationally recognized scientific research institution. To increase the availability of these scientific resources to researchers, educators, other Federal agencies, and the public, NMNH is working on a multi-year effort to digitize its collections and make the data available online. That effort will substantially increase the use of these collections by researchers, educators and students, and policymakers. NMNH is also working to strengthen curatorial and research staffing and to backfill positions left open by retirements and budget constraints. The current staffing level is insufficient to provide optimal care for the collections. Future curatorial and collections management staffing levels may be further jeopardized given prior funding cuts at science agencies, such as the USGS that, until recently, supported staff positions at NMNH.

The budget for NMNH has not seen adequate increases in recent years. We urge Congress to provide NMNH with at least $60 million in fiscal Year 2023 to allow

the museum to undertake critical collections care, make needed technology upgrades, and conduct cutting edge research.

U.S. GEOLOGICAL SURVEY

The USGS provides unbiased, independent research, data, and assessments that are needed by public and private sector decision-makers. Data generated by the USGS save taxpayers money by enabling more effective management of water and biological resources and providing essential geospatial information that is needed for commercial activity and natural resource management. The data collected by the USGS are simply not available from other sources.

The Ecosystems Mission Area is the biological research arm of USGS and is integral to the agency's other science mission areas. It provides the science needed to achieve sustainable management and conservation of natural resources and inform land and water stewardship. The USGS conducts research on and monitors fish, wildlife, and vegetation-data that informs management decisions by other Interior bureaus. Biological science programs collect and analyze long-term data not available from other agencies, universities, or the private sector. The knowledge generated by the USGS are used by Federal and State natural resource managers to maintain healthy and diverse ecosystems while balancing the needs of public use.

Examples of successful USGS Ecosystem initiatives include:

—Development of comprehensive geospatial data products that characterize the risk of wildfires on all lands in the United States. These products are used to allocate firefighting resources and to plan wildfire fuel reduction projects.

—Development and evaluation of control measures and other management interventions for invasive species, such as Asian carp and sea lamprey, that cause billions of dollars in economic losses to fisheries, hydropower, recreation, and many other industries.

—Development of the scientific understanding needed to combat the spread of avian flu, white-nose syndrome, and other diseases spread by wildlife in North America, including diseases that can jump from wild populations to livestock, agricultural systems, and humans.

The USGS also supports critical science needed to respond to a number of national and global challenges. Examples of the important work conducted by the USGS include:

—The National and Regional Climate Adaptation Science Centers. This program is responsible for developing the science and tools to address the effects of climate change on land, water, wildlife, fish, ecosystems, and communities. These centers play a vital role in addressing the impacts of unique weather patterns on ecosystem health across the country.

—The National Wildlife Health Center. This USGS-wide program investigates national and international wildlife health issues, including the spread of zoonotic pathogens, such as the virus that causes COVID–19. Zoonoses-diseases that spread from wildlife to humans-can pose serious threats to human health and cause significant disruptions to the economy.

—Cooperative Research Units (CRUs). CRUs are located on 40 university campuses in 38 States. These research centers are a cost-effective way for USGS to leverage research and technical expertise affiliated with these universities to conduct actionable research, provide technical assistance, and develop scientific workforces through graduate education and mentoring programs.

—Environmental Health Research. The Toxic Substances Hydrology and Contaminant Biology programs work collaboratively with other USGS Mission Areas, and with many external collaborators to study environmental contaminants and pathogens in the environment and provide the critical science needed to help Federal, State, and local government agencies, the private sector, non-governmental organizations, and other stakeholder groups protect fish and wildlife health.

—Research on ecosystems of concern. This research is a critical component of efforts to restore and manage important national resources, such as the Everglades and the Chesapeake Bay. The Changing Arctic Ecosystems initiative conducts research on wildlife and habitat responses to ecosystem change in the Arctic to inform land and species management decisions and address the needs of Arctic residents, including Native communities.

In summary, the USGS is uniquely positioned to provide a scientific context for many of the Nation's biological and environmental challenges, including pandemics, water quality and use, energy independence, and conservation of biodiversity. This array of research expertise not only serves the core missions of the Department of the Interior, but also contributes to management decisions made by other agencies and private sector organizations. USGS science also enables cost-effective decisions, as the agency's activities help to identify the most efficient management actions. Increased investments in these important research activities will yield dividends.

We urge Congress to provide significant funding increases to the Ecosystems Mission Area. In recent years, the budget for USGS has stagnated. Failure to make critical investments in the research conducted by the agency will hamper long-term data collection initiatives, lead to critical data loss, and undermine the Nation's ability to address national challenges.

We request that Congress fund USGS at $1.85 billion in fiscal Year 2023, with at least $360 million for the Ecosystems mission area.

U.S. FISH AND WILDLIFE SERVICE

Funding for the Science Support program within USFWS has remained essentially flat at $17.3 million since fiscal Year 2018. The program is slated to receive $23 million in fiscal Year 2022, $13 million below the level requested by President Biden. The Science Support program provides scientific information needed by USFWS, such as research on conservation of priority species prior to Endangered Species Act listing, the impacts of energy production on wildlife, and best management practices for combating invasive species, and needs to be robustly funded.

We request that Science Support be provided at least $36 million in fiscal Year 2023.

ENVIRONMENTAL PROTECTION AGENCY

Funding for EPA Science and Technology supports valuable research that identifies and mitigates environmental problems. EPA research informs decisions made by public health and safety managers, natural resource managers, businesses, and other stakeholders concerned about air and water pollution, human health, and land management and restoration. This program provides the scientific basis upon which EPA monitoring and enforcement programs are built.

Despite the important role of EPA Science and Technology in the Federal Government's ability to ensure that people have clean air and water, funding for its programs in recent years has remained significantly lower than the level enacted in fiscal Year 2010. Although President Biden proposed to increase EPA's overall budget by 21 percent in fiscal Year 2022, Congress provided only a 3 percent increase to the agency. Strong increases in funding are needed for programs such as the Science to Achieve Results (STAR) Research Grants Program, which supports extramural research that advances EPA's mission to protect human health and the environment, and the Global Change Research program, which develops scientific information that allows policy makers, stakeholders, and society to respond to climate change.

Please provide at least $850 million in fiscal Year 2023 to support scientific research at the EPA. This much needed increase will allow the agency to provide resources for efforts to protect and restore our Nation's natural resources.

CONCLUSION

We urge Congress to sustain its bipartisan support for science by investing in our Nation's scientific capacity. Thank you for your thoughtful consideration of this request.

[This statement was submitted by Jyotsna Pandey, Ph.D., Public Policy Director.]

PREPARED STATEMENT OF AMERICAN LUNG ASSOCIATION

Summary of FY 2023 Appropriations Recommendations:

—EPA topline—$11.9 billion

—Clean Air Program overall—$705.57 million

—Climate Protection Program—$135.38 million

—Federal Support for Air Quality Management—$299.4 million

—Federal Vehicle Fuels Standards and Certifications Programs—$152.2 million

—Categorical Grants: State and Local Air Quality Management—$500 million

—Categorical Grants: Tribal Air Quality Management—$33 million

—Compliance Monitoring—$144.77 million

—Enforcement—$291.3 million

—Environmental Justice Enforcement—$294.93

—Diesel Emissions Reduction Grant Program—$150 million

—EPA Radon Program—$5 million

—Categorical Grant: Radon—$16 million

—New Wildfire Smoke Protection Program—$15 million

Thank you for the opportunity to provide written testimony to highlight the funding priorities of the American Lung Association within the Environmental Protection Agency (EPA) for fiscal year 2023 (FY23). The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease through education, advocacy and research. Between the toll of lung cancer, the prevalence of asthma, the harms of unhealthy air and the lingering effects of the COVID–19 pandemic, investments in the Nation's lung health are critical. We urge the Committee to support $11.9 billion in funding for the Environmental Protection Agency.

EPA programs save lives and improve lung health. The Agency is responsible for setting and enforcing national air pollution standards; supporting State, local and Tribal air quality monitoring and pollution reduction efforts; educating the public about air toxics and air pollution; issuing grants to retrofit dirty diesel buses and more. Air pollution poses a threat to the health of all Americans, but there is someone in every family at heightened risk of health harms from breathing polluted air. There are nearly 37 million Americans living with a chronic lung disease like asthma or chronic obstructive pulmonary disease (COPD). Children, seniors, pregnant people and those who work and play outside are also more likely to suffer health harms. Additionally, people of color and those with low incomes face a greater risk of exposure to air pollution due to communities being overlooked for investment and enforcement in addition to longstanding racist practices like redlining.

The President's FY23 budget includes a 25 percent increase for EPA. We strongly support the budget request to ensure increased funding for programs that promote clean air and enforce pollution cleanup. Funds under EPA's Clean Air Program are used in part to assist States, Tribes and local air pollution control agencies with implementing comprehensive air quality management programs to meet the National air quality standards. This program also includes testing and oversight to ensure vehicles are emitting lawful amounts of pollution into the air as well as efforts to reduce carbon pollution, methane, and other climate pollutants to protect public health from the impacts of climate change. Please provide $523.97 million for Environmental Programs and Management and $181.6 million for Science and Technology. Within this program area, the Lung Association specifically requests $135.38 million for the Climate Protection Program; $299.4 million for Federal Support for Air Quality Management; and $152.2 million for Federal Vehicle Fuels Standards and Certifications Programs.

Accurately monitoring the air we breathe is the first step to addressing air pollution. Unfortunately, State, local and Tribal air agencies—who run most of the Nation's air quality monitoring system—have been perennially underfunded, and many areas are operating with out-of-date monitors. The Government Accountability Office release a report in 2020 showing that there has been a 20 percent decrease in funds, adjusted for inflation, since 2004.[1] Grant dollars provided under Section 103 and 105 of the Clean Air Act help fund air quality monitoring work, which informs the public of risks to their health and identifies areas in need of cleanup. We appreciated additional funds that were provided in the American Rescue Plan, but we know that more, regular and consistent funding is needed so that State, local and Tribal air agencies can add, upgrade and maintain air monitors and improve engagement with the public to protect health, as part of a multi-year, sustained investment in these critical programs. The National Association of Clean Air Agencies, an organization that represents many of the Section 103 and 105 recipients, surveyed its members to determine what they will need to successfully implement their programs under current and anticipated Federal requirements. The results showed that air agencies need large increases if they are to adequately protect health by

[1] Government Accountability Office. (2020). Air Pollution: Opportunities to Better Sustain and Modernize the National Air Quality Monitoring System (GAO–21–38)

monitoring air pollution levels.[2] Please provide $500 million for State and Local Air Quality Management Categorical Grants and $33 million for Tribal Air Quality Management Categorical Grants.

Compliance with EPA's air quality rules must be enforced if these safeguards are to truly achieve their intended health benefits. Investment in EPA's enforcement work is critical to ensure the public is protected from dangerous air pollution as the law requires. EPA must have the ability and funding needed to reduce non-compliance, as well as enforce penalties for violations. EPA must also be prepared to respond to civil enforcement actions authorized by the Clean Air Act. Additionally, air pollution does not impact everyone equally. The Administration has tasked EPA with prioritizing righting environmental injustices. To do so effectively, EPA needs dedicated funding for environmental justice. Please provide $144.77 million for compliance monitoring, $291.3 million for enforcement and $294.93 dedicated for enforcing environmental justice commitments.

One of the programs within EPA that continues to receive bipartisan support is the Diesel Emissions Reduction Act (DERA) Program. Millions of old, dirty diesel engines are in use today that pollute communities, threaten workers and cause lung cancer. According to a 2019 EPA report, the Committee's continued investments in this program have yielded up to $30 in health benefits for every $1 spent.[3] Immense opportunities remain to reduce diesel emissions through the DERA program, and we urge the Committee to appropriate $150 million in FY23. Additionally, we urge the Committee to continue supporting the rapid transition to electric school buses through the Clean School Bus Program provided by the Infrastructure Investment and Jobs Act. Millions of children ride a bus to school, exposing them to pollution from these dirty diesel engines. Investing in the transition to electric school buses will provide a safer, healthier environment for children, who are among those most at risk of health harm from breathing in pollution.

Radon is an odorless, colorless gas that seeps through the ground as it shifts and is the second leading cause of lung cancer in the United States. EPA's radon program and its State Indoor Radon Grants are the only nationwide tools that help prevent exposure to radon. States and Tribes depend on these programs to educate the public and fight this deadly carcinogen. We recommend $5 million for EPA's Radon Program and $16 million for the State Indoor Radon Grants. Additionally, we recommend that the Agency move away from the use of the EPA zone map to indicate areas of concern. Radon is a dangerous substance that should be tested for and abated regularly. The EPA radon zone map is outdated and could falsely lead families to thinking their zone 1 community is safe, when in reality, every home has the potential to have unsafe levels of radon.

We are also renewing our request for a new program to be housed with EPA and note that the President's Budget Request includes a new program at the agency to address the health impacts of wildfires and wildfire smoke. Wildfires are no longer a rare occurrence, making wildfire smoke an urgent and increasing threat to health. Currently there are knowledge gaps, particularly on how wildfires affect the health of those living in downwind States, and there is a lack of a focused Federal response to health impacts. EPA would be well equipped to provide that Federal response with additional resources. The Lung Association requests a total of $15 million in funding to address these impacts, including $5 million to establish Wildfire Smoke Health Centers in Collaboration with US Forest Service Missoula Fire Sciences Laboratory; $7 million for targeted research on wildfire smoke exposure and policy; and $3 million for EPA to coordinate interagency science, management and communication strategies for addressing wildfires.

Lastly, the American Lung Association also asks for your leadership in opposing all policy riders that would weaken key lung health protections, including those in the Clean Air Act. Policy riders have no place in appropriations bills, and the Lung Association strongly opposes attempts to include them, especially riders that would make it harder to protect Americans from air pollution.

Investments in EPA programs are critical to protecting public health. On behalf of the Lung Association, I thank you for your consideration of these requests.

[This statement was submitted by Harold P. Wimmer, National President and CEO, American Lung Association.]

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[2] National Association of Clean Air Agencies fiscal Year 2023 Funding One Pager February 2022 https://www.4cleanair.org/wp-content/uploads/NACAA–FY–2023–Funding-One-Pager-February-2022–2.pdf

[3] Environmental Protection Agency (2019) DERA Fourth Report to Congress (EPA–420–R–19–005) https://www.epa.gov/sites/production/files/2019–07/documents/420r19005.pdf

PREPARED STATEMENT OF ANIMAL WELFARE INSTITUTE

The Animal Welfare Institute, a nonprofit national animal welfare advocacy organization, asks the subcommittee to provide adequate funding levels for crucial wildlife programs and to include measures to protect at-risk species.

WILD HORSES AND BURROS (BLM & FS)

The BLM, which oversees the vast majority of America's wild horses and burros, continues to mismanage herds, relying on an endless cycle of costly removals from public lands instead of implementing immunocontraceptive vaccines to control fertility rates and manage these federally protected animals on the range. Under its current plan (based on the BLM's May 2020 report to Congress), the BLM has called for accelerated removals at a cost of roughly $900 million in the first 5 years alone. For FY22, the BLM plans to gather and remove at least 19,000 wild horses. But while the agency spends upwards of $70 million annually on removals and holding, it has spent less than 1 percent of its WHB program budget on fertility control in recent years. We ask the subcommittee to again include a directive for a minimum of $11 million within the BLM's existing WHB program budget to go towards the administration of proven and safe immunocontraceptive vaccines—specifically the widely supported porcine zona pellucida (PZP) vaccine, as per the National Academy of Sciences recommendation. Moreover, we strongly support the continued inclusion of provisions to ensure that both BLM- and U.S. Forest Service-managed wild equines cannot be destroyed for commercial purposes in order to protect these animals from slaughter, as well as language preventing the destruction of healthy, unadopted wild horses and burros.

Lastly, in recent years, the BLM has pursued attempts to manage wild horses via a risky and invasive surgical procedure known as "ovariectomy via colpotomy," which involves blindly locating the ovaries and severing them using a rod-like tool while the animal remains conscious. In its report on wild horse management, the NAS explicitly warned the BLM against using this procedure due to the risks of serious complications. Numerous lawmakers in the House and Senate have criticized the BLM's plans to ovariectomize horses and national polling shows overwhelming opposition to this procedure. We ask the subcommittee to include language barring the use of Federal funds to conduct ovariectomies on wild horses and burros so that taxpayer dollars can be directed towards cost-effective, safe, and humane fertility control methods such as PZP.

ENDANGERED SPECIES ACT IMPLEMENTATION (FWS)

We ask the subcommittee to appropriate $693.4 million across five programs to the US Fish and Wildlife Service (FWS) for the purpose of Endangered Species Act (ESA) implementation:

—$78.71 million for Listing

—$287.0 million for Recovery

—$162.1 million for Planning and Consultation

—$15.7 million for Candidate Conservation in Conservation and Restoration

—$149.9 million for the Cooperative Endangered Species Conservation Fund (CESCF)

Implementation of the Endangered Species Act, our Nation's most effective law for species conservation, has been severely underfunded for years. The FWS requires a budget of $693.4 million across five programs to begin to make up for lost ground and put species on the path to recovery. Critically, this includes ensuring every listed species receives a minimum of $50,000 per year for recovery. This funding package will allow the Endangered Species Act to be implemented in the way Congress intended when it dedicated our country to protecting the species and the habitats that need it most.

The funding levels requested above would help the FWS process the backlog of 430 species that still need to be reviewed for protection under the act; if current trends hold, one species will be declared extinct every year in the U.S. while waiting for protection. The above funding levels would also put adequate resources toward recovery planning and actions for every listed species; maximizing the efficacy and efficiency of working with other Federal agencies and with States, counties, and private landowners; and implementing early conservation actions that keep species from ever reaching the brink of extinction. Additionally, CESCF serves as an essential source of funding for States and private landowners, making it a crucial tool for cooperative conservation.

TROPHY HUNTING (FWS)

We urge the subcommittee to include language prohibiting the use of funds by the FWS for the issuance of any permit authorizing the importation of a sport-hunted elephant or lion trophy until the Secretary (a) withdraws the memo issued March 1, 2018 establishing the current policy that enhancement findings for such imports will be made on a case-by-case basis, and (b) establishes a policy to make enhancement findings for such imports on a country-wide basis, including public notice and comment for enhancement findings pursuant to section 553 of title 5, United States Code. Under this policy, positive enhancement findings must determine whether the country where the animal was killed adequately provides for the conservation and monitoring for that species, including a fully funded and implemented management plan for that species: that is based on the best available science that addresses existing threats to the species; provides a significant conservation benefit to the species; formally coordinates with adjacent countries to protect transboundary populations; and ensures that any take is sustainable and does not contribute to the species' decline in either the short-term or long-term according to current population estimates derived through use of the best available science.

African elephant and lion populations in many nations have undergone steep declines in the last decade. African elephants and lions are both listed under the Endangered Species Act (ESA), demonstrating a scientific need for heightened protections. Between the early 20th century and 2016, the number of elephants in Africa plummeted from 3–5 million to approximately 400,000. In 2021, the IUCN Red List reassessed the African savanna elephant as endangered, meaning it faces a very high risk of extinction in the wild. African lion populations declined by 43 percent from 1993 to 2014. The subspecies Panthera leo melanochaita, comprising the lions of east and southern Africa, is listed as threatened under the ESA, with only 17,000–19,000 remaining.

The FWS has responded with a series of vacillating trophy-import policies, calling into question the degree to which the agency had evaluated whether lion and elephant trophy imports enhanced the survival of the species, as required under the ESA. Presently, FWS policy is to issue permits for lion and elephant trophy imports based on a case-by-case review of each application's enhancement finding requirements, rather than the former approach of having rules that applied to each species within each country of origin. Congress in its FY20–22 appropriations packages directed FWS to reevaluate the current policy and analyze how targeted investments and technical assistance to these countries would impact elephant and lion survival, improve local communities, and sustain species populations. FWS has failed to report back to Congress.

In light of these conservation concerns, as well as of the lack of assurance that FWS is adhering to the ESA's legal requirements, no funds must be provided for the issuance of permits for import of elephant and lion trophies until a thorough, scientific analysis has been completed.

TRAPPING (FWS)

We urge the subcommittee to include the same language that was in the FY22 House report (but not the FY22 conference report) allocating $300,000 to the FWS to institute a 3-year pilot program that replaces the use of body-gripping traps (Conibears, legholds, and snares) on National Wildlife Refuge Service land by agency personnel with non-lethal methods and equipment, with the following exceptions:

—When the body-gripping trap is used to (i) control documented invasive species to achieve resource management objectives where alternative methods have failed; or (ii) protect a species that is listed as endangered or threatened under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or treated by the Forest Service as a sensitive species;

—Exception only applies when (i) such use of a body-gripping trap is in accordance with applicable State and Federal law; (ii) prior to use of a body-gripping trap, all available and viable nonlethal methods for such control or protection, respectively, are attempted; and (iii) such attempts are documented in writing, and such documentation is maintained at the headquarters of the department that employs the individual engaging in such attempt.

Furthermore, we hope the subcommittee will encourage the FWS to continue reviewing and updating both physical trapping signage and trapping information posted on the website, and continue providing trapping information to the subcommittee on an annual basis. In addition, it would be highly valuable if, for each refuge listed online as allowing trapping, the FWS specified whether the trapping is conducted

by private trappers for recreational/commercial purposes and/or by government personnel for management purposes.

Body-gripping traps, such as snares, Conibear traps, and steel-jaw leghold traps, are inhumane and inherently nonselective. The nontarget animals caught in these traps include threatened and endangered species, as well as family pets. These traps do not belong on national wildlife refuges where families enjoy spending time outdoors, and where anyone who trips a trap can become a victim. Refuges are a very popular destination; the National Wildlife Refuge System attracts more than 61 million visits every year. Additionally, many wildlife refuges are either close to or are located in urban areas.

Nonlethal methods are often highly effective and FWS personnel would be serving both wildlife and outdoor recreation interests-such as hiking and nature photography, which account for approximately 86 percent of total recreation-related expenditures on refuges-by prioritizing their use.

BEAVER CONFLICT MITIGATION (FWS)

Across the country, thousands of beavers are trapped, snared, and shot each year in an effort to prevent damage caused to property by beaver activity. However, this killing is often unnecessary due to the availability of cost-effective, nonlethal devices that can successfully prevent such damage. For example, trees can be shielded by encircling them with wire mesh fencing or coating their trunks with a mixture of paint and sand that deters beavers from chewing. Roads, agricultural resources, and other property can be protected from flooding by installing water flow control devices, which allow enough water to pass through a beaver dam to avoid flooding while ensuring sufficient pond depth for beaver use, thus maintaining acceptable water levels.

Restraining traps and snares used to capture and kill beavers can cause prolonged pain and unintentionally injure and kill nontarget animals. They are also rarely, if ever, a long term-solution; beavers dispersing in search of suitable habitat can quickly recolonize trapped areas. By contrast, flow devices can provide long-term relief and typically last 10 years before they need to be replaced. Nonlethal measures to mitigate beaver conflicts are effective, cost-efficient, long-lasting, and ecologically beneficial. These devices can protect transportation infrastructure, buildings, agricultural lands, and other property. Despite these benefits, no Federal programs currently exist to promote or facilitate the use of these techniques.

We urge the subcommittee to recognize the ecological benefits beavers provide to landscapes and ecosystems across the country by providing $3,000,000 to the Fish and Wildlife Service to institute a 3-year pilot program to provide grants to eligible entities for projects that seek to use nonlethal measures to achieve a reduction in damage to roads, railroads, bridges, buildings, airports, levees, dams, agricultural resources, trees, or other public or private property caused by beavers. Eligible entities would include States; Tribes; State, Federal, and Tribal agencies; landowners; local governments; and nongovernmental organizations. Nonlethal measures are those that are not designed to grip, trap, relocate, injure, or kill beavers. Nonlethal measures include, but are not limited to, fencing and paint-sand mixtures used to protect trees, and water flow control devices used to prevent flooding and maintain beaver ponds at acceptable levels. To document the progress of this program, FWS should be encouraged to submit a report to the subcommittee describing activities under the pilot program each fiscal year.

PRESCOTT GRANT PROGRAM (FWS)

We urge the subcommittee to provide no less than $2,000,000 for the John H. Prescott Marine Mammal Rescue Assistance grant program. The Prescott Program, led by the FWS, provides funding to eligible stranding network participants assisting stranded sea otters, manatees, Pacific walruses, and polar bears. Congress began to allocate funds to the FWS in fiscal year 2019 to implement the program. To date, the FWS has awarded $3.1 million in funding to conservation organizations and State agencies through the Prescott Grant Program. In fiscal year 2022, $1,300,000 was allocated towards this program. Given the rising number of strandings and the importance of marine mammals to the health of ocean ecosystems, at least $2,000,000 in funding is requested.

[This statement was submitted by Nancy Blaney, Director, Government Affairs, Animal Welfare Institute.]

PREPARED STATEMENT OF APPALACHIAN TRAIL CONSERVANCY

OPERATION OF THE NATIONAL PARK SYSTEM ALLOCATION FOR THE APPALACHIAN NATIONAL SCENIC TRAIL

On behalf of the Appalachian Trail Conservancy (ATC or "Conservancy"), I submit this request to increase the annual Operation of the National Park Service (ONPS) appropriation for the Appalachian National Scenic Trail (ANST, A.T., or Trail), a unit of the National Park Service (NPS) within the Interior, EPA, and Related Agencies appropriations bill. The current level of ONPS appropriations for the Trail, $1.79 million for fiscal year 2021 (enacted FY22 funding not yet administratively allocated between units), is insufficient to fulfil the NPS obligations under the National Trails System Act (NTSA), relevant NPS-related statutes, and the cooperative agreement with ATC. We believe a budget of $3.5 million is necessary to meet the needs of the Trail. Particularly as our Nation responds to the mounting impacts of anthropogenic climate change, Congress must invest heavily in habitat restoration, combating invasive species/the loss of biodiversity, and maintaining the functionality and ecological services of our public lands. In the A.T., continued underinvestment could be catastrophic. We have been advocating within the NPS for a further increase request, but recognize the central role the Congress serves in determining funding for the Federal Government.

The Conservancy is the §501(c)(3) nonprofit organization responsible for developing the Appalachian Trail and leading its Cooperative Management System, which joins the Federal Government, the governments of 14 States, 31 Maintaining Clubs, and local and non-profit partners in caring for our iconic long trail. ATC's position with the Trail, which began over 100 years ago outlining the vision of a continent-spanning footpath, remains formalized under a cooperative agreement with the NPS. Recognizing the needs of the Trail, President Trump's last budget increased its requested ONPS allocation from $1.52 million in FY20 to $1.65 million in FY21–NPS ultimately went even further and allocated the current $1.79 million funding level. Likewise, President Biden's first two budgets have requested ANST ONPS allocations of $1.95 million (FY22) and $2.06 million (FY23). Recognizing the unit is struggling to meet obligations, the Committees on Appropriations—via the explanatory statements for both the fiscal year 2021 and FY22 Omnibus bills—"encourages" the NPS to submit an increased allocation.

The ANST runs 2,194 miles with approximately 4,500 miles of boundaries encasing an approximately 300,000-acre conserved "Corridor." The A.T. Corridor includes lands within the National Park and National Forest Systems, as well as State and local units, with the NPS directly responsible for approximately half of the acreage. The Trail is the centerline of the largest contiguous stretch of public land in the eastern United States. It is the longest park unit in the National Park System. In terms of size, the ANST has more NPS-administered acreage than Biscayne, Voyageurs, or Zion National Parks. In terms of boundary mileage, it is second in the National Park System only to Wrangell-St. Elias National Park. The Trail's normal visitation is an estimated 4 million or more annually, placing it 18th in visitation within the System-higher than Grand Teton or Yosemite National Parks.

The ANST's length (spanning 12° of latitude in the temperate zone), north-south alignment, changes of over 6,500 feet in elevation and the numerous peaks and ridges it crosses along the Appalachian Mountain chain creates its topographically diverse landscape, protecting very high habitat diversity and connectivity while providing for a unique recreation experience. It is an important landscape in the eastern U.S. that offers large-scale continuity and important climate refugia, increasingly vital attributes in the highly developed and increasingly taxed eastern public land network. The ANST is one of (if not the most) biodiverse units of the National Park System. While the ANST does not have the physical infrastructure such as paved roads and water systems that rank costly in terms of facility maintenance, the natural resource management needs of the Trail are legion. Unlike facility assets, opportunities within the NPS to fund natural resource programmatic work are rare to materialize.

Currently, the NPS office that administers the Trail has 9.3 fulltime-equivalent employees (FTEs), approximately 40 Conservation-related staffers at ATC, and 6,000 volunteers contributing annually a total of 245,000 labor hours (equivalent to 118 employees). The $1.79 million ONPS allocation is, for the most part, consumed by staff salary and benefits. The allocation is insufficient to allow for much project work or to enable NPS staff to visit locations along the Trail. Under the current park operations funding model, there are certain things that are very difficult to fund except through a unit's ONPS allocation, specifically: providing law enforcement (maintaining and asserting the Federal Government's property rights as well

as providing public safety); processing environmental compliance documents (such as required by NEPA) and; overseeing (if not funding) natural resource protection work.

Between 2005 and 2020, the ANST Park Office ONPS base allocation has grown at an average annual rate of 3.3 percent. When adjusted for the effects of inflation, ONPS funding has grown at an annualized rate of 1.4 percent. Among the 42 NPS units with annual visitation in the one to three million range, the average ONPS allocation is $3.93 per visitor, while the ANST is currently at 54 per visitor. Few units are funded by their ONPS allocation alone; most, if not all, rely on allocations distributed subsequent to Service-wide "calls" to disburse non-unit specific funds Congress appropriates. By and large, successive administrations have requested, and Congress has granted, flat increases to the funding streams within the NPS that allow for facility asset maintenance (i.e. Cyclic Maintenance, Repair-Rehab). The same cannot be said for the Natural Resource Projects call (which, it must be noted, funds projects, but not programs, meaning it cannot fund FTE) and there is no call for law enforcement or for compliance, which, like natural resource programmatic staff, must be funded through an ONPS allocation.

The current, and reasonable needs of the unit are more than the current cooperative management partners can support given the legal division of responsibilities. Comparatively, NPS units with far smaller acreage to manage and far less complex obligations and programs receive relatively much larger base budgets, including the 16-acre Springfield Armory with a base budget of $1.56 million; the 968-acre Appomattox Court House with a base budget of $1.96 million; and the 16-acre Fort Stanwix with base budget of $1.68 million.

Law Enforcement—.The law enforcement needs of the Trail are significant considering the ANST spans 14 States and 88 counties. These responsibilities can be broken down roughly into two categories: individuals threatening safety (criminal) and encroachments (civil). Both are commonly referred to as "incidents" and "incident response" is the general term used to mean "responding to potential harm to the legal rights of the Trail and its users." Criminal incidents on the Trail posing a significant threat to public safety are, thankfully, rare. Much more common are civil incidents/encroachments. ANST owns 2,083 fee tracts, containing 108,000 acres of lands with over 1,200 miles of exterior boundary line which is maintained and monitored by ATC staff and staff-coordinated volunteers. Roughly 50 new encroachment violations are discovered each year, with 10 percent of those being severe in nature. Approximately 430 known (ATC-identified) ANST boundary violations have occurred over the past decade, many of which still remain unresolved. Examples of severe and ongoing encroachment issues include large-scale timber and resource theft, widespread ATV use, construction of building, homes, pools and patios, and waste dumping. It is the legal responsibility of the NPS to address these encroachments, something unpracticable with its current ANST law enforcement (LE) staffing of two FTEs.

ATC staff and volunteers routinely assist in responding to Trail incidents. The current-and preferred-management of the Trail places the Chief Ranger duty stationed at the Trail's administrative headquarters in Harper's Ferry, WV and the one FTE split between the ANST and BLRI (Blue Ridge Parkway NPS unit) in southern Virginia, serving that region, and one FTE split between the ANST and GETT (Gettysburg National Military Park) serving that immediate region. For the NPS-managed Trail miles north of Harrisburg, the ANST relies on less formal staff sharing. ATC advocates for replicating the staff-sharing model across the mid-Atlantic and northern stretches of the Trail, stationing six individuals, working 50 percent time on the ANST in Maine, New Hampshire/Vermont/Massachusetts, Connecticut/New York, New Jersey/Pennsylvania, Pennsylvania/Maryland, and West Virginia/Virginia. Increasing LE staffing on the Trail will increase the NPS' ability to connect to rural communities and to safeguard not only the increasingly manifest desire of the public to recreate on our public lands, but the narrow ribbon of conserved land providing critical species habitat and providing for migration and climate adaptations in the densely populated eastern U.S. More funding is also needed to train ATC staff and volunteers as they support incident management as needed.

Resources Management—.The majority of the management of any National Park System unit is the proper administration of natural and cultural resources and minimizing impacts from visitors. The ANST currently splits coordination for both these buckets between one FTE when at least two, and preferably three FTE, are warranted. There is no biologist on the NPS staff for the ANST. Regarding natural resources, ATC staff and volunteers are responsible for all Trail-related maintenance as well as the stewardship and restoration of the Trail corridor lands as quality habitat for flora and fauna. Except for the aforementioned FTE at the ANST, the majority of the funding for natural resources management is provided by indi-

vidual and charitable foundation giving. Some of the natural resource work is funded through competitive grants awarded by DOI Region One, but funding is extremely limited and project-focused. Funding for natural resource work supported by ONPS funding has diminished steadily in recent years.

Natural resources management for the ANST is multi-faceted. Management of "endangered plants and animals, invasive species, climate change mitigation, and scientific research projects" are all Cooperative Agreement-identified responsibilities for the NPS to "provide overall leadership" for. ATC staff and volunteers are required to "coordinate [the] on-the-ground management activities needed to protect occurrences of rare, threatened, and endangered species, exemplary natural communities, historic properties, and other natural, cultural, and aesthetic resources." In recent years, ATC has led several natural resource management projects within the ANST corridor, including Ash treatments to halt the spread of the invasive Emerald Ash Borer in Massachusetts, Georgia, North Carolina and Tennessee, red spruce restoration in North Carolina, Tennessee and Virginia, habitat creation for the globally imperiled Northern Metalmark Butterfly in Connecticut, and restoration of Atlantic Salmon habitat in Maine. ATC staff hold professional licenses and degrees in areas such as ecological restoration, pesticide application and hazard tree arboriculture, serving as the primary experts for these services on the ANST.

Compliance—.ANST staff depend on ATC staff to collect information required for the completion of National Environmental Policy Act compliance for all treadway and corridor related work. ATC staff are generally responsible for the completion of impact assessments, field monitoring and coordination with state Natural Heritage and wildlife offices. Yet NEPA compliance is a process that can not be delegated in full and ANST capacity is required to facilitate and oversee this process as well as research permit evaluations and approvals.

The A.T. is uniquely situated to serve as a barometer for the air, water, climate and biological diversity of the Appalachian Mountains and much of the eastern United States, which is what makes it an attractive place to explore scientific questions. The ANST has clearly identified the need for sound scientific baselines and trend information on environmental and resource conditions to inform adaptive management and stewardship activities, however current capacity does not allow the ANST to even entertain proposals from educational institutions and research entities seeking permission to use the ANST as a study area. Each year, requests for scientific analysis, evaluation and monitoring within the A.T. corridor, submitted through the NPS Research Permit and Reporting System, go unanswered and unpermitted. Each of these unfilled research requests is a missed opportunity for stronger science and informed A.T. management.

For compliance under section 106 of the NHPA, ANST NPS staff cannot delegate its obligations to ATC. Additionally, closer coordination with State and Tribal offices of historic preservation will further the ability of the ANST to address extant compliance demands as well as build the capacity to perform government-to-government consultations with the 34 identified Native nations with ancestral and/or reservation lands along the Trail. NPS staff cannot delegate to ATC government-to-government consultation responsibilities.

Thank you for considering our request.

[This statement was submitted by Brendan Mysliwiec, Director of Federal Policy and Legislation, Appalachian Trail Conservancy.]

PREPARED STATEMENT OF ASSINIBOINE AND SIOUX RURAL WATER SUPPLY SYSTEM

FORT PECK RESERVATION RURAL WATER SYSTEM ($3,370,000)

The Assiniboine and Sioux Rural Water Supply System (ASRWSS) submits this testimony in support of $3,370,000 in funding for continued Operations, Maintenance, and Replacement (OMR) of part of the Fort Peck Reservation Rural Water System as authorized by PL 106–382.

ASRWSS is the tribally chartered entity charged with the planning, design, construction, operation, maintenance and replacement (OMR) of the Assiniboine and Sioux Rural Water Supply System, which is the part of the Fort Peck Reservation Rural Water System on the Fort Peck Indian Reservation. We are strong partners with Dry Prairie Rural Water System (DPRWS), which operates the part of the Project that is off the Reservation.

The most basic of governmental function is the delivery of clean, safe, and reliable drinking water. We are honored to provide water and service in northeastern Montana to an area of 7,750 square miles connected by 3,200 miles of pipeline when completed in 2023. Completion of all construction funding is expected in fiscal Year

2022. The project provides safe, adequate, and reliable drinking water to an area larger than New Jersey and just smaller than Massachusetts.

ASRWSS wants to thank the subcommittee for the full funding of OMR costs of the Water Project at $3.358 million in fiscal Year 2022.

As the Project works toward completion of construction, OMR needs continue to increase. Thus, for fiscal Year 2023 we will need an additional $12,000 for total level of funding at $3.370 million in appropriations for the Bureau of Indian Affairs (BIA) Construction account.

The funding increase of $12,000 is necessary to:

i) safely operate, maintain, repair and replace system features,

ii) employ the necessary level of qualified and certified staff

iii) purchase chemicals for treatment

iv) purchase power for pumping and treatment facilities.

v) address inflation, which is now more of a factor than in earlier years

The Congress (Energy and Water subcommittee) will have appropriated over $354 million to complete the project through fiscal Year 2023. The ASRWSS/DPRWS projects are 95 percent complete and full funding will be available to complete the project in fiscal Year 2022 and 2023. It is imperative, through Interior appropriations (and a DPRWS non-federal cost share), that ASRWSS maintain, and replace the investment of Congress in the ASRWSS infrastructure valued at $226 million and held in trust by the United States.

The DPRWS cost share covers the OMR cost of their use common facilities as agreed upon between ASRWSS, DPRWS and the Secretary in a Water Service Agreement. DPRWS makes monthly payments on a timely basis. DPRWS will provide an estimated $669,000 in fiscal Year 2023 to supplement appropriations.

ASRWSS provided drinking water to more than 21,500 residents in Northeast Montana in 2020. In 2023 over 24,000 residents will be served. Ultimately, 31,000 residents will be served as the population of the region continues to grow over the next several decades. The population served at the end of 2016 was less than 10,000, and OMR funding needs have been increasing accordingly. The project also serves social and governmental agencies, including the BIA Agency Office, schools, clinics, hospitals, Medicine Lake National Wildlife Refuge, Fort Union Trading Post National Historic site, U.S.- Canadian border stations, and the towns of Poplar, Wolf Point, Frazer, Culbertson, Medicine Lake, Scobey, Nashua, St. Marie, Fort Kipp, and Brockton. Opheim and will be served in 2022. The small communities of Reserve and Lustre will also be added in 2022.

The Fort Peck Reservation Rural Water System was authorized by the Fort Peck Reservation Rural Water System Act of 2000, Pub. L. 106–382. The enactment ensured a safe, adequate, and reliable municipal, rural and industrial water supply for the residents of the Fort Peck Indian Reservation and the residents of Roosevelt, Sheridan, Daniels, and Valley Counties outside the Reservation. As noted in the President's previous budget requests: *"Groundwater from shallow alluvial aquifers ... for the municipal systems . . . is generally poor with concentrations of iron, manganese, sodium, sulfates, bicarbonates and total dissolved solids above recommended standards."* This project provides a perpetual remedy to historic water quality issues that impaired health and stunted economic growth.

The Project called for the construction of a single treatment plant on the Missouri River near Wolf Point, Montana, that will distribute water through 3,200 miles of pipeline to both the Reservation Tribal system and through three completed and operational interconnections to DPRWS. A single water source on the Missouri River replaced nearly two dozen individual community water sources and ensured a clean, plentiful, and safe water supply.

The Federal legislation authorizing the Fort Peck Reservation Rural Water System requires that the OMR costs of ASRWSS, held in trust by the United States, are fully funded. Interior appropriations to BIA are the Federal source of OMR funding. This is consistent with the Federal trust responsibility to the Tribes who were promised a permanent home when the Assiniboine and Sioux Tribes agreed to move to the Reservation. A permanent home requires safe drinking water. The funding request enables ASRWSS to deliver superior drinking water, meeting all Federal and State standards, to all the people, towns, and federal, Tribal, State, public and private agencies, and businesses.

Thus, the $3.370 million requested in fiscal Year 2023 for the OMR of this vital infrastructure project is critical. The increased funding of $12,000 over the fiscal Year 2022 level for the OMR of the Project is needed as the Project buildout increases the service population and requires additional personnel, power, chemicals,

repairs, replacements and improvements to operate the water treatment plant and other facilities.

Again, we thank the subcommittee for the continued support of OMR funding for ASRWSS as authorized by Public Law106–382.

[This statement was submitted by Ashleigh Weeks, Executive Director, Assiniboine and Sioux Rural Water Supply System.]

PREPARED STATEMENT OF ASSOCIATION OF THE AIR POLLUTION CONTROL AGENCIES (AAPCA)

The Association of Air Pollution Control Agencies (AAPCA)[1] appreciates the opportunity to provide written testimony regarding the development of Fiscal Year 2023 appropriations for the U.S. Environmental Protection Agency (EPA). AAPCA's members are State and local air agencies that serve as co-regulators with U.S. EPA under the Federal Clean Air Act and are responsible for designing, implementing, and enforcing air pollution control regulations that protect public health and the environment. As highlighted in a recent annual report from AAPCA,[2] State, local, and Tribal air agencies, in coordination with U.S. EPA, have overseen remarkable progress in the Nation's air quality, underscoring the Clean Air Act's core principle of cooperative federalism as a proven framework for approaching emerging environmental priorities.

As your subcommittee undertakes the appropriations process for U.S. EPA, AAPCA specifically asks for State and local air quality management grants under the State and Tribal Assistance Grant (STAG) program to be funded at levels that meet new and historic Clean Air Act requirements and allow maximum flexibility to agencies to determine the best use for addressing air pollution control needs in their jurisdiction. AAPCA also continues to reaffirm the importance of maintaining the granting authority for fine particulate matter (PM2.5) monitoring under Section 103 of the Clean Air Act, rather than the proposal by U.S. EPA's Office of Air and Radiation to transition to Section 105,[3] which would necessitate that agencies match funds.

Congress funded the STAG program at $4.352 billion under the Consolidated Appropriations Act, 2022 (H.R. 2471), which was signed into law on March 11, 2022.[4] STAG funding in fiscal Year 2022 included $231.391 million for State and local air quality management grants—nearly $2 million above the fiscal Year 2021 enacted level—as well as $92 million for diesel emission reduction grants and $61.927 million for targeted airshed grants. Providing adequate funding and flexibility for grants under Sections 103 and 105 of the Clean Air Act is critical for State and local agencies that are technical, planning, and jurisdictional experts and deeply engaged with their communities and stakeholders.

While STAG funds are a key budgetary component for State and local agencies, Clean Air Act mandates are ultimately met through strict budgeting, attentive programming, best practice development, and dedicated leadership and staff. Air agencies are responsible for a broad range of complex and technical efforts that support the National Ambient Air Quality Standards (NAAQS), air toxics, regional haze, and other Clean Air Act programs. These obligations span air quality planning and rule development, monitoring and modeling, emissions inventory management, permitting, inspections and enforcement, and hiring, training, and staff development. These frontline agencies must also undertake extensive efforts around public outreach and involvement, risk communication, exceptional events demonstrations, Federal policy evaluation, and stakeholder engagement.

Further, State and local air agencies must also be responsive to increasing requirements from U.S. EPA and other fiscal challenges, often with ever-more-finite resources. A few abbreviated examples include:

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[1] AAPCA is a national, non-profit, consensus-driven organization focused on assisting State and local air quality agencies and personnel with implementation and technical issues associated with the Federal Clean Air Act. Created in 2012, AAPCA represents 48 State and local air pollution control agencies, and senior officials from 21 state environmental agencies currently sit on the AAPCA Board of Directors. AAPCA is housed in Lexington, Kentucky as an affiliate of The Council of State Governments. You can find more information about AAPCA at: www.cleanairact.org.

[2] AAPCA, State Air Trends & Successes: The StATS Report, April 19, 2022.

[3] See page 31 of the Draft fiscal Year 2023–2024 Office of Air and Radiation (OAR) National Program Guidance, open for comment through July 14, 2022.

[4] H.R. 2471—Consolidated Appropriations Act, 2022 (Public Law No: 117–103). Funding levels prior to rescissions.

—Crafting state implementation plans (SIPs) to meet current NAAQS and regional haze requirements as well as SIPs that will be required for more stringent NAAQS that are expected to follow the Clean Air Scientific Advisory Committee, or CASAC, review of the standards for particulate matter (PM) and ozone.[5]

—Recognizing, evaluating, and communicating emerging environmental concerns, such as ethylene oxide (EtO), and integrating national priorities like environmental justice and equity into planning, permitting, and outreach efforts.

—Administering and maintaining the Nation's monitoring network, critical infrastructure that is central to ensuring that an area meets the NAAQS and community concerns are appropriately addressed.[6]

—Making sure that staff are well-trained to understand technically and socially complex issues, a necessity that is complicated by turnover and hiring challenges that can create expertise gaps.[7]

Federal grant flexibility is necessary as resource priorities evolve to meet these challenges. Air agency budgets, to an extent reliant on emissions fees from permitted sources, have been impacted by the successes that characterize air pollution control work. This includes revenue decreases from the Clean Air Act Title V Operating Permit program,[8] which have declined due to the program's pollutant fee structure and the program's success in achieving its primary goal of reducing emissions to create better air quality.

Providing adequate funding for State and local air quality management grants and other STAG programs should also take into consideration the state of the current economy. Inflation, compounded by a slowed supply chain, has introduced new difficulties for air agencies in their on-the-ground work to protect the environment. This ranges from making tough fiscal decisions around programming to finding alternative solutions for unavailable monitoring equipment and parts.

Thank you for your attention to this testimony. AAPCA's members look forward to working with your subcommittee as Congress develops its priorities for fiscal Year 2023 appropriations for U.S. EPA. If you have any questions, please contact Mr. Jason Sloan, Executive Director, at jsloan@csg.org or (859) 244–8043.

[This statement was submitted by Bryce Bird, Director, Division of Air Quality, Utah Department of Environmental Quality, 2022 President, AAPCA.]

PREPARED STATEMENT OF THE ASSOCIATION OF CLEAN WATER ADMINISTRATORS

The Association of Clean Water Administrators (ACWA) appreciates the opportunity to submit written testimony to the U.S. House of Representatives Committee on Appropriations, subcommittee on Interior, Environment, and Related Agencies. As the National voice of state, interstate, and territorial officials responsible for the implementation of programs that protect surface waters across the Nation, ACWA supports the President's FY23 Discretionary Budget Request's suggested increase to the Environmental Protection Agency's (EPA) budget.

The President's discretionary request funds EPA at $11.8 billion, which represents a $2.3 billion or 25 percent increase from the FY22 enacted level. The request outlines many key areas this additional funding will be used, including fighting climate change; promoting environmental justice; gathering data on polluters and holding them accountable; and investing in water infrastructure projects and contaminated site clean-ups. These functions are all essential to carrying out the EPA's mission of protecting human health and the environment.

This proposed increase comes with many benefits, especially as States begin to prepare to handle the historic infrastructure investment from the Bipartisan Infrastructure Law. Our nation's water and wastewater systems are critical for promoting economic growth and protecting public health. In this sense, it is vital that we address these and other issues by providing strategic and consistently robust fi-

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[5] For a detailed example, please see AAPCA's request to U.S. EPA to extend the comment period on the proposed "Federal Implementation Plan Addressing Regional Ozone Transport for the 2015 Ozone National Ambient Air Quality Standard," (May 3, 2022).

[6] U.S. Government Accountability Office, Air Pollution: Opportunities to Better Sustain and Modernize the National Air Quality Monitoring System, November 12, 2020 (publicly released December 7, 2020).

[7] See AAPCA comments on the draft fiscal Year 2022–2024 content development plan for the National Air Quality Training Program (October 14, 2021).

[8] U.S. EPA Office of Inspector General, EPA's Title V Program Needs to Address Ongoing Fee Issues and Improve Oversight, January 12, 2022.

nancing for water infrastructure, programs, workforce development, and more. While the FY22 funding was a critical step forward in funding these programs, increasing these levels will ensure that they are equipped to handle future crises and ongoing infrastructure challenges.

State surface water programs play an integral role in building water infrastructure, from planning to design permitting to construction to compliance and robust section 106 funding is critical. State agencies are responsible for a myriad of infrastructure-related tasks including providing technical assistance to small, rural, disadvantaged, and underserved communities; marketing investments in green infrastructure; processing loan and grant applications; prioritizing projects to meet the greatest need; conducting environmental reviews; performing engineering analyses; permitting projects; monitoring compliance; and preventing fraud and waste. Any upcoming gaps in funding would undercut the proven success of these programs and jeopardize the essential assistance they provide to States. The case against funding cuts is only strengthened when considering that increases in Federal investment could help reverse declines in water quality, create hundreds to thousands of construction jobs, boost the National economy, and benefit private-sector development. With this in mind, ACWA asks for your support in delivering States the resources they need to carry out these critical programs as you consider the President's budget request.

The States welcome the focus on injecting resources into the system to spur infrastructure development and repair. This money is certainly needed. However, the States also need increased resources to support States in meeting their obligations to the Clean Water Act (CWA) through, Clean Water Act (CWA) Sec. 106 grants, 319 grants, and funding to regional programs like the Chesapeake Bay or the Mississippi River/Gulf of Mexico Hypoxia Task Force. States are also being asked to address PFAS and other emerging contaminants and to support environmental justice priorities and screening initiatives. Much of the Federal funding has focused on specific outcomes and projects without much attention to the crucial seasoned state staff that execute vital support and analytic functions. Robust funding for CWA programs is necessary to ensure States have the capacity to handle an increase in funding for water infrastructure, manage permitting programs, and provide technical assistance to disadvantaged communities. Fully funding section 106 and similar programs will ensure that insufficient staffing and administrative resources do not cause delays or bottlenecks with projects moving to construction with the appropriate public health safeguards and environmental permits.

Federal funding of the 106 and 319 programs comprises approximately 33 percent of the funds States and interStates rely on to carry out the CWA's mandates. Section 319 funding has been on the decline since 2005, and the States currently absorb over two thirds of the cost of mandated state and delegated Federal water quality programs. Additional Federal funding would enable States to build upon the successes of the 319 program and work to improve the States' water quality protection activities and ability to carry out the basic requirements of the CWA.

Congress has acknowledged its support of administrative costs of the historic BIL funding by providing U.S. EPA with such funding. For instance, in Section 6002 of the American Rescue Plan Act, Congress directed the EPA Administrator to reserve 2 percent or 5 percent for necessary administrative costs linked to specific subsections. In another example, in the fiscal year 2021 appropriations under the State and Tribal Assistance Grants, Congress directs the EPA Administrator to report on the amounts and sources used to administer and provide oversight of these grant programs. States agree with Congress that it is important to acknowledge and support administrative needs and asks that it similarly consider funding for States who work most directly with communities to both develop proposals and seek their input when determining state priorities.

While appropriation increases have occurred over time since the inception of these programs, a more comprehensive analysis shows Federal funding has remained nearly flat throughout the past decade, and its purchasing power has diminished when taking inflation into account. For example, CWA sec. 106 funding in 2010 was $229 million; after a rise in funding in 2011 and 2012, funding levels settled to $231 million over 2014—2019. Section 106 funding in 2020 fell to $223 million. If you look at a more recent time horizon, the Section 106 enacted level was $230,806,000 in FY2016 and $230,000,000 in fiscal year 2021, a reduction of $806,000. This funding is especially critical as CWA programs have grown much larger. The NPDES permitting program now covers 900,000 municipal, industrial, stormwater and construction facilities today. Additionally, the water quality issues facing the States and interStates are more complex and more challenging. Nutrient reduction in surface waters, stormwater management, alterations in hydrology, in part due to climate change, considerations of ground water, e-reporting requirements, emerging

contaminants such as PFAS, and now social considerations of environmental justice are complications not envisioned when the CWA became law 50 years ago.

In conclusion, we ask that the subcommittee use the President's discretionary budget request as a starting point and robustly fund the above noted CWA programs. Similarly, we ask that the proposed FY23 budget provides States with robust section 106 funding to invest in critical water programs and ensure that BIL money is used efficiently and effectively. These investments will have tangible benefits for States, interStates, territories, and Americans across the country by making progress toward our Nation's water quality goals, not to mention the other benefits of stimulating economic growth, supporting tourism, providing recreation, and promoting nationwide health with a clean water supply. The States cannot do it alone, so we ask for a strong federal-state partnership through the FY23 appropriations process. Federal Government support for ACWA's work—and States' work—is essential.

[This statement was submitted by Andrew Gavin, Deputy Executive Director, Susquehanna River Basin Commission, ACWA President.]

PREPARED STATEMENT OF THE ASSOCIATION OF ZOOS AND AQUARIUMS

Thank you Chair Merkley and Ranking Member Murkowski for the opportunity to submit testimony about the priorities of the Association of Zoos and Aquariums for Fiscal Year 2023. Specifically, we urge the subcommittee's support to continue and expand funding for Endangered Species Recovery Challenge Grants ($15,000,000) and the Multinational Species Conservation Funds ($30,000,000) administered by the U.S. Fish and Wildlife Service (USFWS). These grants have proven successful in supporting cooperative recovery efforts. Given the documented global extinction crisis, it is crucially important to expand funding for the USFWS to grow capacity and carry out its work to implement and enforce the Endangered Species Act (ESA). I also am providing an update about the funding included in the "American Rescue Plan Act" (Public Law 117–2) for the care of captive species listed under the ESA and rescued and confiscated wildlife in facilities experiencing lost revenues due to COVID–19.

My name is Dan Ashe, and I am the President and CEO of the Association of Zoos and Aquariums (AZA). Founded in 1924, the AZA is a 501(c)3 non-profit organization dedicated to ensuring that our 253 accredited zoos, aquariums, nature and science centers, and related facilities reflect the global standard of excellence in animal care and welfare, conservation, education, science, and guest experience. AZA's member facilities are examples of how economic and environmental prosperity can work hand-in-hand. Our members welcome nearly 200 million visitors annually, generating more than $22 billion in economic activity, and supporting more than 198,000 jobs across the country. They also contribute well over $200 million in direct support for field conservation each year. They support work in 115 countries benefiting more than 942 species and subspecies, of which 223 are listed under the ESA.

At the heart of AZA is its mandatory accreditation requirement, which assures that only those zoos and aquariums that meet the highest standards can become members. The independent and objective AZA accreditation process includes self-evaluation, rigorous on-site inspection, and critical peer review. Our standards are publicly available and are continuously evolving and improving as we learn more about the needs of the animals in our care. Once earned, AZA accreditation confers best-in-class status, an important message for local, State, and Federal Government and the visiting public. AZA accreditation is the global gold standard for modern zoological facilities.

AZA and its members are leaders, partners, and participants in species conservation. We work in concert with Congress, Federal agencies, conservation organizations, State governments, the private sector, and the general public to conserve our wildlife heritage. AZA's Wildlife Trafficking Alliance is a coalition of private companies, non-profit organizations, and AZA-accredited zoos and aquariums working closely with U.S. government agencies to combat wildlife trafficking worldwide. AZA and its member facilities have long-standing partnerships with the USFWS, National Oceanic and Atmospheric Administration (NOAA), and the U.S. Department of Agriculture (USDA). Our collaborative efforts have focused on:

—Engaging in endangered species recovery and reintroduction, including some of the most successful and heralded recovery efforts, like California condor. In fact, two of the condors recently released as part of the partnership with the Yurok Tribe were from the Oregon Zoo.

—Carrying out rescue, rehabilitation, and confiscation activities in collaboration with Federal and State agencies, including USFWS, to the benefit of many threatened and endangered species.

—Supporting conservation domestically and internationally through multinational species conservation funds and state wildlife grants.

—Collaborating on partnership opportunities involving national parks and wildlife refuges, migratory birds, freshwater and saltwater fisheries, national marine sanctuaries, illegal wildlife trade, amphibians, and invasive species.

I am submitting testimony in support of the following key programs funded through the annual Interior, Environment, and Related Agencies appropriations bill.

U.S. FISH AND WILDLIFE SERVICE BUDGET

Much of the important conservation work at AZA-accredited facilities depends on a robust and fully staffed USFWS. Acknowledging the budget challenges facing Congress and the agencies, we encourage you to assure that the USFWS has sufficient resources to employ qualified professionals, particularly for the programs handling permits, which support AZA's science-based conservation breeding and wildlife education programs that require animals to be moved in an efficient, humane, and timely manner: International Affairs (Management and Scientific Authorities), Endangered Species, Law Enforcement, and Migratory Birds. In particular, AZA is keenly interested in expanding our critical work in support of treating and placing live confiscated wildlife seized at the ports/borders and on scientific and conservation research on polar bears in AZA facilities. The success of these important initiatives depends on the effective assistance of the USFWS.

For this reason, we request that the subcommittee specifically increase the budgets for the Management and Scientific Authorities by $250,000 to hire and support a dedicated and qualified employee to facilitate zoo and aquarium permitting. Our members contribute $22 billion annually to the U.S. economy so this is a small investment to support that economic engine. During the past several years, lengthy permitting delays and communication gaps have become the rule rather than the exception. Our members are increasingly frustrated at permitting delays that stretch from months to years. Increasingly, our members are finding that international partners, as well as our members in Canada, Mexico, and other countries, are reluctant to work with our U.S. members due to the uncertainties surrounding permitting. These unnecessary delays undermine conservation efforts and jeopardize the welfare of animals.

We also request dedicated funding of $1 million for the Office of Law Enforcement to support the design and implementation of a nationwide "confiscations network." As we battle the global epidemic of wildlife trafficking, and as we improve detection and interruption of trafficking routes and syndicates, confiscated animals are the casualties. They need to be placed, and often held for lengthy periods, as evidence. The USFWS often comes to AZA and its members for assistance, typically at a substantial cost to our members who readily and willingly provide this service. We need a national and international confiscations network. We have had very fruitful discussions with the USFWS and have designed a pilot for the Pacific Southwest. Expanding this pilot to other regions and, ultimately, the entire United States, will unburden the agency's law enforcement officers, so they can focus their time on catching and prosecuting criminals; our members can focus on placing and caring for the animals.

To put this latter request in context, and as you are aware, the USFWS has an entire facility—the National Wildlife Property Repository in Denver—that holds all of the wildlife products confiscated from illegal trade. If you will, all the "dead stuff." The agency has no facility, expertise, or capacity to hold and maintain the living evidence of criminal trafficking. Our members posses these capabilities and are anxious to build a partnership with USFWS. This funding would help make this reality.

ENDANGERED SPECIES RECOVERY AND RECOVERY CHALLENGE GRANTS

We express our gratitude for the subcommittee's continued support for increasing funding for endangered species through the Recovery account and working with our partners at the USFWS to create the Endangered Species Recovery Challenge Grant program in fiscal year 2018. This program recognizes the critically important role of nonprofit partners to the Service's endangered species recovery efforts, and it is a mechanism, through merit-based matching grants, to provide funding in a more commensurate manner to support and enhance these efforts. Recovery Challenge Grants are limited to nonprofit organizations implementing the highest priority re-

covery actions identified in recovery plans, such as for genetically sound breeding, rearing, and reintroduction programs.

We urge you to continue to provide robust funding for endangered species recovery and prioritize longstanding recovery efforts in which existing resources and partner expertise can be most effectively leveraged. Specifically, we are requesting an increase in funding for the Recovery Challenge Grant program to $15 million in fiscal year 2023. This funding will power recovery partnerships and inspire their work to better recover critically endangered species.

MULTINATIONAL SPECIES CONSERVATION FUNDS

We support the inclusion of $30 million for the Multinational Species Conservation Funds (MSCF) administered by USFWS. These programs support public-private partnerships that conserve wild tigers, Asian and African elephants, rhinos, great apes, freshwater turtles, tortoises, and marine turtles in their native habitats. Through the MSCF programs, the United States supplements the efforts of developing countries that are struggling to balance the needs of their human populations and endemic wildlife. These programs help to sustain wildlife populations, address threats such as poaching and illegal trade, reduce human-wildlife conflict, and protect essential habitat. The USFWS is seen as a global conservation leader in large part due to its commitment to international conservation efforts. This Federal program supports AZA-accredited facilities in their field conservation efforts and partnerships with the USFWS.

ENDANGERED SPECIES ACT

AZA and its members enthusiastically support the ESA, which has saved hundreds of listed species from extinction. Like AZA accreditation, the ESA is the global "gold standard." It reflects our National commitment to species and ecosystem conservation, and it is working. Since its inception in 1973, it has prevented the extinction of 99 percent of the species it protects. However, we know that the challenges facing our planet in the 21st century are as complex as they are urgent. Scientists estimate that the total number of mammals, birds, reptiles, amphibians, and fish has declined by more than 50 percent since 1970, and many believe, including me, that we are living amidst the planet's sixth mass extinction. Climate change is accelerating this crisis. Without critical intervention today, we are facing the very real possibility of losing some of our planet's most magnificent creatures such as lions, cheetahs, elephants, gorillas, sea turtles, and sharks.

AZA-accredited facilities have a unique opportunity and responsibility to help others understand this crisis. It is our obligation—to these animals and to all life on earth—to take bold action now to protect our planet's biodiversity. One achievement that has gone unnoticed by most people is that zoos and aquariums have played a significant role in bringing over 25 species, including California condor, Florida manatee, and black-footed ferret, back from the brink of extinction.

Although we have made significant progress in saving endangered species, this work is far from done. Species protection and conservation requires long-term commitment by all of us. It is through the ongoing work related to species recovery plans that we will conserve these species for future generations. The AZA and its members support the ESA, and we encourage you to assure that the agencies responsible for carrying out the mandates of the act receive the necessary funding and human resource capacity to succeed.

AMERICAN RESCUE PLAN ACT FUNDING

Finally, we appreciate the subcommittee's support for $30 million in the "American Rescue Plan Act" (Public Law 117–2) for the care of captive species listed under the ESA and rescued and confiscated wildlife in facilities experiencing lost revenues due to COVID–19. Under a cooperative agreement with USFWS to implement this provision, AZA is providing reimbursements to eligible facilities that cared for endangered and threatened species and rescued and confiscated wildlife and that experienced earned revenue losses as a result of the COVID–19 pandemic. Funds have been directed toward reimbursing eligible facilities for the following three captive care categories: 1) U.S. native plant and animal species listed under the ESA); 2) U.S. native wildlife listed under the ESA rescued from the wild; and/or 3) wildlife confiscated by the U.S. government at U.S. ports and borders or otherwise involved in international trade and held in animal care facilities. AZA is in the final phase of reviewing eligible reimbursement applications and making funding recommendations to USFWS and NOAA Fisheries for ultimate funding decisions. We expect to complete this process by the end of June 2022. With the success of this effort to fund some of the critical conservation work of facilities like those accredited by AZA,

we hope to work with the subcommittee and USFWS to develop similar future funding opportunities that address these essential ongoing wildlife conservation efforts.

AZA and its members look forward to continuing to work with this subcommittee and Congress to assure that as a nation we are devoting the necessary resources to conserve wildlife at home and globally.

[This statement was submitted by Dan Ashe, President and CEO, Association of Zoos and Aquariums.]

PREPARED STATEMENT OF BACKCOUNTRY HUNTERS & ANGLERS

On behalf of Backcountry Hunters & Anglers (BHA), the voice for our wild public lands, waters and wildlife, I write in support of stable funding levels and critical funding increases for many key programs within the fiscal year 2023 Interior, Environment, and Related Agencies Appropriations bill. Programs within your subcommittee directly drive important economies related to our Nation's hunting, fishing and outdoor recreation industries with millions of Americans annually generating $689 billion.

As we enter the fiscal year 2023 budget cycle BHA encourages this subcommittee to invest in the natural resource programs within the U.S. Department of Interior, the U.S. Forest Service and the Environmental Protection Agency (EPA) that sustain fish and wildlife habitat, drive hunting and fishing opportunities, enhance sportsmen's access, and create economic stability in America. BHA is motivated to work with you and the authorizing committees on identifying key funding solutions that benefit future generations of sportsmen and women.

LAND AND WATER CONSERVATION FUND

BHA strongly supported the Great American Outdoors Act which permanently and fully funded the Land and Water Conservation Fund (LWCF). The $900 million floor for LWCF doesn't burden taxpayers and in fact expands economic support to rural communities, enhances public recreational access, and conserves quality fish and wildlife habitats.

BHA encourages the allocation of discretionary funding to take advantage of the tremendous opportunities to leverage funding and prioritize projects with partners in the land trust community that would eliminate landlocked public lands currently closed to hunters and anglers. Additionally, we support the use of funds to address projects that consolidate fragmented ownership of Federal public lands, connect wildlife corridors, enhance recreational access in addition to complementing State-based investments in natural resource management.

BLM LAND RESOURCES

BHA supports maintaining stable funding levels similar to those in FY22 for the Bureau of Land Management (BLM) Land Resources subaccount within the BLM Management of Lands and Resources section. This subaccount includes funding for BLM's high priority planning efforts across more than 247 million acres of land the agency manages, including the initiation of new resource management plans, address the need for planning updates and amendments, and implementation strategies. It's essential to ensure that BLM has the resources necessary to integrate the most recent State and Federal fish and wildlife science, outdoor recreation needs, and balancing energy development and resource extraction uses within the planning process.

BLM WILDLIFE AND FISH HABITAT MANAGEMENT

BHA supports maintaining stable funding levels similar to those in FY22 for the BLM Wildlife and Fish Habitat Management account. The work conducted through this account supports the maintenance, restoration, and enhancement of fish, wildlife, and their habitats on BLM administered public lands. Important BLM activities such as conducting inventories of fish and wildlife resources and developing cooperative management plans while providing for responsible recreation and commercial uses are critically important for BLM's ongoing work with state fish and wildlife agencies and local communities across the West.

GREATER SAGE-GROUSE CONSERVATION

Greater sage-grouse habitat has experienced concerning degrees of fragmentation and degradation across the West and historic collaboration efforts have created powerful conservation plans tailored to 11 States across nearly 70 million acres of sage-

brush steppe. Unfortunately, the previous administration finalized changes that will weaken these conservation plans. Eliminating thoughtful policies that balanced other uses like energy development with the need for improving habitat across sagebrush country undermines our ability to keep the bird off the endangered species list but also threatens our hunting heritage. BHA supports the inclusion of funding for sage-grouse conservation efforts at levels similar to those in FY22 provided to the BLM Wildlife Habitat Management and Resource Protection and Maintenance subaccounts to ensure the weakened plans don't compromise population recovery for the bird. We also encourage the inclusion of report language that asks BLM to address significant gaps in staffing and hiring capacity to update sage-grouse and sagebrush management plans.

BHA also supports the removal of the harmful sage-grouse rider that compromises the U.S. Fish and Wildlife Service's (USFWS) ability to utilize important conservation tools within the Endangered Species Act should populations continue to decline. This rider ties the hands of wildlife managers across the country and threatens the livelihood rural communities that depend on sagebrush country for economic stability. BHA encourages you to oppose efforts to include any limiting sage-grouse rider language in FY23 appropriations bills.

ABANDONED HARDROCK MINE RECLAMATION FUNDING

BHA supports funding levels of at least $287 million to be provided for the abandoned hardrock mine reclamation program created by Sec. 40704 of the Infrastructure Investment and Jobs Act. It is critical that this new program receive funding to address the estimated 500,000 abandoned hardrock mines in the West. According to the Government Accountability Office, Federal agencies spent, on average, about $287 million annually from 2008 through 2017 identifying, cleaning up, and monitoring abandoned hardrock mine sites. However, at this rate it would still take nearly two centuries to clean up all of our Nation's abandoned mines which represent the largest single source of pollution with 40 percent of watersheds in the West contaminated by mine tailings and runoff.

USFWS NORTH AMERICAN WETLANDS CONSERVATION ACT

BHA supports an increase in funding levels for the North American Wetlands Conservation Fund from the FY22 enacted levels to $60 million. This one-of-a-kind program leverages 1:4 ratio in contributions from nonfederal partners to restore migratory birds and other wildlife habitat within FWS allocations. To date NAWCA has already conserved more than 30 million acres.

USFWS NATIONAL FISH HABITAT ACTION PLAN & PARTNERSHIPS

This USFWS account funds the National Fish Habitat Partnership, a coalition of outdoor, hunting, angling, industry, and other conservation organizations, that work together to address the loss and depletion of fish habitat in critical waterways throughout America. BHA supports funding this partnership to further water restoration efforts across our country.

USFWS NATIONAL WILDLIFE REFUGE SYSTEM

BHA supports an increase in funding for the FWS National Wildlife Refuge System's (NWRS) Operations and Maintenance account from the FY22 enacted levels to $712 million. The NWRS currently allows hunting on 434 and fishing in 378 wildlife refuges, generating more than $2.4 billion annually in economic revenue from hunting, fishing and other outdoor recreation activities. The Refuge System also supports more than 35,000 jobs across our Nation.

USFWS PARTNERS FOR FISH AND WILDLIFE PROGRAM

The Partners for Fish and Wildlife Program has been reauthorized through fiscal year 2023. BHA supports maintaining the FY22 funding levels. This program that provides technical and financial assistance to private landowners and help implement critical projects that restore grasslands, wetlands and other habitats important to our critters, including pheasant, canvasbacks, mule deer and other game species.

USFWS NEOTROPICAL MIGRATORY BIRD CONSERVATION FUND

BHA supports an increase in funding levels for the Neotropical Migratory Bird Conservation Fund from the FY22 enacted levels to $8 million. This will help protect more than 368 bird species throughout their migratory life cycles across North

and South America. The program is a competitive grant program that benefits more than 3.7 million acres of habitat, promoting long-term conservation of neotropical migratory birds through partner- based conservation and energizing local, on-the-ground conservation efforts.

USFWS STATE & TRIBAL WILDLIFE GRANTS

BHA supports an increase in funding for FWS State and Tribal Wildlife Grants from the FY22 enacted levels to $82 million. This will provide state fish and wildlife management agencies the resources they need to continue managing and restoring critical habitats for species at risk of becoming endangered. In doing so the program facilitates collaboration between state, Tribal and Federal interests to invest in conservation efforts that prevent more expensive management costs in the future.

USFS NON-FIRE PROGRAMS

With the issue of borrowing funds from non-fire programs addressed, like the Vegetation and Watershed Management and Wildlife, Fisheries Habitat Management programs and many others, which were consumed by suppressing wildfires, BHA encourages the reinvestment in non-fire programs to find innovative ways that promote active management, forest health and resiliency, sustainable fish and wildlife habitat and quality opportunities for outdoor recreation.

USFS ROADS AND TRAILS

BHA supports robust funding for the U.S. Forest Service (USFS) Roads and Trails on National Forest System lands to help alleviate millions in maintenance backlogs. Many hunters, anglers and other outdoor recreationalists depend on roads and trails to gain access to our public lands and waters. Without proper funding and management, public access can become eliminated or reduced significantly. Addressing USFS's maintenance backlog account is an important priority BHA would like to see addressed by Congress.

EPA GEOGRAPHIC PROGRAMS

BHA supports maintaining stable funding levels similar to those in FY22 for the Environmental Protection Agency (EPA) Geographic Programs. The Great Lakes and Chesapeake Bay programs provide necessary Federal investments that leverage State and local dollars to improve water quality and fish and wildlife habitat for Canada geese, speckled trout and other game species.

While we understand the need to be fiscally responsible with taxpayer dollars, we believe that conservation programs are key economic drivers, providing large returns on investment in addition to ensuring that America has clean drinking water. Therefore, we ask you to support stable, annual funding for our Nation's public lands and waters to support healthy communities and habitats for fish and wildlife. Thank you for your consideration of Backcountry Hunters & Anglers' fiscal year 2023 recommendations for the Interior, Environment, and Related Agencies Appropriations bill.

[This statement was submitted by John Gale, Conservation Director, Backcountry Hunters & Anglers.]

PREPARED STATEMENT OF BLACK MESA COMMUNITY SCHOOL BOARD

Black Mesa Community School is located in a remote mountainous area of the Navajo Nation Reservation, 26 miles North of Pinon, Arizona. Our community is small, but the Black Mesa Community School lies at the center of it, providing a space not only for children to learn, but for parent involvement. We have an enrollment of nearly 70 students in grades K–8th and host a "Growing in Beauty Home Visitation Program", serving prenatal to 3 year old children. We are a community grant school, funded by the Bureau of Indian Education (BIE) and operated pursuant to the Tribally Controlled Schools Act (Public Law 100–297). Black Mesa Community School is also a Member of the Diné Bi Olta School Board Association (DBOSBA), which represents all of the locally-elected school boards within the Navajo Nation. We would like to associate ourselves with DBOSBA's fiscal Year 2023 appropriations testimony and tell our school's story to provide context for these priorities.

Our testimony highlights the following fiscal Year 2023 priorities:

—Increases for ISEP Formula Funds;

—Full Funding for Teacher and Counselor Pay Parity;

—Expanding Eligibility for Tribally Controlled Schools to Participate in the Federal Employee Retirement System (FERS);

—Continued Support for Early Childhood and Family Development Programs;

—Formula Funds for the Native Language and Culture Immersion Program Instead of Competitive Grants;

—Increased Funding and Flexibility for Education IT;

—Increases for Road Maintenance for School Bus Routes and Student Transportation;

—Increases for School Facilities Operations and Maintenance;

—Increases for School Facility Construction and School Replacement Construction; and

—Reduce Unnecessary and Burdensome Reporting.

ISEP Formula Funds is the core BIE account, which funds our school's operations. This account funds everything from classroom instruction materials to teacher salaries. Increases for ISEP directly benefit our students. For example, increases for ISEP could provide the resources we need to hire tutors to help our students make up the progress they lost during the worst months of the pandemic. ISEP increases could also pay for things like transportation subsidies to assist our teachers who often travel great distances to teach at our school. We also need the resources to retain teachers with the capacity to provide culturally appropriate, bilingual education consistent with requirements of the Navajo Department of Education. We have seen important student performance successes thanks to bilingual and cultural education programs, but have no additional funding sources for training, curriculum development, teacher certification and professional development. ISEP funding increases are vital to enhancing learning opportunities for all of our students through the training, development, and retention of excellent teachers. Schools across the Nation are facing a significant teacher shortage but that shortage is particularly acute here in remote communities like ours on the Navajo Nation. Further compounding this problem is the fact that surrounding public schools in Arizona and neighboring New Mexico have responded to the Nationwide teacher shortage by substantially increasing teacher pay by tens of thousands of dollars. We wholeheartedly believe teachers should be compensated in a way that reflects the important work they do every day, but we do not have the budget to compete with these salaries being offered by neighboring public schools. This is one of our biggest challenges, which has become increasingly difficult. In order to effectively address this problem, we need ISEP increases paired with Full Funding for Teacher and Counselor Pay Parity, and opportunities to expand the benefits package we can offer our teachers and staff that is comparable to State Public Schools or Department of Defense Schools.

Full Funding for Teacher and Counselor Pay Parity is a critical tool for attracting and retaining quality teachers. Federal law requires the BIE provide funding so that teachers and counselors in the BIE-funded school system may be paid equivalent salaries to their counterparts in the Department of Defense Education Activity. Federal law also provides that, at the discretion of the local school board, a BIE-operated school may pay salaries consistent with those paid by public schools in the state where the BIE school is located. We would like to thank the subcommittees for the fiscal Year 2021 House Report 116–448 and the Joint Explanatory Statement accompanying the 2021 Consolidated Appropriations Act which direct the BIE to "clearly display funding amounts required to comply with Defense Department-equivalent pay rates as part of future budget justifications and to include sufficient funding in its budget request to fully fund these requirements". We ask the subcommittees to continue to hold the BIE accountable for ensuring that the amounts requested for pay parity are sufficient to either match the increases provided by the Defense Department schools or are consistent with the rate of pay of nearby public schools, whichever of these rates are higher. Given our acute teacher shortage, these requested increases to provide pay parity are essential.

Expanding Eligibility for Tribally Controlled Schools to Participate in the Federal Employee Retirement System (FERS) would not create any new costs for the Federal Government but it could significantly bolster the efforts of tribally controlled schools like ours to attract and retain quality teachers. Congress recently extended eligibility for tribally controlled schools to participate in the Federal Employee Health Benefits (FEHB) and Federal Employee Group Life Insurance (FEGLI) programs. Extending the option of FERS participation to us and other tribally controlled schools would strengthen this effort.

Early Childhood and Family Development funding plays a critical role preparing our children for school and supporting and empowering their parents. We currently operate a Navajo Nation "Growing in Beauty Home Visitation" program to meet the needs of Navajo children with delays or disabilities from birth to 3 years of age. The Growing in Beauty program is founded on the concept that any family, given needed supports and resources, can help their child learn. As Congress separately considers a nation-wide expansion of access to high-quality pre-school and early learning opportunities, it is absolutely critical that schools in the BIE system are included and receive dedicated, sufficient, and flexible funding to support current early learning programs and to help those schools without a program to start one.

Providing Formula Funds to all Schools for Native Language and Culture Immersion would significantly help our school and others. Because this program is currently a competitive grant program, participation is limited. We believe that all Native students in BIE system schools could benefit from these resources without burdening our school administrators with yet another grant application for short-term funds.

Education IT, specifically, funding to increase connectivity for schools, students, and teachers and to pay the salaries of technical staff is absolutely critical. The funding increases proposed for fiscal Year 2022 are welcomed and can be built upon for fiscal Year 2023. We also ask that the subcommittees ensure that these funds reliably make it out to schools and are not micromanaged or endlessly tied up in the BIE's bureaucracy. One specific example is that we would like to use this funding to wire teacher housing for internet access-something that the (separate) E-Rate program we use for other connectivity priorities cannot cover.

Student Transportation in the BIE Budget and Road Maintenance for School Bus Routes in the BIA Budget are of particular importance for us. In the area Black Mesa Community School serves, very few roads are paved or "improved." A strong rain or snowstorm can render our school bus routes impassible and disrupt learning for days. Maintenance costs for our vehicles are higher than average for this reason and because maintaining our buses requires long transport trips to garages in Flagstaff and Gallup which are 150 and 170 miles away, respectively. However, we are concerned that the General Services Administration's planned conversation to an electric vehicle fleet could further complicate this situation, given the current state of our roads and electric grid. To be effectively implemented, either our infrastructure would need to be significantly updated or these buses would need to be specifically designed to handle our remote, challenging terrain and unreliable electric grid. Currently, the fuel cost is increasing outrageously and this will cause shortfalls in our transportation budget.

School Facilities Operations and Maintenance funds play a pivotal role in the health and safety of our students and staff. Proper functioning of our HVAC system is key. More funding is needed to address the BIE system-wide maintenance backlog and to ensure all of our schools have enough funding to adequately heat and cool our buildings, and to achieve adequate clean air circulation to reduce the risk of coronavirus transmission as we return to in-person classes. Each year, we receive the lengthy results of our safety inspections but insufficient funding to address these findings. Congress should ensure that Facilities funding is timely distributed to schools and not held up by the BIE or the BIA Division of Facilities Management and Construction. We also ask that Congress to shift these two accounts to the forward funded portion of the BIE's budget to help further insulate our schools from the disruptive uncertainties of continuing resolutions and government shutdowns.

School Facilities Improvement & Repair and School Replacement Construction in the BIE's Education Construction budget also significantly impact the health and safety of our students and staff. Our school was built in 1985 and since then, we have far outgrown it: many of our classes take place in portable/modular buildings and our small cafeteria doubles as our gymnasium. We also have so many piecemeal fixes and repairs needed that it would likely be more cost effective to simply replace our school. Unfortunately, we are not alone in this respect: many schools throughout the BIE school system have reached far past the end of their safe and useful life and must be replaced. Many of these schools are located across the Navajo Nation. The BIE's fiscal Year 2022 budget justification reports that only one of the 10 schools on the 2016 School Replacement List is complete. It is critical for Congress to continue robust levels of funding for School Replacement Construction so the remaining schools on the list can be completed expeditiously and a new list created. We thank Congress for enacting the Great American Outdoors Act, and call on the subcommittees to ensure that the act's 5 years of supplemental funding to help address the repair and replacement backlogs across the BIE school system is just that: supplemental to the robust funding Congress is already providing.

Reduce Unnecessary and Burdensome Reporting to ensure the effective implementation of these vital programs and the efficient use of these valuable Federal resources. We call the subcommittee's attention to several immediate and urgent oversight concerns regarding the BIE's noncompliance and disregard for statutory mandates that Congress enacted in order to "facilitate Indian control of Indian affairs in all matters relating to education" as enshrined in the Indian Education Title of the Elementary and Secondary Education Act Amendments of 1978 (Public Law 95–561) and the TCSA (Public Law 100–297). The BIE's actions undermine self-determination in Indian education and distract our teachers and administrators from focusing on providing quality educational services to our students. The BIE has not met the standards set by Congress and does not deserve a passing grade for its performance. Significant improvement by the BIE is needed to ensure effective program implementation and efficient use of Federal resources. Our concerns are reflected in the separate letter DBOSBA is providing to the subcommittees which details the need for greater accountability at the BIE and less unnecessary paperwork and reporting requirements for tribally controlled schools. We respectfully ask that the subcommittees express awareness of our oversight concerns in the appropriations instructions that will be provided to the BIE and that those instructions request a report or response from the BIE.

Thank you. We would like to thank the subcommittees for your support and partnership throughout the pandemic. The resources you allocated for BIE system schools helped keep our students and teachers safe and connected. We also deeply the appreciate the recent increases provided to the key BIE accounts we depend on and your ongoing oversight of the BIE. We consider you our partners in this important endeavor of preparing our students for a bright future. Thank you for the opportunity to provide this testimony. Please consider us a resource if you have any questions.

[This statement was submitted by Carolyn Ben, Secretary, Black Mesa Community School Board.]

PREPARED STATEMENT OF BRISTOL BAY AREA HEALTH CORPORATION

Recommendations:

1. Provide full funding and advance appropriations for the Indian Health Service
2. Ensure mandatory funding for Contract Support Costs and 105(l) lease payments
3. Amend Indian Self-Determination and Education Assistance Act to Clarify CSC provisions
4. Fund Critical Infrastructure investments for the Indian health system
5. Increase funding and authorize a self-governance funding mechanism option for the Special Diabetes Program for Indians
6. Increase funding for Preventive Health programs.
7. Reduce dependence on competitive grants for Indian Country

Introduction.— Thank you Chairman Merkley, Ranking Member Murkowski, and Members of the subcommittee for the opportunity to share our funding priorities for the fiscal Year 2023 Federal budget. My name is Robert Clark and I am the President/CEO of the Bristol Bay Area Health Corporation. The Bristol Bay Area Health Corporation was created in 1973 to provide health care services to Alaska Natives of Southwest Alaska. We began operating and managing the Kanakanak Hospital and the Bristol Bay Service Unit for the IHS in 1980, and was the first Tribal organization to do so under the Indian Self-Determination and Education Assistance Act (ISDEAA). BBAHC is a co-signer to the Alaska Tribal Health Compact with the Indian Health Service (IHS) under the ISDEAA and is now responsible for providing and promoting health care to the people of 28 Alaska Native Villages.

We are grateful that IHS received over $9 billion supplementary appropriations to address the COVID–19 pandemic. Those resources have been critical to ensuring that we had the means to serve our patients and fight this terrible disease. The pandemic also gives us an opportunity to make real, sustained investments in the Indian health system. As we have seen with the remarkable distribution of the COVID–19 vaccine in Alaska and throughout Indian Country, when given adequate resources and when Tribal sovereignty is honored, Tribal communities demonstrate remarkable success. We believe now time to take the lessons learned from the

COVID–19 pandemic—both positive and negative—to renew the Indian health system. Annual appropriations are essential to fulfilling the Federal Government's trust and treaty obligations by ensuring critical programs and services receive adequate funding to fulfill their intended purpose. Therefore, I offer the following recommendations for your consideration for fiscal Year 2023 appropriations for the IHS:

Provide Full Funding for the Indian Health Service.— With support from the IHS, we strive to provide Alaska Natives and American Indians (AI/AN) with access to high quality and comprehensive medical services, no more so than during the ongoing pandemic. The Indian health system has navigated unimaginable hardships related to supplies, staffing levels, infrastructure and facilities, and high rates of underlying conditions in serving our people at this time. We sincerely appreciate the work that this committee has undertaken—on a bipartisan basis—to provide funding increases for IHS year after year. However, more must be done for the United States to honor its trust and treaty obligations to Tribal Nations.

The IHS Tribal Budget Formulation Workgroup has calculated the need at $49.8 billion for full funding. The Workgroup supports fully funding this amount in fiscal Year 2023. The top priorities for program expansion from the fiscal Year 2022 National Tribal Budget Recommendation Planning base of $12.8 billion as follows:[1]

1) Hospitals and Clinics: +$8.65 billion

2) Purchased/Referred Care: +$5.22 billion

3) Mental Health: +$3.59 million

4) Alcohol and substance Abuse: +$2.31 million

5) Maintenance and Improvement: +$2.27 billion

Mandatory and Advance Appropriations for IHS.—We appreciate the Biden Administration's proposal to provide mandatory funding for IHS and increase funding over 10 years. Reclassifying the IHS budget as mandatory spending not only reflects the nature of the trust and treaty obligations to Tribal Nations, but also will allow IHS to be funded at a level that is necessary for providing health care to AI/ANs. As noted in the President's budget request, "Mandatory funding for the IHS provides the opportunity for significant funding increases that could not be achieved under discretionary funding caps."[2] The proposal outlined in the President's Budget request is a good start, but must be developed in partnership with Tribal Nations. We stand ready to work with you and IHS to fully develop this proposal so that it provides adequate funding for IHS and fully honors Tribal self-determination and self-governance.

However, if fully mandatory appropriations cannot be achieved for fiscal Year 2023, we continue to support IHS advance appropriations for the short term. It has unfortunately become the norm that IHS does not receive its full yearly appropriation until several months (sometimes longer) after the start of the fiscal year. In the recent past, IHS, Tribal and Urban health programs have even had to deal with government shutdowns, when no funding was provided for weeks on end putting the lives of our patients in jeopardy. These funding delays make it impossible for IHS and Tribal health programs to plan and manage their annual budgets. Congress recognized these challenges when it provided the Veterans Administration with advance appropriations over a decade ago. Yet, IHS still waits for parity. In fiscal Year 2022, we did not receive our full funding amount until almost halfway through the fiscal year. The practical implication of this is that our health systems do not have the ability to plan our finances even weeks ahead, as we do not know what our funding level will be. At a time when we are desperate for medical professionals and when the health system is in crisis due to the global pandemic, this is just unacceptable. Full advance appropriations for the IHS would lead to better stability for our health system, improve provider recruitment and retention, and improve practices over all. We appreciate President Biden's support for IHS advance appropriations in his fiscal Year 2022 budget request to Congress and the support of many members of this subcommittee on IHS advance appropriations. We urge the Committee to take the necessary steps in the fiscal Year 2023 appropriations bill to move/continue IHS to an advance appropriation for fiscal Year 2023 and beyond. The time is now to end the delay of health care for AI/ANs.

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[1] Full recommendations are available here: https://www.nihb.org/docs/02072022/FY percent202023 percent20Tribal percent20Budget percent20Formulation percent20Workgroup percent20Recommendations percent20Vol percent201.pdf

[2] Department of Health and Human Services, Fiscal Year 2023, Indian Health Service, Justification of Estimates for Appropriations Committees, p. CJ–3.

Mandatory Funding for Contract Support Costs and 105(l) lease payments.—If Congress is not able to enact full mandatory funding for IHS this year, we continue to support mandatory funding for Contract Support Costs (CSC) and 105(l) leases. We appreciate the subcommittee's commitment to ensuring that CSC and 105(l) lease costs are fully funded by including an indefinite discretionary appropriation in recent years for both of these accounts. However, changing these accounts to mandatory appropriations in fiscal Year 2023 would bring appropriations process into line with the clear legal requirements of the authorizing statute. CSC and 105(l) lease funds are already an entitlement under substantive law for the ISDEAA to function as intended by Congress. It is contradictory and problematic to appropriate funding for CSC on a discretionary basis. A simple amendment to a permanent appropriations statute could solve this challenge.

Amend Indian Self-Determination and Education Assistance Act to Clarify CSC provisions.—We also request that the committee consider amending the Indian Self-Determination and Education Assistance Act (ISDEAA) to clarify that when agency funding paid to a Tribe for program operations is insufficient for contract and compact administration, contract support costs will remain available to cover the difference. In the recent court decision Cook Inlet Tribal Council, Inc. v. Dotomain,[3] a Federal appeals court held that costs for activities normally carried out by IHS are ineligible for payment as CSC-even if IHS transfers insufficient, or even no, funding for these activities in the Secretarial amount. Under this new ruling, if facility costs are higher for a Tribe than for IHS, the Tribe is forced to cover the difference by diverting scarce program dollars. Recently, this serious misinterpretation of the ISDEAA that has been applied to one Tribal organization resulting in a 90 percent reduction of contract support costs reimbursement threatens Tribal self-governance and self-determination. Therefore, we call upon Congress to provide a legislative fix to clarify the intent on Congress for this matter, and ensure consistency with precedent.

Fully fund critical infrastructure investments.—As Congress considers making dramatic investments in the country's infrastructure, it is critical that the Indian health system not be left behind. Therefore, we request that the subcommittee allocate funding for full implementation of interoperable Electronic Health Records (EHR) and tele-health. This will ensure that IHS can provide services that are similar to other health providers. Last year, IHS said before the Senate Committee on Indian Affairs that the current EHR "created significant barriers to the rapid response needed for COVID–19." For Tribes and Tribal health organizations who have committed their own resources to move away from RPMS and make their systems functional, IHS should take this into consideration with any new resources and ensure these programs are not only interoperable, but compensated accordingly.

We were thrilled to see that the Sanitation Facilities Construction program received $3.5 billion in appropriations in the Infrastructure Investment and Jobs Act (Public Law 117–58). These funds will be especially critical in Alaska, which has a deficit of almost $2 billion in unmet sanitation needs in Alaska Native communities. That said, it is critical that Congress make still significant investments in Tribal health facilities construction. IHS and Tribal facilities are some of the oldest in the Nation, meaning that facilities are out of date, or not appropriate for the size of the patient populations they serve. Therefore, consistent with the Budget Formulation Workgroup's request, we recommend $10.6 billion for facilities in fiscal Year 2023.

Staff Housing Quarters.—We continue to experience challenges finding adequate housing for staffing for health and other professionals to serve our community. As you know, health staffing shortages across the Indian health system are dire, and providing adequate living spaces for professionals are directly linked with our ability to recruit and retain staff.

Extend Self-Governance Funding Options to the Special Diabetes Program for Indians (SDPI) and increase funding to $250 million/year.—While we understand that SDPI is not under the jurisdiction of the subcommittee, we appreciate that Congress included a 3-year reauthorization of SDPI in the Consolidated Appropriations Act, 2021 (Public Law 116–260). Communities like ours across Indian Country rely on SDPI resources to address the alarming rates of diabetes and diabetes-related health complications among our people. SDPI's success rests in the flexibility of its program structure that allows for the incorporation of culture and local needs into its services. Consistent with this model, Congress should authorize SDPI participants the option of receiving their Federal funds through either a grant (as currently used) or self-governance funding mechanisms under the Indian Self-Determination and Education Assistance Act. This would be a natural and just extension

[3] Cook Inlet Tribal Council, Inc. v. Dotomain, 10 F.4th 892 (D.C. Cir. 2021).

of SDPI in respecting Tribal sovereignty. Additionally, SDPI has not had an increase in funding since fiscal Year 2004. Short term reauthorizations also destabilize this health program and make staffing and program continuity difficult. For this reason, we recommend permanent reauthorization for SDPI at a minimum base of $250 million per year with annual adjustments for inflationary increases. We urge you to work with your Congressional colleagues to ensure that SDPI receives a funding increase of at least $250 million per year.

Plan for the Future with Dedicated Funding for Preventative Health Services.—Among the many things we have learned from the COVID–19 pandemic is that basic public health functions are critical to preserving life and overall health of Americans, yet public health systems in most Tribal communities lag far behind systems in other jurisdictions. Without robust public health systems in place, responding to public health threats means that Tribal communities will continue to be a challenge. Like other governments, Tribes have the responsibility to provide public health services for their people. Yet the Federal Government provides few resources to Tribal communities for this purpose. AI/ANs experience health disparities for a variety of health conditions such as such as obesity, diabetes, heart disease, cancer and other largely preventable chronic conditions. Treating these chronic health conditions imposes unnecessary challenges on Tribal health systems and IHS. We support long-term, sustained, full investment in Tribal public health infrastructure so that Tribal communities have the resources available to respond quickly when the next crisis hits.

Reduce Dependence on Federal Grants.—In addition to the critical funding needs outlined above, we also support moving away from competitive grants for Federal funding mechanisms. The Federal trust responsibility does not require that we jump through a myriad of hoops and onerous applications to see that services are provided to our people. Grants also unfairly pit Tribes against Tribes, when all are deserving of critical resources. Therefore, we agree with other Tribal leaders and continue to support broad based funding for our health systems across all Federal agencies. Too often, Tribes are under resourced to apply for Federal grants, and to comply with the associated burdensome reporting requirements which vary from grant to grant. Applications and reporting requirements force our health system to divert staff time to apply and report thereby diluting the usefulness of the resources. Instead, we request wide-spread, formula-based funding across all programs and the flexibility needed to respond to the specific needs of their own communities, not those prescribed by Federal grants. A Tribal workgroup has developed draft legislation to reduce dependence on Federal grants by enacting Title VI of ISDEAA, which would allow for self-governance to be extended to non-IHS programs within the Department of Health and Human Services. We would appreciate the subcommittee's support of this legislation.

[This statement was submitted by Robert J. Clark, President/CEO, Bristol Bay Area Health Corporation.]

PREPARED STATEMENT OF BUSINESS COUNCIL FOR SUSTAINABLE ENERGY

The Business Council for Sustainable Energy (BCSE) appreciates the opportunity to submit testimony for the record regarding programs impacting clean energy at the Environmental Protection Agency (EPA) and the Department of Interior (DOI) in the Fiscal Year 2023 Interior, Environment and Related Agencies Appropriations Bill.

The BCSE is a coalition of companies and trade associations from the energy efficiency, energy storage, natural gas, renewable energy, sustainable transportation and emerging decarbonization technology sectors. It includes independent electric power producers, investor-owned utilities, public utilities, equipment manufacturers, commercial end users and service providers in energy and environmental markets. Founded in 1992, the coalition's diverse business membership is united around the revitalization of the U.S. economy and the creation of a clean, secure, and reliable energy future in America.

The BCSE is pleased to have an independent small- and medium-size businesses initiative under its banner, the Clean Energy Business Network (CEBN). Together, the BCSE and CEBN represent a broad range of the clean energy economy, from Fortune 100 companies to small businesses working in all 50 States and over 350 Congressional districts. On a national basis, these industries support over 3 million U.S. jobs.

ENVIRONMENTAL PROTECTION AGENCY CLEAN ENERGY PROGRAMS

As a business group working to advance clean energy policies, BCSE has seen first-hand the importance of the Federal role EPA fills in sharing information about new technologies and practices to help speed adoption of clean energy, and to allow consumers to make more informed decisions about energy usage. EPA initiatives help businesses manage environmental issues, foster transparency and best practices in emissions and water management, and leadership in environmental stewardship and sustainability. EPA also provides transparent, standardized, and independent data and expertise that cannot be replicated with the same credibility by private sector or non-governmental organizations.

BCSE requests funding for Environmental Agency programs including the CHP Partnership, Green Power Partnership, Natural Gas Star, Methane Challenge, AgStar, Center for Corporate Climate Leadership, SmartWay Transport Partnership, and others, which embody longstanding public-private endeavors that benefit American businesses and help them continue to compete on a global scale. These EPA initiatives provide market transparency, encourage voluntary action, and identify companies that are leaders in businesses and in environmental protection. Additionally, EPA's laboratories lead the world in capabilities that make the United States preeminent in research and analysis which supports private sector capabilities to enhance economic growth and emissions reductions simultaneously.

The Energy Star program has a proven track record of success. Through brand recognition, information and positive publicity, the Energy Star program has provided the catalyst for many consumers, homeowners, businesses, and State and local governments to invest in energy efficiency. BCSE requests a doubling of funding for the Energy Star program in fiscal year 2023.

The Renewable Fuel Standard, which is implemented by the Office of Transportation and Air Quality, has enabled the biomass and biogas industry to help meet lower carbon energy needs. The Council encourages funding for EPA for the processing of pathways and applications to enable biomass, biogas, renewable natural gas (RNG), and waste-to-energy projects to produce RINs for electricity. Electricity derived from biogas, RNG, renewable biomass, and solid forms of biomass, is currently being used as a transportation fuel and should be credited accordingly under the RFS program. Congress should appropriate $1 million in funding for EPA to take final action within 90 days, on any registration application or pathway petition to participate in the Renewable Fuels Pathway II Rule which has been pending for more than 1 year.

EPA's State and Local Climate and Energy Program offers expertise about energy efficiency, renewable energy, and climate change policies and programs to interested State, local, and Tribal governments. By providing these resources, EPA removes barriers that would otherwise prohibit action at the local level due to resource constraints or lack of information on best practices. Through its programs on renewable energy, renewable natural gas (RNG), natural gas, combined heat and power and energy efficiency, EPA encourages the use of clean, efficient, and market ready technologies that can lower costs and improve resilience in addition to lowering emissions.

EPA is also engaged in a variety of international activities to advance climate change science, monitor our environment, and promote activities that reduce greenhouse gas emissions. EPA establishes partnerships, provides leadership, and shares technical expertise to support these activities.

DEPARTMENT OF INTERIOR CLEAN ENERGY PROGRAMS

The Department of Interior has a critical role in renewable energy production on public lands and waters and BCSE requests funding to facilitate this transition to clean energy.

The Bureau of Ocean Energy Management's (BOEM) Office of Renewable Energy Programs (OREP) and Environmental Studies Program (ESP) play crucial roles in the development of offshore wind energy. Providing additional resources to these offices will help the processing of permits for an unprecedented number of offshore wind projects while allowing the Department to conduct additional lease sales and identify new lease areas on the Outer Continental Shelf. A doubling of funding is needed for the Bureau of Safety and Environmental Enforcement (BSEE) to ensure safety while deploying offshore wind projects. BCSE also supports funding for the Bureau of Land Management renewable energy program and for an increase in funding for planning and consultation services and staff at the Fish and Wildlife Service (FWS) needed for Endangered Species Act evaluations.

The Council welcomes the opportunity to share information from the 2022 edition of the Sustainable Energy in America Factbook which shows that despite the lin-

gering pandemic, global supply chain bottlenecks, rising inflation, and considerable uncertainty in 2021, the clean energy and energy efficiency transition continued, with a record-breaking year for deployment of renewable power, battery storage and sustainable transportation, and an unprecedented injection of new capital into companies, technologies and projects. We encourage you to build upon this momentum with sustained support for clean energy programs in fiscal year 2023.

BCSE looks forward to working with you throughout the fiscal year 2022 budget cycle. Please feel free to reach out to Ruth McCormick at rmccormick@bcse.org with any questions.

[This statement was submitted by Lisa Jacobson, President, Business Council for Sustainable Energy.]

PREPARED STATEMENT OF THE CENTER FOR INVASIVE SPECIES PREVENTION

We write to ask you to support funding for two programs of the USDA Forest Service. Each is essential for protecting the resilience of the Nation's forests in the face of invasive pests.

Specifically, we ask that the subcommittee appropriate to the Forest Health Management Program (FHP) $51 million for the Cooperative Lands subprogram and at least $32 million for the Federal Lands subprogram. Both subprograms must be funded in order to ensure continuity of protection efforts—which is the only way they can be effective.

We ask further that the subcommittee adopt report language requiring that five percent of the Forest and Rangeland Research Program's $318 million budget be allocated to research on invasive species. The $16 million would fund research necessary to improving managers' understanding of invasive forest insects' and pathogens' invasion pathways and impacts, as well as to developing effective management strategies.

URBAN, RURAL, AND WILDLAND FORESTS: INDISPENSABLE AND THREATENED

About one-third of America's land area supports forests or woodlands. These provide many benefits, including wood and non-wood forest products; jobs for rural economies; wildlife habitat; carbon sequestration; clean water and air; and recreation and aesthetic enjoyment. About 60 percent of these forests are owned by States or private entities.

While the ecosystem benefits provided by rural and wildland forests are well understood, the contributions of urban forests are sometimes not recognized. Urban forests moderate temperatures and winds, thus reducing energy expenditures and related emissions of carbon dioxide and other pollutants. They curb stormwater runoff and its management costs. Urban trees filter air and water pollutants. And they improve the health and wellbeing of city residents.

THE NEED FOR A CONTINUUM OF PEST MANAGEMENT

A growing number of non-native insects and pathogens threaten our forests. Already, an estimated 41 percent of forest biomass in the "lower 48" States is at risk to mortality caused by the 15 species causing the greatest damage. Unique plant communities and critical watersheds are being destroyed. These include the black ash swamps of the upper Midwest, riparian forests in the far West, stream canyons of the Appalachian range, and high-elevation forests of the Rocky Mountain States. [A thorough discussion of these pests' impacts is in *Invasive Species in Forests and Grasslands of the United States: A Comprehensive Science Synthesis for the United States Forest Sector*, available here https://www.fs.usda.gov/treesearch/pubs/61982]

Meantime, newly-discovered pests cause threats to which the FHP must respond. Examples include rapid ʻōhiʻa death threatening the unique forest ecosystems of Hawai'i; beech leaf disease, which is killing beech trees from Ohio to Maine and south to Virginia; and the spotted lanternfly, now spread across Pennsylvania and down the Appalachians to the middle of Virginia, as well as on the Indiana/Kentucky border.

These introduced pests usually first appear in cities or suburbs because they arrive on imported goods destined to population centers. The immediate result is enormous damage to urban forests.

However, the pests don't stay in cities. Instead, they proliferate and spread to rural and wildland forests, including National forests. Some spread on their own. Others are carried far and wide on firewood, plants, or even storage pods holding household furnishings. Thus they quickly grow from a local outbreak to a national problem that hop-scotches across state boundaries.

In this way, the pests introduced to our cities threaten forests across the continent, demanding a Federal response. Examples of tree-killing pests that have spread from urban areas to our National forests include the hemlock woolly adelgid, emerald ash borer, polyphagous and Kuroshio shot hole borers, sudden oak death, laurel wilt disease, and spotted lanternfly.

As this history demonstrates, protecting our National forests must begin by addressing pests where they are first found—usually in urban or semi-rural forests. The Cooperative Lands subprogram of the Forest Health Management program does this by providing technical and financial assistance to the States and other forest-management partners.

Our request for $51 million for work on non-federal cooperative lands would partially restore capacity lost over the last decade. Since Fiscal Year 2010, spending to combat 11 specified non-native insects and pathogens fell by about 50 percent. Meanwhile, the pests have spread.

Of course, management of the many non-native and native pests threatening our National forests constitutes an essential element of the pest-management continuum. For this reason, CISP supports a $32 million appropriation for the Federal Lands subprogram for FY23.

I will highlight a less-known but vital aspect of the FHP program: its leadership on breeding pest-resistant trees to restore forests decimated by pests. One component, the Dorena Genetic Resource Center, in Cottage Grove, Oregon, has long provided genetic services to the 19 National forests plus cooperators in Oregon and Washington. One of the Center's projects has developed Port-Orford cedar seedlings resistant to the fatal root. These seedlings are now being planted by National forests, the Bureau of Land Management, and others. In addition, pines with some resistance to white pine blister rust are also under development. Both conifers are important timber species and essential to restoring the region's biodiversity, so these resistant trees are good news! Also, the Dorena Center offers expert advice to partners in the Forest Service and other federal, state, and academic institutions engaged in resistance-breeding for Oregon's ash trees and two tree species in Hawai'i, koa and 'ōhi'a.

USDA FOREST SERVICE FOREST AND RANGELAND RESEARCH PROGRAM

Effective programs to prevent, suppress, and eradicate non-native insects, diseases, and plants can be developed only after scientists understand the pest-host relationship. Often, when pests are first detected, little to nothing is known about them. This crucial knowledge can be gained only through research.

Unfortunately, only a tiny percentage of the Forest Service's $300 million research budget has been allocated to improving managers' understanding of specific invasive species and, more generally, of the factors contributing to bioinvasions.

Funding for research conducted by the Research stations on 10 non-native pests decreased from $10 million in Fiscal Year 2010 to just $2.5 million in Fiscal Year 2020—less than one percent of the total research budget. This cut of more than 70 percent has crippled the USFS' ability to develop effective tools to manage the growing number of pests.

We thank the Committee for not accepting the proposal—last year—to close the Pacific Southwest Research Station. We are glad that the Station remains operational since it leads research on sudden oak death; multiple threats to Hawaiian forests (rapid 'ōhi'a death, 'ōhi'a rust, koa wilt, Erythrina gall wasp on wiliwili tree; and Myoporum thrips on naio); and the growing number of introduced wood-borers in California.

The USFS Research and Development program must also continue leading efforts to breed hemlocks resistant to hemlock woolly adelgid; ashes resistant to emerald ash borer; beech resistant to both beech bark disease and beech leaf disease; and elms resistant to Dutch elm disease. The Research program also continues studies to understand the epidemiology of laurel wilt disease, which has spread to sassafras trees in Kentucky and Virginia.

To ensure the future health of America's forests, we ask the subcommittee to enhance funding for vitally important research into invasive species by including in its report language an instruction that the Service increase the funding for this vital research area to five percent of the total research budget.

Thank you for addressing these matters. I would be pleased to provide additional information.

[This statement was submitted by Faith T. Campbell, President, Center for Invasive Species Prevention.]

PREPARED STATEMENT OF CENTRAL ARIZONA WATER CONSERVATION DISTRICT

On behalf of the Central Arizona Water Conservation District (CAWCD), I encourage you to direct the Bureau of Land Management (BLM) to again expend at least $2.0 million from its Aquatic Habitat Management Program sub-activity (formerly known as the Soil, Water and Air Program) for Colorado River specific salinity control activities in Fiscal Year 2023. The funding will help protect the water quality of the Colorado River that is used by approximately 40 million people for municipal and industrial purposes and used to irrigate approximately 5.5 million acres in the United States.

CAWCD manages the Central Arizona Project (CAP), a multi-purpose water resource development and management project that delivers Colorado River water into central and southern Arizona. The largest supplier of renewable water in Arizona, CAP diverts an average of over 1.5 million acre-feet of Arizona's 2.8-million-acre-foot Colorado River entitlement each year to municipal and industrial users, agricultural irrigation districts, and Tribal communities.

Our goal at CAP is to provide an affordable, reliable and sustainable supply of Colorado River water to a service area that includes more than 80 percent of Arizona's population.

These renewable water supplies are critical to Arizona's economy and to the economies of Native American communities throughout the state. Nearly 90 percent of economic activity in the State of Arizona occurs within CAP's service area. The canal provides an economic benefit of $100 billion annually, accounting for one-third of the entire Arizona gross state product. CAP also helps the State of Arizona meet its water management and regulatory objectives of reducing groundwater use and ensuring availability of groundwater as a supplemental water supply during future droughts. Achieving and maintaining these water management objectives is critical to the long-term sustainability of a State as arid as Arizona.

NEGATIVE IMPACTS OF CONCENTRATED SALTS

Natural and man-induced salt loading to the Colorado River creates environmental and economic damages. EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. Human activity, principally irrigation, adds to salt load of the Colorado River. Further, natural and human activities concentrate the dissolved salts in the River.

The U.S. Bureau of Reclamation (Reclamation) has estimated the current quantifiable damages at about $354 million per year to U.S. users with projections that damages would increase to approximately $671 million per year by 2040 if the program were not to continue. These damages include:

—A reduction in the ability to reclaim and reuse water for beneficial uses, including drinking water and irrigation water supplies, due to high salinities in the water delivered to water treatment and reclamation facilities;

—A reduction in the yield of salt sensitive crops and increased water use to meet the leaching requirements in the agricultural sector;

—Increased use of imported water and cost of desalination and brine disposal for recycling water in the municipal sector;

—A reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector;

—An increase in the cost of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector;

—An increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;

—A decrease in the life of treatment facilities and pipelines in the utility sector; and

—Difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins.

The threat of salinity continues to be a concern between the United States and Mexico. Since the agreement of Minute 242 in 1973 to the 1944 Water Treaty, the United States has taken several actions to improve the quality of water delivered to Mexico, including operating and maintaining the Main Outlet Drain Extension

(MODE). More recently, on November 20, 2012, a 5-year agreement, known as Minute 319, was signed between the U.S. and Mexico to guide future management of the Colorado River. Among the key issues addressed in Minute 319 included an agreement to maintain current salinity management and existing salinity standards. The United States, Mexico, and key water users, including CAWCD, worked since 2015 to develop a successor agreement, Minute 323, which was finalized on September 27, 2017. Minute 323 continues collaboration and cooperation among the United States and Mexico with respect to salinity control in the Colorado River system. The CAWCD and other key water providers are committed to meeting these goals.

Adequate funding for salinity control will prevent the water quality of the Colorado River from further degradation and avoid significant increases in economic damages to municipal, industrial and irrigation users.

CONCLUSION

Implementation of salinity control practices through the BLM Program has proven to be a very cost-effective method of controlling the salinity of the Colorado River and is an essential component of the overall Colorado River Basin Salinity Control Program.

The continuation of funding will prevent further degradation of the water quality of the Colorado River and further degradation and economic damages experienced by municipal, industrial and irrigation users. A modest investment in source control pays huge dividends in improved drinking water quality for nearly 40 million Americans. CAWCD requests that this committee direct that BLM again expend in Fiscal Year 2023 at least $2.0 million from its Aquatic Habitat Management Program subactivity for Colorado River specific salinity control activities.

[This statement was submitted by Theodore C. Cooke, General Manager.]

PREPARED STATEMENT OF CHEYENNE RIVER SIOUX TRIBE

On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act (IIJA) Public Law 117–58, also known as the Bipartisan Infrastructure Law (BIL), into law. The Bipartisan Infrastructure Law is the largest long-term investment in our infrastructure and economy in our Nation's history. As you know, it provides $550 billion over fiscal years 2022 through 2026 in new Federal investment in infrastructure, including roads, bridges, and mass transit, water infrastructure, resilience,

and broadband. In section 14005 of the law, the Bureau of Indian Affairs Road Maintenance Program was authorized for appropriations of $50,000,000 in 2022 with $2,000,000 stepped increases each year of the law, through FY2026. If fully funded at the authorized levels, this would mark the highest increase that the Road Maintenance Program has ever seen. The program has been severely underfunded and mostly forgotten about over the last 30 years with funding levels hovering around $24 million in the 1990's, a jump to about $40 million in the early 2000's, and then a fall back down in the 2010's with small increases over the last 7 years.

In March of 2022, Congress funded the BIA Road Maintenance Program at $37 million for fiscal year 2022, underfunding the program by $13 million from what was authorized in the bipartisan law. Hundreds of billions of dollars will be invested in infrastructure over the next several years through the new Surface Transportation Reauthorization Act of 2021 (STRA–21) in BIL, and so we find it makes no sense to short the Road Maintenance Program $13 million when the need is so great and such large investments are being made in other areas. Currently, BIA has a deferred maintenance backlog in excess of $300 million to maintain BIA-owned roads and bridges to an adequate standard. As part of a 2018 survey conducted by the BIA, the deferred maintenance backlog for all Tribal and BIA respondents was estimated at $498 million.

The BIA Road Maintenance Program is currently operating with only 13 percent of its miles in good to excellent condition while the other 87 percent remain fair to failing. The American Recovery and Reinvestment Act (ARRA) of 2009 infused an historic amount of additional funding into the program and allowed Tribes across the country to complete thousands of road maintenance projects. Through ARRA, $141 million in supplemental road maintenance spending was pumped into the program. As a result, the amount of road miles in good to excellent condition saw a marked increase. Each year following the percentages have slowly dropped as roads in Indian Country deteriorate. The data is there and the proof is there to show what increased funding can do for the Road Maintenance Program.

We strongly ask that you fully fund the program at the $52 million authorized in fiscal year 2023 and also fully fund the program each year of the remaining authorization in the law. Give us the chance to show once again what Indian Country can and will do to prove that better funding is what makes this program operate at a higher level. The data and proof will be there once again to show that this increased investment in Road Maintenance will not only make the roadways safer but make the level of service of these routes rise to that good to excellent condition. This will also help to improve economic development opportunities across our lands.

Thank you for your cooperation. If you would like to discuss this further you can reach me at (605) 964–4155.

[This statement was submitted by Harold C. Frazier, Chairman Cheyenne River Sioux Tribe.]

PREPARED STATEMENT OF THE CONSERVATION FUND

Chairman Merkley, Ranking Member Murkowksi, and Members of the Appropriations subcommittee on Interior, Environment, and Related Agencies, thank you for this opportunity to submit outside witness testimony on behalf of The Conservation Fund (TCF). TCF supports the mandatory funding request of $900 million and additional discretionary funding in fiscal year 2023 for the Land and Water Conservation Fund (LWCF), which includes the Federal land acquisition programs of the Bureau of Land Management ($75 million), National Park Service ($105 million), U.S. Fish and Wildlife Service ($125 million), U.S. Forest Service ($135 million), as well as three State grant programs: the U.S. Fish and Wildlife Service's Cooperative Endangered Species Conservation Fund ($31 million); National Park Service's State Assistance Grants program ($270 million); and the U.S. Forest Service's Forest Legacy Program ($110 million). TCF also supports a funding request for the U.S. Fish and Wildlife Service's North American Wetlands Conservation Fund ($60 million); U.S. Fish and Wildlife Service's State and Tribal Wildlife Grant Programs ($100 million); U.S. Fish and Wildlife Service's Chesapeake Watershed Investments for Landscape Defense Program ($15 million); National Park Service's Chesapeake Bay Gateways and Watertrails Program ($3 million); and the U.S. Forest Service's Community Forest and Open Space Conservation Program ($10 million); and the Department of Interior's (DOI) Natural Resource Damage Assessment and Restoration Program ($10 million). TCF requests funding for the Environmental Protection Agency's (EPA) Great Lakes Restoration Initiative ($400 million) and Chesapeake Bay Program ($91 million).

TCF is a national, non-profit conservation organization dedicated to conserving America's land and water legacy for future generations. Established in 1985, TCF works with landowners; federal, State and local agencies; and other partners to conserve our Nation's important lands for people, wildlife and communities. To date, TCF has helped our partners to conserve over 8.5 million acres. These accomplishments are due, in large measure, to the leadership of this subcommittee over many years to appropriate funds to acquire lands for future generations, working forests, recreational opportunities, wildlife habitat, and many other benefits.

Below are highlights of some benefits of the LWCF and land acquisition programs. While these projects show the tremendous diversity of benefits of land acquisition for the public, they have one thing in common: each of these projects is driven by landowners. Many farmers, ranchers and forestland owners have significant financial equity in their land. By enabling a landowner to sell a conservation easement or fee title, the LWCF program provides landowners with funds to stay in business, reinvest in businesses, or meet other financial goals.

As the subcommittee crafts its Interior, Environment and Related Agencies Appropriations bill, there are several key points we respectfully request you to consider, listed below.

Land and Water Conservation Fund (LWCF) at $900 million in mandatory and additional discretionary funding: The enactment of the Great American Outdoors Act is a generational land conservation victory. The Conservation Fund applauds Congress for passing the bipartisan, bicameral legislation that provides full and mandatory funding (at $900 million) for the Land and Water Conservation Fund. We also encourage Congress to provide discretionary funding to address emerging needs and opportunities. Funding the Nation's premier conservation program with both mandatory and discretionary funding in fiscal year 2023 will ensure LWCF continues to fulfill its mission to safeguard natural areas, water resources, and our cultural heritage, and to provide recreation opportunities to all Americans.

The Conservation Fund urges the Senate and House to end the practice in recent years to rescind prior years' appropriated dollars from the LWCF, which under-

mines this critical conservation program. It is common for Federal land acquisition funds to remain "unobligated" until the last step in an acquisition project-this can reasonably take up to 5 years. Unobligated balances are not a problem in and of themselves, but funding should be moved to other acquisition projects if it is no longer needed for acquisitions within the Federal unit originally receiving the LWCF funding. To this end, Congress should continue to encourage the agencies to use a tool they already have-reprogramming-rather than rescissions to ensure LWCF funds are spent on critical conservation needs, fulfilling the purpose of the LWCF and the intent of the Great American Outdoors Act.

LWCF-Bureau of Land Management (BLM) Land Acquisition at $75 million. The BLM and its National Conservation Lands provide some of our Nation's best recreation and historic areas, from opening new recreational access to sportsmen along with North Platte River SRMA in Wyoming to protecting riverside lands of the Upper Snake/South Fork ACEC SRMA in Idaho. We request $75 million to fund BLM's land acquisition program and projects.

LWCF-National Park Service (NPS) Federal Land Acquisition at $105 million. Hosting more than 237 million visitors in 2020, the 423 National Park units provide an economic boost to their local communities and those employed directly and indirectly. Funding for NPS LWCF will help protect key access points for recreation, historic areas, trails and more. We respectfully request $105 million to fund NPS's land acquisition program and projects.

LWCF–U.S. Fish and Wildlife Service (FWS) Land Acquisition at $125 million. National Wildlife Refuges (NWR) are our Nation's protectors of clean water, clean air, abundant wildlife and world-class recreation. Funding for fiscal year 2023 FWS LWCF will help protect critical wildlife habitat, provide public access and recreation, and improve water quality at Refuges, including Maryland's Blackwater National Wildlife Refuge and Texas' Laguna Atascosa National Wildlife Refuge; as well as preserving our Nation's working lands, such as at Montana's Rocky Mountain Front Conservation Area. We respectfully request $125 million to fund FWS's land acquisition program and projects.

LWCF–U.S. Forest Service (USFS) Land Acquisition at $135 million. USFS LWCF funds help with forest management by protecting key inholdings and reducing fire threats. From Colorado's Pike-San Isabel National Forest to Minnesota's Superior National Forest-Boundary Water Canoe Area Wilderness to the Appalachian Mountain's White Mountain (NH/ME), George Washington-Jefferson (VA), Cherokee (TN), Pisgah (NC), and Chattahoochee (GA) National Forests, we are working with willing landowners at priority project areas and respectfully request $135 million to fund USFS's land acquisition program and projects.

LWCF State Grant Programs: FWS-Cooperative Endangered Species Fund, NPS-State Conservation Grants, and USFS-Forest Legacy: We encourage the subcommittee to fund:

—FWS-Cooperative Endangered Species Conservation Fund: $31 million (for the LWCF-funded portion)

—NPS-State Assistance Grants program: $270 million

—USFS-Forest Legacy Program: $110 million

DOI and USFS Conservation and Land Acquisition Programs: TCF encourages the Committee to fund:

—FWS-North American Wetlands Conservation Fund at $60 million

—FWS-State and Tribal Wildlife Grant Program at $100 million. The State and Tribal Wildlife Grant Program is the only Federal funding source available to States that leverages non-federal funds to help protect critical habitat for over 12,000 species in greatest conservation need identified in state wildlife action plans. To build upon the State and Tribal Wildlife Program, TCF urges Congress to enact the Recovering America's Wildlife Act. This legislation aims to provide critical resources to conduct proactive, non-regulatory fish and wildlife conservation efforts nationwide.

—FWS-Chesapeake Watershed Investments for Landscape Defense Program at $15 million

—NPS-Chesapeake Bay Gateways and Watertrails Program at $3 million

—USFS-Community Forest and Open Space Conservation Program at $10 million

Department of the Interior-Natural Resource Damage Assessment and Restoration Program at $10 million. The Restoration Program leads the National response for recovery of natural resources that have been injured or destroyed because of oil spills or releases of other hazardous substances. Recoveries from responsible parties can only be spent to implement restoration plans developed by the Trustee Council for each incident. These funds are one hundred percent private and represent the amount needed to restore environmental resources or compensate for lost public use since the damage in question. The fiscal year 2023 funds would allow the Program to add carefully targeted staff allocated to Interior bureaus and offices through its Restoration Support Unit to accelerate restoration activities.

Environmental Protection Agency Programs: TCF encourages the Committee to fund:

—Great Lakes Restoration Initiative (GRLI) at $400 million. TCF urges funding of GLRI at $400 million. The Initiative provides critical support for on-the-ground restoration programs and projects targeted at the most significant environmental problems in the Great Lakes ecosystem.

—Chesapeake Bay Program at $91 million: TCF urges funding of the Chesapeake Bay program at $91 million. This program brings together a diverse partnership to support the Bay's restoration.

The Conservation Fund stands ready to work with you to secure full and consistent funding for the LWCF and the other critically important programs that help protect the environment, economies, forests, and community values across our Nation. Thank you for the opportunity to provide this testimony and your consideration of our request.

[This statement was submitted by Kelly Reed, Senior Vice President of Government Relations, The Conservation Fund.]

PREPARED STATEMENT OF CHOCTAW NATION OF OKLAHOMA

On behalf of the Choctaw Nation of Oklahoma (Choctaw Nation or the Nation), I am writing to urge the Senate Appropriations subcommittee on Interior, Environment, and Related Agencies to include the following recommendations in its Fiscal Year 2023 appropriations package:

—$246 million for increased public safety costs incurred by the Choctaw Nation and other Oklahoma Tribes following the Supreme Court's Ruling in McGirt v. Oklahoma, 591 U. S. (2020).

—$300,000 to the Choctaw Nation of Oklahoma to hire two Tribal Mining Remediation Compliance Officers to account for the mines in Oklahoma.

—$150 per student for the Johnson O'Malley (JOM) Program.

—Fund all current commitments for the Joint Venture Construction Program (JVCP).

—Direct the Indian Health Service (IHS) to solicit JVCP applications on a regular cycle.

—Provide recurring direct funding and support for IHS and Tribal Graduate Medical Education (GME) Program.

Additionally, the Choctaw Nation urges the subcommittee to consider report language that:

—Directs the Bureau of Indian Education (BIE) to make publicly available a report on its efforts to implement the JOM Modernization Act as it relates to updating student counts.

—Directs funding to the Federal Office of Surface Mining Reclamation and Enforcement to work with the Oklahoma Department of Mines to conduct an assessment of mines in the State of Oklahoma, with a particular emphasis on mines or reclamation projects located within the boundaries of Indian Reservations.

These priorities are discussed in further detail below.

INDIAN HEALTH SERVICE

Fund All Current Commitments for JVCP Projects; Require IHS to Solicit JVCP Applications on a Regular Cycle, Not Less Than Every Two Years; and Require the

IHS to Move All Eligible JVCP Applications Forward in Each Competition. The Choctaw Nation appreciates that Congress continues to appropriate funding for the Joint Venture Construction Program (JVCP), a proven, successful model for leveraging Federal resources to improve access to care in Indian country. Choctaw has utilized the JVCP to expand health care services to our citizens and created jobs throughout our reservation, which consists of 13 counties in Southeast Oklahoma. One of the great benefits of the JVCP to the Choctaw Nation Health Services is that it leverages scarce resources with a tribal/federal partnership. This allows Tribes to address lack of access to healthcare in our Tribal communities. Our most recent JVCP is the Choctaw Nation Durant Regional Medical Clinic, a 143,000 square foot clinic, opened in 2017 and contains the first Tribal outpatient ambulatory surgery clinic. The JVCP allows Tribes or Tribal organizations to construct and equip a healthcare facility at their cost with a Federal commitment for staffing. Participants in this competitive program are selected from among eligible applicants who agree to provide an appropriate facility to IHS that rank highest with relative need. Because the historic IHS Health Care Facilities Construction list has been frozen without adding any additional projects since the 1990s, the JVCP is the only means that many Tribes across most IHS Areas must address extremely outdated health facilities and underserved populations. The IHS has been opening JVCP competition sporadically and not moving all eligible projects forward in each competition.

—Provide Recurring Direct Funding and Support for IHS and Tribal GME Programs; Direct IHS to Waive the Scores for Their Loan Repayment and Make Tribes Automatically Eligible Like the National Health Service Corps (NHSC) Did; and Increase funding for IHS and Tribal Provider Housing Construction and Renovation. Indian health programs and facilities face long standing challenges in recruiting and retaining essential staff, which are attributable to a variety of factors that include, but are not limited to, the remoteness of some IHS facilities, rural communities, aging IHS facilities and medical equipment, housing shortages, limited access to high quality schools and basic amenities, limited spousal employment opportunities, and competition with higher paying public and private health care systems. The Choctaw Nation has operated a highly successful Graduate Medical Education (GME) program since 2012 which has taught us that GME improves quality of care by providing teaching/learning environments and raising the performance of all personnel to an exceptional level, which in turn becomes its own means of recruitment. Since the Choctaw GME program's inception, about 80 percent of our residents continue to work in rural settings, and about 70 percent of our residents accept employment in the Choctaw Nation health system. The Choctaw Nation, with our hospital located in Talihina, a community with a population of l , 100, has had to construct and maintain provider housing as the IHS formerly did in the same location prior to 1995. The COVID–19 pandemic has exacerbated provider shortages and revealed unmet needs for housing where no appropriate housing exists, not only for doctors, but also nursing personnel.

BUREAU OF INDIAN AFFAIRS

PUBLIC SAFETY

Allocate $246 million to Cover the Increased Public Safety Costs Incurred by the Choctaw Nation and Other Oklahoma Tribes Following the Supreme Court's Ruling in McGirt.

Following the Supreme Court decision in McGirt v. Oklahoma, the Choctaw Nation's jurisdiction now amounts to approximately 45 percent of the state of Oklahoma. As such, the responsibility for Tribal governments has increased tremendously, so too have caseloads. The Choctaw Nation has seen a 3,000 percent increase in criminal cases, and approximately a 6,000 percent increase in traffic cases. It has been nearly 19 months since our Nation's highest court handed down this ruling, and we have yet to receive the necessary funding from Congress to cope with the situation. We are being forced to divert nearly $19 million of our own Tribal resources to maintain public safety on our Reservation. The United States is failing to uphold its treaty and trust responsibility to the Choctaw Nation and is forcing us to execute our 638-contract agreement for law enforcement on only $650,000, or 1 percent of the formula-based need. Since McGirt, BIA has not provided parity funding for Oklahoma Tribes that now have newfound reservation status. This is unacceptable. Thus, while we are very appreciative of your subcommittee's efforts to provide $62 million in the fiscal Year 2022 consolidated appropriations package, it is still well below what the Choctaw Nation and other Oklahoma Tribes require to ensure public safety on reservation land. The United States has a responsibility

to provide adequate public safety funding for the more than 1.5 million people who reside on the reservations of the Five Civilized Tribes and the Quapaw.

ENVIRONMENT

—Allocate $300,000 to the Choctaw Nation of Oklahoma to Hire Two Tribal Mining Remediation Compliance Officers to Conduct an Inventory of the Status of Mines in Oklahoma. The Choctaw Nation's responsibilities following the Supreme Court ruling in McGirt are not limited to public safety. It also extends to the environmental protection of our lands and resources within the boundaries of our Reservation. In 2021, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE) notified State officials that the Federal Government would resume control of surface coal mining and reclamation operations within the boundaries of the Choctaw Nation.[1] With prior or existing mines in more than 16 counties in the State of Oklahoma, the Choctaw Nation needs resources to hire at least two new staff and purchase equipment to begin conducting an inventory of the status of the mines within its Reservation boundaries. Without these resources, we remain woefully unprepared to undertake such a large task.

—Direct the Federal OSMRE to Work with the Oklahoma Department of Mines to Conduct an Inventory of Mines in the State of Oklahoma, with a Particular Emphasis on Mines Located Within the Boundaries of Indian Reservations. Additionally, while the Tribe welcomes the decision in McGirt, we would be remiss to acknowledge the role that the state of Oklahoma Department of Mines has played in monitoring and documenting the existence and status of reclamation projects in the State. For this reason, we urge this

Subcommittee to direct the Federal OSMRE to undertake a thorough inventory of mines in Oklahoma to ensure that first, the Choctaw Nation is aware of the status of mines with the borders of its Reservation, and second, that we can protect the quality of our waters, lands, and more importantly, Native people residing within our Reservation.

BUREAU OF INDIAN EDUCATION

Johnson O'Malley

—Increase JOM Funding to $150 Per Student. Through the JOM Program, the Choctaw Nation serves an estimated 13,000 students in 75 schools throughout the Nation's 11,000 square mile Reservation. Since the early 1990s, our numbers have never increased. As a result, we support each Choctaw Nation student at an average of $65 per student. While this is more per student than most Tribes, it is woefully inadequate and an insult to our children—the future of our Tribe. The subcommittee must increase JOM funding to a minimum of $ 150 per student.

—Direct the BIE to Make Publicly Available a Report on its Efforts to Implement the JOM Modernization Act as it Relates to Updating Student Counts. In 2017, Congress enacted the JOM Supplemental Indian Education Program Modernization Act (Public Law 115–404) directing the BIE to take initial steps in ensuring full participation of all qualified and eligible Native students in the JOM program, clarifying the current contracting and reporting practices, and obtaining accurate student counts. While the BIE submitted its preliminary report and subsequent final rule, they have failed to meet their obligations under the report.[2] In an April 2020 report, the Government Accountability Office stated that "BIE does not maintain a complete and accurate list of all its JOM contractors, who provide services including targeted academic support, Native language classes, and cultural activities."[3] The subcommittee should direct the

[1] Federal Register, OSMRE Jurisdiction To Administer the Surface Mining Control and Reclamation Act of 1977 Within the Exterior Boundaries of the Cherokee Nation Reservation and the Choctaw Nation Reservation in the State of Oklahoma, 86 FR 57854 (Oct. 19, 2021), available at https://www.federalregister.gov/documents/2021/10/19/2021–22720/osmre-j urisdiction-toadm in ister-the-surfaceminin o-control-and-reclamation-act-of- 1977-with in-the.

[2] Federal Register, available at https://www.federalregister.gov/documents/2019/10/29/2019–23617/johnsonomalley-program-preliminary-report; Federal Register, available at https://www.federalregister.gov/documents/2020/02/25/2020–02883/educationcontracts-under-johnson-omalley-act

[3] Gov't Accountability Office, available at https://www.gao.gov/assets/710/706797 .pdf

BIE to make publicly available a report on the BIE's efforts to implement the JOM Modernization Act, including obtaining accurate student counts.

Yakoke for taking the time to consider the fiscal Year 2023 appropriations priorities of the Choctaw Nation.

[This statement was submitted by Gary Batton, Chief, Choctaw Nation of Oklahoma.]

PREPARED STATEMENT OF CHUGACH REGIONAL RESOURCES COMMISSION

The Chugach Regional Resources Commission (CRRC) requests increases to the fiscal Year 2023 appropriation that would permit us to establish a Federal base program award of $1.18 million for our services under the following three Interior subaccounts: 1) BIA's TM/DP subaccount, 2) BIA's Fish, Wildlife & Parks subaccount, and 3) the U.S. Fish & Wildlife Service's Migratory Bird Management subaccount. This figure would represent 50 percent of our targeted fiscal Year 2023 operating budget of $2.36 million. The BIA Alaska Regional Office denied our fiscal Year 2022 contract submission for $2.36 million due to insufficient Federal funds.

CRRC is a Tribal Organization whose primary mission is to develop the natural resource capability and capacity for each of our seven member Tribes located within Alaska's Chugach Region in southcentral Alaska. CRRC is overseen by a Board of Commissioners with representation from each of our villages. We depend on Federal appropriations to the BIA's Tribal Management/Development Program (TM/DP) and Fish, Wildlife & Parks accounts within BIA's Natural Resources, together with U.S. Fish and Wildlife Service (USFWS) funds to perform such programs as habitat protection and enhancement, conservation of fish, wildlife and plant resources, subsistence management, technical capacity building at the local level for natural resource management, support the use of traditional Alaska Native ecological knowledge, and operate and maintain one of the only Tribally-operated shellfish hatcheries in Alaska, the Alutiiq Pride Marine Institute (former Alutiiq Pride Shellfish Hatchery). We perform all these duties working with our Federal, State, and local partners.

CRRC greatly appreciates the bipartisan work of the subcommittee to redress chronic funding disparities faced by Alaska Natives and American Indians. With your support, CRRC is assisting Alaska Natives to live healthier and longer lives, learn, and implement sustainable mariculture farming techniques that improve marine and plant habitats, promote jobs, food security, and educate Alaska Native youth in STEM programs.

CRRC is primarily dependent upon appropriations by this subcommittee for BIA's TM/DP and Fish, Wildlife & Parks programs within the Bureau's Trust-Natural Resources account. We urge the subcommittee to build upon any fiscal Year 2022 increases it includes for the BIA's TM/DP and Fish, Wildlife & Parks program, and U.S. Fish & Wildlife Service's Migratory Bird Management Program. We submit our testimony concerning fiscal Year 2023 appropriation needs without knowing the final fiscal Year 2022 appropriation for Interior.

If CRRC is to play the active role we seek to educate, motivate, and inspire the next generation of Alaska Native marine biologists, mariculture directors, and scientists, and assist in the creation of sustainable mariculture jobs our Alaska Native villages, we need increased and recurring resources within the Interior Department's appropriation to staff critical positions, travel to our seven Alaska Native villages, and educate Alaska Native youth by sharing our passion for science, sustainable fishing, mariculture farming, and hunting. Please help us achieve our mission. Through our programs, services, and educational outreach programs, CRRC contributes significantly to the health and economic stability of our member villages. This was especially important while the pandemic and supply chain challenges persist which contribute to food and economic insecurity in Alaska Native villages.

Our work sustains full-time and seasonal employment for up to 20 Alaska Native people and helps surrounding businesses, all of which contributes to the health of the more than 1,200 Alaska Natives we serve. Our employees are able to earn a living and support their families and reinvest their wages in the community. This supports the employment of other Alaska Native and non-Native families, thereby removing families from Alaska State and Federal assistance rolls. This contributes to family and community stability and serves as a bulwark against depression, substance abuse, suicide, and other social ills that plague remote Alaska Native communities.

CRRC sustained arbitrary reductions by the BIA in prior years to our TM/DP base funding level that undermined our services, reduced our natural resource and marine research and development, stretched our limited resources, and made it difficult to retain staff. Our work is important for the future of the mariculture indus-

try in Alaska and to our Tribes and their members who depend on CRRC's programs and services. We require a stable Federal budget, together with the timely payment of contract support cost funds, to help us perform our programs, pay staff, and operate and maintain the hatchery.

During the pandemic, we developed innovative ways using webinars and teleconferencing and posting information to our webpage to reach our villages and continue our work in these communities. With the pandemic peaking in Alaska in late January of 2022, and average daily infections dropping below 300 the first week of March, we are hopeful that we will be able to return to our pre-pandemic travel and routines.

Our programs also support future economic and commercial opportunities for the Prince William Sound and Lower Cook Inlet regions through the protection and development of the Alaskan shellfish industry and other natural resources. Federal investment in CRRC translates into economic opportunities and community investments that have a great impact on the Chugach Region of Southcentral Alaska. When BIA appropriations for CRRC fall below our expectations, we do our best to seek other funding sources. This is essential if we are to retain the loyal staff we depend on. It is they who ensure the success of our programs and outreach through their dedication and passion.

For fiscal Year 2021, we received $615,000 in TM/DP funds from the BIA. This figure represents a combination of recurring TM/DP funds, contract support costs, and discretionary grants within TM/DP and the BIA's Fish, Wildlife & Parks account. This amount represented about one-third of our actual operating budget of $1.8 million for fiscal Year 2021.

For fiscal Year 2023, our goal is to increase TM/DP, BIA Fish, Wildlife and Parks, and U.S. Fish & Wildlife Service Migratory Bird Management Program funding to a level that will permit us to cover 50 percent, or $1.18 million, of our targeted operating budget of $2.36 million with these program funds. A $2.36 million operating budget includes $1.375 million to cover the salary and fringe benefits of our 14-person staff, including a Mariculture Director, Science Director, Marine Mammal Program Coordinator, Fish and Wildlife Coordinator, Environmental Coordinator, Shellfish Technician, Ocean Acidification Lab Manager, Nanwalek Salmon Technicians, Inter-Tribal Liaison, Climate Specialist, Executive Director, and Alaska Migratory Bird Co-Management Council Director.

Another $400,000 is required for salary and fringe benefits for six (6) additional positions, including two additional Hatchery Technicians (totals $71,500 with fringe benefits), a Research Scientist position and Tribal Conservation District (TCD) Program Coordinator (totals $177,320 with fringe benefits), and an Executive Assistant and Maintenance Supervisor (totals $150,150 with fringe benefits). CRRC must also cover Tribal special projects in our villages, travel costs to villages, program costs for our annual "Subsistence Memorial Gathering," utilities, repair and maintenance, insurance, accounting and audit, grant writing costs, training, and related expenses.

Last year, we renewed our lease with the City of Seward for the 10,000 sq. ft. Alutiiq Pride Marine Institute and adjoining land with a lease term through 2069. This long-term lease (nearly 50 years) will allow us to confidently secure funds from Federal, State, and other grant sources to finance the renovation and expansion of our existing hatchery and research space. In addition to our APMI facility in Seward, we lease space in Anchorage for our administrative offices.

Despite our repeated requests to BIA officials in the Alaska Regional Office and BIA headquarters in Washington, D.C., we have not received written confirmation of our true recurring base award of TM/DP funds in advance of annual negotiations with the BIA. This makes planning and budgeting difficult. Tribal organizations deserve this information. To date, in March 2022, we have not yet received our fiscal Year 2022 TM/DP or contract support costs. This is not how Tribal organizations should have to operate. Delays by the BIA in the payment of our recurring funding and contract support cost dollars and uncertainty over what our true "Secretarial amount" is under our BIA "638" contract undermine our program goals and our ability to efficiently carry out services and activities to our member Tribes.

CRRC was organized in 1987 to address environmental and natural resource issue for our Tribes and develop culturally sensitive economic projects at the community level. For the last 35 years, CRRC has received anywhere from $380,000 to $409,500 in TM/DP funds. However, since 1987, costs to operate an organization that strives to provide competitive salaries and serve a growing Tribal member base, have increased.

CRRC respectfully asks the subcommittee to include report language directing the BIA to include in future budget submissions to Congress its requested TM/DP funding amount for each of the nearly three dozen programs financed within TM/DP. Without such detailed information in the President's budget submission to Congress,

Tribal organizations like CRRC are left to guess what our recurring funding level is when Interior officials do not disclose it.

If Congress enacts an appropriation for TM/DP at the Administration's requested budget level, the BIA should award each TM/DP program no less than the amount reflected in the Administration budget tables submitted to Congress. Funding increases should be shared across the board among all the TM/DP recipients absent express direction by Congress in your reports. Doing so would permit Tribal organizations like CRRC to ascertain what our fiscal year base award amount is, plan, budget, and negotiate our upcoming Annual Funding Agreement with the BIA.

Congress has grown the TM/DP base funding level by over forty-two percent (42 percent) over the last 8 years, from $9.22 million in fiscal Year 2013 to $13.146 million in fiscal Year 2021. But during that same period, we have seen our funding arbitrarily and unilaterally reduced in the President's Budget Justification from $410,000 to as low as $348,000. Among the 35 TM/DP Programs funded in fiscal Year 2018, our program was the only program (of 35) singled out by the Administration for a 15 percent cut. CRRC simply asks for equity with other TM/DP-funded programs. CRRC has not received recurring budget increases equal to the percentage growth of the TM/DP account, while carrying out similar subsistence fish management services, habitat restoration, and mariculture activities for our member villages. In fact, CRRC's TM/DP-funded amount has remained essentially the same since the early 1990's despite our services and Tribal member base expanding exponentially.

The annual increases to the TM/DP account that appropriators have included in annual spending measures is a great accomplishment and a testament to all the Tribal recipients of TM/DP funds. It reflects the commitment of Congress to support these important programs. CRRC wishes to expand the programs and services we provide. Increased funding to this account that our program shares with other TM/DP recipients will enable us to do more for our member Tribes.

An annual recurring Federal budget for CRRC of at least $1.18 million will allow CRRC to:

—Expand the Alutiiq Pride Marine Institute's production of oyster and littleneck clam seeds, geoducks, cockles, and razor clams;

—Sustain the shellfish sanctuary in Port Graham and Resurrection Bay;

—Expand our study of ocean acidification as part of the Alaska Ocean Acidification Network and the impact of acidification on fish and shellfish stocks.

—Expand Nanwalek Salmon Enhancement Project, a subsistence fishery, to rejuvenate the availability of fish for direct consumption;

—Expand natural resource efforts on behalf of our Tribes, including wetlands monitoring and planning, traditional foods advocacy and protection, climate change vulnerability and adaptation planning, subsistence resource advocacy, and the development and management of a Tribal Conservation District;

—Expand our leadership as statewide manager and member of the Alaska Migratory Bird Co-Management Council (AMBCC) work with the State and USF&WS; and

—Enhance the monitoring and refinement of our Natural Resource Management Program objectives for each of our Alaska Native villages.

Thank you for giving CRRC the opportunity to share our fiscal Year 2023 budget needs.

[This statement was submitted by Willow Hetrick-Price, Executive Director, Chugach Regional Resources Commission.]

Prepared Statement of Chugach Regional Resources Commission

The Chugach Regional Resources Commission (CRRC) requests increases to the fiscal Year 2023 appropriation that would permit us to establish a Federal base program award of $1.18 million for our services under the following three Interior subaccounts: 1) BIA's TMDP subaccount, 2) BIA's Fish, Wildlife & Parks subaccount, and 3) the U.S. Fish & Wildlife Service's Migratory Bird Management subaccount. This figure would represent 50 percent of our targeted fiscal Year 2023 operating budget of $2.36 million.

CRRC is a Tribal organization whose primary mission is to develop the natural resource capability and capacity for each of our seven member Tribes located within Alaska's Chugach Region in southcentral Alaska. CRRC is overseen by a Board of Commissioners who are appointed by each of our seven Native villages. We depend

on Federal appropriations to the BIA's Tribal Management/Development Program (TMDP) and Fish, Wildlife & Parks accounts within BIA's Natural Resources, together with U.S. Fish and Wildlife Service (USFWS) funds to perform such programs as habitat protection and enhancement, conservation of fish, wildlife and plant resources, subsistence management, conservation and co-management of migratory birds, technical capacity building at the local level for natural resource management, support the use of traditional Alaska Native ecological knowledge, and operate and maintain the only Tribally-operated shellfish hatchery in Alaska, the Alutiiq Pride Marine Institute (former Alutiiq Pride Shellfish Hatchery). We perform all of these duties working with our Federal, State, and local partners.

CRRC advocates for co-management, fills in gaps in data from wildlife management agencies with limited budgets, monitors the ecosystem to ensure access to traditional foods, and assists in the creation of sustainable mariculture jobs for our Alaska Native villages. To do so, we need increased and recurring resources within the Interior Department's appropriation to staff critical positions, travel to our seven Alaska Native villages, enhance and reinvigorate our traditional food sources, and educate Alaska Native youth by sharing our passion for science, sustainable fishing, mariculture farming, and hunting. Please help us achieve our mission. Through our programs, services, and educational outreach programs, CRRC contributes significantly to the health, economic stability, and food security of our member villages. This is a vital lifeline for our communities while continuing pandemic and supply chain challenges contribute to food and economic insecurity in Alaska Native villages.

CRRC was organized in 1987 to address environmental and natural resource issue for our Tribes and develop culturally sensitive economic projects at the community level. For the last 35 years, CRRC has received anywhere from $348,000 to $409,500 annually in TMDP funds. However, since 1987, costs to operate have increased significantly. Our ability to pay competitive salaries and serve a growing Tribal member base is an annual challenge.

Our work sustains full-time and seasonal employment for up to 20 Alaska Native people and helps surrounding businesses, all of which contributes to the health of the more than 1,200 Alaska Natives we serve. Our employees are able to earn a living and support their families and reinvest their wages in the community. This supports the employment of other Alaska Native and non-Native families, thereby removing families from Alaska State and Federal assistance rolls. This contributes to family and community stability and serves as a bulwark against depression, substance abuse, suicide, and other social ills that plague remote Alaska Native communities.

During the pandemic, we developed innovative ways using webinars and teleconferencing and posting information to our webpage to reach our villages and continue our work in these communities. With the pandemic peaking in Alaska in late January of 2022, and 7-day average infections dropping to around 208 in May, we are hopeful that we will be able to return to our pre-pandemic routines.

Our programs also support future economic and commercial opportunities for the Prince William Sound and Lower Cook Inlet regions through the protection and development of the Alaskan shellfish industry and other natural resources. Federal investment in CRRC translates into economic opportunities and community investments that have a great impact on the Chugach Region of Southcentral Alaska. When BIA appropriations for CRRC fall below our expectations, we vigorously seek out other funding sources. This is essential if we are to retain the loyal staff we depend on. It is they who ensure the success of our programs and outreach through their dedication and passion.

CRRC was shocked that the President's fiscal Year 2023 Budget Justification for BIA flatlines CRRC's recommended TMDP base recurring award at the fiscal Year 2021 enacted level, while all 34 other TMDP Tribal recipients are recommended for an increase to their base TMDP recurring funding level. Meanwhile, the BIA Alaska Regional Office denied our request—submitted in November 2021—for an increase in funds in our fiscal Year 2023 contract due to "insufficient Federal funds." We are at a loss to understand how every TMDP recipient except for CRRC could receive a proposed budget increase.

Congress has grown the TMDP base funding 56.8 percent from fiscal Year 2013 to fiscal Year 2022, from $9.22 million in fiscal Year 2013 to $14.459 million in fiscal Year 2022. The annual increases to the TMDP account that appropriators have included in annual spending measures is a great accomplishment and a testament to all the Tribal recipients of TMDP funds. It reflects the commitment of Congress to support these important programs.

But during that same period, we have seen our funding arbitrarily and unilaterally reduced in the President's Budget Justification from $410,000 to as low as

$348,000. Among the 35 TMDP Programs funded in fiscal Year 2018, our program was the only program (of 35) singled out by the Administration for a 15 percent cut. In fact, CRRC's TMDP-funded amount has remained essentially the same since the early 1990's despite our services and Tribal member base expanding exponentially. Over the years, CRRC has not received critical recurring budget increases equal to the percentage growth of the TMDP account, while carrying out similar subsistence fish management services, habitat restoration, and mariculture activities for our member villages.

In prior years, arbitrary reductions by the BIA to CRRC's TMDP base recurring funding level undermined our services, reduced our natural resource and marine research and development, stretched our limited resources, and made it difficult to retain staff. In 2020, we prevailed in a Contract Disputes Act (CDA) claim against BIA regarding these reductions. Our work is important for the future of the mariculture industry in Alaska and to our Tribes and members who depend on CRRC's programs. We require a stable Federal budget, together with the timely payment of contract support cost funds, to help us perform our programs, pay staff, and operate and maintain the hatchery.

For fiscal Year 2021, we received $507,783 in TMDP funds from the BIA. This figure represents a combination of recurring TMDP funds and discretionary grants from the BIA. To receive discretionary funds, we must expend administrative resources to write grant proposals and report on activities. While we welcome discretionary awards by the BIA, the fiscal Year 2021 funds represent a fraction of our budget requirement. We need budget certainty, without extraneous administrative burden.

For fiscal Year 2023, our goal is to increase TMDP, BIA Fish, Wildlife and Parks, and USFWS Migratory Bird Management Program funding to a level that will permit us to cover 50 percent, or $1.18 million, of our targeted operating budget of $2.36 million with these program funds. A $2.36 million operating budget includes $1.375 million to cover the salary and fringe benefits of 14 full-time staff, including a Mariculture Director, Science Director, Marine Mammal Program Coordinator, Fish and Wildlife Coordinator, Environmental Coordinator, Shellfish Technician, Ocean Acidification Lab Manager, Nanwalek Salmon Technicians, Inter-Tribal Liaison, Climate Specialist, Executive Director, and Alaska Migratory Bird Co-Management Council Director.

Another $400,000 is required for salary and fringe benefits for six (6) additional positions, including two additional Hatchery Technicians (totals $71,500 with fringe benefits), a Research Scientist position and Tribal Conservation District (TCD) Program Coordinator (totals $177,320 with fringe benefits), and an Executive Assistant and Maintenance Supervisor (totals $150,150 with fringe benefits). CRRC must also cover Tribal special projects in our villages, travel costs to villages, program costs for our annual Subsistence Memorial Gathering, utilities, repair and maintenance, insurance, accounting and audit, grant writing costs, training, and related expenses.

This year, we renewed our lease with the City of Seward for the 10,000 sq. ft. Alutiiq Pride Marine Institute facility and adjoining land with a lease term through 2069. This long-term lease (nearly 50 years) will allow us to confidently secure funds from Federal, State, and other grant sources to finance a badly-needed renovation and expansion of our existing hatchery and research space.

An annual recurring Federal budget for CRRC of at least $1.18 million will allow CRRC to:

—Expand the Alutiiq Pride Marine Institute's production of oyster and littleneck clam seeds, geoducks, cockles, and razor clams;

—Sustain shellfish sanctuaries at Tribal beaches throughout the region

—Expand our study of ocean acidification as part of the Alaska Ocean Acidification Network and the impact of acidification on fish and shellfish stocks;

—Expand the Nanwalek Salmon Enhancement Project, a subsistence fishery, to rejuvenate the availability of fish for direct consumption;

—Expand natural resource efforts on behalf of our Tribes, including wetlands monitoring and planning, traditional foods advocacy and protection, climate change vulnerability and adaptation planning, subsistence resource advocacy, and the development and management of a Tribal Conservation District;

—Expand our leadership as statewide manager and member of the Alaska Migratory Bird Co-Management Council (AMBCC) work with the State and USFWS; and

—Enhance the monitoring and refinement of our Natural Resource Management Program objectives for each of our Alaska Native villages.

Despite our repeated requests to BIA officials in the Alaska Regional Office and BIA headquarters in Washington, D.C., we have not received written confirmation of our true recurring base award of TMDP funds in advance of annual negotiations with the BIA. This makes planning and budgeting difficult. Tribal organizations deserve this information. To date, we have not yet received our fiscal Year 2022 TMDP funds or contract support costs. This is not how Tribal organizations should have to operate. Delays by the BIA in the payment of our recurring funding and contract support cost dollars and uncertainty over what our true "Secretarial amount" is under our BIA "638" contract undermine our program goals and our ability to efficiently carry out services and activities to our member Tribes.

CRRC respectfully asks the subcommittee to include report language directing the BIA to include in future budget submissions to Congress its requested recurring TMDP funding amount for each of the nearly three dozen programs financed within TMDP. Without such detailed information in the President's budget submission to Congress, Tribal organizations like CRRC are left to guess what our recurring funding level is when Interior officials do not disclose it. Doing so would permit Tribal Organizations like CRRC to know what our fiscal year base award amount is, plan, budget, and negotiate our upcoming Annual Funding Agreement with the BIA with certainty.

If Congress enacts an appropriation for TMDP above the Administration's requested budget level, the BIA should allocate the increase across the board among all the TMDP recipients absent express direction by Congress in legislation or conference reports. We respectfully request that the subcommittee include report language advising the BIA to allocate increases among all TMDP recipients.

CRRC greatly appreciates the bipartisan work of the subcommittee to redress chronic funding disparities faced by Alaska Natives and American Indians. With your support, many Tribal Organizations are assisting Alaska Natives to live healthier and longer lives, learn, and implement sustainable mariculture farming techniques that improve marine and plant habitats, promote jobs, food security, and educate Alaska Native youth in STEM programs.

CRRC is primarily dependent upon appropriations by this subcommittee for BIA's TMDP and Fish, Wildlife & Parks programs within the Bureau's Trust-Natural Resources account. We urge the subcommittee to build upon any fiscal Year 2022 increases it includes for the BIA's TMDP and Fish, Wildlife & Parks program, and USFWS's Migratory Bird Management Program, and to include CRRC in those increases. Thank you for giving CRRC the opportunity to share our fiscal Year 2023 budget needs.

[This statement was submitted by Willow Hetrick-Price, Executive Director, Chugach Regional Resources Commission.]

PREPARED STATEMENT OF COALITION FOR AMERICAN HERITAGE

Thank you for the opportunity to offer the Coalition for American Heritage's recommendations for Fiscal Year 2023 (FY23) Interior, Environment and Related Agencies appropriations for the Department of the Interior.

The Coalition for American Heritage ("the Coalition") is an organization comprised of heritage professionals, scholars, small businesses, non-profits and history-lovers across the country. Our 350,000 members work together to promote our Nation's commitment to historic preservation. Preserving historic resources helps stabilize neighborhoods, attract investment, create jobs, generate tax revenues, support small businesses, and power America's heritage tourism industry.

We appreciate the strong funding provided to historic preservation programs in recent Interior Appropriations legislation. Investing in these programs will help ensure the continuance of our country's proud tradition of preservation. As you work to address funding levels for FY22, the Coalition requests robust funding for all of the U.S. Department of the Interior's historic preservation and cultural management programs, and for the National Endowment for the Arts and the National Endowment for the Humanities. Respectfully, the Coalition urges the Committee to approve the following funding levels for FY23:

—NPS Historic Preservation Fund: $200 million

—NPS Office of International Affairs: $2.25 million

—NPS National Heritage Areas and Heritage Partnership Program: $32 million

—Bureau of Land Management (BLM) Cultural Resources Management: $1 million above enacted

—BLM National Conservation Lands: $78.145 million

—Department of Interior Land and Conservation Fund (LWCF): continued increase toward the full $900 million in dedicated funding from offshore mineral leasing revenues, including $20 million for the American Battlefield Protection Program

—Advisory Council on Historic Preservation: $10.5 million

—National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH): at least $201 million for each one

NATIONAL PARK SERVICE

The popularity of our National parks is at an all-time high. Our country cannot afford unwarranted reductions to visitor services and cuts to the responsible stewardship of our historic and cultural resources. The NPS is responsible for 418 National Park System units. Over the past 20 years, more than 40 new parks have been added to the park system. Many recent additions preserve historic places and themes that have traditionally been underrepresented within the system.

Within the requested funds, we recommend robust funding for Resource Stewardship, including the National Underground Railroad Network to Freedom, the African American Civil Rights Network, and the Reconstruction Era National Historic Network. Funding for these popular initiatives provides the public with valuable educational resources that honor and preserve our country's rich African-American heritage and history for future generations.

We also urge the Committee to address the deferred maintenance backlog at America's national parks. Almost half of the current backlog concern historic assets. Robust investments in this area will contribute to the successful preservation of historic sites and structures and other NPS cultural resources. Without critically needed funding for repair and rehabilitation, these critical sites, buildings and artifacts that draw visitors to our National parks' assets risk further deterioration and potential loss.

NPS HISTORIC PRESERVATION FUND

We urge the Committee to appropriate $200 million in FY23 for the Historic Preservation Fund (HPF), a vital program that, in partnership with States, local governments and Tribes, is the cornerstone of our country's historic preservation initiatives.

Within the $200 million request, we recommend the following funding breakdown:

—$65 million for State Historic Preservation Officers (SHPOs) for heritage preservation and protection programs.

—$34 million for Tribal Historic Preservation Officers (THPOs).

—$24 million for competitive grants to document, interpret, and preserve historic sites associated with the Civil Rights Movement.

—$5 million for the competitive grants program to preserve the sites and stories associated with securing civil rights for all Americans, including women, Latinos, Native Americans, Native Hawaiians, Alaska Natives, and LGBTQ Americans.

—$35 million for Save America's Treasures grants for the preservation of nationally significant sites, structures, and artifacts.

—$12 million for grants to Historically Black Colleges and Universities to preserve and repair historic buildings.

—$12 million for Paul Bruhn preservation grants to revitalize historic properties of national, State, and local significance.

—$3 million for competitive grants for the survey and nomination of properties associated with communities currently underrepresented on the National Register of Historic Places and National Historic Landmarks.

NATIONAL PARK SERVICE: OFFICE OF INTERNATIONAL AFFAIRS

We urge a $2.25 million FY23 appropriation for the NPS Office of International Affairs. This funding would ensure that the United States can robustly engage in and support the World Heritage Program. Communities throughout the country are pursuing nominations of sites in their area to the World Heritage List, including Hopewell Ceremonial Earthworks in Ohio and Mount Vernon in Virginia. The Office of International Affairs is critical to shepherding advocates through the nominations process.

NPS NATIONAL HERITAGE AREAS

We recommend $32 million in funding for the Heritage Partnership Program and our National Heritage Areas (NHAs). Through the use of public-private partnerships, NHAs support historic preservation, heritage tourism, and recreation. These programs collaborate with communities to make heritage relevant to local interests and needs.

BLM CULTURAL RESOURCES MANAGEMENT

We appreciate the Committee's ongoing oversight of the BLM reorganization and the impacts of the move on BLM's ability to oversee the largest, most diverse collection of historic and cultural resources on America's public lands. We remain very concerned about the staff reductions in the Cultural Resources Division. It is vital that BLM has sufficient staff to support Section 106 reviews, monitor compliance with the Native American Graves Protection and Repatriation Act, and consult with Tribes.

To assist staff with providing these key services, we respectfully request that the committee provide $1 million above the enacted level for BLM Cultural Resources Management. We ask that the Committee support BLM efforts to fill key staff vacancies, especially those cultural resources positions stipulated in the BLM Tribal Relations Manual, including: National Curator/NAGPRA Coordinator, National Tribal Coordinator, and 10 of the 12 State office Tribal Coordinator positions.

This funding would also support ongoing collaboration with state historic preservation offices to standardize and integrate cultural resources data for BLM lands through the National Cultural Resources Information Management System. Strengthening BLM's ability to update predictive modeling and data analysis will enhance the agency's ability to address large-scale, cross-jurisdictional land-use projects.

BLM NATIONAL CONSERVATION LANDS

We urge a $78.145 million FY23 appropriation for the National Conservation Lands. An increase in base funding will prevent critical damage to 36 million acres of congressionally and presidentially designated National Monuments, National Conservation Areas, Wilderness, Wilderness Study Areas, National Scenic and Historic Trails, and Wild Scenic Rivers managed by BLM. Increased funding will help achieve President Biden's goal of conserving at least 30 percent of our lands and waters by 2030.

BLM LAND WATER CONSERVATION FUND

Many of our country's most significant historic and cultural landscapes have been permanently protected through LWCF investments, including Martin Luther King Jr. National Historic Park, Canyons of the Ancients National Monument, and Hopewell Culture National Historic Park. In total, more than $550 million has been invested to acquire historic sites and 137,000 acres in 162 NPS units.

Within LWCF funding, we urge the Committee to fund the American Battlefield Protection Program (ABPP) at $20 million in FY23. Through public-private partnerships, the ABPP has helped communities to preserve more than 100 historic battlefields in 42 States and territories. In protecting the hallowed ground upon which so many Americans fought and died, the ABPP preserves a valuable part of our shared history.

INDEPENDENT AGENCIES: ADVISORY COUNCIL ON HISTORIC PRESERVATION

We request $10.5 million for the Advisory Council on Historic Preservation (ACHP), to fund its work to administer the rulemaking process for historic preservation law, assist in resolving conflicts from historic resource reviews, and provide advice on historic preservation.

NATIONAL ENDOWMENTS FOR THE ARTS AND THE HUMANITIES

The Coalition urges the Committee to fund the NEA and the NEH at a minimum of $201 million each in FY23. Robust funding for the NEA and NEH is critical to communities across America. NEH Preservation Assistance Grants help small and mid-sized institutions—such as libraries, museums, historical societies, archival repositories, cultural organizations, town and county records offices, and colleges and universities—improve their ability to preserve and care for their significant humanities collections, which may include books and journals, archives and manuscripts, prints and photographs, architectural and cartographic records, decorative and fine

art objects, archaeological and ethnographic artifacts, furniture, historical objects, and digital materials.

The Coalition is grateful to the Committee for the opportunity to offer its perspective on FY23 appropriations for the Interior, Environment and Related Agencies appropriations bill. The Coalition stands ready to work with the Committee on finding common ground to achieve the FY23 funding levels that will support and enhance historic preservation.

[This statement was submitted by Marion Werkheiser, Policy Director for the Coalition for American Heritage.]

PREPARED STATEMENT OF COALITION TO PROTECT AMERICA'S NATIONAL PARKS

Chairman Merkley, Ranking Member Murkowski, and members of the subcommittee, I am Michael B. (Mike) Murray, Chair of the Executive Council of the Coalition to Protect America's National Parks (Coalition). The Coalition is a nonprofit organization composed of more than 2,200 retired, former and current employees of the National Park Service (NPS) who collectively have over 40,000 years of experience managing and protecting our National parks. The Coalition studies, educates, speaks, and acts for the preservation of America's National Park System. We are pleased to have the opportunity to present this statement for the record on the fiscal Year 2023 Appropriations for the National Park Service.

The Coalition to Protect America's National Parks (Coalition) was pleased to see the overall fiscal Year 2023 discretionary budget request for the NPS of $3.6 billion from the Biden administration. However, this request is short of what is needed in some key areas because of the significant amount of its former capacity the NPS has lost over the last decade. As Director Sams recently testified before the House Interior Appropriations subcommittee, the NPS' operational capacity has been reduced by more than 15 percent since fiscal Year 2010 while over the same time Congress has added 33 units to the National park system and visitation has grown by over 40 million visits. This growth has overwhelmed NPS staff and has led to low morale, reduced visitor experiences, and visitor safety concerns. In turn, during the Covid 19 pandemic, parks became an even more treasured refuge for the American public further dramatically increasing visitation pressure in many urban park units. Additionally, inflation of over seven percent during the last year is further challenging parks in meeting their budget needs.

The Coalition believes there are three specific areas where NPS funding needs to be enhanced in the fiscal Year 2023 Interior Appropriations bill.

> 1) Enhancing and Building Operational Capacity. The most important priority is to address the need to replace the lost staff capacity the NPS has seen over the last decade. The Biden administration has included funding to address a part of this shortfall through some specific initiatives for underserved communities, new parks, additions to other parks, and new Tribal liaisons, to name a few. The Coalition is strongly supportive of these initiatives; however, we believe the proposed increases miss parks and programs that are still suffering their loss of staff.

Last year, the Coalition recommended that Congress commit to adding an additional 500 new staff for each of five fiscal years to make headway in resolving the lost capacity. Unfortunately, funding constraints did not allow this recommendation to be fulfilled in the final appropriations bill adopted in March.

As a result, the Coalition respectfully requests a recommitment to the goal of providing the needed staff across the board in parks, program offices, and central offices of the NPS. We note that the program offices and central offices have seen their own lost capacity over the past decade and these offices remain critically important, especially to the small- and medium-sized parks that do not have their own specialists on staff. The Coalition recommends an additional $70 million to the operations budget of the NPS (ONPS) to deal with this service-wide staffing issue and we urge the subcommittee to direct that this additional amount be spread as equitably as possible among parks, program offices, and central offices to meet their unmet staffing needs.

It is critical to restore and increase operational capacity to ensure NPS meets its responsibilities because of increasing visitation and major threats to cultural and natural resources. This staff funding is also important to help address the low morale among many park employees who feel that they are being asked to do more with fewer resources while trying to maintain a consistent level of service to the thousands of visitors they experience each year.

Additionally, the Coalition notes its continued support for the NPS proposal to extend the period of availability of funding in the ONPS account to 2 years, which will allow more efficient management of resources and permit adjustment for disruptions that occur within the fiscal year. This request is consistent with that provided to other bureaus within the Department of the Interior.

> 2) Natural and Cultural Resource Conservation. The Biden administration's budget includes a $179.8 million request for the Natural Resources Conservation Initiative in fiscal Year 2023. This request takes an important step forward to address the critical challenges of our time by increasing scientific capacity and improving strategic thinking and resource planning to leave lands and waters preserved for future generations to use and enjoy. The Conservation initiative directly supports several priorities that would conserve 30 percent of the Nation's lands and waters by 2030 (the "America the Beautiful" Initiative), would establish a Civilian Climate Corps, and would support climate resilience and adaptation. NPS is a vital component of the government-wide approach to address the impacts of climate change.

Stewardship of our natural resources is a mission critical task for NPS and, as such, the task is ingrained in NPS units, programs, budget activities and appropriations. For natural resource conservation, the fiscal Year 2023 budget seeks to bolster existing successful programs protecting wildlife and landscape, fund climate change science and resiliency, and increase resources supporting climate and natural resource decision-making.

The requested increase also includes $29.6 million to engage in high-priority natural resource projects on a range of issues, such as wildlife migration corridors, wildland fire fuels management, climate resilience, and responding to natural resource threats. The Coalition is supportive of both of these natural resource funding requests.

Equally important for the subcommittee is doing something to replace the loss of almost 30 percent of cultural resource management positions in our National parks, and program or regional offices. Many cultural resources, including historic buildings, museum objects, and archeological sites, are unmaintained, severely threatened, or degraded. The Cultural Resource Challenge (Challenge), launched in 2013, provided a strategic framework for NPS stewardship and completing partnership responsibilities for America's cultural heritage.

Last year, the Coalition recommended additional appropriations over four fiscal years to help complete this Challenge that has only been partially funded since 2013. The president's budget request for fiscal Year 2023 recommends some small increases in cultural resources capacity. We urge an additional $22.5 million be added to the ONPS budget for fiscal Year 2023 to make progress toward this effort with $11 million of this amount to increase the number of parks that have at least one cultural resource expert on staff and to ensure the parks have ready access to all basic cultural resource disciplines at the regional level. An additional $9 million of the total would help improve the baseline cultural resource documentation information available to management at a number of parks and the remaining $2.5 million would help stabilize archeological sites, cultural landscapes, and historic and prehistoric structures per year, or conduct preventive conservation on museum objects, or support scientific research on new threats to resources.

We recognize there are issues involved with how park, program and regional offices budgets are constructed and maintained from 1 year to the next when Congress directs funding to specific areas such as cultural resource protection. We understand the subcommittee has had discussions with the NPS about this and we urge those discussions to continue to find ways that funding can be maintained for cultural resource preservation activities over the longer term to help minimize inconsistent funding year-over-year to ensure adequate cultural resource conservation in our parks and program offices.

> 3) National Recreation and Preservation (NR&P). Within the president's budget, various programs such as the National Register of Historic Places, the Rivers, Trails, and Conservation Assistance, and several grant programs including the Native American Graves Protection and Repatriation, Japanese American Confinement Sites, and National Heritage Areas, are funded under this account.

The Coalition notes that these programs are critical to the partnership work of the National Park Service and they need adequate staff to fulfill their partnership responsibilities in a timely manner. Last year the Coalition noted specifically the need for increases in this account for managing the National historic preservation program for administration of their related grant programs, documentation of na-

tionally significant threatened resources, increased grants to support new preservation technology, and development of guidance to assist public and private owners in meeting the threats of a changing climate, as just one example. The Rivers, Trails, and Conservation Assistance program, which provides technical support to local conservation and outdoor recreation projects, is also in need of additional funding to keep up with the increasing demands upon its program related to increased LWCF State grants and the 30×30 initiative.

Additional funding is required to ensure each of these programs can maintain the level of service provided by NPS and to meet the increasing demands for NPS assistance from their State and local partners. The Coalition recommends an additional $3 million to this account in order for the NPS to fulfill its historic and cultural resource responsibilities as well as its partnership assistance duties.

We end our statement by noting our support for the administration's request to improve coordination with Tribal nations by supporting additional Tribal liaisons, for its request for the continuing work of the Historic Preservation Fund to preserve historically and culturally significant sites and provide competitive grants to other, non-Federal entities, and for the NPS Construction budget request, which complements the funding provided by the Great American Outdoors Act. We particularly support the recommendation of $7.9 million for new construction or rehabilitation of existing employee housing, which is needed throughout the park system where affordable housing for purchase or rent is limited. Providing affordable housing will help parks in recruiting and retaining qualified employees and assist in improving employee morale by providing modernized and decent living quarters.

Thank you for consideration of our request. We look forward to continuing to work with you during the consideration of the fiscal Year 2023 Interior Appropriations bill.

[This statement was submitted by Michael B. Murray, Chair of the Executive Council, Coalition to Protect America's National Parks.]

PREPARED STATEMENT OF COALITION OF REFUGE FRIENDS AND ADVOCATES

I appreciate the opportunity to provide written testimony on behalf of the Coalition of Refuge Friends and Advocates. Coalition of Refuge Friends and Advocates (CORFA) is a non-stock corporation in the Commonwealth of Virginia whose mission is to be a national peer support group for members of Friends organizations and community partners, who are working to promote the understanding and conservation of natural, cultural, and historical resources associated with the National Wildlife Refuge and Hatchery Systems. Our organization has approximately 800 participants. I am Vice President of the Board of this organization. We thank you for your support for the National Wildlife Refuge System and for the opportunity to offer comments on the fiscal year 2023 Interior Appropriations bill, most importantly regarding funding for the Refuge System Operations and Maintenance Fund, which we respectfully request you fund at $712 million for fiscal year 2023.

CORFA is an all-volunteer organization aiding the nonprofit groups that support National Wildlife Refuges and Hatcheries. These groups turn to CORFA to build relationships through conversations that answer questions and share information, insights, and experiences concerning nonprofit governance and management. Members of these nonprofits can receive and give advice on the various challenges our incredible organizations face such as building capacity, marketing and communications, fund-raising, and coalition building. I am a member of the Board of this organization and serve as Vice President.

When the pandemic quickly shutdown most federal, State, and local parks, and other public lands, there were few places visitors could go to safely enjoy and appreciate nature, while masked and socially distanced. One of those places was often a National Wildlife Refuge. Although Visitor Centers, restrooms, and even the parking lots might be closed, people flocked to National Wildlife Refuges by the millions to soak up a much-needed ration of the outdoors.

In 2019 over 59 million people visited National Wildlife Refuges. As more and more people "discovered" refuges as a respite in the very stressful time of Pandemic, there has been a heightened awareness of these public lands as a valuable resource to local communities. Refuges pumped $3.2 Billion into local economies in 2019. But, with increased awareness and usage came increased need for upkeep and protection. The Fish and Wildlife Staff has done a stellar job of preserving the habitat of our refuges, but they are working at a great handicap. The completely inadequate budgets continue to fail to cover the cost of maintaining the incredibly rich and diverse wildlife habitats that make up the Refuge System. Our refuges are being loved to death.

A 2020 National Audubon article stated, "A lack of resources throughout the refuge system is limiting its capacity to provide healthy habitat for birds and other wildlife. Essential infrastructure is crumbling. Managers oversee growing groups of refuges that are lumped together even when they're hundreds of miles apart. And staff can't provide the community outreach and visitor services they want to offer.

Fixing these problems would take at least $900 million a year, advocates say. That's a far cry from the refuge system's budget of $502.4 million for the 2021 fiscal year."

This funding gap that has arisen due to low budget allocations over the last decade has degraded critical wildlife habitat and imperiled important species. The Refuge System cannot fulfill its obligation to the American public and our wildlife without increases in maintenance and operation funds. Even with the gains in fiscal Year 2020, overall funding for the Refuge System has declined substantially over the last 12 years. Funding in FY2010 was $503 million—$598 million in today's dollars with inflation and salary increases. This difference of $95 million has forced the Service to cut back on programs and create efficiencies whenever possible—efficiencies that are sometimes harmful or even dangerous. For example, many refuges have been placed into complexes, where staff travel sometimes large distances to juggle duties on multiple refuges. We must change this trajectory.

National Wildlife Refuges are currently funded at 59 per acre per year. Compare that to funding for National Park Service at $30 per acre per year.

The number of annual Refuge System visitors jumped by 13 million over the last few years and is likely to take another jump for 2021 visitors, due to lack of access to many other nature areas as mentioned above. More people are looking to recreate on wildlife refuges, yet understaffed refuges struggle to provide those opportunities. Reductions in visitor services can be extremely limiting for constituencies who want to visit.

Equally troubling is a 15 percent drop in the number of volunteers since FY2011. At a time when record numbers of Americans are retiring and have the capability and desire to give back, the Service's ability to oversee volunteer efforts has been curtailed. Volunteers provide an

additional 20 percent of work on our National wildlife refuges, yet they are being turned away when the System needs them the most. We hear every day from Friends groups about the frustration their members are experiencing because they cannot perform the volunteer work for their refuge that they would ordinarily be doing. Outdoor areas will continue to be a safer and popular choice for Americans looking to escape the seclusion of pandemic restrictions but without adequate staffing, refuges cannot provide the volunteer supervision that makes many of their visitor services possible.

The Refuge System is bare bones right now and increased growth in urban spaces and outdoor recreation, and the impacts of climate change, place additional stress on the System. Every year, more and more refuges are closed to the public, habitat degrades, and visitors are turned away. Current funding is nowhere near the at least $900 million needed for full funding. Our goal is to reach that figure in the next 3 years. Funding the Refuge System Operations and Maintenance Fund at $712 million is a step to reaching that goal.

CORFA appreciates the subcommittee's consideration of our request of $712 mil for the refuge system operations and maintenance budget for fiscal year 2023 We look forward to working with Congress to accomplish this goal and appreciate your consideration of our requests. Please let me know if you have any questions.

[This statement was submitted by Cheryl Turoczy Hart, Board Vice President of Coalition of Refuge Friends and Advocates.]

PREPARED STATEMENT OF COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

Thank you for the opportunity to provide written testimony in support of fiscal year 2023 (FY23) funding for the Colorado River Basin Salinity Control Program (Program) in the amounts listed in the table below. Congress authorized the Program in the Colorado River Basin Salinity Control Act (Public Law 93–320) to enhance and protect the quality of water available for Colorado River water users in the United Sates and the Republic of Mexico. This FY23 funding request will help fulfill obligations of this act and prevent further water quality degradation and related economic damages in our region.

Subcommittee	FY22 Appropriation Request	FY23 Appropriation Request	Federal Agency	Salinity Control Program
Interior, Environment, and Related Agencies.	$2.0 Million	$2.0 Million	Bureau of Land Management (BLM).	Aquatic Habitat Management Sub-Activity
Energy and Water Development, and Related Agencies.	$10.7 Million	$10.7 Million	U.S. Bureau of Reclamation (Reclamation).	Title II—Basinwide Program
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.	$12.4 Million	$15.6 Million	Natural Resources Conservation Service (NRCS).	Environmental Quality Incentives Program (EQIP)
Total	$25.1 Million	$28.3 Million		

As a regional water wholesaler, The Metropolitan Water District of Southern California (Metropolitan) provides supplemental water for 26 public member agencies to deliver-either directly or through their sub-agencies-to nearly 19 million people living in Los Angeles, Orange, Riverside, San Bernardino, San Diego and Ventura counties. Metropolitan imports about one fifth of Southern California's water supply from the Colorado River.

The Program has successfully reduced the salinity of the Colorado River by over 90 milligrams per liter (mg/l) at Lake Havasu. Despite the Program's success, salt in the Colorado River continues to cause an estimated $354 million in damages to water users each year, including damages to consumer and commercial equipment, water supply treatment processes, agriculture, groundwater replenishment activities, and wastewater recycling. Many of these damages occur within Metropolitan's service area as water imported via the Colorado River Aqueduct has the highest salinity of all of Metropolitan's supplies, averaging around 630 mg/L since 1976. The continuing severe drought in the western United States threatens to exacerbate these damages as low river flows and record-low reservoir volumes provide less water to dilute saline inflows.

Without the Program, damages to Colorado River water users would be much higher. Modeling by Reclamation indicates that economic damages would rise to approximately $671 million-almost double current damages-by the year 2040 without continuation of the Program. Metropolitan urges the subcommittee to support funding for the Program in FY23 at the levels outlined above so that it can avoid these additional impacts of increased salinity.

Given the scale of these potential damages, Congress's continuing modest investment in the Program yields a substantial rate of return. In addition to Congress's contribution, the seven Colorado River Basin States provide matching funds up to 30 percent of Program funding, extending the value of Congress's contribution even further.

The Program funds the Paradox Valley Unit (PVU), which includes a deep injection well used to sequester brine from the hyper-saline Dolores River (a tributary to the Colorado River) in western Colorado. The well has been virtually non-operational since March 2019 due to induced seismic activity in the valley. The PVU is especially important to our region as it is the largest single salinity control project in the Program. Historically, the PVU has reduced salt loads to the Colorado River by over 100,000 tons per year and salt concentrations at key downstream locations by up to 9 mg/L. Given the unique importance of the PVU, Metropolitan urges Reclamation to resume operation of the existing well and to expedite the process of finding a long-term solution that prevents the salt from reaching the Colorado River. Metropolitan also requests the subcommittee's support for resuming PVU operations as soon as practicable.

The Colorado River Basin Salinity Control Forum (Forum) was formed in 1973 to coordinate the Colorado River Basin States' salinity control efforts. The U.S. Environmental Protection Agency (EPA) has charged the Forum with reviewing the Colorado River's water quality standards for salinity every 3 years (the "Triennial Review"). In so doing, the Forum adopts a Plan of Implementation consistent with these standards. The level of appropriations requested in this testimony is in keep-

ing with the Forum's Plan of Implementation adopted in the 2020 Triennial Review, which will be implemented by the BLM, Reclamation, and the NRCS.

Metropolitan appreciates your consideration of this request. Please feel free to contact me if you have any questions.

[This statement was submitted by Adel Hagekhalil, General Manager, Metropolitan Water District of Southern California.]

PREPARED STATEMENT OF COLORADO RIVER BASIN SALINITY CONTROL FORUM

Waters from the Colorado River are used by nearly 40 million people for municipal and industrial purposes and for irrigation of approximately 5.5 million acres in the United States. Natural and man-induced salt loading to the Colorado River causes environmental and economic damages. In 2020 the Bureau of Reclamation (Reclamation) estimated the quantifiable damages to Lower Basin water users due to elevated salinity levels at about $354 million per year. Congress authorized the Colorado River Basin Salinity Control Program (Program) through the Colorado River Basin Salinity Control Act (Act) (Public Law 93–320) in 1974 to offset increased damages caused by continued development and use of the waters of the Colorado River. Modeling by Reclamation indicates that the quantifiable damages would rise to approximately $671 million by the year 2040 without continuation of the Program. Congress has directed the Secretary of the Interior (Secretary) to implement a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management (BLM). BLM has funded these efforts as directed by Congress through its Aquatic Habitat Management sub-activity. BLM's efforts are an essential part of the overall effort. A funding level of $2.0 million for salinity specific projects in 2023 is requested to prevent further degradation of the quality of the Colorado River and a commensurate increase in downstream economic damages.

EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. In authorizing Program (Public Law 93–320, Act) in 1974, Congress recognized that most of the salts in the Colorado River originate from federally owned lands. Title I of the act deals with programs downstream of Imperial Dam that enable the U.S. to meet its commitment regarding the quality of waters being delivered to Mexico (Minute No. 242 of the International Boundary and Water Commission, United States and Mexico). Title II of the act addresses measures upstream from Imperial Dam, thus improving the quality of the water delivered to users in the United States. This testimony deals specifically with Title II efforts. In 1984, Congress amended the Salinity Control Act (Public Law 98–569) and directed the Secretary to develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106–459). In 2003, BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin to pursue salinity control studies and to implement specific salinity control practices.

BLM is now working on a comprehensive Colorado River Basin salinity control program as directed by Congress. In January 2018 BLM issued *A Framework for Improving the Effectiveness of the Colorado River Basin Salinity Control Program, 2018–2023*. This document lays out how BLM intends to implement Colorado River Basin salinity control activities over the 5-year period. Meaningful resources have been expended by BLM in the past few years to better understand salt mobilization on rangelands. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

Concentration of salt in the Colorado River causes approximately $354 million annually in quantified damages and significantly more in unquantified damages in the United States and results in poor water quality for United States users. Damages, by water usage sector, include the following:

—a reduction in the ability to reclaim and reuse water for beneficial uses, including drinking water and irrigation water supplies, due to high salinities in the water delivered to water treatment and reclamation facilities,

—a reduction in the yield of salt sensitive crops, increased water use to meet leaching requirements and additional actions necessary to comply with the Clean Water Act within the agricultural sector,

—increased use of imported water and cost of desalination and brine disposal for recycling water in the municipal sector,

—a reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers and dishwashers, and increased use of bottled water and water softeners in the household sector,

—an increase in the cost of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector,

—an increase in the use of water and the cost of water treatment, and a corresponding increase in sewer fees in the industrial sector,

—a decrease in the lifespan of treatment facilities and pipelines in the utility sector, and

—difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs necessary to minimize accumulation of salts in groundwater basins.

The Colorado River Basin Salinity Control Forum (Forum) is composed of gubernatorial appointees from Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming. The Forum is charged with reviewing the Colorado River's water quality standards for salinity every 3 years to facilitate compliance with Section 303(c) of the Clean Water Act (Public Law 92–500). In so doing, it adopts a Plan of Implementation consistent with these standards. The level of appropriation requested in this testimony is in keeping with the adopted Plan of Implementation. If adequate funds are not appropriated, significant damages from higher salinity concentrations in the water will be more widespread in the United States and Mexico.

In summary, implementation of salinity control practices through BLM is a cost-effective method of controlling the salinity of the Colorado River and is an essential component to the overall Program. Continuation of adequate funding levels for salinity control within the Aquatic Habitat Management sub-activity will assist in preventing further degradation of the Colorado River's water quality with a commensurate significant increase in economic damages to municipal, industrial and irrigation users. A modest investment in source control pays huge dividends in improved water quality to nearly 40 million Americans. The Forum requests that this committee direct that BLM again expend at least $2.0 million in 2023 from its Aquatic Habitat Management Program sub-activity for Colorado River specific salinity control activities.

[This statement was submitted by Don A. Barnett, Executive Director, Colorado River Basin Salinity Control Forum.]

PREPARED STATEMENT OF COLORADO RIVER BOARD OF CALIFORNIA

This testimony is in support of Fiscal Year 2023 funding for the Department of the Interior's Bureau of Land Management (BLM) associated activities that assist the implementation of Title II of the Colorado River Basin Salinity Control Act of 1974 (Public Law 93–320). This long-standing successful and cost-effective salinity control program in the Colorado River Basin is being carried out pursuant to the Colorado River Basin Salinity Control Act and the Clean Water Act (Public Law 92–500). Congress has directed the Secretary of the Interior to implement a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the BLM. BLM funds these efforts through the Aquatic Habitat Management Program. BLM's efforts are an essential part of the overall effort. A funding level of $2.0 million for salinity specific projects in FY–2023 is requested to prevent further degradation of the quality of Colorado River water supplies and increased environmental and economic damages.

The Colorado River Board of California (Colorado River Board) is the state agency charged with protecting California's interests and rights in the water and power resources of the Colorado River system. In this capacity, California participates along with the other six Colorado River Basin States through the Colorado River Basin Salinity Control Forum (Forum), the interstate organization responsible for coordinating the Basin States' salinity control efforts. In close cooperation with the U.S. Environmental Protection Agency (EPA) and pursuant to requirements of the Clean Water Act, the Forum is charged with reviewing the Colorado River water quality standards every 3 years. Every 3 years the Forum adopts a Plan of Implementation consistent with these water quality standards. The level of appropriation being supported in this testimony is consistent with the Forum's *2020 Plan of Implementa-*

tion. The Forum's *2020 Plan of Implementation* can be found on this website: https://coloradoriversalinity.org/docs/2020 percent20REVIEW percent20- percent20Final percent20w percent20appendices.pdf. If adequate funds are not appropriated, significant damages associated with increasing salinity concentrations of Colorado River water will become more widespread in the United States and Mexican portions of the Colorado River Basin.

The EPA has determined that more than sixty percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. Through passage of the Colorado River Basin Salinity Control Act in 1974, Congress recognized that much of the salts in the Colorado River originate on federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to efforts related to maintaining the quality of waters being delivered to Mexico pursuant to the 1944 Water Treaty. Title II of the act deals with improving the quality of the water delivered to water users in the United States. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106–459). In 2003, BLM employed a Salinity Coordinator to coordinate BLM efforts in the Colorado River Basin States to pursue salinity control studies and to implement specific salinity control practices. BLM is now working to create a comprehensive Colorado River Basin salinity control program as directed by Congress. In January 2018 BLM issued *A Framework for Improving the Effectiveness of the Colorado River Basin Salinity Control Program, 2018–2023*. This document lays out how BLM intends to implement Colorado River Basin salinity control activities over the next 5 years. Meaningful resources have been expended by BLM in the past few years to better understand salt mobilization on rangelands. With a significant portion of the salt load of the Colorado River coming from BLM-administered lands, the BLM portion of the overall program is essential to the success of the entire effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

Over the forty-eight years since the passage of the Colorado River Basin Salinity Control Act, much has been learned about the impact of salts in the Colorado River system. As described in the 2020 Plan of Implementation, the salinity concentration of Colorado River water causes about $354 million in quantifiable economic damages in the United States annually. Economic and hydrologic modeling by Reclamation indicates that these economic damages could rise to more than $671 million by the year 2040 without continued implementation of the salinity control program. For example, damages can be incurred related to the following activities:

—A reduction in the ability and increased costs to reclaim and reuse water due to high salinities in the water delivered to water treatment and reclamation facilities;

—A reduction in the yield of salt-sensitive crops and increased water use to meet the leaching requirements in the agricultural sector;

—Increases in the amount of imported water;

—Increased costs of desalination and brine disposal for recycled water in the municipal sector;

—A reduction in the useful life of galvanized water pipe systems, water heaters, faucets, and other household appliances, and increased use of bottled water and water softeners in the residential sectors;

—Increased costs of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector;

—Increases in the use of water and cost of water treatment, and an increase in sewer fees in the industrial sector;

—Decreased life of treatment facilities and pipelines in the utility sector;

—Increasing difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions; and

—Increased desalination and brine disposal costs due to accumulation of salts in groundwater basins.

The Colorado River is, and will continue to be, a major and vital water resource to the nearly 20 million residents of southern California, including municipal, industrial, and agricultural water users in Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties. The protection and improvement of

Colorado River water quality through the continued implementation of this very effective salinity control program avoids, or reduces, additional environmental and economic damages to California, the other Colorado River Basin States, and Mexico that rely on Colorado River water resources.

[This statement was submitted by Christopher S. Harris, Executive Director, Colorado River Board of California.]

PREPARED STATEMENT OF COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

Congress has directed the Secretary of the Interior (Secretary) to implement a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management (BLM). BLM has funded these efforts as directed by Congress through its Aquatic Habitat Management subactivity. BLM's efforts are an essential part of the overall salinity control effort in the Colorado River Basin. A funding level of $2.0 million for salinity specific projects in 2023 is requested to prevent further degradation of the quality of the Colorado River and a commensurate increase in downstream economic damages.

The BLM is the largest land manager in the Colorado River Basin. It manages public lands that are heavily laden with naturally occurring salt. When salt-laden soils erode, the salts dissolve and enter the river system, affecting the quality of water used from the Colorado River by the Lower Basin States and Mexico.

Waters from the Colorado River are used by nearly 40 million people for municipal and industrial purposes and for irrigation of approximately 5.5 million acres in the United States. Natural and man-induced salt loading to the Colorado River causes environmental and economic damages. Congress authorized the Colorado River Basin Salinity Control Program (Program) through the Colorado River Basin Salinity Control Act (Act) (Public Law 93–320) in 1974 to offset increased damages caused by continued development and use of the waters of the Colorado River.

EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. Most of the land within the Colorado River Basin is federally owned, much of which is administered by BLM. In authorizing the Program (Public Law 93–320, Act) in 1974, Congress recognized that most of the salts in the Colorado River originate from federally owned lands. Title I of the act deals with programs downstream of Imperial Dam that enable the U.S. to meet its commitment regarding the quality of waters being delivered to Mexico. Title II of the act addresses measures upstream from Imperial Dam, thus improving the quality of the water delivered to users in the United States. This testimony deals specifically with Title II efforts. In 1984, Congress amended the Salinity Control Act (Public Law 98–569) and directed the Secretary to develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106–459). In 2003, BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin to pursue salinity control studies and to implement specific salinity control practices.

BLM is now working on a comprehensive Colorado River Basin salinity control program as directed by Congress. In January 2018 BLM issued A Framework for Improving the Effectiveness of the Colorado River Basin Salinity Control Program, 2018–2023. This document lays out how BLM intends to implement Colorado River Basin salinity control activities over the 5-year period. Meaningful resources have been expended by BLM in the past few years to better understand salt mobilization on rangelands. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

In 2020 the Bureau of Reclamation estimated the quantifiable damages to Lower Basin water users due to elevated salinity levels at about $354 million per year, plus significantly more in unquantified damages in the United States and results in poor water quality for United States users. Modeling by Reclamation indicates that the quantifiable damages would rise to approximately $671 million by the year 2040 without continuation of the Program. Damages include:

1. a reduction in the ability to reclaim and reuse water
2. a reduction in the yield of salt sensitive crops
3. increased use of imported water and cost of desalination and brine

4. a reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers

5. an increase in the cost of cooling operations and the cost of water softening

6. an increase in the use of water and the cost of water treatment, and a corresponding increase in sewer fees

7. a decrease in the lifespan of treatment facilities and pipelines, and

8. difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs necessary to minimize accumulation of salts in groundwater basins.

New Mexico is a member State of the Colorado River Basin Salinity Control Forum which is charged with reviewing the Colorado River's water quality standards for salinity every 3 years to facilitate compliance with the Clean Water Act (Public Law 92–500). In so doing, it adopts a Plan of Implementation consistent with these standards. The level of appropriation requested in this testimony is in keeping with the adopted Plan of Implementation.

In summary, implementation of salinity control practices through BLM is a cost-effective method of controlling the salinity of the Colorado River and is an essential component to the overall Program. Continuation of adequate funding levels for salinity control within the Aquatic Habitat Management sub-activity will assist in preventing further degradation of the Colorado River's water quality. New Mexico requests that this committee direct that BLM again expend at least $2.0 million in 2023 from its Aquatic Habitat Management Program sub-activity for Colorado River specific salinity control activities.

[This statement was submitted by Mike A. Hamman, P.E., New Mexico State Engineer.]

PREPARED STATEMENT OF COUNCIL OF INFRASTRUCTURE FINANCING AUTHORITIES

The Council of Infrastructure Financing Authorities (CIFA) represents the Clean Water and Drinking Water State Revolving Funds (SRFs), the Nation's premier programs for funding water infrastructure that protects public health and the environment.

FUNDING

CIFA urges Congress to fully fund the Clean Water and Drinking Water SRFs at $2.75 billion each, the 2023 authorization in the Clean Water Act and Safe Drinking Water Act. Additionally, fully funding the $5 million authorization for the state financing authorities under the Water Infrastructure Finance and Innovation Act (WIFIA) Program will ensure SRFs have access to affordable financing to leverage their programs to meet demand.

Full funding is needed to reduce the legacy gap and growing deficit in water infrastructure investment. According to the American Society of Civil Engineers (ASCE), the need for capital investment in water infrastructure was $129 billion in 2019, while actual investment was just $48 billion, leaving a gap of $81 billion. If this trend continues, the gap is will grow to $434 billion by 2029.

Moreover, full funding is needed to help utilities maintain sustained investment in water infrastructure, while keeping household user rates affordable. First, more funding is needed to cover significant cost increases for water infrastructure projects due to historic levels of inflation, supply chain disruptions, and a tight labor market. Second, more funding is needed to help utilities comply with more stringent water quality standards. Third, demand for SRF subsidized loans is likely to increase as the Federal Reserve raises interest rates which will impact interest rates on municipal bonds.

Additionally, CIFA urges Congress to fully fund delegated water quality programs, including the Public Water System Supervision Grants and Water Pollution Control (Section 106) Grants. These programs play an integral role in permitting water infrastructure projects that protect water quality and public health. Without increased Federal funding, States may not have adequate resources to implement these delegated programs and process permit applications for drinking water and wastewater infrastructure projects, the number of which will increase due to supplemental appropriations in the IIJA.

EARMARKS

CIFA urges Congress to restore full Federal funding of the capitalization grants for the Clean Water and Drinking Water SRFs.

The Consolidated Appropriations Act of 2022 maintained the 2021 funding levels for the Clean Water and Drinking Water SRFs. However, Congress used the SRF capitalization grants to fund earmarks, which cut funding for state projects by $818 million—$393 million or 36 percent for state drinking water projects and $425 million or 27 percent for state wastewater, stormwater, and clean water projects.

While appropriations in the IIJA mitigate the immediate impact of these funding cuts, paying for congressionally-selected projects by cutting funding for state priorities sets an alarming precedent with significant cascading consequences.

—Cutting Federal funding for subsidized loans for state priorities to provide grants for congressionally selected projects undermines the successful SRF state-federal partnership. Using the SRF capitalization grants to fund earmarks side-steps the States' proven process for prioritizing limited funding for water infrastructure, which can potentially increase the risk to public health and the environment.

—Cutting Federal funding for SRF subsidized loans impacts other funding. Using the capitalization grant to pay for earmarks reduces state match and diminishes the leveraging power of the SRFs to issue bonds to increase funding for water infrastructure.

—Cutting Federal funding for the SRFs also cuts funding for additional subsidy (grants and principal forgiveness), which helps build water infrastructure for communities that couldn't otherwise afford it.

—Cutting Federal funding for the SRFs also cuts funding for critical water quality programs and activities, including technical assistance for small, rural and Tribal communities, source water protection and capacity development under the Public Water System Supervision Program, and other State and local water protection activities.

—Cutting Federal funding for SRF subsidized loans permanently eliminates revolving funds to pay for ongoing water infrastructure needs.

ADDITIONAL SUBSIDY

CIFA urges Congress to eliminate mandates for additional subsidy in appropriations—10 percent for the Clean Water SRF and 14 percent for the Drinking Water SRF. Additional subsidy is the portion of an SRF subsidized loan that doesn't have to be repaid and comes in the form of principal forgiveness or a grant.

Congress established the SRFs as state-federal partnerships with shared commitment to protect water quality and provide a safe reliable supply of water in communities across the Nation. Annual Federal and State funding was intended to capitalize the subsidized loan programs which could then provide a recurring source of funding to meet the perpetual need for sustained investment in water infrastructure. Thanks to Congress' forward thinking, the SRFs have more than $85 billion in loan repayments (revolving funds) today—more than total Federal funding of $74 billion—to fund projects that may never have been built under a traditional Federal grant program.

However, Federal mandates for additional subsidy have eroded capitalization of SRFs, jeopardizing a permanent, protected, recurring source of funding to meet water infrastructure needs for future generations.

Only 20 percent of 2022 annual appropriations for the Drinking Water SRF must be provided in subsidized loans, which capitalize the programs. Of the remaining capitalization grant,

—26 percent must be used for federally mandated additional subsidy (14 percent mandated by the 2022 Appropriations Act and 12 percent mandated by the Safe Drinking Water Act),

—23 percent may be used for additional subsidy at the discretion of the state, and

—31 percent may be used for set-asides (2 percent for technical assistance for small communities, 4 percent for administration, 10 percent to support the Public Water System Supervision program, and 15 percent for State and local activities, such as capacity development and source water projection).

Only 54 percent of 2022 annual appropriations for the Clean Water SRF must be provided in subsidized loans, which capitalize the program. Of the remaining capitalization grant,

—20 percent must be used for federally mandated additional subsidy (10 percent mandated by the 2022 Appropriations Act and 10 percent mandated by the Clean Water Act),

—20 percent may be used for additional subsidy at the discretion of the state, and

—6 percent may be used for set-asides (2 percent for technical assistance for small, rural and Tribal communities and 4 percent for administration).

Federal mandates for additional subsidy have also impacted the ability of some States to issue bonds for state match. These SRFs need loan repayments to provide security for bonds to generate state match; fewer loans and historically low interest rates have reduced revenue needed for state match.

Congress has provided multiple forms of financial assistance to help low-income, disadvantaged and underserved communities to build much-needed water infrastructure.

—As part of the IIJA, Congress mandated that 10 percent of annual Federal funding for the Clean Water SRF be provided in additional subsidy for communities that meet the affordability criteria and increased the mandate for additional subsidy for the Drinking Water SRF from 6 percent to 12 percent. Moreover, Congress has provided States with the ability to provide up to 30 percent of annual Federal funding for the Clean Water SRF and up to 35 percent of annual Federal funding for the Drinking Water SRF to help communities that couldn't otherwise afford much-needed water infrastructure.

—According to the U.S. Environmental Protection Agency's interpretation of the IIJA, Congress requires 49 percent of 2023 supplemental appropriations—$2.2 billion for each program—to be provided in additional subsidy to communities that meet affordability or disadvantaged community criteria. That's more than $2 billion in funding for principal forgiveness and grants in 2023.

—In 2018, Congress established the Small, Underserved and Disadvantaged Community Grant Program specifically to help the neediest communities build infrastructure to provide safe drinking water.

Finally, many States have grant programs to help low-income, disadvantaged communities. State grant programs tend to be more accessible and user-friendly for small and disadvantaged communities, especially those that lack the professional capacity to comply with Federal mandates, such as Davis Bacon, American Iron and Steel, and the myriad of Federal crosscutters required of SRF borrowers.

DEDICATED FUNDING IN THE INFRASTRUCTURE INVESTMENT AND JOBS ACT

CIFA urges Congress to provide specific allowances for dedicated special category appropriations in the IIJA, including funding to replace lead pipes and remediate emerging contaminants with a focus on per- and polyfluoroalkyl substances (PFAS). Changes to the base program are not necessary. However, targeted and limited adjustments for the dedicated special category funding are needed to efficiently and effectively achieve the goals of Congress.

2022 and 2023 Appropriations for Replacement of Lead Service Lines:

—Allow funding to be used for replacement of any, and all, lead pipes, including lead water mains which EPA has determined are ineligible for this dedicated funding.

—Allow up to 100 percent of funding to be used for additional subsidy for any community, which is necessary to alleviate the cost to homeowners to replace the privately owned portion of the lead service lines.

—Allow funding to be used by SRFs to contract directly for lead service line inventories.

—Allow funding to be used to replace indoor lead plumbing, such as water fountains and faucets, for public buildings or buildings that serve vulnerable populations, such as daycare centers, schools, nursing homes, libraries, and courthouses.

2022 and 2023 Appropriations for Remediation of Emerging Contaminants with a Focus on Per- and Polyfluoroalkyl Substances (PFAS):

—Allow funding to be used for testing and monitoring.

—Allow funding to be used by SRFs to contract directly for remediation efforts.

—Extend the deadline to apply for the capitalization grant by 1-year to provide sufficient time for SRFs to build a pipeline of projects for this new dedicated special category funding.

—Eliminate the requirement that 10 percent of the capitalization grant for this dedicated special category funding be used for green projects.

[This statement was submitted Deirdre Finn, Executive Director, Council of Infrastructure Financing Authorities (CIFA).]

PREPARED STATEMENT OF DEFENDERS OF WILDLIFE

Madam Chairman, Ranking Member and Members of the subcommittee, thank you for the opportunity to submit testimony. I am Mary Beth Beetham, Director of Legislative Affairs at Defenders of Wildlife. Founded in 1947, Defenders has nearly 2.2 million members and supporters and is dedicated to the conservation of wild animals and plants in their natural communities.

Biodiversity is in crisis on a global scale. Numerous scientific studies in the last several years have raised the alarm about this crisis. A landmark 2019 study[1] compiled by hundreds of the world's leading scientists found that about one million species are facing extinction. The health of wildlife and ecosystems is directly related to human health—exploitation and habitat loss can cause spillover of animal diseases to humans. Moreover, the World Economic Forum found that biodiversity loss is one of the top three threats to the global economy in its 2022 report.[2] And a 2022 National Academy of Sciences report emphasizes biodiversity's "essentially incalculable" role in protecting human health, agriculture, and the economy.[3]

The biodiversity crisis cannot be addressed without funding—more than 1,900 scientists signed a letter[4] published in the journal Science which asked Congress to fully fund conservation programs to protect biodiversity, including the Endangered Species Act (ESA). While we appreciate the modest increases provided in the final fiscal Year 2022 bill, years of severely inadequate funding and the scale of the catastrophe facing the planet's wildlife make them gravely insufficient. Significantly more funding is needed in every area.

In addition, Defenders is deeply disturbed that, although neither the House nor Senate fiscal Year 2022 bills included the sage-grouse rider, the omnibus yet again included this longstanding prohibition on protecting the sage-grouse under the ESA that has been in the bill since 2014. We urge the subcommittee to draw a line in the sand and ensure that this rider which undermines sound science and the ESA is removed from the fiscal Year 2023 bill once and for all.

FISH AND WILDLIFE SERVICE

The U.S. Fish and Wildlife Service (FWS) is our Nation's premier wildlife conservation agency. To address the biodiversity crisis, the agency needs additional increases to support recovery of threatened and endangered species; protect migratory birds and fish, species of global conservation concern and other trust species; and prevent domestic and international wildlife crimes.

Ecological Services—Defenders is part of a coalition of more than 150 organizations requesting a significant infusion of funds into the Ecological Services program to begin to address the biodiversity crisis. We very much appreciate the $356.2 million in the president's request, but the need is far greater. Based on available data on the needs and costs for ESA implementation by FWS across its programs, as well as inflation adjustment, program funding should be at least $543.5 million, or $266.5 million more than the fiscal Year 2022 level:

—Listing: There are approximately 310 species on the FWS National Listing Workplan for fiscal Year 2022–FY 2027 that must be reviewed for protections under the ESA, with more species petitioned for protection every year. For FWS to meet this obligation, a total of $78.7 million is needed annually, an increase of $57.4 million.

—Recovery: Of the more than 1600 listed U.S. species, more than 1200 have no recovery plans or have plans that are at least a decade old and that may no longer contain current scientific information, especially related to climate change. Hundreds of listed species receive less than $1,000 per year for recovery and many receive no FWS funding at all. Congress should provide a minimum

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[1] Diaz, S., J. Settele, E. S. Brondizio, et al. 2019. "Summary for Policymakers of the Global Assessment Report on Biodiversity and Ecosystem Services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services."

[2] World Economic Forum Global Risks Report 2022

[3] National Academies of Sciences, Engineering, and Medicine. 2022. "Biodiversity at Risk: Today's Choices Matter." Washington, DC: The National Academies Press.

[4] Malcom, J et al. 2019. "Solve the biodiversity crisis with funding." Science 365 (6459): 1256

of $50,000 per year per species for recovery. For FWS to meet its obligations under the recovery budget, a total of at least $287 million is needed annually, an increase of $178.6 million. We very much appreciate report language directing FWS to incorporate climate change adaptation into recovery plans and language supporting improved recovery efforts for red wolves; we urge continued oversight of these activities.

—Planning and Consultation: FWS conducts ESA Section 7 consultations on more than 10,000 Federal actions each year so that projects can move forward while minimizing harm to listed species. The requirements of pesticide consultations in particular are highly technical and essential to protecting species. In addition, the agency will have significantly increased obligations under the Infrastructure Investment and Jobs Act. To meet these needs and to work with nonfederal stakeholders to develop Habitat Conservation Plans, $162.1 million is needed annually, an increase of $50 million. We are grateful for the continued support for the Integrated Planning and Consultation system and for compliance monitoring. We urge continued oversight of these efforts.

—Conservation and Restoration: At least $15.7 million per year is needed for the Candidate Conservation element of Conservation and Restoration to assist with early conservation action on the current 25 candidate species.

—Wolf Livestock Loss Demonstration Program: We are disappointed that the president's budget zeroed out this important program that assists livestock owners co-existing with wolves, and we urge continued funding at no less than $1 million.

National Wildlife Refuge System Operations and Maintenance—A key component in addressing the biodiversity crisis in the U.S. is to refocus Federal land management on it. Our National Wildlife Refuge System is the largest network of public lands and waters in the Nation dedicated to wildlife conservation. Since 2010, the System has added 2 million land acres, 13 national wildlife refuges, and 597 million acres of marine national monuments, has experienced a 44 percent increase in visitation, and has worked to significantly expand its urban refuge program in historically excluded communities. Yet the System has lost 25 percent of its staff since 2010, and despite increases provided in the fiscal Year 2022 bill, its funding is far below the fiscal Year 2010 inflation adjusted level of $636 million. While Defenders very much appreciates the president's request of $597.9 million, we recommend $712 million to begin to address the real need, an increase of $193.2 million.

Partners for Fish and Wildlife—Defenders urges full funding of $75 million, an increase of $17.3 million to address a backlog of applications and fund practices that could restore tens of thousands of land acres and stream miles on private land. We urge inclusion of report language directing continued prioritization of projects that connect, enlarge, and buffer National Wildlife Refuges.

Migratory Bird Management—In North America nearly 3 billion birds have disappeared since 1970 and the only groups to not suffer severe declines were waterbirds that have received substantial funding over the decades.[5] The administration is currently working to develop regulations to govern incidental take under the Migratory Bird Treaty Act (MBTA) following the reversal of harmful Trump-era policies. Defenders supports the $70.2 million in the president's request, an increase of $20.7 million, which includes increases of $8.1 million to help support development of proposed regulations under the MBTA and $1 million for Urban Treaties to help address threats to birds in underserved communities.

Office of Law Enforcement (OLE) and International Affairs (IA)—For OLE, we support $115 million, an increase of $25.2 million, to help OLE continue to address the crisis in the illegal global wildlife trade and the threat of zoonotic disease. For IA, we support $35 million, an increase of $9.6 million, crucial in continuing to combat illegal wildlife trade and to build capacity in range countries.

Cooperative Landscape Conservation and Science Support—We support the president's request of $19 million (an increase of $6.2 million) and $38.5 million (an increase of $15.3 million) respectively. With these increases, FWS can continue to work to address complex challenges posed by the dual climate and biodiversity crises.

Key grant programs—Defenders supports: $149.9 million for the Cooperative Endangered Species Fund, an increase of $93 million; $20 million for the Neotropical Migratory Bird Fund, an increase of $15 million; and $30 million for the Multinational Species Conservation Fund, an increase of $10 million.

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[5] Rosenberg, L. V. et al. 2019. "Decline of the North American avifauna." Science 366 (6461): 120–124.

U.S FOREST SERVICE AND BUREAU OF LAND MANAGEMENT

The U.S. Forest Service (FS) and Bureau of Land Management (BLM) manage close to 20 percent of the country's land base, providing habitat for hundreds of species listed under the ESA and thousands of sensitive species. These agencies have long been deprived of the funding they need to adequately conserve and recover imperiled species. While we thank the subcommittee for the modest increases provided in the fiscal Year 2022 bill, we were disappointed that the president's request for fiscal Year 2023 included explicit funding for only one of the five critical programs listed below. Given the enormity, urgency, and complexity of the biodiversity crisis and the importance of Federal public lands, explicit funding and long-term increases are badly needed for these programs that specifically address the biodiversity crisis and restore resilient ecosystems.

FS Threatened, Endangered and Sensitive (TES) Species—Defenders recommends reestablishing the TES line item at a level of $24.7 million under Wildlife and Fisheries Habitat Management (WFHM). This appropriation should also be reflected in top-line increases for WFHM to ensure that increased capacity for TES does not detract from WFHM's other mission-critical functions. Based on cost estimates in ESA recovery plans, the FS would need to spend roughly three times the requested amount annually to meet its responsibility to help recover the 470 listed species that occur on FS-administered lands. This increase will help the FS make substantial progress while continuing to build toward that goal in subsequent appropriations cycles. Additionally, we request report language asking the FS to report on its T&E recovery projects, expenditures, and resultant outcomes, and to ensure that TES funding is used specifically to advance recovery of listed species on its lands rather than to pay for ESA Section 7 consultations, which should be funded by the benefitting programs.

FS Research and Development Programs (R&D)—Defenders supports $88.7 million, an increase of $38.7 million for R&D, which was the president's budget request for fiscal Year 2022. This includes funding for the Wildlife and Fish Research Program to support crucial science and applied research. We recommend a specific budget allocation for the Wildlife and Fish Research Program, which has historically received 9–10 percent of the R&D programs line item but warrants a significant increase given the magnitude of the biodiversity crisis. We also ask that the subcommittee direct the FS to report on the potential for Research Natural Areas (RNAs) to provide information about climate-related changes over time and the potential of RNAs to protect habitat for plant and wildlife species such as rare plants, endemics, and those with small ranges.

FS Legacy Roads and Trails (LRT)—Defenders recommends $100 million for LRT, an increase of $95 million. The increase would restore capacity and address the significant backlog of projects that has compounded since LRT lost dedicated funding between fiscal Year 2018–FY 2021. We also ask the subcommittee to direct the FS to report on LRT accomplishments.

BLM Threatened and Endangered (T&E) Species Management—Defenders supports $51.7 million, an increase of $20.7 million, and elevation of the program to its own subactivity to better support imperiled species recovery and improve outcome tracking and accountability. This increase should also be reflected in top-line increases for the account that houses the Program to ensure that increased capacity for the T&E Program does not detract from other mission-critical wildlife functions. Our request is the best available estimate of what BLM needs to meet its responsibility to help recover the 330 listed species that occur on BLM-administered lands based on cost estimates in ESA recovery plans and current range data.

BLM Plant Conservation and Restoration—Defenders supports $40 million, which includes $35 million for the base program to better implement the National Seed Strategy and to increase botanical expertise, and an additional $5 million for the working capital fund to scale up native plant material development. This program provides national leadership to ensure consistent and adequate supplies of America's native plant species for restoration of native ecosystems. It is also responsible for implementation of key initiatives including the National Seed Strategy and rare plant conservation. Historically, funding has been inconsistently cobbled together from multiple sources within the agency. These contributions have fluctuated between $10 million to $16 million annually over the past 5 years. We recommend establishment of the program as its own subactivity to ensure it endures and is accountable Bureau-wide.

U.S. GEOLOGICAL SURVEY

Ecosystems—Defenders supports the $375.7 million in the request, an increase of $97.8 million to support development of crucial scientific information for sound man-

agement of our Nation's biological resources. This includes a total of $124.7 million, an increase of $72.8 million for the National and Regional Climate Adaptation Centers.

[This statement was submitted by Mary Beth Beetham, Director of Legislative Affairs, Defenders of Wildlife.]

PREPARED STATEMENT OF DINÉ BI OLTA SCHOOL BOARD ASSOCIATION

The Navajo Nation established the Diné Bi Olta School Board Association (DBOSBA) to represent the locally-elected school boards within the Navajo Nation. With its representation of school boards from the 66 Bureau of Indian Education-funded (BIE) schools located on the Navajo Nation, DBOSBA's membership constitutes more than one-third of the 183 BIE-funded schools nationwide. Of those 66 BIE-funded schools, 32 are operated by the BIE and 34 are tribally-operated (33 pursuant to grants under the Tribally Controlled Schools Act, Public Law 100–297 (TCSA) and one pursuant to a contract under the Indian Self-Determination and Education Assistance Act, Public Law 93–638 (ISDEAA)). DBOSBA unites school boards to advocate for educational programs and services that help ensure each Navajo student graduates with the preparation necessary to lead a productive and fulfilling life, with knowledge and understanding of Navajo language and culture.

DBOSBA is grateful for the leadership and commitment of these subcommittees to address the many challenges facing federally-funded schools operating on the Navajo Nation and elsewhere throughout Indian Country. We particularly appreciate the emergency supplemental support Congress provided to our communities in response to the COVID–19 pandemic. We ask for your sustained partnership as we continue to respond to these exceptional demands and work to confront longstanding inequities.

In the 2021 Consolidated Appropriations Act, Congress provided our schools with important support, including: increased Indian School Equalization Program (ISEP) Formula Funds; continued funding for school replacement construction projects; action to correct the BIE's failure to request the funding necessary to meet statutory teacher pay parity requirements; and extending to all BIE-funded schools the option of offering their employees participation in the Federal Employee Health Benefit (FEHB) program. Congress also created an indefinite appropriation within the BIA's budget to pay for full service leases and ensured the continuation of full funding for Tribal Grant Support Costs.

DBOSBA respectfully asks that Congress continue to build upon these achievements. Our fiscal Year 2023 priorities are increases for ISEP Formula Funds; full funding for Teacher Pay Parity; Early Childhood and Family Development; Special Education; Education IT; Student Transportation; Road Maintenance for School Bus Routes; Facilities Operations and Maintenance; Facilities Improvement and Repair; and Replacement Construction; ensuring that employees of all BIE-funded schools are eligible to participate in the Federal Employee Retirement System; full funding for Tribal Grant Support Costs; mandatory funding for full service leases; and the inclusion of BIE schools in any expansion of pre-kindergarten across the Nation. To ensure these vital Federal resources reach our communities, DBOSBA calls on Congress to hold the BIE accountable and restore the Federal commitment to "a meaningful Indian self-determination policy for education." 25 U.S.C. § 2501(b).

ISEP Formula Funds are the core account for BIE-operated and tribally controlled schools (also known as "grant schools"). This account funds everything from classroom instruction materials and teacher salaries to gifted and talented programs, summer programs, and food services. Increases in ISEP Formula Funds directly benefit students and help attract and retain the quality teachers vital to our students' academic success. BIE-funded schools across the Nation are facing a significant teacher shortage, but that shortage is particularly acute here on the Navajo Nation, where many schools operate in remote locations and because surrounding public schools in New Mexico and Arizona have responded to the teacher shortage by substantially increasing teacher pay. Having the resources to attract and retain quality teachers is one of our biggest challenges.

Full Funding for Teacher and Counselor Pay Parity is a critical tool for attracting and retaining quality teachers. Federal law requires the BIE provide funding so that teachers and counselors in the BIE-funded school system may be paid equivalent salaries to their counterparts in the Department of Defense Education Activity. Federal law also provides that, at the discretion of the local school board, a BIE-operated school may pay salaries consistent with those paid by public schools in the state where the BIE school is located.

DBOSBA would like to thank the subcommittees for the fiscal Year 2021 House Report 116–448 and the Joint Explanatory Statement accompanying the 2021 Consolidated Appropriations Act which direct the BIE to "clearly display funding amounts required to comply with Defense Department-equivalent pay rates as part of future budget justifications and to include sufficient funding in its budget request to fully fund these requirements." While the Administration's fiscal Year 2022 budget request for the BIE proposed an increase for ISEP Formula Funds and included teacher and counselor pay parity among the priorities to be funded from within this program increase, the fiscal Year 2022 budget justification failed to quantify the specific amount for this purpose. We ask the subcommittees to continue to hold the BIE accountable for quantifying and requesting the correct amount for teacher and counselor pay parity and ensuring that the amounts provided are sufficient to match the increases provided by the Defense Department schools or are consistent with the rate of pay of public schools in the States where our BIE-operated and tribally controlled schools are located, whichever of these rates is higher. Given the acute teacher shortages, this parity is essential to our schools' ability to recruit and retain qualified teachers.

Ensuring that employees of all BIE-funded schools are eligible to participate in the Federal Employee Retirement System (FERS) would significantly bolster the ability of tribally controlled schools to attract and retain quality teachers, and would not create any new costs for the Federal Government. Congress recently extended grant schools the opportunity to offer their employees insurance through the FEHB and Federal Employee Group Life Insurance (FEGLI) programs. Similarly, extending the option of FERS participation to all BIE-funded schools would provide valuable benefits to teachers and schools at no cost to the Federal Government.

Early Childhood and Family Development funding plays a critical role in preparing children for school and supporting and empowering their parents. Substantial program increases are needed each year to expand these opportunities to more BIE-system schools. Of the 183 schools in the BIE school system, the Administration's fiscal Year 2022 budget justification reports that 47 receive Early Childhood and Family Development funds. The National Education Association finds that children in early childhood education programs are: less likely to repeat a grade; less likely to be identified as having special needs; more prepared academically for later grades; more likely to graduate from high school; and more likely to become higher earners in the workforce. As Congress separately considers a nation-wide expansion of access to high-quality pre-school and early learning opportunities, it is absolutely critical that schools in the BIE system are included and receive dedicated, sufficient, and flexible funding.

Special Education requires greater investment and improved congressional oversight of the BIE. American Indian children are more likely to require special education services than any other group in the United States (18 percent of students, according to the National Center for Education Statistics in 2020, but our experience indicates an even higher rate for students at Navajo Nation schools). Yet, our schools do not have the resources to recruit qualified and culturally knowledgeable special education teachers. In addition to funding, greater accountability of the BIE is needed to ensure that the resources made available to the BIE serve to enhance special education programming and services for the students who need them.

Education IT, specifically, funding to increase connectivity for schools and students is absolutely critical as some of our schools are still holding classes remotely or on a hybrid schedule and because connectivity needs will persist even after the worst of the pandemic recedes. The funding increases proposed for fiscal Year 2022 are welcomed and can be built upon for fiscal Year 2023.

Student Transportation in the BIE Budget and Road Maintenance for School Bus Routes in the BIA Budget are of particular importance to schools located on the Navajo Nation. Our students travel some of the longest distances to their schools on some of the worst roads in the Nation. Outdated buses improperly equipped to handle the many unpaved and unimproved roads put our students' safety at risk or can mean that our students miss critical instruction days and fall behind their peers in other jurisdictions. DBOSBA cautions that the proposed conversion to electric buses could actually present new problems given the extensive distances of remote bus routes on the Navajo Nation and the limited electric system capacity of many of our communities. Without further increases for Student Transportation and Road Maintenance, and the alignment of new technologies to our circumstances, this precarious situation will continue.

School Facilities Operations and Maintenance funds play a pivotal role in the health and safety of our students and staff. More funding is needed to address the BIE system-wide maintenance backlog and to ensure schools have enough funding to adequately heat and cool buildings and to achieve air circulation rates that re-

duce the risk of coronavirus transmission. Congress should ensure this funding gets properly distributed to schools. DBOSBA encourages Congress to shift these two accounts to the forward funded portion of the BIE's budget to further insulate schools from the uncertainties of continuing resolutions and government shutdowns.

School Facilities Improvement & Repair and School Replacement Construction in the BIE's Education Construction budget also significantly impact the health and safety of our students and staff. This funding not only helps keep our students and staff safe, it also helps prolong the useful life of our school buildings. Unfortunately, many schools throughout the BIE system are far beyond the end of their safe and useful life and must be replaced. Many of these schools in poor or dangerous condition are located on the Navajo Nation. The BIE's fiscal Year 2022 budget justification reports that only one of the 10 schools on the 2016 School Replacement List is complete. It is critical for Congress to continue to provide robust levels of funding for School Replacement Construction so the remaining schools on the list can be completed expeditiously and a new list can be created. DBOSBA thanks Congress for enacting the Great American Outdoors Act, and calls on the subcommittees to ensure that the act's 5 years of supplemental funding to help address the repair and replacement backlogs across the BIE school system is just that: supplemental to the robust funding Congress will continue to provide in the coming years.

Continued Full Funding for Tribal Grant Support Costs means that tribally controlled schools can focus ISEP funds where it counts: supporting students, improving classroom instruction, and attracting and retaining quality teachers. DBOSBA thanks Congress for providing full funding for Tribal Grant Support Costs since fiscal Year 2016.

Shifting 105(l) Tribal Leases to Mandatory Funding would make the discretionary budget process more predictable and would free up additional funding for Indian programs within the topline allocation for the Interior, Environment and Related Agencies appropriations bill. In fiscal Year 2023, the Administration is requesting that this account be classified as mandatory spending. DBOSBA strongly supports the Administration's request.

DBOSBA is committed to working with Congress to ensure the effective implementation of these vital programs and the efficient use of these valuable Federal resources. We call the subcommittee's attention to several immediate and urgent oversight concerns regarding the BIE's noncompliance and disregard for statutory mandates that Congress enacted in order to "facilitate Indian control of Indian affairs in all matters relating to education" as enshrined in the Indian Education Title of the Elementary and Secondary Education Act Amendments of 1978, Public Law 95–561, and the TCSA. The BIE's actions undermine self-determination in Indian education and distract our teachers and administrators from focusing on providing quality educational services to our students. The BIE has not met the standards set by Congress and does not deserve a passing grade for its performance. Significant improvement by the BIE is needed to ensure effective program implementation and efficient use of Federal resources. DBOSBA will be providing the subcommittees with a letter to accompany this testimony detailing our observations and concerns regarding the need for greater accountability at the BIE. DBOSBA respectfully requests that the subcommittee express its awareness of our oversight concerns in the appropriations instructions that will be provided to the BIE and that those instructions request a report or response from the BIE.

DBOSBA thanks the subcommittees for the opportunity to provide this testimony.

[This statement was submitted by Ervin Chavez, Executive Board Chair of the Diné Bi Olta School Board Association.]

Prepared Statement of Ding Darling Wildlife Society

This testimony is submitted on behalf of the "Ding" Darling Wildlife Society (Society), the Friends-of-the Refuge group that was formed in 1982 to support the J. N. "Ding" Darling National Wildlife Refuge on Sanibel Island, Florida. As the Society celebrates its fortieth anniversary, we respectfully request that the National Wildlife Refuge System Operations & Maintenance budget receive fiscal year 2023 funding of $712M.

The J. N. "Ding" Darling National Wildlife Refuge is a critical driver in the tourist-based economy of Southwest Florida and is the second most visited location, after our beaches, in the entire area. It's wealth of wildlife, some endangered, is unique. And although protected within the framework of the National Wildlife Refuge System (NWRS), its very existence is under threat by climate change, by water quality issues and, most seriously, by the severe lack of adequate Federal funding of the NWRS.

In the last 10 years, annual visitation to the Refuge has increased by some 60 percent to nearly one million but, during that same period, its Federal Appropriations, impacted by years of Continuing Resolutions, has forced the US Fish and Wildlife Service to reduce the refuge's staff by almost half. As a Friends group, the Society has done whatever it can to help fill the gap through the generation of independent funds to support student education, internships, research projects, informational literature, advocacy, land acquisition and facility enhancements.

As an example, in recent months the Society has been able augment the Refuge's commitment to the NWRS urban refuge program by helping design, equip and staff a Wildlife on Wheels (WoW) mobile classroom that visits local schools, churches and other locales, primarily in economically-distressed areas. In so doing, youth and adults from these areas re provided the opportunity to enjoy a glimpse of the tremendous benefits that wildlife refuges afford. Since December of 2020, WoW has had over 10,000 visitors with the vast majority expressing unanimously positive reactions.

However, that being said, both the J. N. "Ding" Darling National Wildlife Refuge and the NWRS overall remain significantly underfunded. The NWRS requires at least $1 billion in Operations and Maintenance Funding to be considered "fully funded". Such funding would support staffing of all refuges at the needed levels; provide for adequate maintenance; and adequately finance comprehensive biological, hunting, fishing, and environmental education as well as interpretive programs. Our testimony reflects the criticality of reaching this full funding goal over the next few years and, as a result, we ask that you work towards that by recommending $712 million in annual funding for the NWRS Operations and Maintenance budget in Fiscal Year 2023.

Our $712 million funding request reflects the urgent need to address the loss of over 1,000 NWRS staff in the last decade, the direct result of budget shortfalls during that period. At the same time, millions of new acres were added to the System, including 13 new refuges. During this same period, the Refuge System's important urban program was launched and NWRS has been challenged to address the increasing problem of managing invasive species on almost all of its refuges. While the requested fiscal year 2023 funding may be viewed as a significant increase, it is precisely what is needed to sustain healthy and vibrant wildlife habitats throughout the NWRS.

Thank you for your consideration, and please feel free to contact me at 239–410–7931 or drmjbwin@gmail.com should additional information be needed.

[This statement was submitted by Michael J. Baldwin, PhD, Board Member & Immediate Past President "Ding" Darling Wildlife Society.]

PREPARED STATEMENT OF DZILTH-NA-O-DITH-HLE COMMUNITY SCHOOL

Dzilth-Na-O-Dith-Hle Community School (DCS) operates a K–8 school and residence program in Bloomfield, New Mexico. DCS is funded by the Bureau of Indian Education (BIE) and has operated pursuant to the Tribally Controlled Schools Act (TCSA, Public Law 100–297) since 2005. DCS is a Member of the Diné Bi Olta School Board Association (DBOSBA), which represents all of the locally-elected school boards within the Navajo Nation. DCS wishes to associate ourselves with DBOSBA's fiscal Year 2023 appropriations testimony and share our school's experiences to provide additional context for these priorities.

DCS is one of the schools on the 2016 Replacement School list and we are excited to report that we received the certificate of substantial completion for our dormitory last week and that we anticipate receiving the certificate of substantial completion of our academic building in April. Thanks to the subcommittees' dedication to prioritizing appropriations and oversight for School Replacement Construction, DCS for the first time will now be able to offer our students a healthy and safe facility. Our dormitory and academic buildings are designed with Navajo cultural features that invite students into an atmosphere that is colorful and open for learning and growth. These new buildings have Navajo names. For example, the academic building's name, "Al'chini bi Olta," means "place for learning that belongs to the children." It reflects our School's commitment to Navajo culture and our students. We could not be where we are in this process without your dedication to our students' well-being.

Our testimony highlights the following fiscal Year 2023 priorities:

—School Replacement Construction and Oversight of the Division of Facilities Management and Construction (DFMC);

—Continued Support for Early Childhood and Family Development Programs;

—Formula Funds for the Native Language and Culture Immersion Program Instead of Competitive Grants;

—Increases for ISEP Formula Funds;

—Full Funding for Teacher and Counselor Pay Parity;

—Expanding Eligibility for Tribally Controlled Schools to Participate in the Federal Employee Retirement System (FERS);

—Increased Funding and Flexibility for Education IT;

—Increases for Road Maintenance for School Bus Routes and Student Transportation;

—Shift School Facilities Operations and Maintenance Accounts to the Forward Funded Portion of the BIE's Budget; and

—Reduce Unnecessary and Burdensome Reporting.

School Replacement Construction and Oversight of the Division of Facilities Management and Construction (DFMC). As one of the schools on the 2016 Replacement School list, we are currently at the 80 percent completion stage of our design-build contract. DCS is committed to putting our school in operation as promptly as possible for the well-being of our students. Our students have always been academically well-prepared, as shown by test scores and other performance measures. They have demonstrated high achievement despite the hindrances of broken pipes, sewer backups, and outdated internet technology. They have also had to endure health and safety risks associated with poor air quality and the presence of asbestos. With the new academic building and dormitory, our students will have the opportunity to excel to their potential. They will have healthy and safe facilities that include bipolar ionization to filter viruses and bacteria from the air, fast and reliable connectivity to the internet, and features supporting computer technology, as well as cultural features demonstrating pride in their Navajo culture and identify. DCS is grateful to the subcommittees for your partnership with us.

As we have reported in prior years' testimony, under DCS leadership, the school replacement construction project has largely been on track for its scheduled completion and budget despite delays and bottlenecks caused by the Indian Affairs Division of Facilities Management and Construction (DFMC) failure to meet review and approval timeframes. Last year, however, we encountered a number of disconcerting setbacks arising from the DFMC's failure to properly supervise the contractor DFMC assigned to be project manager. The project manager failed to respect the new school construction project grant agreement terms and the previously approved project documents. As a result, DFMC issued directives to expand scope of work for the school reconstruction project to require additional square footage, a redesign and reconstruction of our wastewater lagoon, and a rooftop HVAC penthouse. This penthouse requirement interferes with the approved project design that includes a roofline based on the contours of a traditional, Navajo hogan. Each of the DFMC's directives were unilateral and received post-award, meaning that the cost to carry them out was not included in the authorized program budget. Only after our School filed disputes and made repeated requests for grant amendments did DFMC provide funding for its directives—the most recent of those were only resolved in February 2022. Although DCS has been able to steer the project to success and the DFMC has taken corrective action, meeting the project's milestones has taken more time, money, and effort from DCS than it should have. Looking forward, we urge the subcommittees to redouble your oversight of the DFMC.

Early Childhood and Family Development funding plays a critical role preparing our children for school and supporting and empowering their parents. DCS' Family and Community Engagement (FACE) program provides pre-school, home-based and adult education programs that strengthens our community and school. Even during the COVID–19 Pandemic our program served 27 families with 33 children. We have seen significant increases in the number of parents who achieve a graduate equivalent degree (GED) through our adult education program and children who participate in the pre-school program arrive to kindergarten more prepared than those who do not. DCS provides trainings to parents in our Navajo language. The DCS FACE program has been nationally recognized as a model for other schools. Funding increases are essential as many schools are unable to hire teachers and trainers. As Congress separately considers a nation-wide expansion of access to high-quality pre-school and early learning opportunities, it is absolutely critical that schools in the BIE system are included and receive dedicated, sufficient, and flexible funding to support current early learning programs and to help those schools without a program to start one.

Providing Formula Funds to all Schools for Native Language and Culture Immersion would significantly help our school and others. Additional funding is needed as

we work to recruit, train, and retain teachers with the knowledge and cultural understanding to provide culturally appropriate, bilingual education consistent with requirements of the Navajo Department of Education. We have seen important student performance gains thanks to the bilingual and cultural education programs funded with grants from this program in the past. DCS is able to offer Navajo language and culture materials on a daily basis. Through DCS's conversational Navajo language course, we have seen our students' language skills grow—and frequently observe our students using Navajo words and phrases in their interactions with each other. Because this program is currently a competitive grant program, participation is limited. We believe that all Native students in BIE system schools could benefit from these resources.

ISEP Formula Funds is the core BIE account, which funds our school's operations. This account funds everything from classroom instruction materials to teacher salaries. Increases for ISEP directly benefit our students. ISEP funding increases are vital to enhancing learning opportunities for all of our students through the training, development, and retention of excellent teachers. Schools across the Nation are facing a significant teacher shortage but that shortage is particularly acute here in more remote communities like ours on the Navajo Nation. Additionally, New Mexico has responded to the Nationwide teacher shortage by increasing teacher pay by tens of thousands of dollars. We believe teachers should be compensated to reflect the important work they do every day, but we do not have the budget to compete with these salaries being offered by public schools here in New Mexico. In order to effectively address this problem, we need ISEP increases paired with Full Funding for Teacher and Counselor Pay Parity, and opportunities to expand the benefits package we can offer our teachers and staff as discussed below.

Full Funding for Teacher and Counselor Pay Parity is a critical tool for attracting and retaining quality teachers. We ask the subcommittees to continue to hold the BIE accountable for ensuring that the amounts requested for pay parity are sufficient to match the increases provided by the Defense Department schools. Given the significant salary increases for public school teachers in New Mexico, DCS also encourages consideration for pay rate increases that would keep pace with either the Defense Department schools, or the rate of nearby public schools, whichever of these rates are higher. Given our acute teacher shortage, these requested increases to provide pay parity are essential.

Expanding Eligibility for Tribally Controlled Schools to Participate in the Federal Employee Retirement System (FERS) would not create any new costs for the Federal Government but it could significantly bolster the efforts of tribally controlled schools like ours to attract and retain quality teachers. Congress recently extended eligibility for tribally controlled schools to participate in the Federal Employee Health Benefits (FEHB) and Federal Employee Group Life Insurance (FEGLI) programs. Extending the option of FERS participation to us and other tribally controlled schools would strengthen this effort.

Education IT, specifically, funding to increase connectivity for schools, students, and teachers and to pay the salaries of technical staff is absolutely critical. The funding increases proposed for fiscal Year 2022 are welcomed and can be built upon for fiscal Year 2023. We also ask that the subcommittees ensure that these funds are distributed to schools and are not centralized, micromanaged, or delayed by the BIE's bureaucracy.

Increases for Student Transportation in the BIE Budget and Road Maintenance Funding for School Bus Routes in the BIA Budget are of particular importance to DCS. Many of our students travel long distances on unpaved and unimproved roads. Poor weather creates safety concerns and makes student absences more likely. Meanwhile, skyrocketing fuels costs have increased the strain on our budgets. DCS welcomes more fuel-efficient vehicles, however, given distances, road conditions and limited electrical system capacity, we ask the subcommittees to ensure the General Services Administration (GSA) conducts proper feasibility assessments before seeking to deploy electric vehicles on our bus routes. Continued increases for Student Transportation and Road Maintenance funding targeted to school bus routes remain essential.

School Facilities Operations and Maintenance funds play a pivotal role in the health and safety of our students and staff. We call upon Congress to shift these two accounts to the forward funded portion of the BIE's budget to help further insulate our schools from the disruptive uncertainties of continuing resolutions and government shutdowns.

Reduce Unnecessary and Burdensome Reporting to ensure the effective implementation of these vital programs and the efficient use of these valuable Federal resources. When Congress drafted the TCSA, it included an express limitation on tribally controlled schools' reporting requirements and what authorities apply to them.

Under the TCSA, tribally controlled schools must submit an annual financial statement and financial audit that complies with the Single Audit Act, along with an annual program evaluation conducted by an impartial evaluation review team. Yet, the BIE often attempts to subject tribally controlled schools to additional reporting that duplicates information already available in the existing reports that tribally controlled schools provide. For example, our independent audit comprehensively evaluates program compliance and financial management. Despite the comprehensive information tribally controlled schools submit pursuant to statutory and regulatory requirements, the BIE has demanded that schools complete numerous time-consuming reports and forms that are not permitted by statute. When DCS personnel are used to gather, format, and submit information in response to the BIE, they are not available to focus their efforts on providing educational services to our students.

We call the subcommittee's attention to these reporting concerns and to the separate letter DBOSBA is providing to the subcommittees regarding the need for greater accountability at the BIE. We respectfully ask that the subcommittees express awareness of concerns in the appropriations instructions that will be provided to the BIE and that those instructions request a report or response from the BIE.

Thank you. We would like to thank the subcommittees for your support and partnership throughout the pandemic. The resources you allocated for BIE system schools helped keep our students and teachers safe and connected. Thank you for the opportunity to provide this testimony. Please consider us a resource if you have any questions.

[This statement was submitted by Chrystal Martinez-Tom, Principal, Dzilth-Na-O-Dith-Hle Community School.]

PREPARED STATEMENT OF ECOLOGICAL SOCIETY OF AMERICA

The Ecological Society of America (ESA) appreciates the opportunity to provide testimony in support of Fiscal Year 2023 appropriations for U.S Forest Service Research and Development. ESA is the Nation's largest society of professional ecologists, representing over 9,000 members across the country. Improving the future health and sustainability of the Nation's forests, grasslands and aquatic systems requires a strong investment in USDA Forest Service Research and Development (R&D), funded through the Forest and Rangeland Research budget line. We thank you for supporting a funding increase in FY 2023 and urge you to increase funding for all of Forest Service R&D (Forest and Rangeland Research) to a minimum of $80 million and provide $22.2 million for Forest Service Inventory and Analysis, matching the fiscal Year 2023 President's Budget Request. ESA supports $10.8 billion in overall Forest Service appropriations, recognizing that the Forest Service's land management programs must be fully funded in order for Forest Service employees to be able to adequently use the best available science in decision-making.

Building on a trove of over 100 years of research, Forest Service R&D programs inform policy and landmanagement decisions that improve the health and use of the Nation's forests and grasslands and adjoining aquatic systems. Funding for these important activities is critical to sustaining the Nation's natural resources. Showing value in this investment requires R&D leaders and scientists be attuned and responsive in providing relevant information and support in a timely manner with an ability to effectively deliver assistance to all users. The work conducted at experimental forests and ranges, regional research stations, and the Forest Products Lab, incubates progress on new products and services; tracks disturbance responses; fosters greater forest resilience; quantifies contributions to air and water quality; and drives innovation in renewable energy and product development.

Notable recent Forest Service R&D contributions include:

AVOIDING ENDANGERED SPECIES ACT LISTING AND SAVING TAXPAYER DOLLARS

Forest Service fish and wildlife researchers are leading scientists in their fields and specialize in providing applied research to natural resource managers and decision-makers in State and Federal Government and the private sector. Forest Service research informs conservation efforts that have helped to avoid Endangered Species Act listings for several forest and rangeland wildlife species. For example, Forest Service scientists used molecular techniques to determine that the Arapahoe Snowfly, a species petitioned for protection, was not actually a distinct species but rather a hybrid. This type of robust science is a perfect example of researchers providing the best available science to inform management actions.

GUIDING DROUGHT MANAGEMENT RESPONSE

Drought affects local and regional economies through its effects on water resources for agriculture, ranching, and forestry operations and the supply of clean drinking water. Drought also leads to more devastating wildfires, resulting in loss of life and property, reduced economic activity, degraded wildlife habitat, and greater wildlife suppression costs. Forest Service R&D has been a leader in reviewing impacts of drought on U.S. forests and rangelands to better manage for resiliency and adaptation. Agency drought assessments and guidance have helped federal, Tribal, State, and private stakeholders devise and implement strategies to sustain healthy, resilient ecosystems.

REVOLUTIONIZING MONITORING FOR INVASIVE SPECIES AND SPECIES AT RISK

Land managers and regulatory agencies are using environmental DNA (eDNA), a non-invasive genetic sampling technique, to locate invasive species as well as rare and sensitive species in need of special management considerations. For example, water sampling can reveal Forest Service R&D has leveraged it own investments in this path-breaking technology to receive additional funding through partnerships with national forests and other agencies. Future research will continue to lower the cost and improve the efficiency of eDNA sampling, which is twice as likely as traditional sampling to detect species in low abundance at less than half the cost. Broad-scale implementation could save natural resources management agencies millions of dollars in sampling costs annually.

VALUING URBAN FORESTS AND TREES

Forest Service scientists have devised alternatives to grey infrastructure and helped communities calculate the economic, environmental, and social value of new and existing trees-including property value increases, energy savings, air pollutant uptake, and stormwater reduction. In addition, R&D research also encourages clean watersheds by analyzing the impacts of people, vegetation, and infrastructure on urban water, and supports urban watershed restoration projects that revitalize neighborhoods.

UTILIZING APPLIED FOREST ECOLOGY

Silviculture research forms the scientific foundation for forest management and conservation. Forest Service silviculture researchers study how to regenerate forest trees and other plants, how trees grow over time, and how stands of trees interact with the environment, wildlife, diseases, and insects. R&D research creates, quantifies, and integrates knowledge about tree growth, soils, plant physiology, and genetics. The condition of today's forests are due, in part, to Forest Service silviculture research in the past. Future forest conditions will depend on today's investments in silviculture research to help respond to a changing climate and other disturbances.

BALANCING FISH HABITAT AND RESOURCE NEEDS

R&D fisheries biologists are developing better approaches to managing forested landscapes that provide good habitat for native salmon and trout in high elevation lakes and streams across the Rockies. Critical to developing comprehensive restoration strategies, this science has not only helped create more resilient forests but also the habitats and prey essential for healthy, native fish populations. Recent successes include innovative protocols for monitoring fish populations and habitat quality in addition to strategies for meeting growing demands for water, energy, and other forest-based commodities while ensuring the sustainability, diversity, and integrity of aquatic species.

QUANTIFYING THE ROLE OF FORESTS IN PROVIDING CLEAN AIR AND WATER

Research directly linking trees to clean air and water underscores the economic value and benefits trees and forests provide to all residents and communities. Recent R&D work shows that forests, which make up 26 percent of U.S. land area, are the source of 46 percent of the U.S. water supply. Managing forested landscapes to sustain and enhance production of low-cost, clean water supplies as well as improved air quality is critically important to human health and provides a value of nearly $7 billion every year. In particular, the recommended funding level will enable R&D to expand delivery of this science to managers of forested watersheds whose activities benefit water supply utilities in cities and towns that depends on clean surface water supplies.

DATA AND TOOLS TO IMPROVE WILDFIRE MANAGEMENT.

In February 2021, Forest Service scientists updated the National Wildland Fire Hazard Potential map using the most current vegetation data. This map informs risk reduction models of hazardous fuels treatments and supports wildland fire response systems. For example, the WildfireSAFE response tool is a web interface that integrates real-time data from multiple data sources, including fire hazard potential, drought conditions, satellite-derived vegetation conditions, and weather analysis to automatically analyze the fuels, terrain conditions, and values at risk in the surrounding area. Fire managers can view data for any active incident, compare active incidents within an area of interest, and capture observations about fire behavior. Forest Service research about pre-fire management planning processes also supports wildland fire response. For instance, recent research about potential control locations showed the extent to which forest roads are useful in fire operations response planning, accounting for 82 percent of fire holding features during a coordinated planning process.

Additional research in fiscal Year 2021 produced new information about the vulnerability of communities to wildland fire, including a new spatial dataset of wildfire risk for populated areas in the United States and a Fireshed Registry that uses information about community vulnerability as one of the datasets to inform the agency's strategic placement of fuel treatments to reduce risk.

COLLABORATIVE, PARTICIPATORY RESEARCH WITH UNDERSERVED COMMUNITIES.

During fiscal Year 2021, Forest Service R&D and USDA Climate Hubs worked together with Tribes to investigate how climate change could affect various Tribal agricultural efforts and communities, as well as to assess priorities for post-fire rehabilitation of Tribal lands.

Another recent example of collaborative research with the Stillmeadow Community PeacePark and Forest in Baltimore, Maryland demonstrates the value of working together to improve urban green spaces. In fiscal Year 2021, Forest Service R&D worked with Stillmeadow community members to transform an ecologically degraded, hazardous forest into a place of healing and resilience for the Baltimore community. Forest Service R&D provided best practices for urban reforestation, long-term monitoring and evaluation, empowering citizen stewards, and knowledge exchange through field visits, demonstrations, webinars, and multi-media content.

INSECT AND DISEASE DISTURBANCES CORRELATE WITH REDUCED CARBON SEQUESTRATION IN FORESTS.

In fiscal Year 2021, using FIA data, researchers found that forests damaged by insects sequestered about 70 percent less carbon than undamaged forests. Those affected by disease sequestered 28 percent less carbon. In total, the damage currently being caused by insects and diseases across the contiguous U.S. is reducing the sequestration potential of America's forests by roughly 50 million tons of carbon dioxide each year, the equivalent of emissions from more than 10 million cars. Science-based strategies to reduce the frequency and intensity of forest insects and diseases include enhancing forest health protection and preventing non-native insects and diseases from entering North America.

Advancing forest science is integral to improving the health and welfare of U.S. forests and citizens, increasing the competitiveness of U.S. products in the global marketplace, and adapting to unforeseen future challenges.

[This statement was submitted by Ecological Society of America.]

PREPARED STATEMENT OF THE ENTOMOLOGICAL SOCIETY OF AMERICA

The Entomological Society of America (ESA) respectfully submits this statement for the official record in support of funding for entomology-related activities at the U.S. Environmental Protection Agency (EPA), the U.S. Department of Agriculture (USDA) Forest Service, and the U.S. Department of Interior (DOI). For fiscal year 2023, ESA recommends $864 million for the EPA Science and Technology (S&T) account with $50 million towards the Science to Achieve Results (STAR) Program, as well as strong support for programs across the agency that advance the safe application of pesticides. ESA also strongly supports EPA's commitment to work with other Federal agencies to monitor and improve pollinator health. In addition, ESA requests the Forest Service be funded at no less than $9.0 billion in discretionary funds. Within the Forest Service, ESA requests the Forest and Rangeland Research

budget be supported at $318 million to preserve valuable invasive species research and development. The Society also supports continued investment in Forest Health Management programs across the Forest Service at no less than the fiscal Year 2020 enacted level of $100 million. ESA also recommends that DOI continue to support the important work of the National Invasive Species Council (NISC), at a level no less than $2 million for its critical coordination of efforts across agencies to respond to the threats posed by invasive species.

Advances in forestry and environmental sciences, including the field of entomology, help to protect our ecosystems and communities from threats to our Nation's economy, public health, and agricultural productivity and safety. Through improved understanding of invasive insect pests and the development of biological approaches to pest management, entomology plays a critical role in reducing and preventing the spread of infestation and diseases harmful to national forests and grasslands. The study of entomology also contributes to the development of Integrated Pest Management (IPM) techniques, which use science-based, environmentally conscious, comprehensive methods to take effective management action against pests, often resulting in lower costs and a more judicious use of pesticides. In addition, entomology improves our knowledge of pollinators and factors affecting pollinator health and populations, helping to ensure safe, reliable crop production that meets the needs of a growing world population.

EPA carries out its mission to protect human health and the environment by: developing and enforcing regulations; awarding grants for research and other projects; conducting studies on environmental issues; facilitating partnerships; and providing information through public outreach. Through these efforts, EPA strives to supply the Nation with clean water, clean air, a safe food supply, and communities free from pollution and harmful chemical exposures. EPA's Pesticides Licensing Program Area, supported by EPA's Science & Technology and Environmental Program & Management budgets, evaluates, and regulates new pesticides to ensure safe and proper usage by consumers. Through the mandate of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA uses scientific expertise and data, including knowledge gained from entomological sciences, to set maximum tolerated residue levels and to register pesticide products as effective and safe. By controlling insects that carry diseases of humans and domesticated animals, and invasive insect species that endanger our environment, pesticides registered by EPA help protect public health and the Nation's food supply.

Although pesticide registrations and regulations are within EPA's purview, the agency has not been a major sponsor of entomology research. However, EPA has provided support to projects that promote IPM adoption and the safe application of pesticides while also promoting pollinator protection. For example, the EPA has supported the Pesticide Educational Resources Collaborative (PERC) which empowers farmworkers and other pesticide handlers to employ better and safer practices in pesticide use. Since 2016, PERC has successfully developed over 40 multilingual pesticide-related training programs, manuals, videos, and guides. In 2020 alone, the community downloaded over 75,000 copies of PERC online resources.[1] In addition, the EPA's Pesticide Environmental Stewardship Program (PESP) grants enable grantees to "implement sustainable pest management practices that reduce unnecessary risks from pests and pesticides."[2] While IPM is a long-standing and well-researched paradigm for mitigating pests, relatively few focused funding sources are available for entomologists focused on this subject. As such, ESA encourages the committee to continue expanding its investment in IPM and other innovative programs to promote the safe use of pesticides through increased funding for such activities across the agency's research and regulatory portfolios. ESA also requests $864 million for EPA S&T account including $50 million for the EPA's Science to Achieve Results (STAR) Program, which supports extramural research and a portion of which should be utilized to re-instate the ESA's STAR Graduate Research Fellowship Program.

ESA is in favor of increased funding for scientific studies of pollinator populations and health. Pollinators play a vital role in our Nation's agriculture industry. Honeybees alone pollinate more than 90 crops in the U.S. and are essential to produce an estimated one-third of all the food we eat or export, contributing over $17 billion in annual crop and seed production in the U.S. alone. To ensure a healthy bee population, more research is needed to fully understand the diverse factors that endan-

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[1] EPA Awards $6 Million to the University of California, Davis to Support Pesticide Safety Outreach https://www.epa.gov/newsreleases/epa-awards-6-million-university-california-davis-support-pesticide-safety-outreach.

[2] Pesticide Environmental Stewardship Program Grants https://www.epa.gov/pesp/pesticide-environmental-stewardship-program-grants.

ger bee health. Pesticides represent just one potential risk to bees, but both the risks and benefits must be balanced, and they will vary between different crops and different crop-producing regions of the U.S. EPA is well-positioned to help identify methods for protecting bee health. The agency has previously awarded agricultural grants to three universities to aid in the development of IPM practices that lower pesticide risks to bees while protecting valuable crops from pests. For this reason, ESA supports EPA's participation in multi-agency efforts to investigate pollinator health and implement plans to prevent pollinator population decline.

The U.S. Forest Service sustains the health, diversity, and productivity of 193 million acres of public lands in national forests and grasslands across 44 States and territories. Serving as the largest supporter of forestry research in the world, the agency employs approximately 30,000 scientists, administrators, and land managers. In addition to activities at the Federal level, the Forest Service provides technical expertise and financial assistance to state and private forestry agency partners.

The Forest Service's Forest and Rangeland Research budget supports the development and delivery of scientific data and innovative technological tools to improve the health, use, and management of the Nation's forests and rangelands. Programs within Forest and Rangeland Research provide science-based approaches to reduce and prevent the spread of destructive insects, plants, and diseases that can have serious economic and environmental consequences for our Nation. For example, Forest Service scientists are working to understand the impact of the mountain pine beetle (MPB) on U.S. forests. Since 2000, outbreaks of MPB have affected more than 10 million hectares of lodgepole pine forests, compromising long-term forest health while creating the potential for more dangerous wildfires, loss of wildlife habitat, poorer water quality, and soil erosion.[3] Such outbreaks are predicted to continue in the face of increased temperatures and drought associated with climate change. Funding for such studies will enable land managers to better predict and respond to ecosystem changes that occur following such outbreaks. ESA requests that Forest and Rangeland Research be funded at $318 million for fiscal Year 2023.

Also under the purview of the Forest Service is the Forest Health Management program, which conducts mapping and surveys on public and private lands to monitor and assess risks from potentially harmful insects, diseases, and invasive plants. The program also aids State and local partners to help prevent and control outbreaks that threaten forest health. According to a 2011 study, invasive forest insects cost local governments alone an average of over $2 billion per year; direct costs to homeowners from property loss, tree removal, and treatment averages $1.5 billion per year.[4] Initiatives within the Forest Health Management program can help control these costly pests. The program's "Slow the Spread" activities, for example, have led to a 60 percent reduction in the rate of the spread of the gypsy moth, another invasive species, resulting in an estimated benefit-to-cost ratio of 3:1. Without the program, it is estimated that 50 million additional acres would have been infested by the moth.[5] Additionally, the southern pine beetle is the most destructive pest of pine trees from New Jersey to Florida and west to Texas. This beetle caused an estimated $1 billion in damage during an outbreak across the southern U.S., and it has since rapidly moved far further northward than previously thought possible.[6] The new northeast range of the southern pine beetle includes threatened and rare pine ecosystems, such as the pine barrens of New Jersey.[7] Funding for the Forest Health Management Program will support detection, monitoring, prevention, and management of this pest and slow its spread and limit its damage as it affects more and more of our country's forests. To support these important functions, ESA requests that the subcommittee provide no less than the fiscal Year 2020 enacted level of $100 million for Forest Health Management.

The National Invasive Species Council (NISC) plays a critical role in coordinating policy, communication, and technology application to address invasive species detec-

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[3] Fettig, C.J., R.A. Progar, J. Paschke, F.J. Sapio. Forest insects. G. Robertson, T. Barrett (Eds.), Implications of Forest Disturbance Processes for Sustainability in the Western US. PNW–GTR–XX. U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station, Portland, OR (2020). In press.

[4] Aukema, J.E.; Leung, B.; Kovacs, K.; et al. 2011. Economic impacts of non-native forest insects in the continental United States. PLoS ONE 6(9): e24587.

[5] Forest Service fiscal Year 2017 Budget Overview: http://www.fs.fed.us/sites/default/files/FY–2017–FS percent20-budget-overview.pdf.

[6] Nowak, J.; Asaro, C.; Klepzig, K. et al. 2008. The southern pine beetle prevention initiative: working for healthier forests. J. For. 106(5): 261–267.

[7] Dodds, K. J.; Aoki, C. F.; Arango-Velez, A. et al. 2018. Expansion of southern pine beetle in northeastern forests: management and impact of a primary bark beetle in a new region. J. For. 116(2): 178–191.

tion and response across 16 Federal agencies. NISC serves a vital function since the impacts of invasive species are felt across a variety of sectors (agriculture, environmental protection, public health). A 2021 study estimated that invasive species have cost North America over $26 billion per year since 2010. Invasive insects have directly impacted native insect populations and entire ecosystems through predation, plant consumption, and disease transmission. For example, emerald ash borer (EAB), Agrilus planipennis, is an exotic beetle that was discovered in Michigan in 2002. Since its discovery, EAB is now found in 35 States and five Canadian provinces. It has killed hundreds of millions of ash trees in North America and cost cities, property owners, tree nurseries, and forest products industries hundreds of millions of dollars.[8] Preventing establishment of invasive species like EAB depends on early detection and rapid response. Improving these efforts requires not only relying on standard means of inspection and tracking but taking advantage of new technologies as well. To respond to such threats, NISC helped coordinate the development of guidelines for use by decision makers that improve access to and analysis of invasive species information.[9] Such methods can enable more effective communication and aid in early detection of invasive species and rapid response, potentially saving billions of dollars' worth of crops, safeguarding native ecosystems, and preventing the destruction of private property. As such, ESA requests that the Committee provide the DOI funds to support NISC at no less than $2 million in fiscal Year 2023.

ESA, headquartered in Annapolis, Maryland, is the largest organization in the world serving the professional and scientific needs of entomologists and individuals in related disciplines. Founded in 1889, ESA has more than 7,000 members affiliated with educational institutions, health agencies, private industry, and government. Members are researchers, teachers, extension service personnel, administrators, marketing representatives, research technicians, consultants, students, pest management professionals, and hobbyists. Thank you for the opportunity to offer the Entomological Society of America's support for programs at the National Invasive Species Council, Forest Service and EPA programs.

[This statement was submitted by Jessica Ware, Ph.D., President, Entomological Society of America.]

PREPARED STATEMENT OF FISH AND WILDLIFE SERVICE

The Fish and Wildlife Service (FWS) benefits our citizens and protects our wildlife and habitat. Yet the FWS is being starved for budget and resources with a budget that has stayed essential the same since 2010. The actual FWS budget from FY2011 to fiscal year 2022 compared to the budget adjusted for the inflation rate each year averaged 14 percent lower and for that period translated to a shortfall of $952 million.

I have been involved with the Texas Mid-coast National Wildlife Refuge Complex since 2004 helping with teaching students in our Environmental Education programs and with Outreach programs to the public. Several thousand students per year attend our Environment Education programs and several thousand attend our outreach programs. I joined the board of FOBWR in 2005 and have served various positions including President for 8 years.

Over that time our refuges have lost 9 personnel, representing a 29 percent reduction of staff, and 2 more are retiring this year and it's not clear if either will be replaced. Also, during this time frame our refuges have acquired over 40,000 acres of land in satellite refuge units with another 5,800 acres in the process of being acquired. It should be noted that Congress has authorized the acquisition of 70,000 acres of riparian forest and costal prairie and wetlands to be added to our Mid-coast Complex.

Our refuges are in the Central Flyway essential for migrating birds which need these habitats to survive. What land we can't preserve will be swallowed up by the ever-increasing Houston area urban sprawl. Our refuges also have an endangered species, the Kemp's Ridley turtle and species of concern, the Eastern Black Rail and the Piping Plover. Each of these species requires management by our refuge staff.

We have many trails and hunting and fishing areas for the public to use. We have seen a large increase in number of visitors to our refuges during the past 2 years.

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[8] Emerald Ash Borer Information Network http://www.emeraldashborer.info/index.php.

[9] Enabling Decisions that Make a Difference: Guidance for Improving Access to and Analysis of Invasive Species Information 2018. https://www.doi.gov/sites/doi.gov/files/uploads/isim__guidance.pdf.

But due to a lack of resources, the refuge managers are considering closing some of our trails because the refuge does not have the personnel to maintain them.

Our Friends group has been successful in getting funds from local corporations for new trails, projects and large events. However, corporations generally are not prone to fund maintenance projects. We have started to submit requests to our corporate friends for trail maintenance with limited success, but this is not a long-term solution.

To restore the alignment between services provided and resource needs, FOBWR is asking the United State Senate to increase the FWS budget to $712 million for fiscal year 2023. We also strongly support the National Wildlife Refuge Association's efforts on this matter.

Thank you for the opportunity to submit testimony for this important topic.

[This statement was submitted by Edward Barrios Vice-President Friends of Brazoria Wildlife Refuges (FOBWR) & Board Member of the National Wildlife Refuge Association.]

PREPARED STATEMENT OF THE FLORIDA KEYS WILDLIFE SOCIETY

This testimony is being submitted on behalf of the Florida Keys Wildlife Society, which was formed in 1997 to support the Florida Keys National Wildlife Refuge Complex. We appreciate the opportunity to offer comments on the fiscal Year 2023 Interior Appropriations bill and ask that you work towards the overall goal of $900 million in annual funding. This year we are specifically asking that the budget include $712 million for Refuge System Operations and Maintenance for fiscal Year 2023.

Woven into the fabric of the Florida Keys and attached to the hearts of residents and visitors are the four fabulous National Wildlife Refuges within the Florida Keys National Wildlife Complex. The economic engine of the Florida Keys is tourism. One of the Florida Keys NWR Complex's greatest challenges is not only to educate year around residents on how they can help sustain and protect the fragile habitats so many federally protected species depend on, but to also educate the 5.3 million tourists who visit the Florida Keys each year so that their visitation also helps protect and sustain the same fragile habitats so appreciated by the residents. Our Refuges staff, volunteers and Friends group work together to educate residents and visitors on how they can enjoy the refuges with the goal of protecting the fragile habitats so many of our endangered species depend on. In the opinion of the Friends, staffing shortages are affecting the vital work of the Florida Keys National Wildlife Refuges and our ability to support them. The number of USFWS staff has dropped from 13 in 2010 to 6 in 2022. These six are responsible for the management of an area the size of the state of Rhode Island.

In the Upper Keys, northernmost of our complexes four refuges is Crocodile Lake which was established in 1980 to protect and preserve critical habitat for the American crocodile. A common thread in the Florida Keys Complex is that several other federally protected species are found in all of the refuges contiguous habitats. Only slightly less iconic than Key Largo's American Crocodiles are the endangered Key Largo Woodrat found only on the northern one third of Key Largo.

The Lower Florida Keys are home to the other three National Wildlife Refuges in the complex:

—In 1957 the National Key Deer Refuge was established and 8,542 acres on Big Pine Key were dedicated to protect and preserve the iconic Key Deer.

—The Key West NWR was established in 1908 as a preserve and breeding ground for native birds and other wildlife. The refuge encompasses more than 200,000 acres with only 2,000 acres of land. The area is home to more than 250 species of birds and is important for sea turtle nesting.

—The Great White Heron NWR in 1938 as a haven for great white herons, migratory birds, and other wildlife. The refuge consists of almost 200,000 acres of open water and islands which provide critical nesting, feeding, and resting areas for hundreds of species of birds and sea turtles.

Overall, the National Wildlife Refuge System requires at least $900 million in Operations and Maintenance Funding to be considered "full funding" with all refuges staffed, with adequate maintenance, biological, hunting, fishing, environmental education, and interpretation programs. We ask that you work towards that overall goal of $900 million in annual funding.

We request that this subcommittee allocate $712 million in funding for the Refuge System Operations and Maintenance fund for fiscal Year 2023.

This request of $712 million would greatly impact our refuge which is currently critically understaffed. The Florida Keys NWR Complex would be able to hire more staff, restore more critical habitat, and most importantly operate our new Refuge Nature Center on Big Pine Key. Without sufficient USFWS staff, our volunteers are without adequate direction.

Thank you for your consideration, and please feel free to contact Kathy Rhodes, of the Florida Keys Wildlife Society for any additional information.

[This statement was submitted by Kathleen A. Rhodes, Chair, Board of Directors, Florida Keys Wildlife Society.]

PREPARED STATEMENT OF THE FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA

Chairman Merkley, Ranking Member Murkowski, and respected members of the Committee, I am Kevin Dupuis, the Chairman of the Fond du Lac Band of Lake Superior Chippewa. On behalf of the Fond du Lac Band of Lake Superior Chippewa, We submit this testimony to urge Congress to increase, or, at the very least preserve, the Federal funding levels for Indian programs.

As we talk about funding needs in Indian country, it is essential to keep in mind that the problems that face communities nationwide are far more severe for Indian communities, with Tribes having far fewer resources to address problems like substance abuse, domestic violence, public safety, and homelessness. The Fond du Lac Band has worked, and will continue to work, to find solutions to problems of this kind. With seed money from Federal funds, we provide health, education, social services, public safety and other governmental services to our 4,200 members and more than 7,300 Indian people who live on and near our Reservation. We are proud of what we have accomplished, but more remains to be done. The investment of Federal funds is key to that effort. It allows us to use Band resources and attract private partners so we can provide jobs, grow the local economy, educate our children, prevent crime, and care for our elders and infirm. We urge Congress to continue to fund these programs at least at the levels the President has requested.

BIA: TRUST-NATURAL RESOURCES MANAGEMENT

There is nothing more important than preserving and protecting the territories and resources that our ancestors reserved for our people when they signed our Treaties with the United States. The Fond du Lac Band is committed to the management, conservation, and sustainability of the natural resources of the Fond du Lac Reservation and within our Ceded Territory, where we have Treaty rights to hunt, fish and gather. We urge you to provide full funding for Trust-Natural Resources Management in fiscal Year 2023, including increased funding for Rights Protection and Implementation which will allow us to protect, enhance, and restore natural resources within our Reservation and Ceded Territory.

The Fond du Lac Reservation consists of 101,153 acres, including forests, lakes and rivers that must be managed and protected for the current and future generations. In addition, our Ceded Territory covers portions of Upper Michigan, Northern Wisconsin, and North Central Minnesota. The challenges to our natural resources across the region are diverse and complex, from species restoration and reintroduction to adaptation to climate change. But our members depend on our Treaty rights to put food on the table and for ceremonial practices that serve as the foundation for our culture. The stewardship of those natural resources-through scientific study, resource management, and enforcement of Band laws that regulate Tribal members who hunt, fish and gather those resources-is critical and is also an important source of employment for members.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

We appreciate Congress' continued support to provide Federal funds for EPA, but we ask that funding for EPA in fiscal Year 2023 be increased.

State and Tribal Assistances Grants (STAG). We thank Congress for continuing to support funding for STAG. We strongly urge Congress to increase funding for this Program, which has not seen a substantive increase in years, yet the Band's responsibilities continue to grow as we work to protect our land, water and air in the face of increasing pressures and obstacles.

Water Quality. We have a robust federally-approved water quality standards program. Given the current threats to water resources in our region, we urge that Tribal Section 106 funding be doubled so that we can do the work needed to protect our waters.

Air. We have a long-standing air monitoring program that has faced a steady decline in Federal funding. As the impacts of climate change continue to be felt in higher temperatures and more frequent heavy precipitation events, both indoor and ambient air quality concerns continue to impact Band members and their health. We request that air quality program funding for Tribes be increased.

Wetlands. One-half of our reservation is made up of wetlands. Proper management and restoration of this valuable resource is impossible without adequate and consistent Federal funding. We request sustained wetland monitoring and protection program funding.

Great Lakes Restoration Initiative. The Band fully supports this initiative and thanks Congress for its continued support of this initiative. We ask that Congress maintain the $330 million level of funding for this initiative. This initiative has broad-reaching benefits to resources of importance for all stakeholders (state, Tribal and private) in the Great Lakes region. This funding helps support our wildlife programs, including our ongoing wild rice and fisheries stewardship and restoration efforts on the Reservation and in our Ceded Territories.

BIA: PUBLIC SAFETY AND JUSTICE

A significant part of protecting our homeland is having a fully staffed and trained law enforcement department. We appreciate Congress's decision to increase funding for BIA's Public Safety and Justice, including funding to solve Missing and Murdered Indigenous Women cold cases. The largest law enforcement problems we face are due to opioids and other substance abuse problems. Our law enforcement responds to a wide range of issues and calls, and the demand increases each year.

We address law enforcement by a combination of Tribal and available Federal funds and cooperative agreements with local law enforcement agencies, but more funding is needed. To meet need, we should have 23 full-time peace officers to provide 24-hour coverage on the Fond du Lac Reservation, but currently we only have funding for 19. Those 19 peace officers include the Chief of Police, Lieutenant Chief of Police, 3 Investigators (General Crimes, Sex Trafficking, Narcotics), 1 Victim Advocacy Officer, 4 Patrol Sergeants, 6 Patrol Officers, 1 Officer in Field Training Program, 1 "new hire" in background process and 1 School Resource Officer. With additional funding we would be able to add another General Crimes Investigator and fill the Patrol division shifts to four officers per shift. This would allow us to better respond to calls and protect our Reservation community. We currently respond to over 5,500 calls per year in two counties.

We also have 3 administrative staff but should have 2 more to ensure our department can effectively operate, and we need funding to update crime tracking and case management systems. Funding is also needed for training. Due to the COVID–19 pandemic and with an increase in the drug epidemic and related crimes, our officers need, but are not receiving, vital training, including for dealing with an increase of people with mental health issues. We have seen an increase in Heroin and Fentanyl overdoses, including an increase in fatal overdoses. We are also seeing that these incidents correlate with general crimes like burglary, theft and assaults. We need additional equipment including both marked and unmarked squad vehicles for narcotic investigations. We are currently using outdated equipment for narcotic investigations but budget constraints also restrict us from replacing and updating essential necessary equipment like tracking devices, cameras, and recorders.

BUREAU OF INDIAN EDUCATION

With funding from the BIE and the Department of Education, we operate the Fond du Lac Ojibwe School serving an average of 220 children from pre-K through 12th grade. More than 90 percent of our students come from very low-income households, and 96 percent receive free or reduced-price lunch. We are slowly making progress in improving the outcomes for our students. While the high school graduation rates for American Indians in Minnesota is at 51 percent, we are now at 59 percent, which is still far behind the State-wide rate of 81 percent. BIE funding has never kept pace with need, which prevents us from providing the educational services needed for our students. We urge Congress to significantly increase Federal funding for Indian education.

INDIAN HEALTH SERVICE

We appreciate Congress's continued support to increase funding for IHS. However incremental increases do not begin to address substandard outcomes in Tribal communities because it only provides an increase for current services. We urge Congress to provide full funding for IHS for a total of $49.8 billion as identified by our National Tribal Budget Formulation Workgroup. Indians at Fond du Lac, like Indians

throughout the Nation, continue to face severe disparities across a broad range of health issues, including due to the COVID–19 pandemic and the opioid epidemic. We serve over 7,300 Indian people at our clinics, but the current funding level meets only 33 percent of our health care funding needs.

We support the preservation of Medicaid, and the continuation of the Indian Health Care Improvement Act ("IHCIA") and other Indian-specific provisions in the Patient Protection and Affordable Care Act. We believe there needs to be dedicated funding to begin implementing the new authorities contained in the IHCIA, which have not yet been implemented and funded.

We support the Administration's proposal to provide advance appropriations for Indian Health Service starting in fiscal Year 2023. We also believe that Tribal programs should be permanently excluded from sequestration and rescissions. The Indian Health Service is the only Federal health care system created as the result of treaty obligations, yet it is the most chronically underfunded Federal healthcare system and the only Federal healthcare system that is not exempt from government shutdowns or continuing resolutions. As many of my elders have said, we prepaid for our health care and this funding should not be subject to the discretionary appropriations process.

We also support the proposal to make both Contract Support Costs and the 105(l) leasing funding mandatory, including establishing a mandatory appropriations account that is funded every year. This is important because this funding, which is a non-discretionary funding obligation for the agency competes with discretionary funding that could be directed to other much needed program increases. Any Congressional increase in discretionary funding for IHS never truly results in the full amount of that funding reaching discretionary programs because a large part gets re-directed to cover IHS' legal obligations to fund Contract Support Costs and 105(1) leasing requirements.

We also support permanent reauthorization of the Special Diabetes Program for Indians ("SDPI") and that it be funded at $250 million per year indexed for inflation. Tribes and Tribal Organizations should also be authorized to receive SDPI awards through Public Law 93–638 contracts or compacts.

The COVID–19 pandemic exposed the lack of infrastructure funding and support for Tribes and Tribal organizations. As such we support an increase of $627.5 million as well as recurring funding to support Public Health Infrastructure to address current and future public health emergencies. Congress should also fully fund Critical Infrastructure Investments, like EHR Monetarization to include Tribal facilities, health care facilities construction, and demonstration projects. Lastly, Congress should authorize Federally-Operated health facilities and IHS headquarters to use Federal dollars efficiently and adjust programmatic fund flexibility across accounts at the local level, in consultation with Tribes.

Miigwech. Thank you.

[This statement was submitted by Kevin R. Dupuis, Sr., Chairman of the Fond du Lac Band of Lake Superior Chippewa.]

PREPARED STATEMENT OF THE FORT PECK RESERVATION

I am Floyd Azure, Chairman of the Assiniboine and Sioux Tribes of the Fort Peck Reservation. I would like to thank the House Interior Appropriations subcommittee for the opportunity to present testimony concerning fiscal Year 2023 appropriations for the Indian Health Service (IHS), the Bureau of Indian Affairs (BIA), and Environmental Protection Agency (EPA).

The Fort Peck Reservation is in northeast Montana, forty miles west of the North Dakota border, and fifty miles south of the Canadian border, with the Missouri River defining its southern border. The Reservation encompasses over two million acres of land. We have approximately 13,000 enrolled Tribal members, with approximately 7,000 Tribal members living on the Reservation. We have a total Reservation population of approximately 12,000 people.

Congress has long recognized that the foundation for economic development and prosperity in Indian country lay in community stability, which begins with quality health care and infrastructure, such as safe drinking water, roads, and public safety, and a clean environment.

INDIAN HEALTH SERVICE FUNDING

We strongly support full funding for the Indian Health Service. The COVID–19 pandemic showed the Nation the chronic health care deficiencies in Indian country. Native people acquired and died of this disease at some of the highest rates in the

Nation. This is because we suffer from the comorbidities at higher rates, we lack access to adequate health care, and we lack basic community infrastructure.

As we are coming out of the pandemic, Indian country is preparing for the next health crisis, a mental health crisis. Our people were engaging in self-harming behaviors at drastic rates before the pandemic. We fear that because our people have suffered tremendous losses and have not been able to properly grieve, that this grief will manifest itself in unhealthy behaviors. Congress must focus on mental/behavioral health programs to ensure that we do not have another epidemic to respond to.

BUREAU OF INDIAN AFFAIRS

We strongly support the increased funding for the Bureau of Indian Affairs.

1. Social Services and ICWA Funding

There is a dire need for increased funding for our Tribal Social Services program is critically needed. There has not been any increase in this program for several years. Over 36 percent of the children in the foster care system in Montana are Indian children—Indian people represent only 10 percent of the State population. More than 100 Fort Peck children are in the foster care system. We need a social worker in the Fort Peck Agency. We need more support to recruit and retain licensed foster care homes on the Reservation. Importantly, we need to provide social services to families so that they have the tools to be the best parents possible, so that their children do not enter the foster care system.

Montana is one of six States in the country to have instituted an ICWA court. This court handles State ICWA cases in Yellowstone County from the Fort Peck, Northern Cheyenne, and Crow Tribes. The team approach of the ICWA Court in Montana fosters collaboration between State and Tribal stakeholders, promotes meaningful State compliance with the Indian Child Welfare Act, and improves outcomes for Indian children and their families involved in the foster care system.

In this era where ICWA is under constant attack, in spite of it providing needed protections for Indian children, families and Tribes, the Committee should encourage the BIA to work collaboratively and strategically with Tribes to expand ICWA courts across the country. This kind of support and dedicated staff can only be done through additional funding for the BIA Tribal Social Service and ICWA programs.

2. Tribal Court Funding

Relatedly, while we appreciate the increased funding for Tribal courts that Congress has provided, it has not been enough. Tribal Courts are the backbone of Tribal sovereignty. Without sound Tribal courts, we could not be a community where people feel safe, where business want to open and where our children and our most vulnerable receive protection. The Fort Peck Tribal Court is one of the oldest in the country and we are very proud of the work our judges, prosecutors, defense attorneys and clerks do.

Currently, the Bureau of Indian Affairs only provides a fraction of the funding to operate our Tribal Court. Our court is one of the few Tribal Courts in the Country exercising expanded VAWA jurisdiction. This work is important to making our Reservation a safe place for women. However, this takes additional resources to retain properly trained defense counsel, prosecutors, and judges.

3. Law Enforcement

There is critical need for increased law enforcement funding throughout Indian country. Our Police Chief estimates that 70 percent-80 percent of criminal conduct has a drug component to it, with assaults and burglaries arising out of drug use-and addiction. We are dealing with violent crimes, in particular violent crimes against women and children. We need to emphasize community policing but to do this we need more law enforcement personnel to live and work in our community. The crime in our community is impacting the most vulnerable in our community the most and it is time that we stop accepting this as normal. It is not normal, it is tragic.

4. Housing

One of the reasons the Pandemic impacted our community so significantly is that too many people on our Reservation are living in overcrowded conditions. In many homes, there are three or families living in 4-bedroom homes. Across Indian country

it is estimated that approximately 20 percent of all homes are overcrowded, it is much higher on the Fort Peck Reservation. This overcrowding situation is contributing to the social disfunction that our children experience. In many instances, it is the grandparents who take in their adult children and grandchildren. Sadly, these adult children are in the grips of addiction, and other unhealthy behaviors, which their children can't escape from as they are living with it every day. Moreover, when a grandparent allows an active user to live in their home, they are putting their own housing security at risk, because our Housing Authority does not allow active users to live in a HUD home, and thus, these elders can face eviction. In short, in order to have a healthy community, we must have more housing. This includes not only more housing for families, but also recovery housing so that people with addictions are not forced to go homeless.

In addition to overcrowded housing on the Reservation, the housing shortage also impacts our ability to recruit professionals, including education, law enforcement, and especially health care workers. Thus, we need housing that is not only directed to low-income families, but also working families so that we can attract the professionals we need to work in our schools, clinics, and police stations.

Importantly, housing funding must include the resources for infrastructure to ensure any new housing has water, sewer, electricity, and broadband access. This is why the Instructure and Investment, and Jobs Act is so important to Indian country because it includes critical funding for this infrastructure.

5. Bison Program Funding

We want to thank the subcommittee for funding that you provided for the Tribal Bison program. This funding is critical to bringing traditional food and traditional practices back to our communities. The Fort Peck Tribes have implemented a robust bison restoration program and now have partnered with the National Park Service to conduct post quarantine assurance testing of NPS bison from Yellowstone National Park. These efforts resulted in the restoration of over 600 bison to the Fort Peck Indian Reservation. We have translocated some of these bison to other Tribes for their herd development.

ENVIRONMENTAL PROTECTION AGENCY

There is an important need to increase funding for Tribal environmental programs with the Environmental Protection Agency. This in includes the Indian Environmental General Assistance Program, the Solid Waste-Indian Lands Program, and the Tribal Clean Air Program. None of these programs have received and increase in funding in several years. It is important to support these programs with increased funding.

[This statement was submitted by Floyd Azure, Chairman Assiniboine and Sioux Tribes of the Fort Peck Reservation.]

PREPARED STATEMENT OF THE FRIENDS OF CRAB ORCHARD NATIONAL WILDLIFE REFUGE

I see the opportunity to give input to a committee which can determine the strength and ongoing vigor of our Refuge system for future generations.

I live in Southern Illinois, in Williamson County, this county also is the host to Crab Orchard National Wildlife Refuge. Our Refuge has been organized as a formal Refuge for 75 years this August. It started as a WPA project to provide potable water and area recreation in 1939. The ensuing years saw the rise of fascism and the land was converted to the Illinois Ordnance Plant until the end of WWII. The lands were turned over to the U.S. Fish and Wildlife Service to maintain as a National Wildlife Refuge.

Crab Orchard has 4 main objectives: 1) To provide available land for agricultural use (conservation related row crops, hay and grazing), 2) To provide opportunity for business and industry, 3) To provide recreational opportunities to the community and visitors, and 4) conservation of native wildlife.

Crab Orchard has been on this mission from its inception 75 years ago to today! The tactics to deliver results have varied over time. Each objective is rooted to the specific past of this land use. First settled by people looking for opportunity in the early 1800's the land was the home of many small farms and hamlets of people who came seeking the happiness enshrined in our constitution. A remnant of these early settlers are 38 known cemeteries on the Refuge. We just conducted a Memorial Day program, I led it with the help of two interns and my wife. At the Hampton Cemetery, there are 10 veterans buried. 7 are Union soldiers from our Civil War, 1 a vet-

eran of the Franco-Prussian war, 1 a veteran of the Mexican War, and 1 from WWI. Just this cemetery signifies a significant swath of our country's history. This event had 25 participants on a warm May morning, some interested in history, some were direct descendants of those interred, others just interested in the opportunity. This is a historic/cultural aspect that directly links today to our local past. This is a type of recreation.

Two weeks ago, with the respite from Covid, the Refuge hosted the Kid's Fishing Derby. This is historically an annual event, but Covid put a pause on performance. We had 263 total participants, over 20 volunteers supported the event. There were people of all ages, ethnic groups, veterans, parents, grandparents, loved ones of all varieties, and of course...KIDS, lots of them. I provided general support, worked to feed people, took photos, greeted people and interacted. I baited some hooks, cleared a line from a snag, saw several young folks catch their first fish. It was a memorable day. It provided a significant point of time and place to positively impact the youth and families in our area. This is a type of recreation.

I can go on with my personal anecdotes, my witness of the positive impact the Refuge has on citizens in our local communities, but that would be driven by my recent calendar. All areas of impact need to be noted and opportunities to improve the impact are critical to note as well.

The Refuge has provided a home to industry. Currently General Dynamics has a facility on site, this links with the defense production which was critical to the war effort in our past. Small industry also has some opportunities to use some of the features of our location.

Agriculture was noted above. Row crops fields are available to farmers who agree to the conditions. This is beneficial to the area, and individual farmers. It is likewise a meaningful method to manage a portion of the property. Grain remnants provide food sources for migratory fowl and resident animals. The land has seen agricultural use since the early 1800s and that practice continues today.

Conservation of native plants and animals is a cornerstone of our Refuge. This includes control and management methods such as hunting or fishing within seasonal guidelines and rules. There is a fish hatchery onsite which provides replenishment of fish to our three reservoirs and also the surrounding community. The Refuge has a wide variety of native fish, bass, crappie, bluegill, catfish, even trout. We have fishers throughout the year, bank and boat fishing are both popular.

Invasive management, forestry, wetlands development, habitat development and restoration are all regular necessities to maintain both native plant and animals

Animal conservation supports habitat for all native species. Two outstanding species which we have in abundance are Turkey and White Tail Deer. We conduct seasons for each of them. It is the fiftieth anniversary of deer hunting on the Refuge this year also. We have local hunters and also folks from hundreds of miles away that have made an annual pilgrimage to hunt deer on site. The deer hunts now host up to 3 generations of hunters returning to the same hunting grounds.

The Refuge has a small (7,00 acre) wilderness area maintained also.

Finally, I will pause to note the multitude of recreational activities available at this Refuge. It is difficult to fit all activities into one label. Is bicycling recreation, exercise, social activity, or a means to simply immerse oneself into a natural environment. The same thought relates to hunting and fishing, it may be viewed as a means to control animal populations or simply as recreational sport. Thus things don't always fit neatly into ordered topics. Hiking is encouraged, we have several formal trails established, one is outstanding, Rocky Bluff Trail. That trail exhibits the exemplary topography for which our region is known, sandstone bluffs, intermittent waterfalls among glades. The site is filled with ephemeral wildflowers in April. Photography, a means to capture a memory and a moment is encouraged. We have a Friends of CONWR and Photography group, a joint project endorsed by the Service. There are over 250 Facebook members, and an active group of 50 people who take photos of nature weekly, at times daily at the Refuge. The groups quality work captured the attention of a regional art gallery who supported an exhibit, Nature Photographs from Crab Orchard National Wildlife Refuge. It was on display for 2.5 months. Subsequently the exhibit was shown at two local libraries. Is this practicing photographic skills or art? Is this providing nature photography tips and techniques or sparking the interest in nature photography in some young viewer? I aver that it is all of the previously noted attributes with an inclusion of repeated visits to the Refuge to find that perfect shot.

Again, I could write on each recreational topic that I see folks enjoy. A short list to consider is: boating, kayaking, camping, hunting, fishing, hiking, walking, bicycling, jogging, picnicking, and simply enjoying nature.

Crab Orchard National Wildlife Refuge is the 8th most visited Refuge in the system of over 650 such Refuges. We normally have over 1.5 million visitors in any year. There has been an increased number since the pandemic.

During the peak of the pandemic, people needed some refuge...we saw a marked increase of use during this period. People needed not just refuge, they needed Crab Orchard Refuge. Refuge use was up 30 percent in 2020 and 2021. This is without educational programming or public gatherings!

All volunteer efforts and much Service work was halted for several months, then slowly, carefully restored. Today we are providing a normal list of educational opportunities and gatherings. There is one problem though in this natural paradise...Service staff.

The Rangers are critical to visitor services in general and environmental education programming in particular. This includes such outreaches as school programs, library programs, community education, garden programs, environmental education programs of all types, and special requests by any group. The lack of Rangers disrupts an ongoing program designed to give the basic skills to enjoy and safely participate in all our activities, "Becoming an Outdoor Family"

Our last Ranger departed her part time position last October. The developed programs are facilitated primarily by volunteers currently, we do have 2 interns (students themselves), but are losing both of them by September. That leaves a Visitor Services Manager, and volunteers. We will have no professional leadership at the worker level, and an overtasked Manager.

This is a dire situation at a time when we seem to most need Refuges. Local residents and visitors are seeking nature more often as the respite to relieve themselves from the turmoil of modern life. These visitors all need more opportunity to learn from and enjoy nature on a deeper level. If funding is not immediately made available for critical roles, such as Rangers, the process of operating and maintaining a welcoming Refuge will slowly grind to a halt. Rangers are only one example, mowing, road maintenance, invasive control and many other topics require staff and equipment to perform. Our nation's Refuge system is a natural wonder and a general expectation of our citizenry. It must be properly funded.

I have input from several different Refuges throughout the system, this problem of staffing and adequate funding is ubiquitous among them all. It is not isolated to a Region, but is a holistic problem.

Failure to address this issue will affect services and availability to the general public. It creates a scenario where the Refuge system moves toward an unfunded mandate, a shell of what was a gem in a perfect setting.

[This statement was submitted by Rick Whitecotton, President, Friends of Crab Orchard Refuge.]

PREPARED STATEMENT OF CRAB ORCHARD NATIONAL WILDLIFE REFUGE

I am writing to urge you to provide a much needed and long over due increase to funding for our Nation's National Wildlife Refuges. In my view, this should not be seen as a partisan issue, rather it is an issue of national importance to American citizens generally. I know my region's Refuge—Crab Orchard National Wildlife Refuge—has seen large increases in use in the last decade or more. In fact, during Covid, visits to our Refuge sky rocketed and show no signs of leveling off now. I see families with children, hikers, bicyclists, boaters, people fishing, hunters and photographers all experiencing some peace and tranquility as they enjoy the wildlife and other natural wonders of the Refuge.

I am currently retired and a member of the Friends of Crab Orchard NWR Board. As such, I visit and enjoy the Refuge a great deal along with my wife and other family members. Over the last 5 years alone, I have seen increased use of the Refuge. Yet, at the same time we have seen a number of staff lost and not replaced. In communication with other Friends members here and across the country, we are all seeing the same thing—increased use by the public—yet drops in funding for staffing across the board and in maintenance of the refuges as well. Little or no effort has been made to keep up with inflation—let alone deal with the huge uptick in use.

As such, school groups will no longer be able to come to our refuge for education about wildlife, plants and the natural environment generally—because we don't have the Rangers to meet with them. Rangers provide a lot of interaction and education to other community groups as well.

In addition, at our refuge photographers and hunters find common cause in preserving and maintaining wildlife habitat. We come together and serve on the same committees to support Refuge maintenance for waterfowl and and other wildlife. Yet

we both see staff—when we have them—struggling to keep up with the basic maintenance needs of the Refuge. Another area that has reached crisis levels is the lack of law enforcement personnel—again due to totally inadequate funding. These are just a few examples of the failure to adequately fund our Nation's Refuges.

Our National Wildlife Refuges are a treasure bestowed on us by wise past presidents. They are the envy of many other nations that are not so blessed.

When you think about how little they are asking—712 million—and that this would fund 568 Refuges (up from 510 in 2010) this is clearly an amazing bargain. The facts easily support a figure of 1 billion in funding. This would help make up for the neglect to maintenance and failure to build in inflation costs that have occurred during the past 12 years. I strongly urge you to provide the 1 billion that is truly needed to deal with the growth in number of refuges, people served by refuges, the ongoing cost of maintenance and the impact of inflation.

Thank you for your kind and I hope urgent and generous attention to this matter.

[This statement was submitted by Don Mullison, Friends of Crab Orchard NWR Board Member and interested citizen.]

PREPARED STATEMENT OF THE FRIENDS OF MALHEUR NATIONAL WILDLIFE REFUGE

The purpose of this letter is to urge the members of the subcommittee to support the full funding detailed in the proposed fiscal Year 2023 budget for the operation of the Fish and Wildlife Service (FWS) and specifically for the operation of the Nation's National Wildlife Refuge System.

Full funding of this important function for fiscal Year 2023 amounts to a total of $712 million. This reflects a substantial increase, but one that is justified in every way. This critical environmental program has been starved for operating funds for years, and the result has been a very definite reduction in the health of the natural resources found our wildlife refuges and the services available to visitors at the refuges. Neither of these situations is acceptable.

I speak from long personal experience. I am not only a regular visitor to our Nation's wildlife refuges but also the board president of the Friend of Malheur National Wildlife Refuge, a non-profit organization that partners with our refuge to enhance resource protection and visitor services.

From these twin vista points, I can tell you that a continuing lack of funding is sapping the ability of the refuges to carry out their mission. Here at Malheur, the staff of the refuge has shrunk year after year and is now barely half the size it was decades ago. And even when jobs still exist, they are often kept vacant for prolonged periods, further reducing management capacity.

My organization exists to assist the Federal staff at Malheur NWR. We provide volunteers to assist the refuge in its operations and fill funding gaps to the best of our ability. All too often, however, despite their best intentions, our Federal colleagues simply don't have sufficient time to work with us, even when we are bringing material assistance to the refuge.

Intensifying this situation is the inescapable fact that many of the refuges along the Pacific Flyway, including Malheur NWR, are facing severe impacts from drought and climate change. The very purpose of the refuges is threatened. Under these circumstances, starving these places for funding simply makes no sense.

Speaking for the Friends of the Malheur National Wildlife Refuge, an organization with a thousand active members from all over the Nation, I urge you to provide the FWS the $712 million it so badly needs in fiscal Year 2023.

[This statement was submitted by William Tweed, President and Board Chair of Friends of Malheur National Wildlife Refuge.]

PREPARED STATEMENT OF THE FRIENDS OF THE MID-COLUMBIA RIVER NATIONAL WILDLIFE REFUGES

This testimony is being submitted on behalf of the Friends of the Mid-Columbia River National Wildlife Refuges. Our organization was formed in 2001 to support the 7 separate refuges and one national monument in eastern Washington State that are managed by the United States Fish and Wildlife Service. We appreciate the opportunity to offer comments on the fiscal Year 2023 Interior Appropriations bill.

This subcommittee allocated $582 million in funding for Refuge System Operation and Maintenance in fiscal year 2022, and we are very grateful for the large increase, commensurate with the President's Budget Request that year. We don't anticipate a large increase in the President's Request for fiscal year 2023, but we request that this subcommittee continue the trend up and allocate $712 million in funding for

the Refuge System O&M fund. These resources would have a strong positive impact for the Mid-Columbia Refuges by allowing them to fill vacant staff positions, to continue with much needed habitat restoration and to support their many environmental education programs. As a result of our volunteer work with F&WS staff of the Mid-Columbia River refuges, we can testify to their professionalism and dedication to the mission of this agency.

Their work is very important to our community. Our region, like others, has been greatly affected by the pandemic and mandated isolation. During this time, we have noted that many people have been visiting the Mid-Columbia Refuges not just to hunt, but simply to walk or observe wildlife. We have had an annual visitation of approximately 150,000 including roughly 30,000 hunt visits. Our local refuges have become a much needed refuge for people as well as wildlife. Our bi-county health district has strongly encouraged these activities as a way to help local citizens cope with the isolation and depression associated pandemic restrictions.

Our Friends group has worked closely with Refuges staff on many projects, including habitat remediation, field trips for the general public, trail maintenance (including improved ADA access), citizen science programs and wildlife rehabilitation. We know from personal experience how hard Refuge staff work to keep these lands healthy and accessible. Their support is very important to our community.

But more is needed. Recent development and construction in our area has resulted in the loss of much valuable habitat. Similar issues on a national level are resulting in a reduction in the population of many species. The Mid-Columbia Refuges provide habitat for hundreds of thousands of waterfowl, endangered salmon, and rare/declining species including burrowing owls, long-billed curlews, and ferruginous hawks. We feel strongly that the Refuge system should continue playing a role in turning around national trends, and if we do not act now, we will lose much that we hold precious and valuable to our very existence.

This request of $712 million for fiscal year 2023 reflects the loss of over 1,000 staff from the System in the last decade. In that time, hundreds of millions of new acres were added to the System, along with 13 new refuges. The urban program was created and the Service is tackling invasive species on almost all refuges. While this seems like a large increase, it is simply what the System needs in order to maintain healthy wildlife habitats on our refuges.

Thank you for considering this request. Please feel free to contact me at mcnaryedcenter@gmail.com if more information is required.

[This statement was submitted by Carl Berkowitz, Secretary, Friends of the Mid–Columbia River National Wildlife Refuges.]

PREPARED STATEMENT OF THE FRIENDS OF MISSISQUOI NATIONAL WILDLIFE REFUGE

Thank you for the opportunity to submit testimony and offer comments on the fiscal Year 2023 Interior Appropriations bill. My name is Julie Filiberti, and I sit on the board of the Friends of Missisquoi National Wildlife Refuge, a non-profit organization formed in 2002 to support the Missisquoi National Wildlife Refuge. My comments in this testimony are on the behalf of this organization.

The Missisquoi National Wildlife Refuge is situated in the northwest corner of Vermont on the eastern shore of Lake Champlain. It is made up of lands and waters cared for by the Abenaki for thousands of years and is one of only two National Wildlife Refuges in the State of Vermont. Missisquoi NWR was established in 1943 to protect habitat for migrating waterfowl, and 70 years later, in 2013, was designated as a Ramsar Wetland of International Importance. The 7218 acres of the refuge includes the 457 acre Eagle Point Unit, co-managed with the Vermont Fish and Wildlife Department, and the 262 acre tract located in upstate New York. The refuge is also responsible for the management and oversight of 376 acres of Conservation Easement in both Vermont and New York.

The main parcel of the acreage in northwestern Vermont encompasses a variety of habitats. A majority of the refuge is composed of wetlands and floodplain forest where the Missisquoi River empties into Lake Champlain. This area is the most expansive intact floodplain forest in the state. The refuge also contains the largest bog in the northeast, the 900-acre Maquam Bog. In addition to these expanses of unique habitat, the refuge also contains shrublands and maintains 250 acres of managed grasslands. The refuge is an essential resting and feeding stopover for migrating ducks, geese, shorebirds, and other water birds. It is a haven for 17 state threatened or endangered species, including Spiny Softshell turtle, Black Tern, and the recently listed Eastern Meadowlark.

The refuge is utilized for all six of the public use focuses of the National Wildlife Refuge system: hunting, fishing, wildlife observation, photography, interpretation, and education.

Because of limited public lands in the area, the trails and waterways of the Missisquoi NWR provide the population of northwest Vermont with available areas for these outdoor recreation activities in all seasons. The recent pandemic saw a dramatic increase in the usage of the refuge as people sought out places to safely immerse themselves in the natural world. The refuge lands also provide the habitats for important learning and mentoring opportunities for students engaging in environmental education. Perhaps most importantly, the Missisquoi National Wildlife Refuge, like most refuges in the system, has the critical job of protecting and conserving a biologically diverse, internationally important, and archaeologically significant area.

In 2002, the non-profit Friends of Missisquoi National Wildlife Refuge, Inc. was formed to support the work at the refuge. Now in our 20th year, our small but dedicated group works to bring awareness to the refuge through public outreach by organizing educational and fun events for the public at large. We provide environmental education webinars, presentations, group birding opportunities, and various other outdoor events. Through our membership funds and donations, we support learning opportunities at the refuge for both students and adults. Our financial support also stretches to assist the refuge in acquiring grant funding for invasive species control. We work in collaboration with the refuge manager to provide financial assistance with any projects that do not have funding but are deemed necessary for the operation of the refuge.

It has been many years since the Missisquoi NWR has had adequate Federal funding to keep up with its mission to appropriately manage the refuge for public use and provide protection for the lands and waters. According to the Comprehensive Conservation Plan, the refuge would need these 7 permanent full-time positions to completely function and meet its goals: a Refuge Manager, an Administrative Support Assistant, a Park Ranger, a Wildlife Biologist, a Maintenance Worker, and a Law Enforcement Officer along with an additional Park Ranger, Biological Technician, and Maintenance Worker as Term and/or seasonal positions. Missisquoi is currently operating with 4 positions: a Refuge Manager, a Wildlife Biologist, an Administrative Officer, and one Maintenance Worker. This current level of staffing is making operations and maintenance of the refuge difficult.

The difficulties are seen in many areas. Missisquoi lost its Park Ranger in 2018, and the position has yet to be replaced. This critical loss, on top of an already short staff, has left a huge hole in the educational opportunities available, so our interpretive center and spacious classroom sit essentially unused. Many loved long-running programs such as the fishing derby and the Jr. Waterfowl Duck Stamp program have come to an end without staff to organize them. The refuge struggles to operate the visitor's center during the workweek, and it remains closed on weekends, which is peak visitation on the refuge. The trails are quickly falling into disrepair because recruitment, management, and coordination of volunteers and supervision of youth programs such as YCC are no longer possible. The absence of a Law Enforcement Officer means poaching, vandalism, dumping, and drug use are going unchecked since the closest Federal officer to respond is in Massachusetts. The State Wardens respond when they can, but they cannot fully dedicate themselves to ongoing refuge enforcement. Planning for any new projects for the refuge has not been possible when even emergency projects are struggling to get done. This refuge, with its small staff, is struggling. The Friends of Missisquoi contributes when possible, but our small organization with limited dollars and limited time, cannot make up for the lack of Federal funding or staffing. Like refuges all across the country, ours is visibly showing the suffering under a continual lack of appropriate Federal funding.

Overall, the National Wildlife Refuge System requires at least $1 billion in Operations and Maintenance Funding to be considered "full funding." This allows all refuges to be staffed and to have adequate maintenance, biological, hunting, fishing, environmental education, and interpretation programs. Our testimony reflects our desire to reach this full funding goal over the next few years, and we ask that you work towards that overall goal of $712 million in annual funding in fiscal year 2023.

Congress released omnibus language allocating just $519 million for fiscal year 2022 Refuge System Operations and Maintenance. This $16 million increase over current funding was much needed and appreciated, yet it was far below the roughly $1 billion needed for full funding of the Refuge System. The President's Budget Request last year made it clear we needed $584 million to fund the System. We appreciate the small increase, but it still is a world away from what is needed to adequately fund the System. We request that this subcommittee continue the allocation

trend upward and assign $712 million in funding for Refuge System Operations and Maintenance, which will get us closer to where we need to be.

This request of $712 million reflects the loss of over 1,000 staff in the last decade from the System. In that time, hundreds of millions of new acres were added to the System, along with 13 new refuges. The urban program was created and the Service is tackling invasive species on almost all refuges. While this seems like a large increase, it is simply what the System needs in order to maintain healthy wildlife habitats on our refuges.

The National Wildlife Refuge System is a national treasure in this country, providing valuable areas for our citizens to recreate and enjoy the great outdoors. In our current world threatened by climate change, protecting these critical habitats for wildlife as a whole is increasingly important. Refuges are places that provide environmental learning opportunities and are areas to immerse oneself in nature's wonders, both of which are crucial for future generations to develop an appreciation and respect for our natural world. This country's refuge system is uniquely set up to effectively protect these important habitats, but they need adequate funding to do their job. Dollars spent on the National Wildlife Refuge System are a wise investment for our country and our world, and I urge you to consider adequately funding the System.

Thank you for your consideration, and please feel free to contact Rich Kelly, President of the Friends of Missisquoi NWR, at rich@westswanton.com if you would like any further information regarding our organization.

[This statement was submitted by Julie Filiberti, Board Member, Friends of Missisquoi National Wildlife Refuge.]

PREPARED STATEMENT OF FRIENDS OF OKEFENOKEE NATIONAL WILDLIFE REFUGE

Friends of Okefenokee National Wildlife Refuge is a 501c3 non-profit dedicated to supporting the Okefenokee National Wildlife Refuge Mission. As Friends we encourage membership, programs, and volunteer support. We know you are familiar with the Okefenokee Wildlife Refuge in south east Georgia. We have a natural treasure of world significance, and we need your help.

Okefenokee National Wildlife Refuge is currently facing exciting progress and unparalleled challenges. On the verge of progress towards becoming inscribed as a World Heritage site, the refuge is faced with budget shortfalls and staffing levels reduced to debilitating lows. We are pleading for you to step up in support of this crown jewel of the National Wildlife Refuge System. The support needed is: 1. The importance of our Okefenokee National Wildlife Refuge as well as all Refuges for our earth, wildlife, and our communities. 2. Please support the overall National Wildlife Refuge System with an ask of $712 million for fiscal Year 2023, and special attention for the Okefenokee.

The refuge is scheduled to build a new Visitor Center with funding allocated this current fiscal year. This new construction is essential to replace the existing aging structure and provide a world-class interpretive center for Okefenokee's visitors from around the world. Each year visitors from all 50 States and 46 different countries flock to this unique National Wildlife Refuge, also designated a Wetland of International Importance, National Natural Landmark, and National Wilderness Area. The refuge is at a critical juncture where they are recognizing the need for a beautiful, educational, and engaging visitor and education center, however Federal funds for such a project are falling short of what this refuge deserves to educate future generations in support of the National Wildlife Refuge System. Not only have building prices skyrocketed this year due to supply chain issues, the Federal dollars allocated for this project through U.S. Fish and Wildlife Service deferred maintenance will not even begin to cover the costs of building a new visitor center of comparable size as what the refuge currently has. Additionally, there have not been any Federal dollars allocated to cover the cost of exhibits, fabrication, or installation. This is where we need help from you to be able to secure the necessary funds to ensure that the Okefenokee National Wildlife Refuge and the refuge's thousands of visitors have the world-class visitor and education center that is deserved by this special place. It is estimated that an additional $1 million in funding is necessary to accomplish the refuge goals of building a 6500 square foot center with a 2300 square foot exhibit hall.

Such exciting progress like a new Visitor Center should be welcome news to a refuge that is currently operating with a visitor center that is over 50 years old, but this also comes with challenges that cannot go unnoticed. Over the past 12 years, the staff at Okefenokee National Wildlife Refuge has been diminished to less than one half of what it once was. At one time, there were 32 full time Federal employees

with countless seasonal hires, youth hires, and volunteers. Currently, the refuge is staffed with 11 full time employees to manage over 407,000 acres, 120-miles of water trails, endangered red-cockaded woodpecker and longleaf pine restoration projects, and over 600,000 visits annually. Even though the refuge has been able to replace a handful of full time positions over the past 2 years, staffing levels still fall well short of what is absolutely critical to refuge functions.

As I mentioned, the Okefenokee National Wildlife Refuge is on the verge of great progress towards becoming an inscribed World Heritage Site. This would mean that the Okefenokee National Wildlife Refuge would be one of only 24 internationally recognized sites in the entire United States, right here in your district! World Heritage Sites are designated and identified due to their global importance and the refuge is recognized in at least two criterion as being globally significant. Once a World Heritage Site is designated, there is a potential to see remarkable increase in domestic and international visitation and research due to elevating the reputation of these globally significant locations. Communities that support, market, and promote these sites can benefit in many ways in support of tourism to the designated site. The refuge is currently working on developing a steering committee and securing permission to pursue inscription as a World Heritage Site as designed by the United Nations Environmental, Scientific, and Cultural Organization (UNESCO).

To summarize, we believe that although the Okefenokee National Wildlife Refuge and staff are currently embarking on exciting work that will shape the refuge for generations, we are pleading for your help for additional Federal appropriations to ensure that the National Wildlife Refuge can develop the world class facilities and staffing support necessary for public safety, education, and environmental health.

Thank you again for your support of the Okefenokee National Wildlife Refuge's the National Wildlife Refuge System.

[This statement was submitted by Lynn Crew, Friends of the ONWR Vice-President.]

PREPARED STATEMENT OF THE FRIENDS OF OTTAWA NATIONAL WILDLIFE REFUGE

This testimony is being submitted on behalf of the Friends of Ottawa National Wildlife Refuge, which was formed in 1997 to support the Ottawa National Wildlife Refuge Complex in Oak Harbor, Ohio. We appreciate the opportunity to offer comments on the fiscal Year 2023 Interior Appropriations bill.

The Ottawa National Wildlife Refuge Complex is comprised of three national wildlife refuges. Ottawa National Wildlife Refuge is located between Toledo and Port Clinton. The 7,930 acre refuge is managed for waterfowl, shorebirds, neo-tropical migrant songbirds, and a variety of plant and animal species. The three-story Visitor Center and hiking trails are located here. Cedar Point NWR's 2,616 acres comprise the largest contiguous marsh on Lake Erie (US). Aside from a designated fishing and kayaking area, this refuge is closed to the public and provides excellent nesting habitat for waterfowl, shorebirds, and songbirds. West Sister Island National Wildlife Refuge is an 82-acre island is situated in Lake Erie, about 9 miles from shore. It is the largest Great Blue Heron, Great Egret, and Black-Crowned Night Heron rookery in the U.S. Great Lakes. It is also the only Federally Designated Wilderness Area in the State of Ohio.

HISTORY

Before European settlers arrived, much of the area from the southwest shores of Lake Erie to Fort Wayne, Indiana was covered by dense, deep habitat called the Great Black Swamp. It was a foreboding place to the early settlers but home to many Native American Tribes. Bartering with early settlers for tobacco and corn, the largest of these Tribes came to be called "Ottawas", a name derived from the Algonquin word adawe, meaning "to trade". Much of Ottawa National Wildlife Refuge and the surrounding lands were once part of this swamp which included 1,500 sq miles of a vast network of forests, wetlands and grasslands. Farmers and farm fields replaced Native Americans and wetlands; blackbirds and livestock supplanted eagles and panthers. The Great Black Swamp was reduced from 300,000 acres of habitat to just 15,000 acres—less than 5 percent of the Great Black Swamp remained by 1900. Fortunately, in 1961 Ottawa National Wildlife Refuge was established under the authority of the Migratory Bird Conservation Act when several hunt clubs and farmsteads were purchased with Federal Duck Stamp funds. The refuge complex protects a network of wetlands, grasslands and forests to provide habitat for a variety of migratory birds, resident wildlife and threatened and endangered species. It has been recognized with global significance for its value to wild-

life. The refuge has received the following designations: Globally Important Bird Area through the American Bird Conservancy, Important Bird Area through Audubon Ohio and Regionally Significant Site in the Western Hemisphere Shorebird Reserve Network.

IMPACT

The refuge provides valuable habitat for a diversity of waterfowl and other migratory birds, resident wildlife and endangered and threatened species. It provides a place for people to enjoy wildlife-dependent activities and learn about the complexities of the natural world through education and interpretive programming. The refuge adds to the richness of the community by holding in trust a portion of the natural heritage of the Great Lakes ecosystem for the continuing benefit of the American people.

Our region has grown nature tourism as an economic sector as thousands come to visit ever year for outdoor recreation, specifically birding. In early May, 60,000—90,000 visitors descend upon the refuge and surrounding natural areas to view migratory warblers as they feed and refuel before crossing Lake Erie into Canada. These visitors bring thousands of dollars into the local community from Toledo to Sandusky. The refuge also has a huge impact on the health of Lake Erie. The refuge complex is located along the shores of the 11th largest lake in the world. The Great Lakes contain about 20 percent of the world's fresh water. The wetlands of Ottawa National Wildlife Refuge play a critical role in the Lake Erie ecosystem, acting as the kidneys of the landscape; working to protect NW Ohio's drinking water, work and leisure. Through the support of special funding initiatives like the Great Lakes Restoration Fund, the refuge has been able to address failing infrastructure, reconnecting hydrology to filter pollutants from Lake Erie and work to combat harmful algal blooms.

FRIENDS OF OTTAWA NATIONAL WILDLIFE REFUGE

Friends of Ottawa National Wildlife Refuge was formed in 1997 by a group of passionate volunteers. They worked together with Federal partners to support the conservation mission of Ohio's only national wildlife refuge complex by acquiring and restoring land, engaging the community, and enhancing public access. The Friends of Ottawa National Wildlife Refuge exist to support the refuge through fundraising and volunteerism so that we can be the change that our wildlife and community deserve. Through the engagement of the NW Ohio community, the Friends are diligently working to fill the gaps of the Federal budget each year to support the Ottawa National Wildlife Refuge Complex in three priority areas: Youth Development, Public Access Projects, and Land Acquisition and Restoration. In 2021 a total of $167,900 of Friends funding went directly towards these priorities, and an additional $100,000 purchased 16.5 acres of land. It's a drop in the bucket compared to what we need.

CHALLENGES AND NEEDS

The Friends are dedicated to supporting the refuge's priorities—in part to create outdoor recreation opportunities on the refuge focused around the "Big 6" wildlife-dependent recreational uses—wildlife observation, photography, environmental education, interpretation, hunting and fishing. Along with such incredible habitat and opportunities for wildlife-dependent recreation, we are seeing record visitation. Visitation to the refuge has increased from 212,033 visits in 2016 to 360,000 visits in 2021, a 70 percent increase over 5 years. What hasn't increased enough is the refuge budget.

Ottawa NWR is managed primarily for migratory and nesting bird habitat. A lot of that management involves manipulation of our greatest natural resource- water. The refuge biologist and maintenance teams manage 57 water control structures, 46 culverts, 18 electric pump stations, 18 flap gates, 9 portable pumps, and 7 fish passage structures. The refuge also has 70 miles of roads and dikes that it must maintain. Rising costs of doing business are having a profound impact on costs of materials for routine maintenance. Budgets need to reflect the rising costs of managing a refuge whether it's for large scale projects or just basic essentials. Fixed costs are increasing for electric, fuel, and vehicle maintenance but budgets are not keeping pace with inflation forcing the refuge to make hard decisions. Just recently the boardwalk had deteriorated so significantly yet instead of fixing it all at once the refuge is doing it in phases. That decision was driven by the lack of personnel, timing, resources to get it done. When refuge staff noticed that boards were rotting 3 years ago, they didn't have funds to fix it so they fixed the worst parts and came back to the others. There are still sections that have not been completed. The Visitor

Center is another example of deferred maintenance due to a lack of funding. Without a facilities manager dedicated to the Visitor Center, water damage was unnoticed until a major rainstorm made the leak apparent. Mold mitigation and fixing leaks along the roof and balcony has taken up discretionary funds for fiscal Year 2022. We are set to reopen from the pandemic closure later this week and the project isn't completed. Drywall has not been installed on exposed walls in the stairwell because the refuge doesn't have funds to do so. Since discretionary funds have been spent on these unforeseen maintenance issues, when the refuge's batwing mower needed to be replaced there were no funds to do so. Do you maintain trails or maintain the building? Fix the trucks or the dikes? These are daily questions and stressors on our refuge staff.

The refuge also has aging infrastructure that needs to be maintained. For example, the maintenance shop was built in the 1960s. Its septic system is outdated, and the building is not up to OSCA standards. Other outbuildings used to store equipment have outdated electric which is disconnected, while other buildings have poor drainage and other maintenance issues.

Refuge staff are daily facing climate change-related impacts to infrastructure and outer dikes due to high water. In some areas entire dikes need to be rebuilt to effectively manage water. Invasive species are another huge challenge at Ottawa National Wildlife Refuge. Phragmites is everywhere. European frogbit is choking out ditches and wetlands. Purple loosestrife is thriving with climate change. Last year populations exploded because the plants had more moisture than normal during critical times. The plants produce a lot of seed, and it will now only continue to get worse without enough staff to address this issue.

Staffing is one of the biggest challenges at Ottawa National Wildlife Refuge. We currently have 9 full time staff members for 10,800 acres and 360,000 visitors. In order to manage the types of programs needed to effectively deliver our messaging to our constituency, we need at least another 4 full-time year-round staff members added to our roster. A full time bio-tech would assist the biologist in addressing water and habitat management. A full-time maintenance worker would help address the deferred maintenance backlog. The visitor services program in particular is struggling. It currently is a staff of one. In December 2020 our Visitor Services Manager accepted different job and this position still has not been advertised because there's no money to fill the position. With the increased visitation we need to fill the Visitor Services Manager position and add another full time Visitor Services staff person to promote and increase interpretive programs and administer the hunt program. Additionally, the law enforcement program at Ottawa National Wildlife Refuge has one Federal wildlife officer for its 10,800 acres and three refuges. This position also serves as the wildlife officer for Detroit River International Wildlife Refuge in Monroe, Michigan, covering a combined total of 17,000 acres in two States.

If refuge had full funding, it would have a staff of 20 people to manage this resource including additional law enforcement, biology, maintenance, visitor services, and managers. We could have a robust Urban Wildlife Conservation Program to broaden our reach to Toledo and address environmental and social justice in underserved communities. We could have enough staff to manage policy and planning, education programs on site and off site in addition to addressing deferred maintenance projects. Our current staff are doing the best they can with what they have, but what they have is not enough.

NATIONAL FUNDING

We are working every day to protect, conserve, and enhance Ottawa National Wildlife Refuge to the best of our ability with limited resources. You can help us to protect Ottawa National Wildlife Refuge and refuges around the country. Overall, the National Wildlife Refuge System requires at least $1 billion in Operations and Maintenance Funding to be considered "full funding", which all refuges staffed, with adequate maintenance, biological, hunting, fishing, environmental education, and interpretation programs. Our testimony reflects our desire to reach this full funding goal over the next few years, and we ask that you work towards that overall goal of $712 million in annual funding.

This subcommittee allocated $582 million in funding for Refuge System O&M in fiscal year 2022, and we are very grateful for the large increase, commensurate with the President's Budget Request that year. We don't anticipate a large increase in the President's Request for fiscal year 2023, but we request that this subcommittee continue the trend up and allocate $712 million in funding for the Refuge System Operations and Maintenance Fund.

This request of $712 million reflects the loss of over 1,000 staff in the last decade from the System. In that time, hundreds of millions of new acres were added to the System, along with 13 new refuges. The urban program was created and the Service is tackling invasive species on almost all refuges. While this seems like a large increase, it is simply what the System needs in order to maintain healthy wildlife habitats on our refuges.

I'm honored to have this opportunity to share the story of Ottawa National Wildlife Refuge with you today. As a 9th generation NW Ohioan, Ottawa Refuge is in my blood. My ancestors hunted and trapped these marshlands for survival. My grandfather, a descendant of Ottawa Chief Ottokee and early French-Canadian settler Peter Navarre, grew up on a family farm located on what is now the end of the Ottawa NWR Wildlife Drive. It means so much to me to be able to advocate and protect the very land that provides the soil for the roots of my family tree.

Please help us to fund these natural areas to preserve their cultural, economic, and ecological value for generations to come. Thank you for your consideration.

[This statement was submitted by Aimee Arent, Executive Director, Friends of Ottawa National Wildlife Refuge.]

PREPARED STATEMENT OF FRIENDS OF RACHEL CARSON NATIONAL WILDLIFE REFUGE

Chair Merkley , Ranking Member Murkowski and Honorable Members of the subcommittee: I am Bill Durkin, President of The Friends of Rachel Carson National Wildlife Refuge, headquarters in Wells, Maine.

I have been a member of the Friends of Rachel Carson NWR for the past 33 years. The group was founded in 1987, we are a small group supporting the mission of the refuge. The mission of the U.S. Fish and Wildlife Service (FWS) is to work with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. I have given numerous written statements over the years and we really appreciate the subcommittee's support in the past. With the passing of the Great American Outdoors Act , we no longer need to ask for "re-authorization" of the Land , Water and Conservation Fund at the $900M level—thanks to Congress, it is permanently authorized at that level and is now law. This year, our refuge, Rachel Carson National Wildlife Refuge, is requesting $2M in appropriations for protection of critical wildlife habitat and we are asking for general funding of the National Wildlife Refuge System of $712M.

The Rachel Carson National Wildlife Refuge is named in honor of one of the Nation's foremost and forward-thinking biologists. After arriving in Maine in 1946 as an aquatic biologist for the U.S. Fish and Wildlife Service, Rachel Carson became entranced with Maine's coastal habitat, leading her to write the international best-seller The Sea Around Us. This landmark study, in combination with her other writings, The Edge of the

Sea and Silent Spring, led Rachel Carson to become an advocate on behalf of this nation's vast coastal habitat and the wildlife that depends on it. We recently celebrated the 50th anniversary of naming the refuge in honor of Rachel Carson. We had a year long program of various event and activities, including the Sense of Wonder Art Contest. This was a photography and essay/poem contest open to our community with the winners ultimately displayed in The Friends 2022 calendar. We had "Exploring Nature's Connections", a educational series for school children and also reached out to the local business sector with " Conservation Champions, Businesses for a Greener Future.". With the refuge's acquisition of a new headquarters, we will have a new Visitor's Center and a Multi-purpose room that will aid in more continuous community engagement. The refuge administration has hired a new Visitor Service Specialists that will enhance future visitor's experience. People can use the refuge as a springboard to connect to nature by experiencing wildlife observation, environmental education, interpretation, wildlife photography, hunting and fishing. In addition, The Friends are very excited to have an office and a bookstore at the new location.

The refuge was established in 1966 to preserve migratory bird habitat and waterfowl migration along southern Maine's coastal estuaries. It consists of 11 refuge divisions in 12 municipalities protecting approximately 5,600 acres within a 14,800 acre acquisition zone. Consisting of meandering tidal creeks, coastal upland, sandy dunes, salt ponds, marsh, and productive wetlands, the Rachel Carson NWR provides critical nesting and feeding habitat for the threatened piping plover and a variety of migratory waterfowl, and serves as a nursery for many shellfish and finfish. The salt marsh habitat found at Rachel Carson NWR is relatively rare in Maine, which is better known for its dramatic, rocky coastline. Upland portions of the landscape in and around the refuge host a unique, unusually dense concentration of

vernal pools that provide habitat for several rare plant and animal species. Located along the Atlantic flyway, the refuge serves as an important stopover point for migratory birds, highlighted by shorebird migration in the spring and summer, waterfowl concentrations in the winter and early spring, and raptor migrations in the early fall. In fact, southern Maine contains a greater diversity of terrestrial vertebrates, threatened and endangered species, and woody plants than any other part of the state.

Previous years' appropriations have allowed the USFWS to conserve several properties within the refuge at Biddeford Pool, Parson's Beach, the newly created York River Division and 11 years ago with the purchase of Timber Point, an iconic undeveloped parcel with a peninsula jutting out to the Atlantic Ocean. All of these purchases provide an important buffer between the intense development pressure along the southern Maine coast and its fragile coastal estuaries. With towns in the area growing rapidly—at rates ranging between 11 percent and 32 percent over the next 10 years—development pressures continue to spiral upwards and additional coastal properties are under threat. It is said that Rachel Carson NWR has the most neighbors/abutters than any other refuge in the system, thus demand for available land is high and the market value expensive. The Timber Point parcel enhances the refuge's ability to protect water quality in the estuary and important wildlife habitat by linking it to already conserved refuge lands in the Little River Division of the refuge. Since then, we have built a National Recreational Trail (NRT) for public use. The refuge is working diligently to restore salt marsh habitats and to improve coastal resilience along the 50 miles of coastline in southern Maine. This provides great dividends for refuge trust resources such as shorebirds and waterfowl and life and safety for local communities. As well as delivery of ecosystem services such as clean water, air, economically important marine resources and coastal protection in the face of sea level rise and increased storm incidences fueled by global climate change. In FY23, Rachel Carson National Wildlife Refuge is requesting $2M for land acquisition. There are 2 parcels in the "pipeline", one a 110 acre piece abutting refuge land in the Little River Division and the other 50 acres of prime water front habitat in the newly created York River Division. We request your support.

With 568 units, the National Wildlife Refuge System is a model for conservation around the world. More than 160 coastal refuges buffer communities from the increasing frequency and intensity of storms, and even more provide habitat for millions of migrating birds each year. All of the refuges are in dire need of staffing and upkeep. The National Wildlife Refuge System is responsible for 568 million acres of lands and waters, but currently receives less than a $1. per acre for management costs. The refuges cannot fulfill its obligation to the American public, our wildlife and 47 million annual visitors without adequate funding. Refuges provide unparalleled opportunities to hunt, fish, watch wildlife and educate children about the environment. An investment in the Nation's Refuge System is an excellent investment in the American economy, generating $2.4 billion and creating about 35,000 jobs in local economies. Without increased funding for refuges, wildlife conservation and public recreation opportunities will be jeopardized.

Overall, the National Wildlife Refuge System requires at least $1 billion in Operations and Maintenance Funding to be considered "full funding", which all refuges staffed, with adequate maintenance, biological, hunting, fishing, environmental education, and interpretation programs. The Friend's testimony reflects our desire to reach this full funding goal over the next few years, and we ask that you work towards that overall goal of $712 million in annual funding for FY23.

This past March, Congress released omnibus language allocating $519M for FY22 Refuge Operations and Maintenance. This amount is greatly appreciated but falls far below for full funding of the Refuge system. This subcommittee allocated $582 million in funding for Refuge System O&M in fiscal year 2022, and we are very grateful for the large increase, commensurate with the President's Budget Request that year. We don't anticipate a large increase in the President's Request for fiscal year 2023, but we request that this subcommittee continue the trend up and allocate $712 million in funding for the Refuge System Operations and Maintenance fund.

Our request of $712 million reflects the loss of over 1,000 staff in the last decade from the System. In that time, hundreds of millions of new acres were added to the System, along with 13 new refuges. The urban program was created and the Service is tackling invasive species on almost all refuges. While this seems like a large increase, it is simply what the System needs in order to maintain healthy wildlife habitats on our refuges.

I again extend our appreciation to the subcommittee for its ongoing commitment to our National Wildlife Refuge System and respectfully request the Interior, Environment and Related Agencies Appropriations subcommittee allocate $2M to Rachel

Carson NWR and $712M for the Refuge System's FY23 Operations & Maintenance Budget.

Thank you again, Chair Merkley and Ranking Member Murkowski for the opportunity to present this testimony in support of protecting wildlife and it's habitat. Enjoy your next walk out on a National Wildlife Refuge.

[This statement was submitted by Written Testimony of Bill Durkin, President, Friends of Rachel Carson National Wildlife Refuge.]

PREPARED STATEMENT OF THE FRIENDS OF SHERBURNE NATIONAL WILDLIFE REFUGE

This testimony is being submitted on behalf of the Friends of Sherburne NWR, which was formed in 1993 to support the Sherburne National Wildlife Refuge.

We appreciate the opportunity to offer comments on the fiscal Year 2023 Interior Appropriations bill. We request that this subcommittee allocate $712 million in funding for the Refuge System Operations and Maintenance fund for fiscal Year 2023.

WHO WE ARE

Friends of Sherburne National Wildlife Refuge is a 501(c)(3) nonprofit organization that nurtures an appreciation for and the conservation of Sherburne National Wildlife Refuge through education, volunteerism, and philanthropy. With more than 450 members, we support the refuge in providing education for children in nature's classroom, furnishing information and facilities for refuge visitors, and ensuring family events like Wildlife Festival remain free and open to all. Our members are passionate about conserving wildlife and wild places, especially at Sherburne National Wildlife Refuge

IMPORTANCE OF SHERBURNE NWR

Sherburne National Wildlife Refuge provides important resources and services to the community and beyond: 1) maintenance and conservation of environmental resources, services, and ecological processes; 2) protection of natural resources such as fish, wildlife, and plants; 3) protection of cultural and historical sites and objects; 4) provision of educational and research opportunities; and 5) outdoor and wildlife-related recreation. Major ecological contributions of the refuge are watershed protection, maintenance and stabilization of ecological processes, and the enhancement of biodiversity.

OVERVIEW OF REFUGE AND PROGRAMS

Sherburne National Wildlife Refuge is in central Minnesota and at 30,700 acres is composed of oak savanna habitat, one of the rarest habitats in the Nation. Sherburne supports a wide variety of wildlife, including state threatened Blanding's turtles, and is a fall staging area for greater sandhill cranes, with a record number of over 11,000 cranes estimated to be roosting on the refuge in recent years. The land is also managed to promote the health and well-being of migratory birds and their habitat.

Oak savanna habitat, traditionally found in Minnesota and the Midwest, has largely disappeared from the landscape due to plowing and development. Only about 0.02 percent of this habitat remains. The refuge strives to maintain, enhance, and restore this landscape for the benefit of a wide variety of species, including the red-headed woodpecker.

The refuge is an asset to local communities, providing recreational opportunities for residents and for those traveling through these communities. Many visitors enjoy the scenery and wildlife that can be spotted on the refuge's three hiking trails, the Prairie's Edge Wildlife Drive, or from a canoe or kayak on the designated canoe route along the St. Francis River.

A hotspot for photographers and birders, Sherburne NWR draws many visitors from the Twin Cities (it is classified as an "urban refuge") and across the country. Among hunters, we are known for deer, small game, and migratory bird hunting. Anglers are commonly spotted at the various fishing access points spread across the refuge.

The refuge hosts environmental education programs throughout the year for local elementary and intermediate schools, both on and off site. The refuge has a partnership with two schools that receive volunteer or staff-led programming and also offers self-led opportunities for other neighboring school districts. Further, it provides a variety of interpretive programs and events throughout the calendar year. The ref-

uge has an active volunteer program, with more than 200 passionate and dedicated individuals donating their time and expertise, some for more than two decades.

NATIONAL FUNDING AND THE SHERBURNE NATIONAL WILDLIFE REFUGE

Overall, the National Wildlife Refuge System requires at least $1 billion in Operations and Maintenance Funding to be considered "full funding," meaning all refuges staffed, with adequate maintenance, and support for biological, hunting, fishing, environmental education, and interpretation programs. We ask that you work towards that overall goal.

We request that this subcommittee allocate $712 million in funding for the Refuge System Operations and Maintenance fund for fiscal Year 2023.

This request of $712 million benefits our refuge. With adequate funding, Sherburne National Wildlife Refuge would be better able to hire the staff and cover expenses to:

—Restore and maintain oak savanna critical for support of species dependent on the habitat

—Provide maintenance of wetlands to support migrating waterfowl

—Provide increased capacity for biological research, surveys, and monitoring

—Control invasive species to benefit a diversity of fish and wildlife

—Have an adequate level of law enforcement for natural resource protection and public safety

—Further build out our environmental education programs

—Increase capacity to reach communities of diverse backgrounds

—Construct and operate the long-awaited Visitor Center

Just as Sherburne NWR is the face of public lands for people from the north metro of the Twin Cities to St Cloud, Minnesota, all national wildlife refuges are there for communities across the country. We need full funding to ensure that they stay protected, accessible, and stewarded for the generations to come.

Thank you for your consideration.

[This statement was submitted by Steven Chesney, President, Friends of Sherburne National Wildlife Refuge.]

PREPARED STATEMENT OF THE FRIENDS OF TAMPA BAY NATIONAL WILDLIFE REFUGE

This testimony is being submitted on behalf of the Friends of Tampa Bay National Wildlife Refuge, which was formed in 2008 as a 501c3 to support the Egmont Key, Passage Key, and Pinellas National Wildlife Refuges.

We appreciate the opportunity to offer comments on the fiscal Year 2023 Interior Appropriations bill.

We respectfully request that you allocate $712 million for the National Wildlife Refuge System in fiscal Year 2023 for Operations and Maintenance.

The Tampa Bay National Wildlife Refuge islands are a part of the Crystal River National Wildlife Refuge Complex located in west central Florida. The offices are located about 90 miles north of Tampa Bay. Our Friends group has over 250 members who spend many hours volunteering and raising funds. Many of the members have been with us since the beginning. They are passionate about the environment, the wildlife, the history of Egmont Key NWR, and the Tampa Bay Refuges.

The Tampa Bay National Wildlife Refuge islands were set aside for nesting and resting birds as well as preserving the ruins of Ft. Dade on Egmont Key NWR. The refuge complex has lost much of its staff due to budgets. They are not even close to having enough personnel or funding to carry out their mandates. The Tampa Bay NWR's have one visitor services manager but he frequently has to fill in at the Refuge Headquarters in Crystal River. There is almost always a budget shortfall towards the end of the fiscal year causing staff to discontinue many of the activities they should be doing to fulfill the mandates for each refuge.

Unbelievably, the Friends of the Tampa Bay NWR's is having to fund predator trapping on the Pinellas NWR or risk losing our very successful nesting colonies of water birds to rats and raccoons. These islands are close to St Petersburg, FL so the rats and raccoons swim to the island for an easy meal during nesting season. It is part of the mandate for the refuge to protect the wildlife and yet they don't have funds to do so! The Friends also fill the gap of environmental education for adults and kids. Friends also spend countless hours repairing boats to get to the islands, refurbishing informational kiosks, picking up trash, pulling invasive plants, posting and reposting signs to keep the birds safe, and this past year creating a film

about the Tampa Bay NWR's for visitors to see. The film shows them why these refuges are important. You can view it at www.TampaBayRefuges.org.

Egmont Key NWR has hundreds of thousands of visitors each year who come to enjoy the beaches, see the Ft. Dade ruins, and watch the birds in the areas open to the public. This gives people a feeling of relaxation and a way to unwind. Everyone needs to do that especially in these difficult times. It is important to protect Egmont as well as Passage Key and Pinellas Refuges which do not have visitors but supply the area with new generations of beautiful birds.

Overall, the National Wildlife Refuge System requires at least $1 billion in Operations and Maintenance Funding to be considered "full funding", with all refuges staffed, with adequate maintenance, biological, hunting, fishing, environmental education, and interpretation programs. Our testimony reflects our desire to reach this full funding goal over the next few years, and we ask that you work towards that overall goal by funding $712 million for fiscal Year 2023.

This subcommittee allocated $582 million in funding for Refuge System Operations and Maintenance in fiscal year 2022, and we are very grateful for the large increase, commensurate with the President's Budget Request that year. We don't anticipate a large increase in the President's Request for fiscal year 2023, but we request that this subcommittee continue the trend up and allocate $712 million in funding for the Refuge System Operations and Maintenance fund.

This request of $712 million reflects the loss of over 1,000 staff in the last decade from the System. In that time, hundreds of millions of new acres were added to the System, along with 13 new refuges. The urban program was created and the Service is tackling invasive species on almost all refuges. While this seems like a large increase, it is simply what the System needs in order to maintain healthy wildlife habitats on our refuges.

[This statement was submitted by Barbara Howard, President Friends of the Tampa Bay National Wildlife Refuges.]

PREPARED STATEMENT OF TAMPA BAY NATIONAL WILDLIFE REFUGES

First of all I would like to thank you for your support for the National Wildlife Refuge System, a uniquely American asset and the largest systems of lands set aside for wildlife in the world. As an active USFWS volunteer I am urging you to support an increase in funding for Refuge System Operations and Maintenance to $712 million in fiscal year 2023. Our Friends group works closely with Refuge System staff in our local and regional offices, and on refuges themselves. We talk to them about their projects, and what they need to do their jobs. And the overwhelming response is: we need more staff, and we need more funding. Wildlife refuges are economic engines for their communities, but, by far, the biggest challenge facing the NWR system today is a lack of funding. Refuge units are incredibly rich and diverse wildlife habitat, and each unit is unique and requires unique management. The lack of staff on refuge units (including ours) is stark. Since FY2010, when the budget was funded nearly the same ($503m) as it is today in fiscal year 2022 ($519 million as proposed in the omnibus bill released March 9, 2022), nearly 1,100 positions have been lost, an enormous 25 percent loss in capacity. We as a community cannot continue to expect healthy lands and wildlife populations when we allow staffing levels to drop so low that maintenance is impossible, visitor services are curtailed, and planning and biological work is either eliminated or severely reduced. Over the last decade, flat or declining budgets have resulted in reduced station allocations and staffing across the Refuge System. We have seen this first hand on the three refuges in Tampa Bay, Florida; Egmont Key NWR, Passage Key NWR and Pinellas NWR. These refuges are some of the last wild areas remaining in Tampa Bay—they are important to wildlife. The Service has a responsibility to manage for the long-term sustainability of the System and to avoid reactive, ad hoc, and piecemeal actions in response to budgetary changes. These budget declines are now resulting in the inability of the NWR system to serve the public and protect natural resources.

Given that the increase that was called for in fiscal year 2022 was not delivered, we ask that you go further this year, and allocate the money that the System actually needs-a jump to $712 million. This is the number the National Wildlife Refuge Association has calculated that is needed to keep up with the backlog of work and rising costs.

We have seen this first hand. As a Friends group we have had to provide supplemental funding for accomplishing basic tasks on the refuges. This seems wrong that a volunteer based organization must supplement a Federal program in order to properly manage the refuges. Our three NWRs are continually short of funds and

labor. To add to this we have a huge increase in visitation to all three refuges in the last 2 years, but no increase in funding to help manage the visitation—this is a problem.

The National Wildlife Refuge System is the largest system of public lands set aside for wildlife conservation in the entire world. Nothing like the System exists anywhere else. The United States has a professional workforce of biologists, wetlands managers, foresters, wildlife officers, and many others who are trained to manage these lands. We are squandering this opportunity to manage this System of biologically critical habitat and overwhelming staff, who care deeply about their jobs and the Refuge System.

Again, I am urging you to support an increase in funding for Refuge System Operations and Maintenance to $712 million in fiscal year 2023. Thank you for allowing the opportunity to submit testimony.

[This statement was submitted by Patrick Mundus, Vice President, Friends of the Tampa Bay National Wildlife Refuges.]

PREPARED STATEMENT OF FRIENDS OF TUALATIN RIVER NATIONAL WILDLIFE REFUGE

I appreciate the opportunity to provide written testimony on behalf of the Friends of Tualatin River National Wildlife Refuge Complex, near Portland, Oregon. Friends of Tualatin River National Wildlife Refuge is a 501 (C) (3) nonprofit organization whose mission is to promote the conservation and welfare of the Tualatin River National Wildlife Refuge for all dependent species and to enrich the lives of citizens through education and experience. Our organization has approximately 300 members. I am President of the Board of this organization. We thank you for your support for the National Wildlife Refuge System and for the opportunity to offer comments on the fiscal year 2023 Interior Appropriations bill, most importantly regarding funding for the Refuge System Operations and Maintenance Fund, which we respectfully request you fund at $712 million for fiscal year 2023.

When the pandemic quickly shutdown most federal, State, and local parks, our beloved Oregon Coast beaches, and other public lands in the Portland area, there was one place where visitors could go and safely bask in nature while masked and socially distanced. That place was Tualatin River National Wildlife Refuge. Located just 15 miles from the heart of Portland, OR, Tualatin River National Wildlife Refuge, founded in 1992 and opened to the public in 2006, is cradled in Portland's southwest suburbs and is easily accessible to this urban population including being accessible by public transportation with a bus stop at its main gate. The refuge has existed as a designated Urban Refuge since it was created. Although the Visitor Center and restrooms and even the parking lot were closed, we flocked there by the thousands to soak up our much-needed ration of the outdoors.

As more and more people "discovered" the Refuge as a respite in a very stressful time, there has been a heightened public awareness of its value as a resource to our community. But, with increased awareness and usage comes increased need for upkeep and protection. Also, being in an urban area results in a higher level of required management to safeguard the wildlife and habitat.

Our Fish and Wildlife Staff has done a stellar job of preserving the refuge, but they are working at a great handicap. In 2012, the refuge consisted of 1,384 acres under the management of a full-time staff of 6. In 2013, the 944-acre Wapato Lake National Wildlife Refuge, 34 miles from refuge headquarters, was created and complexed with Tualatin River NWR with no additional staff. In 2020, an additional 20 acres was added to the original refuge and in 2021 full-time staff was increased to 7. Managed acres increased by 70 percent and staff by 1.

During the pandemic, two major changes have occurred at our refuge complex. Wapato Lake National Wildlife Refuge is being prepared to open to the public. This is extremely significant to the local community and to the Confederated Tribes of Grand Ronde who are the original caretakers of this land. But, without sufficient staff, the progress toward public access has been delayed and a date for opening to public access has still not been set.

Historically, the Wapato lakebed filled and receded with the rise and fall of the Tualatin River. A pump system and earthen levees, designed to facilitate farming, were installed in the 1930s. Eighty years later, the economic and public health risks of this aging infrastructure had become evident.

Challenges at Wapato Lake involved not only aging infrastructure, but also the significant level of collaboration, funding and expertise that would be needed to transform this expansive and critical site into a haven for wildlife and an asset to the surrounding communities. The completely inadequate budgets fail to cover the

cost of maintaining the incredibly rich and diverse wildlife habitats that make up the Refuge System.

Also, the past 2 years at Tualatin River National Wildlife Refuge, have been a time of exciting change. Chicken Creek that flows across the main unit of the refuge is being reoriented to a sinuous flow, replacing the straight channel that was created when the land was converted for agricultural use over a century ago. The project will create a 280-acre connected, naturally functioning wetland system on the Refuge's Atfalat'i Unit. A reconfigured pedestrian trail will allow visitors to access the new natural wetland and creek area.

Both projects have been accomplished with the help of numerous community partners making the refuge more meaningful to even more members of our communities.

The number of annual Refuge System visitors jumped by 13 million over the last 6 years. More people are looking to recreate on wildlife refuges, yet understaffed refuges struggle to provide those opportunities. Reductions in visitor services can be extremely limiting for constituencies who want to visit. Equally troubling is a 15 percent drop in the number of volunteers since FY2011. At a time when record numbers of Americans are retiring and have the capability and desire to give back, the Service's ability to oversee their efforts has been curtailed. Volunteers provide an additional 20 percent of work on our National wildlife refuges, yet they are being turned away when the System needs them the most.

The Refuge System is bare bones right now and increased growth in urban spaces and outdoor recreation, and the impacts of climate change, place additional stress on the System. Every year, more and more refuges are closed to the public, habitat degrades, and visitors are turned away.

The funding gap that has arisen due to low budget allocations over the last decade has resulted in the degradation of critical wildlife habitat and imperiled important species. Although the FY2020 appropriations bill injected a much needed additional $14 million to the budget, funding levels remain below the high of $503 million in FY2010, with the shortfall becoming more acute every year. We must change this trajectory.

National Wildlife Refuges are currently funded at 59 per acre per year compared to funding for National Park Service at $30 per acre per year.

This subcommittee allocated $582 million in funding for Refuge System O&M in fiscal year 2022, and we are very grateful for the large increase, commensurate with the President's Budget Request that year. We don't anticipate a large increase in the President's Request for fiscal year 2023, but we request that this subcommittee continue the trend up and allocate $712 million in funding for the Refuge System Operations and Maintenance fund.

The Refuge System cannot fulfill its obligation to the American public, our wildlife, and 59 million annual visitors (in FY2019) without increases in maintenance and operation funds. Even with the gains in fiscal Year 2020, overall funding for the Refuge System has declined substantially over the last 10 years. Funding in FY2010 was $503 million—$598 million in today's dollars with inflation and salary increases. This difference of $95 million has forced the Service to cut back on programs and create efficiencies whenever possible—efficiencies that are sometimes harmful or even dangerous. For example, many refuges, such as Tualatin River, have been placed into complexes, where staff travel sometimes large distances to juggle duties on multiple refuges.

Overall, the National Wildlife Refuge System requires at least $900 million in Operations and Maintenance Funding to be considered "full funding", with all refuges staffed, with adequate maintenance, biological, hunting, fishing, environmental education, and interpretation programs. Our testimony reflects our desire to reach this full funding goal over the next few years, and we ask that you work towards that overall goal of $712 million in annual funding.

This request of $712 million reflects the loss of over 1,000 staff in the last decade from the System. In that time, hundreds of millions of new acres were added to the System, along with 13 new refuges. The urban program was created, and the Service is tackling invasive species on almost all refuges. While this seems like a large increase, it is simply what the System needs to maintain healthy wildlife habitats on our refuges.

The Friends of Tualatin River National Wildlife Refuge Complex appreciates the subcommittee's consideration of our request of $712 mil for the refuge system operations and maintenance budget for fiscal year 2023 We look forward to working with Congress to accomplish this goal and appreciate your consideration of our requests. Please let me know if you have any questions.

[This statement was submitted by Cheryl Turoczy Hart, Board President of Friends of Tualatin River National Wildlife Refuge.]

PREPARED STATEMENT OF FRIENDS OF WERTHEIM

This testimony is being submitter on behalf of the Friends of Wertheim, which was formed in 1998 to support the Wertheim Refuge which is the Headquarters of the Long Island National Wildlife Refuge complex.

We appreciate the opportunity to offer comments on the fiscal Year 2023 Interior Appropriations bill.

Our Friends organization was founded in 1998 and is committed to the conservation and protection of the natural and cultural resources of the Wertheim National Wildlife Refuge. We are committed to fostering community education, outreach and advocacy, in pursuit of enhanced awareness ,appreciation and respectful stewardship of our wildlife and its habitat, in partnership activities that enrich and support the objectives of the Service.

In 2011 a formal Visitor Center was opened at Wertheim with nature exhibits and an educational classroom that allows us to offer more varied programs. We welcome School groups, Scouting activities and Birding enthusiasts , as well as a summer camp program. An outreach effort to acquaint local Latino residents to the benefits of visiting a Refuge has been successful. We also advocate on behalf of the Refuge and surrounding communities on environmental issue that would be detrimental to the health and welfare of both.

The Refuge provides the community a peaceful place to walk nature trails available on either side of the Carmans River, which intersects the length of the Refuge. Many canoe and kayaking enthusiasts enjoy the scenic vistas. Migrating birds have a safe haven and are greatly appreciated by skilled and novice birders. Regulated hunting and fishing is offered within Federal and State guidelines. We are also home to a pair of Eagles, one of many that have returned to making their homes on Long Island.

As the name implies, L.I. National Wildlife Refuge complex, Wertheim is one of 10 Refuge sites on the Island that U.S. Fish and Wildlife staff oversee. Two other sites, Target Rock in Huntington and Elizabeth A. Morton in Sag Harbor, are also open to the public. The other areas encompass sites that are home to protected Flora and/or Fauna. If you look at a map of Long Island, you will see that a lot of milage is involved with getting to the different sites. When the Visitor Center was opened, it includes offices and work areas for staff, we had a full compliment of U.S. Fish and Wildlife employees to easily handle the work. The work force has been steadily eroded since 2012, although the work needed to be done is the same. A very big loss is lack of a Federal Law Enforcer, we have been without one again for over a year. We have experienced increased vandalism, including thefts of Catalytic Converters from Federal Vehicles parked in fenced locked areas. Because of Covid the Visitor Center was closed to the public, but the grounds experienced increased foot traffic. some of whom weren't very respectful and adhering to rules governing what is and is not allowed on a Refuge. While we appreciated people discovering this lovely place, we were without an Officer to enforce the rules. Pleas note that the one Officer also oversees any problems that arise at all of the sites.

Yes, we need a hefty increase in funding throughout the whole of the many Refuges across the country.

As more of the general public turn to them for nature experiences and activities, the upkeep needed to maintain them is crucial. Many of these Refuge sites were donations from families who originally owned and maintained them, as a way of preserving the nature contained within them as many of these sites were not heavily disturbed.

We fully support the $712 million being asked for fiscal year 2023. Spread out over the many Refuges in dire need it is not too much to ask. Our Wildlife Refuges have become a lifeline for many of our fellow countrymen, who seek peaceful places to commune with Nature and enjoy healthy outdoor activities.

Thank you for your consideration.

Respectfully submitted on behalf of the Long Island National Wildlife Refuge Complex, of which the Wertheim Refuge is the headquarters.

[This statement was submitted by Friends of Wertheim National Wildlife Refuge, Long Island National Wildlife Refuge Complex.]

PREPARED STATEMENT OF GEOLOGICAL SOCIETY OF AMERICA

The Geological Society of America (GSA) recommends that Congress provide $1.85 billion in annual appropriations for the U.S. Geological Survey (USGS) in Fiscal Year 2023. As one of our Nation's key science agencies, the USGS plays a vital role in understanding and documenting mineral and energy resources that underpin eco-

nomic growth; researching and monitoring potential natural hazards that threaten U.S. and international security; informing communities about the impacts of a changing climate; determining and assessing water quality and availability; and assessing risk of COVID–19 spread to new species. Approximately two thirds of the USGS budget is allocated for research and development. In addition to supporting the science activities and decisions of the Department of the Interior and other Federal agencies, this research is used by communities across the Nation to make informed decisions in land-use planning, emergency response, natural resource management, engineering, and education. GSA believes that it is important to grow the USGS budget in order to address past shortfalls in staffing, facilities, and research, given the importance of its many activities that protect lives and property, contribute to national security, and enhance the quality of life.

The Geological Society of America (GSA) is a scientific society with members from academia, government, and industry in more than 100 countries. Through its meetings, publications, and programs, GSA enhances the professional growth of its members and promotes the geosciences in the service of humankind. GSA encourages cooperative research among earth, life, planetary, and social scientists, fosters public dialogue on geoscience issues, and supports all levels of earth science education.

The Geological Society of America (GSA) thanks the Committee for recognizing the importance of the work of the U.S. Geological Society (USGS) to protect lives, property, and national security. GSA urges Congress to provide USGS $1.85 billion in Fiscal Year 2023. This increase will allow the USGS to implement new initiatives, maintain the base funding for critical research and monitoring, fill vacant positions, and address deferred maintenance on existing facilities. This investment will ensure that the USGS is able to respond to 21st- century challenges with 21st-century science and technology.

U.S. GEOLOGICAL SURVEY CONTRIBUTIONS TO NATIONAL SECURITY, HEALTH, AND WELFARE

The USGS is one of the Nation's premier science agencies, with a distinctive capacity to engage interdisciplinary teams of experts to gather data, conduct research, and develop integrated decision-support tools. USGS research is used by communities across the Nation to make informed decisions in land-use planning, emergency response, natural resource management, engineering, and education. USGS research addresses many of society's greatest challenges for national security, health, and welfare. Several are highlighted below.

NATURAL HAZARDS

Natural hazards are a major cause of fatalities and economic losses. NOAA found that in 2021 alone, there were 20 weather/climate disaster events with losses greater than $1 billion. Additionally, 2021 is the seventh consecutive year in which 10 or more billion-dollar weather/climate events impacted the U.S. An improved scientific understanding of geologic and atmospheric hazards will reduce future losses by informing effective planning and mitigation. GSA urges Congress to continue supporting efforts for USGS to modernize and upgrade its natural hazards monitoring and warning systems, including additional 3–D elevation mapping and earthquake early warning systems, while maintaining fundamental research and monitoring.

Decision makers in many sectors rely upon USGS data to respond to natural hazards. For example, USGS volcano monitoring provides data to enable decisions to ensure aviation safety. Similarly, the USGS plays a key role in the National Tsunami Hazard Mitigation Program by tracking tsunami sources using seismic data as part of a collaborative effort to increase preparedness, reduce impacts, and issue warnings.

USGS is a key partner in obtaining data necessary to predict severe space weather events, which affect the electric power grid, satellite communications, and navigation systems. The Promoting Research and Observations of Space Weather to Improve the Forecasting of Tomorrow Act (PROSWIFT Act), which was signed into law in October of 2020, highlights a path forward for USGS research to meet these objectives. In addition, the new Space Weather Advisory Group established by the PROSWIFT Act will conduct a comprehensive survey to identify the research, observations, forecasting, and modeling advances required to improve space weather products.

GSA recommends adequate funding to implement recently-enacted hazards-related legislation. For example, the National Landslide Preparedness Act, signed into law in January 2021, expanded the USGS Landslide Hazards Program and authorized a 3D elevation program to update and coordinate the collection of elevation

data across the country using enhanced, high-resolution surveys. Directives to USGS include identifying, mapping, assessing, and researching landslide hazards, responding to landslide events, and developing landslide guidelines for geoscientists, emergency management personnel, and land-use decision-makers.

ENERGY AND MINERALS

As articulated in the Energy Policy Act of 2020, there is a vital need to understand the abundance and distribution of critical mineral resources, as well as the geologic processes that form them, both within the United States and globally. Achieving this goal will require continually expanding collection and analysis of geological, geochemical, and geophysical data. Specifically, GSA supports building upon the allocation of $167 million through the bipartisan Infrastructure bill to establish the Energy and Minerals Research Facility on the Colorado School of Mines campus, which will replace deteriorating laboratories across the U.S. used by the USGS to work on energy and critical minerals. The facility will also support the expansion of STEM talent and increase diversity through student engagement and workforce development.

GSA supports increases in minerals science, research, information, data collection and analysis that will allow for more economic and environmental management and utilization of minerals. In addition, GSA supports increases in funding for research to better understand domestic sources of energy, including conventional and unconventional oil and gas and renewables. GSA appreciates congressional support for the EarthMRI program, which will provide new resources and leverage current data to accelerate geological and geophysical mapping, identify critical mineral sites for further scientific review, among other safety, security, scientific, and industrial uses. The mapping has a central focus on both minerals still in the ground and minerals that may be reprocessed from legacy mine waste, and will also provide important data for abandoned mine remediation and for understanding other natural resources. GSA appreciates investments made it in the bipartisan Infrastructure Bill that will accelerate the expansion of the program by providing an additional $64 million annually for 5 years.

WATER RESOURCES

Improved understanding of the quantity, quality, distribution, and use of water resources through monitoring, assessment, research, and delivery of actionable information by the USGS and associated partners is necessary to ensure adequate and safe water resources for the health and welfare of society. For example, the USGS national network of stream gages provides key data for the weekly U.S. Drought Monitor Maps and classifications. Improved representation of geological, biological, and ecological systems-including underlying physical and chemical processes and their interactions-is needed. In addition to maintaining current monitoring capabilities, new hydrologic data are required to improve the reliability and reduce the uncertainty of scientific analyses that support water resources management and policy decisions.

CLIMATE CHANGE

USGS research on climate impacts is used by local policymakers and resource managers to make sound decisions based on the best possible science. In addition to fundamental, long-term climate change research, the USGS provides scientific information necessary to anticipate, monitor, and adapt to the effects of climate change at regional and local levels, allowing communities to make smart, cost-effective decisions. Much of this work operates through the network of nine regional Climate Adaptation Centers (CASC). For example, the Alaska CASC has conducted research on the relationship between wildfire and other ecological disturbances, such as drought, which will help resource managers plan for and adapt to the evolving threat that fire poses to humans, infrastructure, and ecosystems. Across the country, the Southeast CASC is using artificial intelligence to predict flood damage changes in response to rising sea levels, and the Northeast CASC recently conducted a study showing that small channels developed to facilitate drainage in salt marshes may help mitigate sea level rise and restore vegetation.

CORE SCIENCE SYSTEMS, FACILITIES, AND SCIENCE SUPPORT

Activities from hazard monitoring to mineral forecasts are supported by Core Science Systems, Facilities, and Science Support. These programs and services, such as geologic mapping, data preservation, and satellite observation, provide critical information, data, and infrastructure that underpin the research of the USGS. Stag-

nant funding has created backlogs in the hiring of new scientists; increased investment is needed to fill these critical roles. These investments will also allow for the recruitment and training of a diverse STEM pipeline, paving the way for increased diversity, equity, inclusion, and accessibility within the field of Earth sciences.

GSA appreciates recent investments in Facilities, including the creation of the Energy and Mineral Research Facility, and encourages continued investment to address deferred maintenance issues. GSA also recommends long-term funding and support for the USGS library, which is used by both Federal scientists and external researchers. The Library houses more than 1.5 million volumes and more than three million maps, photographs and field records, with much of the information unique to the USGS.

The Landsat satellites have amassed the largest archive of remotely sensed land data in the world, a tremendously important resource for natural resource exploration, land use planning, and assessing water resources, the impacts of natural disasters, and global agriculture production. On September 27, 2021, the NASA/USGS Landsat program launched its ninth satellite in its 50 year program that will operate in tandem with Landsat 8 and replace Landsat 7. GSA supports interagency efforts for future support of Landsat.

Thank you for the opportunity to provide testimony about the U.S. Geological Survey. For additional information or to learn more about the Geological Society of America—including GSA Position Statements on climate change, water resources, mineral and energy resources, natural hazards, and public investment in Earth science research—please visit www.geosociety.org or contact GSA's Director for Geoscience Policy Kasey White at kwhite@geosociety.org.

[This statement was submitted by Kasey White, Director for Geoscience Policy, Geological Society of America.]

PREPARED STATEMENT OF THE GREAT LAKES RESTORATION INITIATIVE

I am Howard Learner, the Executive Director of the Environmental Law & Policy Center (ELPC), which is the Midwest's leading environmental legal advocacy and sustainability innovation organization. ELPC's staff has been engaged in robust and diverse ways to protect the Great Lakes. Since 2008, we have participated with policymakers and colleagues to build, effectively implement, and expand the successful Great Lakes Restoration Initiative (GLRI).

Thank you Chair Merkley, Ranking Member Murkowski and all members of the subcommittee for the opportunity to submit testimony in support of full funding of at least $400 million for the Great Lakes Restoration Initiative for fiscal Year 2023 as provided in the Great Lakes Restoration Initiative Act of 2019. GLRI funds have been effectively deployed to protect safe clean drinking water supplies, clean up toxic sites, protect wetlands and shorelines, hold off invasive species from entering the Great Lakes, and safeguard aquatic resources. Restoring the Great Lakes' vital natural resources creates very high leveraged value gained for environmental, public health and recreation benefits, and for overall economic growth. GLRI is a program that has worked very well and has demonstrated successes.

The Great Lakes are a global gem. They contain 21 percent of the planet's fresh water supply, and 42 million people rely on the Great Lakes for safe drinking water supplies. They provide a rich aquatic habitat for many species. They support a $7 billion annual fishing industry, and Great Lakes recreation draws millions of tourists who boost the economies of shoreline communities. In short, the Great Lakes are where tens of millions of people live, work and play.

ELPC strongly supported reauthorization of the GLRI and the ramp up of funding to $475 million in 2026, matching the funding that this successful program received in its initial year. We request that the Committee fully fund the GLRI program with at least the authorized $400 million for fiscal Year 2023 and, hopefully, a higher amount will be considered.

I'll make two points in support of full funding for the GLRI:

First, the Great Lakes Restoration Initiative is vitally important and successful. This is a model Federal program providing great benefits, and it is working well.

Second, the challenges to the Great Lakes from increases in harmful algal blooms and climate change merit full funding of at least the authorized $400 million for fiscal Year 2023 and, hopefully, a higher amount will be considered.

1. The Great Lakes Restoration Initiative is vitally important and successful. This is a model Federal program providing great benefits, and it is working well.

The Great Lakes Restoration Initiative has been a breakthrough program, injecting critical funding and structure that had been missing in order to restore the Lakes. Over the past 13 years, the GLRI has achieved strong results with sustained funding. As the third GLRI Action Plan States: "the GLRI has been a catalyst for unprecedented Federal agency coordination, which has in turn produced unprecedented results." The program supports shoreline and wetlands protection projects, keeping out invasive species, and reducing harmful algae blooms. Congress' recognition of the effectiveness of the Great Lakes Restoration Initiative is reflected in the bipartisan support of fully funding the program with increasing funding.

The GLRI funds and supports thousands of projects across the Great Lakes States to:

—Improve water quality for safe drinking water supplies, fisheries and aquatic habitats.

—Protect shorelines and restore wetlands.

—Protect and restore native habitats and species.

—Help prevent and control invasive species.

—Clean up toxic sediments on lake bottoms.

—Reduce agricultural and other nutrient runoff that causes harmful algal blooms.

The Great Lakes Restoration Initiative effectively creates a system of coordination among Federal agencies, State entities and local partners to achieve outcomes. Since its inception, the program has achieved strong results with sustained funding.

There are countless examples of GLRI projects that deliver multiple benefits to the Great Lakes from watershed and natural area restoration projects to addressing and ultimately delisting of Areas of Concern. The Healing Our Waters Coalition provides numerous examples of projects across the region, including among many others:

—Restoration of West Creek in Independence, Ohio, including restoration of the Creek's floodplain, wetlands and stream bank, that is helping to improve water quality in the Cuyahoga River and Lake Erie.

—Stabilization of the Flute Reed Riverbank in Northern Minnesota that keeps nutrients out of Lake Superior, improves flood plains and creates habitat for fish.

—Improvement of the Burnham Wildlife Corridor in Chicago, which restored natural areas with native species and wildlife habitats, and reduced runoff into Lake Michigan by filtering water before it enters the Lake.

GLRI projects bring together a broad array of partners to work together to achieve the program's goals and create jobs. The third GLRI Action Plan details work to address Areas of Concern, including those that are now delisted: Presque Isle Bay in Pennsylvania, and Deer Lake and White Lake in Michigan. Significant work remains to be done, however, to fully address the 25 Areas of Concern across the Great Lakes basin. We greatly appreciate that the Infrastructure Investment and Jobs Act added $1 billion for the GLRI. In February, President Biden announced in Lorain, Ohio that this additional funding will accelerate clean up and restoration of these toxic Areas of Concern.

GLRI has broad regional economic benefits. A University of Michigan study showed that every Federal dollar spent on GLRI projects between 2010 and 2016 will produce $3.35 in additional economic activity in the Great Lakes region through 2036.

2. The challenges to the Great Lakes from increases in harmful algal blooms and climate change merit full funding of at least the authorized $400 million for fiscal Year 2023 and, hopefully, a higher amount will be considered.

While recognizing the GLRI's successes, the growing threats from climate change and recurring severe algal outbreaks are getting worse.

ELPC commissioned 18 leading Midwest and Canadian scientists to write the state-of-the-science report *An Assessment of the Impacts of Climate Change on the Great Lakes*, which we released in 2019 along with recommended policy solutions. The scientists concluded that climate change is causing significant and far-reaching impacts on the Great Lakes region, including increasingly extreme water level fluctuations—mostly higher, and occasionally lower—which wreak havoc on communities, homes, beaches, businesses and the overall shoreline's built environment. Annual precipitation in the region has increased at a higher percentage than the rest of the country, and more precipitation is coming in unusually large events such as derechos and intense storms. Lake Michigan had record-high water levels in 2021;

especially when whipped by strong winds and large waves, this led to extensive flooding that damaged the shoreline and infrastructure. According to the National Oceanic and Atmospheric Administration (NOAA), 2021 was the 6th hottest year on record and part of a nine-year period of record-breaking temperatures as climate change continues to impact the Great Lakes and region.

ELPC is now preparing a report examining the impacts of rising lake levels and extreme weather events creating flood risks at several industrial facilities and contaminated sites along the Lake Michigan shoreline in Illinois, Indiana, Michigan and Wisconsin. Using NOAA's Digital Elevation Model data, this upcoming report visualizes the extent and severity of inundation at the sites and surrounding areas due to extreme weather events of the scale expected in the near future.

Climate change impacts on the Great Lakes exacerbate the growing problem of agricultural runoff pollution—mostly fertilizers and manure—that is the principal cause of severe recurring toxic algae outbreaks in western Lake Erie and other Great Lakes shallow water bays. The Ohio EPA concluded that agricultural runoff pollution accounts for 90 percent of the phosphorus flowing into western Lake Erie.

The Maumee River Basin, which flows into western Lake Erie, is among the priority watersheds included in the third GLRI Action Plan. Using satellite imagery to count and measure Concentrated Animal Feeding Operations (CAFOs) and to estimate the number of animals and amount of manure those facilities produce, ELPC concluded that, in 2018 alone, CAFOs produced over 3.5 million tons of manure.

The current GLRI Action Plan provides a detailed look at strategies to reduce this harmful agricultural runoff pollution, noting the GLRI projects have kept more than one million pounds of phosphorous out of the lakes. The nutrient pollution threats from CAFOs to the Great Lakes region continue, and are amplified with changing rainfall patterns. GLRI funds could be used to support wetlands restoration to more effectively capture phosphorous, and water testing and monitoring to identify effective approaches to reducing runoff. On April 7–9, 2021, ELPC hosted our 6th Science-Policy Confluence Conference bringing together scientific experts and policy makers to focus on the growing threat of CAFOs to the Great Lakes region. A more robust GLRI will continue to be an important source of solutions to address this pressing problem.

In conclusion, the Environmental Law & Policy Center commends the Senate Appropriations Committee and this subcommittee's support for the Great Lakes Restoration Initiative with each year's budget. GLRI is a successful program and a model for federal, State and local cooperation. We urge that the program be fully funded with at least the authorized $400 million for fiscal Year 2023 and, hopefully, a higher amount will be considered.

[This statement was submitted by Howard Learner, Executive Director, Environmental Law & Policy Center.]

PREPARED STATEMENT OF HEALTHY SCHOOLS NETWORK

We urge you to allocate $110 million to the US Environmental Protection Agency's (EPA) fiscal Year 23 budget, including $100 million for the Office of Air and Radiation/Indoor Environments Division to fulfill the Clean Air in Buildings Challenge outlined by the White House in March 2022, to help school buildings become healthier and to advance school pandemic and climate-resiliency; and, $10 million for EPA's Office of Children's Health Protection to increase environmental public health services for children in K–12 schools and child care facilities as well as research.

Schools must be able to stay open and reopen quickly and safely. Education is a social determinant of health, for children's long-term health, development, and safety, and for the economy to stay open. Yet, with over 8 billion square feet of learning space nationwide, valued at over $3 trillion, schools are neither resilient to weather extremes, nor are they even fully pandemic-ready.

—Children are not just little adults: they are uniquely vulnerable to environmental health hazards (EPA, CDC, NIEHS); and,

—Schools are not little offices: they are used more hours/day and days per week than offices and more densely occupied than nursing homes and 95 percent of the occupants are women and children (NCES).

Today, some 40 percent of school age children have existing chronic health issues (CDC). But despite facilities' clear impacts on the economy and on children, numerous studies have documented that school buildings are in poor condition and those conditions such as polluted Indoor Air Quality (IAQ), molds, dust and debris, high

heat, poor siting, proximity to hazards, and poor lighting and sanitation, can permanently damage children's "health, thinking, and learning" (Harvard SPH 2017; NRC 2006). Schools that institute good environmental control measures can decrease population exposures to allergens and irritants which can then lead to decreased allergy and asthma symptoms.

There are no two States alike in addressing school buildings and grounds. But what is common is that local schools rely on local dollars, thus, the poorest communities with the highest proportions of at-risk children (poverty, COVID, extreme weather) have the schools in the poorest conditions and facility staff with the fewest professional credentials and resources, and no access to outside consultants. Rural-remote schools also have big challenges in finding and affording outside consultants.

EPA's proven guidance on school and child care facilities and two decades of work with the K–12 communities are key assets to expand on. Years of published research has shown that indoor environmental exposure to pollutants can be more intense than outdoor exposures and that school facilities have been neglected for decades. Poor indoor environment result in decreased seat time, attendance, and test scores, and increase asthma and other health events, and thus increase health costs. There is clearly a significant need to educate, train, and encourage schools and childcare facilities on child-safe and effective preventive management of facilities. EPA has the existing authorizations and programs to conduct this work.

$110 Million in fiscal Year 23 for EPA's long leadership on IAQ and related work on indoor environments is authorized under several statutes cited below. We urge that over half of the $110 million for US EPA be allocated to national cooperative agreements and regional grants to States, Tribes, cities, universities, NGOs, to provide outreach, training, and technical assistance to assist school communities improve, monitor, and benchmark improvements to indoor environments in schools and child care facilities, consistent with the President's Clean Air in Buildings Challenge to combat the airborne pandemic. Some funds should also be used by EPA/OAR directly to establish a national Clean Air in School Buildings public information campaign.

Authorizations. The primary statutory authorities EPA relies on for the indoor air program are: the Superfund Amendments and Reauthorization Act (SARA) Title IV—Radon Gas and Indoor Air Quality Research Act; the Toxic Substances Control Act (TSCA) Title III—Indoor Radon Abatement Act of 1988, and TSCA Title V, Healthy High Performance Schools Act; the Clean Air Act (CAA), § 103(a, b, c); and additional statutes related to indoor air such as CERCLA and FIFRA.

Recommended funding for EPA in fiscal Year 23:

EPA/OAR/Indoor Environments Division ($100M) to include:

—$65M to deliver Clean Air Programs on the ground: grants to States/Tribes, cites, universities, and NGOs, via national cooperative agreements and regional grants to advance education, and training to schools/child cares, personnel, parents, and communities; technical assistance and monitoring/measuring of IAQ elements; annual conference for grantees and other key stakeholders.

—$5M for an EPA-led National Public Information Campaign to activate the White House Clean Air Challenge, focused on clean air in schools/childcare, congregate settings, and other buildings: consultants for planning, materials, video, paid/un paid placements.

—$1M to host a Federal Advisory Committee to help EPA address the complex state, Tribal and local issues of school Indoor Air Quality (IAQ), and including ED, CDC, Energy, FEMA.

—$3M for EPA Regional offices' stakeholder meetings and conferences.

—$1M to update EPA Indoor Air Quality Tools for Schools (IAQTfS) voluntary program including guidance on pandemic/epidemic readiness and climate resiliency and mitigation, benchmarks for the Clean Air Challenge and the detailed guidance on Clean Air Master Plans.

—$10M Research: Climate and Indoor Environments: how warming climate is impacting indoor environments and human health, including two pull out sections: 1- on impacts on children, and 2- impacts on indoor learning environments, and recommendations on steps to protect health and learning; Legacy Toxics in Schools: research to assess scope and measures of risks and exposures in schools to legacy toxics such as lead, radon, asbestos, mercury, PCBs and pesticides/disinfectants, as well as stores of instructional laboratory, maintenance, and garage supplies, and recommendations on reducing risks; School Design and Construction: science-based recommendations for school

and child care facility design elements, construction, and operations, with goals to promote student health, thinking, and learning, ease of maintenance, pandemic readiness, and, climate resiliency and mitigation.

—$15M Federal EPA/CDC/ED Guidance to Assist States/Tribes/Cities/Districts: create and disseminate: Model Infection Prevention and Control Policies for schools to adopt, in cooperation with State and local health agencies, driving clean air, clean water, and clean school buildings; model State/Tribal tracking system on school facility environmental conditions; model State/Tribal/City tracking and reporting on children's environmental and physical health and safety in schools and child care

—$10M US EPA/OCHP: Office of Children's Health Protection to restore investment in Centers of Excellence in Children's Environmental Health (co-funded with NIEHS), research on children's risks and exposures in school and child care facilities, co-chair Task Force on children's environmental health (EO 13045), expand pediatric environmental health services.

Thank you for your consideration. We recognize that there are many priorities facing your subcommittee, but none as crucial as enhancing the health, ability to learn, and safety of the Nation's children. We hope that you will fully support these small but nationally impactful programs that will result in healthier children and far better educational outcomes.

National Organizations:

21st Century Schools Fund
Allergy & Asthma Network
American Academy of Allergy, Asthma & Immunology
American Federation of Teachers
American School Health Association
APHA Occupational Health Section
Asian Pacific Islander Women's Forum
Asthma and Allergy Foundation of America
BlueGreen Alliance
Center for Environmental Health
Children's Environmental Health Network
Coalition for Environmentally Safe Communities
Collaborative for High Performance Schools
Earth Day.org
Environmental Working Group
First Focus Campaign for Children
Green & Healthy Homes Initiative, Inc
Health Promotion Consultants
Healthy Schools Network
IPM Institute of North America
MGH Innovative One Health Solutions
National Association of School Nurses
National Association of State Boards of Education
National Center for Healthy Housing
National Coalition for Healthier Schools
National Environmental Health Association
National Healthy Schools Caucus
Pesticide Action Network
Quality First EHS, Inc.
Rachel Carson Council
Responsible Purchasing Network
Society of State Leaders of Health and Physical Education
Until Justice Data Partners
Women's Voices for the Earth
State Organizations:
Air Balancing Service Co, CT
Alaska Community Action on Toxics, AK
American Nurses Association- New York (ANA–NY), NY
Center for Professional Academic Consulting, DC
ConnectiCOSH, CT
Connecticut Advanced Practice Registered Nurse Society, CT
Connecticut AFL–CIO, CT
Connecticut Education Association, CT
Connecticut Nurses Association, CT
ConnFESS, CT

Cypress-Fairbanks ISD, TX
Dr. Yolanda Whyte Pediatrics, GA
Florida Clinicians for Climate Action, FL
HARAMBEE House Inc., GA
Healthy Schools Now- NJ WEC, NJ
Informed Green Solutions Inc., VT
LEW Environmental Services LLC, NJ
Maryland Children's Environmental Health Coalition (MD CEHC), MD
Massachusetts Coalition for Occupational Safety and Health, MA
New Jersey Association of Designated Persons, NJ
NJ Work Environment Council, NJ
New York State Parent Teacher Association (NYS PTA), NY
Quattrocchi Kwok Architects, CA
Regional Asthma Management and Prevention, CA
San Francisco Bay Physicians for Social Responsibility, CA
Selah Natural Medicine Portland, OR and Kalispell Mt., OR and MT
South Texas Asthma Coalition, TX
Take Care of Your Classroom Air, TX
Women for a Healthy Environment, PA

[This statement was submitted by Claire L. Barnett, MBA, Executive Director, Healthy Schools Network.]

PREPARED STATEMENT OF INTERNATIONAL FUND FOR ANIMAL WELFARE

Chairman Merkley, Ranking Member Murkowski, and Members of the subcommittee: Thank you for the opportunity to offer testimony on the FY23 Interior, Environment and Related Agencies Appropriations Act. The International Fund for Animal Welfare (IFAW) has 15 offices globally and works in more than 40 countries around the world. IFAW takes a holistic approach to innovating solutions for tough conservation challenges like conflicts between humans and wildlife, and illegal wildlife trafficking. Recognizing the unbreakable link between animals and human wellbeing, we support and empower communities to coexist with and value native wildlife and help those communities develop tools to protect their wild heritage. IFAW is grateful for this subcommittee's championship of strong conservation funding for the current fiscal year (FY22), and requests your continued support for these programs in FY23. Unfortunately, the final funding levels for the current fiscal year are insufficient to meet the increasingly critical need to conserve the imperiled natural systems on which we depend for humanity's very survival: the species and ecosystems that provide us with the air we breathe, drinkable water, and productive soil. We are therefore asking for significant increases to key programs within your jurisdiction. Specifically, we request $20 million for BOEM's office of environmental programs; $30 million for the Multinational Species Conservation Funds; $30 million for the U.S. Fish and Wildlife Service (FWS) Office of International Affairs; $152.5 million for the FWS Office of Law Enforcement; and $694.8 million for Endangered Species Act (ESA) implementation across five programs. IFAW also requests the subcommittee deny support for any projects that seek to circumvent the ESA or National Environmental Policy Act (NEPA), and exclude any riders aimed at undermining the ESA.

The year 2021 was marked, as was the year before it, by ever-more disturbing news about the state of our natural world. It was the sixth hottest year on record, slightly behind 2020, which was the second hottest year in Earth's history.[1,2] Changing climate conditions spurred storms and other natural disasters of increased frequency and severity: hurricanes, cyclones, flash floods, and wildfires wreaked havoc in communities around the world with deadly—and costly—results.[3] Trafficking in wildlife and wildlife parts remained the fourth most lucrative criminal enterprise worldwide with an estimated annual revenue of $20 billion-add in illegal logging and fishing, and that number skyrockets to $1 trillion or more.[4] And we all continued to suffer as the effects of COVID–19, the deadly zoonotic pandemic caused

[1] https://www.noaa.gov/news/2020-was-earth-s-2nd-hottest-year-just-behind-2016
[2] https://www.noaa.gov/news/2021-was-worlds-6th-warmest-year-on-record
[3] https://www.climate.gov/news-features/blogs/beyond-data/2021-us-billion-dollar-weather-and-climate-disasters-historical
[4] http://pubdocs.worldbank.org/en/482771571323560234/WBGReport1017Digital.pdf

by human interference with wildlife, forced the second year of world-wide lockdowns, and a mounting toll of illness and deaths around the globe.[5]

The environmental, biodiversity, and pandemic crises we continue to face are not the product of bad luck; they are the direct results of human activities. On June 10, 2021, a report on Biodiversity and Climate Change was released on a workshop co-sponsored by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and the Intergovernmental Panel on Climate Change (IPCC)—the first ever collaborative workshop co-sponsored by the two organizations.[6] This peer reviewed report warns that "changes in climate and biodiversity, driven by human activities, have combined and increasingly threaten nature, human lives, livelihoods and well-being around the world. Biodiversity loss and climate change are both driven by human economic activities and mutually reinforce each other. Neither will be successfully resolved unless both are tackled together."[7]

Fortunately, as we have been the architects of our current crises, it is within our power to change our shared trajectory, and this subcommittee has jurisdiction over critical programs that can help to do just that. Given the severity of the challenges we face, IFAW respectfully asks the subcommittee to exert its leadership in order to reverse the alarming and interrelated climate and biodiversity emergencies by making substantial increases in funding for the important conservation programs within your purview. Doing so will help to protect biodiversity, and will in turn have significant protective effects against future wildlife-borne diseases entering the human population, promote healthy ecosystems, fight climate change, improve climate resilience, and safeguard human health and wellbeing.

No NEPA or ESA Waivers: IFAW urges this subcommittee to consider the health of wildlife and the environment in all of its actions. At a minimum, no federally-supported construction projects, including disaster remediation projects, should be exempted from such fundamental laws as the ESA and NEPA. NEPA and ESA analyses protect against substantial social, environmental, and economic harm. These reviews allow construction projects to move forward while ensuring full disclosure of potentially harmful outcomes, informed decision-making, effective design, and risk mitigation. There has been a distressing trend toward exempting projects from NEPA, ESA, or other environmental reviews and we urge the subcommittee to reverse this trend by denying funding for any plan that does not include a commitment to bedrock conservation laws and environmental reviews.

Bureau of Ocean Energy Management: BOEM is responsible for managing the development of U.S. Outer Continental Shelf energy and mineral resources in an environmentally and economically responsible way. In the face of increasing energy demands, development of new energy and existing energy technologies, and snowballing stress on ocean ecosystems caused by a changing climate, human activities, and a biodiversity crisis, that mission is more and more complicated. In order to accomplish its mission, BOEM will need to create a comprehensive ecosystem-based management. Importantly, the plan must take into special consideration the critically endangered right whale (NARW), whose population continues to fall, and now numbers well below 400 individuals. But even before that plan can be developed, there are vital data gaps in our understanding that need to be filled through further study. Those gaps include NARW acoustic behavior as they move from southern calving grounds to northern latitude feeding, as well as environmental occupancy indicators—environmental markers that can be used to predict NARW presence in a given area. By investing in BOEM scientific studies on the acoustic ecology of whales and environmental occupancy indicators, we can protect the NARW population while still ensuring robust development of offshore energy. IFAW therefore requests $20 million for BOEM's office of environmental programs, environmental studies program in FY23.

US FISH AND WILDLIFE SERVICE PRIORITY PROGRAMS

Endangered Species Act: The biodiversity crisis represents an existential threat to humanity. Ecosystems require healthy biodiversity and wildlife in order to remain healthy. As native species decline, ecosystems weaken, and can even collapse, and may no longer have the capacity to provide the services upon which we all rely: among them drinking water, clean air, and productive soil.

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[5] https://www.washingtonpost.com/graphics/2020/world/mapping-spread-new-coronavirus/?itid=sf__coronavirus__sn__mapping-spread-new-coronavirus__2

[6] https://ipbes.net/sites/default/files/2021–06/20210609__workshop__report__embargo__3pm__CEST__10__june__0.pdf

[7] https://ipbes.net/sites/default/files/2021–06/20210606 percent20Media percent20Release percent20EMBARGO percent203pm percent20CEST percent2010 percent20June.pdf

The Endangered Species Act, remains our Nation's most important conservation law, and has been successful in protecting 99 percent of listed species from becoming extinct. While the ESA is extremely popular among Americans regardless of political party, it continues to face attacks through spending riders. IFAW thanks this subcommittee for its efforts to fend off appropriations riders in past bills, and asks that any riders aimed at undermining the ESA-including legacy riders-be excluded from the FY23 Act.

Despite these many successes, the United States must do more to stem the loss of our Nation's biodiversity and halt the global extinction crisis. In October 2021, the U.S. Fish and Wildlife Service announced the removal of 22 animals and one plant from the endangered species list because of extinction. This was the largest set of delistings in the agency's history, ad these 23 species will now join the list of 650 species in the United States that have likely been lost to extinction.

These extinctions are due, at least in part, to the fact that as species face evermounting pressures from climate change, habitat loss, and other factors, funding for the ESA has not kept pace with the need. Furthermore, there remains a backlog of species awaiting consideration for protections under the act, as well as listed species in need of additional resources to promote recovery. IFAW requests $694.8 million across the following five programs to make up for lost ground and put species on the path to recovery:

—Recovery Program: $283.6 million

—Planning and Consultation Programs: $157.4 million

—Cooperative Endangered Species Conservation Fund: $161.7 million

—Listing Program: $77.3 million

—Conservation and Restoration Program: $14.8 million

FWS International Affairs: The FWS International Affairs (IA) program is tasked with coordinating domestic and international efforts to protect and restore wildlife and ecosystems. By overseeing domestic conservation laws and international conservation treaties, including the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the IA program has become a keystone of U.S. leadership on the international stage. Importantly, the IA program supports transboundary regional projects as well as those that focus on target species, promoting habitat conservation and restoration in areas where wildlife is most at risk from habitat loss or wildlife trafficking. For instance, the jaguar—the largest feline native to the Americas—faces growing threats from poaching for the illicit trade in their skins, fangs, and other body parts; increased funding for IA could help to support work in Latin America and the Caribbean to protect these magnificent cats.

The IA program also brings a critical perspective to interagency work around preventing the spread of zoonotic diseases and adapting to climate change by providing expertise on the fundamental importance of wildlife and conservation to those efforts. IFAW requests $30 million for this important program in FY23.

Multinational Species Conservation Fund (MSCF): MSCF funds protect tigers, rhinos, African and Asian elephants, great apes, and marine and freshwater turtles and tortoises, all of which are in constant danger from illegal poaching and wildlife trafficking, habitat destruction, climate change, and other pressures. These programs have helped to sustain wildlife populations by funding groundbreaking projects that combat poaching, reduce human-wildlife conflict and protect the vital habitat of priority species. By promoting community engagement and combatting trafficking, the MSCF programs also promote the rule of law abroad and contribute to our domestic security. These programs are highly efficient, with low administrative costs ensuring that around 95 percent of appropriated funds are distributed through grants. Furthermore, in 2019, the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Public Law 116–9), reauthorized the individual conservation acts that constitute the MSCF through 2023 with strong bipartisan support. The MSCF is authorized at $30 million, but it has never been fully funded. Meanwhile, pressures on these species continue to increase around the globe. IFAW requests that $30 million be appropriated for the MSCF for FY23.

Office of Law Enforcement: The Office of Law Enforcement (OLE) within the FWS is on the front lines of wildlife crime, inspecting wildlife shipments, conducting investigations, and enforcing Federal wildlife laws to protect fish, wildlife, plants, and ecosystems. The OLE combats poaching and wildlife trafficking, breaking up international criminal rings that not only harm wildlife, but may also engage in other illicit activities.

Among other things, the small but mighty force at OLE sends experienced FWS attachés to strategic regions where they combat wildlife trafficking by supporting and advising foreign partners. In early February, the House passed H.R. 4521, the

America COMPETES Act, which included in its base text language authorizing a significant expansion of the attaché program and an additional $150 million annually for that purpose. IFAW requests a significant increase for OLE with the intention that $37.5 million, or one quarter of the newly appropriated funds, should be used to allow FWS to begin the expansion of the attaché program. Of those funds, we request at least $1million be made available to USFWS law enforcement attachés to carry out operations abroad, as these operations are essential to identifying key actors along the illegal trade chain and dismantling criminal networks.

As the world continues to battle a novel coronavirus with origins in wildlife, the OLE's inspection and enforcement responsibilities take on even greater import. This program is critical both to domestic and international conservation efforts and to national health and security. IFAW requests $152.5 million in FY23 for OLE.

CONCLUSION

In closing, thank you for the opportunity to share IFAW's funding priorities to promote conservation in the fiscal year 2023 Interior, Environment and Related Agencies Appropriations Act. Wildlife and their habitats are more than our National heritage; they are essential to human health and welfare, and to domestic and international security. We appreciate the continued leadership of this subcommittee on conservation efforts globally and within the United States. With your support, we can reverse the tide of extinction, protect human health, and promote a better future for generations of wildlife lovers and Americans yet to come.

[This statement was submitted by Kate Wall, Senior Legislative Manager, International Fund for Animal Welfare.]

PREPARED STATEMENT OF THE INTERSTATE MINING COMPACT COMMISSION

Compact Commission (IMCC). My address is 435 Carlisle Drive, Herndon, VA 20190. My phone number is 703 709 8654. My email is tclarke@imcc.isa.us. We request that $69.7 million be provided in the budget of the Office of Surface Mining Reclamation and Enforcement (OSMRE) of the Department of the Interior for State and Tribal regulatory grants under Title V of the Surface Mine Control and Reclamation Act of 1977 (SMCRA) for Fiscal Year 2023.

I appreciate the opportunity to present this statement conveying the views of IMCC's 26 member States on the fiscal Year 2023 budget for OSMRE. The Compact is comprised of 26 States that together produce over 98 percent of the Nation's coal, as well as other important minerals. Among the Compact's purposes are to advance the protection and restoration of land, water and other resources affected by mining through the encouragement of programs in each of the party States that will achieve comparable results in protecting, conserving and improving the usefulness of natural resources.

States are given exclusive regulatory jurisdiction over the environmental impacts of coal mining under Title V of SMCRA. This means that the core regulatory functions under this Federal law are being carried out at the state level by IMCC member States. Primacy States perform all the duties mandated by SMCRA, including inspection and enforcement, ensuring that timely reclamation occurs following mining, designating lands as unsuitable for mining and permitting. In addition to performing the regulatory work Congress required in SMCRA, States pay a significant portion of the cost of meeting this mandate. Half of the cost of regulation on non-federal lands is borne by the States. In the aggregate, the States are paying approximately 46 percent of the total cost of SMCRA regulation (all of the cost of regulation on Federal lands is borne by the Federal Government). In addition to the fact that States bear a large part of the cost of regulation, another feature of state regulation that makes it cost-effective is lower personnel cost. The biggest single category of program expense is payroll and state pay scales are, for the most part, lower than those of the Federal Government. Accordingly, fulfilling the Federal mandate for effective environmental regulation of coal mining impacts comes at a bargain to the Federal Government.

It is no secret that coal production in America has declined. Instead of simplifying the regulatory challenge for States, the effect of this decline has been the opposite. The challenge of effectively regulating the environmental impacts of an industry in decline is much greater than when its markets were robust. Not only do States have the challenge of gaining compliance from mine operators who face declining cash flow, they also have the challenge of navigating their way through complex, high-stakes bankruptcies. Meanwhile, the number of permits that States must inspect has not declined at anywhere close to the falling rate of coal production. Adequate

funding for protection of people and the environment from the adverse impacts of coal mining is more important than ever. Continued appropriation of adequate funding for State regulatory programs is essential if these programs are to achieve the objectives Congress established for them.

Congress has appropriated $68.59 million in Federal funding for State and Tribal SMCRA Title V regulatory programs in six of the last seven fiscal years.[1] This has been done in the face of administration budgets over the last 4 years that would have gutted appropriations for State regulatory programs, cutting them by as much as $25 million per year (proposed budget fiscal Year 2021). Congress has wisely rejected these proposed reductions and continued a much-needed trend of appropriating an amount for State regulatory grants that aligns closely with the States demonstrated needs. The States are grateful for this. Against this amount, consider that the total grant requests for all State and Tribal Title V regulatory programs combined have consistently exceeded $70 million. See, Grants Resources (osmre.gov). For the last five fiscal years, the total of State and Tribal Title V budget requests has ranged from $70 to $76 million. In Fiscal Year 2021, State and Tribal grant requests totaled $72.75 million. These requests represent the amounts the States believe they will need from the Federal Government to operate their regulatory programs for the year.

The amount the States have been able to actually spend for operation of these regulatory programs has averaged $63 million per year. Importantly, the gap between actual expenditures and the States' projected funding needs has been closing. The State's actual expenditures are on an upward trend. A variety of factors have prevented the States from spending all of their budgeted funds. These generally include the time it takes to fill vacancies under state personnel procedures, State-wide hiring and/or spending freezes imposed when States face budgetary issues and state revenue shortages that affect a State's ability to match Federal dollars for program operation. State primacy under the SMCRA regulatory program dates to the early 1980's. As this regulatory program reached maturity in recent years, employees who began their employment when the State programs began have reached retirement age and moved on. When these senior employees have retired, they have often been replaced from within by a less senior employee. Less senior employees have often been replaced by junior employees, who have been replaced by new hires. It is not unusual for a State to go through the hiring process three times to eliminate the vacancy caused by a single retirement. During the time such vacancies persist, the money budgeted for the positions necessarily is not being spent. Because personnel costs are the biggest single cost driver for most State programs, vacancies are among the biggest of the challenges that a State program faces in operating according to budget. As the declining gap between budget needs and actual expenditures may demonstrate, the States are nearly past this wave of retirements and the multiple vacancies that can result from them. Multiple vacancies should pose less of a budgetary challenge in the future, so the States' future needs from the Federal Government should be closer to what they have budgeted.

With many States now in a position to utilize more of their full grant amount, it is imperative that funding be maintained at a level that meets the estimates of program needs the States made in their budget requests. Those requests reflect the ongoing work associated with state program implementation including permit reviews, inspections and enforcement at all inspectable units. Even with reduced coal production, the States' workload has not correspondingly decreased—and in many cases has increased given the tenuous financial condition of some coal companies. Higher levels of vigilance are necessary to ensure contemporaneous reclamation and abatement of violations.

This calls for vigilance by Congress. Inflation and other costs beyond the control of the States cannot be allowed to undermine State efforts to realize needed program improvements and enhancements or, more importantly, to jeopardize their efforts to minimize the potential adverse impacts of coal extraction operations on people and the environment. Our analysis of state program funding needs for fiscal Year 2023 based on recent estimates indicate that a full Federal appropriation of $68.6 million will be required for the existing State and Tribal programs. This represents a good middle ground figure that balances the need to assure that adequate funds will be available to enable the States to perform this vital work with the recognition that factors beyond state control may continue to have some effect on States' ability to spend the entirety of their projected regulatory budgets. In addition, sufficient funds need to be provided for the new state program in Tennessee. It will be seeking a program development grant of $1.1 million in fiscal Year 2023.

[1] Grant funding for the Tribes' regulatory effort also comes from this appropriation. As appropriate in context, references herein to "States" should be read to include the Tribes.

Tennessee will need $1.3 million in fiscal Year 2024, when it is expected to attain primacy.[2] Therefore, we urge appropriation of $69.69 million for State Title V grants.

We acknowledge that over the course of many years, the gap between States' actual program expenditures and the amount of their budget requests for regulatory grants caused a balance of approximately $30 million in unspent funds to accumulate. This was primarily the result of two factors: 1) the fact that appropriations for State regulatory grants are treated as 2-year money, thereby providing flexibility for the use of these moneys and 2) a few tough years where States faced particular challenges in obtaining state share match moneys and/or expending grant funding before the end of the Federal fiscal year. Now, however, this accumulated balance has been all but eliminated. As adopted, the Fiscal Year 2021 funding bill (H.R. 133) rescinded $25 million of this balance. Having a small cushion of available carryover funding provides the certainty and confidence that both OSMRE and the States require in managing funding for these critical programs. Congress should specifically mandate through report language that all carryover funds from past fiscal years can only be used to fund State regulatory program needs. It would also be beneficial to state program implementation if OSMRE was authorized to utilize these carryover funds for state program enhancement activities (without matching requirements) for such critical program topics as electronic permitting, mine mapping, and benchmarking workshops.

Clear indications from Congress that reliable, consistent funding will continue into the future has done much to stimulate support for these programs by State legislatures and budget officers who, in the face of difficult fiscal climates and constraints, have had to deal with the challenge of matching Federal grant dollars with state funds. This is particularly true for those States whose match is partially based on fees from the mining industry, where significant reductions in mining and permitting activity translate to lower revenue, but not necessarily a corresponding reduction in the volume of regulatory work for State agencies. Be aware that any cut in Federal funding generally translates to an additional cut of an equal amount for overall program funding for States, especially those without Federal lands, because, as a general matter, these States can only match the grant funds they receive from the Federal Government.

For all the above reasons, we urge Congress to approve not less than $69.7 million for State and Tribal Title V regulatory grants in fiscal Year 2023, the same amount enacted by Congress in most of the recent fiscal years, plus an additional $1.1 million to cover the grant needs of the State of Tennessee in its efforts to attain primacy. In doing so, Congress will continue its commitment to ensuring the States have the resources they need to continue their work on the forefront of environmental protection and preservation of public health and safety.

In addition to State regulatory grants, the States have a great degree of interest in the appropriations for OSMRE's National Technical Training Program (NTTP) and Technical Information and Professional Service (TIPS). The States rely heavily on the NTTP and TIPS training classes for their new employees and for refresher courses for more seasoned employees. These training programs are especially important as States find themselves at a point where many of their employees are finishing careers and must be replaced with less experienced people. Any adjustments to these two programs should involve the States working through the NTTP/TIPS Steering Committee.

With regard to funding for State Title IV Abandoned Mine Land (AML) program grants, the States and Tribes should receive the mandatory appropriation million (before sequestration) in fiscal Year 2023. We also strongly support clarification of the Infrastructure Investment and Jobs Act (IIJA) to allow States to dedicate a portion of the grant funds they are already slated to receive under the IIJA to interest bearing state accounts to pay for the long-term costs of addressing acid mine drainage, as they have done in the past under the fee-based AML program, as well as appropriation of $115 million for the AML economic revitalization (AMLER) program for economic and community development goals. IMCC also supports a continuation of funding for the watershed cooperative agreements at $1.5 million. Much valuable work has been accomplished through this program, especially given the

[2] While money for the Tennessee program might be an increase in the appropriation for State grants under SMCRA, it should be noted that it is merely a shift in existing SMCRA funding. OSMRE currently bears the entire cost of operating the Tennessee program from funds it receives for operation of Federal regulatory programs. When Tennessee attains primacy, the State will begin to bear half of the cost of the program there, with the other half coming from OSMRE's funds for state program grants. We urge you to consult OSMRE regarding the fiscal impact of Tennessee primacy on OSMRE.

matching funds that come from other sources besides OSMRE's share for these worthwhile projects.

A forward-looking observation that should be made concerns the potential impact of actions to eliminate emissions of greenhouse gasses. A foreseeable collateral impact of greenhouse gas regulation may be reduction or elimination of the revenue from the coal industry many States have been using to pay for their share of the cost of their SMCRA regulatory programs. If this happens, the States are likely to need a significant increase in the Federal Government's share of regulatory program funding to make up the difference. In aftermath of any significant new regulation of greenhouse gas emissions, well-funded State regulatory programs will be essential to the effort to effectively address the environmental impacts of existing mines.

We appreciate the opportunity to submit this statement on OSMRE's budget for fiscal Year 2023. We also endorse the statement of the National Association of Abandoned Mine Land Programs (NAAMLP), which goes into greater detail regarding the implications of OSMRE's funding for the States and Tribes related to the AML program. We would be happy to answer any questions.

[This statement was submitted by Thomas L. Clarke, Executive Director of the Interstate Mining Compact Commission.]

PREPARED STATEMENT OF JAMESTOWN S'KLALLAM TRIBE

On behalf of the Jamestown S'Klallam Tribe, I am pleased to submit this written testimony on our funding priorities and requests for the Fiscal Year 2023 Bureau of Indian Affairs (BIA), and Indian Health Service (IHS) budgets. Ensuring Tribal Nations have the tools and resources for effective and efficient governmental operations is critical to achieving Tribal self-sufficiency and fulfilling the promises in the Indian Self-Determination and Education Assistance Act (ISDEAA). Tribal Nations have developed comprehensive approaches to implementing programs and services at the local level that address our Tribal citizens and community's critical needs and align with our unique cultures, traditions, values, and institutions.

The success we have attained through the implementation of Self-Governance demonstrates that continued Federal support is invaluable to growing sustainable Tribal economies that will enable us to attain our goal of self-sufficiency. We commend Congress and the Biden/Harris Administration for the historic levels of health and economic relief funding that enabled Tribes to stabilize their government operations and begin to re-build their economies following the devastating aftermath of the pandemic that disproportionately impacted American Indians and Alaska Natives (AI/AN). However, as documented in the U.S. Commission on Civil Rights Reports "A Quiet Crisis" (2003) and "Broken Promises" (2018), Tribal programs have been chronically underfunded and, at times, inefficiently structured for decades leaving Tribes unable to address their community's basic needs and leaving our citizens vulnerable to disease and financial devastation.

As we continue to urge Congress to provide robust investments in Tribal programs and services, the structural deficiencies across the Federal system also need to be addressed. Funding silos, restrictions on the use of funds, bureaucratic impediments in the form of outdated and paternalistic regulatory requirements and processes, and the inability to utilize a single funding mechanism, such as, our Self-Governance compacts to combine resources and address critical needs creates programmatic inefficiencies and stifles Tribal Self-Governance and self-sufficiency. Congress has already created a solution to these issues—Tribal Self-Governance. The ISDEAA empowers Tribes to employ holistic techniques, develop innovative solutions, and enter successful partnerships that leverage the Federal dollar and allow us to realize a greater return on the Federal investment.

Congress can further Tribal Self-Governance and support strong Tribal governments, economies, and communities through the following actions: enact the Build Back Better Act, allow funding from all Federal departments and agencies to be allocated through ISDEAA Funding Agreements, empower Tribes with maximum funding flexibility to improve programmatic outcomes, provide direct funding to Tribes rather than funneling funding through States, and require the Executive Branch to submit an annual estimate of the total cost to fully fund Tribal trust and treaty obligations.

Tribal Top Three Priorities and Recommendations for the BIA/BIE and IHS:

1. Advanced Appropriations for Tribal Programs and Services
2. Mandatory Appropriations for Section 105(l) Leases and Contract Support Costs
3. Increase Funding for Tribal Base Budgets

Advance Appropriations for Tribal Programs and Services— Providing appropriations 1 year in advance for the BIA, BIE and IHS will mitigate the adverse financial effects of Federal budgetary uncertainties and allow Tribes to engage in more effective strategic planning, spend funds more efficiently, grow our Tribal economies and businesses and increase the quality of care and well-being of our Tribal citizens and community. Tribal Nations are resilient but the continuous delays and/or lapse in Federal appropriations continues to disrupt the execution of Tribal government operations. The Federal Government has a legal and moral obligation to make sure that funding for trust and treaty obligations is not delayed. Time is of the essence when it comes to the survival of our people, our language, our culture, our homelands and resources and our sovereignty. Advance appropriations is a budgetary solution that does not impact spending caps and allows Tribes to continue to provide critical services.

Reclassify Discretionary Spending for Section 105(l) Leases and Contract Support Costs to Mandatory— The agencies are legally required to compensate Tribes for Section 105(l) lease obligations and contract support costs (CSC) in accordance with the ISDEAA, but these obligations have grown tremendously since their inception. As far back as 2014, Congress acknowledged that obligations of this nature are typically addressed under mandatory appropriations because they have the potential to impact other programs. Separate, indefinite accounts were established to support Section105(l) leases and CSC but have resulted in the unintended reduction of funding for critical Tribal programs. Reclassifying mandatory funding for CSC and 105(l) leases is needed to prevent programmatic decreases. In addition, many Tribes are the only healthcare providers in their rural communities and the only ones who will accept Medicare and Medicaid patients. Tribes generate third party revenue by serving these individuals as authorized under Section 813 of the IHCIA and this money in turn is used to provide healthcare to their own citizens. The IHS, however, has adopted a policy that denies compensation to Tribes for the portion of their healthcare facility that the agency decides serves non-beneficiaries even though Congress authorized such services under Section 813 of the IHCIA. One may venture to ask where Tribes are supposed to provide these individuals healthcare if not in their own facilities and why the IHS is making it harder for Tribes to raise revenue to supplement their underfunded healthcare services? We urge Congress to take legislative action to clarify its intent that space used to provide services within the scope of the ISDEAA to any patient is compensable under 105(l).

Increase Funding for Tribal Base Budgets— Tribal Priority Allocations (TPA) and Recurring Programs are consistently identified as funding priorities by the Tribal Interior Budget Council (TIBC) because they provide core funding that supports critical government programs and services. Flexibility in the use of funds to support local needs is an important aspect of this funding. TPA and Recurring Program funding provides security and certainty for Tribes rather than funding provided through grant dollars. There has been a growing trend among agencies to fund Tribal programs and services with grant dollars rather than providing base and recurring funding. Grant funding is incongruent with the trust and treaty obligations.

Tribal Priorities, National & Regional Requests and Recommendations for the BIA:

1. Trust Natural Resources/Treaty Rights/Habitat Restoration/Climate Resiliency

—$60 million BIA Rights Protection Implementation

—$17.1 million Western Washington Fisheries Management

—$10 million Wildlife & Parks Program TPA

—$35 million BIA Climate Resilience

2. Human Services

—$70 million Social Services

—$100 million Welfare Assistance

—$30 million Indian Child Welfare Act

$60 million—BIA Rights Protection Implementation— Rights Protection implementation is essential to preserve our Tribal treaty rights through resource management activities. The Federal investment in our trust natural resources serves two primary purposes. It allows us to fulfill our environmental stewardship responsibilities through the protection and restoration of the ecosystems and habitats of our Tribal homelands and waters through sustainable conservation policies and practices. These funds also foster Tribal self-sufficiency and support our economy by allowing us to cultivate partnerships with State and local governments and other entities, create jobs for our Tribal citizens and community members, and promote and

advance trade of our marine resources in local, regional, national, and international markets.

$17.1 million—Western Washington Fisheries Management— This critical funding supports Tribal co-management activities of our treaty resources with the state of Washington. This funding is critical to support day to day activities and monitoring of endangered habitat and fish stocks. Increased commercial and recreational activities coupled with the severe consequences of climate change has increased the urgency and costs associated with protecting our treaty resources. The vitality and sustainability of our natural resources is integral to the health and welfare of our Tribal citizens, communities, culture and religious practices and economies.

$15 million Wildlife and Parks— Aquaculture allows us to demonstrate best practices in restoring our waterways, producing more seafood to alleviate food insecurity, combining our Tribal ecological knowledge with advanced technology in marine science to address endangered species concerns, and create economic opportunities while at the same time protecting the environment and preserving our cultural heritage and traditional practices. This funding supports our hatchery operations that harvest salmon, oysters and other fish and shellfish stocks. Our Tribal culture and traditions, ceremonies and subsistence are dependent on the survival of these species.

$35 million BIA Climate Resilience— Climate resilience funding is essential to restore ecological functions, healthy habitats, and protect our resources. Our Tribal Treaty Rights are at risk. Climate change is having a profound impact on Tribal communities, lands, resources and infrastructure and degradation of our natural environment is happening faster than we can restore it in the Northwest.

$200 million Human Services/Social Services/Welfare Assistance/ICWA— Funding for our social service programs is an investment in our most important resources, our elders, our children, and our Tribal families. AI/AN children have a unique legal status as citizens of Tribal governments and the Indian Child Welfare Act (ICWA) provides safeguards to maintain Tribal and family connections and relationships. We lead our citizens down the path of self-sufficiency by developing their leadership skills, educational skills, job skills, and fostering their health and well-being in a culturally appropriate way. The return on this investment is measured by the increased number of Tribal citizens and descendants entering higher education and earning degrees, the composition of our growing workforce with over 80 percent comprised of Tribal citizens, descendants, and other Natives, participation in cultural preservation classes that instill a sense of pride in our people to create marketable products that are sold through the Tribe's retail outlet. Our history remains embedded throughout the community and among the generations through flourishing language, traditional foods, and culture programs.

Tribal Priorities, National and Regional Requests and Recommendations for the IHS:

1. $2.9 billion to Support Current Services
2. $1 billion for Purchased and Referred Care
3. $82 million Behavioral Health Mental and Alcohol and Substance Abuse

$2.9 billion to Support Current Services— The Federal trust obligation requires significant investment in Tribal healthcare systems. To maintain current services, factors such as the inflationary rate, pay costs, contract support costs, population growth and staffing needs for recently constructed facilities all need to be fully funded. When these mandatory factors are not funded, Tribes must supplement programs with their own limited revenue, or chose between limiting services or shutting down services completely.

$1 billion Purchased and Referred Care (PRC)— PRC funds are used to purchase essential health care services, including inpatient and outpatient care, routine emergency ambulatory care, transportation, and medical support services, such as diagnostic imaging, physical therapy, laboratory, nutrition, and pharmacy services. PRC funds are extremely important to the Portland Area Tribes because the Portland Area lacks hospitals and specialty care centers, so Tribes in the Northwest are forced to turn to the private sector to fulfill this need.

$82 million Behavioral Health Mental and Alcohol and Substance Abuse—The Jamestown Healing Clinic will provide a holistic approach to treatment for those who suffer from opioid use disorder through the provision of wrap-around services, to include, primary care, dental services, transportation to and from the clinic, employment, housing, and other associated needs.

[This statement was submitted by W. Ron Allen, Tribal Chairman/CEO, Jamestown S'Klallam Tribe.]

PREPARED STATEMENT OF LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

On behalf of the Lac du Flambeau Band of Lake Superior Chippewa Indians, I am pleased to submit testimony concerning the Tribe's fiscal Year 2023 funding needs in the Indian Health Service (IHS) account. For fiscal Year 2023, the Tribe urges the subcommittee to provide advance appropriations for the IHS; to prioritize funding increases to the Service's Clinical Services programs, including Alcohol and Substance Abuse, Mental Health, and Purchased/Referred Care (P/RC) programs; and to increase appropriations for IHS Facilities construction funds so that we can renovate or expand health facility space. The COVID–19 pandemic drove home to us our need for greater facility space and health professionals. Due to the need to sanitize exam rooms and tables between patient visits, health staff saw fewer patients each day. As a rural Indian Tribe, healthcare staff retention is also one of our biggest challenges. The loss of our health professionals to better paying competitors reduces our ability to provide the continuum of care our Tribal members require to lead healthy lives and for others to overcome addictions and return to their families and jobs as healthy individuals.

As one Tribal health official stated, COVID–19 was the "earthquake" and the Tribe is now dealing with the "Tsunami" that follows. The movement to telework is accelerating and the Tribe must change our manner of doing business if we are to retain the valued health and other essential staff we employ on our rural Reservation.

The Tribe continues to face opioid, alcohol, and other drug misuse among our members. We are also finding that we are competing with larger health care facilities/conglomerates which offer higher salaries and signing/retention bonuses for many of our healthcare service providers. These competitors effectively price the Tribe out of the hiring market for these essential workers. Long drive times from Wausau and Merrill, WI to Lac du Flambeau, coupled with rising gas prices and limited housing on our reservation or off-reservation towns, also restrict our ability to recruit and retain professional healthcare staff. With additional Federal funding, and flexibility as to how we use those funds, we are better positioned to offer more competitive salaries and other work incentives, including flex-time work hours/telecommuting (where possible) for the health care professionals, administrative staff, and other employees we require to staff our programs and meet the health and other needs of our members.

The Tribe greatly appreciates the bipartisan work of the subcommittee on behalf of the Indian nations. The funds the subcommittee appropriated through the fiscal Year 2021 Consolidated Appropriations Act, CARES Act, and ARPA helped sustain the Tribe through the worst of the pandemic. These funds gave us the resources to actively combat and mitigate the spread of the Coronavirus on our Reservation. We were able to help Tribal businesses and families, and ensure that essential governmental services continued. Through our health programs and with Federal and State funding, we were able to provide:

—contact tracing/COVID follow-up;

—vaccinations;

—COVID–19 testing;

—COVID–19 education;

—coordinated response with IHS, State and local neighboring clinics to increase vaccinations among community members;

—two additional negative pressure rooms (bringing total to 3) to see a greater number of patients experiencing COVID-like symptoms (ARPA-funded);

—installation of a specialized fume hood in the laboratory that trapped and exhausts gases and nanoparticles;

—point-of-care PCR testing units that produced COVID tests in one hour;

—guidance to Incident Command Team/Community/and the Tribal Council.

We were also able to coordinate with Wisconsin State authorities and initially obtained COVID–19 testing with the State National Guard. Subsequently, we began testing using our own staff and utilized support services from the State such as the State Laboratory of Hygiene.

INDIAN HEALTH SERVICE PROGRAMS

The Tribe greatly appreciates the subcommittee's bipartisan commitment to increase funding for the Service. The Tribe provides comprehensive health services through the Peter Christensen Health Center, Dental Program, the Family Resource

Center, and our in-patient Treatment Center (Gookomis Endaad). The health programs we provide are vital to ensuring the support and preservation of family life and wellbeing by providing such services as outpatient mental health, inpatient & outpatient alcohol and other drug abuse, and psychological consults. The Health Center provides quality health care and offers a full range of family medical services by Board Certified family physicians, advanced practice nurse practitioner and physician-assistants serving more than 5,500 patients.

I would like to illustrate our program challenges by discussing the Tribe's alcohol and drug treatment program, Gookomis Endaad, "Your Grandmother's House." This 18-bed in-patient treatment program was impacted by COVID–19 as well as by our challenges to staff full-time health counselors. The facility offers in-patient and outpatient behavioral health treatment for Alcohol and/or Drugs (AODA) with co-occurring disorders. It is a Commission on Accreditation of Rehabilitation Facilities (CARF) accredited drug treatment facility licensed by the State of Wisconsin. Treatment programs are 90-days with a 90-day extension or more, if required.

Staff at Gookomis Endaad include a Mental Health and AODA Counselor, Psychiatric Nurse Practitioner, Licensed Nurse, Clinical Social Worker, and a Cultural Liaison. Recovery Coaches also assist clients daily as they move through the program schedule and chaperone outside activities. Moral Reconation Therapy (MRT), a cognitive behavioral treatment and behavioral modification model, is taught and used in every aspect of the program. Clients move through not only MRT levels but through a second level system that allows clients to earn increased privileges as they practice and demonstrate positive behavior and attitudes in individual and group therapies and activities of daily living. The Tribe funds the Gookomis Endaad with Service funds from the Alcohol and Substance Abuse and Mental Health programs within the Service's Clinical Services account, Substance Abuse and Mental Health Services Administration (SAMHSA) awards, and Tribal discretionary program funds.

COVID–19 and the loss of our Alcohol and Other Drug Abuse (AODA) counselors shuttered our program for over a year. The Program temporarily shut down in spring 2020 along with the rest of the Tribe to mitigate the spread of infection. When reopened, we resumed services under strict COVID protocols in compliance with CDC recommendations and the recommendations from our Medical Director. When the facility reopened in July 2020, we operated at one-half capacity (with only male clients) so that the female wing was available for COVID quarantine which we could not accommodate at our other health facilities. We had a contracted mental health counselor and a full- time AODA counselor.

We suffered another blow to our program when our founding AODA counselor passed away in late November 2020. This individual established our treatment model at Gookomis Endaad. Following his death, we utilized available counselors to keep Gookomis Endaad open, but with the loss of additional counselors working long hours with increased caseloads, we suspended services at Gookomis Endaad in May 2021. The program has been closed for over a year. We have five Tribal members in off-reservation drug or alcohol treatment facility programs in Wisconsin and Michigan that average 30–45 day stays at a cost to the Tribe $45,000/month. Every week, we receive calls from Tribal members whose loved ones require long-term alcohol and/or drug treatment rehabilitation counseling and services. Yesterday, a worried mother tearfully asked that I find space for a loved one struggling with addiction. When we can reopen Gookomis Endaad, which we hope to do this spring, we are certain that we will be at full capacity for men and women.

The Tribe greatly prefers to operate our culturally-appropriate drug and alcohol treatment programs. Providing local treatment also ensures that our patients receive the continuum of care they require, including dental, primary care, and diabetes treatment. Off-reservation programs are costly and serve short-term needs, but they are no substitute for the quality of care and support services our members should receive to ensure that all their healthcare needs are addressed. This better ensures their successful treatment and integration back into the Tribal community.

With the rise of telehealth therapy, Gookomis Endaad is forced to compete with many telehealth companies such as Aspirus and Marshfield which were offering the ability to work from home along with large signing bonus that the Tribe cannot compete with. The Tribe lost several AODA applicants due to competing offers. Other communities near us and around the State are also losing clinicians to telehealth. This results in fierce competition for clinicians. With the rising cost of fuel, we worry that health staff commuting from Wausau and Merrill may take jobs closer to their homes rather than travel the 160-mile or 120-mile roundtrip to the Reservation.

Housing shortages also prevent our ability to successfully recruit and retain health and other professionals. There is little housing available on our Reservation

and rental housing in adjoining communities is limited. This serves as a limitation on recruiting health professionals to fill our advertised positions. Young professionals with families prefer to rent rather than purchase homes when taking new positions and moving families and children into new communities. Only after working for a period of time do such professionals consider purchasing a home.

The Tribe also appreciates the subcommittee's careful attention to the issue of 105(l) leases. We strongly support keeping such costs an "indefinite appropriation," but with the goal of making these costs mandatory (along with contract support costs) so that such costs do not continue to stress the limited funding allocation the subcommittee receives.

The pandemic period highlighted critical infrastructure needs for the Tribe:

—Additional Services funding is required to provide expanded telehealth services (mental health, alcohol and other drug abuse and primary care), and to ensure that our facilities can properly bill for those services, as a response to the COVID pandemic. Alternative work arrangements can help the Tribe retain qualified professionals;

—Additional Services funding is also needed to support our Tribe's efforts to be more competitive in the recruitment, hiring, and retention of qualified health professionals across Tribal departments/programs that serve the Tribal population. During the height of the COVID pandemic, work-from-home technology and policies were put into place, and we learned that many of these changes actually increased productivity and services for some departments/programs. Unfortunately, once we began to implement our "in-person" return-to-work policies, we have seen a dramatic down-turn in employee retention. We are seeing an expansion in local employers who have begun to offer modified work (i.e., "flex") schedules, hybrid (blend of in-person, work-from-home) schedules, or full work-from-home schedule. These are post-effects of the COVID pandemic, and our Tribe should be able to utilize increased Federal monies to respond to those hiring challenges;

—Increased Services funding is required to expand the Peter Christensen Health Center's efforts to provide a formalized continuum of care, among each element (Health Center, PC-Dental, Family Resource Center-outpatient mental health and AODA counseling center, and Gookomis Endaad) of health care and wellness. This should also include an expansion of funding solely dedicated to formalized after-care services for community members struggling with addiction and overall health and wellness;

—Increased Services Facilities construction funds (including discretionary and competitive grant opportunities for Tribes) to permit the Tribe to plan, design, and expand our existing facility space, such as for an urgent care wing with separate waiting area to support patients presenting COVID-like symptoms, and funds to renovate or relocate our pharmacy to allow drive-thru services where pharmacists can safely see and interact with far more patients and dispense prescription medications. During the pandemic, Tribal members parked in the pharmacy parking lot and pharmacy technicians delivered prescriptions to them after pharmacists completed verification checks by phone.

We encourage the subcommittee to provide flexibility to Tribes in the fiscal Year 2023 appropriation for IHS so that we can address staffing shortages, staff housing, tele-work, and other incentive measures to keep the dedicated health professionals, administrators and other essential workers who deliver 110 percent every day. When Tribes have the ability to compete successfully for the talented professionals who are motivated to work in rural Tribal communities, we can create a more stable and healthy community. Recognizing infrastructure and staffing limitations in Tribal communities and providing Tribes with the resources that allow us to implement innovative solutions ensures that rural Tribal communities can thrive in the 21st Century and remain vibrant centers of Tribal culture and community.

[This statement was submitted by John Johnson, Sr., President, Lac du Flambeau Band of Lake Superior Chippewa Indians.]

PREPARED STATEMENT OF LEAGUE OF AMERICAN ORCHESTRAS

The League of American Orchestras urges the Senate Interior, Environment, and Related Agencies Appropriations subcommittee to support for fiscal year 2023 a funding level of $203.55 million for the National Endowment for the Arts, as recommended by President Biden. Like many artists and arts organizations throughout

the country, we have been very encouraged to see the agency receive ongoing bipartisan support from the subcommittee and Congress over the last several years. As we collectively enter the next phase of resuming a more interconnected and interactive life, it is essential for the arts to continue receiving strong Federal support that helps communities across the country to celebrate life, mourn those we have lost, process our angst over troubling global conflicts, and so much more. The arts have always provided a productive, creative way to express the full range of what makes us human, and the past few years truly necessitate that children and adults have every opportunity to come together and share in the life-changing and life-affirming experience of engaging with the arts.

The NEA is strongly valued because of the leadership it provides through direct and indirect grantmaking, cross-cutting research, and convenings that bring together arts organizations and practitioners for shared learning. A direct grant awarded by the National Endowment for the Arts is a significant honor and designation that conveys an organization, regardless of its size or geographic location, has passed a rigorous panel review and offers an artistic engagement worthy of limited Federal dollars.

Orchestras undertake countless projects and continually innovate to enhance the experience of live music for people of all ages. Being responsive to community needs is at the heart of every nonprofit organization's mission, and orchestras have been no exception to learning new ways of engaging audiences when traditional ways of gathering were so suddenly disrupted. The arts are a vital part of every community's ecology, and orchestras large and small provide solace, gathering, renewal, and hope for its audiences, who are more than mere listeners but increasingly serve as co-curators of the kind of art they most wish to experience. Grants from the National Endowment for the Arts are an essential form of Federal support, and in some cases a lifeline during very precarious times. Moreover, the Federal support pays dividends in the other forms of support it leverages, and it inspires others who seek to innovate and draw inspiration from colleagues near and far.

The following orchestral examples illustrate the range of activity and community engagement the NEA helps make possible.

The Saint Paul Chamber Orchestra received an NEA Grants for Arts Project award to support its Sandbox composer residency project, a pilot initiative driven by the orchestra's artistic vision committee. The annual residency will place the composer in the center of the orchestra's programs, working directly with musicians through regular rehearsals to try out works in progress, encouraging deeper collaboration and transparency in the artistic development process and grounding new works in the here and now. The community will have opportunities to connect with the composer and orchestra musicians through panel discussions, interviews, open rehearsals, talk-back sessions, social media and blog content, and gatherings. Performances and related activities will take place at the Ordway Concert Hall and in numerous neighborhood venues throughout the Twin Cities, serving many Minneapolis/St. Paul audiences.

The curation of engaging, illuminating programming is at the heart of The Cleveland Orchestra's (TCO) "Outsiders in Opera and Music" program, featuring Giuseppe Verdi's opera "Otello," based on Shakespeare's tragedy centered on a Moorish character who was treated as an outsider. Continuing this theme, TCO will present several education concerts for elementary and middle grade students. For Grades 3–5 students, "Music's Many Voices" will include repertoire by composers of many cultures, races, and genders such as Gioachino Rossini, William Grant Still, Carlos Chavez, Reena Esmail, Huang Ruo, Alejandro Garcia Caturla, and John Williams. For Grades 6–8 students, performances will feature the music of Joseph Bologne, Chevalier de Saint-Georges, a Black composer who was a contemporary of Mozart. In addition, TCO will present an ensemble program, Honoring Black Composers, at Karamu House Theatre and in Reinberger Chamber Hall this May as preludes to non-operatic concerts that continue to explore the 'outsiders' composers festival theme.

Another orchestra exploring a mixture of genres is the Pensacola Symphony Orchestra, which in January of this year presented an open dress rehearsal and a concert performance pairing symphonic music with the works of local poets. "Lyric for Strings," written by Pulitzer Prize-winning Black American composer George Walker to commemorate the loss of his grandmother, a formerly enslaved person, was presented as a companion piece to a poem by Pensacola poet Charles McCaskill, Jr. titled, "If These Bricks Could Breathe." The poem shared the feeling of loss in the Pensacola community following the razing of the home of John Sunday, a member of the Union Army, a community leader, and one of the first Black men to serve in the Florida House of Representatives and also the Pensacola City Council. Northwest Florida Poet Laureate, Jamey Jones helped to curate the concert and was also

a participant in the project with his poem "Nine River Ways," which paired with the flowing melodies of "Old and Lost Rivers" by composer Tobias Picker. Jones' poem contemplates the literal and ethereal ways in which human existence is like flowing water, powerful and serene, poignant and mundane. Both local poets participated alongside current city councilwoman and John Sunday Society President, Teniade Broughton in a panel discussion about the legacy of Sunday and the Black community in Pensacola. Attendees of the forum were given free tickets to the dress rehearsal and the poets joined Pensacola Symphony's Music Director Peter Rubardt for a pre-concert discussion sharing greater context for the project. The symphony was delighted to have descendants of John Sunday join for the performance as guests of Councilwoman Broughton, and area creative writing students were given free tickets to the performance.

Creating new opportunities for young people to experience is a priority many grantees share. With a Challenge America grant, the Boise Phil has been able to greatly expand its reach and service to local educators. This modest but impactful grant allowed the orchestra to increase free access by creating an education resource library for schools across Southern Idaho. This resource simultaneously supported classroom teachers while also safely engaging participants amid the COVID–19 pandemic through a virtual format. Additionally, the Challenge America grant provided valuable funds that gave the orchestra space to rethink and reimagine its approaches to serving the local community. One example of a new approach Boise Phil is undertaking is to pilot a new school program, which involved the development of a 10-week sequential curriculum aligned with national core arts standards. This new programming would not have been possible without the support of the National Endowment for the Arts, and at a time that has been especially critical not only for the arts, but for teachers and students.

With funding from the NEA's American Rescue Plan Act grant, Symphony Tacoma is able to move forward with its commitment to community during unpredictable times. This includes ensuring consistent employment for its staff of six and part-time professional orchestra comprising 84 musicians. The Rescue Plan grant covers a wide range of performances in and around Tacoma-this includes performances at farmers markets, presenting a family series, providing high school orchestra coaching, as well as offering masterclasses with guest artists. Like countless orchestras and arts organizations across the country, Symphony Tacoma's finances were uncertain during the pandemic, but providing music for its community was considered something that must continue-particularly during a time when the power of music has been needed most.

The Reno Chamber Orchestra (RCO) also received an American Rescue Plan grant, which will help offset the costs of additional venue rental and new artistic personnel positions. Expanding its performance offerings to include new venues can greatly alter the live experience an orchestra provides. For example, venues such as Acro Enso, which the RCO utilized during the last year in addition to its traditional concert space, are highly valuable because they allow audiences to be seated closer to the orchestra and thus provide a more creative and immersive concert experience. RCO's grant will support a new associate conductor program under the leadership of its new music director, Kelly Kuo. Maestro Kuo brings a traditional chamber orchestra repertoire vision along with the desire to feature composers that have historically been overlooked-like 19th century French composer Louise Farrenc-as well as composers writing music that addresses our current world. Part of Kuo's artistic vision focuses on the next generation of artistic leaders, specifically conductors. An associate conductor program under Kuo's leadership will recruit conductors who identify as female or BIPOC (black, indigenous, or people of color), which are underrepresented groups in classical music. The RCO will select one conductor per season to work with Maestro Kuo and the orchestra, and the associate conductor will have the opportunity to conduct at least one RCO concert per season.

While many orchestras are expanding the repertoire of the music they share with audiences, the New Haven Symphony Orchestra (NHSO), like Reno, is promoting opportunities for musicians from traditionally underrepresented backgrounds. In addition to receiving an American Rescue Plan grant, which supported wages for musicians and key staff, the NHSO also received Grants for Arts Projects support for its Harmony Fellowship, which provides professional development across musical, administrative, and board levels of the classical music industry for emerging professionals from traditionally underrepresented backgrounds. Fellows are paid members of the orchestra who receive mentoring from leadership and staff. The program supports the development of individual projects to advance their career goals and provides opportunities to engage in community and educational programming. In addition, Harmony Quartets, consisting of Instrumental Fellows and rostered NHSO musicians, present free Conflict Resolution Workshops which teach communication

through a string quartet model, and Song Writing programs in New Haven Public Schools. The importance of this fellowship is evident by one cello fellow who commutes from Indiana to Connecticut. To date, six emerging professionals of color have completed their Fellowships, four are currently working with the NHSO, and three more fellowships will take place during the grant period.

Thank you for this opportunity to share a sampling of ways in which the National Endowment for the Arts supports orchestras' engagement with their communities and the renewal of opportunities for the public to experience live music. These grants have made a tremendous difference, allowing orchestras to continue providing much-needed employment to musicians and staff as they deliver on their missions. We applaud the NEA for its consistent strong leadership in promoting public engagement with high-quality artistry and for the great empathy and understanding it has shown for the urgent needs of arts organizations and artists throughout this pandemic and beyond. It is our hope that Congress will support an annual appropriations for the National Endowment for the Arts of at minimum $201 million for fiscal year 2023 so that communities throughout our Nation can look forward to deeper engagement with and increased access to the arts.

The League of American Orchestras leads, supports, and champions America's orchestras and the vitality of the music they perform. Its diverse membership of more than 1,800 organizations and individuals across North America runs the gamut from world-renowned orchestras to community groups, from summer festivals to student and youth ensembles, from conservatories to libraries, from businesses serving orchestras to individuals who love symphonic music. The national organization dedicated solely to the orchestral experience, the League is a nexus of knowledge and innovation, advocacy, and leadership advancement. Its conferences and events, award-winning Symphony magazine, website, and other publications inform people around the world about orchestral activity and developments. Founded in 1942 and chartered by Congress in 1962, the League links a national network of thousands of instrumentalists, conductors, managers and administrators, board members, volunteers, and business partners.

[This statement was submitted by Simon Woods, President and CEO, League of American Orchestras.]

PREPARED STATEMENT OF LEAGUE OF CONSERVATION VOTERS

On behalf of Chispa, a grassroots organizing program of the League of Conservation Voters (LCV) that engages primarily Latinx communities and communities of color, I am pleased to submit this written testimony on our funding priorities and requests for Fiscal Year 2023 for the Department of Interior (DOI), Environmental Protection Agency (EPA), and related agency budgets. We are extremely thankful for the members' continued support of Federal environmental agencies and programs, and for recognizing the need for increased funding in your initial fiscal Year 2022 budget proposal. We are also very grateful that the subcommittee's fiscal Year 2022 budget proposal did not retain long standing anti-environmental riders. We were disappointed that the final omnibus bill contained these riders, but we thank the subcommittee for its strong efforts to oppose them.

Chispa strongly supports the $44.63 billion topline spending number in the Senate Appropriations subcommittee on Interior, Environment, and Related Agencies' strong fiscal Year 2022 proposal. Robust funding for EPA and DOI ensures these agencies have the capacity to implement the programs that are critical to tackling the climate crisis, protecting public health, and advancing environmental justice in our communities. We urge the subcommittee to push for these funding levels again in fiscal Year 2023. We also urge the subcommittee to include the $287 million from the President's fiscal Year 2022 budget request for environmental justice programs at EPA, which support its abilities to integrate environmental justice principles across its entire mission including clean air, clean water, toxic chemicals, and waste management.

Below are a series of transportation-related programs in your subcommittee's jurisdiction that Chispa urges you to support:

—*Zero-Emission School Buses*

—Chispa's Clean Buses for Healthy Niños program's organizing has found that Latinx communities and other communities of color believe that reducing pollution from school buses should be a top priority. Electrifying school bus fleets is the most practical way to do this, and we urge Congress to fund at least $1.5 billion for the EPA's Clean School Bus Program in fiscal Year 2023, with no less than 40 percent of funding to be used to replace school buses serving

low-income communities of color, with priority given to zero-emission technologies.

—*National Vehicle and Fuel Emissions Laboratory*

—It is critical that cars and trucks are complying with emissions regulations to protect the health of communities across the country. NVFEL does critical testing and spot checks to ensure that all vehicles sold domestically are meeting current clean air standards. As such, we request the following language for fiscal Year 2023:

—"The Committee strongly supports increased funding for the Federal Vehicle and Fuels Standards and Certification line in the Science and Technology Clean air budget. Additional funding should go to vehicle R&D and enforcement, including increasing the spot testing capabilities of the National Vehicle and Fuel Emissions Laboratory."

—*State and Tribal Assistance Grants (STAG), Categorical Grants*

—Communities living near highways and other busy corridors are disproportionately exposed to air pollution from vehicles. STAG program grants (under Clean Air Act Sections 103 and 105) can give members of these communities the tools to monitor and address such air pollution. We request the following language for fiscal Year 2023:

—"The Committee provides $500 million for State and local air quality management grants and at least $33 million for Tribal air quality management grants to allow communities to better monitor and address local air pollution concerns."

—*EPA Compliance Monitoring and Enforcement*

—Air quality monitoring is central to the EPA's mission, and related programs must be adequately funded to protect the air that we breathe. Therefore, we request that EPA's Office of Air Quality Planning and Standards receive at least $132.35 million in funding for fiscal Year 2023. In order to uphold these standards, we request that the EPA's Office of Enforcement and Compliance Assurance be funded at $272.71 million, and an additional $132.35 million be funded for environmental justice enforcement.

—*Diesel Emission Reduction Act (DERA) Program*

—Harmful pollution from diesel trucks can lead to a number of breathing and developmental problems. Low-income communities and communities of color are disproportionately exposed to such pollution, and we urge Congress to fund the DERA program at $150 million in fiscal Year 2023 to reduce these impacts.

[This statement was submitted by Alejandra Ramirez-Zarate, Chispa National Campaigns Manager, League of Conservation Voters.]

PREPARED STATEMENT OF THE LITTLE SHELL TRIBE OF CHIPPEWA INDIANS

Summary of Budget Requests:

I. Bureau of Indian Affairs—Increase funding for "New Tribes"
II. Indian Health Service—Increase funding for Purchased/Referred Care
III. Indian Health Service—Support for Accreditation Emergencies Funding

Greetings Chair Merkley, Ranking Member Murkowski, and Honorable Members of the subcommittee on Interior, Environment, and Related Agencies. My name is Gerald Gray and I am honored to serve as Chairman of the Little Shell Tribe of Chippewa Indians. Thank you for the opportunity to provide written testimony regarding the Tribe's fiscal Year 2023 funding priorities within the subcommittee's jurisdiction.

Little Shell Tribal members became eligible for services provided by the Indian Health Service ("IHS") and the Bureau of Indian Affairs ("BIA") after enactment of the Little Shell Restoration Act in December 2019. Following recognition, these two Federal agencies requested specific funding to support Little Shell—essentially setting base funding for any future inflationary or appropriated increases. Therefore, it is critical to ensure that the initial allocations will meet the needs of the newly recognized tribe.

I. BUREAU OF INDIAN AFFAIRS—"NEW TRIBES" FUNDING

When a Tribe is recognized or restored to Federal recognition, the BIA requests additional funding for the newly recognized tribe—"New Tribes" funding. The amount requested customarily becomes the base funding for the newly recognized tribe-essentially the amount the Tribe will receive every year going forward. "New Tribes" funding was designed to provide newly acknowledged Tribes with funding and assistance in initiating federally funded operations by strengthening Tribal government systems. New Tribes[1] receive assistance under the program for 3 years, then funding for those Tribes is transferred to the Other Aid to Tribal Government program so that they may begin to establish program and funding priorities.

Prior to Fiscal Year 1997, the amount of "New Tribes" funding received by newly recognized Tribes varied greatly. New Tribes would assess their needs, design or propose operational programs to meet their needs, and submit proposed budgets to implement the proposed programs. In Fiscal Year 1996 alone, this led to newly recognized Tribes receiving amounts as small as $127,000 and as large as $1.492 million in "New Tribes" funding. In fiscal Year 1997, the "New Tribes" funding methodology was simplified by providing $160,000 in base funding for new Tribes with less than 1,500 members and $320,000 to Tribes with a population of 1,501 to 3,000 members. The funding level for new Tribes with more than 3,000 members was to be determined on a case- by-case basis.

In fiscal Year 2011, the population component of the methodology was slightly changed moving from 1,500 to 1,700 members for the $160,000 base level funding and 1,701 to 3,000 for the $320,000 funding level. The funding level for Tribes with over 3,000 members would still be determined on a case-by-case basis. This policy appears to have remained in place for the six Virginia Tribes recognized by Congress in January 2018.

The Little Shell Tribe of Chippewa Indians, with a Tribal membership of approximately 6,200 members, qualifies for the "case-by-case" determination under the BIA's longstanding policy. If the funding level for Tribes with 1,701 to 3,000 members is $320,000, that equals to a range of $106.66 to $188.12 per Tribal member. According to this methodology, the Little Shell Tribe's "New Tribes" allocation should be in the range of $661,000 to $1.16 million annually. This range is well above the $480,000 in "New Tribes" funding requested in the President's fiscal Year 2023 Budget Request. Even this allocation would be smaller than the $1.492 million received by a similarly sized new Tribe in 1996—this doesn't even take into account inflation since 1997.

It is critically important to provide the Little Shell Tribe with adequate "New Tribes" funding as it is the Tribe's third and final year in the program. The Bureau of Indian Affairs Budget Justifications and Performance Information for Fiscal Year 2023 notes that "Once a Tribe has been acknowledged as a federally recognized Tribe, its designated funding remains in the New Tribes line item for three fiscal years at which time the funding is then base transferred for the Tribe to the Aid to Tribal Government line item."

Failing to right-size "New Tribes" funding in fiscal Year 2023 to meet the Little Shell Tribe's population needs creates inequity and establishes precedent for future funding allocations. The Little Shell Tribal population is more than double that of the second-tier base, yet the funding request falls short. More importantly, this is the only funding request the BIA made for Little Shell government operations. Other Tribes receive additional Tribal Priority Allocation (TPA) funding to operate programs such as Human Services, Trust Services, and Community and Economic Development. A combination of funding from other TPA funding lines represents the full base, or recurring, budget for Tribes. However, Little Shell will not receive funding for these programs unless there is an increase in the future and only on a proportional basis compared to other historic funding values. Little Shell's government needs are comparable to other Tribes by population and service area, however the BIA's request does not fully evaluate the needs of the Tribe or the agency's responsibility.

The Little Shell Tribe requests that the subcommittee provide, at a minimum, $1.16 million in New Tribes funding for fiscal Year 2023.

II. INDIAN HEALTH SERVICE—PURCHASED/REFERRED CARE FUNDING

Similar to the BIA, IHS also requests funding specific to newly recognized Tribes. In fiscal Year 2021, IHS requested $2.560 million in Purchased/Referred Care fund-

[1] The term "new Tribes" is meant only to reflect Tribes that are in the New Tribes funding line. Tribes cannot be new or created, only acknowledged. They have existed since time immemorial.

ing "to fund direct health care services" for the Little Shell Tribe. IHS received the requested amount in fiscal Year 2021 and in fiscal Year 2022 for Little Shell.

Typically Purchased/Referred Care ("PRC") is used to purchase private care in areas where IHS does not provide services directly or when IHS provided care is not sufficient to meet patient needs. However, in fiscal Year 2021 the Little Shell Tribe asked and the IHS agreed to provide direct service care using the Tribe's PRC allocation, as allowed under the PRC regulations. The Little Shell Tribe acquired, renovated, and equipped a new health clinic for IHS to provide direct care in the four-county service area in late 2021.

The President's fiscal Year 2023 budget requests $1.2 billion for Purchased/Referred Care, which is an increase of $233 million above the fiscal Year 2022 enacted level. The President also requested an increase of $1 million in "New Tribes" funding to support newly federally recognized Tribes. The IHS fiscal Year 2023 Congressional Justification of Estimates for the Appropriations Committees notes that "funding for New Tribes is currently reflected in Purchased/Referred Care." It further notes that "final funding will need to be reflected in the appropriate Program, Project, or Activity (PPA or budget line) when these numbers are identified."

It is critical that Congress provide the $233 million increase requested for Purchased/Referred Care in the President's fiscal Year 2023 Budget Request to meet the needs of American Indian and Alaska Native patients, including Little Shell patients. Little Shell, like other Tribal communities, is still assessing the care needed to treat patients recovering from COVID–19 and long-term complications associated with the virus.

IHS has been a good partner in establishing appropriate direct care services within the service area in collaboration with Little Shell. However, IHS has limited authority to budget appropriated PRC funds to reflect common IHS operating lines, such as Hospital and Health Clinic, Dental Health, Mental Health, etc. This makes it challenging for Congress and Little Shell Tribal leadership to track how and if health priorities of the community are met. More importantly, it does not accurately capture the Service Unit operational status. The Little Shell Tribe also requests that IHS be given the flexibility to create operational budgets within the PRC line item that accurately reflect day-to-day operations of those facilities like to those of the Little Shell Service Unit.

III. INDIAN HEALTH SERVICE—ACCREDITATION EMERGENCIES FUNDING

Finally, Little Shell requests support for the Accreditation Emergencies Funding. While Little Shell Service Unit is in operation, it has not yet gone through the accreditation process. There are no existing concerns for patient safety or operational concerns, however Little Shell acknowledges that accreditation ensures that regular safety protocol and standard operating procedures are observed by all staff. Access to these funds would ensure that the Little Shell Service Unit provides the highest standard of care.

[This statement was submitted by Gerald Gray, Chairman, Little Shell Tribe of Chippewa Indians.]

PREPARED STATEMENT OF METHANE ACTION

In this testimony, Methane Action, a not for profit organization, summarizes its detailed recommendations [1] for removing methane and other major greenhouse gases from the atmosphere and beginning the governance of these methods. These recommendations are from scientists, lawyers, economists and engineers with expertise in the rapidly evolving science and policy of methane removal.[2] The world must rapidly reduce emissions, of potent short-lived climate pollutants (SLCPs)[3] such as methane, which is over 80 times more powerful than CO2 in its impact period of 20 years. Methane is now at twice its preindustrial levels in the atmosphere and rising every year, and a burst of methane could erupt at any time from the melting permafrost and shallow waters off Siberia. Therefore, we must develop and deploy methods of converting or removing methane and other "SLCPs" responsibly and soon.

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[1] Which we have provided to your staff under the title "Catalog of Research Needs".

[2] (See, E.g., scientists' letter of April 2021 at MethaneAction.org).

[3] Mitigating climate disruption in time: A self-consistent approach for avoiding both near-term and long-term global warming. Dreyfus, G. B., Xu, Y., Shindell, D. T., Zaelke, D., & Ramanathan, V. (2022). Proceedings of the National Academy of Sciences, 119(22), e2123536119. https://doi.org/10.1073/pnas.2123536119

This subcommittee has the power to take the lead. We recommend that you include in your FY23 bill the language below to create a Climate Restoration Program and that your Committee Report include descriptions of the removal methods below to guide the EPA, though the agency could adjust the details. To come within your § 302(b) allocation, you could reduce the amounts appropriated for grazing on public lands and for harvesting mature forests on public lands by an amount equal to the budget enhancement for the Climate Restoration Program.

Suggested Bill Language:

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

After adding $34,800,000 to the section total, insert: "Of the funds included under this heading, no less than $34,800,000 shall be allocated for the establishment of a Climate Restoration Program beginning with the research, development and assessment of methods of removing and oxidizing or otherwise destroying methane, including the co-removal of methane and other greenhouse gases by filters, oxidation, photocatalysis and bacterial action from both near sources and the ambient atmosphere as further described in the report accompanying this act."

Suggested Committee Report Language: Several of the following Climate Restoration research programs could cover more than 1 year with contracts or grants committed or obligated in FY23. These examples are illustrative and not meant to be definitive or exhaustive. All are expected to be cost-effective. For comparing the cost of removing methane and other climate-forcing gases, the term "CO2 equivalent" (CO2-eq) refers to removing an amount of the gas that has global warming potential equivalent to an equal amount of CO2.

1. Zeolite surfaces. Zeolites are porous, high surface area alumina-silicate minerals whose ability to adsorb CO2 is known. The methane-oxidizing catalysts copper (Cu)- and iron (Fe)-zeolites have recently been shown to oxidize methane.[4] Scientists have screened almost 100,000 zeolite structures as potential methane sorbents. Relatively low-temperature methane oxidation has already been shown in zeolites such as Cu-ZSM–5 (copper) and Fe-ZSM–5 (iron), with iron zeolites able to oxidize methane at room temperature. Higher temperatures and pressures generally lead to greater conversion efficiencies. Stanford University and Massachusetts Institute of Technology (MIT) are both developing versions. (MIT's research is partially funded to date by DOE/ARPA–E). Cost effectiveness: Target of $50–100 per metric ton of CO2-eq. Funds needed: **$1,000,000**

2. Photocatalytic surfaces (small scale urban solar chimneys). Photocatalysts are metal oxide minerals which, when activated by sunlight or by artificial UV-light, are able to oxidize organic pollutants and greenhouse gases at room temperature.[5] The smaller the size of the nanoparticles, and the larger the surface area and porosity, the faster the oxidation rate. Several are proven to fully oxidize methane, such as modified zinc oxide or titanium dioxide. Trials would be conducted on the ventilation system of an agricultural facility for cattle. Then a prototype would be tested on a landfill. Cost effectiveness: Estimate of $166 per metric ton of CO2-eq by 2030 with a target of $100 by 2040. Funds needed: **$5,500,000**

3. *Photocatalytic large-scale solar chimneys and solar chimney power plants.* Large solar chimneys can be built to cause heated air to updraft, which provides flowing air that can generate electricity through a turbine, comparable to a wind turbine.[6] The structure and coatings on the solar chimney allow flowing air to be cleansed

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[4] Methane removal and atmospheric restoration. Jackson, R. B., Solomon, E. I., Canadell, J. G., Cargnello, M., & Field, C. B. (2019). Nature Sustainability, 2(6), 436–438. https://doi.org/10.1038/s41893–019–0299-x; Atmospheric- and Low-Level Methane Abatement via an Earth-Abundant Catalyst. Rebecca J. Brenneis, Eric P. Johnson, Wenbo Shi, and Desiree L. Plata, 29 December 2021, ACS Environment Au. https://doi.org/10.1021/acsenvironau.1c00034

[5] The comprehensive performance analysis on a novel high-performance air-purification-sterilization type PV-Trombe wall. Yu, B., Li, N., Yan, C., et al. (2022). Renewable Energy, 182, 1201–1218. https://doi.org/10.1016/j.renene.2021.11.029; A new double-skin façade system integrated with TiO2 plates for decomposing BTEX. Building and Environment, 180, 107037. Li, H., Zhong, K., & Zhai, Z. J. (2020). https://doi.org/10.1016/j.buildenv.2020.107037

[6] Removal of non-CO2 greenhouse gases by large-scale atmospheric solar photocatalysis. De Richter, R., Ming, T., Davies, P., Liu, W., & Caillol, S. (2017). Progress in Energy and Combustion Science, 60, 68–96. https://doi.org/10.1016/j.pecs.2017.01.001; Ming, Tingzhen, et al. "Solar chimney power plant integrated with a photocatalytic reactor to remove atmospheric methane: A numerical analysis." Solar Energy 226 (2021): 101–111. https://doi.org/10.1016/j.solener.2021.08.024

of methane and other GHGs via photocatalytic coatings or other methods. Cost effectiveness, as in 2 above. **$3,000,000**

4. *Iron salt aerosols demonstration phase.* Many ships burn low-cost bunker fuels that contain metals including iron that may have the favorable side effect of enhancing the naturally occurring chlorine atom oxidation of methane.[7] The mix of particle-phase iron, sunshine, and sea spray (containing natural chloride) generates chlorine atoms that oxidize methane in the ship's plume. University researchers are prepared to demonstrate this mechanism using a combination of laboratory experiment, reaction system modeling, large scale prototype, and field observations. After appropriate assessment, consultation, permitting and governance, practitioners could potentially harness its power to control methane at scale, in order to substantially reduce global atmospheric methane concentrations. This approach would take advantage of shipping traffic and the large volumes of air that are in contact with diluted ship plumes. Cost-effectiveness: Potentially below $9 per metric ton of CO2-eq. Full environmental impact assessment should be completed. Methane Action has had a template for such assessments prepared by an independent consultant. Funds needed: **$3,500,000**

5. *Chlorine based photochemical removal at point sources.* This method generates methane-oxidizing chlorine atoms using low-cost light sources and recycles the chlorine within a closed reactor. Cost-effectiveness: Modeling based on power requirement results in a price of $9 per ton of CO2-eq. Funding needed: $2 million for a prototype to test at livestock barns and a coal mine vent. Funds needed: **$2,000,000**

(See detailed Catalog of Research Needs sent to subcommittee staff for items 6–10 and 16.)

11. *Surface-based Photocatalytic Enhanced Methane Oxidation (SPEMO).* Given the environmental justice and public health co-benefits of this approach that would reduce ground level ozone pollution as well, the Committee expects the EPA, in cooperation with the Secretaries of Interior and State, and USAID, to contract for research and development of SPEMO to lower methane emissions from coal mines, oil wells and animal farms, and apply photocatalytic coating to buildings, windows, rooftops, and photovoltaic panels, or in a ventilated conduit to reduce methane in the atmosphere as a complement to commercial photocatalytic coatings already being used because of their self-cleaning property and ability to reduce urban pollution such as nitrogen oxides and volatile organic compounds. Funds needed: **$3,000,000**

12. *Capturing methane at Arctic seeps-Field Test.* The U.S. start-up Frost Methane is successfully using recycled parachutes to capture and flare methane from seeps in Arctic lakes. Through collaboration with a large dredging company, develop and test a low-cost structure made of stones and sand that can capture methane seeps in the Arctic Ocean (especially in the shallow parts of the Siberian Sea). A typical project covers a circular field of 200-meter diameter, guiding the methane to an exit point where the gas is captured and flared. Cost-range: Using seep emission of 176 g/m2/day, estimate of cost: $6.7-$25/ton CO2-eq. To furhter test the concept at a reserach facility and create a plan for additional field testing: Funds needed: **$100,000**

13. *Agricultural and silvicultural methane removal while enhancing production and nutrition.* In cooperation with USDA, the Committee expects the EPA to contract for an evaluation of methane and other greenhouse gases sequestration, uptake, oxidation and other long-term removal methods in agricultural and forestry, including, but not limited to, the methods described below: a) Rice-With a goal of cutting methane emissions from rice cultivation in half and enhancing plant growth, contract in fiscal Year 2023 for a test of the methane removal impact of various additives to rice, including iron sulfates, already approved for organic farming to enhance yields, fight plant chlorosis, and improve the nutritional value of rice by enhancing iron levels in conjunction with other changes in rice farming practice such as targeting the flooding of fields more efficiently. The production of rice, a basic staple for nearly half the world population, produces about 8 percent of global methane emissions and 2.5 percent of radiative forcing, and these are expected to double by 2100. b) Livestock-Methods of reducing the emissions of methane from cows, sheep and other livestock range from adding food supplements made of red seaweed (U.S.) to planting native plants that reduce methane generation in sheep that graze

[7] A nature-based negative emissions technology able to remove atmospheric methane and other greenhouse gases. Ming, T., de Richter, R., Oeste, F. D., Tulip, R., & Caillol, S. (2021). Atmospheric Pollution Research, 12(5), 101035. https://doi.org/10.1016/j.apr.2021.02.017; Wittmer, J., & Zetzsch, C. (2017). Photochemical activation of chlorine by iron-oxide aerosol. Journal of Atmospheric Chemistry, 74(2), 187–204. https://doi.org/10.1007/s10874–016–9336–6

on those plants (France). Active methane removal from livestock barns and coalmines is to be tested in Denmark. We expect the EPA to conduct a broad livestock methane reduction and removal research and demonstration program in cooperation with relevant agencies. Funds needed: **$7,000,000**

14. *Methane mitigation via wetlands management.* Wetlands are 31 percent of total methane emissions. In cooperation with USDA and the Army Corps of Engineers, the EPA is expected to contract for an investigation of relative wetland emissions of methane, through field surveys and laboratory experiments, to determine how alternative management practices could reduce greenhouse gas emissions and restore natural ecosystems. **$1,500,000**

15. *Comprehensive assessment of atmospheric methane sources, sinks and solutions.* The Committee expects the EPA, in consultation with the Secretary of State, to report to the Committees of authorizing, appropriations, and oversight jurisdiction by July 1, 2024, (1) an assessment of the size and changes in global emissions and sinks of methane; (2) an analysis of the likely impact of atmospheric methane on climate change and other problems; (3) a review of each major source and sink to determine what options are available to affect their impact; (4) a review of promising, and currently practicable, technologies, programs, policy and regulatory changes to reduce atmospheric methane levels, by emissions reduction or removal, and for each proposed technology or policy change, their readiness, likelihood of success, barriers, cost-effectiveness, and co-benefit analysis; and (5) national and global plans for atmospheric reduction and removal with goals and recommendations, and regulatory and land management options. Funds needed: **$2,000,000**

17. *Establish Governance of GHG removal methods.* The Committee expects the Administrator of the EPA, in cooperation with the Secretary of State and the U.S. Trade Representative, to pursue a Methane Declaration to support the assessment, deployment and governance of methods of restoring the climate by reducing atmospheric methane and other climate forcing agents to historically healthy levels. The Declaration should be implemented in support of, but not necessarily under, the UNFCCC and its protocols and accords, other conservation and trade agreements, and United Nations' offices. Funds needed: **$5,000,000**

[This statement was submitted by John Fitzgerald, Methane Action.]

PREPARED STATEMENT OF METHANE ACTION AND REMINERALIZE THE EARTH

In this testimony, Methane Action and Remineralize the Earth, not for profit organizations, summarize our detailed recommendations [1] for removing methane and other major greenhouse gases from the atmosphere and beginning the governance of these methods. These recommendations are from scientists, lawyers, economists and engineers with expertise in the rapidly evolving science and policy of methane removal.[2] The world must rapidly reduce emissions, of potent short-lived climate pollutants (SLCPs) [3] such as methane, which is over 80 times more powerful than CO2 in its impact period of 20 years. Methane is now at twice its preindustrial levels in the atmosphere and rising every year, and a burst of methane could erupt at any time from the melting permafrost and shallow waters off Siberia. Therefore, we must develop and deploy methods of converting or removing methane and other "SLCPs" responsibly and soon.

This subcommittee has the power to take the lead. We recommend that you include in your FY23 bill the language below to create a Climate Restoration Program and that your Committee Report include descriptions of the removal methods below to guide the EPA, though the agency could adjust the details. To come within your § 302(b) allocation, you could reduce the amounts appropriated for grazing on public lands and for harvesting mature forests on public lands by an amount equal to the budget enhancement for the Climate Restoration Program.

Suggested Bill Language:

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[1] We have provided, e.g., a memo to your staff under the title "Catalog of Research Needs".

[2] (See, E.g., scientists' letter of April 2021 at MethaneAction.org).

[3] Mitigating climate disruption in time: A self-consistent approach for avoiding both near-term and long-term global warming. Dreyfus, G. B., Xu, Y., Shindell, D. T., Zaelke, D., & Ramanathan, V. (2022). Proceedings of the National Academy of Sciences, 119(22), e2123536119. https://doi.org/10.1073/pnas.2123536119

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

After adding $34,800,000 to the section total, insert: "Of the funds included under this heading, no less than $34,800,000 shall be allocated for the establishment of a Climate Restoration Program beginning with the research, development, assessment and deployment of methods for the long term removal, oxidizing or destroying methane and other greenhouse gases both near and far from their sources, including but not limited to, filters, oxidation, photocatalysis, bacterial action, enhanced rock weathering, and regenerative agriculture to improve soil health and carbon drawdown, as further described in the report accompanying this act."

Suggested Committee Report Language: Several of the following Climate Restoration research programs could cover more than 1 year with contracts or grants committed or obligated in FY23. These examples are illustrative and not meant to be definitive or exhaustive. All are expected to be cost-effective. For comparing the cost of removing methane and other climate-forcing gases, the term "CO2 equivalent" (CO2-eq) refers to removing an amount of the gas that has global warming potential equivalent to an equal amount of CO2.

1. Zeolite surfaces. Zeolites are porous, high surface area alumina-silicate minerals whose ability to adsorb CO2 is known. The methane-oxidizing catalysts copper (Cu)- and iron (Fe)-zeolites have recently been shown to oxidize methane.[4] Scientists have screened almost 100,000 zeolite structures as potential methane sorbents. Relatively low-temperature methane oxidation has already been shown in zeolites such as Cu-ZSM–5 (copper) and Fe-ZSM–5 (iron), with iron zeolites able to oxidize methane at room temperature. Higher temperatures and pressures generally lead to greater conversion efficiencies. Stanford University and Massachusetts Institute of Technology (MIT) are both developing versions. (MIT's research is partially funded to date by DOE/ARPA–E). Cost effectiveness: Target of $50–100 per metric ton of CO2-eq. Funds needed: **$1,000,000**

2. Photocatalytic surfaces (small scale urban solar chimneys). Photocatalysts are metal oxide minerals which, when activated by sunlight or by artificial UV-light, are able to oxidize organic pollutants and greenhouse gases at room temperature.[5] The smaller the size of the nanoparticles, and the larger the surface area and porosity, the faster the oxidation rate. Several are proven to fully oxidize methane, such as modified zinc oxide or titanium dioxide. Trials would be conducted on the ventilation system of an agricultural facility for cattle. Then a prototype would be tested on a landfill. Cost effectiveness: Estimate of $166 per metric ton of CO2-eq by 2030 with a target of $100 by 2040. Funds needed: **$5,500,000**

3. Photocatalytic large-scale solar chimneys and solar chimney power plants. Large solar chimneys can be built to cause heated air to updraft, which provides flowing air that can generate electricity through a turbine, comparable to a wind turbine.[6] The structure and coatings on the solar chimney allow flowing air to be cleansed of methane and other GHGs via photocatalytic coatings or other methods. Cost effectiveness, as in 2 above. **$3,000,000**

4. Iron salt aerosols demonstration phase. Many ships burn low-cost bunker fuels that contain metals including iron that may have the favorable side effect of enhancing the naturally occurring chlorine atom oxidation of methane.[7] The mix of par-

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[4] Methane removal and atmospheric restoration. Jackson, R. B., Solomon, E. I., Canadell, J. G., Cargnello, M., & Field, C. B. (2019). Nature Sustainability, 2(6), 436–438. https://doi.org/10.1038/s41893–019–0299-x; Atmospheric- and Low-Level Methane Abatement via an Earth-Abundant Catalyst. Rebecca J. Brenneis, Eric P. Johnson, Wenbo Shi, and Desiree L. Plata, 29 December 2021, ACS Environment Au. https://doi.org/10.1021/acsenvironau.1c00034

[5] The comprehensive performance analysis on a novel high-performance air-purification-sterilization type PV-Trombe wall. Yu, B., Li, N., Yan, C., et al. (2022). Renewable Energy, 182, 1201–1218. https://doi.org/10.1016/j.renene.2021.11.029; A new double-skin façade system integrated with TiO2 plates for decomposing BTEX. Building and Environment, 180, 107037. Li, H., Zhong, K., & Zhai, Z. J. (2020). https://doi.org/10.1016/j.buildenv.2020.107037

[6] Removal of non-CO2 greenhouse gases by large-scale atmospheric solar photocatalysis. De Richter, R., Ming, T., Davies, P., Liu, W., & Caillol, S. (2017). Progress in Energy and Combustion Science, 60, 68–96. https://doi.org/10.1016/j.pecs.2017.01.001; Ming, Tingzhen, et al. "Solar chimney power plant integrated with a photocatalytic reactor to remove atmospheric methane: A numerical analysis." Solar Energy 226 (2021): 101–111. https://doi.org/10.1016/j.solener.2021.08.024

[7] A nature-based negative emissions technology able to remove atmospheric methane and other greenhouse gases. Ming, T., de Richter, R., Oeste, F. D., Tulip, R., & Caillol, S. (2021). Atmospheric Pollution Research, 12(5), 101035. https://doi.org/10.1016/j.apr.2021.02.017; Wittmer, J., & Zetzsch, C. (2017). Photochemical activation of chlorine by iron-oxide aerosol. Journal of Atmospheric Chemistry, 74(2), 187–204. https://doi.org/10.1007/s10874–016–9336–6

ticle-phase iron, sunshine, and sea spray (containing natural chloride) generates chlorine atoms that oxidize methane in the ship's plume. University researchers are prepared to demonstrate this mechanism using a combination of laboratory experiment, reaction system modeling, large scale prototype, and field observations. After appropriate assessment, consultation, permitting and governance, practitioners could potentially harness its power to control methane at scale, in order to substantially reduce global atmospheric methane concentrations. This approach would take advantage of shipping traffic and the large volumes of air that are in contact with diluted ship plumes. Cost-effectiveness: Potentially below $9 per metric ton of CO2-eq. Full environmental impact assessment should be completed. Methane Action has had a template for such assessments prepared by an independent consultant.
Funds needed: **$3,500,000**

5. Chlorine based photochemical removal at point sources. This method generates methane-oxidizing chlorine atoms using low-cost light sources and recycles the chlorine within a closed reactor. Cost-effectiveness: Modeling based on power requirement results in a price of $9 per ton of CO2-eq. Funding needed: $2 million for a prototype to test at livestock barns and a coal mine vent. Funds needed: **$2,000,000**

(See detailed Catalog of Research Needs sent to subcommittee staff for items 6–10 and 16.)

11. Surface-based Photocatalytic Enhanced Methane Oxidation (SPEMO). Given the environmental justice and public health co-benefits of this approach that would reduce ground level ozone pollution as well, the Committee expects the EPA, in cooperation with the Secretaries of Interior and State, and USAID, to contract for research and development of SPEMO to lower methane emissions from coal mines, oil wells and animal farms, and apply photocatalytic coating to buildings, windows, rooftops, and photovoltaic panels, or in a ventilated conduit to reduce methane in the atmosphere as a complement to commercial photocatalytic coatings already being used because of their self-cleaning property and ability to reduce urban pollution such as nitrogen oxides and volatile organic compounds.
Funds needed: **$3,000,000**

12. Capturing methane at Arctic seeps-Field Test. The U.S. start-up Frost Methane is successfully using recycled parachutes to capture and flare methane from seeps in Arctic lakes. Through collaboration with a large dredging company, develop and test a low-cost structure made of stones and sand that can capture methane seeps in the Arctic Ocean (especially in the shallow parts of the Siberian Sea). A typical project covers a circular field of 200-meter diameter, guiding the methane to an exit point where the gas is captured and flared. Cost-range: Using seep emission of 176 g/m2/day, estimate of cost: $6.7-$25/ton CO2-eq. Broad field-testing would require a larger budget but this step would measure the results at a research facility and plan the broader field tests.
Funds needed: **$100,000**

13. Agricultural and silvicultural methane removal while enhancing production and nutrition. In cooperation with USDA, the Committee expects the EPA to contract for an evaluation of methane and other greenhouse gases sequestration, uptake, oxidation and other long-term removal methods in agricultural and forestry, including, but not limited to, the methods described below: a) Rice-With a goal of cutting methane emissions from rice cultivation in half and enhancing plant growth, contract in fiscal Year 2023 for a test of the methane removal impact of various additives to rice, including iron sulfates, already approved for organic farming to enhance yields, fight plant chlorosis, and improve the nutritional value of rice by enhancing iron levels in conjunction with other changes in rice farming practice such as targeting the flooding of fields more efficiently. The production of rice, a basic staple for nearly half the world population, produces about 8 percent of global methane emissions and 2.5 percent of radiative forcing, and these are expected to double by 2100. b) Livestock-Methods of reducing the emissions of methane from cows, sheep and other livestock range from adding food supplements made of red seaweed (U.S.) to planting native plants that reduce methane generation in sheep that graze on those plants (France). Active methane removal from livestock barns and coalmines is to be tested in Denmark. We expect the EPA to conduct a broad livestock methane reduction and removal research and demonstration program in cooperation with relevant agencies.
Funds needed: **$7,000,000**

14. Methane mitigation via wetlands management. Wetlands are 31 percent of total methane emissions. In cooperation with USDA and the Army Corps of Engineers, the EPA is expected to contract for an investigation of relative wetland emissions of methane, through field surveys and laboratory experiments, to determine how alternative management practices could reduce greenhouse gas emissions and restore natural ecosystems.
$1,500,000

15. Comprehensive assessment of atmospheric methane sources, sinks and solutions. The Committee expects the EPA, in consultation with the Secretary of State, to report to the Committees of jurisdiction by July 1, 2024, (1) an assessment of the size and changes in global emissions and sinks of methane; (2) an analysis of the likely impact of atmospheric methane on climate change and other problems; (3) a review of each major source and sink to determine options to affect their impact; (4) a review of promising, and currently practicable, technologies, programs, policy and regulatory changes to reduce atmospheric methane levels, by emissions reduction or removal, and for each proposed technology or policy change, their readiness, likelihood of success, barriers, cost-effectiveness, and co-benefit analysis; and (5) national and global plans for atmospheric reduction and removal with goals, recommendations, and regulatory and land management options. **$2,000,000**

17. Establish Governance of GHG removal methods. The Committee expects the Administrator of the EPA, in cooperation with the Secretary of State and the U.S. Trade Representative, to pursue a Methane Declaration to support the assessment, deployment and governance of methods of restoring the climate by reducing atmospheric methane and other climate forcing agents to historically healthy levels. The Declaration should be implemented in support of, but not necessarily under, the UNFCCC and its protocols and accords, other conservation and trade agreements, and United Nations' offices. Funds needed: **$5,000,000**

[This statement was submitted by John Fitzgerald, Methane Action.]

PREPARED STATEMENT OF METLAKATLA INDIAN COMMUNITY

Recommendations:

1. Support increased overall funding for the Bureau of Indian Affairs (BIA)
2. Provide full funding and advance appropriations for the Indian Health Service (IHS)
3. Ensure that mandatory funding for Contract Support Costs and 105(l) lease payments
4. Amend Indian Self-Determination and Education Assistance Act (ISDEAA) to Clarify CSC provisions
5. Fund Critical Infrastructure investments for the Indian health system (IHS)
6. Increase funding and authorize a self-governance funding mechanism option for the Special Diabetes Program for Indians (IHS)
7. Support for Tribal Hatcheries at the Bureau of Indian Affairs (BIA)
8. Support for U.S. Canada Pacific Salmon Treaty (BIA)
9. Support for Tribal Court Assistance for Tribes Subject to PL 83–280 (BIA)
10. Support Funding to Address the Impacts of Climate Change (BIA)
11. Reduce dependence on competitive grants for Indian Country (all agencies)

Introduction. Thank you Chairperson Merkley, Ranking Member Murkowski, and Members of the subcommittee for the opportunity to share our funding priorities for the fiscal Year 2023 Federal budget. The Metlakatla Indian Community (MIC) is located on the Annette Islands Reserve in southeast Alaska, a land base of 87,000 acres which includes significant fish and forestry resources. Through our Annette Island Service Unit we provide primary health services at our outpatient facility through funding from the IHS as a co-signer to the Alaska Tribal Health Compact under ISDEAA. The following testimony provides recommendations on fiscal Year 2023 BIA and IHS priorities.

INCREASED FUNDING FOR THE BIA

Operation of Indian Programs. In fiscal Year 2023, we recommend a substantial increase for the Operation of Indian Programs at BIA. This base funding is critical in the functioning of our government and our survival as a Tribal Nation. As noted by the National Congress of American Indians "Tribal nations are resilient and have demonstrated their resolve and dedication since time immemorial, yet are uniquely reliant on their Federal partner to fulfill the promises made in exchange for the land that created the foundation of the United States." [1] These funds are essential

[1] National Congress of American Indians. "Restoring Promises; Indian Country fiscal Year 2022 Budget Request," p. 25. Accessed at: https://www.ncai.org/resources/ncai-publications/NCAI__IndianCountry__Fiscal year 2022__BudgetRequest.pdf

as they provide for social services, law enforcement, court services, child care services, public health and safety, and other essential government functions.

Unfortunately, year after year, we experience large funding shortfalls across all BIA-funded programs, causing government services in our community to constantly depend on an inconsistent patchwork of Federal funding. For example, we have been forced to choose between meeting water quality standards or providing scholarships to our students. In some cases, these shortfalls force us to cut services altogether. The programs that have been impacted are realty, higher education, Tribal scholarships, social services, and limiting services from the fire department. What has been made clearly evident from the additional funding made available from the COVID–19 pandemic, is that these programs remain critically underfunded, even with the increased funding. We appreciate the Biden Administration's request to fund the BIA at $2.8 billion in fiscal Year 2023, which is $1 billion above the fiscal Year 2022 enacted level. We urge you to support this important funding as you craft your fiscal Year 2023 appropriations bill.

Additionally, we request, that BIA appropriations be funded on an advance appropriations cycle. It has sadly become the norm that the Tribe does not receive its full yearly appropriation until several months (sometimes longer) after the start of the fiscal year. These funding delays make it impossible for the Tribe to plan and manage their annual budgets. Congress recognized these challenges when it provided the Veterans Administration with advance appropriations over a decade ago. The practical implication of this, is that the Tribe does not have the ability to plan our finances even weeks ahead due to the uncertainty as to the level of funding. It is nearly impossible to Tribes to plan, grow or achieve self-sufficiency. Full advance appropriations for the BIA would lead to better stability for Tribal self-governance, reduce dependence on uncertain grant funding, and improve practices over all.

IMPROVING THE INDIAN HEALTH SYSTEM

We have been grateful that IHS has received significant supplementary appropriations to combat the COVID–19 pandemic. Those dollars have been critical in ensuring that we had the means to serve our patients and fight this deadly disease. Annual appropriations are essential to this effort and in fulfilling the Federal Government's trust and treaty obligations by ensuring critical programs and services receive adequate funding to fulfill their intended purpose. To further these goals, we support the IHS Tribal Budget Formulation Workgroup calculated the need $49.8 billion for full funding in fiscal Year 2023.

Support for Mandatory and Advance Appropriations for IHS: We appreciate the Biden Administration's proposal to provide mandatory funding for IHS and increase funding over 10 years. Reclassifying the IHS budget as mandatory spending not only reflects the nature of the trust and treaty obligations to Tribal Nations, but also will allow IHS to be funded at a level that is necessary for providing health care to AI/ANs. As noted in the President's budget request, "Mandatory funding for the IHS provides the opportunity for significant funding increases that could not be achieved under discretionary funding caps."[2] The proposal outlined in the President's Budget request is a good start, but must be developed in partnership with Tribal Nations. We stand ready to work with you and IHS to further develop this proposal so that it provides adequate funding for IHS and fully honors Tribal self-determination and self-governance.

However, if full mandatory appropriations cannot be achieved for fiscal Year 2023, we continue to support IHS advance appropriations for the short term. For many years, Tribes have requested that IHS appropriations be funded on an advance appropriations cycle. It has unfortunately become the norm that IHS does not receive its full yearly appropriation until several months (sometimes longer) after the start of the fiscal year. These funding delays make it impossible for IHS and Tribal health programs to plan and manage their annual budgets. Yet, IHS still waits for parity. fiscal Year 2022 was almost halfway over before we received the full appropriation. The practical implication of this is that our health systems do not have the ability to plan our finances even weeks ahead, as we do not know what our funding level will be. At a time when we are desperate for medical professionals and when the health system is in crisis due to the global pandemic, this is just unacceptable. Full advance appropriations for the IHS would lead to better stability for our health system, improve provider recruitment and retention, and improve practices over all.

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[2] Department of Health and Human Services, Fiscal Year 2023, Indian Health Service, Justification of Estimates for Appropriations Committees, p. CJ–3.

[3] Cook Inlet Tribal Council, Inc. v. Dotomain, 10 F.4th 892 (D.C. Cir. 2021).

We urge the Committee to take the necessary steps in the fiscal Year 2023 appropriations bill to move/continue IHS to an advance appropriation for fiscal Year 2023 and beyond if full mandatory funding for IHS cannot be achieved.

Fully fund critical infrastructure investments: As Congress considers making dramatic investments in the country's infrastructure, it is critical that the Indian health system not get left behind. Therefore, we request that the subcommittee allocate funding for full implementation of interoperable Electronic Health Records (EHR) and tele-health. For Tribes and Tribal health organizations who have committed their own resources to move away from RPMS and making their systems functional, IHS should take this into consideration with any new resources and ensure these programs are not only interoperable, but compensated accordingly. It is critical that Congress make significant investments in Tribal health facilities construction. IHS and Tribal facilities are some of the oldest in the Nation. Therefore, consistent with the Budget Formulation Workgroup's request, we recommend $10.6 billion for facilities in fiscal Year 2023.

Mandatory Funding for Contract Support Costs and 105(l) lease payments: If Congress is not able to enact full mandatory funding for IHS this year, we continue to support mandatory funding for Contract Support Costs (CSC) and 105(l) leases at both IHS and BIA. We appreciate the subcommittee's commitment to ensuring that CSC and 105(l) lease costs are fully funded by including an indefinite discretionary appropriation in recent years for both of these accounts. However, changing these accounts to mandatory appropriations in fiscal Year 2023 would bring appropriations process into line with the clear legal requirements of the authorizing statute. CSC and 105(l) lease funds are already an entitlement under substantive law for the ISDEAA to function as intended by Congress. It is contradictory and problematic to appropriate funding for CSC on a discretionary basis. A simple amendment to a permanent appropriations statute could solve this challenge.

Amend Indian Self-Determination and Education Assistance Act to Clarify CSC provisions: We also request that the committee consider amending the Indian Self-Determination and Education Assistance Act (ISDEAA) to clarify that when agency funding paid to a Tribe for program operations is insufficient for contract and compact administration, contract support costs will remain available to cover the difference. In the recent court decision Cook Inlet Tribal Council, Inc. v. Dotomain,[3] a Federal appeals court held that costs for activities normally carried out by IHS are ineligible for payment as CSC-even if IHS transfers insufficient, or even no, funding for these activities in the Secretarial amount. Under this new ruling, if facility costs are higher for a Tribe than for IHS, the Tribe is forced to cover the difference by diverting scarce program dollars. Recently, this serious misinterpretation of the ISDEAA that has been applied to one Tribal organization resulting in a 90 percent reduction of contract support costs reimbursement threatens Tribal self-governance and self-determination. Therefore, we call upon Congress to provide a legislative fix to clarify the intent on Congress for this matter, and ensure consistency with precedent.

Extend Self-Governance Funding Options to the Special Diabetes Program for Indians (SDPI) and increase funding to $250 million/year. SDPI's success rests in the flexibility of its program structure that allows for the incorporation of culture and local needs into its services. Congress should authorize SDPI participants the option of receiving their Federal funds through either a grant (as currently used) or self-governance funding mechanisms under ISDEAA. Additionally, SDPI has not had an increase in funding since fiscal Year 2004. We recommend permanent reauthorization for SDPI at a minimum of $250 million per year with annual adjustments for inflationary increases. Therefore, we urge you to work with your Congressional colleagues to ensure that SDPI receives a funding increase of at least $250 million per year.

Tribal Hatcheries. We deeply appreciate the increase for the Fish, Wildlife, and Parks sub-activity within the BIA Trust-Natural Resources Management budget in fiscal Year 2022 and are asking the subcommittees to continue increased funding levels fiscal Year 2023. We appreciate the increase proposed by the Biden Administration and the $4 million proposed for support for associated hatching, rearing and stocking programs.

OTHER BIA FUNDING

U.S./Canada Pacific Salmon Treaty. The Pacific Salmon Treaty was negotiated between the U.S. and Canada in 1985 to prevent overfishing and provide optimum production and fair sharing of the salmon harvest. In the Department of Interior's

[3] Cook Inlet Tribal Council, Inc. v. Dotomain, 10 F.4th 892 (D.C. Cir. 2021).

budget, this funding is appropriated through the BIA Trust-Natural Resources Rights Protection Implementation sub-activity and the U.S. Fish and Wildlife Service's Pacific Marine Fisheries Commission. We thank you for the subcommittee's continued support for this program in fiscal Year 2022, and encourage further investments to in fiscal Year 2023. The Biden Administration has requested $6.5 million for this activity in fiscal Year 2023.

Tribal Court Assistance for Tribes Subject to Public Law 83–280. We deeply appreciate the much-needed support for Tribes who are affected by Public Law 83–280. We are grateful for both the increased appropriations directed to the BIA Public Safety and Justice Law Enforcement-Tribal Justice Support program element and the helpful report language provided in fiscal Year 2021 Senate Appropriations Committee report 116–123. We appreciate the $4 million increase for this program in fiscal Year 2022 and ask that the subcommittees continue to include PL 280-specific funding under this program element and continue to direct the BIA in fiscal Year 2023.

Increased Funding to Address the Impacts of Climate Change. Like many Tribal communities we continue to be impacted by the growing challenge of climate change. We thank the Committee Committee's for $32 million for Tribal Climate Resilience in fiscal Year 2022 appropriations, but request significantly more investment in this account, specifically to implement mitigation actions identified through Climate Resilience plans. We appreciate the $29 million increase proposed by the Biden Administration in fiscal Year 2023, and hope that the committee will build upon that request.

Reduce Dependence on Federal Grants. We also support moving away from competitive grants for Federal funding mechanisms across all departments. The Federal trust responsibility does not require that we jump through a myriad of hoops and onerous applications to see that services are provided to our people. Grants also unfairly pit Tribes against Tribes, when all are deserving of critical resources. Too often, Tribes are under resourced to apply for Federal grants, and to comply with the associated burdensome reporting requirements which vary from grant to grant. Tribes must also be granted the flexibility needed to respond to the specific needs of their own communities, including being able to utilize cultural practices and traditional healing, not those prescribed by Federal grants. This also means providing enough resources so funds are provided in meaningful amounts across all Tribes.

[This statement was submitted by Albert Smith, Mayor of the Metlakatla Indian Community.]

PREPARED STATEMENT OF THE MUCKLESHOOT INDIAN TRIBE

Summary of Budget Requests:

I. Bureau of Indian Affairs—Increase Funding for Fish Hatchery Programs
II. Bureau of Indian Affairs—Increase Funding for Tribal Climate Resilience Program
III. Bureau of Indian Education—Increase Funding for Education Program Enhancements
IV. Environmental Protection Agency—Increase Funding for Puget Sound Program

INTRODUCTION & BACKGROUND

Greetings Chair Merkley, Ranking Member Murkowski and Honorable Members of the subcommittee on Interior, Environment, and Related Agencies. My name is Jaison Elkins and I have the privilege of serving as Chairman of the Muckleshoot Indian Tribe. Thanks for the opportunity to share the Tribe's funding priorities for Fiscal Year 2023.

The Muckleshoot Indian Tribe ("Tribe") is a successor in interest to Tribes and bands that were parties to the Treaty of Point Elliot and the Treaty of Medicine Creek. Through these treaties, the Tribe has reserved treaty fishing, hunting, and gathering rights, including the right to take fish at our usual and accustomed fishing grounds and stations. Despite these assurances, our right to fish is threatened by a changing climate and the lack of Federal investment in Tribal fish hatcheries.

I. BUREAU OF INDIAN AFFAIRS—FISH, WILDLIFE & PARKS

Fish Hatchery Operations Program & Fish Hatchery Maintenance Program

The Fish Hatchery Operations Program ("FHOP") and the Fish Hatchery Maintenance Program ("FHMP") provide critical resources that help Tribes, like

Muckleshoot, maintain our salmon fisheries and treaty fishing rights. The FHOP provides Tribes with support for hatching, rearing, and stocking programs, while the FHMP helps supplement facility maintenance for Tribal hatcheries. Tribal hatchery funding is critical to ensure the continued success of the White River Hatchery, as well as other Tribal hatcheries across the Nation. Without Tribal hatcheries, our ability to exercise treaty fishing rights is diminished.

The Tribe's White River Hatchery ("Hatchery") was opened in 1989 to help restore the declining White River spring chinook. The Hatchery has produced positive results for the last 30 years, but infrastructural upgrades are desperately needed. Our master plan for the Hatchery calls for $25.8 million in infrastructural upgrades, including $14 million for circular tanks and related infrastructure, $5 million for a Partial Reus Aquaculture System, and $3.9 million for building upgrades.

The Tribe appreciates the subcommittee's $6.6 million increase in funding for the Fish, Wildlife, and Parks account last year and encourages the subcommittee to include a similar increase for fiscal Year 2023. The President's fiscal Year 2023 budget request also proposes a $4 million increase to enable Tribes to modify and engage efforts measured to emerging micro and macro climate issues, and ensure resilience in planning, development, and operations with climate management considerations. The Tribe urges the subcommittee to provide substantial funding increases for these crucial hatchery programs.

II. BUREAU OF INDIAN AFFAIRS—TRIBAL CLIMATE RESILIENCE

Climate change is having a profound impact on the Muckleshoot's treaty-protected resources and activities, such as fishing, gathering, and hunting. Declining salmon runs, changing migration patterns, and declining shellfish populations are among the many changes we are witnessing firsthand. The Tribal Climate Resilience Program seeks to address these and related issues by supporting Tribal efforts to build climate resilient communities and sustain Tribal ecosystems and natural and cultural resources, economies, infrastructure, human health, and safety.

The subcommittee included $60.9 million for Tribal Climate Resilience in last year's bill, which was an increase of $44 million above the previously enacted level. The Tribe urges the subcommittee to include such a similar increase in funding for the Tribal Climate Resilience in fiscal Year 2023. This increase is in line with the President's fiscal Year 2023 request of $60.9 million for the program.

III. BUREAU OF INDIAN EDUCATION—EDUCATION PROGRAM ENHANCEMENTS

The Muckleshoot Tribe is committed to the success of our children through culturally appropriate education that will prepare them for the future. The Tribe operates the Muckleshoot Tribal School ("MTS"), which is a comprehensive Tribally Controlled School that works in conjunction with the Bureau of Indian Education ("BIE") and the State of Washington as a Tribal Compact School to serve the needs of our community. The school provides K–12 instruction for Native American students focusing on Common Core Standards while infusing Muckleshoot culture, practices, and history in our future generations. This intersection of modern learning and culture will ensure that our children can compete in the modern economy while not losing their identities.

Education Program Enhancements enables BIE to provide critical services and necessary resources to meet the unique needs and priorities of individual Tribes and their schools. The BIE's Immersion Demonstration Grant program provides funding that supports immersion efforts that increase language proficiency and protect against language loss. Last year, the subcommittee included $4 million within Education Program Enhancements for Native language immersion grants. The President is requesting an increase of $6.7 million for Education Program Enhancements in fiscal Year 2023. The Tribe urges the subcommittee to provide additional funding so that these sorts of demonstration projects can be expanded, made permanent, and allow for more Tribes to access the benefits.

IV. ENVIRONMENTAL PROTECTION AGENCY—PUGET SOUND PROGRAM

EPA's Geographic Programs support the restoration and protection of important water bodies, such as the Puget Sound. According to the fiscal Year 2023 budget justification, activities for EPA's Puget Sound Program include funding assistance agreements with the 19 federally recognized Tribes in Puget Sound, three Tribal consortia, and the Northwest Indian Fisheries Commission (NWIFC).

The Tribe appreciates the subcommittees inclusion of $50 million in last year's bill, which was an increase of $16 million above the previously enacted level. The Tribe encourages the subcommittee to include a similar increase in its fiscal Year 2023 bill.

The Muckleshoot Tribe appreciates the opportunity to share its priorities for fiscal Year 2023.

[This statement was submitted by Jaison Elkins, Chairman, Muckleshoot Indian Tribe.]

PREPARED STATEMENT OF NATIONAL ASSOCIATION OF ABANDONED MINE LAND PROGRAMS

My name is Jeff Graves and I serve as the Director of the Inactive Mine Reclamation Program within the Colorado Department of Natural Resources. I am providing this statement on behalf of the National Association of Abandoned Mine Land Programs (NAAMLP), for which I currently serve as President. NAAMLP represents 32 States and Tribes, of which twenty-nine implement federally approved abandoned mine land reclamation (AML) programs authorized under Title IV of the Surface Mining Control and Reclamation Act (SMCRA), and many implement state level programs for hardrock AML. My office's address is 1313 Sherman Street #215, Denver CO 80203. My office phone number is (303) 866–3567 x8122. My email is jeff.graves@state.co.us.

The infusion of much-needed funding for coal AML in the Infrastructure Investment and Jobs Act (IIJA) has ushered in a new era for the SMCRA Title IV AML programs and the benefits they bring to communities all over the country. We thank Congress for recognizing the critical role this AML work plays in contributing to health and safety, environmental restoration, access to clean water, and the creation of jobs and opportunities for economic growth, especially in places like Appalachia that are affected by the energy transition.

We have been working closely with our sister organization the Interstate Mining Compact Commission (IMCC) as well as our Federal partners at the Office of Surface Mining Reclamation and Enforcement (OSMRE) on implementing the new AML funding. Our efforts so far make us confident that the AML programs will be successful in delivering the many benefits that Congress envisions. However, there are also challenges emerging in implementing the IIJA funding. They are surmountable, but Congressional attention at this critical time when the AML program of the future is being established is very appropriate.

SMCRA has been successful largely as a result of the cooperative federalism model that it employs. While the States and Tribes understand and appreciate OSMRE's role in the AML program under SMCRA, we caution against using limited OSMRE funding for unproductive ends, for example oversight that second-guesses state/Tribal assessments or requires unnecessary levels of supplemental information that does not advance program purposes. Rather than having OSMRE engage in additional oversight, the States and Tribes would benefit from a more collaborative relationship. We encourage Congress to maintain funding that serves that purpose.

For example, we believe that funding for technical assistance and applied science projects related to AML work is particularly important. We also urge the subcommittee to maintain necessary funding for OSMRE's training program and TIPS, including moneys for state/Tribal travel. These initiatives are central to the effective implementation of State and Tribal AML programs as they provide necessary training and continuing education for state/Tribal agency personnel, as well as critical technical assistance. We believe funding for Watershed Cooperative Agreements should also be maintained in the amount of $1.5 million. This funding serves an important role in facilitating State and local partnerships, thereby helping to leverage outside sources of funding and preserve precious reclamation grant funding. OSMRE's proposed budget generally includes a discretionary appropriation request of approximately $23 million to fund the agency's own AML work, its administration of the AML Fund, and other activities in support of the AML program, which is important to continue. Most importantly, the States and Tribes should receive the mandatory appropriation of fee-based AML funding of $161 million (before sequestration) in fiscal Year 2023.

For the AML program to be successful, OSMRE must accept state input on program design. This is especially important for the new $11.3B in IIJA treasury-sourced AML funding, which NAAMLP is working to ensure is implemented efficiently and effectively so that AML work has its maximum impact. The States and Tribes have serious concerns about DOI's implementation plans for the IIJA AML funding, draft guidance for which was released last week.

The host of substantial changes proposed by the draft guidance present serious danger of undermining the program's core functioning. As currently drafted, we fear that DOI's implementation plans will be a detriment to the AML program's fundamental reclamation goals, the administration's socio-economic goals, and ultimately,

the well-being of the coalfield citizens that rely on AML work. There are many provisions of the Guidance that the States simply do not have the ability to implement due to practical and legal obstacles. More detail is available in IMCC/NAAMLP's comments on the draft IIJA guidance, but in summary, we believe it would confuse the AML program's priorities and dilute its focus on health, safety, and the environment, complicate processes for conducting projects and managing AML funding, and add tremendous amounts of unnecessary additional administrative work.

We urge Congress to work with DOI to ensure that they integrate state and Tribal input into IIJA implementation in order to preserve the AML program's effectiveness. This program has been one of DOI's most successful over its now more than forty-year history. It has well-developed, reasonably efficient processes already in place and has benefited the citizens of coalfields immensely as currently constituted. We believe the sponsors of this legislation intended to build on the successes of the mature, pre-existing program instead of reinventing the wheel.

Another IIJA-related issue requiring Congressional attention is the AML programs' ability to address legacy water pollution. Abandoned mine drainage (AMD, aka acid mine drainage) is a persistent scourge on human and environmental health. It is also an impediment to economic growth in many States, especially those in the historic coalfields of Appalachia and the Midwest. Congress clearly intended to expand the States' ability to treat polluted water through the IIJA. However, a key element of the authority the States need to be effective at this, the use of AMD "set aside" accounts, has been interpreted by Department of the Interior as absent from the IIJA. The purpose of set aside accounts is to fund the long-term costs of AMD treatment systems. Eleven States have used the set aside authority under the pre-existing AML program and as States begin to expand their AML work with IIJA funds, several more States may also need set aside accounts. Without them, the States' ability to make further progress in eliminating AMD—restoring the life and productive use of orange-tinted, metal-laden streams—will be severely impaired.

A bi-partisan bill, the STREAM Act (H.R. 7283/S. 3957) has been developed to fix this situation. It would clarify that IIJA treasury-sourced funds can be placed in AMD set aside trust fund accounts as has been done under the pre-existing fee-based AML program. This does not represent a new outlay of funds, but rather a clarification about how funds already appropriated by the IIJA can be spent that would ensure its established purposes are fulfilled. NAAMLP and IMCC assisted with the bill's development. We thank its authors and sponsors, particularly Representatives Cartwright and McKinley as well as Senators Casey and Braun, for their attention to this important issue and commitment to helping communities impacted by AMD.

The States have also become increasingly concerned with administration of an existing portion of the AML program, the AML Economic Revitalization (AMLER) program. The States and Tribes are very proud of the projects they have conducted through AMLER, which look for creative opportunities to turn AML sites into opportunities for economic development. We request that funding in the amount of $115 million continue. However, Congress should be aware that the AMLER program has become more and more impeded by untenable administrative processes and lack of respect for state expertise and primacy.

The most immediate problems in the AMLER program are substandard communication, opaque administrative process, and the paralyzing uncertainty that results therefrom. The States have no way of knowing when they can expect a response on a project application, which sometimes take a very long time (one such project in Virginia has been caught up in the OSMRE vetting process for over 1,000 days). They also have insufficient information on the standards for vetting projects at OSMRE headquarters such that they are frequently rejected and/or having to be substantially re-worked without the explanation needed to avoid the same issues in the future. This vetting process is not required by law, but has evolved into a time-consuming, nearly complete preplanning of almost every element of a project. The lack of clarity that results from the problems above creates substantial, unnecessary administrative burden, which has resulted in the AMLER program taking up a disproportionate amount of AML staff time. Worse, the lack of clarity in the AMLER program creates an untenable situation for project partners, whose cooperation is essential to the program working as intended. The local NGOs and businesses that would otherwise collaborate with States on these projects are finding it increasingly difficult to navigate the process or to receive reasonable assurance that their projects will succeed if they follow the program guidelines, which prompts partners to spend their time and money elsewhere. Last but not least, OSMRE tends to substitute its own opinions on the economic development prospects of projects for the States' expertise, second guessing state decisions where the issues at hand are probably beyond OSMRE's legitimate ability to judge.

This situation would best be resolved by simply returning primary responsibility for selecting and developing AMLER projects to the state AML programs, which we believe was always how the AMLER program was intended to work. The State programs have the best ability to exercise their state-specific knowledge and expertise and work with local partners to determine what reclamation and economic development projects will best serve their communities. This would be accomplished by Appropriations report language proposed by Representative Rogers, which would direct OSMRE to transfer AMLER funds to State programs 60 days after they have been received by the agency. Appropriate oversight of state AMLER implementation would be conducted by OSMRE and Congress. OSMRE would collect information on State efforts in its ordinary oversight role and provide a report to Congress. We urge Congress to adopt this approach. We believe it is the best way to unleash the creative, collaborative energies available through cooperation between States and their local NGO and private industry partners, which are currently being held at bay by an untenable bureaucratic tangle of an approval process.

NAAMLP represents many States with significant hardrock AML problems within their borders. In the absence of a hardrock AML funding source comparable to Title IV funding for coal AML, state and Tribal hardrock AML programs struggle to maintain adequate funding and make consistent progress. There is no comprehensive account of the scale of the hardrock AML problem, but it is often cited as being in the tens of billions of dollars. Hardrock AML comes with the same pernicious effects as coal AML on the health and safety, environment, and economic vitality of the communities throughout the country, and especially in the West, that live near them.

The $3B funding authorization for hardrock AML in the IIJA is a very exciting development, despite the fact that the funding has not yet been appropriated. Since then, NAAMLP and IMCC have been working closely with DOI's Office of Environmental Policy and Compliance (OEPC), the group tasked with developing the new hardrock AML state/Tribal grants program authorized by the IIJA.

We have been very pleased with OEPC's willingness to integrate state/Tribal input into their plans. NAAMLP and IMCC have been convening a large group of States and Tribes with interest in hardrock AML for many years. We have recently re-doubled our efforts to outline the best way for hardrock AML state/Tribal grants to operate. We gathered a group of both our members and non-member States and Tribes, conducted a survey of current circumstances regarding hardrock AML work in each State/Tribe, and then summarized those surveys and created recommendations based on their insights. For example, we have developed recommendations for how to work toward a national level inventory of hardrock AML sites in the medium/long term while also enabling States and Tribes that already have inventories to make progress with reclamation work in the meantime. All this to say, the States, Tribes, and our Federal partners are ready to put hardrock AML money to very productive use. The $1.6M in funding for States and Tribes provided in the 2022 Omnibus for the energy community revitalization program is an encouraging start but is not enough to meaningfully further progress with reclamation. We urge Congress to include more funding for hardrock AML grants to States and Tribes in the 2023 appropriations.

In closing, the States and Tribes represented by NAAMLP again express our gratitude to Congress for the recognition of the value of the AML programs, both coal and hardrock, and the investment in their future represented by the IIJA. We look forward to beginning this new chapter for coal AML and are thrilled to be moving toward a national-scale hardrock AML grants program as well. We are ready to assist with these and other Congressional efforts to further AML work, such as through the pilot hardrock Good Samaritan bill, which is much needed. With Congress' continuing attentiveness to AML implementation issues, we feel confident that continued success of the State and Tribal AML programs can be assured.

[This statement was submitted by Jeff Graves, Director, Inactive Mine Reclamation Program.]

PREPARED STATEMENT OF NATIONAL ASSOCIATION OF CLEAN AIR AGENCIES

On behalf of the National Association of Clean Air Agencies (NACAA), thank you for this opportunity to provide testimony on the fiscal Year 2023 budget for the United States Environmental Protection Agency (EPA), particularly grants to State and local air pollution control agencies under Sections 103 and 105 of the Clean Air Act (CAA), which are part of the State and Tribal Assistance Grant (STAG) program. NACAA has four recommendations with respect to fiscal Year 2023 appropriations. The association urges Congress to 1) provide $500 million in grants to State

and local air quality agencies, which is $178 million above the President's proposed budget for fiscal Year 2023; 2) provide flexibility to State and local air quality agencies to use any additional grants to address the highest priority programs in their areas; 3) retain grants for monitoring fine particulate matter (PM2.5) under the authority of Section 103 of the Clean Air Act, rather than shifting it to Section 105; and 4) provide grant increases under authorities of the CAA that do not require matching funds (e.g., Section 103) as much as possible to allow agencies that do not have sufficient matching funds to still obtain the additional grants.

NACAA is the National, non-partisan, non-profit association of air pollution control agencies in 40 States, including 115 local air agencies, the District of Columbia and four territories. NACAA exists to advance the equitable protection of clean air and public health for all, and to improve the capability and effectiveness of State and local air agencies. These agencies have the "primary responsibility" under the CAA for implementing our Nation's clean air programs. As such, they conduct an array of critical activities intended to improve and maintain air quality and protect public health.

AIR POLLUTION POSES SERIOUS PUBLIC HEALTH PROBLEMS

Federal, State and local air quality programs under the CAA have been highly successful in reducing air pollution, during a time that the country has continued to experience strong economic growth. However, air pollution continues to be a significant problem, threatening public health and welfare, especially in overburdened environmental justice communities that disproportionately suffer adverse human health and environmental impacts.

Every year tens of thousands of Americans die prematurely from air pollution and millions are exposed to unhealthful levels of air contaminants, resulting in cancer, damage to respiratory, cardiovascular, neurological and reproductive systems and other health problems.[1] In 2020, approximately 30 percent of the U.S. population—about 97 million people—lived in areas that exceeded one or more Federal health-based air pollution standards.[2] Additionally, EPA's most recent hazardous air pollution data show that "millions of people live in areas where air toxics pose potential health concerns."[3] Environmental justice communities are particularly at risk.

With respect to climate change, some of our Nation's strongest programs are led by State and local governments, which have instituted programs to make meaningful progress towards reducing greenhouse gases. However, there is still much to be done to address increasing greenhouse gas emissions that result in more and worse wildfires, longer ozone seasons and upward trending global temperatures.

Overall, few problems in this subcommittee's jurisdiction pose greater threats to public health than air pollution and climate change. In terms of the National budget, the amount appropriated for Federal grants to State and local air quality agencies is relatively small. Yet the return on investment is among the highest when considering the benefits of protecting public health and the environment against the serious threats posed by air pollution and climate change.

STATE AND LOCAL AIR AGENCIES CONTINUE TO BE UNDERFUNDED

The CAA places the responsibility for implementing the Federal air pollution program squarely on State and local clean air agencies. This is an enormous undertaking that calls for monitoring, issuing permits, planning, developing strategies for reducing emissions, enforcing requirements, educating the public, training staff and a host of other activities that grow more complex and sophisticated each year. Increasingly, these agencies are tasked with new and high-priority responsibilities to reduce air pollution, address the disproportionate harm faced by overburdened communities and tackle climate change. Unfortunately, this simply cannot be accomplished with current levels of funding.

State and local air agencies have been underfunded for many years. Federal grants to State and local air quality agencies (under Sections 103 and 105 of the CAA) were approximately the same in fiscal Year 2022 as they were in fiscal Year 2004—nearly 20 years ago. This represents a substantial decrease in purchasing power when inflation is factored in, during a time when air quality issues have become ever more complicated and costly to address. Furthermore, while Federal grants were originally intended to cover 60 percent of the cost of implementing the CAA, they cover less than a quarter of that today, with the remainder coming largely from State and local programs themselves.

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[1] https://www.epa.gov/clean-air-act-overview/air-pollution-current-and-future-challenges

[2] Our Nation's Air Trends through 2020, https://www.epa.gov/air-trends

[3] https://www.epa.gov/system/files/documents/2022–03/airtoxscreen__2017tsd.pdf (page 123)

Major source fees under Title V of the CAA are not the answer to this shortfall since they are required to be used to support the operating permit program only and cannot be spent on other activities. Moreover, as State and local agencies reduce air pollution, the amount of funding available from fees that are paid by regulated entities is decreasing.

The funds recently appropriated under the "Infrastructure Investment and Jobs Act" (November 15, 2021) are not the solution either, as most of those resources are directed to water and infrastructure projects. While those are worthwhile efforts, they do not sustain the day-to-day work of State and local air quality agencies. Additionally, some newly available funds are tied to specific new work, rather than existing responsibilities, which does not help to address the current funding deficit.

HOW WOULD ADDITIONAL FUNDING BE USED?

NACAA surveyed State and local air agencies about the funding that will be needed to meet their current and expected obligations. Based upon the responses, NACAA is recommending that Federal grants under Sections 103 and 105 be increased to $500 million annually, beginning in fiscal Year 2023. This is $178 million above the President's proposed budget for fiscal Year 2023 and an increase of $269 million over the fiscal Year 2022 appropriation of $231 million.

In NACAA's survey, many agencies reported inadequate funding for basic responsibilities that are the very foundations of their programs. These include monitoring, permitting, enforcement, wildfire response, staffing, training, planning, regulatory development, public outreach and community support. Increases in funding would provide for continuation of these essential tasks. Additionally, the following are just a few of the things that increased Federal grants would support:

—advancing new programs and expanding existing clean air efforts that protect all Americans, especially vulnerable communities that continue to bear the greatest pollution burdens;

—strengthening pollution detection and visualization efforts through air monitors, sensors, and airborne and mobile detection equipment for criteria pollutants, air toxics and emerging contaminants;

—supporting small business programs and emission reductions from smaller sources, including inspections, compliance assistance and technical support;

—addressing climate change with emission reduction programs that include planning, monitoring, permitting and enforcement; energy-transition assistance for communities dependent on fossil fuels; and adaptation and resilience for frontline communities that face extreme weather and other climate impacts;

—preparing and empowering State and local agencies to take on the additional air quality responsibilities in new Federal clean energy and clean transportation programs; and

—tackling the ever-increasing threats posed by wildfires, including mitigating adverse health impacts and communicating with the public.

Additionally, if Congress adopts significant climate legislation, it is essential that adequate funds beyond regular fiscal Year 2023 appropriations be provided to State and local agencies and municipalities to allow them to carry out the law's requirements, even if those agencies and municipalities do not currently receive Section 103 and Section 105 grants directly.

AGENCIES NEED FLEXIBILITY IN THE USE OF GRANTS

Air pollution problems around the country vary by area and each State or local air quality agency must tailor its approach to address its unique set of circumstances and the issues facing its community. While one locale's greatest concern may be the impacts from wildfires, another may find local hazardous air pollution sources or ozone to be greater challenges. A one-size-fits-all strategy for grants that is applied nationally may not recognize the need to focus resources effectively. Therefore, NACAA recommends that Congress provide State and local air agencies with the flexibility to use increased grant funds on the highest priority programs in their areas.

ALLOW AGENCIES THAT CANNOT MATCH TO RECEIVE GRANTS

While Section 105 of the Clean Air Act requires grant recipients to provide matching funds, Section 103 does not. Providing certain grants under Section 103 authority, therefore, is very helpful for those State or local agencies that are unable to raise additional matching funds.

In the past, EPA proposed shifting the $PM_{2.5}$ monitoring grant program from Section 103 authority to Section 105. NACAA has asked Congress in previous years to retain $PM_{2.5}$ monitoring grants under Section 103 so that no agencies would be forced to refuse critical monitoring grants due to their inability to afford the required match. We are very grateful that Congress has previously been agreeable to this request, and we ask that these funds once again remain under Section 103 authority in fiscal Year 2023.

This concern goes beyond just the $PM_{2.5}$ monitoring grant program, however. While some agencies have adequate matching funds, others do not. These are often the very same agencies in dire need of the additional grants we are seeking. So that no agency would be ineligible for additional grants, we request that Congress provide as much of the grant increase as possible under authorities that do not require matching funds (e.g., Section 103). In this way, those agencies that do not have sufficient matching funds could still obtain the additional resources.

CONCLUSION

State and local air quality agencies' efforts to protect and improve air quality are critically important both for public health and a sound economy. NACAA recommends that Congress 1) provide $500 million in grants to State and local air quality agencies, which is $178 million above the President's proposed budget for fiscal Year 2023; 2) provide flexibility to State and local air quality agencies to use any additional grants to address the highest priority programs in their areas; 3) retain grants for monitoring $PM_{2.5}$ under the authority of Section 103 of the Clean Air Act, rather than shifting it to Section 105; and 4) provide grant increases under authorities of the CAA that do not require matching funds (e.g., Section 103) as much as possible to allow agencies that do not have sufficient matching funds to still obtain the additional grants.

Thank you very much for this opportunity to provide testimony. If you require additional information, please contact Miles Keogh (mkeogh@4cleanair.org) or Mary Sullivan Douglas (mdouglas@4cleanair.org) of NACAA.

[This statement was submitted by National Association of Clean Air Agencies.]

PREPARED STATEMENT OF NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES

The National Association of Clean Water Agencies (NACWA) represents 350 public wastewater and stormwater utilities nationwide, both large and small, that collectively provide clean water services to more than 150 million Americans daily. These essential public services protect public health and the environment and are vital for local economic growth.

Our nation's water infrastructure is at a key juncture, with costs rising both for traditional investment needs like maintaining aging infrastructure and meeting compliance obligations, as well as for newer challenges, such as addressing emerging contaminants, managing increasingly complex water quality issues, meeting the needs of disadvantaged communities, and ensuring system resilience in the face of climate change and cyber risks.

NACWA greatly appreciates the support for clean water provided by Congress under the Infrastructure Investment and Jobs Act/Bipartisan Infrastructure Law (BIL). The BIL reflects a strong recommitment by the Federal Government as a funding partner in water infrastructure investment and begins to address the disparity whereby 95 percent of drinking water and wastewater infrastructure investment comes from local ratepayers and States.

NACWA has engaged with EPA, to offer the public utility perspective and recommendations to support efficient, equitable implementation of this landmark legislation. We are grateful to EPA for providing opportunities for this important input and dialogue, and we look forward to partnering with Congress to ensure appropriate oversight of BIL implementation.

However, the funds provided by the BIL are simply a down payment on the additional Federal funding needed to help address the Nation's water infrastructure challenges. EPA has estimated that nearly $750 billion in capital investment in wastewater and drinking water must be made by local, State, and Federal partners over 20 years to meet Federal water quality and health objectives. Even with BIL investments, clean water still ranks behind other infrastructure sectors like surface transportation, mass transit, and rail in the amount of Federal assistance it receives. It is critical that many of the water programs that were authorized, but not appropriated in the BIL, receive full funding for FY23.

Below are NACWA's FY23 Appropriations requests. As always, NACWA appreciates the subcommittee's strong engagement and collaboration with the Association and our members, and your consideration of these clean water priorities.

CLEAN WATER STATE REVOLVING FUND (CWSRF)

The CWSRF is the primary Federal clean water financing tool that communities and public clean water utilities utilize to help meet their Clean Water Act (CWA) obligations and infrastructure needs. The CWSRF has been instrumental to communities' successes in advancing water quality and public health protection. While the BIL provided a 5-year infusion of additional funds into the CWSRF, we appreciate that it was clearly the intent of Congress for the BIL funds to supplement—not supplant—continued robust annual CWSRF appropriations. NACWA supports CWSRF funding at the full BIL authorized level of $2.75 billion for FY23 in the annual spending bill.

NACWA also supports dedicated FY23 appropriations for EPA to complete an updated Clean Water Infrastructure Needs Survey to provide a more accurate, updated, and complete understanding of clean water needs across the country.

Additionally, NACWA members who benefited from Congressionally Directed Spending greatly appreciate the direct funding provided through the FY22 Omnibus Appropriations. These funds will help utilities undertake important work in the communities they serve. However, as the Committee considers future spending levels, NACWA requests that funding for these projects not be taken from the CWSRF but rather as a separate inclusion within the State and Tribal Assistance Grant Program. This will help ensure that communities who secured Congressionally Directed spending for their projects are funded without reducing access to CWSRF financing by all eligible communities long-term, as well as protect its long-term viability.

Technological innovation also has an important role in managing water quality challenges and potentially reducing costs for utilities in the long-term. NACWA requests that the Committee provide language encouraging EPA, States, and local communities support the use of new technologies under the CWSRF.

LOW-INCOME WATER ASSISTANCE

NACWA has long supported the creation of a Federal low-income water assistance program at EPA to assist households in maintaining access to affordable and reliable public clean and drinking water services. Similar Federal programs exist to help low-income households with food and energy costs, as the time has come for water to be treated equally. A robust and permanent Federal water assistance program is key to helping communities and public utilities provide service to all customers while also being able to charge the rates necessary to maintain safe, reliable water and wastewater systems.

NACWA is grateful for the steps Congress has taken to advance this critical need, including the BIL's authorizing a national assessment by EPA of the water and sewer affordability challenges low-income households face, and authorizing an EPA pilot program to provide Federal low-income water customer assistance. However, funding is necessary to get this program off the ground, and NACWA requests a minimum of $225 million in FY23 to initiate it.

Existing emergency water assistance provided for low-income households during the pandemic is quickly being spent down by the States, suggesting a drop-off in support is near. NACWA stands ready to help EPA and Congress with this effort and is coordinating a project with leading water sector associations to develop recommendations for a successful low-income water assistance program.

SEWER OVERFLOW AND STORMWATER REUSE MUNICIPAL GRANTS

Reducing sewer overflows can be very costly and over the years has been a key driver of financial strain on many communities and their ratepayers. This is especially clear in communities under Federal consent decrees, dealing with aging infrastructure, and/or adjusting to population and economic shifts. Meanwhile, improved stormwater management and greater water reuse practices present some of the most significant opportunities for continued improvement in water quality, but also come with extremely high costs for communities around the country.

For these reasons, NACWA strongly supports growing this program, which not only focuses funds on these investments but also provides a rare source of full grant (as opposed to loan) funding. The program was reauthorized at higher levels but not directly appropriated in the BIL. NACWA supports full funding of the reauthorized level of $280 million in FY23.

INTEGRATED PLANNING

Integrated Planning (IP) is a tool that allows communities the ability to sequence and prioritize how they meet local clean water obligations and long-term infrastructure needs. The approach maintains water quality requirements but allows the local community greater agency over their investments and ability to manage costs over time.

It takes significant work by a community to develop an integrated plan, along with considerable resources from the State regulatory agency and EPA to review and approve. Dedicated financial resources for IP will help EPA work with communities to develop integrated plans and provide technical assistance to States so they can work with local communities to better incorporate integrated planning concepts into their CWA permits.

NACWA strongly requests $2 million in FY23 appropriations to support EPA's integrated planning activities that advance water quality in a holistic approach driven by local priorities.

WATER WORKFORCE INFRASTRUCTURE GRANTS PROGRAM

The public water sector provides good career paths with competitive wages where workers can take pride in serving their community. However, the water utility workforce is retiring rapidly, and public utilities struggle to compete with other sectors for skilled workers.

NACWA has strongly supported EPA's Water Workforce Infrastructure Development Grant Program and supports the fully authorized funding level of $5 million in FY23. This funding will support innovative efforts to develop tomorrow's utility workforce and ensure long-term stability in the sector. NACWA also requests that the Committee clarify that utilities are given direct consideration as a potential recipient of funding under the program regardless of how they are locally structured, in line with provisions under the BIL directing the Agency to do so.

WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT (WIFIA) PROGRAM

The WIFIA program is a complement to the SRFs, accelerating significant water infrastructure investments and leveraging limited Federal resources. NACWA supports funding equal to the FY22 appropriated amount of $69.5 million in FY23. NACWA also supports an additional $5 million for the SWIFIA program, which allows state financing authorities that administer the SRFs to apply for WIFIA loans directly through EPA. This ability of a State to bundle multiple projects on its approved intended use plan can increase participation in smaller, rural, and lesser-resourced communities.

Clean Water Infrastructure Resilience and Sustainability Program

NACWA was strongly supportive of this new program that was established under the BIL. These program grants will be helpful to utilities who are on the front lines of mitigating the impacts of climate change and ensuring resilience services—through building resilient infrastructure, managing wet weather, and piloting integrated and adaptive. NACWA requests the fully authorized amount of $25 million in FY23 to jumpstart this program.

PFAS

Clean water utilities are very concerned about the presence of emerging contaminants in their influent, the impacts these chemicals have on their treated effluent and biosolids, and the potential costs that may accrue to public ratepayers.

NACWA urges funding for EPA to advance its work to better develop our scientific understanding of PFAS in the environment—particularly exposure pathways, toxicity levels, and treatment technologies—to guide the development of appropriate risk-based standards that protect public health and the environment. This work can also help advance source control and the transition from PFAS in products and supply chains to alternative materials.

As a key part of this, NACWA urges Congress to provide dedicated funding to bolster EPA's Biosolids Program, which regulates the beneficial reuse of wastewater treatment residuals. Their ongoing work on a problem formulation for biosolids is critical to providing certainty for wastewater treatment and residuals management.

NACWA strongly supported the $1 billion in appropriations under the BIL for clean water utilities to address emerging contaminants such as per- and polyfluoroalkyl substances (PFAS).

We are concerned, however, that since these funds are flowing through the CWSRF, they may be limited to existing SRF eligibilities, which focus on capital investment, to the potential exclusion of near-term utility PFAS costs. These critical

funds can be put to work immediately on sampling, monitoring, studies, and expanding pretreatment programs with local industry to better understand at a local level how the contaminants enter the wastewater system, their fate, and how to reduce concerning sources of PFAS in anticipation of EPA or state standards. NACWA requests that the Committee consider clarifying the use of these appropriated funds moving forward.

ADDITIONAL KEY PROGRAMS

NACWA also supports increased funding for EPA's Geographic Programs, which support critical watershed-based investments; Section 319 Nonpoint Source grants that support watershed solutions to pollution driven by nonpoint sources, which remain the largest outstanding driver of water quality impairments; and $20 million for EPA's National Priorities Water Research grant program which supports work on timely national water research priorities.

[This statement was submitted by Jason Isakovic, Director of Legislative Affairs, National Association of Clean Water Agencies.]

PREPARED STATEMENT OF NATIONAL ASSOCIATION OF STATE ENERGY OFFICIALS

Chairman Merkley, Ranking Member Murkowski, and members of the subcommittee, I am David Terry, Executive Director of the National Association of State Energy Officials (NASEO), which represents the 56 State and Territory Energy Directors and their Offices. NASEO submits this testimony in support of funding for the Energy Star program (within the Climate Protection Partnership Division of the Office of Air and Radiation) at the U.S. Environmental Protection Agency (EPA). NASEO supports funding of at least $80 million in FY'23, including specific report language directing that the funds be utilized only for the Energy Star program. The program received $54 million a decade ago and is now down to $38 million. The Energy Star program is successful, voluntary, and cost-effective. The program has a proven track record—it makes sense, it saves energy and money, and Americans embrace it. Energy Star helps consumers and businesses control expenditures over the long term. The program is strongly supported by product manufacturers, utilities, and homebuilders, and Energy Star leverages the States' voluntary efficiency actions. Voluntary Energy Star activities are occurring in public buildings, such as schools, in conjunction with State Energy Offices, in virtually every State, including Oregon and Alaska. The States and the public utilize Energy Star because it is seen as unbiased and delivers cost-saving benefits to businesses, consumers and State and local governments.

The Energy Star program is focused on voluntary efforts that reduce energy waste, promotes energy efficiency and renewable energy, and works with States, local governments, communities and business to achieve these goals in a cooperative, public-private manner.

NASEO has worked closely with EPA and approximately 40 States are Energy Star Partners. With very limited funding, EPA's Energy Star program coordinates with the State Energy Offices to give consumers and businesses the opportunity and technical assistance tools to make better energy decisions and catalyzes product efficiency improvements by manufacturers without regulation or mandates. The program is voluntary.

ENERGY STAR focuses on energy-efficient products as well as buildings (e.g., residential, commercial, and industrial). Over 300 million Energy Star qualified products were sold in 2019 alone, not including another 300 million Energy Star certified light bulbs. The Energy Star label is recognized across the United States. Approximately 90 percent of households recognize the Energy Star label and a majority of surveyed U.S. households reported having purchased an Energy Star product. The manufacturing, installation, design, wholesale distribution, and provision of professional services related to Energy Star products employed almost 827,000 American workers in 2019. It makes the work of the State Energy Offices much easier, by engaging the public on easily-recognized products, services, and targets. In order to obtain the Energy Star label, a product has to meet established guidelines. Energy Star's voluntary partnership programs include Energy Star Buildings, Energy Star Homes, Energy Star Small Business, and Energy Star Labeled Products. We are also encouraged by the new Energy Star Home Upgrades Program. We are also pleased with the final residential update for Energy Star Version 3.2, which was just announced.

Marketplace barriers are also eradicated through the Energy Star program's collaborative approach to consumer education. State Energy Offices are working with

EPA to promote Energy Star products, Energy Star for new construction, Energy Star for public housing, etc. Another Energy Star success is in the manufactured housing sector. Some States and utilities offer modest rebates for Energy Star manufactured homes in order to deliver both energy cost savings to homeowners and lower overall electric grid operation costs for all customers.

In 2021, millions of consumers and thousands of voluntary partners, including manufacturers, builders, businesses, communities, and utilities, tapped the value of Energy Star and achieved impressive financial and environmental results.

An estimated 70,000 energy efficiency home improvement projects were undertaken through the whole house retrofit program, Home Performance with Energy Star, in 2020.

More than 840 utilities, State, and local governments and non-profits utilize Energy Star in their energy efficiency programs, as do 1,800 manufacturers.

The State Energy Offices are very encouraged by progress made at EPA, in partnership with the U.S. Department of Energy, and in our States to promote programs to make schools more energy-efficient while improving indoor air quality and comfort. In fact, there are over 150 Energy Star-rated schools in States from Arizona to Maine. In addition, many States' private sector partners voluntarily utilize Energy Star to promote energy efficiency and lower operating costs.

EPA provides technical assistance to the State Energy Offices in such areas as Energy Star Portfolio Manager (how to rate the performance of buildings), setting an energy target, and financing options for building improvements and building upgrade strategies. Energy Star Portfolio Manager is used extensively by State Energy Offices to benchmark performance of State and municipal buildings, saving taxpayer dollars. Portfolio Manager is the industry-leading benchmarking tool which has been used voluntarily in approximately 50 percent of the commercial buildings in the United States. Portfolio Manager is used to measure, track, assess, and report energy and water consumption.

Additionally, the industrial sector embraces Energy Star at job-creating companies such as GM, Eastman Chemical, Nissan, Raytheon, and Boeing. Recent Energy Star certified manufacturers include such companies as J.R. Simplot, Flowers Foods, Ardagh Glass, and Marathon Petroleum Refining. At the close of 2021, more than 750 U.S. industrial sites had committed to the Energy Star Challenge for Industry

The State Energy Offices are working cooperatively with our peers in the state environmental agencies and state public utilities commissions to ensure that programs, regulations, projects and policies are developed recognizing both energy and environmental concerns. We have worked closely with this program at EPA to address these issues. We encourage these continued efforts.

For example, in Oregon, the State is focused on decarbonization efforts, and Energy Star is a useful tool to promote sustained investments in energy efficiency. In Alaska, the State has worked with partners to promote the Village Energy Efficiency Program, and Energy Star has been critical.

Moreover, Oregon and Alaska have significant Energy Star activities underway:

—Oregon is home to more than 180 businesses and organizations participating in U.S. EPA's Energy Star program: 9 manufacturers of Energy Star certified products; and 10 companies supporting independent certification of Energy Star products and homes 49 companies building Energy Star certified homes. Energy Star Partner Activity in Oregon includes 1.9 million customers served by Energy Star utility partners in 2020; 3,607 buildings (255 million square feet) benchmarked using EPA's Energy Star Portfolio Manager; 26,522 homes earned the Energy Star to-date; 437 buildings earned the Energy Star to-date, including 107 schools, 3 hotels, 6 hospitals, 142 office buildings and 5 industrial plants.

—Alaska is home to more than 20 businesses and organizations participating in U.S. EPA's Energy Star program; has 153 thousand customers being served by Energy Star utility partners; 437 buildings that have been benchmarked using EPA's Energy Star Portfolio Manager; 11,891 homes have earned the Energy Star label; 31 schools, and 4 hospitals.

CONCLUSION

The Energy Star program saves consumers billions of dollars every year. The payback and job creation benefits are enormous. NASEO supports robust program funding of at least $80 million in FY'23. Funding for the Energy Star program is justified. It is a solid public-private relationship that leverages resources, time and talent to produce tangible results by saving energy and money and, in light of Administrator Michael Regan's commitment to environmental justice, can provide immense benefits to high-need and underserved communities. NASEO endorses these activi-

ties as well as the constructive partnerships that the State Energy Offices have with EPA to cooperatively implement a variety of critical national programs without mandates.

[This statement was submitted by David Terry, Executive Director.]

PREPARED STATEMENT OF NATIONAL ASSOCIATION OF STATE FORESTERS

The National Association of State Foresters (NASF) appreciates the opportunity to submit written public testimony to the House Committee on Appropriations, subcommittee on Interior, Environment, and Related Agencies regarding our fiscal year 2023 appropriations recommendations. Our priorities focus primarily on appropriations for the USDA Forest Service (Forest Service) State and Private Forestry (S&PF) programs, as well as the Research and Development (R&D) Forest Inventory and Analysis Program.

State foresters deliver technical and financial assistance, along with forest health, water, and wildfire protection for more than two-thirds of the Nation's 751 million acres of forests. The Forest Service S&PF mission area provides vital support to deliver these services, which contribute to the socioeconomic and environmental health of rural and urban areas. The comprehensive process for delivering these services is articulated in each State's Forest Resource Assessment and Strategy (Forest Action Plan), authorized in the 2008 Farm Bill and continued in the 2018 Farm Bill. State Forest Action Plans-completed in 2010, updated in 2015, and comprehensively revised in 2020 by all 59 States, U.S. territories, freely associated States, and the District of Columbia-offer practical and comprehensive roadmaps for investing federal, State, local, and private resources where they can be most effective in achieving national conservation goals. S&PF programs provide a significant return on the Federal investment by leveraging the boots-on-the-ground and financial resources of State agencies to deliver assistance to forest landowners, Tribes, and communities. As Federal and State governments continue to face financial challenges, state foresters, in partnership with the S&PF mission area of the Forest Service, are best positioned to maximize effectiveness of available resources by focusing work on priority forest issues where resources are needed most.

FY21 marked the first year that Congress appropriated the Forest Service budget under a modernized structure. To transition to this new structure, the historical budget for each program account was broken out into three parts: operations (aka cost pools), salaries & expenses, and program dollars. Congress determined its fiscal year 2021 appropriations levels based in part on an historical analysis performed by the Forest Service that described how fiscal year 2021 program budgets would have broken out under the previous budget structure. While the modernized budget structure has resulted in unprecedented levels of transparency-as the fiscal year 2021 budget was implemented, it became clear that elements of Forest Service analysis were incorrectly estimated.

Your support of the following programs is critical to helping States address the many and varied challenges outlined in Forest Action Plans.

STATE FIRE CAPACITY (SFC) AND VOLUNTEER FIRE CAPACITY (VFC)

More people living in fire-prone landscapes, high fuel loads, drought, and deteriorating forest health are among the factors that led most state foresters to identify wildland fire as a priority issue in their Forest Action Plans. We now grapple with increasingly expensive and complex wildland fires—fires that frequently threaten human life and property. In 2021, roughly 59,000 wildland fires burned more than 7.1 million acres.[1] State and local agencies respond to the majority of wildfires across the country; in 2021 State and local agencies were responsible for responding to 45,186 (77 percent) of the 58,985 reported wildfires across all jurisdictions.[2]

SFC and VFC are the fundamental Federal mechanism for assisting States and local fire departments in responding to wildland fires and in conducting management activities that mitigate fire risk on non-federal lands. SFC also helps train and equip local first responders who are often first to arrive at a wildland fire incident and who play a crucial role in keeping fires and their costs as minimal as possible. Attacking fires when they are small is the key to reducing fatalities, injuries, loss of homes, and cutting Federal fire-fighting costs. The need for increased funding for fire suppression on Federal lands has broad support. The need to increase fire sup-

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[1] National Interagency Fire Center, Historical Wildland Fire Summaries, Last accessed March 10, 2022 athttps://www.nifc.gov/fire-information/statistics/wildfires

[2] Id.

pression funding for state and private lands, where roughly 80 percent of wildfires occur, and where many Federal fires begin, is just as urgent. NASF supports funding the State Fire Capacity Program at $79 million, and Volunteer Fire Capacity Program at $21 million in fiscal Year 2023.

FOREST PESTS AND INVASIVE PLANTS

Also among the greatest threats identified in the Forest Action Plans are native and non-native pests and diseases which have the potential to displace native trees, shrubs, and other vegetation types in forests; the Forest Service estimates that hundreds of native and non-native insects and diseases damage the Nation's forests each year. The growing number of damaging pests and diseases are often introduced and spread by way of wooden shipping materials, movement of firewood, and through various types of recreation. There is an estimated 81 million acres at risk of attack by insects and disease.[3] These extensive areas of high insect or disease mortality can set the stage for large-scale, catastrophic wildfire.

The Cooperative Forest Health Management program supports activities related to prevention, monitoring, suppression, and eradication of insects, diseases, and plants through provision of technical and financial assistance to States and territories to maintain healthy, productive forest ecosystems on non-federal forest lands. The Cooperative Forest Health Management program plays a critical part in protecting communities already facing outbreaks and in preventing exposure of more forests and trees to the devastating and costly effects of damaging pests and pathogens. NASF supports funding the Forest Health-Cooperative Lands Program at $39.43 million in fiscal Year 2023.

ASSISTING LANDOWNERS AND MAINTAINING HEALTHY FORESTS—FOREST STEWARDSHIP PROGRAM AND FOREST LEGACY PROGRAM

Actively managed healthy forest landscapes are a vital part of rural America, providing an estimated 900,000 jobs, clean water, wood products, and other essential services to millions of Americans. Over 50 percent of U.S. forestland is privately owned and supports an average of eight jobs per 1,000 acres.[4] However, the Forest Service estimates that 57 million acres of private forests in the U.S. are at risk of conversion to urban development over the next two decades. Programs like the Forest Stewardship Program (FSP) and the Forest Legacy Program (FLP) are key tools identified in the Forest Action Plans for keeping working forests intact and for providing a full suite of benefits to society. With the Great American Outdoors Act (GAOA) signed into law, the Land and Water Conservation Fund (LWCF) will receive permanent annual funding at the full authorized level, nearly doubling historical appropriations for the LWCF. FLP should receive significant increased funding levels commensurate with the increased funding provided to the LWCF by the GAOA.

FSP is the most extensive family forest-owner assistance program in the country and is delivered in partnership with state forestry agencies, cooperative extension services, certified foresters, conservation districts, and other partners. FSP equips private forest landowners with the unbiased, science-based information they need to sustainably manage their forests now and into the future, helping to keep forests as forests. In addition to delivering technical assistance directly to forestland owners, the Forest Stewardship Program often serves as a gateway to other landowner cost-share assistance programming, like the USDA Environmental Quality Incentives Program, State programs, and partner programs, that can help landowners keep their forests working and intact. In fiscal year 2021, the Forest Stewardship Program added 1.45 million acres of new or revised plans for a total of 20.4 million acres currently enrolled in the program. Forest landowners that have management plans are almost three times more likely to meet their management objectives compared to those without management plans. The FSP leads landowners to reach their management objectives while tying those objectives to the State's Forest Action Plan. Increased Federal funding for FSP will allow state forestry agencies to ramp up outreach efforts and provide additional technical assistance to landowners to ensure that private forestland acres are maintained. Forest Stewardship plans provide guidance for family forest landowners to keep their land healthy and productive and often serve as management roadmaps for several generations.

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[3] Tkacz, Bory, et al. 2014. NIDRM 2012 Report Files: Executive Summary. 2013–2027 National Insect and Disease Forest Risk Assessment. Last accessed on March, 5, 2019 at: http://www.fs.fed.us/foresthealth/technology/pdfs/2012__RiskMap__Exec__summary.pdf

[4] Forest2Market. The Economic Impact of Privately-Owned Forests. 2009.

Following congressional direction, NASF has worked closely with the Forest Service to modernize the funding allocation formula to State agencies for FSP, focused on improving program delivery with greater emphasis on performance-based outcomes. Under the new allocation formula, priority areas and priority resource concerns have been designated in each State and greater emphasis has been placed on providing technical assistance and implementing land management plans in those priority areas. NASF supports funding for the Forest Stewardship Program at $22 million, and the Forest Legacy Program at $128 million in fiscal Year 2023.

URBAN AND COMMUNITY FOREST MANAGEMENT CHALLENGES

Urban forests are important to achieving energy savings, improved air quality, neighborhood stability, aesthetic value, reduced noise, and improved quality of life in municipalities and communities around the country. Urban trees and forests provide a wide array of social, economic, and environmental benefits to people living in urban areas; today, more than 83 percent of the Nation's population lives in urban areas. Yet, urban and community forests face serious threats, such as development and urbanization, invasive pests and diseases, and fire in the wildland urban interface (WUI).

The program is delivered in close partnership with state foresters and leverages existing local efforts that have helped thousands of communities and towns manage, maintain, and improve their tree cover and green spaces. In fiscal Year 2021, the U&CF program delivered technical, financial, educational, and research assistance to 7,100 communities across all 50 States, U.S. territories, three nations in compacts of free association with the U.S., and the District of Columbia. NASF supports funding the Urban and Community Forestry Program at $38 million in fiscal Year 2023.

IMPORTANCE OF FOREST INVENTORY DATA IN MONITORING FOREST ISSUES

The Forest Inventory and Analysis (FIA) program, managed by Forest Service, Forest and Rangeland Research, is the only comprehensive inventory system in the United States for assessing the health and sustainability of the Nation's forests across all ownerships. FIA provides essential data related to forest species composition, forest growth rates, and forest health data, and it delivers baseline inventory estimates used in Forest Action Plans. Further, this data is used by academics, researchers, industry, and others to understand forest trends and support investments in forest products facilities that provide jobs and products to society. The program provides unbiased information used in monitoring of wildlife habitat, wildfire risk, insect and disease threats, invasive species spread, and response to priorities identified in the Forest Action Plans.

As the key partner in FIA program delivery via State contribution of matching funds, state foresters look forward to continued work with the Forest Service to improve efficiency in delivery of the program to meet the needs of the diverse user groups for FIA data. This will ensure that, at a minimum, the historical level of base program delivery is accomplished, which should include funding the collection of data on a 7-year cycle in the east and 10-year cycle in the west. NASF supports funding the Forest Inventory and Analysis Program at $32.4 million in fiscal Year 2023. However, we request that this increase not be realized at the expense of other critical Forest Service Research & Development or S&PF programs. We request you to work with the Forest Service to establish a budget line item for FIA for salaries and expenses.

LANDSCAPE SCALE RESTORATION (LSR)

The Landscape Scale Restoration (LSR) program is an important way that States, in collaboration with the Forest Service and other partners, address critical forest priorities across the landscape. LSR projects focus on the most critical priorities identified in each State's Forest Action Plan and on achieving resource objectives outlined in the 2018 Farm Bill. The program prioritizes funding projects that reduce the risk of uncharacteristic wildfires, improve fish and wildlife habitats, maintain or improve water quality and watershed function, mitigate invasive species, insect infestation and disease, improve important forest ecosystems, and measure ecological and economic benefits including air and soil quality and productivity. As a result, LSR contributes to achieving results across the landscape and to making meaningful local, regional, and national impacts. NASF supports funding the Landscape Scale Restoration Program at $20 million in fiscal Year 2023.

NASF appreciates the opportunity to share our fiscal Year 2023 appropriations recommendations for the Forest Service with the subcommittee.

[This statement was submitted by Christopher Martin, Connecticut State Forester, and President.]

PREPARED STATEMENT OF NATIONAL ASSOCIATION OF TRIBAL HISTORIC PRESERVATION OFFICERS

Chair Merkley, Ranking Member Murkowski, and Members of the subcommittee, I appreciate this opportunity to present the National Association of Tribal Historic Preservation Officers' (NATHPO)'s recommendations for Fiscal Year 2023 appropriations. My name is Valerie Grussing and I am the Executive Director.

We were grateful that the subcommittee included $24 million in the Tribal line item of the Historic Preservation Fund (HPF) in the Fiscal Year 2022 Interior Appropriations bill. That was $1 million more than both the Biden Administration's budget request and House appropriators' funding level. Unfortunately, the Fiscal Year 2022 Omnibus bill only included $16 million in the Tribal line item of the HPF, $8 million less than this subcommittee had included in its bill. The subcommittee's $24 million funding level would have taken a significant step toward enabling Tribal Historic Preservation Officers (THPOs) to protect and preserve Tribal Nations' cultural resources and sacred sites. It also would have expedited important infrastructure and energy projects that require Tribal Nation consultation. While the funding of THPOs is a national issue, it also has serious ramifications for the States represented by members of this subcommittee. Eighty of the 208 THPOs are located in subcommittee members' States.

It is imperative that the final Fiscal Year 2023 funding level reflects this subcommittee's clear understanding of the important role that THPOs play. We urge the subcommittee to provide a funding level for Fiscal Year 2023 that provides THPOs with the resources they need to do the work that is delegated to them in the National Historic Preservation Act. Specifically, we urge the subcommittee to support these funding levels:

1. National Park Service, Historic Preservation Fund, Tribal line item ($34 million)
2. National Park Service, National NAGPRA Program:
   a. Exclusively for NAGPRA Grants ($10 million)
   b. Program administration ($1 million for Program Use)

What are Tribal Historic Preservation Officers (THPOs)? THPOs are an exercise of Tribal sovereignty, appointed by federally recognized Tribal governments that have an agreement with the Department of the Interior to assume the Federal compliance role of the State HPO, per the National Historic Preservation Act (NHPA). Tribal historic preservation plans are grounded in self-determination, traditional knowledge, and cultural values, and may involve projects to improve Indian schools, roads, health clinics, and housing. THPOs are the first responders when a sacred site is threatened or when Native ancestors are disturbed by development. THPOs are often responsible for their Tribe's oral history programs, operating museums and cultural centers, leading revitalization of Native traditions and languages, and many more related functions.

What is the National Association of Tribal Historic Preservation Officers? NATHPO is a national non-profit membership association of Tribal government officials committed to protecting culturally important places that perpetuate Native identity, resilience, and cultural endurance. NATHPO assists Tribes in protecting their historic properties, whether they are naturally occurring in the landscape or are manmade structures.

1. Historic Preservation Fund (HPF), administered by the National Park Service—Tribal line item ($34 million)

As of December 31, 2021, there were 208 National Park Service (NPS)-recognized Tribal Historic Preservation Officers (THPOs). Each THPO represents an affirmative step by an Indian Tribe to assume the responsibilities of the State Historic Preservation Officers for their respective Tribal lands, as authorized by Congress in the 1992 amendments to the National Historic Preservation Act (NHPA). Collectively, these Tribes exercise responsibilities over a land base exceeding 50 million acres in 30 States. The HPF is the sole source of Federal funding for THPOs and the main source of funding to implement the Nation's historic preservation programs. HPF revenue is generated from oil and gas development on the Outer Continental Shelf. We recommend $34 million to carry out the requirements of the NHPA. This would provide the 208 federally recognized THPOs an average of

$164,000 each to run their programs. Funding THPOs and staff creates jobs, generates economic development, and spurs community revitalization. It also facilitates required environmental and historic review processes, including for energy and infrastructure permitting. Tribes don't want to stop this development—they need it more than anyone. But they also need to reap the benefits rather than just continue to incur the costs. If these review processes are ever to be "streamlined," THPOs must be able to do the required work.

What is at stake? As the number of Indian Tribes with THPO programs increases, the amount of HPF funding appropriated to THPOs must catch up. Native American cultural properties on millions of acres of Tribal lands are at risk. For the past several years, each THPO program has been asked to conduct important Federal compliance work with fewer financial resources. In the first year of congressional funding support for THPOs (Fiscal Year 1996), the original 12 THPOs each received an average of $80,000, while in Fiscal Year 2021, 200 THPOs received an average of $75,000. This funding was inadequate for THPOs to handle their current workloads and those workloads have increased exponentially with the enactment of the Bipartisan Infrastructure Bill. Additionally, the number of Tribes with a THPO continues to grow; around 10 Tribes successfully establish a THPO program each year. The epidemics we see rampant in Indian Country are the symptoms of historical trauma—of people systematically cut off from their families, languages, practices, and lands. Reconnecting Native peoples to their cultural heritage, traditions, and places has the power to help heal deep generational wounds. Treating the cause: that is the work THPOs do. To continue this work in Indian Country, it is essential that THPO programs receive increased funding to meet the increasing need. The chart below demonstrates the program growth and funding need.

Additional HPF programs administered by the National Park Service:

NATHPO appreciates the strong HPF funding levels the Committee has provided in recent years. We support the request of the National Trust for Historic Preservation that Congress provide a total fiscal Year 2023 HPF appropriation of $200 million. Within that funding we recommend:

—$65 million for State Historic Preservation Officers (SHPOs);

—$34 million for Tribal Historic Preservation Officers (THPOs);

—$24 million for competitive grants to preserve the sites and stories of efforts to advance African American Civil Rights;

—$5 million for the History of Equal Rights Grants program to preserve the sites and stories associated with securing civil rights for All Americans, including women, American Latino, Native American, Alaska Native, Native Hawaiian, and LGBTQ Americans;

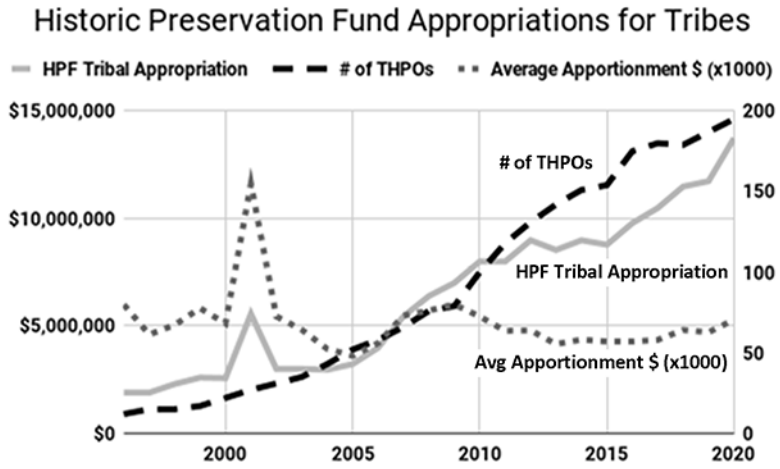
—$12 million for grants to Historically Black Colleges and Universities;

—$35 million for Save America's Treasures grants;

—$12 million for Paul Bruhn Historic Revitalization grants;

—$3 million for grants related to communities underrepresented on the National Register of Historic Places and National Historic Landmarks.

We also recommend the Committee encourage the NPS to work with States and Tribes to improve what has become a burdensome apportionment process so that SHPOs and THPOs can more readily and efficiently access funding Congress has allocated for their work.



HPF Tribal appropriation has steadily increased, as has the number of THPOs. Therefore, the average apportionment per THPO has remained the same.

2. National Park Service, National NAGPRA Program

The Native American Graves Protection and Repatriation Act (NAGPRA) provides for the disposition of Native American cultural items[1] removed from Federal or Tribal lands, or in the possession or control of museums or Federal agencies, to lineal descendants, Indian Tribes, or Native Hawaiian organizations based on descent or cultural or geographic affiliation. NAGPRA prohibits trafficking of Native American cultural items and created a grants program exclusively for Indian Tribes, Native Hawaiian organizations, and public museums.

NAGPRA Grants Program:

c. $10 million to be used exclusively for NAGPRA Grants to Indian Tribes, Native Hawaiian organizations, and museums.

Administration of National NAGPRA Program:

d. $1 million, additionally, for NAGPRA program administration, including the publication of Federal Register notices, grant administration, civil penalty investigations, and Review Committee costs.

3. Bureau of Indian Affairs—Create line items and support the following divisions:

The BIA has federally mandated responsibilities to work with Indian Tribes and comply with the NHPA, the National Environmental Policy Act (NEPA), NAGPRA, and the Archaeological Resources Protection Act (ARPA). Currently the BIA does not have any budget line items devoted to complying with these Federal laws. Funds are not only needed for the BIA to comply with their internal development efforts, such as roads and forestry, but also to conduct project reviews of outside development projects, such as oil and gas development. ARPA crime on Indian reservations continues to be a major problem, as looters and traffickers continue to steal valuable cultural resources from Tribal and Federal lands. The BIA does not have any special agents or law enforcement forces to combat this uniquely destructive crime in Indian Country and we urge the creation of a dedicated line item within the BIA.

NATHPO recommends the BIA create line items and support the following divisions:

a. Cultural Resource compliance at the 12 Regional BIA Offices ($3 million);
b. Central Office cultural resource efforts throughout the bureau ($200,000);
c. NAGPRA compliance work ($765,000);

[1] Cultural items include human remains, funerary or sacred objects, and objects of cultural patrimony.

d. To fight ARPA crimes on Indian reservations ($200,000).

4. Smithsonian Institution, National Museum of the American Indian and the National Museum of Natural History Repatriation Programs

NATHPO requests that the Smithsonian Institution receive $1.25 million for its repatriation activities, including operation costs of the Review Committee and repatriation office.

Thank you for considering our testimony. I would be pleased to answer any questions you have.

[This statement was submitted by Valerie J. Grussing, PhD, Executive Director.]

PREPARED STATEMENT OF NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS

FISCAL YEAR 2023 HISTORIC PRESERVATION FUND (HPF)

Apportionment Total Request:

$65 million for State Historic Preservation Offices (SHPOs)
$35 million for the Save America's Treasures grant program
$34 million for Tribal Historic Preservation Offices (THPOs)
$24 million for the African American Civil Rights grant program
$12 million Historically Black Colleges and Universities (HBCUs) grant program
$12 million for the Paul Bruhn Historic Revitalization grant program
$10 million for the Semiquincentennial grant program
$5 million for the History of Equal Rights grant program
$3 million for the Underrepresented Community grant program

Funded through withdrawals from the Historic Preservation Fund (16 USC 470h), U. S. Department of the Interior's National Park Service.

UNIQUE AND SUCCESSFUL FEDERAL-STATE PARTNERSHIP

Understanding the importance of our National heritage, in 1966 Congress passed the National Historic Preservation Act (NHPA, Title 54 U.S.C. 300101 et seq), which established historic preservation as a national priority, particularly in the face of widespread loss of historic buildings and places that represent the American identity in communities throughout the country. Recognizing that State officials have local expertise and knowledge with the ability to work most directly with and for constituents, the act's authors directed Federal entities charged with its implementation—the Department of the Interior and the Advisory Council on Historic Preservation—to partner with the States to fulfill this vital national priority through a remarkably successful exercise in federalism.

Federal NHPA duties delegated to the SHPOs include: 1) locating and recording historic resources; 2) nominating significant historic resources to the National Register of Historic Places; 3) cultivating historic preservation programs at the local government level; 4) providing funds for preservation activities; 5) commenting on Federal rehabilitation tax credit projects; 6) review of all Federal projects for their impact on historic properties; and 7) providing technical assistance to Federal agencies, State and local governments and the private sector.

Ten years later in 1976, Congress established the Historic Preservation Fund (HPF) to assist the States in accomplishing this federally delegated work. Congress at that time opted to fund the HPF from outer-continental shelf lease revenues (rather than tax dollars), based on an initial premise that the depletion of one non-renewable resource could be used to help preserve another non-renewable resource—our heritage. The States also contribute to the current funding mechanism, matching at least 40 percent of the Federal HPF funding they receive.

SAVING AMERICA'S HERITAGE

The foundational step in preserving and protecting America's heritage is to identify it—through the survey, documentation, stewardship and sharing of historic place data. Adequate funding is essential for SHPOs to do this work in a way that takes advantage of and reflects advances in technology. Recent shortfalls in funding mean that many States must continue to rely upon outdated paper records and inefficient manual processes. Having accurate, up-to-date, and digitally accessible information about our Nation's historic resources dramatically increases the efficiency of project consultation as well as builds a permanent record of our Nation's physical heritage. From decisions on the design of local infill development, to state transpor-

tation planning projects, to Federal large-scale energy projects and disaster recovery efforts—every single project that could impact historic places, and by extension, the American people, benefit from enhanced and accessible historic resource maps and databases.

Once identified and documented, America's historic resources are primarily recognized at the local, State, and national levels by listing on both the National Register as well as State and local historic registers with varying degrees of protection, consideration, and recognition. SHPOs, through the authority of the NHPA assist, support, and encourage communities with their preservation efforts and are the gateway to listing on the National Register of Historic Places. National Register recognition by the Secretary of the Interior confirms citizens' belief in the significance of their communities' historic places as well as provides incentives for the further preservation of these irreplaceable places, often through public-private partnerships.

The National Historic Preservation program is primarily one of assistance, not acquisition. The Federal Government does not own, manage, or maintain responsibility for the vast majority of the historic assets aided by the National Historic Preservation program. Instead, the citizen-oriented national program working through the SHPOs provides individual Americans and communities, together with the local, State, and Federal Governments that serve them, with the tools needed to identify, preserve, and utilize the historic assets of importance to them. SHPOs are fundamentally constituent-oriented and work closely and cooperatively with individual Americans to preserve historic places across the Nation.

Directing $65 million for fiscal Year 2023 to SHPO offices will provide much needed operational funding to aid in increased capacity and efficiency to maximize constituent assistance and responsiveness. Specifically, with the recent $500 billion in new Federal infrastructure spending, SHPOs are in dire need of resources to operate programs as they continue to fulfill responsibilities to review and comment on increasing numbers of Federal undertakings under NHPA. Likewise, Tribal Historic Preservation Offices (THPOs) assume many of the responsibilities of the SHPO on their respective Tribal lands. The number of THPOs continues to increase annually, requiring funding to keep pace with expanding needs. With over 200 THPOs in place, funding of $34 million for THPO offices is necessary to prevent a decrease in the average THPO grant.

HPF funds also support competitive grant programs aimed at protecting and promoting the Nation's historic and cultural resources, while furthering efforts to tell the full scope of America's history through recognition and preservation of our irreplaceable historic places. As such, NCSHPO encourages HPF funding of $35 million for the Save America's Treasures grant program; $24 million for the African American Civil Rights grant program; $12 million to assist in the preservation and rehabilitation of buildings on the campuses of Historically Black Colleges and Universities (HBCUs); $12 million for the Paul Bruhn Historic Revitalization grant program to support historic preservation in rural communities; $10 million to support the Semiquincentennial grant program to commemorate the Nation's 250th anniversary; $5 million for the History of Equal Rights grant program; and $3 million for competitive grants to identify, recognize and preserve the sites and stories related to Underrepresented Communities.

In fiscal Year 2022, the importance of having appropriate funds to protect and promote our historic and cultural assets was reflected in the amount authorized under the final omnibus spending bill for the HPF. A record $173 million was appropriated under the fund including $55.675 million for SHPOs, $16 million for THPOs, and the remainder going towards competitive grant programs that support historic preservation efforts. While this is trending in the right direction, there are additional citizen-oriented needs that must be met and more work to be done.

JOBS, ECONOMIC DEVELOPMENT & COMMUNITY REVITALIZATION

Historic preservation has stimulated economic growth, promoted community education and pride, and rescued and rehabilitated significant historic resources throughout the country. By positively combatting the effects of blight and vacancy through respectful repurposing of existing historic building stock, historic preservation is frequently a catalyst for positive community change—resulting in dynamic destinations for visitors and residents alike. Further, preservation incentives and programs foster affordable housing and solutions to the challenge of climate change.

The Federal Rehabilitation Tax Credit (HTC) program, administered by the State Historic Preservation Offices in cooperation with the National Park Service, is an important driver for economic development. Throughout the program's history, the

HTC has enabled the rehabilitation of more than 47,000 buildings [1], generated more than 2.9 million jobs and leveraged $181 billion in private investment nationwide.[2] On average, the HTC leverages $5 dollars in private investment for every $1 dollar in Federal funding, cultivating highly effective public-private partnerships and community focused re-investment. 39 States currently offer a historic tax credit program [3], including my own state of North Carolina. State tax credit programs complement the Federal HTC program incentives and provide additional opportunities for community revitalization and saving historic places for the use and enjoyment of future generations of Americans.

As an example of return on the Federal HPF investment in my own state of North Carolina, the modest Federal funding provided to our office of less than $2 million in the last fiscal year helped our professional staff to facilitate in that 1 year approximately $200 million of historic tax credit-fueled private investment in historic buildings, which employs local workers at the construction and post-rehab stage, brought about local construction material spending, generated new sources of local, State, and Federal tax revenue, and enhanced community pride through the renewal of historic building stock for a new generation of productive use.

Historic preservation also stimulates economic development through heritage tourism. SHPOs are essential local partners in identifying and interpreting the historic places that attract visitors. A modest increase in SHPO funding would allow SHPOs to expand their public outreach and assistance efforts, enabling communities to take greater advantage of heritage tourism opportunities which likewise lead to job creation, new business development and strong community identity.

STATE HISTORIC PRESERVATION OFFICES' ACCOMPLISHMENTS

The HPF has facilitated nearly 100,000 listings to the National Register, with over 1.9 million contributing resources, and the survey of millions of acres for cultural resources. The HPF has also provided SHPOs with the administrative capacity for constituent access to the Federal Historic Preservation Tax Credit program, which has generated more than $39.4 billion in Federal tax revenue from historic rehabilitation projects from inception through fiscal Year 20202. In fiscal Year 2021, HPF funding also enabled SHPOs to review 124,300 Federal undertakings, and in so doing, aid in a conscientious public consideration of how to balance two fundamental needs—public investments for the future and preservation of America's historic places.

Many SHPOs have also made extensive use of HPF grant programs that are intended to make sure that a wide variety of historic places are preserved. In North Carolina, over the last several years, we have applied for and received grants under several of these grant programs. A 2015 Underrepresented Communities grant yielded National Register nominations and listings for eight Rosenwald School nominations, two historic African American cemeteries, and the College Heights Historic District, which is associated with the HBCU North Carolina Central University; a 2022 award through this program will survey and nominate to the National Register extant Green Book properties, as examples of Black entrepreneurship during the difficult segregation era. A 2020 Civil Rights grant is currently underway with a study to gather and document oral histories, background research, and places associated with the Civil Right Movement in northeastern North Carolina. The North Carolina Division of State Historic Sites has also recently received a Civil Rights grant to rehabilitate the home of Civil Rights leader Golden Frinks in Edenton and update the existing National Register listing for the home to capture its Civil Rights significance. A current American Battlefield Protection Program planning grant is providing needed funding to study the combat role of US Colored Troops in North Carolina with an eye to strategizing battlefield preservation priorities in the future.

CONCLUSION

Historic preservation recognizes that what was common and ordinary in the past is often rare and precious today, and what is common and ordinary today may be extraordinary, whether it is fifty, one hundred or five hundred years from now. The national network of State Historic Preservation Offices, employing public history

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[1] 2022. National Park Service, U.S. Department of the Interior, Technical Preservation Services. Federal Tax Incentives for Rehabilitating Historic Buildings—Annual Report for Fiscal Year 2021.

[2] 2021. Rutgers Edward J Bloustein School of Planning & Policy & National Park Service, U.S. Department of the Interior, Technical Preservation Services. Annual Report on the Economic Impact of the Federal Historic Tax Credits for Fiscal Year 2020.

[3] 2022. National Trust for Historic Preservation. Preservation & State Historic Tax Credits.

professionals in service to American citizens, helps to ensure that the places associated with the history of all Americans are recognized and preserved. To that end, I would like to thank the committee sincerely for its commitment to historic preservation. The Federal Government plays an invaluable role in preserving our Nation's history and our collective sense of place. Through our federalism partnership, SHPOs remain committed to working together to identify, protect, and maintain our Nation's heritage and in doing so, provide Americans with a strong sense of orientation towards our common history.

On behalf of all 59 SHPOs, I'd like to thank you, Chairman Merkley, Ranking Member Murkowski, and members of the U.S. Senate Committee on Appropriations, subcommittee on Interior, Environment, and Related Agencies for the opportunity to submit testimony.

[This statement was submitted by Ramona Bartos, President.]

PREPARED STATEMENT OF NATIONAL CONGRESS OF AMERICAN INDIANS

On behalf of the National Congress of American Indians (NCAI), thank you for this opportunity to provide testimony on fiscal Year 2023 funding for the Department of the Interior (DOI), the Indian Health Service (IHS), the Environmental Protection Agency (EPA), and the U.S. Forest Service, involving our recommendation of $55.54 billion in funding. The spending within this subcommittee's jurisdiction include some of the most critical funding for Indian Country. Unfortunately, chronically underfunded and sometimes inefficiently structured Federal programs have left many basic obligations of the United States to Tribal Nations and their people unmet for centuries, which contribute to the inequities observed in Native American communities.

The President's fiscal Year 2023 Budget Request to Congress calls for a historic shift in the paradigm of Nation-to-Nation relations that seeks to restore the promises made between our ancestors and the United States in several key programs. It includes requesting mandatory funding for: IHS, DOI Contract Support Costs, and Section 105(l) Tribal Leases; along with a myriad of investments in Indian healthcare, education, public safety, natural resource management, and infrastructure. The Biden-Harris proposal represents the most revolutionary presidential budget and policy proposals for Tribal programs, which Tribal leaders have long advocated for, are long overdue, and are prepaid for by our ancestors.

After the COVID–19 pandemic struck, the Federal Government listened to Tribal Nations' collective voice and provided the largest single infusion of Federal funding for Native Americans in U.S. history.[1] Funding from the American Rescue Plan Act embodied a simple and effective strategy to maximize the investment: empowering Tribal Nations to design their own solutions. While this funding is historic, necessary, and essential, Tribal Nations began the pandemic on unequal footing compared to State and local governments. This historic inclusion in Federal spending for Indian Country must be the norm, and not the exception.

The subcommittee can do this by: working with the Budget Committee to account for mandatory obligations as mandatory spending; providing funding for programs that far outpaces the appropriations status quo that has left Tribal communities less safe, less prosperous, and inhibits economic potential; empowering Tribal Nations to address climate change and restore their homelands, including funding for taking land into trust and a Carcieri fix;[2] providing resources to further DOI's commitment to improve the protection of, and Tribal access to, Indigenous sacred sites; and by providing advance appropriations until such time that all trust and treaty obligations to Tribal Nations are accounted for and provided as mandatory spending.

U.S. DEPARTMENT OF THE INTERIOR

The government-to-government relationship between the United States and Tribal Nations extends to all agencies of the Federal Government and is not singularly housed within Tribal affairs bureaus or offices. The long history of Federal Indian policies of removal, assimilation, reorganization, and termination have placed many Tribal lands in the hands of Federal land management agencies with the duty to conserve and protect them. Tribal Nations are assuming greater roles of steward-

[1] Eric C. Henso et. al, "Assessing the U.S. Treasury Department's Allocations of Funding for Tribal Governments under the American Rescue Plan act of 2021", Harvard Project on American Indian Economic Development & Native Nations Institute, Policy Brief No. 7 November 3, 2021), accessed at: https://ash.harvard.edu/files/ash/files/assessing_the_u.s.—treasury_departments_allocations_of_funding_for_tribal_governments.pdf?m=1635972521

[2] See NCAI Resolutions RAP–10–058c, MSP–15–044, and DEN–18–055.

ship and co-management of public lands, waters, and wildlife that demonstrate the creative management solutions that tribal/federal partnerships bring to Federal land management. Additionally, Tribal Nations play a unique role in the mitigation of wildland fires, a joint responsibility of Federal land management agencies and Tribal Nations over more than 535 million acres.

Tribal Nations are fighting battles to protect and retain access to their homelands, ensuring their freedom to continue practicing their religious and cultural customs. Every week, it seems, NCAI hears a new story of our sacred lands under threat, either from nonconsensual development, environmental harm, or restriction of treaty guaranteed access for the original stewards of these places. Infringements on Native American cultural and religious rights and protections are not limited to Federal lands. Private landowners continue to till some of the last natural habitats for Peyote in the United States, affecting biodiversity in the ecosystem and destroying religious practices that have existed for millennia. The U.S. Fish and Wildlife Service, Partners for Fish and Wildlife program allows for partnerships with Tribal Nations and private landowners for the conservation and protection of working landscapes such as forests, farms, and ranches. This subcommittee must leverage these and other existing authorities to provide grants to Tribal Nations and Tribal organizations for partnerships with private landowners for the conservation and protection of Peyote.

In November 2021, the Secretaries of the Interior and Agriculture signed a joint secretarial order to facilitate agreements with Tribes to collaborate in the co-stewardship of Federal lands and waters.[3] This subcommittee must provide and direct resources into the protection and Tribal co-management of Federal lands for the conservation and protection of natural resources, historical and sacred areas, and subsistence rights for all Tribal Nations.

INDIAN AFFAIRS

NCAI recommends $5.36 billion for Indian Affairs programs in fiscal Year 2023, consistent with the official fiscal Year 2023 recommendation of the Tribal/Interior Budget Council (TIBC).[4] Within TIBC's fiscal Year 2023 recommendations are robust increases for all base-funded programs, and additional funding to address public safety and justice in Tribal communities; the economic and social wellbeing of our citizens and all those who visit or do business there; the backlog of school, community, and government infrastructure construction and maintenance; taking land into trust; and addressing climate resiliency in Tribal communities and on Indian and Federal lands.

NCAI supports the TIBC recommendation for an additional $15 million for the expansion of the Tiwahe Initiative to, at least, 10 new pilot sites. The Tiwahe Initiative promotes a comprehensive and integrated approach to supporting family stability and strengthening Tribal communities by addressing interrelated issues associated with child welfare, domestic violence, substance abuse, poverty, and incarceration. Lasting and efficient community solutions lie in addressing the interrelated problems of poverty, violence, and substance abuse through a comprehensive, culturally appropriate approach to help improve the lives and opportunities of Indian families.

NCAI also recommends funding for the establishment of an Economic Development Pilot Initiative, similar to the Tiwahe Initiative, that provides base funding increases directly to Tribal governments to develop and operate comprehensive and integrated economic and community development. Tribal Nations are diverse in their geographic and cultural representation, making targeted and limited Indian Affairs funding opportunities for economic and community development too restrictive, too costly, and less efficient. The June 2021 TIBC meeting discussed diverse community needs from tourism, to farming/ranching, to advancing Tribal timber industries (e.g., saw mills), to fish hatcheries; but this conversation was not new to the TIBC discussion or limited to these topics. The common theme between them is that they are each unique but their development must be integrated, which underscores the value of policy solutions that empower Tribal governments to develop solutions specifically tailored to their communities. This Economic Development Pilot Initiative should include, at least, funding for: the development of Tribal gov-

[3] Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in theStewardship of Federal Lands and Waters, Order No. 3403, accessed at: https://www.doi.gov/sites/doi.gov/files/elips/documents/so-3403-joint-secretarial-order-on-fulfilling-the-trust-responsibility-to-indian-Tribes-in-the-stewardship-of-federal-lands-and-waters.pdf.

[4] TIBC Tribal Representatives' fiscal Year 2023 Budget Submission to the Department of the Interior, June 14, 2021, accessed at: https://res.cloudinary.com/ncai/image/upload/v1632171603/tibc-documents/FY__2023__Tribal__Budget__Submission__qs1dgw.pdf.

ernment codes to promote economic development (e.g., tourism, timber, zoning, and building codes, etc.); business infrastructure development; feasibility studies; and investment capacity.

NCAI strongly supports accounting for Contract Support Costs and Payments for Tribal Leases as mandatory spending. This shift in scorekeeping can occur by an agreement between Appropriators, the Office of Management and Budget, and the Budget Committees. This subcommittee has consistently published report language citing the mandatory nature of these obligations, which are typically addressed through mandatory spending. NCAI urges this subcommittee to work with the Senate Budget Committee to achieve this goal.

INDIAN HEALTH SERVICE

NCAI recommends $49.83 billion for the Indian Health Service (IHS) in fiscal Year 2023, consistent with the official fiscal Year 2023 recommendation of the IHS National Tribal Budget Formulation Workgroup.[5] NCAI also strongly urges you to ensure IHS funding is provided as mandatory spending, with a mechanism to automatically adjust spending to keep pace with population growth, inflation, and healthcare costs. This will ensure that the funding Congress provides for Indian healthcare can be used efficiently and strategically, without leaving IHS wondering if, or when, funding will halt.

Mandatory spending for IHS is a simple promise. A promise that the United States honors and upholds its treaty and trust obligations. A promise that Congress will enact solutions that cease the undue and unnecessary suffering of our people. A promise of certainty and security for our communities and most vulnerable populations. We urge you to help fulfill this promise made to our ancestors, by your ancestors, for our shared future.

ENVIRONMENTAL PROTECTION AGENCY

As place-based peoples, Tribal Nations have sacred histories and maintain cultural practices that tie them to their current land bases and ancestral territories. As a result, Tribal peoples directly, and often disproportionately, suffer from the impacts of environmental degradation. Federal funding to support environmental protection for Tribal lands was not forthcoming until more than 20 years after the passage of the Clean Water and Clean Air Acts.[6] Almost 40 years after the passage of the Clean Water Act, only 46 of 77 eligible Tribal Nations have Environmental Protection Agency (EPA)-approved water quality standards,[7] which are a cornerstone of the Clean Water Act. Given the disparate access of Tribal communities to safe and clean water, NCAI recommends a 5 percent Tribal set-aside for each the National Safe Drinking Water State Revolving Fund (DWSRF) and the National Clean Water Act State Revolving Fund (SRF), with $71.97 million to be appropriated to the DWSRF and $99.1 million to be appropriated to the SRF.

Additionally, NCAI recommends $100 million be appropriated for the EPA Tribal General Assistance Program, $30 million for the Tribal Air Quality Management Program, and $46.8 million for EPA's Land and Emergency Management programs for the benefit of Tribal Nations.

U.S. FOREST SERVICE

Tribal Nations that engage in timber harvesting are working to expand their participation in the management of neighboring at-risk Federal forest through accelerated implementation of the Tribal Forest Protection Act (TFPA). TFPA authorizes the Secretary of Agriculture and the Secretary of the Interior to enter into contracts or agreements with Tribal Nations to carry out tribally proposed projects on Forest Service or Bureau of Land Management-managed lands. Additionally, the 2018 Farm Bill contains an important expansion of the Public Law 93–638 contracting authority to the U.S. Forest Service, allowing the Secretary of the Interior and the Secretary of Agriculture to enter into agreements whereby Tribal Nations or Tribal

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[5] IHS National Tribal Budget Formulation Workgroup fiscal Year 2023 Budget, May 2021, accessed at: https://www.nihb.org/docs/02072022/FY percent202023 percent20Tribal percent20Budget percent20Formulation percent20Workgroup percent20Recommendations percent20Vol percent201.pdf.

[6] United States Federal Register, Indian Tribes: Air Quality Planning and Management, 63 Fed. Reg. 7254, 1998, accessed at: https://www.govinfo.gov/content/pkg/FR–1998–02–12/pdf/98–3451.pdf.

[7] Environmental Protection Agency, EPA Actions on Tribal Water Quality Standards and Contacts, accessed at: https://www.epa.gov/wqs-tech/epa-actions-tribal-water-quality-standards-and-contacts.

organizations may perform administrative, management, and other functions of TFPA programs through Public Law 93–638 contracts. The President's fiscal Year 2023 Budget Request includes a request for $11 million to expand the time-tested principles of self-determination and self-governance and empower Tribal Nations to reclaim what they have known for millennia—how to manage and conserve the landscape for sustainable economies and cultural practices.

CONCLUSION

Tribal Nations are resilient and have demonstrated their resolve and dedication since time immemorial. However, Tribal Nations are uniquely reliant on the Federal Government to fulfill the promises made in exchange for the land that created the foundation of the bounty and wealth of the United States. Our people have paid for every penny obligated to Indian Country hundreds of times over by providing this nation with our land. In order to uphold this Nation's promises to its people, it must first uphold its promise to this land's First People. We expect to continue to be treated as sovereign nations and with governmental parity. When we work together we can achieve so much. We must now continue down that path of Nation-to-Nation growth, and only then will all of our people be able to fully flourish.

[This statement was submitted by Dante Desiderio, Chief Executive Officer of the National Congress of American Indians.]

PREPARED STATEMENT OF NATIONAL COUNCIL OF URBAN INDIAN HEALTH

My name is Francys Crevier, I am Algonquin and the Chief Executive Officer of the National Council of Urban Indian Health (NCUIH). On behalf of NCUIH, the National advocate for health care for the over 70 percent of American Indians and Alaska Natives (AI/ANs) living off-reservation and the 41 Urban Indian Organizations (UIOs) that serve these populations, I would like to thank Chairman Jeff Merkley, Ranking Member Lisa Murkowski, and Members of the subcommittee for your leadership to improve health outcomes for urban Indians, especially in the COVID–19 response. We respectfully request the following:

—$49.8 billion for the Indian Health Service (IHS) and $949.9 million for Urban Indian Health for FY23 (as requested by the Tribal Budget Formulation Workgroup)

—Advance appropriations for IHS until mandatory funding is enacted

CURRENT STATUS OF COVID–19 IN INDIAN COUNTRY

UIOs provide a range of services and are primarily funded by a single line item in the annual Indian health budget, constituting less than 1 percent of the total IHS annual budget before fiscal Year 2020. There have been vast improvements from where we were 2 years ago regarding the availability of supplies, tests, and vaccines, but despite advances, the situation facing Natives has not relented. AI/ANs are 3.2 times more likely to be hospitalized for COVID–19 and 2.2 times more likely to die from the virus.[1] Due to the disproportionate impacts of the pandemic, we are asking Congress to prioritize Indian Country and for the government to truly honor its trust obligation through the full funding of IHS and UIOs.

With the funding and resources from Congress, UIOs have been highly successful at their vaccine rollouts. As of February 2022, AI/ANs have some of the highest vaccination administration rates in the U.S, with 70.6 percent of AI/ANs having received at least one dose of the COVID–19 vaccine, according to CDC Vaccine Administration Data.[2] UIOs have played a critical role in achieving these high vaccination rates; however, in order to fully provide health care for the over 70 percent of AI/ANs residing in urban areas, UIOs need a consistent baseline of regular funding.

With COVID relief funding, UIOs have also been able to purchase PPE and medical supplies, hire behavioral health staff, upgrade electronic health records to accurately and effectively enter vaccine and testing data, install a new HVAC system, provide new training for staff, purchase a new building, lease mobile units to expand their services, and expand behavioral health and victim services. With increased funding, UIOs will be better equipped to respond to future pandemics immediately.

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[1] https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-race-ethnicity.html

[2] https://covid.cdc.gov/covid-data-tracker/#vaccination-demographics-trends

REQUEST: $49.8 BILLION FOR THE INDIAN HEALTH SERVICE AND $949.9 MILLION FOR URBAN INDIAN HEALTH

While your leadership was instrumental in providing the most significant investments ever for Indian health and urban Indian health, we must continue in this direction to build on our successes. The national average for health care spending is around $12,000 per person; however, Tribal and IHS facilities receive only about $4,000 per patient. Furthermore, UIOs receive just $672 per IHS patient—that is only 6 percent of the National average per capita amount. That's what our organizations must work with to provide health care for urban Indian patients.

The Federal trust obligation to provide health care to Natives is not optional, and we thus request Congress honor the Tribal Budget Formulation Workgroup (TBFWG) FY23 recommendations of $49.8 billion for IHS and $949.9 million for urban Indian health. In a letter to the Committee, 12 Senators requested the same amount for urban Indian health, support for the President's proposal for mandatory funding for IHS, and support for advance appropriations for IHS in the fiscal Year 2023 Interior, Environment, and Related Agencies Appropriations Act.[3] That number is much greater than the FY22 enacted amount of $73.4 million, demonstrating how far we have to go to reach the level of need for urban Indian health. In fact, at an IHS Area Report meeting where Tribal leaders presented their budget requests, one Oklahoma Tribal leader stated, "There are inadequate levels of funding to address the rising urban Indian population."

Currently, the entire Eastern seaboard lacks full-ambulatory UIOs due to a lack of funding. The IHS has deemed the two remaining UIOs on the East Coast to be outreach and referral only, with a combined less than two-million-dollar budget. Unfortunately, the pandemic has shown that two outreach and referral UIOs to serve all urban Indians on the entire East Coast of the country is a failure to uphold the Federal trust obligation. It is evident the UIO line item is insufficient to allow IHS to authorize our East Coast UIOs to open fully operational clinics. Native American Lifelines is two programs run in both Boston and Baltimore with an annual budget for both cities of $1.6 million. During the height of the pandemic, Native people living in urban areas on the East Coast had to go back to reservations to get their vaccine to take advantage of the IHS authority that would give them the vaccine early and hopefully not become a mortality statistic.

During a May 11, 2022, Senate Appropriations subcommittee on Interior hearing to review the fiscal Year 2023 President's Budget for IHS, Senator Jeff Merkley asked IHS Acting Director Elizabeth Fowler if more grants went out to UIOs due to the increase in funding. Ms. Fowler informed that the funding will allow some referral-only programs to initiate clinical services to provide their patients. NCUIH requests the Committee seek information on which referral-only programs are being provided with additional funding to initiate clinical services, and how IHS is overseeing this process.

In 2018 the Government Accountability Office (GAO–19–74R) reported that from 2013 to 2017, IHS annual spending increased by roughly 18 percent overall and approximately 12 percent per capita. In comparison, annual spending at the Veterans Health Administration (VHA), which has a similar charge to IHS, increased by 32 percent overall, with a 25 percent per capita increase during the same period. Similarly, spending under Medicare and Medicaid increased by 22 percent and 31 percent, respectively. In fact, even though the VHA service population is only three times that of IHS, their annual appropriations are roughly 13 times higher. Despite the trust and treaty obligation of the Federal Government to provide health care to AI/ANs, IHS has been historically underfunded in comparison to other major Federal health agencies.

The Federal Government owes a trust responsibility to Tribes and AI/ANs that is not restricted to the borders of reservations. Funding for Indian health must be significantly increased if the Federal Government is, to finally, and faithfully, fulfill its trust responsibility.

UPDATE ON ALLOWABILITY OF URBAN INDIAN HEALTH FUNDS FOR FACILITIES

Last year, we requested language to allow the use of UIO funding for facilities—to enable UIOs to make long-needed upgrades to address gaps that were exacerbated by COVID–19. With the help of your leadership, the Bipartisan Infrastructure Framework (BIF) included the Padilla-Moran-Lankford Amendment to allow UIOs to utilize their existing contracts to upgrade their aging facilities. We want to thank

[3] https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:81e70647–16f0–3112-ba67-d70489fe053a#pageNum=1

the committee for your support in enabling UIOs to use their funding to upgrade their facilities.

However, because UIOs do not receive facilities funding, unlike the rest of the IHS system, and must use their line item for this purpose, the committee must increase the funding for the urban Indian health line item. In a recent IHS Area Report meeting, the Phoenix Area prioritized urban Indian health in the IHS budget while highlighting the need for increased funding for urban Indian health facility renovation. UIOs report needing at least $200 million to fund construction and renovation projects.[4] These examples further support the need to increase the UIO line-item budget to the Tribal request of $949.9 million.

REQUEST: ADVANCE APPROPRIATIONS FOR IHS UNTIL MANDATORY FUNDING IS ENACTED

The Indian health system, including IHS, Tribal facilities, and UIOs, is the only major Federal health care provider funded through annual appropriations. For example, the VHA at the Department of Veterans Affairs receives most of its funding through advance appropriations. If IHS were to receive mandatory funding, or at the least, advance appropriations, it would not be subject to government shutdowns, automatic sequestration cuts, and continuing resolutions (CRs) as its funding for the next year would already be in place. According to the Congressional Research Service, since FY1997, IHS has only once (in FY2006) received full-year appropriations by the start of the fiscal year.

The lack of consistent and clear funding creates significant barriers for the already underfunded Indian health system. Congress enacted three CRs to maintain the fiscal year 2021 budget, which costs time and resources from IHS that could have been directed to pandemic response. When funding occurs during a CR, the IHS can only expend funds for the duration of a CR, which prohibits longer-term, potentially cost-saving purchases. In addition, as most of the Indian health services provided by Indian Tribes and UIOs are under contracts with the Federal Government, there must be a new contract re-issued by IHS for every CR. IHS was forced to allocate resources to contract logistics twice in the height of the pandemic when the resources could have been better spent equipping the Indian health system for pandemic response. In addition, lapses in Federal funding quite literally put lives at risk. During the most recent 35-day government shutdown at the start of fiscal Year 2019—the Indian health system was the only Federal healthcare entity that shut down. UIOs are so chronically underfunded that several UIOs had to reduce services, lose staff, or close their doors entirely, forcing them to leave their patients without adequate care. In a UIO shutdown survey, 5 out of 13 UIOs indicated that they could only maintain normal operations for 30 days without funding. Advance appropriations are imperative to provide certainty to the IHS system and ensure unrelated budget disagreements do not risk lives. For instance, Native American Lifelines of Baltimore is a small clinic that received seven overdose patients during the last shutdown, five of which were fatal.

NCUIH supports the President's proposal in the fiscal Year 2023 Budget to fund the IHS through mandatory appropriations and to exempt IHS from proposed law sequestration. The 10 years of appropriated mandatory funding in the fiscal Year 2023 Budget will ensure predictability, allowing the I/T/U system to engage in long-term and strategic planning. Until authorizers act to move IHS to mandatory funding, we request that Congress provide advance appropriations to the Indian health system to improve certainty and stability.

CONCLUSION

These requests are essential to ensure that urban Indians are appropriately cared for, both during this crisis and in the critical times following. The United States government must provide these resources for AI/AN people residing in urban areas. This obligation does not disappear amid a pandemic; instead, it should be strengthened, as the need in Indian Country is more significant than ever. We urge Congress to take this obligation seriously and provide UIOs with all the resources necessary to protect the lives of the entirety of the AI/AN population, regardless of where they live.

[This statement was submitted by Francys Crevier, (Algonquin), CEO, National Council of Urban Indian Health.]

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[4] https://ncuih.org/wp-content/uploads/UIO-Facilities-Needs-2021__NCUIH__D169__V3–FINAL.pdf

PREPARED STATEMENT OF NATIONAL ENDOWMENT FOR THE ARTS

As the only trade association in Washington representing all music creators—songwriters, performers, and studio professionals-the Recording Academy is pleased to offer testimony to the Senate Committee on Appropriations subcommittee on Interior, Environment, and Related Agencies in support of a substantial funding increase for the National Endowment for the Arts (NEA) in Fiscal Year 2023 of no less than the $203.55 million. The Recording Academy is proud to support the NEA and its initiatives to enrich American music and culture.

The NEA brings music and the arts to communities across the country, and its mission has never been more important. The agency has been an indispensable part of the creative economy's recovery from the COVID–19 pandemic, and it remains poised to help revitalize local arts sectors in all 50 States. As such, the Recording Academy supports increasing funding of the NEA for the coming fiscal year to align with the budget request submitted by President Biden.

Through supporting music and the arts, the NEA empowers local communities, improves student development, and advances cultural achievements. Considering that NEA grants yield more than $500 million in matching support-leveraging outside funds at a ratio of 9:1-it is financially one of the smartest investments the government can commit to. In the music industry, the NEA supports more than $50 million in music related direct grants each year-bringing music, and matching investments, to your back yards. From the My Voice Music youth program in Portland, Oregon ($15,000, in 2022) to the Anchorage Symphony Orchestra in Alaska ($10,000, 2021); and from the Burlington Jazz Festival in Vermont ($30,000, 2022) to Magic City Smooth Jazz in Birmingham, Alabama ($10,000, 2020), the NEA has proven to support and foster local music communities and opportunities.

The Recording Academy applauds Congress for demonstrating a willingness to strongly support the NEA during the recent appropriations process, but the Agency remains in need of additional funding to fulfill its mission of expanding access to and participation in the arts. Robust funding for the NEA will ensure the agency can provide grants across all 50 States, while promoting more equitable access and reaching more diverse audiences.

As you finalize appropriations for FY23, please make a strong commitment to the arts and music with robust funding for the NEA.

[This statement was submitted by Todd Dupler, Acting Chief Advocacy & Public Policy Officer.]

PREPARED STATEMENT OF NATIONAL FIRE PROTECTION ASSOCIATION

The National Fire Protection Association (NFPA) is a self-funded, global non-profit organization dedicated to ending losses from fire, electrical, and related life-safety hazards. As the toll of wildfires on communities and citizens continues to grow, NFPA urges Congress to fund mitigation and community protection programs at levels sufficient to turn the tide of destruction and loss.

Millions of acres of Federal lands are at high or very high risk of fueling wildfires that will be difficult to contain, creating a pressing need to support hazardous fuel mitigation treatments. NFPA supports the Administration's fiscal Year 2023 total request of $625 million for this activity ($321 million U.S. Forest Service; $304.3 million Department of Interior). This funding should be applied on top of the money made available for fuel treatment in the Infrastructure Investment and Jobs Act for fiscal year 2023. NFPA is very encouraged by the Forest Service's recent announcement to treat an additional 50 million acres over the next 10 years and to focus its efforts on high-risk firesheds. With nearly two-thirds of National Forest System acreage prone to catastrophic wildfires, the scale of the funding must enable a treatment rate above the current pace. NFPA also supports the Administration's fiscal Year 2023 request for $80 million for the Collaborative Forest Restoration Program. This competitive grant program helps foster multi-jurisdictional engagement to develop and implement forest restoration projects that ultimately reduce risk of catastrophic wildfire and provide other benefits.

State and local jurisdictions also need assistance addressing the risks wildfires pose to communities in the wildland urban interface. NFPA echoes the calls from some of the Nation's leading fire service organizations to fund the State Fire Capacity (SFC) program item at no less than $79 million and the Volunteer Fire Capacity (VFC) program at no less than $21 million for fiscal year 2023. The work carried out under these programs helps train and equip local first responders, educate residents on wildfire risks and mitigation measures, and plan and implement local mitigation programs. With nearly one-third of all homes in the U.S. located in wildfire-

prone areas, there are hundreds of communities that need assistance to prepare and respond to wildfires. NFPA's Fifth Needs Assessment of the U.S. Fire Service finds significant and alarming gaps in wildfire-specific training and personal protective equipment for those departments that include wildfire response among their duties.[1] The study also shows that departments serving smaller communities are the most likely to lack sufficient training and equipment to respond to wildfires. Assistance through SFC and VFC is an important means to help these fire departments safely protect their communities.

SFC also funds public education and engagement and community mitigation activities. This includes the Firewise USA(r) program, which is a grassroots, voluntary community-based wildfire preparedness program administered by NFPA. Since its inception in 2002, the program has expanded to now include over 1,800 active Firewise sites in 43 States. To earn Firewise recognition and remain in good standing, residents must work together to create an organizational structure to oversee mitigation activities, obtain a formal wildfire risk assessment, develop a mitigation plan, and commit in-kind and/or financial resources to mitigation activities, among other requirements. The SFC program helps States promote more fire adapted communities and builds capacity for wildfire preparedness and mitigation.

Finally, NFPA supports a robust budget for forestry research, including programs to better understand wildfire behavior and landscape treatment strategies, as well as programs to develop new wood products and markets to create more financial incentives for hazardous fuel treatment. As part of that funding, the Joint Fire Sciences Research program should receive $8 million each from the Forest Service and Department of the Interior.

[This statement was submitted by L. Seth Statler, Director of Government Affairs, National Fire Protection Association]

PREPARED STATEMENT OF NATIONAL FISH AND WILDLIFE FOUNDATION

Thank you for the opportunity to submit testimony regarding fiscal year 2023 funding and thank you for your years of steadfast support of the National Fish and Wildlife Foundation's (NFWF) conservation work. NFWF's efforts sustain, restore and enhance the Nation's fish, wildlife, plants and habitats for current and future generations. Many NFWF programs also enhance nature-based infrastructure that protects communities across the Nation from the impacts of flooding, drought, wildfire, and other natural threats.

NFWF will match fiscal Year 2023 funding provided to the Foundation at least dollar for dollar with non-federal funds to increase conservation benefits across the country through local partnerships. NFWF will accomplish this by applying 100 percent of the appropriated funding to on-the-ground conservation projects with ZERO administrative cost to the Federal Government as required by law.

We believe that NFWF is a sound investment because of our proven track record of leveraging Federal funding with private contributions to maximize the impact Federal resources can achieve. We appreciate the subcommittee's past support and respectfully request your approval of funding at the following levels:

—$3.0 million provided through the Bureau of Land Management's (BLM) Management of Lands and Resources appropriation and restoration of legislative bill text directing BLM to provide this funding for NFWF to administer in support of BLM's wildlife conservation efforts.[1];

—$7.022 million provided through the U.S. Fish and Wildlife Service's Resource Management appropriation and inclusion of this legislative text in the legisla-

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[1] National Fire Protection Association (2021) Fifth National Needs Assessment, https://www.nfpa.org/-/media/Files/News-and-Research/Fire-statistics-and-reports/Emergency-responders/Needs-Assessment/OSFifthNeedsAssessment.ashx (Overall, 78 percent of departments who perform WUI/wildland firefighting operations have some need for training, and the need is more pronounced in smaller departments; Two-thirds of departments who are responsible for WUI/wildland firefighting have unmet needs for wildland personal protective clothing for their firefighters. There is need even among the largest departments, with 35 percent being unable to equip all of their responsible personnel.

[1] Prior to the FY18 spending bill, the appropriations language required BLM to provide NFWF the full amount of appropriated funds. The FY18 appropriation bill changed the law by making the provision of funds to NFWF the discretion of the Director of the BLM and removed the language from the bill. This created questions about BLM's legal authority to provide funding to NFWF and has hindered the two organizations' ability to partner in the most effective manner. We request that the FY17 bill language be restored in the FY23 bill.

tion as opposed to the bill report in past years.[2] (same funding level as fiscal Year 2022); and

—$3.0 million with the standard bill language through the Forest Service's National Forest System appropriation (same funding level as fiscal Year 2022).

BUREAU OF LAND MANAGEMENT

The Bureau of Land Management (BLM) has partnered with NFWF for many years to further conservation efforts on public lands throughout the United States. With $11.7 million of BLM funding received from fiscal Year 2017—FY 2021, NFWF leveraged $66.5 million in on-the-ground conservation impact. NFWF continues to work closely with the BLM, other Department of the Interior agencies, and 11 western States to achieve significant conservation gains.

For example, the Foundation and its partners are administering a corridors program that from 2019—present day has awarded $11.6 million across 53 projects, leveraging $57.5 million in matching contributions to generate a total conservation impact of more than $69.1 million. The projects collectively will remove or improve 421 miles of fencing to be more wildlife friendly; reconnect 307 miles of migration corridors for big game species; restore 65,838 acres of public and private land through efforts like invasive weed and conifer removal treatments; improve management on 695,000 acres of public and private land through efforts like grazing and wildlife management plans and; protect 111,060 acres of private land from fragmentation through conservation easements due to our partnerships.

The committee's support for continuing funding for NFWF from BLM appropriations would help continue this work and help drive other conservation outcomes. For FY21, NFWF worked with BLM's Wildlife Division to determine allocations and priorities for four NFWF program landscapes. These programs focus on outcomes including perennial grassland management through the Northern Great Plains Program; wet meadow and sagebrush restoration through the Rocky Mountain Rangeland Program; watershed and associated upland restoration to benefit declining species through the Pecos River, and emerging Gila River Initiatives. Other BLM partnership areas of interest include pollinator recovery through the Monarch Butterfly and Pollinators Conservation Fund and desert conservation through a new Mojave Desert Tortoise Initiative. Each of these programs provides opportunities to leverage BLM resources with corporate and foundation private sector partners.

Requested restoration of FY17 BLM Bill Language for fiscal Year 2023:

"; of which $3,000,000 shall be available in fiscal year 2023 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump-sum without regard to when expenses are incurred."

UNITED STATES FISH AND WILDLIFE SERVICE

The United States Fish and Wildlife Service (FWS) has been a trusted partner since NFWF was created by Congress in 1984 and signed into law by President Reagan. In the past 5-years (FY 2017—FY 2021), NFWF leveraged $34.3M in FWS appropriated funds across 378 projects into a total of $158.4 million in on-the-ground conservation impact. The funds appropriated to NFWF serve as a magnet to attract funds from the private sector to create public-private partnerships critical to restoring fish, wildlife, eco-system restoration, improving aquatic passage, addressing climate change, and increasing natural processes for immediate carbon sequestration.

In the past, the FWS appropriation for NFWF was included in the report accompanying the appropriations bill. However, we respectfully request that the appropriation be included in bill language. This will make NFWF's direct appropriations in the Interior, Environment and Related Agencies Bill consistent across all agencies in the bill and expedite the permitting of conservation projects. The exclusion of the FWS appropriation for NFWF increases the time needed for FWS to approve permitting of conservation projects and significantly delays the implementation of urgent conservation efforts.

[2] In the past, the FWS appropriation for NFWF was included in the report accompanying the appropriations bill. We respectfully request that it be included in bill language. This will make NFWF's direct appropriations in the Interior, Environment and Related Agencies Bill consistent across all agencies in the bill and expedite the permitting of conservation projects. The exclusion of this provision from the bill text increases the time needed by FWS to approve permitting of conservation projects and significantly delays the implementation of urgent conservation efforts.

Requested FWS Bill Language for fiscal Year 2023:

"; of which $7,022,000 shall be available in fiscal year 2023 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of wildlife and other natural resources; and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred."

Additionally, because NFWF works with FWS on discretionary cooperative agreements for conservation programs, we respectfully support the highest possible funding levels for the Delaware River Basin Conservation Act, Klamath Basin Restoration, efforts to combat white-nosed syndrome in bats, and Recovery Challenge matching grants within the FWS, Resource Management appropriation.

UNITED STATES FOREST SERVICE

Congress has appropriated approximately $3 million in annual funding to NFWF for partnerships with the United States Forest Service (USFS) since fiscal Year 1998. From fiscal Year 2017 to fiscal Year 2021, NFWF has leveraged $15.0 million of USFS funds to provide $110.3 million in on-the-ground conservation investments.

Retain US Forest Service Language for fiscal Year 2023 as it has been in past years:

"Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: Provided, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: Provided further, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds."

ENVIRONMENTAL PROTECTION AGENCY

NFWF has partnered with the Environmental Protection Agency (EPA) since fiscal Year 1997 and since fiscal Year 2000 has worked with EPA to make grants to States and other grantees within the Geographic Programs appropriation. Therefore, we respectfully support the highest possible funding levels for the Great Lakes Restoration Initiative, Chesapeake Bay, Gulf of Mexico, and Long Island Sound within the Environmental Protection Agency Geographic Programs. We also respectfully ask that the long-standing report language that delineates the amount of funding for nutrient and sediment removal grants and small watershed grants within the Chesapeake Bay program be continued (FY 2022 language is below).

Chesapeake Bay.—The Committee recommends $90,500,000 for the Chesapeake Bay program, $3,000,000 above the enacted level and equal to the request. From within the amount provided, $10,375,000 is for nutrient and sediment removal grants and $10,375,000 is for small watershed grants to control polluted runoff from urban, suburban and agricultural lands, and $8,750,000 is for State-based implementation in the most effective basins.

An example of a project made possible with EPA Geographic Programs funding is the Restoring and Reconnecting Brook Trout Strongholds in the South Branch of the Potomac that funded work in West Virginia and Virginia. NFWF awarded $492,619 that leveraged an additional $602,460 in matching funds to support a total conservation impact of over $1million. The implementation partner that received the award will mitigate a large barrier to fish migration on the North Fork of the South Branch of the Potomac River, reconnecting and restoring two of the largest brook trout strongholds in the Chesapeake Bay. The project will reconnect 150 miles of headwater sources, improve water quality and habitat through agricultural best-management practices, and help to create a 239-squaremile brook trout stronghold super patch.

NFWF BACKGROUND

NFWF was established by Congress in 1984 to catalyze private investments to conserve fish, wildlife and their habitats. NFWF raises private funds not only to leverage appropriated dollars, but also to support the associated management costs of implementing the appropriated funds. Since its creation by Congress in 1984,

NFWF and its grantees have invested $7.4 billion in to more than 20,400 projects while partnering with more than 6,000 organizations.

NFWF remains fully transparent and is required by law to notify Congress 30 days in advance of every grant that exceeds $10,000 in Federal funds. Details of all projects awarded during fiscal Year 2021 can be found in NFWF's annual investment guide and all NFWF's grants can be found on our website: https://www.nfwf.org/grants/grants-library

In fiscal Year 2021, NFWF was audited by an independent accounting firm and they issued an unqualified report with no material weaknesses identified and no deficiencies identified. This is the THIRTEENTH consecutive year of unqualified audits. In addition, NFWF has continually qualified as a low-risk auditee under OMB guidelines.

Chairman Merkley, Ranking Member Murkowski and members of the subcommittee, we greatly appreciate your continued support and stand ready to answer any questions you or your staff might have.

[This statement was submitted by Will Heaton, Director, External Relations, National Fish and Wildlife Foundation.]

PREPARED STATEMENT OF NATIONAL HUMANITIES ALLIANCE

On behalf of the National Humanities Alliance (NHA), with our more than 200 member organizations, I write to express strong support for the National Endowment for the Humanities (NEH).

OVERVIEW

For fiscal Year 2023, we respectfully urge the subcommittee to consider at least $204 million for the National Endowment for the Humanities.

While we recognize the difficult choices that are before this subcommittee, we believe that expanding the capacity of the NEH is essential at this moment in the Nation's history when the humanities are so needed to 1) build strong communities and foster civic dialogue; 2) preserve cultural heritage including indigenous languages; 3) cultivate knowledge of world histories and cultures; and 4) rebuild the economy and revitalize communities.

The NEH has a clear track record of supporting programs that work towards these ends, and additional capacity is needed to ensure that these crucial goals are met around the country. The NEH does not have the capacity to fund many of the highly rated proposals it receives-in fiscal Year 2020, 1,605 applications with high ratings were not funded, amounting to a total of $184,789,512.

BUILDING STRONG COMMUNITIES AND FOSTERING CIVIC DIALOGUE

NEH funding builds strong, civically-engaged communities through its support of cultural organizations. The agency's grantmaking helps establish and sustain robust community institutions, providing opportunities for learning, empathy, and understanding. The International Storytelling Center in Jonesborough, Tennessee, regularly hosts programs that promote discussion and dialogue. Ninety-three percent of respondents to a survey done by NHA indicated that they were "motivated to listen to the stories of people whose background was different from their own" after participating in a program featuring the stories of Black Appalachians. The NEH's *Dialogues on the Experiences of War* grants strengthen communities by offering veterans the chance to reflect upon their experiences, while building bonds with each other and with civilians. Ninety-nine percent of respondents across eight programs reported a desire to "keep in touch with some of the people [they] met during the program."

NEH funding has an outsized role especially in small and rural communities, where it can build and support the infrastructure and programs that are vital to strong communities. The Seward Community Library and Museum, for example, which leveraged an NEH challenge grant to build a new facility, has averaged 60,000 more visitors per year than it received in its old space. In addition to hosting tourists, the organization provides space for nonprofits and other institutions to conduct their business. In rural Utah, the Entrada Institute developed programs to encourage meaningful connections between traditional local communities and newer arrivals. In partnership with the local 4–H club, organizers developed after-school programs centering around locally relevant themes-for example, Western Heritage Shooting Sports-that would culminate with community dinners featuring activities for all ages.

PRESERVING CULTURAL HERITAGE INCLUDING INDIGENOUS LANGUAGES

Our cultural heritage lives in many forms, from presidential letters and great works of art to community archives and endangered languages. It is also vulnerable and requires protection from natural and man-made disasters as well as simple decay over time. NEH funding is indispensable to ensuring that our cultural heritage is both accessible now and preserved for future generations. In addition to funding projects that tell important presidential histories-like the publication of *The Papers of John Adams* and archaeological research at Andrew Jackson's The Hermitage-the NEH helps small and mid-size institutions invest in their own preservation needs. Institutions like Abilene Christian University in Texas and the Stillwater Public Library in Oklahoma have used NEH funds to help ensure their collections are protected for the future. NEH funds also help make these collections more widely accessible by funding digitization projects.

Funding for documenting traditional cultures and endangered languages supports Indigenous people throughout the United States. Through the Dynamic Language Infrastructure-Documenting Endangered Languages program, a partnership with the National Science Foundation, NEH funding has preserved and made accessible languages spoken by Indigenous Tribes, having a profound impact on their way of life. DEL grants have helped produce dictionaries for languages like Klallam and Arapaho; they have also provided the funds for these resources to be online and freely available to Tribal members. NEH support for the Coeur d'Alene Online Language Resource Center helped create a single searchable repository for a wide range of language resources, from dictionaries to archival recordings of personal narratives and coyote stories. The NEH additionally supports the documentation and revitalization of Indigenous American languages through its regular grant programs.

CULTIVATING KNOWLEDGE OF WORLD HISTORY AND CULTURES

Established in the midst of the Cold War, the NEH has always provided funding to support research and programs that help Americans understand and engage with timely world issues. From scholarly exchanges with the Soviet Union and Eastern Europe and language institutes in the 1970s, to international research support for American scholars and professional development for school teachers today, NEH funding supports efforts to understand other nations' languages, cultures, and geopolitical contexts. NEH funding has supported the research and publication of books such as *Treason in Transit: Soviet Defectors and the Borders of the Cold War World* (2022), by Erik R. Scott, and *Iron Curtain: The Crushing of Eastern Europe, 1944–1956* (2013)-among many other works of history that shed light on current events. NEH-supported English translations of Ukrainian literature, including *Words for War: New Poems from Ukraine* (2017) and *The White Chalk of Days: The Contemporary Ukrainian Literature Series Anthology* (2017) bring Ukrainian literature to broader American audiences.

NEH funding also provides high quality education on world affairs for school teachers and college educators. Kean University's 2021 two-week seminar "The Search for Humanity after Atrocity" helped higher education faculty integrate atrocity studies into their research and curricula, using the Holocaust as a case study. A 2016 program for K–12 educators, hosted by Ferris State University, explored U.S.-Russian/Soviet relations from 1776 to the present. And from 2013–2018, a series of NEH grants helped community colleges throughout the U.S. integrate the study of world cultures into their curricula. These programs included content on Latin America, Asia, Russia, Eastern Europe, and the Middle East, among other topics.

REBUILDING THE ECONOMY AND REVITALIZING COMMUNITIES

NEH funding catalyzes growth in local economies and connections within communities-exactly the work that is needed as we look to rebuild from the pandemic. Communities throughout the U.S. today benefit from NEH investments that have built strong community institutions and stimulated local economies. NEH pandemic relief provided a direct lifeline to struggling organizations, which they then used to support their communities both economically and culturally. Thomas Jefferson's Monticello used pandemic relief funds to retain staff and uphold the quality of its programs, thus ensuring the organization remains an important economic driver in the region-50 percent of the site's 400,000 annual visitors stay in a hotel for at least one night, contributing no less than $13.1 million to the local economy.

Humanities organizations are also important employers, particularly in small and rural communities. The Monhegan Museum in Monhegan Island, Maine (pop. 54) is the island's primary employer and major tourism attraction. By funding staff sal-

aries over a period of several months in 2020, an NEH CARES grant helped families stay on the island, supporting the island community as a whole. Similarly, NEH funding to the Willa Cather Center in Red Cloud, Nebraska (pop. 1,000) supported staff salaries and public programming during 2020, helping stabilize an organization that is key to the town's survival. A CARES grant to the Enfield Shaker Museum in New Hampshire allowed them to support the local economy by pairing online talks about local specialties with food baskets, which were sourced from local vendors and available for purchase.

Still, far more support is needed to ensure that these institutions survive and continue to bolster local economies. Both the CARES Act and ARP Act fell short of meeting the needs of the humanities sector. The NEH was only able to fund 14 percent of the applications it received for CARES grants, while on average the state councils were only able to fund 38 percent. Additionally, while state and jurisdictional humanities councils have quickly and effectively distributed $42 million in SHARP grants, they were only able to fund 50 percent of the total requested, which was more than $84 million, underlining a significant unmet need.

[This statement was submitted by Stephen Kidd, Executive Director, National Humanities Alliance.]

PREPARED STATEMENT OF NATIONAL PARKS CONSERVATION ASSOCIATION

Chairman Merkley, Ranking Member Murkowski and members of the subcommittee, thank you for the opportunity to submit testimony on behalf of the National Parks Conservation Association (NPCA). Founded in 1919, NPCA is the leading national, independent voice for protecting and enhancing America's National Park System for present and future generations. We appreciate the opportunity to provide our views regarding the National Park Service (NPS) FY23 budget and comment on challenges facing NPS and its related agencies.

Operation of the National Park System (ONPS): We again urge a robust increase for this account, NPCA's highest priority. We recognize the FY22 allocation was modest, so appreciate the committee meeting fixed costs and providing targeted investments to help parks and communities, including the African American Civil Rights Network and Everglades Restoration. However, more significant progress is needed because parks and supporting offices remain substantially understaffed. Between 2011 and 2021, NPS lost 15 percent of its staff while at the same time struggling to accommodate an 8 percent increase in visitation. The challenges posed by this visitation increase are among several contributors to declining staff morale that can be addressed in part with a robust ONPS increase. Increased inflation also challenges parks' ability to make operational ends meet.

We encourage the committee to discuss with NPS the many challenges of widespread and significant understaffing, which has led to insufficient maintenance, law enforcement capacity, interpretation and education, scientific capacity and more. We urge support for the president's requested increase of $320 million for ONPS, which would bring back about half of the more than 3,000 FTEs that NPS has lost over the decade. NPS would make significant progress if the committee could then build on this investment in FY24 and beyond with sustained increases to gradually meet the goal of at least 23,000 FTEs, as urged by Sens. King and Daines.

We support the administration's investments in the Natural Resources Conservation Initiative including its proposed $180 million investment in ONPS, which would provide needed science and resources to address climate change, including for wildlife migration corridors and climate resilience projects. We are particularly excited about the proposed $31 million for the Civilian Climate Corps and the proposed $16 million increase for inventory and monitoring, as we know this is a major challenge for both natural and cultural resources as parks deal with storm surges, wildfires, drought and other climate-related effects.

At the same time, we must emphasize NPS' lack of cultural resource capacity and ask for resources to support a Cultural Resources Challenge, launched in 2013 but unfulfilled. At least $20 million should be added to the ONPS budget in FY23 to support this effort to provide parks with cultural resource experts, to improve cultural resource documentation, and stabilize cultural and historic structures and landscapes.

Construction Account: We request support for the president's proposed $48 million increase for this account to support the Conservation Initiative with investments in climate adaptation, abandoned mineral lands projects, zero emissions vehicles, climate vulnerability assessments and environmental impact planning and compliance.

Deferred Maintenance: We support NPS' recent improvements in measuring deferred maintenance, as it is a more transparent and complete assessment of repair

needs. We are, however, dismayed by both the updated size of the backlog as well as the news that the backlog continues to grow despite the success of the Great American Outdoors Act. To help with repair needs, we ask the committee to consider increasing funding for the line-item construction account—in addition to the repair/rehab and cyclic maintenance subaccounts within ONPS. Additional investments are needed to help NPS meet the administration's efforts towards sustainability including procurement of sustainable materials. The need is heightened by significant inflation and increased materials and labor costs.

Management Planning and Visitation Concerns: We are concerned that planning is not happening at the pace needed to guide park management, especially with the dual challenges of climate change and skyrocketing visitation at many parks. NPS must proactively address visitor experiences and impacts to resources include disturbance to vegetation and soils, wildlife, and aquatic systems; impacts to cultural resources; human waste impacts; introduction of non-native species; and impacts to natural sounds. Support is needed for utilizing social science to develop visitor carrying capacities that consider higher temperatures, fire, drought, flooding, and other climate change impacts that may compound visitation challenges. Increased funding is needed for research, preparation, and implementation of visitor use management plans.

NPS should enhance NPS' capacity (staff, training, equipment) for conducting social science and using it to guide visitor use management planning and adaptive management (monitoring, analysis, adjustment); study the application of recreation ecology science in visitor use management planning; and support mechanisms for gateway communities and other public land management agencies to collaborate and conduct coordinated regional visitor use management planning.

ONPS funding should support innovative strategies (i.e. parkwide reservation systems) that could result from visitation planning processes. NPS should have the capacity to ensure they provide fair and equitable access for people of all demographics, including those in underserved and/or underrepresented communities.

NPS hiring challenges: We have several concerns. We urge a robust increase in ONPS in part because it is an opportunity to address the lack of diversity within NPS by filling new and lapsed positions with more diverse hires. However, this is only one step that is needed. We are dismayed not only by the considerable lack of diversity in the ranks of NPS personnel but also by what has been described in several agency reports by employees as a biased, white dominated culture. Employees of color feel they do not get the promotions and management opportunities of their white counterparts and are afraid to report discrimination for fear of retaliation. These are among many complaints supported by the 2018 Voices Tour report, the release of which was delayed for years. We encourage the committee to use its oversight authority to engage NPS on these disturbing problems to promptly identify solutions beyond diversity, equity and inclusion discussions that staff report to us are more window dressing than an avenue to authentic solutions.

We also encourage the committee to examine several hiring authorities that are frustrating to NPS staff and are preventing the agency from making needed strides in hiring personnel to meet the agency's mission. NPS needs greater hiring flexibility, beginning with direct hiring authority, to build a diverse, experienced, professional and technical workforce. As parks face what increasingly becomes a year-long busy season, the requirement that seasonal staff be employed for fewer than 6 months (1,560 hours) prevents superintendents from having needed flexibility to address high visitation with seasonal staff; an extension to 9 months would be very helpful. NPS should also be given longer term authority of 10 years. A ten-year term authority, as was once provided by the American Recovery and Reinvestment Act, would allow the agency to more successfully hire term professionals in a competitive job market, more capably meeting the goals of the Great American Outdoors Act and Infrastructure Investment Jobs Act.

Housing: NPCA is deeply concerned that the lack of sufficient affordable housing for NPS personnel has reached crisis levels. There are over 5,500 housing units throughout the system and on average the housing units are 60 years old; many of those units need attention. We support at least $8 million for the Housing Improvement Program as requested in the president's budget to begin to rebuild park employee housing. However, this is far from what is needed and only a first step. We encourage the committee to pursue detailed, strategic discussions with NPS about their housing needs to develop a comprehensive strategy in an expeditious manner. NPCA stands ready to support these efforts.

Heritage Partnership Program: NPCA remains an enthusiastic supporter of the National Heritage Area program that protects our cultural heritage and supports dozens of communities throughout the country. They are effective public-private partnerships established in support of conservation and preservation values and

allow local experts to better protect and interpret stories and resources that are both regionally distinct and nationally significant. We applaud the committee's increase of $3.2 million for this important program in FY22 and encourage continuing increases.

We are supporters as well of the many other deserving programs within the Natural Recreation and Preservation account, including the National Register of Historic Places; the Rivers, Trails, and Conservation Assistance program; and the Japanese American Confinement Sites program. We are also supporters of the Historic Preservation Fund.

US Park Police (USPP): We commend the committee's FY22 investment of $4.1 million for body-worn cameras as this is the first of several reforms that are needed to ensure greater accountability to the public. However, we are disappointed in the USPP's continued lack of public transparency and responsiveness to congressional inquiries surrounding public incidents. We ask the committee to consider report language requesting documentation and reporting of USPP policies and procedures.

Great American Outdoors Act: We appreciate the committee's support for the Legacy Restoration Fund and its ongoing interest in ensuring NPS successfully invests in priority projects. Given the revised backlog number, we hope members of the committee will support eventual reauthorization of this fund for at least five more years. We also applaud the committee's support for the Federal LWCF program and its support for and interest in the Appraisal and Valuation Services Office. In recognition of the many land acquisition needs that total more than the $900 million in dedicated funding provided by the Great American Outdoors Act, we would support appropriations to supplement those funds.

Restoring the Borderlands: The construction of the border wall has caused incalculable damage to public lands and communities along the US-Mexico border. Sacred Tribal lands have been damaged and burial sites have been desecrated, ancient water sources have been depleted, and wildlife populations have been separated. To make meaningful progress on restoring and remediating the borderlands, we urge the committee to make funds available—either directly through your bill or as a transfer from Homeland Security—for national parks like Organ Pipe Cactus National Monument.

Investments are also needed for related agencies that support the health of park resources. We commend the committee's work to better invest in the many agencies and programs that support the wildlife, clean air and water in our parks and help understand and address climate change. Park resource protection and restoration is a collaborative effort dependent on the support and partnership of the Environmental Protection Agency, US Fish and Wildlife Service (USFWS), US Geological Survey, and others. We encourage the committee to support these agencies that benefit our park landscapes, resources, and the health of our communities with increases in FY23.

We ask the committee to make significant investments in the protection and recovery of our most vulnerable species with increases for USFWS. To meet the current needs, the USFWS requires a budget of $704 million for Endangered Species Act programs starting in FY23. We recognize that addressing climate change also relies on accounts and agencies in which the committee invests. For example, USGS Climate Adaptation Science Centers are critical to support climate science that benefits our National parks and their ecosystems. We commend the committee's support in FY23 and recommend continuing added investments for this scientific support. Investments in EPA's environmental protection and public health mission are critical to our communities and the restoration of park landscapes. We support the administration's $11.88 billion request for EPA, within which we urge the subcommittee fully fund EPA's Geographic Programs that are critical for restoring and maintaining the health of the Great Lakes, Chesapeake Bay and other waterways and ecosystems in and surrounding units of the National Park System.

On behalf of NPCA and our millions of members and supporters, thank you again for your consideration of the needs facing the National Park Service and related agencies and programs that protect and support our Nation's cultural and natural treasures.

[This statement was submitted by John Garder, Senior Director of Budget and Appropriations, National Parks Conservation Association.]

PREPARED STATEMENT OF NATIONAL PARK SERVICE

This is prepared for the subcommittee on Interior, Environment, and Related Agencies; and the testimony is addressing the National Park Service (NPS).

I request the subcommittee to accept NPS fiscal Year 2023 Environmental Management Program Budget request (see Fiscal Year 2023 Budget Justifications) of $14.113M so NPS can further restore contaminated lands for public use.

I see in the Fiscal Year 2022 Budget Justification, NPS requested $14.113M for the Environmental Management Program, which is an $8M increase over the fiscal year 2021 enacted amount of $6.113M. NPS States in the fiscal Year 2022 Budget Request "With 500 contaminated sites in its inventory, EMP funding supported a prioritization initiative designed to obtain the greatest return on investment for the bureau and the public. The goal of this initiative is to develop the plan, subject to funding, to reopen all blighted NPS sites by the end of the decade. NPS estimates remaining cleanup cost of $1.5 billion dollars (current dollars not including indirect costs) needed to reopen the blighted sites. By fiscal Year 2027, the program hopes to have completed studies that will define the actual dollar amount needed to complete cleanup actions at all NPS contaminated sites, using the authorities of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) -often referred to as the Superfund statute."

In addition, I see that NPS Fiscal Year 2022 request for an $8M increase for the Environmental Management Program was not accepted either by the Senate or House. Given that NPS estimates remaining cleanup cost of $1.5 billion dollars, I would like to know why the $8M was not accepted.

Lastly, I request the subcommittee to accept NPS Fiscal Year 2023 Environmental Management Program Budget request of $14.113M so NPS mover quicker to restore contaminated lands for public use.

[This statement was submitted by Stephen Mitchell.]

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[This statement was submitted by Nguyet Huynh.]

PREPARED STATEMENT OF NATIONAL TRUST FOR HISTORIC PRESERVATION

I appreciate the opportunity to present the National Trust for Historic Preservation's recommendations for fiscal Year 2023 appropriations. My name is Shaw Sprague, and I am the Vice President of Government Relations. The National Trust is a privately funded nonprofit chartered by Congress in 1949. We work to save America's historic places to enrich our future.

We offer our deep gratitude for the robust funding this subcommittee provided for all historic preservation priorities during the fiscal Year 2022 cycle. Thank you for considering recommendations made by the National Trust. We look forward to continuing our work with this subcommittee as you address the ongoing need for investments to sustain our Nation's rich heritage of cultural and historic resources

that also generate lasting economic and civic vitality for communities throughout the Nation.

For the fourth year in a row, we have also produced "The Preservation Budget: Select Preservation Priorities for fiscal Year 2023 Appropriations," [1] which includes more information on the programs identified below, including funding levels over time and multiple examples of program success stories.

National Park Service: Historic Preservation Fund. The Historic Preservation Fund (HPF) is the principal source of funding to implement the Nation's preservation programs. The National Trust is enormously appreciative of the six successive historic funding levels the subcommittee has provided to the HPF, including the fiscal Year 2022 enacted level of $173.072 million, a significant $29 million increase from enacted fiscal Year 2021 levels. While this recent increased investment in the HPF has facilitated innovative and impactful historic preservation work across the country, additional appropriations are needed to effectively tell and preserve the full American story for generations to come.

HPF funding supports fundamental preservation activities such as survey, nomination of properties to the National Register of Historic Places, public education, and project reviews required for Federal Historic Tax Credit (HTC) projects. Among many highlights, we would like to emphasize the subcommittee's sustained support for the African American Civil Rights grants program and for the second year its expansion to preserve and highlight sites and stories associated with securing civil rights for All Americans, including women, American Latino, Native American, Alaska Native, Native Hawaiian, and LGBTQ Americans. The competitive grant programs within the HPF are having a transformative impact in communities throughout the country and these investments are helping preserve a broader historic narrative while revitalizing communities and creating local jobs. State and Tribal historic preservation offices are at the forefront of protecting our Nation's historic and cultural resources and are consistently asked to do more with less funding. The National Trust strongly supports addressing this unmet financial need.

We respectfully request that Congress provide a total fiscal Year 2023 HPF appropriation of $200 million. Within that funding we recommend:

—$65 million for State Historic Preservation Officers (SHPOs)

—$34 million for Tribal Historic Preservation Officers (THPOs)

—$24 million for competitive grants to preserve the sites and stories of efforts to advance African American Civil Rights

—$5 million for the History of Equal Rights Grants program to preserve the sites and stories associated with securing civil rights for All Americans, including women, American Latino, Native American, Alaska Native, Native Hawaiian, and LGBTQ Americans

—$12 million for grants to Historically Black Colleges and Universities to preserve and rehabilitate historic buildings

—$35 million for Save America's Treasures grants

—$12 million for Paul Bruhn Historic Revitalization grants

—$3 million for competitive grants for the survey and nomination of properties associated with communities currently underrepresented on the National Register of Historic Places and National Historic Landmarks

National Park Service: Operation of the National Park System. Over the past 25 years, more than 50 parks have been added to the System, many of which preserve historic places and themes that have been previously underrepresented. We encourage the Committee to provide funding of $3.26 billion to maintain NPS operations, ensure stewardship of historic and cultural resources and prevent reductions in visitor services at a time when our National parks are more popular than ever. Within this funding, we recommend robust funding for Resource Stewardship, the National Underground Railroad Network to Freedom, the African American Civil Rights Network, the Reconstruction Era National Historic Network, and the Japanese American World War II History Network.

National Park Service: Deferred Maintenance. The NPS is responsible for maintaining a system comprised of more than 85 million acres that tell stories of remarkable people and events in our country's history. Unfortunately, after over 100 years of operation and inconsistent public funding, the NPS faces a multi-million dollar deferred maintenance backlog. Deferred maintenance in our National parks puts historic and cultural sites at risk of permanent damage or loss, and in the absence

[1] https://bit.ly/3GGzENs

of funding, the condition of these assets will continue to deteriorate and become more expensive to repair and preserve in the future. We also recommend sustained increases for specific line items to ensure the maintenance backlog continues to decrease.

—Construction. We recommend sustained robust funding for Line-Item Construction projects that address the deferred maintenance for the NPS' highest priority non- transportation assets with project costs greater than $1 million.

—Repair and Rehabilitation; Cyclic Maintenance. We are enormously appreciative of the Committee's commitment to enhancing these accounts with significant investments since fiscal Year 2016. We recommend additional increases for Repair and Rehabilitation at $135.989 million and maintaining $188.184 million for Cyclic Maintenance to ensure routine and emerging needs.

National Park Service: Cultural Programs. Within its cultural programs, the NPS manages the National Register of Historic Places and National Historic Landmarks, certifies Federal HTC projects, coordinates Federal archaeology programs, and provides funding through the Native American Graves Protection and Repatriation Act Grants, Japanese American Confinement Sites Grants, and American Battlefield Protection Program Assistance Grants.

The National Trust appreciates the increases Congress provided in the past three cycles for these programs and recommends $35 million for fiscal Year 2023. Additional increases in this account will enhance modernization of the National Register and support sustained demands to review and approve Federal HTC projects.

National Park Service: International Park Affairs, Office of International Affairs. The National Trust recommends $2.250 million for the Office of International Affairs to ensure engagement in the World Heritage Program and support the dozens of communities and sites across the country seeking nomination to the World Heritage List. This office is responsible for selecting sites for the World Heritage Tentative List and shepherding them through the detailed nomination process. Examples of pending sites include Hopewell Ceremonial Earthworks (Ohio) and Civil Rights Movement Sites (Alabama, Arkansas, Georgia, Mississippi).

National Park Service: National Heritage Areas. We recommend $32 million for the Heritage Partnership Program and National Heritage Areas (NHAs). This funding would provide $500,000 for each of the 55 individual NHAs in 34 States, as well as NPS administrative support for coordination, guidance, assistance, and training.

Bureau of Land Management: Cultural Resources Management. The Bureau of Land Management (BLM) oversees the largest, most diverse, and scientifically important collection of historic and cultural resources on our Nation's public lands, as well as the museum collections and data associated with them. The National Trust remains concerned with the impact of the agency reorganization in 2019 and loss of staff within the Cultural Resources Division. We recommend $23.6 million to bolster this program.

The cultural resources program also supports Section 106 review of land-use proposals, Section 110 inventory and protection of cultural resources, compliance with the Native American Graves Protection and Repatriation Act, and consultation with Tribes and Alaska Native Governments. Moving forward, we recommend $1 million in dedicated funds for the agency to enhance its National Cultural Resources Information Management System (NCRIMS). This collaboration with state historic preservation offices is one of the Nation's most innovative programs to support predictive modeling and data analysis to enhance planning for large-scale, cross-jurisdictional land-use projects.

Bureau of Land Management: National Landscape Conservation System. The BLM's National Landscape Conservation System (National Conservation Lands) includes approximately 37 million acres of congressionally and presidentially designated lands, including National Monuments, National Conservation Areas, Wilderness, Wilderness Study Areas, National Scenic and Historic Trails, and Wild and Scenic Rivers.

We encourage the Committee to provide $78.145 million to the base program for the National Landscape Conservation System. An increase in funding will allow for greater inventory and monitoring of cultural resources in this growing system, prevent damage to the resources found in these areas, ensure proper management, and provide for a quality visitor experience.

Department-Wide: Land and Water Conservation Fund. The National Trust has long supported robust funding for the Land and Water Conservation Fund (LWCF), and we look forward to the Committee's role in implementing full dedicated funding for the LWCF. Many of the Nation's most significant historic and cultural places have been permanently protected through LWCF investments. In total, more than $550 million has been invested to acquire historic sites and 137,000 acres of historically significant landscapes within 162 NPS units.

Within LWCF funding, we encourage the Committee to provide $20 million for the American Battlefield Protection Program.

Independent Agencies: National Endowments for the Arts and for the Humanities. We urge the Committee to provide at least $201 million each for the National Endowment for the Arts (NEA) and National Endowment for the Humanities (NEH). NEA and NEH funding is critical to communities around the country. It has also supported efforts by the National Trust's Historic Sites and others to tell a fuller American story and engage visitors in compelling ways.

Independent Agencies: Advisory Council on Historic Preservation. We recommend $10.5 million for the Advisory Council on Historic Preservation (ACHP). The increase would enhance the ACHP's performance of its essential roles in ensuring that the Nation's historic and cultural resources are protected while also advancing timely delivery of major infrastructure projects and improving consultation with Indian Tribes. The increase would also support the ACHPs efforts to promote enhanced mapping and digitization of cultural resources.

We stand ready to assist the Committee in support of our recommendations.

[This statement was submitted by Shaw Sprague, Vice President of Government Relations, National Trust for Historic Preservation.]

PREPARED STATEMENT OF NATIONAL WILDLIFE REFUGES

This testimony is being submitted by Marie Springer on behalf of The Blue Goose Alliance organized in support of National Wildlife Refuges. The Blue Goose Alliance is a national 501 (C) 3 non-profit organization, registered in New Mexico. I appreciate the opportunity to express our strong support for our National Wildlife Refuges and the United States Fish and Wildlife Service, and for the Land and Water Conservation Fund (LWCF).

Our 587 National Wildlife Refuges are our greatest national treasures. Not only do they serve important conservation purposes, and mitigation of contamination sites, but they were a great source of recreation during the COVID shutdowns, our National Wildlife Refuges were not closed to the public when a great many State and local public lands were closed to the public. The National Wildlife Refuges have served our public well in this time of great need.

We request funding at least at the level of $720 million, with the additional amounts discussed below, for Refuge Operations and maintenance for the fiscal Year 2023 funding. This request of $720 million, an increase of $138 million over fiscal Year 2022 appropriations, would impact our refuges with substantial and positive benefits to the natural resources involved and for public users. There is a need to provide attention and added staffing for refuge complexes that include unstaffed NWRs. Over half of all National Wildlife Refuges are currently unmanned. Funding for active management and possible staffing for these units should receive priority with special language in the House Appropriations Bill. This funding would contribute to the needed personnel, operations activities and maintenance needs.

The added eight million should be directed to the enormous Marine National Monuments for which the NWRS has been given management responsibilities. Essentially, the FWS has not requested additional funding for its responsibilities, even those which are currently managed under NWRS direct authority. In addition, to those areas, over 19 million acres of Marine National Monuments are NWRS responsibility using other authorities and in cooperation with several other agencies. Those areas should be provided basic funding for inventory, monitoring and to facilitate collection of basic data needed for responsible issuance of permits for fishing and other uses of those important areas. The added funds would ensure oversight of issued permits including compliance with provisions and impacts on the natural fish, wildlife and habitat resources affected by that usage.

The NWRS should be given incentive to bring all of its grazing programs and agricultural practices up to "Best Management Practices" level to ameliorate Climate Change. Refuge habitat areas, particularly native grasslands and old-growth forest habitats should receive priority attention in order to maximize carbon sequestration capabilities and to provide vital nesting, migrating and wintering habitats for dependent migratory bird species.

Overall, the National Wildlife Refuge System requires at least $900 million in Operations and Maintenance Funding to be considered at "full funding", with all refuges staffed, with adequate maintenance, biological programs, hunting and fishing programs, environmental education and interpretation programs. We ask that you work towards the overall goal of $900 million in annual funding. Currently, there are problems with infrastructure and maintenance on all refuges. The longer maintenance and infrastructure needs go unaddressed, the more costly the remedies in

the long run. The remedy requires increased staffing to actually update maintenance and to keep maintenance current. Far too much maintenance has not been carried out and has fallen farther behind because of inadequate staffing. There is a great need for increased law enforcement staffing, not reduced Federal refuge law enforcement, which has been the practice for many years.

We urge the subcommittee to include ample funding for LWCF in the fiscal Year 2023 Interior Appropriations Bill. The Great American Outdoors Act allows for $900 million for the Land and Water Conservation Fund: it is right and wise to reinvest proceeds from offshore drilling receipts in the protection of natural resources and recreational access for all Americans. The fund has only been fully funded at $900 million once, in 1998, since 1965. We ask that the LWCF be fully funded at $900 million for fiscal year 2023.

Recognizing the many demands this committee faces, we want to thank the committee for its recent effort to restore much-needed funding to the LWCF program. This wise investment in the Land and Water Conservation Fund is one that will permanently pay dividends to the American people and to our great natural and historical heritage. We want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of our National Wildlife Refuges.

[This statement was submitted by Marie Springer PhD., on behalf of the Blue Goose Alliance.]

PREPARED STATEMENT OF NATIONAL WILDLIFE REFUGE SYSTEM

We deeply appreciate the tremendous efforts of the Committee to support our Nation's natural resources and public lands. We were happy to see the increased budget for the National Wildlife Refuge System (System) for Fiscal Year 2022, thanks to your hard work.

Today we want to speak to the pressing needs for the System as you work on the fiscal Year 2023 appropriations bill. As your subcommittee develops budget items for the Interior, Environment, and Related Agencies for fiscal Year 2023, we urge you to consider increasing the budget for the System from its current $518 million to $712 million. While visitors to the System have increased 38 percent since 2010 and the effects of a changing climate are becoming more apparent, the System's budget has remained largely stagnant. To properly fulfill its conservation mission, hire staff to keep up with demand, and ensure safe recreation opportunities for generations to come, the budget for the System must grow.

Wildlife refuges are the only Federal public land that operates with a dominant use order for conservation. All additional uses must comply with individual refuge conservation efforts. In addition, refuges, where compliant, support wildlife-dependent recreation (fishing, hunting, wildlife observation and photography, and/or environmental education and interpretation). They are also one of the most accessible public land systems, with at least one wildlife refuge in every State and 101 urban wildlife refuges. As such, the System is our Nation's best path to protecting prized biodiversity, enhancing vital habitats, including wildlife corridors, and offering nationwide recreational opportunities.

Current funding levels have resulted in a loss of over 800 staff positions within the U.S. Fish and Wildlife Service over the past decade. This has impeded the ability to advance the mission of the System and, more specifically, keep wildlife refuge Comprehensive Conservation Plans current (around 40 percent are out of date), maintain adequate law enforcement to ensure visitor safety and protection of physical and natural resources, and apply up-to-date science to refuge management policies. In some places, wildlife refuges do not even have regular, on-site staff. These management needs extend to recreation as well, including the need for regularly updated fishing and hunting rules that enhance sporting opportunities.

As longtime supporters of the System and lifelong stewards of the natural world, fishing and hunting organizations were glad to see the President's fiscal Year 2023 budget request of $597 million for the System. However, the System cannot perform its duties to its fullest extent without a more robust budget. To maintain operations at a level established 10 years ago (adjusted for inflation), keep up with visitor demands and climate change, and lead the Nation in long-term, responsible management of natural resources, the System's budget should be no less than $712 million.

With a fully appropriated budget, the System can update outdated management plans, fill essential staff positions, like law enforcement, complete needed projects to meet conversation goals, better serve local communities, develop resilient habitats and species through restoration and responsible management, and ensure their 65 million annual visitors can recreate safely.

Thank you for your consideration of this request and your ongoing work to improve our Nation's beloved public lands and natural spaces.

[This statement was submitted by Grace Olscamp, National Campaign Director, Trout Unlimited, John Gale, Director, Policy and Government Relations, Backcountry Hunters and Anglers, Joel Webster, Vice President of Western Conservation, Theodore Roosevelt Conservation Partnership.]

PREPARED STATEMENT OF NATIONAL WILDLIFE REFUGE SYSTEM

The National Wildlife Refuge System (NWRS) plays a huge part in wildlife conservation. It is the only set of Federal lands dedicated to the conservation and management of America's native wildlife. The largest and most diverse network of conservation lands in the world. More than ⅓ of wildlife & plant species protected under the Endangered Species Act live only in wetlands and ½ of US federally threatened & endangered species use wetlands at some point in their lives.

My point? A significant portion of important wetland areas are protected by the National Wildlife Refuge System along with rivers, coastlines, wetlands, deserts, forests, mountains, oceans. The NWRS contains 568 units across the United States which totals roughly 850 million acres of land and marine habitat types.

The National Wildlife Refuge System needs to be funded! $712 million is a start.

As an individual, conservationist, educator and wildlife/wildlands advocate, I embolden you to do better and approve this investment in our National Wildlife Refuge System. NOW is the time!

We must invest in our National Wildlife Refuges now and in the future. An estimated 59 million people used the NWRS for recreational purposes in 2019 and unfortunately inadequate funding forces the Refuge System to defer a range of critical services including wildlife habitat management, conservation planning, maintenance and repairs, visitor services and law enforcement activities.

Last month I visited five new National Wildlife Refuges across the Midwest. It makes me so proud to know our country values these diverse ecosystems. As a result, Chicks on a Grouse Trip, https://chicksonagrousetrip.blogspot.com/, was created to share stories from the field and educate the public on wildlife species who inhabit our NWRS.

However, all of the visitor centers at the five refuges I visited were Closed, there were NO restroom facilities open and the educational pamphlet holders were empty. A missed opportunity to gain my involvement and educate me on the area. Just a small face of the larger problem our NWRS is dealing with.

[This statement was submitted by Sandy Zelasko.]

PREPARED STATEMENT OF NATIVE VILLAGE OF EYAK

Recommendations:

1. Provide full funding and advance appropriations for the Indian Health Service
2. Increase funding and accepted applications for the Joint Venture Program
3. Ensure mandatory funding for Contract Support Costs and 105(l) lease payments
4. Amend Indian Self-Determination and Education Assistance Act to Clarify CSC provisions
5. Fund Critical Infrastructure investments for the Indian health system
6. Increase funding and authorize a self-governance funding mechanism option for SDPI
7. Increase funding for Preventive Health programs.
8. Reduce dependence on competitive grants for Indian Country

Introduction. Thank you Chairman Merkley, Ranking Member Murkowski, and Members of the subcommittee for the opportunity to share our funding priorities for the fiscal Year 2023 Federal budget. My name is Mark Hoover and I serve as the Chairman of the Native Village of Eyak. The Native Village of Eyak is a federally recognized Tribal government located in Cordova, Alaska, on the southeast shores of Prince William Sound in the North Gulf Coast. The Tribe is a co-signer to the Alaska Tribal Health Compact with the Indian Health Service (IHS) and operates a wide range of health care programs, including primary care services and behavioral health. The Tribe also has a self-governance compact under the ISDEAA with the Bureau of Indian Affairs. The Native Village of Eyak focuses on self-determination and self-governance as a means of improving the lives and health of our Tribal citizens. We are not only responsible for providing quality, available health care

services, but also for promoting opportunities and partnerships for our citizens, protecting our traditional land and natural resources, and for strengthening our culture.

We are grateful that IHS received over $9 billion supplementary appropriations to address the COVID–19 pandemic. Those resources have been critical to ensuring that we had the means to serve our patients and fight this terrible disease. The pandemic also gives us an opportunity to make real, sustained investments in the Indian health system. We believe now time to take the lessons learned from the COVID–19 pandemic—both positive and negative—to renew the Indian health system. Annual appropriations are essential to fulfilling the Federal Government's trust and treaty obligations by ensuring critical programs and services receive adequate funding to fulfill their intended purpose. Therefore, I offer the following recommendations for your consideration for fiscal Year 2023 appropriations for the IHS:

Provide Full Funding for the Indian Health Service. We with support from the IHS, we strive to provide Alaska Natives and American Indians (AI/AN) with access to high quality and comprehensive medical services, no more so than during the ongoing pandemic. The Indian health system has navigated unimaginable hardships related to supplies, staffing levels, infrastructure and facilities, and high rates of underlying conditions in serving our people at this time. We appreciate the work that this committee has undertaken—on a bipartisan basis—to provide funding increases for IHS year after year. However, more must be done for the United States to honor its trust and treaty obligations to Tribal Nations.

The IHS Tribal Budget Formulation Workgroup has calculated the need at $49.8 billion for full funding. The Workgroup supports fully funding this amount in fiscal Year 2023. The top priorities for program expansion from the fiscal Year 2022 National Tribal Budget Recommendation Planning base of $12.8 billion as follows:1 1) Hospitals and Clinics: +$8.65 billion; 2) Purchased/Referred Care: +$5.22 billion; 3)Mental Health: +$3.59 million; 4) Alcohol and substance Abuse: +$2.31 million; 5)Maintenance and Improvement: +$2.27 billion

Support for Mandatory and Advance Appropriations for IHS: We appreciate the Biden Administration's proposal to provide mandatory funding for IHS and increase funding over 10 years. Reclassifying the IHS budget as mandatory spending not only reflects the nature of the trust and treaty obligations to Tribal Nations, but also will allow IHS to be funded at a level that is necessary for providing health care to AI/ANs. As noted in the President's budget request, "Mandatory funding for the IHS provides the opportunity for significant funding increases that could not be achieved under discretionary funding caps." 2 The proposal outlined in the President's Budget request is a good start, but must be developed in partnership with Tribal Nations. We stand ready to work with you and IHS to fully develop this proposal so that it provides adequate funding for IHS and fully honors Tribal self-determination and self-governance.

However, if fully mandatory appropriations cannot be achieved for fiscal Year 2023, we continue to support IHS advance appropriations for the short term. For many years, Tribes have requested that IHS appropriations be funded on an advance appropriations cycle. It has unfortunately become the norm that IHS does not receive its full yearly appropriation until several months (sometimes longer) after the start of the fiscal year. These funding delays make it impossible for IHS and Tribal health programs to plan and manage their annual budgets. Congress recognized these challenges when it provided the Veterans Administration with advance appropriations over a decade ago. Yet, IHS still waits for parity. In fiscal Year 2022, we did not receive our full funding amount until almost halfway through the fiscal year. The practical implication of this is that our health systems do not have the ability to plan our finances even weeks ahead, as we do not know what our funding level will be. At a time when we are desperate for medical professionals and when the health system is in crisis due to the global pandemic, this is just unacceptable. Full advance appropriations for the IHS would lead to better stability for our health system, improve provider recruitment and retention, and improve practices over all.

We appreciate President Biden's support for IHS advance appropriations in his fiscal Year 2022 budget request to Congress and the support of many members of this subcommittee on IHS advance appropriations. We urge the Committee to take the necessary steps in the fiscal Year 2023 appropriations bill to move/continue IHS to an advance appropriation for fiscal Year 2023 and beyond. The time is now to end the delay of health care for AI/ANs.

Support Expansion of the IHS Joint Venture Program. The IHS Joint Venture (JV) program provides Tribes with a critical opportunity to build new facilities and to enhance health services for their patients. Under this project, Tribes and Tribal organizations build or acquire the facility with their own or other non-IHS funds,

and IHS commits to fund the additional staffing and operations costs associated with the new or expanded facility. The program has been a major success, with close to 40 facilities built, acquired, or renovated since 1992. It has been a critical, cost-effective mechanism to address the health care facilities shortage, since funds continue to be limited for the IHS Facilities Construction Priority List. Yet, despite the remarkable success of this program, projects like ours remain unfunded by IHS. In the last round, Native Village of Eyak—along with two other Tribal health organizations in Alaska—received a high score and were on the top 10 list of projects, but were not funded, as IHS only funded the top 5. We request that the Committee direct IHS to fund all high-scoring applicants for JV construction projects.

Additionally, the JV program currently leaves Tribal facilities without necessary maintenance and replacement funds. The IHCIA requires that the Tribe lease the facility to IHS for 20 years at no cost. The JV facility is eligible to receive a share of IHS's perennially insufficient Maintenance and Improvement (M&I) funding, but is not eligible for a lease under section 105(l) of the Indian Self-Determination and Education Assistance Act (ISDEAA).[3] This leads to the anomaly that non-JV facilities can be fully funded under 105(l), receiving either fair market rental or the cost elements set out in the regulations, while JV facilities are stuck with nothing but M&I. We request that Congress amend the Indian Health Care Improvement Act to correct this issue. We are happy to provide any technical assistance you may need.

Mandatory Funding for Contract Support Costs and 105(l) lease payments: If Congress is not able to enact full mandatory funding for IHS this year, we continue to support mandatory funding for Contract Support Costs (CSC) and 105(l) leases. We appreciate the subcommittee's commitment to ensuring that CSC and 105(l) lease costs are fully funded by including an indefinite discretionary appropriation in recent years for both of these accounts. However, changing these accounts to mandatory appropriations in fiscal Year 2023 would bring appropriations process into line with the clear legal requirements of the authorizing statute. CSC and 105(l) lease funds are already an entitlement under substantive law for the ISDEAA to function as intended by Congress. It is contradictory and problematic to appropriate funding for CSC on a discretionary basis. A simple amendment to a permanent appropriations statute could solve this challenge.

Amend Indian Self-Determination and Education Assistance Act to Clarify CSC provisions: We also request that the committee consider amending the Indian Self-Determination and Education Assistance Act (ISDEAA) to clarify that when agency funding paid to a Tribe for program operations is insufficient for contract and compact administration, contract support costs will remain available to cover the difference. In the recent court decision Cook Inlet Tribal Council, Inc. v. Dotomain,[4] a Federal appeals court held that costs for activities normally carried out by IHS are ineligible for payment as CSC-even if IHS transfers insufficient, or even no, funding for these activities in the Secretarial amount. Under this new ruling, if facility costs are higher for a Tribe than for IHS, the Tribe is forced to cover the difference by diverting scarce program dollars. Recently, this serious misinterpretation of the ISDEAA that has been applied to one Tribal organization resulting in a 90 percent reduction of contract support costs reimbursement threatens Tribal self-governance and self-determination. Therefore, we call upon Congress to provide a legislative fix to clarify the intent on Congress for this matter, and ensure consistency with precedent.

Fully fund critical infrastructure investments: As Congress considers making dramatic investments in the country's infrastructure, it is critical that the Indian health system not be left behind. Therefore, we request that the subcommittee allocate funding for full implementation of interoperable Electronic Health Records (EHR) and tele-health. This will ensure that IHS can provide services that are similar to other health providers. Last year, IHS said before the Senate Committee on Indian Affairs that the current EHR "created significant barriers to the rapid response needed for COVID–19." For Tribes and Tribal health organizations who have committed their own resources to move away from RPMS and make their systems functional, IHS should take this into consideration with any new resources and ensure these programs are not only interoperable, but compensated accordingly.

We were thrilled to see that the Sanitation Facilities Construction program received $3.5 billion in appropriations in the Infrastructure Investment and Jobs Act (Public Law 117–58). These funds will be especially critical in Alaska, which has a deficit of almost $2 billion in unmet sanitation needs in Alaska Native communities. That said, it is critical that Congress make still significant investments in

[3] 25 U.S.C. § 5324(l); 25 C.F.R. Part 900, Subpart H.
[4] Cook Inlet Tribal Council, Inc. v. Dotomain, 10 F.4th 892 (D.C. Cir. 2021).

Tribal health facilities construction. IHS and Tribal facilities are some of the oldest in the Nation, meaning that facilities are out of date, or not appropriate for the size of the patient populations they serve. Therefore, consistent with the Budget Formulation Workgroup's request, we recommend $10.6 billion for facilities in fiscal Year 2023.

Staff Housing Quarters: We continue to experience challenges finding adequate housing for staffing for health and other professionals to serve our community. As you know, health staffing shortages across the Indian health system are dire, and providing adequate living spaces for professionals are directly linked with our ability to recruit and retain staff.

Extend Self-Governance Funding Options to the Special Diabetes Program for Indians (SDPI) and increase funding to $250 million/year. While we understand that SDPI is not under the jurisdiction of the subcommittee, we appreciate that Congress included a 3-year reauthorization of SDPI in the Consolidated Appropriations Act, 2021 (Public Law 116–260). SDPI's success rests in the flexibility of its program structure that allows for the incorporation of culture and local needs into its services. Consistent with this model, Congress should authorize SDPI participants the option of receiving their Federal funds through either a grant (as currently used) or self-governance funding mechanisms under the Indian Self-Determination and Education Assistance Act. This would be a natural and just extension of SDPI in respecting Tribal sovereignty. Additionally, SDPI has not had an increase in funding since fiscal Year 2004. Short term reauthorizations also destabilize this health program and make staffing and program continuity difficult. For this reason, we recommend permanent reauthorization for SDPI at a minimum base of $250 million per year with annual adjustments for inflationary increases. We urge you to work with your Congressional colleagues to ensure that SDPI receives a funding increase of at least $250 million per year.

Plan for the Future with Dedicated Funding for Preventative Health Services. Among the many things we have learned from the COVID–19 pandemic is that basic public health functions are critical to preserving life and overall health of Americans, yet public health systems in most Tribal communities lag far behind systems in other jurisdictions. Without robust public health systems in place, responding to public health threats means that Tribal communities will continue to be a challenge. Yet the Federal Government provides few resources to Tribal communities for this purpose. We support long-term, sustained, full investment in Tribal public health infrastructure so that Tribal communities have the resources available to respond quickly when the next crisis hits.

Reduce Dependence on Federal Grants. In addition to the critical funding needs outlined above, we also support moving away from competitive grants for Federal funding mechanisms. The Federal trust responsibility does not require that we jump through a myriad of hoops and onerous applications to see that services are provided to our people. Grants also unfairly pit Tribes against Tribes, when all are deserving of critical resources. Applications and reporting requirements force our health system to divert staff time to apply and report thereby diluting the usefulness of the resources. Instead, we request wide-spread, formula-based funding across all programs and the flexibility needed to respond to the specific needs of their own communities, not those prescribed by Federal grants. A Tribal workgroup has developed draft legislation to reduce dependence on Federal grants by enacting Title VI of ISDEAA, which would allow for self-governance to be extended to non-IHS programs within the Department of Health and Human Services. We would appreciate the subcommittee's support of this legislation.

[This statement was submitted by Mark Hoover, Chairman, Native Village of Eyak.]

Prepared Statement of Natural Science Collections Alliance

The Natural Science Collections Alliance appreciates the opportunity to provide testimony in support of fiscal year 2023 appropriations for the Smithsonian Institution and the Department of the Interior. We encourage Congress to make new investments that address agency backlogs and secure future efforts for the preservation, curation, growth and study of scientific and cultural collections within the Department of the Interior and the Smithsonian Institution. We request that Congress provide the National Museum of Natural History with at least $60 million in fiscal Year 2023, with new funding to correct for a lack of adequate increases in recent years. Please provide the United States Geological Survey (USGS) with at least $1.85 billion in fiscal Year 2023, with increased support for collections related activities.

The Natural Science Collections Alliance is a non-profit association that supports natural science collections, their human resources, the institutions that house them, and their research activities for the benefit of science and society. Our membership consists of institutions that are part of an international network of museums, botanical gardens, herbaria, universities, and other institutions that contain natural science collections and use them in research, exhibitions, academic and informal science education, and outreach activities.

Scientific collections, and the collections professionals and scientists who make, care for, and study these resources, are a vital component of our Nation's research infrastructure. These collections and their associated experts contribute to the expansion of our bioeconomy. Whether held at a museum, government managed laboratory or archive, or in a university science department, these scientific resources form a coordinated network of specimens, samples, and data (for example, genetic, tissue, organism, and environmental) that are a unique and irreplaceable foundation from which scientists are studying and explaining past and present life on earth.

Preservation of specimens and the strategic growth of these collections are in the best interest of science and the best interest of taxpayers. Existing scientific collections that are properly cared for and accessible are a critical component of the US science infrastructure and are readily integrated into new research on significant questions. Specimens that were collected decades or centuries ago are now routinely used in research in diverse fields related to genomics, human health, biodiversity sciences, informatics, environmental quality, and agriculture.

According to the U.S. Interagency Working Group on Scientific Collections (IWGSC), "scientific collections are essential to supporting agency missions and are thus vital to supporting the global research enterprise." A 2020 report by the IWGSC, "Economic Analyses of Federal Scientific Collections," highlights the long-term benefits of scientific collections and presents a framework for estimating and documenting these benefits, both monetary and non-monetary, generated by Federal institutional collections. Additional recent reports have highlighted the value of mobilizing biodiversity specimens and data in spurring new scientific discoveries that grow our economy, improve our public health and wellbeing, and increase our National security.

In 2019, the Biodiversity Collections Network (BCoN) issued a community informed call for the development of an Extended Specimen Network. The report, Extending U.S. Biodiversity Collections to Promote Research and Education, outlined a national agenda that leverages digital data in biodiversity collections for new uses and called for building an Extended Specimen Network: "Science and industry rely on physical specimens housed in U.S. biodiversity collections," the report suggests. "Rapid advances in data generation and analysis have transformed understanding of biodiversity collections from singular physical specimens, to dynamic suites of interconnected resources enriched through study over time. The concept of the 'extended specimen' conveys the current perspective of the biodiversity specimen as extending beyond the singular physical object, to potentially limitless additional physical preparations and digital resources." This endeavor requires robust investments in our Nation's scientific collections, whether they are owned by a Federal or state agency or are part of an educational institution or free-standing natural history museum or other research centers.

A 2020 report by the National Academies of Science, Engineering and Medicine (NASEM), Biological Collections: Ensuring Critical Research and Education for the 21st Century, provided guidance to the NSF regarding the sustainability of living stock and natural history collections. The report argued that collections are a critical part of our Nation's science and innovation infrastructure and a fundamental resource for understanding the natural world.

The NASEM, BCoN, and IWGSC reports, articulate a common vision of the future of biological collections and define a need to broaden and deepen the collections and associated data to realize the potential for biodiversity collections to inform 21st century science. Collections are a critical resource for advancing the knowledge needed to address current global challenges such as climate change, biodiversity loss, and pandemics. The COVID–19 crisis has illustrated how inextricably linked humans are to the natural world. Biological collections, their extended data, and the experts that build and study them are globally important for understanding where viruses such as SARS-CoV–2 exist in nature or when they cross from their current hosts to humans.

The Smithsonian Institution's National Museum of Natural History (NMNH) is the central Federal partner in the curation and research on scientific specimens. Scientists at the NMNH care for 146 million specimens and ensure that the institution remains a global leader in scientific research and public engagement. To increase the availability of these scientific resources to researchers, educators, other

Federal agencies, and the public, NMNH is working on a multi-year effort to digitize its collections. Funding is required to ensure this work is completed.

The National Museum of Natural History is also working to strengthen curatorial and research staffing and to backfill positions left open by retirements and budget constraints. The current staffing level is insufficient to provide optimal care for the collections. Future curatorial and collections management staffing levels may be further jeopardized given insufficient funding increases in recent years. This lack of funding for collections care jeopardizes our bioeconomy at a time when critical investments are needed to leverage our network of collections to address the myriad issues facing the country.

Interior is an important caretaker of museum collections as well; the Department and its bureaus collectively manage an estimated 206 million museum items. Although many of the department's collections are located in bureau facilities, numerous artifacts and specimens are cared for in non-governmental facilities, such as museums and universities. The Interior Museum Program supports these collections by providing oversight, policy development, advocacy, technical assistance, training, and data management support.

In addition, the USGS furthers the preservation, inventory, and digitization of geological scientific collections, such as rock and ice cores, fossils, and samples of oil, gas, and water. The National Geological and Geophysical Data Preservation program helps States with collections management, improves accessibility of collections data, and expands digitization of specimens to ensure their broader use. One example of the returns from this program is the potash mineral deposit discovered in Michigan that is valued at an estimated $65 billion. Rock samples from Michigan were entered into a national database, where private companies discovered the deposit's existence and are now assessing the potential for mining.

USGS supports the documentation and conservation of native pollinators through its Native Bee Inventory and Monitoring Lab (BIML). Pollinators, such as bees, are critical components of ecosystems and play an integral role in wildlife and habitat management and restoration. Three-fourths of the world's flowering plants and about 35 percent of the world's food crops rely on pollinators to reproduce. Given that pollinator populations are in decline globally, BIML's work in developing a nationwide method to inventory and monitor bee population trends on public lands is crucial.

USGS has more than a million specimens of birds, mammals, amphibians, and reptiles that are housed at the Smithsonian's National Museum of Natural History. The Biological Survey Unit (BSU) consisted of USGS scientists stationed at the NMNH, where they conducted research on USGS-specimens of fish, reptiles, birds, and mammals that are curated at the NMNH. This arrangement went back to 1889. These specimens, data, and the research they enable are required to inform Department of the Interior land and natural resource management decisions, and often also support decision-making by State and Tribal governments. With the BSU now eliminated, it is our understanding that the Smithsonian has taken over care of these collections. The work that BSU supported and conducted at the NMNH was important and in the National interest. There is a lack of clarity and understanding about how this work is currently being sustained, given the Smithsonian's own shrinking staff.

The Bureau of Land Management manages nearly 4 million museum objects and archives and has a large backlog of cultural resources to inventory on public lands. Currently, only about 11 percent of public lands have been assessed for heritage resources. Such assessments need to be conducted before unique resources are lost to looting, vandalism, fire, or environmental change.

The National Park Service must continue its investments in scientific collections into the future, which means cataloging millions of museum objects and connecting the resulting databases to national and global data portals. The National Park Service curates a wide range of specimens and artifacts, from historical and cultural items to preserved tissues from protected species and living microorganisms collected in our National Parks. Several parks have made progress on addressing planning, environmental, storage, security, and fire protection deficiencies in museum collections, but much work remains, and present and future collections will be fundamental for effective management efforts.

CONCLUSION

Scientific collections are critical infrastructure for our Nation's research enterprise. They are a national treasure that help support the Nation's bioeconomy. Research specimens connect us to the past and are used to document and solve current problems. They allow us to predict threats to human health, find successful methods

for ensuring food security, and address the impact of future environmental changes. Sustained investments in scientific collections are in our National interest. We also see these investments as critical for our efforts to grow diversity and inclusion in the scientific workforce.

The budget for NMNH has not seen adequate increases in recent years. We urge Congress to provide NMNH with at least $60 million in fiscal Year 2023 to allow the museum to undertake critical collections care, make needed technology upgrades, and conduct cutting edge research. Please support adequate funding for programs within Interior bureaus that support the preservation and use of scientific collections—a truly irreplaceable resource. We encourage Congress to provide the USGS with at least $1.85 billion in fiscal Year 2023, with increased support for collections related activities.

Thank you for your thoughtful consideration of this request.

[This statement was submitted by Gil Nelson, Ph.D., President, Natural Science Collections Alliance.]

PREPARED STATEMENT OF THE NATURE CONSERVANCY

Chair Merkley, Ranking Member Murkowski and members of the subcommittee, thank you for the opportunity to submit recommendations for fiscal year 2023 (FY23) appropriations. The Nature Conservancy (TNC) is a nonprofit conservation organization working around the world to protect ecologically important lands and waters for people and nature. TNC appreciates Congress's work last year to pass the bipartisan Infrastructure Investment and Jobs Act. These investments in our natural systems will help bolster resiliency and respond to climate change. These investments complement but do not supplant the need for ongoing program funding through the appropriations process. Indeed, a robust appropriations package will serve as the foundation for implementing the infrastructure bill and ensuring long-term successes for critical programs under the subcommittee's jurisdiction.

Land and Water Conservation Fund (LWCF). Passage of the Great American Outdoors Act and the dedicated funding of LWCF positions the program to provide more support for landscape-level conservation, working forests and ranchlands, access to the outdoors for underserved communities, climate resilience, conservation of historical and cultural sites, and advancing the America the Beautiful initiative. However, project demand in every State and county continues to far outstrip the $900 million a year in available funding for the program. We respectfully request an additional investment of $450 million in discretionary funds to address the numerous ready-to-go project opportunities across the country.

We appreciate the increased funding provided in FY22 for the Park Service Historic Preservation Fund Tribal line item and request $34 million for the Tribal work and $10 million for the Native American Graves Protection and Repatriation Act grant program in FY23.

Endangered Species. TNC supports continuing funding of at least $60 million for the Cooperative Endangered Species Conservation Fund. This funding supports critical matching grants to States and territories for conservation and species recovery efforts on non-federal lands. TNC requests the subcommittee's continued support for Habitat Conservation Plan (HCP) funding and HCP Land Acquisition Grants.

State and Tribal Wildlife Grants. Strong Federal investments are essential to support strategic actions by State, Tribal and Federal agencies, as well as the conservation community, to protect wildlife and their habitats. TNC appreciates the continued support from members of this subcommittee to address these significant funding needs through passage of the Recovering America's Wildlife Act (S. 2372).

Wildlife Conservation Programs. TNC urges the subcommittee to continue funding for North American Wetlands Conservation Act grants, the Neotropical Migratory Bird Conservation Fund, Migratory Bird Joint Ventures, U.S. Fish and Wildlife Service (FWS) Migratory Bird Management Program and FWS Coastal Program at no less than the FY22 funding levels. Likewise, TNC supports continued strong funding for the Partners for Fish and Wildlife Program, the Cooperative Landscape Conservation and Adaptive Science programs and the National Fish Habitat Initiative.

International Programs. The international conservation programs appropriated annually within the Department of the Interior (DOI) and the U.S. Forest Service (USFS) encompass DOI's Office of International Affairs, FWS Multinational Species Conservation Funds, FWS Wildlife Without Borders regional and global programs, the National Park Service's International Program and the USFS International Program. TNC requests increases over FY22 funding levels for these programs, includ-

ing $25 million for the USFS International Program, to manifest U.S. leadership in addressing the dual crises of biodiversity loss and climate change globally.

National Wildlife Refuge System. Found in every State and territory, national wildlife refuges conserve the diversity of America's environmentally sensitive and economically vital ecosystems, including oceans, coasts, wetlands, deserts, tundra, prairies and forests. TNC supports increased funding for the system's operations and maintenance accounts and an overall funding level of $600 million for FY23.

Sage Grouse Conservation. TNC requests $85 million to support the implementation of the Greater Sage-grouse Conservation Strategy (BLM: $75 million, FWS: $5 million, U.S. Geological Survey (USGS): $5 million). These resources are needed to implement on-the-ground projects and monitor habitat treatments, address rangeland fire and noxious and invasive grasses, fund suppression and restoration efforts and facilitate the partnership and science necessary for effective conservation in western States. We continue to request the removal of language that would bar FWS from proposing a rule to list the Greater Sage-grouse under the Endangered Species Act from the FY23 bill.

BLM Land Management and Renewable Energy Development. TNC supports ongoing work to expedite renewable energy development, including funding to operationalize the Renewable Energy Coordination Offices and regional clean energy plans. TNC recommends robust funding to support BLM's smart planning and management of public lands. This includes the National Landscape Conservation System (no less than FY22 level of $50 million), the Resource Management Planning (no less than FY22 level of $68 million), the consolidated Wildlife and Aquatic Habitat Management budget line ($150 million) and the Renewable Energy Development program ($35 million).

U.S. Environmental Protection Agency's (EPA) Geographic Programs. TNC urges the subcommittee to continue strong funding for EPA's geographic programs, including the Great Lakes Restoration Initiative and the Chesapeake Bay, Puget Sound, Long Island Sound and Gulf of Mexico programs, to make significant contributions to protecting habitat, improving water quality and enhancing resilience in the large landscapes they encompass.

Colorado River Basin Recovery Programs. The Upper Colorado River Endangered Fish Recovery Program and San Juan River Basin Recovery Implementation Program take a balanced approach to the recovery of four threatened and endangered fish species in the upper Colorado River basin. The FWS budget includes approximately $1.5 million to support these programs as well as fish hatchery needs associated with the recovery plans. TNC requests the subcommittee maintain this funding in FY23.

Restoring Rivers and Streams. Removing problematic dams and upgrading culverts can improve public safety and provide environmental and social benefits. TNC recommends $30 million for the FWS National Fish Passage Program and robust funding to support the USFS restoration of streams by removing and restoring dam and culvert barriers through programs including the Legacy Roads and Trails program, State & Private Forestry programs and National Forest System programs such as Vegetation & Watershed Management.

Federal Priority Streamgage (FPS) Network. USGS operates the FPS Network to provide continuous streamflow information at over 8,400 locations across the country. TNC supports $30 million for the FPS Network to reinstate lost gages. TNC also requests $33 million in Cooperative Matching Funds to leverage USGS funding to expand this program to over 5,000 gages. Lastly, TNC supports $35 million for the Next Generation Water Observation System to expand this program and allow USGS to modernize water data delivery systems across the United States.

3D Elevation Program (3DEP): 3DEP sponsors satellite topographical mapping that provides communities high-quality elevation mapping to better understand flood risks. Knowledge of flood risks can help prevent communities from developing in unsafe areas and allow risk mitigation in developed areas. TNC supports continued funding of $146 million in FY23 for 3DEP to promote resilient communities and environments.

Forest Restoration and Fire. TNC also recommends funding for USFS AND DOI programs that address catastrophic megafires, pests and drought—all impacts exacerbated by climate change—in our forests. We support substantial reinvestments in programs that increase forest resilience, specifically those that support collaboratively developed, science-based, climate-informed and ecologically focused activities across all forests. These programs not only contribute to forest resilience but also create jobs, support local economies and reduce wildfire risk to communities, among other benefits.

Our funding recommendations for the USFS are based on the modern budgeting practices undertaken by USFS. We also recommend increased salaries and expenses

proportional to any program increases. We would further recommend directing the USFS and DOI to identify and prioritize projects based on best-available climate vulnerability, watershed conditions and fire risk assessments.

Investing in Wildfire Resilience. Congress took a major step toward stabilizing the USFS and DOI budgets with the 2018 "fire fix," for which we continue to be thankful. We continue to urge Congress to ensure the fire fix remains durable and comprehensive. An estimated 50 million acres are in critical need of wildfire resilience treatments across all forests due to the impacts of these challenges. A TNC report recommends an investment surge of $5–6 billion per year over the next 10 years for the highest-priority work of increasing wildfire resilience and providing communities with much-needed resources for infrastructure and adaptation.

TNC recommends investing in the USFS's Hazardous Fuels Program at $321 million and DOI's Fuels Management Program at $304 million. In addition, TNC urges the subcommittee to repeat its fiscal year 2021 instructions for allocating funds to priority landscapes in both wildland-urban interface and wildland settings for prescribed burning. TNC also supports fully funding the Collaborative Forest Landscape Restoration Program at $80 million, Vegetation and Watershed Management at $68 million, Water Source Protection Program at $10 million, and State Fire Assistance at $79 million. We appreciate the critical investment in Burned Area Rehabilitation in the IIJA supporting forest recovery. This is a significant management need and has been historically overlooked. TNC supports an additional $30 million for post-fire restoration or Burned Area Rehabilitation activities in FY23 and looks forward to USFS reporting as they develop this program, as directed in the fiscal year 2021 omnibus appropriations bill.

Investing in Ecosystem Restoration, Reforestation and Planting. Additionally, TNC recommends funding for programs that enhance water quality, biodiversity, and forest health, including the Wildlife & Fisheries Habitat Management at $29 million, Legacy Road and Trail Remediation at $20 million, Federal Forest Health at $22 million, Cooperative Forest Health at $40 million and Landscape-Scale Restoration at $20 million.

TNC additionally recommends funding the Urban and Community Forestry program at $40 million to support increase in tree cover in urban landscapes and improve air quality, reduce electricity and help cities mitigate stormwater and floodwater.

Research and Planning. TNC recommends funding research programs to include the USFS Research and Development Program at $93.5 million (dedicating $42.5 million for climate research and climate hubs), $32.4 million for Forest Inventory and Analysis (FIA), and Joint Fire Science at $8 million each for USFS and DOI. The Research and Development Program offers a vital scientific basis for policies that improve the health and quality of urban and rural communities. Advances to FIA technology in measuring and monitoring are critical for public and private forest carbon management. Investments in the Joint Fire Science programs would provide competitive and focused applied science solutions to improve the management of forests and watersheds while protecting communities, water and air through interagency partnerships. TNC also recommends investing in Land Management Planning, Inventory and Monitoring at $22 million. USFS must update many outdated forest plans and increase its efforts to appropriately incorporate climate change into land management planning and project-level documentation under the National Environmental Policy Act.

Thank you for the opportunity to submit TNC's recommendations for the FY23 Interior, Environment and Related Agencies Appropriations Bill.

[This statement was submitted by Brent Keith, Senior Policy Advisor, The Nature Conservancy.]

PREPARED STATEMENT OF NISQUALLY INDIAN TRIBE

Summary of Budget Requests:

I. Bureau of Indian Affairs—Increase funding for Western Washington Program

II. Bureau of Indian Affairs—Increase funding for Tribal Climate Resilience Program

III. Bureau of Indian Affairs—Increase funding for Living Languages Grant Program

IV. Bureau of Indian Affairs—Increase funding for Missing & Murdered Unit

V. Environmental Protection Agency—Increase funding for Puget Sound Program

VI. Environmental Protection Agency—Funding to Address Impacts of 6PPD Quinone

Greetings Chair Merkley, Ranking Member Murkowski, and Honorable Members of the subcommittee on Interior, Environment, and Related Agencies. My name is William Frank III and I have the honor of serving as Chairman of the Nisqually Indian Tribe. Thank you for the opportunity to provide written testimony regarding the Tribe's funding priorities within the subcommittee's jurisdiction. It is also an honor to continue my father, Billy Frank, Jr's, lifetime commitment and fight to protect our salmon, water, and environment.

The Nisqually Indian Tribe ("Tribe") has treaty reserved rights enshrined in the Treaty of Medicine Creek of 1854 and upheld by Federal courts in U.S. vs Washington, also known as the Boldt Decision, in 1974 and in numerous decisions in the intervening 48 years. These rights include, at their most fundamental of understanding, the ability to continue to exist as the Nisqually Indian Tribe in return for allowing the peaceful settlement of Americans in our region. The Tribal leaders that were signatory to the Treaty envisioned perpetual survival of our people, our traditions and cultures, our use of our homelands, and the access and use of the natural resources that have been central to our existence since time immemorial.

Access and use of our treaty secured natural resources has been diminished significantly over time. Specifically, the salmon of the Nisqually River have decreased in numbers over the past 25 years to the point where there are two species listed as threatened under the Endangered Species Act ("ESA"), the Fall Chinook salmon and the steelhead trout; and there are two more candidates for future listing considerations, the unique Nisqually late chum and the coho salmon.

As recently as the 1980's, and throughout time, Nisqually Tribal members regularly fished 8 months a year on the river that bears our name. By 2015, fishing time has been constrained to a mere 8 days to conserve the diminishing resource for future generations. Eight days is not using our homelands and waters as promised; 8 days is not practicing our cultures and traditions; and 8 days is not honoring the promises contained in the Treaty of Medicine Creek.

I. BUREAU OF INDIAN AFFAIRS: RIGHTS PROTECTION IMPLEMENTATION-WESTERN WASHINGTON (BOLDT DECISION)

The Boldt Decision reaffirmed our Tribe's right to co-manage fishery resources with the State of Washington. To honor this Federal decision and many other court decisions upholding Tribal rights, the Department of the Interior provides Tribal funding under the Rights Protection Implementation ("RPI") Program. Particularly, the Western Washington Program provides specific Federal funding to meet its treaty obligations to Western Washington Tribes, including the Nisqually Indian Tribe.

The Nisqually Indian Tribe has utilized this vital Federal funding to revive our precious fish resources and to build a strong and dedicated Natural Resources Program. The Tribe has over 40 staff in eight different programs that utilize science-based management of our fisheries. These eight different programs include shellfish management, environmental management, salmon hatchery operations, salmon recovery, Geographic and Information Services, and salmon restoration and research.

Despite the effectiveness of RPI, the funding levels are simply insufficient. The Tribe is putting all its efforts into the survival of our fisheries and trust resources, stretching every dollar. Our obligations to manage under the Boldt Decision and the ESA are growing more complicated as our world continues to change. Unfortunately, the fiscal resources have failed to fully support the proper management of our trust resources and treaty protected rights.

The Tribe appreciates the President requesting an increase of $370,000 for the Western Washington Program. However, we urge the subcommittee to provide a more substantial increase that will help ensure that the responsibilities outlined in the Boldt decision can be fulfilled.

II. BUREAU OF INDIAN AFFAIRS: TRIBAL CLIMATE RESILIENCE PROGRAM

Climate change is real and is having dramatic and significant impacts on our people and the resources we depend upon. As a result of rising sea levels, we are seeing changes to the Nisqually Delta habitat in ways that are impacting salmon survival. The culturally important plant species that we use for our food, medicine, and crafts are becoming scarcer as their range is being reduced with rising temperatures and changes in the timing and magnitude of rainfall.

We have invested a tremendous amount of time and resources to protect and restore our watershed while increasing resiliency, but the changes are occurring at a pace that is challenging to match with our efforts alone. We need to increase the pace and magnitude of our efforts while working on solutions to the climate change

that imperils the very resources that we all care for and are dependent on for our very survival.

With Western Washington Tribes being on the frontlines of climate change, we applaud the President's proposal to increase funding for the Tribal Climate Resilience Program ("TCRP") by $44 million. The TCRP is instrumental in assisting Tribal governments with climate adaptation and preparedness, implementing strategies for resilient communities, and encouraging cooperative solutions. The Nisqually Indian Tribe requests that the subcommittee provides a substantial increase in funding for the TCRP.

III. BUREAU OF INDIAN AFFAIRS: LIVING LANGUAGES GRANT PROGRAM

Our language ties us to our ancestors, our history, and our sacred spaces. "You don't know where you are going, if you don't know where you've been," Nisqually elders used to say. With language preservation being a top priority, the Tribe was pleased to see the development of the Living Languages Grant Program ("LLGP"). Administered by the Office of Indian Economic Development, the LLGP was designed to help Tribes document, preserve, and revitalize our language. LLGP funding is intended to focus on small or start-up programs whose objective is to document or build the capacity to preserve Native languages that are losing users, but whichstill have active users at the grandparent generation.

The President's request provides for an increase of $21 million to support Native language revitalization. The funding will allow Indian Affairs to implement the Native American Languages Act of 1990, which aims to preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages. It will provide much needed funding to support non-BIE Tribal language immersion schools and programs.

The Tribe urges the subcommittee to fund the Living Languages Grant Program, a vital program that is assisting Tribes in preserving their languages. As Assistant Secretary for Indian Affairs Bryan Newland stated, "preserving Native languages is fundamental to preserving all aspects of Tribal cultures and traditions."

IV. BUREAU OF INDIAN AFFAIRS: MISSING AND MURDERED UNIT

According to the Urban Indian Health Institute ("Institute"), American Indian and Alaska Native women in Washington State go missing at a rate more than four times higher than the State's white residents. The Institute also found that Washington had the second highest number of missing and murdered Indigenous women cases among the 29 States surveyed. Therefore, the Tribe was pleased when Secretary Haaland formed the Missing & Murdered Unit ("MMU") within BIA's Office of Justice Services. The MMU is to provide leadership and direction for cross-departmental and interagency work involving missing and murdered Indigenous Peoples ("MMIP") cases. The MMU will also help put the full weight of the Federal Government into investigating MMIP cases and marshal law enforcement resources across Federal agencies and throughout Indian Country.

The President's budget request includes $16.5 million to address the crisis of Missing and Murdered Indigenous People. The MMU falls under Law Enforcement Special Initiatives—Tribal Public Safety Missing & Murdered Unit, for which the President proposes an increase of $5.1 million. The additional funding would add 20 investigative personnel to the MMU. The new personnel will double the current effort dedicated to addressing new and unsolved cases, responding to investigative challenges, and collection and management of data across jurisdictions. The Nisqually Indian Tribe requests the subcommittee provide significant funding for the Missing & Murdered Unit and related programs that seek to address the MMIP epidemic.

V. ENVIRONMENTAL PROTECTION AGENCY: PUGET SOUND PROGRAM

There are many issues challenging our salmon's very survival in the Nisqually River and throughout Puget Sound. The Puget Sound is our regional icon and it has been designated as an estuary of National Significance under the Clean Water Act. The Puget Sound represents the promise of a clean, healthy, and vital environment that is central to our lives in Western Washington. It is as important to our region as the Great Lakes and the Everglades are to those living in those watersheds.

The plight of the salmon is also the plight of our people. Losing our promised and generational connection to the salmon and the river and our traditional practices has long lasting impacts on our communities. When we have salmon, when we have time on our river, when we eat our traditional foods and practice our culture, we are healthy. When these things are lacking, we too are at risk. Our physical, emo-

tional, and spiritual health is directly and permanently connected to our river and our salmon. Saving salmon is saving our people.

We are not alone feeling the impact of disappearing salmon runs. Our brothers the Orca of Puget Sound are also struggling. The Southern Resident Killer Whales, salmon eaters like us, are now listed as threatened under the ESA and are slowly slipping away into extinction. We all watched helplessly in shock and horror the vision of the mother Orca carrying her dead baby for 18 days in Puget Sound in 2018. As go the salmon, goes the Orca and the Nisqually People.

Under the EPA's Puget Sound Program, the Nisqually Indian Tribe receives important funding to conduct research and implement programing to revitalize the salmon population. Compared to other nearby bodies of water, salmon in the Puget Sound have a much lower survival rate. Federal funding allows our researchers to understand why this is happening in the Puget Sound. Once we understand the cause, we can provide the best measures to protect the salmon.

The President's budget request call for $35 million for the Puget Sound Program, an increase of $1.2 million over the previously enacted level. The Tribe requests that the subcommittee increase funding for EPA's Puget Sound Program to further assist us in tackling the complicated issues in the Puget Sound.

VI. ENVIRONMENTAL PROTECTION AGENCY: FUNDING TO ADDRESS IMPACTS OF 6PPD QUINONE ON SALMON

The Nisqually Tribe has grave concerns regarding the deadly threat that 6PPD Quinone is having on our salmon and treaty protected resources. The Tribe needs the EPA to provide the critical leadership and sense of urgency needed to immediately solve this problem. This is a crucial issue for the Tribe and all Tribes that depend upon salmon. We have seen our salmon populations decline dramatically over the past 30 years and the negative impacts that has had on our treaty rights, our culture and traditions, and the health of our communities. 6PPD is killing our fish every time it rains. The Tribe urges the subcommittee to provide funding that will address the deadly impacts that 6PPD Quinone is having on the salmon population.

The Nisqually Indian Tribe thanks the subcommittee for the opportunity to share its funding priorities for Fiscal Year 2023.

[This statement was submitted by William Frank III, Chairman of the Naisqually Indian Tribe.]

PREPARED STATEMENT OF NORTHWEST INDIAN FISHERIES COMMISSION

Chair Merkley, Ranking Member Murkowski, and Honorable Members of the subcommittee, for the record my name is Ed Johnstone, and I am Chair of the Northwest Indian Fisheries Commission (NWIFC). The NWIFC is composed of the 20 Tribes in western Washington that are party to United States v. Washington, which upheld the Tribes' treaty-reserved right to harvest and manage natural resources on and off-reservation, including salmon and shellfish. On behalf of the NWIFC, we are providing testimony for the record on our natural resource management and environmental program funding requests for the Bureau of Indian Affairs (BIA), Fish & Wildlife Service (FWS) and Environmental Protection Agency (EPA) Fiscal Year 2023 appropriations. These programs support Tribes to carry out their natural resource management responsibilities including the management of Pacific salmon fisheries, which contribute to a robust natural resource-based economy and the exercise of our treaty rights.

SUMMARY OF FISCAL YEAR 2023 (FY23) APPROPRIATIONS REQUESTS

Bureau of Indian Affairs

—Provide $66.0 million for Rights Protection Implementation (collective request)
  —Provide $17.146 million for Western Washington Fisheries Management
  —Provide $3.557 million for Washington State Timber-Fish-Wildlife
  —Provide $6.495 million for U.S./Canada Pacific Salmon Treaty
  —Provide $2.4 million for Salmon Marking
—Provide $15.0 million for Fish, Wildlife & Parks Projects (non-TPA)
—Provide $953,000 for the Salmon and Steelhead Habitat Inventory and Assessment Program within the Tribal Management/Development Program Subactivity
—Fully Fund Contract Support Costs

—Provide $2.0 million for Western Washington Treaty Tribes' Wildlife Management

—Provide $60.991 million for Tribal Climate Resilience

Fish & Wildlife Service

—Provide $8.0 million for Tribal Wildlife Grants

Environmental Protection Agency

—Provide $96.4 million for General Assistance Program
—Provide $50.0 million for Puget Sound Geographic Program

JUSTIFICATION OF REQUESTS

Bureau of Indian Affairs

—Provide $66.0 million for BIA Rights Protection Implementation Subactivity

The 41 Tribes in the Great Lakes and Pacific Northwest with similar treaty-reserved rights have collectively identified that no less than $66.0 million for the Rights Protection Implementation (RPI) subactivity is necessary to support essential Tribal treaty-reserved resource management. This request is a $21.3 million increase over the FY23 President's Budget Request (PBR) of $44.7 million and a $20.313 million increase over the FY22 enacted level of $45.687 million. The large disparity between our collective request and the enacted level demonstrates that the basic natural resource management functions of the treaty Tribes continue to be underfunded. Faced with the difficult combination of increasing natural resource scarcity and cumulative environmental stressors, Tribal natural resource management has become more complex and resource intensive. Considering this challenge, additional capacity is needed to manage treaty-reserved resources and protect Tribal rights. Unfortunately, most of the programs under RPI, such as Western Washington Fisheries Management, have not received a meaningful increase since FY18. A summary of the subaccounts of importance to us within RPI are identified below, however, please note that FY22 enacted funding levels are not yet available.

—Provide $17.146 million for BIA Western Washington Fisheries Management

We respectfully request $17.146 million, an increase of $6.42 million over the fiscal year 2021 enacted level of $10.726 million and an increase of $6.05 million over the FY23 PBR of $11.096 million. Funding for this program supports the Tribes to co-manage their treaty-reserved resources with the state of Washington, and to continue to meet court mandates and legal responsibilities. For example, funding supports harvest planning, population assessments, data gathering for finfish, shellfish and groundfish, and other natural resource management needs. This funding is critical to support the day-to-day operations of essential fishery management. Reduced abundance and increased regulatory scrutiny of fisheries, coupled with ongoing salmon habitat loss, increased recreational pressures and climate change are greatly increasing the difficulty (and cost) of co-managing salmon and other resources.

—Provide $3.557 million for BIA Washington State Timber-Fish-Wildlife (TFW)

We respectfully request $3.557 million, an increase of $119,000 above the fiscal year 2021 enacted level of $3.438 million and consistent with the FY23 PBR. Funding for this program is provided to improve forest practices on state and private lands, while providing protection for fish, wildlife and water quality. This funding supports the Tribes' participation in the TFW Agreement—a collaborative intergovernmental and stakeholder process between the state, industry and Tribes.

—Provide $6.495 million for BIA U.S./Canada Pacific Salmon Treaty

We respectfully request $6.495 million, an increase of $216,000 above the fiscal year 2021 enacted level of $6.279 million and consistent with the FY23 PBR. This request is consistent with that of the Pacific Salmon Commission (PSC) and is necessary to implement the Annex chapters of the Pacific Salmon Treaty (PST). Tribes assist the U.S. government in meeting its obligations to implement the treaty by participating in fisheries management exercises, cooperative research and data gathering activities. This funding also supports participation in the PST process.

—Provide 2.4 million for BIA Salmon Marking

We respectfully request $2.4 million, an increase of $1.057 million over the fiscal year 2021 enacted level of $1.343 million and an increase of $ 1.011 million over the FY23 PBR of $1.389 million. This request would support ongoing coded wire tagging and adipose fin clipping (marking) operations at Tribal hatcheries. Marking is used to differentiate hatchery-origin salmon from natural spawning ones. Since 2003, Congress has required that all salmon released from federally funded hatch-

eries are marked for conservation management purposes. Coded Wire Tags are used to provide a unique identifier to a particular hatchery stock, which is then used in salmonid abundance assessments and catch rates. The NWIFC uses automated trailers to provide efficient centralized tagging and marking services to our 20-member Tribes. This state-of-the-art equipment is very complex and requires expert technicians to operate and maintain. The operations and maintenance of the trailers, coupled with an increasing demand for these important services, continues to increase our costs to carry out this Federal directive.

—Provide $15.0 million for BIA Fish, Wildlife & Parks Projects (Non-TPA) for Hatchery Operations and Maintenance

We respectfully request $15.0 million for Hatchery Operations and Maintenance within the Fish, Wildlife and Parks Projects account, an increase of $32,000 above the FY23 PBR of $14.968 million and $3.055 million above the FY22 enacted level of $11.945 million. More specifically, we request $8.0 million for Hatchery Operations and $7.0 million for Hatchery Maintenance. This funding is provided to Tribal hatcheries to support the rearing and releasing of salmon and steelhead for harvest by Indian and non-Indian fisheries in the U.S. and Canada. Without hatcheries, Tribes would lose their most basic ceremonial and subsistence fisheries that are central to our Tribal culture. We currently estimate that more than 80 percent of the salmon harvested are hatchery-origin fish. Yet despite the central importance of these facilities, Tribes face millions of dollars in deferred maintenance costs and significant funding shortfalls in operations.

—Provide $953,000 for BIA Salmon and Steelhead Habitat Inventory and Assessment Program (SSHIAP) (within the Tribal Management/Development Program)

We respectfully request $953,000 within the Tribal Management/Development Program for SSHIAP, an increase of $123,000 above the fiscal year 2021 enacted level and an increase of $53,000 above the FY23 PBR of $900,000. SSHIAP is vital to the western Washington Tribes because it provides essential environmental data management, analysis, sharing and reporting to support Tribal natural resource management. It also supports our Tribes' ability to adequately participate in watershed resource assessments and salmon recovery work.

—Fully Fund BIA Contract Support Costs

We respectfully request that Congress fully fund Contract Support Costs (CSC) and reclassify CSC as mandatory. Funding for CSC ensures Tribes and Tribal organizations have the capacity to manage Federal programs under self-determination contracts and self-governance compacts.

—Provide $2.0 million for Western Washington Treaty Tribes' Wildlife Management

We respectfully request $2.0 million for western Washington treaty Tribes' wildlife management programs from an account within the Bureau of Indian Affairs Trust—Natural Resources Management Activity. The member Tribes reserved the right to fish, hunt and gather natural resources throughout their ceded territories. Part and parcel with the Tribes' reserved right to hunt and gather outside of their reservation boundaries is the need to co-manage wildlife resources with the State of Washington. Requested funding will provide capacity to participate in state-Tribal co-management forums, develop wildlife management plans, develop and enhance Tribal hunting codes, and design and implement applied research projects. These capabilities are fundamental to the protection of our Tribes' treaty rights and there is currently no dedicated account or funding to directly support this critical work.

—Provide $60.991 million for BIA Tribal Climate Resilience

We request $60.991 million for Tribal Climate Resilience, consistent with the President's FY23 PBR and an increase of $29.02 million over the FY22 enacted level. Climate change is one of the largest threats to Tribal rights and resources. Funding from this competitive grant program will support Tribal participation in critical issues that impact treaty-reserved resources, adaptation and promote climate resiliency.

Fish & Wildlife Service

—Provide $8.0 million for FWS Tribal Wildlife Grants

We respectfully request $8.0 million for the Nationwide Tribal Wildlife Grants program, consistent with the FY23 PBR and an increase of $2.0 million over the FY22 enacted level of $6.0 million. Funding from this competitive grant program

supports the conservation of wildlife and their habitat, including species that are culturally or traditionally important to Tribes.

Environmental Protection Agency

—Provide $96.4 million for EPA General Assistance Program (GAP)

We request $96.4 million for the Nationwide GAP, an increase of $11.391 over the FY23 PBR of $85.009 million and $29.65 million over the FY22 enacted level of $66.75 million. We also respectfully request bill or report language that would improve flexibility in the GAP to ensure individual Tribal priorities and implementation activities would be eligible and that newly proposed allocations will not result in a decreased proportion of funds for EPA Region 10 Tribes and consortia. The GAP builds essential Tribal program capacity to address environmental issues that impact Tribes' health, safety and treaty-reserved resources. The GAP also provides critical funding to Tribal consortia to support interTribal coordination on environmental issues.

—Provide $50.0 million for EPA Puget Sound Geographic Program

We request $50.0 million for Puget Sound consistent with the funding levels passed by the House for FY22, an increase of $15.75 million over the FY22 enacted level and $14.984 million over the FY23 PBR of $35.016 million. This Geographic Program provides essential funding that will help protect and restore Puget Sound—an estuary of national significance. Funding for this program supports Tribal participation in a broad range of collaborative Puget Sound recovery work, including scientific research, resource recovery planning and policy discussions that affect our treaty rights.

CONCLUSION

We respectfully request the subcommittee's support for these requests. We greatly appreciate your attention to these matters and thank you for your continued commitment to the Tribes.

[This statement was submitted by Ed Johnstone, Chair of the Northwest Indian Fisheries Commission.]

PREPARED STATEMENT OF NORTHWEST PORTLAND AREA INDIAN HEALTH BOARD

Greetings Chairman Merkley and Ranking Member Murkowski, and Members of the subcommittee. My name is Nickolaus Lewis, and I serve as Secretary on the Lummi Indian Business Council, and as Chair of the Northwest Portland Area Indian Health Board (NPAIHB or Board). I thank the subcommittee for the opportunity to provide testimony on the fiscal Year 2023 Indian Health Service (IHS) budget and for their continual support for increased funding for IHS every year.

NPAIHB was established in 1972 and is a Tribal organization under the Indian Self-Determination and Education Assistance Act (ISDEAA), Public Law 93–638, that advocates on behalf of the 43 federally-recognized Indian Tribes in Idaho, Oregon, and Washington on specific health care issues. The Board's mission is to eliminate health disparities and improve the quality of life of American Indians and Alaska Natives (AI/AN) by supporting Northwest Tribes in the delivery of culturally appropriate, high quality health programs and services. "Wellness for the seventh generation" is the Board's vision. In order to achieve this vision, I respectfully ask that this subcommittee consider Tribal sovereignty, traditional knowledge, and culture in all policy initiatives and funding opportunities.

I provide the following testimony to address our long-standing needs in the Northwest:

Health Equity. AI/ANs in the Northwest face high health disparities compared to non-Hispanic White (NHW). AI/AN people in the Northwest have a life expectancy that is about 7 years lower than that of NHW people in the region. Data from the Northwest show that AI/AN people experience disparities at all stages of life, and are particularly vulnerable to chronic diseases such as heart disease and diabetes, injuries, substance misuse and overdoses, and violence. AI/AN people in the Northwest are less likely to have health care coverage and access compared to their NHW counterparts.

These disparities are the consequence of centuries of neglect and broken promises by the Federal Government to adequately fund healthcare. IHS is chronically underfunded with the overall budget covering only a fraction of the healthcare needs of

AI/AN people.[1] Year after year, Northwest Tribes have unmet healthcare needs due to the chronic underfunding. The Tribes in our Area continue to face the unprecedented COVID–19 public health emergency, as well as the impacts of the climate crisis and opioid epidemic. Northwest Tribes lack the necessary resources and infrastructure to appropriately respond and provide the necessary healthcare to our people.

Provide Advance Appropriations for IHS. We are disappointed that the House and Senate Appropriations Committees did not include advanced appropriations in the fiscal Year 2022 Omnibus Appropriations bill. Previous government shutdowns have caused undue hardship to Northwest Tribes—from Federal employees not receiving a paycheck to clinics cutting down their hours. Some Northwest Tribes even considered closing their clinics due to lack of funding. Our people's lives are impacted by the shut downs. This is unforgivable treatment and must be prevented in the future. For this reason, NPAIHB requests the subcommittee to support the President's request for advance appropriations in recognition of trust and treaty obligations to Tribes.

Provide Mandatory Appropriation for ISDEAA Section 105(l) Leases and Contract Support Costs (CSC). Although we are appreciative of the subcommittee's support in securing an indefinite appropriation for 105(l) leases and CSC, we need 105(l) leases and CSC to be moved to mandatory appropriations. This will ensure that these appropriations are funded year after year without impacting annual programmatic increases to IHS and Tribal health facilities.

The Tribes in the Northwest have been relentless advocates for Tribal Self-Determination and Self-Governance which is one of the most successful programs funded by the Indian Health Service. However, the Cook Inlet decision is destabilizing on our Tribal health program operations and threaten our indirect cost recovery to support Northwest Tribal health program operations. We urgently request the subcommittee to support a legislative fix to the Indian Self-Determination and Education Assistance Act to restore the longstanding interpretation of the act.

Full Funding for IHS. We are concerned on the minimal increase of $395 million to the IHS in the fiscal Year 2022 Omnibus Appropriations Act. This increase does not support President Biden's historic request for an increase of $2.2 billion, or 36 percent above fiscal Year 2021 enacted, for the IHS in fiscal Year 2022. The Northwest Tribes will never be able to adequately address their chronic health disparities without significant increased funding for the IHS. The National Tribal Budget Formulation Workgroup recommended, and our Area supports, the request of $49.8 billion in fiscal Year 2023 to fully fund the IHS.[2] Although we support the Biden Administration putting forward a historical request for mandatory funding, we request that the IHS and the subcommittee works and supports the Portland Area Tribes to develop a legislative proposal for mandatory funding for IHS.

Community Health Aide Program (CHAP) Expansion. Tribal Leaders in the Portland Area support long term sustainable solutions that build up our communities, create opportunities for our youth and Tribal citizens, educate our healers and train the next generation of work force. The CHAP is vital not only to expanding access to care in our Tribal communities but tackling important social determinants of health. CHAP builds an accessible education ladder into the health care professions, increases access to culturally relevant, trauma informed primary care, and creates professional wage jobs in our communities. However, the IHS has not provided adequate funding to expand CHAP in the Portland Area to support education programs and member Tribes to integrate CHAP providers into their health programs. For fiscal Year 2023, we request $60 million for continuation of the National expansion of CHAP with $10 million for Portland Area. We request $5 million to build clinical classrooms to train community health aide providers in the Portland Area.

In fiscal Year 2021 and 2022, $2 million was allocated for dental health therapy education programs educating students in Washington, Oregon, Idaho, and Alaska. But, the IHS has not provided any of this funding to the Portland Area and will not unless there is an appropriation increase. For fiscal Year 2023, we request $4.2 million for the Dental therapy education programs with a $1.7 million earmark to Portland Area and $2.5 million to support Alaska.

Fund Purchased and Referred Care (PRC) at $5 billion. The fiscal Year 2022 Omnibus Appropriations Act includes less than 1 percent increase to PRC, which is even less of an increased than appropriated in fiscal Year 2021. Our Area has to

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[1] U.S. COMM'N ON CIVIL RIGHTS, BROKEN PROMISES: CONTINUING FEDERAL FUNDING SHORTFALL FOR NATIVE AMERICANS AT 19 (2018) available at https://www.usccr.gov/pubs/2018/12–20–Broken-Promises.pdf.

[2] National Tribal Budget Formulation Workgroup Recommendation, Indian Health Service Fiscal Year 2023 Budget, FINAL__Fiscal year 2023 Budget (nihb) (last visited Mar. 4, 2022).

purchase all specialty and inpatient care because there is no IHS hospital in the Portland Area. The PRC program makes up over one-third of the Portland Area budget. When there is no increase or consideration of population growth and medical inflation, Northwest Tribes are forced to cut health services. Areas with IHS hospitals can absorb these costs more easily because of their infrastructure and large staffing packages.

When there are increases to the PRC budget, the Portland Area Tribes receive additional funding to account for the lack of an IHS/Tribal hospital in the Area, often referred to as the access to care factor. However, the IHS has only ever funded this access to care factor three times in the past 12 years-in fiscal Year 2010, 2012, and 2014. Without year to year increases to PRC to fund the access to care factor, inpatient care for Portland Area Tribes goes severely underfunded. For fiscal Year 2023, our Area requests a $4 billion increase for PRC above fiscal Year 2022 enacted.

Fund Mental Health at $3 billion and Substance Abuse at $2 billion. In our Area and nationwide, there are high rates of depression, anxiety, and relapses because of isolation during the pandemic. Our Tribes need funds to support mental health provider shortages, expansion of services, and training. NPAIHB is particularly concerned about our AI/AN adolescents and young adults. Suicide is the second leading cause of death for AI/AN adolescents and young adults. AI/AN suicide mortality in this age group (10–29) is 2–3 greater, and in some communities 10 times greater, than that for non-Hispanic whites.

Mental Health and Substance Use programs could be expanded by funding programs authorized but never funded under the Indian Health Care Improvement Act (IHCIA), including Sections 702, 704, 705 and 715. These programs would increase prevention and treatment services, community mental health workers and behavioral health research. In order to address anticipated needs and to fund much needed programs in fiscal Year 2023, NPAIHB recommends a $3.2 billion increase for mental health and $2.1 billion increase for substance use above fiscal Year 2021 enacted.

In addition, we recommend that all IHS Behavioral Health Initiatives provide an option for Tribes to receive funds through ISDEAA Title I and Title V compacts and contracts. These programs include the Tribes know how to manage and maximize funds to best meet the behavioral health needs of their patients. These programs include the Substance Abuse and Suicide Prevention Program, the Domestic Violence Prevention Program, the Zero Suicide Initiative, and may include the recently established Special Behavioral Health Program (opioid program).

Increase Indian Health Professions Funding by $25 million. COVID–19 has exacerbated the recruitment and retention issues our Northwest Tribal communities face with health care providers. In order to address these provider shortages, NPAIHB supports an increase for Indian Health Professions to fully fund scholarships for all qualified applicants to the IHS Scholarship Program and to support the Loan Repayment Program to fund all physicians, nurse practitioners, physician's assistants, nurses and other direct care practitioners.[3] For fiscal Year 2023, we request the subcommittee to increase the Indian Health Professions program by $25 million.

Increase Funding for Small Ambulatory Program, Joint Venture Construction Project and New Innovative Approaches for Health Care Facilities Construction by $21 billion. No funds have been allocated to Portland Area Tribes for new facility construction for at least 20 years. For this reason, Portland Area Tribes only support funding for specific construction programs and new innovative approaches for health care facility construction. We request a program increase of $21 billion in fiscal Year 2023 to support the Small Ambulatory Program (SAP) with funding for staffing packages, the Joint Venture Construction Program (JVCP), and funding for innovative approaches to address unmet construction needs for health care facilities construction under 25 U.S.C. § 1631(f).

Portland Area Regional Specialty Referral Center. The fiscal Year 2023 President's Budget Request includes $165 million in nonrecurring expense funds for the Portland Area's regional specialty referral center. This center is a priority of the Northwest Tribes to address the continual barriers AI/AN face in accessing specialty care in the Northwest. We support the $165 million in nonrecurring expense funds to construct the center and request this subcommittee to identify additional funding for a staffing package.

Make Information Technology Modernization Funding Available to Tribes. Health IT modernization must be a priority of the IHS with an expedited implementation over the next three to 5 years. Resource and Patient Management System (RPMS) cannot meet the evolving healthcare delivery needs of our Tribes without substan-

[3] NPAIHB Resolution18–03–07.

tial investment in IT infrastructure and software. Tribes in the Northwest have had to invest significant amount of their own funds to modernize their Health Information Technology. Yet, none of the funds appropriated for HIT modernization has been distributed to Tribes. We request that funding is provided to our Tribes to reimburse and provide on-going financial support for Tribal facilities that have purchased and implemented commercial off the shelf systems. For fiscal Year 2023, NPAIHB recommends funding at $356 million for planning and phased-in replacement of RPMS with $22 million for Portland Area Tribes for reimbursement of their health IT modernization efforts.

Fund HIV at $60 million and HCV at $600 million. From 2013 through 2017 rates of new diagnosis of HIV for AI/AN people increased to 7.8 per 100,000—although rates of new HIV diagnosis decreased or stayed stable for all other racial and ethnic groups. We thank the Committee for the $5 million for HIV and Hepatitis C initiatives in fiscal Year 2021. For fiscal Year 2023, NPAIHB requests funding of $60 million for HIV to support Ending the HIV Epidemic. According to the IHS National Data Warehouse, it is estimated that there are at least 40,000 AI/AN people with a current HCV infection being served by IHS, Tribal and urban Indian facilities. For fiscal Year 2023, $600 million is needed for IHS to provide the life-saving HCV treatment to the 40,000 AI/ANs with HCV.

Special Diabetes Program for Indians (SDPI). We request permanent reauthorization of SDPI at $250 million per year with medical inflation rate increases annually. We also request that an option be created for Tribes to receive SDPI funds through Title 1 or Title V compacts or contracts. Specifically, we recommend that 42. U.S.C. § 254c-3(c) be amended with the addition of the following language: "(2) APPROPRIATIONS.—On request from an Indian Tribe or Tribal organization, the Secretary shall award diabetes program funds made available to the requesting Tribe or Tribal organization under this section as amounts provided under Subsections 106(a)(1) and Subsection 508(c) of the Indian Self-Determination Act, 25 U.S.C. § 5325(a)(1) and § 5388(c), as appropriate."

Thank you for this opportunity to provide recommendations on the fiscal Year 2023 IHS budget. I invite you to visit Portland Area Tribes to learn more about the utilization of IHS funding and health care needs in our Area. I look forward to working with the subcommittee on our requests.[4]

[This statement was submitted by Nickolaus Lewis, Chair, Northwest Portland Area Indian Health Board.]

PREPARED STATEMENT OF NORTON SOUND HEALTH CORPORATION

The requests of the Norton Sound Health Corporation (NSHC) for the fiscal Year 2023 Indian Health Service (IHS) budget are as follows:

—Remove IHS Sanitation Deficiency System "Cost Caps". The increased cost of doing business in Alaska, makes many projects ineligible for IHS funding.

—Recognize Alaska Native communities as Native communities in the IHS Sanitation Deficiency System, eliminating the notion of ineligible costs for saniation projects.

—Increase funding for behavioral health social detoxification programs through the Preventing Alcohol Related Deaths (PARD) program under the Snyder Act or through the creation of a Special Behavorial Health Program for Indians, similar to the Special Diabetes Program for Indians

—Amend the Indian Health Care Improvement Act to make newly constructed behavioral health centers eligible for staffing package funding and third-party billing authority

—Allow behavioral health centers newly constructed during COVID–19, to be eligible for reimbursement through the American Rescue Plan

—Direct IHS to use American Rescue Plan funds to designate funding for a youth treatment facility in Alaska

—Provide full, mandatory funding and advance appropriations for the Indian Health Service

—Ensure mandatory funding for Contract Support Costs and 105(l) lease payments and clarify CSC provisions

Headquartered in Nome, Alaska, Norton Sound Health Corporation is owned and managed by the 20 federally recognized Tribes of the Bering Strait region. Our Trib-

[4] For more information, please contact Liz Coronado, NPAIHB, at ecoronado@npaihb.org or (559) 289–9964.

al system includes a regional hospital and 15 village-based clinics, which we operate under an Indian Self-Determination and Education Assistance Act (ISDEAA) agreement[1]. Our rural and remote Arctic region remains unconnected by roads, and we are 500 air miles from Alaska's economic hub of Anchorage. Our service area encompasses 44,000 square miles.

Funding for Water & Sewer Projects.

—Remove IHS Sanitation Deficiency System "Cost Caps". These arbitrary caps determine a project's feasibility prevents a path to service in unserved communities. The increased cost of doing business in Alaska, makes many projects ineligible for IHS funding.

—Recognize Alaska Native communities as Native communities in the IHS Sanitation Deficiency System, eliminating the notion of ineligible costs for saniation projects.

In the Bering Strait region we face a $261 million sanitation need. Five communities in our region, Diomede, Wales, Shishmaref, Stebbins, and Teller remain completely unconnected to running water and sewer. Gambell is 70 percent served, with 43 homes in the village of Gambell remaining unconnected to Water and Sewer. Ongoing sewer and water upgrades and maintenance backlogs remain concerns in seven communities. An estimated 520 homes in the Bering Strait region have no running water, nor flush toilets.

In the Indian Health Care Improvement Act, Congress reaffirmed the IHS as the agency with "primary responsibility and authority to provide necessary sanitation facilities" and furthermore, "it is in the interest of the United States and it is the policy of the United States, that all Indian communities and Indian homes, new and existing, be provided with safe and adequate water supply systems and sanitary sewage waste disposal systems as soon as possible" (25 USC 1632).

The health impacts of a lack of sanitation and clean water infrastructure, in combination with a shortage of housing in our communities remains an ongoing public health crisis. The CDC has noted that one in three infants from communities without running water are hospitalized for respiratory infections. The communities of Diomede, Unalakleet & Wales are on the Environmental Protection Agency's EET list of water systems out of compliance with Federal regulations for arsenic, uranium, and/or THMs (probable human carcinogen)- levels over what EPA has deemed to be safe for humans to drink in the long-term.

We are opposed to the decision of the IHS to implement in the FY2018 Sanitation Facilities Construction appropriation using a methodology based on the premise that our Alaska Native villages are 'non-Indian'. Our unserved communities average over 90 percent Alaska Native. The SDS policy places Indian communities in the same category as "non-Indian" communities requiring that Tribes find contributions for ineligible buildings such as public schools and teacher housing. All community buildings are for the benefit of the Native community, including schools which serve as in some cases the primary gathering place for healthy community activities. Schools and teacher homes are also often the only facilities connected to sewer and water, creating significant sanitation inequities in a community.

We appreciate language in the Infrastructure Investment and Jobs Act (Public Law 117–58) that recognized this challenge and reserved $2.2 billion of the $3.5 billion in IHS Sanitaition Facilities Construction funding for "projects that exceed the economical unit cost." However, in order to fully address the sanitation crisis in our communities, we urge that Congress formally remove the regulatory barriers to our unserved communities, and encourage EPA and USDA Alaska Native Village grant programs to support SDS deficiencies.

Recommend the IHS increase funding for behavioral health social detoxification programs through the Preventing Alcohol Related Deaths (PARD) program under the Snyder Act or through the creation of a Special Behavioral Health Program for Indians, similar to the Special Diabetes Program for Indians (SDPI).

As the alcohol and opioid abuse problem intensifies with the wider availability of heroin, oxycodone, and often-lethal synthetics such as fentanyl, the need for treatment services has grown exponentially. National and State entities and governments have openly recognized and called for the need to arm providers with more resources and funding; however, despite the evidence of rampant substance use concerns, back-logged psychiatric facilities, and reimbursements inadequate to meet the

[1] We serve the communities of: Brevig Mission, Council, Diomede, Elim, Gambell, Golovin, King Island, Koyuk, Mary's Igloo, Nome, St. Michael, Savoonga, Shaktoolik, Shishmaref, Solomon, Stebbins, Teller, Unalakleet, Wales, and White Mountain.

expenses of providing services, there is an imbalance between the magnitude of the problem and appropriate funding.

For the Bering Strait region, the substance abuse/misuse data for 2021 is staggering:

—918 unique individuals across 1,469 encounters presented at Norton Sound Regional Hospital's emergency department under the influence of substances. Of those, 565 had a primary diagnosis of Alcohol Abuse; an additional 100 had a secondary substance diagnosis, and 72 had a tertiary.

—The Nome Volunteer Ambulance Department's 7 primary volunteers responded to 424 substance-related calls accounting for an astounding 68.8 percent of all calls totaling 27,984 hours of response time.

—The Nome Police Department were dispatched for 3,394 substance-related calls in 2021, 73 percent of all arrests were substance-related. There were 10 officers available to respond to these calls.

—90 percent of inmates served time for substance-related crimes at Nome's Community Residential Center (CRC) and Anvil Mountain Correctional Center (AMCC). With 128 beds at AMCC at $168.74 per inmate per day, and 50 beds at the CRC at $117.00 a day, the cost of substance-related incarceration was $9,004,587. Imprisoning someone is far more expensive than funding prevention, diversionary, and treatment services.

Because our region is remote, resources with which to work are fewer than those in urban areas; this often results in sending our people to Anchorage or Fairbanks for higher levels of care.

Amend the Indian Health Care Improvement Act to make newly constructed behavioral health centers eligible for staffing package funding and Allow behavioral health centers constructed during COVID–19, to be eligible for reimbursement through the ARP

In May 2021, NSHC opened a Wellness and Training Center for behavioral health services. The Center provides additional levels of care locally, addressing substance use and behavioral health treatment options in a culturally-sensitive manner. Services include Outpatient, Intensive Outpatient, and Partial Hospitalization, all with a social detox day shelter and access to cultural supports including carving and sewing rooms.

Despite best efforts over several years to argue for inclusion as an eligible project under the Joint Venture Construction Program, standalone behavioral health facilities remain unsupported. As a result, NSHC funded 85 percent of this project without the benefit of receiving a staffing package to offset future operational costs. With a $5.6 million annual operating budget, NSHC will provide these vital services at a significant loss; however, support through designated funding from IHS will ensure these services are sustainable and patients thrive for years to come.

Substance abuse and mental health concerns are healthcare crises; every opportunity for primary care projects supported through Joint Venture partnerships must be extended to these treatment facilities. NSHC will continue to ask for a staffing package and third-party billing authority for this facility, as is the case with facilities constructed under the IHS Health Facilities Construction Priority List and its Joint Venture program. NSHC would also benefit from the reimbursement of construction costs through the American Rescue Plan.

Unfortunately, there are further gaps in the continuum of care, none more glaring than the dearth of youth psychiatric treatment facilities across the State. With increasing frequency, NSHC is admitting children and adolescents to its inpatient unit for psychoses, suicidal ideation, and other behavioral concerns. During CYs 2020 & 21, 62 adolescents between ages 10 and 17 were admitted for suicide-related diagnoses. Alarmingly, those 62 were on the unit for a combined 1,019 days. This accounts for 43 percent of the total length of stay among all age groups 0–89 years. These 62 youth also account for 23 percent of the inpatient census and only 347 days less than any other age group 18 years and older combined. Unfortunately, NSHC currently does not have the capacity to provide the level of care many of these youth need. As a result, they languish on the unit while local staff members try to find a suitable placement out of region; however, there are only four Residential Psychiatric Treatment Centers (RPTC) with a combined 86 beds in Alaska. Admissions to these RPTCs are compromised by bed waits of 30+ days at times, and because the escalating behaviors exhibited by some of these youth result in declined applications, local providers must search for placements out of state, an unfortunate circumstance. Additional appropriations to IHS can stand-up a new RPTC in Alaska for Alaska Native youth with staff members skilled in handling a variety of behav-

iors. This is a priority and a vital need that will increase the psychiatric bed census and keep youth home.

Support for Mandatory Funding for IHS

We appreciate the Biden Administration's proposal to provide mandatory funding for IHS and increase funding over 10 years. Reclassifying the IHS budget as mandatory spending reflects the nature of the trust and treaty obligations to Tribal Nations, and also allows IHS to be funded at a level that is necessary for providing health care. We will work with you and IHS to fully develop this proposal so that it provides adequate funding for IHS and fully honors Tribal self-determination and self-governance.

Support for Advance Appropriations for IHS

However, if full mandatory appropriations cannot be achieved for fiscal Year 2023, we continue to support IHS advance appropriations for the short term. Funding delays make it impossible for IHS and Tribal health programs to plan and manage their annual budgets. We urge the Committee to take the necessary steps in the fiscal Year 2023 appropriations bill to move/continue IHS to an advance appropriation starting in fiscal Year 2023.

Mandatory Funding for Contract Support Costs and 105(l) lease payments

If Congress is not able to enact full mandatory funding for IHS this year, we continue to support mandatory funding for Contract Support Costs (CSC) and 105(l) leases. This change would bring appropriations process into line with the clear legal requirements of the authorizing statute.

Amend Indian Self-Determination and Education Assistance Act to Clarify CSC provisions

We also request that the committee consider amending the ISDEAA to clarify that when agency funding paid to a Tribe for program operations is insufficient for contract and compact administration, contract support costs will remain available to cover the difference in response to a recent court decision.[2]

Thank you for your consideration of the concerns and requests of the Norton Sound Health Corporation.

[This statement was submitted by Angela Gorn, President/CEO.]

PREPARED STATEMENT OF THE OREGON WATER RESOURCES CONGRESS

The Oregon Water Resources Congress (OWRC) is highly supportive of the U.S. Environmental Protection Agency's (EPA) Clean Water State Revolving Fund Loan Program (CWSRF). OWRC respectfully requests fiscal year 2023 appropriations for this program be increased to at least the $2.75 billion authorized in the bi-partisan *Infrastructure and Jobs Investment Act* (HB 3684). The CWSRF is an effective loan program that addresses critical water infrastructure needs while benefitting the environment, local communities, and the economy. As an existing and proven program, it is a perfect fit for increased investment during a time of need for climate and environmentally friendly infrastructure.

OWRC was established in 1912 as a trade association to support the protection of water rights and promote the wise stewardship of water resources statewide. OWRC members are local governmental entities, which include irrigation districts, water control districts, drainage districts, water improvement districts, and other agricultural water suppliers that deliver water to one-third of all irrigated land in Oregon. These water stewards operate complex water management systems, including water supply reservoirs, canals, pipelines, and hydropower production facilities.

FISCAL YEAR 2023 APPROPRIATIONS

We recognize our country must make strategic investments with scarce resources, particularly as our economy recovers from pandemic-related impacts. The CWSRF is a perfect example of the type of program that should have funding increased because it creates jobs while benefitting the environment and is an efficient return on taxpayer investment. CWSRF projects provide much needed construction and professional services jobs, particularly in rural areas facing economic hardship. Moreover, as a loan program, it is a wise investment that allows local communities to leverage

[2] Cook Inlet Tribal Council, Inc. v. Dotomain, 10 F.4th 892 (D.C. Cir. 2021).

their limited resources and address critical infrastructure needs that would otherwise be unmet.

In Oregon, the CWSRF is administered by the Oregon Department of Environmental Quality (DEQ), who responsibly maintains the program through repaid loans, interest, fees, and available Federal capitalization grants. According to EPA, for every $1 of Federal capitalization funding, $3 worth of assistance is provided, leveraging available funds to maximize benefits for local communities, the environment, and the economy. Unfortunately, available funding for water infrastructure projects continues be woefully insufficient to meet the growing water infrastructure funding needs in Oregon and nationwide. Appropriations for the CWSRF needs to be incrementally increased to support water infrastructure projects that are addressing these critical needs. The increasing amounts authorized in the bi-partisan Infrastructure and Jobs Investment Act over the next 5 years increases needed investments incrementally and sustainably.

BACKGROUND OF CWSRF USAGE BY OREGON IRRIGATION DISTRICTS

During the programs over 30-year history in Oregon, several OWRC member districts have successfully used CWSRF for projects that improve water quality and water quantity associated with water delivery diversions, canals, and pipelines throughout the state. OWRC and our members are highly supportive of the CWSRF, including promoting the program to our members and annually submitting Federal appropriations testimony in support of increased funding for the CWSRF. We believe it is an important funding tool irrigation districts and other water suppliers are using for innovative piping projects that provide multiple environmental and economic benefits.

Numerous irrigation districts and other water suppliers need to pipe currently open canals, which significantly reduces sediment, improves water temperature, and provides other water quality benefits to rivers and streams. Piping immediately improves the efficiency of the water delivery system and helps increase available water supplies for aquatic life and irrigators alike. These projects also decrease energy consumption (from reduced pumping) and have opportunities for generating renewable energy, primarily through in-conduit hydropower. However, the lack of robust funding for these types of worthwhile projects has created uncertainty for potential borrowers regarding whether adequate funding will be available in future years. CWSRF is often an integral part of an overall package of local, State, and Federal funding that necessitates a stronger level of assurance loan funds will be available for planned water infrastructure projects. Reductions in CWSRF appropriations could lead to loss of matching grant funding and delay or derail beneficial projects irrigation districts have been developing for years.

The success Oregon districts have had in using the loan program to design and implement multi-beneficial projects has led to increased applications to the CWSRF. Irrigation districts are once again eligible for a key funding element, principal forgiveness, up to 50 percent and capped at $500,000 for projects in a distressed community or eligible for the Green Project Reserve designation. As a result, we expect to see even more interest in the program. OWRC is hopeful there will be enough funding available to complete projects that will not only benefit the environment and the patrons served by the water delivery system, but also benefit the rural economy.

CWSRF NEEDS IN OREGON

The appropriations for the CWSRF program over the past few years has been far short of what is needed to address critical water infrastructure needs in Oregon and across the Nation. This has led to fewer water infrastructure projects, and therefore a reduction in improvements to water quality and water quantity. However, OWRC is pleased with the 5-year commitment to increased funding authorized in the bipartisan Infrastructure and Jobs Investment Act. This Federal commitment is important as infrastructure needs have become more expensive and even more time critical.

DEQ's most recent CWSRF "Intended Use Plan—State Fiscal Year 2022" (July 1, 2021—June 30, 2022) dated January 12, 2022, includes twenty-two loan applications totaling $173,820,674 in requested funding. Currently, the loan program has $285,503,377 net available to lend for state fiscal year 2022. DEQ can award a maximum individual loan amount of $42,825,506.

The following two irrigation district projects are currently ranked by DEQ in the top four by overall score and both meet the Green Project Reserve (GPR) requirements. Increased funding will help catalyze many more projects like the ones below in Oregon and throughout the Nation:

NORTH UNIT IRRIGATION DISTRICT (DESCHUTES COUNTY) $8,150,000 (RANKED #1)

Sec. 319, Design and Construction: Lateral 43 and Juniper Butte Piping Project. The District's System Improvement Plan (2017) proposes to pipe the district's open canal network, including the addition of pressure reducing stations, reuse/retention reservoirs, and metered turnouts for every water user. The current project proposes to start in one portion of the district by piping laterals 31, 32, 34 and 43, which represents a total of 8.2 miles of leaky canal and serves over 9,800 acres of agricultural land. The project will improve water quality in the lower Crooked River, Lake Billy Chinook, and the lower Deschutes River by removing canal seepage and minimizing and eliminating return flow from agricultural lands. Piping of the laterals will also encourage on-farm efficiency by providing pressurized water, which enables the switch from furrow irrigation to sprinkler irrigation, reducing excessive seepage and agricultural runoff from fields. The project is consistent with Section 3.6.1 of the 2014 Nonpoint Source Management Plan and Section 6.1 of the CWSRF.

ROGUE RIVER VALLEY IRRIGATION DISTRICT AND MEDFORD IRRIGATION DISTRICT (JACKSON COUNTY) $24,334,500 (RANKED #4)

Sec. 319, Design and Construction, Joint System Canal Piping Project. Rogue River Valley Irrigation District and Medford Irrigation District jointly use the Joint System Canal to serve several thousand customers with crop irrigation. Seepage and evaporation are occurring along the canal, which is resulting in lost water and less water flowing through the canal downstream to other water bodies. The proposed project includes design and construction of piping up to 4.4 miles of canal and diversions, replacement of siphons, improvements to water diversion structures and fish passage. The project will address water quantity and quality for downstream streams, including South Fork Little Butte Creek, which experience low flow in some seasons. The project focuses on best management practices for irrigation to improve water quality from nonpoint sources. The project is consistent with Section 3.6.1 of the Nonpoint Source Management Program Plan and Section 6.1 of the CWSRF.

EXAMPLES OF GREEN PROJECT RESERVES IN OREGON

Oregon irrigation districts and other water suppliers are on the forefront of innovative piping projects that provide and leverage multiple benefits, including "green" infrastructure projects. Otherwise known as Green Project Reserve (GPR), DEQ is required to use at least 10 percent of annual Federal capitalization grants on projects that promote water and energy efficiency, are environmentally innovative, or include green infrastructure. In 2019, four GPR projects were financed by DEQ for a total of $13 million, far exceeding EPA's minimum requirement of $1.8 million for such projects in Oregon. Of those four funded projects, three were irrigation district projects that met several categories of the GPR requirements related to improved water and energy efficiency.

In 2020, another three projects received awards totaling $38 million and all met the GPR criteria:

LONE PINE IRRIGATION DISTRICT (DESCHUTES, JEFFERSON, AND CROOK COUNTIES) $2,000,000

Sec. 319, Design and Construction, Irrigation Modernization Project. This project will modernize district-owned canals and laterals to conserve water, improve operational efficiency, reduce electrical and energy costs, reduce O&M for farmers through decreased pumping and improve habitat in the Deschutes River. The project will achieve these goals by piping all the district's open canals using HDPE and steel pipe. The existing suspension bridge over the Crooked River is in disrepair and a new structure is needed to convey the irrigation water across the river. The district will replace the bridge with a siphon under the river.

MIDDLE FORK IRRIGATION DISTRICT (HOOD RIVER COUNTY) $20,000,000

Sec. 319 Design and Construction, Clear Branch Dam Rehabilitation and Coe Branch Pipeline. The district will implement multiple projects to improve water quality and quantity associated with its irrigation diversions in the Middle Fork Hood River watershed. Specific projects include installing a new deep-water outlet and improving fish passage in Laurance Lake; installing new irrigation pipe to alleviate impacts from current irrigation system and addressing return flows from the irrigation system; improving the spillway at the Clear Branch Dam; and improving irrigation efficiency by district patrons.

SWALLEY IRRIGATION DISTRICT (DESCHUTES COUNTY) $16,000,000

Sec. 319 Design and Construction, Irrigation Modernization Project. This irrigation piping project includes the installation of pressurized pipe to eliminate seepage and evaporative loss from open ditches; flow regulating and metering devices at service connections; pressurized delivery to eliminate individual pumps system-wide; active education; and a sprinkler exchange program. Piping and pressurizing the irrigation canals will result in approximately 1.1 million kWh/year in energy conservation and conserve up to 16 cubic feet per second of water during the irrigation season.

Providing increased appropriations for the CWSRF program will help implement additional innovative and multi-benefit projects like these in Oregon and across the Nation.

CONCLUSION

In conclusion, OWRC is strongly supportive of increased appropriations to the CWSRF program, allowing Oregon's DEQ to continue making targeted loans that address Clean Water Act issues and improve water quality while incentivizing innovative water management solutions that benefit local communities, agricultural economies, and the environment. This voluntary approach creates and promotes cooperation and collaborative solutions to complex water resources challenges. We respectfully request an appropriation of at least $2.75 billion as authorized in the bipartisan Infrastructure and Jobs Investment Act for the U.S. Environmental Protection Agency's Clean Water State Revolving Loan Fund for fiscal year 2023.

[This statement was submitted by Testimony of April Snell, Executive Director, Oregon Water Resources Congress.]

PREPARED STATEMENT OF PACIFIC SALMON COMMISSION

Chairman Merkley, and Honorable Members of the Committee, in March 1985 the United States and Canada agreed to cooperate in the management, research and enhancement of Pacific salmon stocks of mutual concern by ratifying the Pacific Salmon Treaty (PST). I am Ron Allen, the Tribal Commissioner and Chair of the Finance and Administration Committee for the U.S. Section of the Pacific Salmon Commission (PSC). The U.S. Section prepares an annual budget for implementation of the Pacific Salmon Treaty. The United States and Canada completed revisions of five of the Annex Chapters to the PST in 2019. The Annex Chapters contain the details for operations of fisheries under the Treaty and will be in operation for the next 10 years.

Funding to implement the PST comes from the Departments of Interior, Commerce, and State. The integrated budget details program needs and costs for Tribal, Federal, and State agencies involved in the Treaty. Tribal participation in the Treaty process is funded within the Bureau of Indian Affairs (BIA) budget as a line item within Rights Protection Implementation.

> In order to meet the increased obligations under the Pacific Salmon Treaty Agreement, the 25 affected Tribes identified costs at $6,255,000 for Tribal research projects and participation in the U.S.-Canada Pacific Salmon Treaty process. This represents no change from current levels. The funding for Tribal participation in the Pacific Salmon Treaty is a line item in the BIA's budget under Rights Protection Implementation.

Under U.S. Fish and Wildlife Service programs, the U.S. Section identified funding needs as follows:

> USFWS participation in the Treaty process is currently funded at $372,362. In addition, the Pacific States Marine Fisheries Commission (PSMFC) Regional Mark Center receives support from the USFWS to provide data services to the PSC process at $236,189 annually. The U.S. Section recommends increasing the funding for PSMFC by $150,000. The recommended total for the two programs for fiscal Year 2023 is $758,551. The USFWS also received an additional $4,700,000 for Pacific Salmon Treaty Implementation starting in fiscal Year 2020. The USFWS uses these funds to work with State agencies on marking of anadromous salmonids. The USFWS transfers $100,000 of the additional funds to the BIA to support Tribal implementation of the PST. The U.S. Section recommends maintaining that level of funding for fiscal Year 2023.

The base funding for the USFWS supports critically important on-going work and participation in the process. The funding for Pacific States Marine Fisheries Commission's Regional Mark Processing Center is utilized to meet Treaty requirements concerning data exchange with Canada. These program recommendations are integrated with those of participating State and Federal agencies to avoid duplication of effort and provide for the most efficient expenditure of limited funds.

The U.S. Section of the PSC and the Treaty Tribes appreciate the $900,000 increase in fiscal Year 2020 for the Tribes to implement the revised chapters of the Pacific Salmon Treaty. Tribal programs are essential for the United States to meet its international obligations. Tribal programs have taken on additional management responsibilities over time. The revised Chinook Chapter includes a new metric for evaluating terminal area fisheries. The CYER (Calendar Year Exploitation Rate) metric requires additional data collection and data management by the affected Tribes. All participating agencies need to be adequately supported to achieve a comprehensive U.S. effort to implement the Treaty. The U.S. Section of the PSC is recommending an adjustment in funding to support the work carried out by the twenty-five Treaty Tribes' participating in implementation of the Treaty. Programs carried out by the Tribes are closely coordinated with those of participating State and Federal agencies.

The USFWS activities are essential, so the U.S. can maintain the coded wire tag database necessary to implement the Treaty. The work of the Regional Mark Processing Center includes maintaining and updating a coastwide computerized information management system for salmon harvest data as required by the Treaty. This work has become even more important to monitor the success of management actions aimed at reducing impacts on ESA-listed salmon populations. Canada has a counterpart database. The U.S. database will continue to be housed at the Pacific States Marine Fisheries Commission. The U.S. Section appreciates the additional $4,700,000 in the USFWS budget to work with State agencies on producing hatchery fish to mitigate for catch reductions in the revised Chinook Chapter and for additional Tribal support. The U.S. Section recommends maintaining that funding for fiscal Year 2023.

Funding to support activities under the Pacific Salmon Commission comes from the Departments of Interior, State, and Commerce. The U.S. Section can provide a cross-cut budget summary to the Committee. Adequate funding from all three Departments is necessary for the U.S. to meet its Treaty obligations. All the funds are needed for critical data collection and research activities directly related to the implementation and are used in cooperative programs involving Federal, State, and Tribal fishery agencies and the Department of Fisheries and Oceans in Canada. The commitment of the United States is matched by the commitment of the Government of Canada.

Chairman Merkley, the United States and Canada established the Pacific Salmon Commission, under the Pacific Salmon Treaty of 1985, to conserve salmon stocks, provide for optimum production of salmon, and to control salmon interceptions. After thirty-seven years, the work of the Pacific Salmon Commission continues to be essential for the wise management of salmon in the Pacific Northwest, British Columbia, and Alaska. For example, upriver bright fall Chinook salmon from the Hanford Reach of the Columbia River are caught in large numbers in Alaskan and Canadian waters. Tribal and non-Tribal fishers harvest sockeye salmon from Canada's Fraser River in the Strait of Juan de Fuca and in Puget Sound. Canadian trollers off the west coast of Vancouver Island catch Washington coastal Coho salmon and Puget Sound Chinook salmon. In the Northern Boundary area between Canada and Alaska, fish from both countries are intercepted by the other country in large numbers.

The Pacific Salmon Commission provides a forum to ensure cooperative management of salmon populations. The United States and Canada reached agreements for revised Annex Chapters for management of Chinook, Coho, Chum, Fraser River Sockeye and Pink, and transboundary salmon populations for the next 10 years. It is critically important to have adequate resources for U.S. participants to implement the revised agreements and protect our Tribal Treaty resources.

Before the Pacific Salmon Treaty, fish wars often erupted with one or both countries overharvesting fish that were returning to the other country, to the detriment of the resource. At the time the Treaty was signed, Chinook salmon were in a severely depressed state because of overharvest in the ocean as well as environmental degradation in the spawning rivers. Under the Treaty, both countries committed to rebuild the depressed runs of Chinook stocks and recommitted to that goal in 1999 when adopting a coastwide abundance-based approach to harvest management. Under this approach, harvest management has complemented habitat conservation and restoration activities undertaken by the States, Tribes, and other stakeholders

in the Pacific Northwest to address the needs of salmon listed for protection under the Endangered Species Act. The updated Annex Chapters continue these commitments. The combination of these efforts is integral to achieving success in rebuilding and restoring healthy, sustainable salmon populations.

Finally, you should consider that the value of the commercial harvest of salmon subject to the Treaty, managed at productive levels under the Treaty, supports the infrastructure of many coastal and inland communities. The value of the commercial, recreational fisheries, and the economic diversity they provide for local economies throughout the Pacific Northwest and Alaska, is immense. The Commission funded an economic study of the fisheries and determined that this resource creates thousands of jobs and is a multi-billion dollar industry. The value of these fish to the twenty-four Treaty Tribes in Washington, Oregon, and Idaho goes far beyond their monetary value, to the cultural and religious lives of Indian people.

The Commission funded a study to capture the socioeconomic value of the fisheries to U.S. Tribes and Canadian First Nations. A significant monetary investment is focused on salmon due to the listings of Pacific Northwest salmon populations under the Endangered Species Act. Given these resources, we continue to utilize the Pacific Salmon Commission to develop recommendations that help with the development and implementation of solutions to minimizing impacts on listed stocks. We continue to work towards the true intent of the Treaty, and with your support, we will manage this shared resource for mutual enhancements and benefits.

Chairman Merkley, that concludes my written testimony submitted for consideration by your Committee. I want to thank the Committee for the support that it has given the U.S. Section in the past. Please feel free to contact me, or other members of the U.S. Section to answer any questions you or Committee members may have regarding the U.S. Section of the Pacific Salmon Commission budget.

[This statement was submitted by W. Ron Allen, U.S. Section of the Pacific Salmon Commission.]

PREPARED STATEMENT OF PARKER RIVER NATIONAL WILDLIFE REFUGE

I am pleased to submit this brief statement in support of my local Parker River NWR and the entire national wildlife refuge system. I strongly urge you to appropriate $712 million for US Fish and Wildlife Service fiscal Year 2023 to benefit all.

I first encountered PRNWR in 2001 while visiting Boston to cheer my son at a collegiate swim tournament. I can still recall seeing my life Rough legged Hawk over Hellcat and imaging how many other life birds I might find at the Refuge. I asked my guide about living in town and soon began thinking seriously about possibilities. Retiring in 2010, I readily moved from our home of 30+ years in central New Jersey (where I regularly visited the Forsythe NWR we fondly called "Brig,") to Newburyport, Massachusetts explicitly BECAUSE of the international reputation of Parker River NWR as a birders' paradise, a very special "hot spot." The varied habitats and birds did not disappoint, even with the overall, heartbreaking decline in numbers of birds and their food sources. The extensive variety of habitats at PRNWR attracts a wide range of birds throughout the year. There are migrants passing through, those who come to nest in spring or ride out the winter, and the local dwellers as well as rarities that show up from time to time.

Parker River NWR has remained my nearly daily destination for the past 12 years. In winters with sufficient snow cover, I ski Refuge Road, which allows me viewing access to owl habitats on the more southern end of the island. During the Pandemic when the Refuge was closed to vehicles, I borrowed a bicycle to ride 10+ miles round trip from headquarters to the Refuge and through to Sandy Point.

As a carry-over from Pandemic restrictions, I continue to bird almost exclusively locally to conserve my use of fossil fuel out of concern for the climate crisis. Perhaps due to my growing knowledge of and familiarity with PRNWR, I won a seat on the Board of the Friends of PRNWR. During this time, I developed a very protective and supportive attitude toward the Refuge. As such, I am very concerned that without an increase in funding, the habitats and the wildlife themselves will be at huge risk. The Friends are very active and help greatly with maintenance, wildlife monitoring, and educational programs as well as funding an intern.

I personally am very concerned about the staffing on the PRNWR, especially enforcement and the gatehouse. This is a very busy refuge, complicated by the State operated beach at the southern end. It seems that more and more, the attitude of visitors is similar to drivers on the nearby interstate. They seem interested in getting from point A to point B as fast as they can, and doing whatever they want to do. They're not so much into the journey and observing nature—trees, geological formations, birds and other animals, let alone thinking about the space as a refuge

for wildlife, with humans being guests. I feel strongly that more continuous presence of enforcement staff would be a great help. Behaviors would change if there were a real and known risk of consequences. Enforcement and maintenance staff seem particularly stretched thin, which affects the care of the appropriate land and water habitats.

PRNWR is a treasure, and very important to the community. Visitors arrive from all over and contribute to the economic well being of the local area. Surely for local residents and visitors alike, getting outside in such a beautiful and rich setting, and connecting with the natural world, is beneficial for developing a sense of the interdependence of all beings. That acknowledged relationship is critical to our being able effectively to combat the climate crisis. If there were a critical time to invest more deeply in our National Wildlife Refuge system, it is now. Again, I urge you to be as generous as possible and appropriate $712 million for US Fish and Wildlife Service fiscal Year 2023. Thank you for your attention.

[This statement was submitted by MaryMargaret Halsey.]

PREPARED STATEMENT OF THE PARTNERSHIP FOR THE NATIONAL TRAILS SYSTEM

Thank you for the opportunity to submit written testimony on behalf of the Partnership for the National Trails System (PNTS) regarding Fiscal Year 2023 funding. Use of the 30 Congressionally designated National Scenic and Historic Trails (NSHT) has grown substantially since the onset of the pandemic and is expected to continue growing in the future. Increased investment in our National Trails System (NTS) is needed to meet public demands. PNTS requests at least $9.63 million for the Bureau of Land Management (BLM) to be allocated to for NSHT, as well as a minimum of $3.15 million to operate Historic Trail Interpretive Centers and $69.491 million for National Conservation Lands. PNTS requests $22.18 million in National Park Service (NPS) Operations for the NSHT, $15 million for the Rivers, Trails and Conservation Assistance (RTCA) program, at least $8 million for Volunteers in Parks, a minimum of $10.95 million for Visitor Services sub-activity Youth Partnership Programs and $125 million for the Outdoor Recreation Legacy Partnership (ORLP). PNTS also supports $30.51 million for Trails, with $11.957 million specifically for NSHT in the U.S. Forest Service (USFS) Capital Improvement and Maintenance (CMTL) account, $72 million for Recreation, Heritage and Wilderness and $100 million for Legacy Roads and Trails. PNTS also requests at least $93 million for U.S. Fish and Wildlife Service (FWS) Refuge Visitor Services. Additionally, PNTS supports robust funding for the Land and Water Conservation Fund (LWCF) with $50 million allocated from the Federal land acquisition programs of the BLM, the NPS and the USFS for projects that complete NSHT and protect side trails and viewsheds.

Authorized through the 1968 National Trails System Act, the NTS includes 30 National Scenic Trails (NST) and National Historic Trails (NHT) that will eventually preserve 55,000 miles of public trails, traversing 50 States and the District of Columbia, connecting 84 national parks, 89 national forests, 70 national wildlife refuges, over 100 public land areas and 179 national wilderness areas. The NTS continues to grow with new trails in the pipeline to be considered by Congress in 2022 and beyond. They represent a broad spectrum of our Nation's iconic landscapes and its natural and cultural heritage. From the Southern Appalachian Mountains to the wildest reaches of Alaska, the San Francisco Bay and the breathtaking coast of the "Big Island" of Hawaii, they feature diverse ecosystems while shining a light on the stories of our Nation such as the U.S. fight for independence, the trails blazed by indigenous peoples and pioneers, the forced relocation of Native Americans, our struggle for civil rights, and much more. NSHT are collaboratively managed with volunteer-based, private nonprofit partners and Federal administrators. In 2021 alone, Federal funds invested in the trails leveraged over $20 million in private funding and volunteer hours valued at more than $23 million.

PNTS is the only national nonprofit focused on NSHT. Our trail organization members are the primary partners working with the Federal agencies to cooperatively manage, construct, maintain, protect, and promote the NTS. Our members also include affiliate members that actively contribute to the promotion, improvement and activation of NST and NHT.

PNTS is grateful for the expanded support for NSHT, and all trails administered by the land management agencies, in the FY22 House passed Interior and Related Agencies Appropriations bill and urge Congress to quickly pass a year-long funding bill.

We thank you for providing ongoing funding for the NSHT administered by the NPS, BLM, and USFS and for the 2020 passage of the Great American Outdoors

Act (GAOA), which includes funds to tackle deferred maintenance on public lands and full, permanent funding of the LWCF.

It is now up to Congress to ensure that adequate annual trail funding needs are met, and the administration and Federal land managers fully implement the GAOA as Congress intended. These funding streams are vital if we are to complete and maintain our NTS and federally managed trails to the necessary, expected and deserved standard.

LAND MANAGEMENT AGENCY STAFFING AND WORKFORCE ASSESSMENT

Funding increases for trail development and maintenance established over the last several years will only go so far without adequate staffing. The field staff at Federal land agencies have been severely curtailed over years, and the lack of oversight for our NTS is evident. For example, many USFS jobs were eliminated over the last decade because of "fire borrowing." While Congress fixed that budget problem years ago, the results linger. The agency has not been restored to full strength.

The Federal agency front-line managers provide crucial administration, oversight, and expertise to nonprofit trail partners. This guidance is key to the success of nonprofit groups as they take on more of the management responsibility for our National Trails and recruit, train and marshal thousands of volunteers in public service. Staffing must be substantially increased to sustain the current NTS, and to manage its possible expansion should Congress choose to designate more NSHT. We urge you to increase agency capacity to manage public lands and trails.

For greater transparency and to ensure fiscally sound management of the NTS, PNTS requests the Committee direct the agencies the conduct a workforce assessment to examine the actual costs to operate a NST or NHT and the baseline level of funding needed.

As the Committee prepares the FY23 budget, PNTS requests increased funding for Federal staffing at land management agencies to meet recreation, trail, and conservation needs of the NTS, including at least one dedicated superintendent or administrator per NSHT.

BUREAU OF LAND MANAGEMENT (BLM)

The BLM administers and manages NSHT as part of its National Conservation Lands. BLM protects nearly 6,000 miles of 18 designated trails in 15 States, in addition to thousands of miles of trails under study for potential designation. It administers the Iditarod NHT and co-administers the Old Spanish and El Camino Real de Tierra Adentro NHT with the NPS.

The BLM lacks a specific account in its budget for trails, including the three NHT that it is charged by law to administer and the portions of the 15 other national trails that it manages on public lands. We request Congress address this lack of transparency by instructing BLM to establish line items for trails and NSHT in its budget to address the fragmented funding allocations across sub-activity accounts and encourage consistent funding for trails. At a minimum, like the guidance the subcommittee provided to the USFS in FY20, we ask that the FY23 bill direct BLM to include unit-level allocations within major sub-activities for each of the NSHT as BLM has done for national monuments, wilderness, and conservation areas.

PNTS requests including at least $9.63 million for NSHT to administer, manage, maintain and improve the Trails under BLM jurisdiction on public lands and add or improve amenities for trails. For example, is $900,000 requested for Iditarod NHT to support Federal trail administrator operation costs, trail maintenance, signage, permitting, shelter cabin maintenance, outreach and interpretation.

PNTS also respectfully requests $69.491 million for management of the National Conservation Lands. This level of funding is needed to properly administer the system's expansion by 18 million acres since 2000, and will permit increased inventory, monitoring and protection of cultural resources, enhance proper management of all resources and provide a quality visitor experience.

NATIONAL PARK SERVICE (NPS)

The NPS administers 23 NSHT established by Congress. Funding at $22.18 million within the Park Service Operations account for the NSHT is essential for keeping these popular trails that connect people to iconic landscapes and the quintessential stories of the U.S. both past and present accessible for all. This request will help the work of NPS and its trail organization partners as they build, maintain, and interpret the trails.

PNTS requests $1.566 million for construction projects including two projects on the California NHT that would add visitor amenities and new trail miles at Lake Point, UT and near Sacramento, CA as well as projects on the Ice Age and Santa

Fe Trails. Trail partners identified the need for an additional $2.401 million for cyclical maintenance on the tread and facilities.

In addition, continued support for the RTCA program will provide NPS expertise in trail and other recreation access projects to communities across the country. When a community asks for assistance with a trail or other project, NPS staff provide critical tools for success, on-location facilitation, and planning expertise, which draw from project experiences across the country and adapt best practices to a community's specific needs. Funding at $15 million will ensure these trail planning services are available to communities in all regions of the Nation.

U.S. FOREST SERVICE (USFS)

The USFS is the lead Federal agency for five NST (Arizona, Florida, Pacific Northwest, Continental Divide and Pacific Crest), one NHT (Nez Perce) and manages 16 NSHT in part where they are on USFS lands.

Funding for the USFS administered and managed portions of the NSHT comes from the CMTL account. In FY22, PNTS respectfully requests an appropriation of $30.51 million for Trails, with $11.957 million specifically allocated to the NSHT. This funding will allow the USFS to meet its administering agency responsibilities such as trail-wide coordination, guidance, technical assistance, and consultation with National Trail managers. Congressionally designated NSHT are special places and have specific legislative requirements that are broader than typical trail construction and maintenance activities on National Forest System trails. These legislative requirements, particularly the requirement for volunteer engagement and partnerships with volunteer organizations, are unique to NSHT programs and form a core component of their administration. Funding the USFS NSHT at $11.957 million will assist the Service meet its management responsibilities.

Of the amount requested for trail operations, construction, and maintenance projects, $8.845 million is for the operations of trails that are administered by the agency, as well as for other NSHT that run through USFS-managed lands and high impact partnerships to benefit those trails. An additional $2.388 million is requested for two construction projects: $1.5 million for trail and trailhead construction on the Iditarod Trail and $888,000 for new trail construction for priority reroute projects on the Arizona Trail. A total of $725,000 is requested for maintenance projects that exceed volunteer abilities on the Arizona and Pacific Crest NST.

As part of its ongoing budget simplification project the USFS removed the salaries and travel expenses from the CMTL line. This makes it impossible for trail partner nonprofits to track staff time dedicated to national trails. Already, we've seen the loss of a dedicated trail administrator position in favor of a much broader, regional trail administrator position and consolidation of their duties. Such a trend would further overwhelm over-extended staff in a manner that threatens the quality and integrity of the NSHT. We respectfully ask the subcommittee to include language in its FY23 appropriations bill that compels USFS to include staff and travel expenses in the CMTL or otherwise delineate those expenses for NSHT in its budget.

LAND AND WATER CONSERVATION FUND (LWCF)

We appreciate and look forward to a minimum of $900 million in annual LWCF appropriations being utilized to protect public lands. Given the healthy pipeline of forthcoming land preservation projects on National Trails, PNTS respectfully requests Congress increase funding to a minimum of $50 million per year for the next 3 years for NSHT. The Appalachian NST greatly benefited from dedicated appropriations in the 3 years following passage of the National Trails System Act, as would the System going forward. It is vital agencies prioritize NSHT projects to complete and protect NSHT. Dedicated funding would help accomplish this goal.

PNTS stands ready to work with you to secure critically important programs that help fund, maintain and protect the NSHT across the Nation. The examples provided in the testimony of how the funding will be used represent only a small proportion of the work being done and funding needs of the NTS. PNTS would be happy to provide additional detailed information as needed. Thank you for the opportunity to provide this testimony and your consideration of our request for greater investment in our National Trails System.

[This statement was submitted by Valerie Rupp, Executive Director, Partnership for the National Trails System.]

PREPARED STATEMENT OF THE PHYSICIANS COMMITTEE FOR RESPONSIBLE MEDICINE

On behalf of the Physicians Committee for Responsible Medicine, thank you for the opportunity to submit this written testimony regarding the fiscal Year 2023 Appropriations for the Environmental Protection Agency (EPA). The Physicians Committee is a 501(c)(3) nonprofit organization supported by over 175,000 members nationwide working for effective, efficient, and ethical medical research and product testing.

Fundamentally, we ask the subcommittee to encourage the EPA's further implementation of nonanimal approaches, also referred to as New Approach Methodologies (NAMs), in chemical safety testing. NAMs are defined by the EPA as "any technology, methodology, approach, or combination that can provide information on chemical hazard and risk assessment to avoid the use of animal testing."[1] These modern test methods, including computer models and in vitro cell and tissue-based assays, can now replace many outdated animal-based tests, which can take years to complete and provide an incomplete picture of how chemicals in our environment affect vulnerable people and wildlife. NAMs can provide more accurate and relevant results more quickly, and many NAMs are already available for regulatory use.

As you craft the fiscal Year 2023 Interior, Environment, and Related Agencies Appropriations bill, the Physicians Committee asks that you please consider the following provisions to advance the implementation of predictive human-specific science, facilitate faster development of safe products, and reduce new animal testing. Thank you for your consideration and please do not hesitate to reach out with any questions.

INCREASE FUNDING FOR THE PESTICIDE LICENSING PROGRAM TO SUPPORT PRIA ACTIVITIES

Congress enacted the Pesticide Registration Improvement Act (PRIA) in 2004, modeled after user fee programs for prescription drugs and medical devices. The act has been reauthorized three times and prescribes a schedule of fees charged to registrants for pesticide registration actions; in exchange, the law establishes timelines for those registration actions. Pesticide products that benefit from PRIA include not only crop protection products, but biopesticides, disinfectants, and other products that protect human health, communities, and the environment. PRIA IV, enacted on March 8, 2019, increased fees paid by industry for registration services by as much as 30 percent from levels enacted in 2012 and includes funding for worker protection education programs, pesticide risk reduction programs, and partnership grants. Overall funding for the Office of Pesticide Programs (OPP), including PRIA activities, has fallen from a high of $144 million in fiscal Year 2004 to current levels of $129.3 million. Staffing has fallen more than 30 percent and, while the agency reports completion of more actions per year, they are often far delayed—in contradiction to the purpose of PRIA.

Further, OPP has implemented strategies and pursued work to advance NAMs and reduce animal use where possible, such as through tiered testing approaches, granting waivers for toxicity tests that do not provide useful information, reducing the number of species required for certain tests, and tracking and publicly reporting metrics on animal test reduction and NAMs submission.[2] However, reduced funding for the agency and understaffing has contributed to these initiatives being deprioritized among its other regulatory responsibilities.

Increased funding for the Pesticide Licensing Program, also supported by the PRIA Coalition of industry representatives, is needed to ensure that the EPA has the resources to meet statutory decision deadlines that enable new products to come to market and research and development investments to be made with confidence of market access. It would also allow OPP to accelerate its ongoing work to advance NAMs for regulatory use in pesticide products.

The Pesticide Licensing Program within the Environmental Programs and Management (EP&M) account provides 85 percent of appropriated funds counted toward the minimum appropriation required under PRIA; if approved, the $144 million for the EP&M account, plus ongoing funding in other PRIA areas, would result in a total funding for the OPP of $163 million.

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[1] U.S. Environmental Protection Agency, New Approach Methods Work Plan, December 2021. https://www.epa.gov/system/files/documents/2021–11/nams-work-plan__11__15__21__508-tagged.pdf

[2] U.S. Environmental Protection Agency, Strategic Vision for Adopting New Approach Methodologies—Metrics. https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/strategic-vision-adopting-new-approach-0

The Physicians Committee requests that the subcommittee appropriate $144 million for the Pesticide Licensing Program within the Environmental Programs and Management Account.

DIRECT FUNDING TOWARD NAMS IMPLEMENTATION ACTIVITIES IN PESTICIDE DEVELOPMENT AND REVIEW

In 2016, the Frank R. Lautenberg Chemical Safety Act for the 21st Century amended the Toxic Substances Control Act to prioritize reduction and replacement of animal tests and increase the use of NAMs by requiring industry to "first attempt to develop the information by means of an alternative test method or strategy identified by the [EPA] ... before conducting new vertebrate animal testing."[3] In 2021, the EPA released an updated version of its New Approach Methods Work Plan,[4] which provides a roadmap for evaluating and applying NAMs for assessing health risks and pursuing its animal testing reduction and replacement goals. It includes strategies for ensuring the regulatory framework accommodates use of NAMs, establishing animal use baselines and means for avoiding animal tests that do not contribute to regulatory decisions, developing metrics for measuring progress, establishing scientific confidence in methods, developing NAMs to fill gaps, and engaging stakeholders in the process. Further, the President's fiscal Year 2023 budget request for the EPA includes the goal of reducing animal testing in its activities and performance plan for pesticides licensing, outlining many of the NAMs efforts OPP continues to pursue.[5]

Accompanying the programmatic funding request described above, it is important that significant funding is dedicated for activities to further implement NAMs into hazard and risk management decisions to ensure EPA strategies for advancing NAMs can be prioritized. This requested report language, also supported by the Humane Society of the United States, the Humane Society Legislative Fund, and the People for the Ethical Treatment of Animals, would provide detail on expectations and help meet existing agency goals to assess chemical risk more accurately and efficiently while reducing animal use.

The Physicians Committee requests that the subcommittee dedicate funds toward activities to support the implementation of NAMs in pesticide development and review by including the following report language:

Implementation of NAMs in Pesticide Development and Review.- The Committee supports increased funding for the Pesticide Licensing Program and directs a significant portion of program funding to be spent on activities that support the implementation of New Approach Methodologies (NAMs) in pesticide development and review. The Committee is aware that NAMs protect human health and the environment by providing reliable chemical hazard information without the use of animal testing. The application of NAMs for regulatory risk assessment can make chemical safety testing more efficient by reducing study lengths and costs to the Agency and industry. Allocated funds should be used to publish updated policies outlining the acceptance of scientifically supported NAMs for specified applications, implement required annual trainings on NAMs for employees involved in pesticide review, continue to engage in Federal and nongovernmental organization collaborations, fund an additional 10 FTEs to support NAMs implementation, and meet deadlines set in the New Approach Methods Work Plan, in addition to other efforts.

[This statement was submitted by Kristie Sullivan, M.P.H., Vice President for Research Policy, Physicians Committee for Responsible Medicine.]

PREPARED STATEMENT OF PINON COMMUNITY SCHOOL

Pinon Community School is located on the Navajo Nation Reservation in Pinon, Arizona. We serve as a 1st-12th grade residential community for students who attend school at the Pinon Unified School District throughout the School Year. We also operate a kindergarten day school on our campus. We are a community grant school, funded by the Bureau of Indian Education (BIE) and operated pursuant to the Tribally Controlled Schools Act (Public Law 100–297). At Pinon Community

[3] Frank R. Lautenberg Chemical Safety for the 21st Century Act, Public Law 114–182. https://www.congress.gov/114/plaws/publ182/PLAW–114publ182.pdf

[4] U.S. Environmental Protection Agency, New Approach Methods Work Plan, December 2021. https://www.epa.gov/system/files/documents/2021–11/nams-work-plan__11__15__21__508-tagged.pdf

[5] FY 2023 Justification of Appropriation Estimates for the Committee on Appropriations, U.S. Environmental Protection Agency, Pg. 452. https://www.epa.gov/system/files/documents/2022–04/fy-2023-congressional-justification-all-tabs.pdf

School, we strive to be a resource for our students, their parents, and the greater community. Our Navajo language, culture, and values are at the heart of what we do. Pinon Community School is also a Member of the Diné Bi Olta School Board Association (DBOSBA), which represents all of the locally-elected school boards within the Navajo Nation. We would like to associate ourselves with DBOSBA's fiscal Year 2023 appropriations testimony and tell our school's story to provide context for these priorities. Our testimony highlights the following fiscal Year 2023 priorities:

—Increases for School Facility Construction and School Replacement Construction;

—Increases and Forward Funding for School Facilities Operations and Maintenance;

—COVID–19 Relief Funds Expeditiously Distributed for Ventilation Repairs;

—Increases for ISEP Formula Funds;

—Full Funding for Teacher and Counselor Pay Parity; and

—Expanding Eligibility for Tribally Controlled Schools to Participate in the Federal Employee Retirement System (FERS).

School Facilities Improvement & Repair and School Replacement Construction funding in the BIE's Education Construction budget not only impacts the health and safety of our students and staff, it impacts the useful life of our buildings. Our school was built in 1995 and is already facing significant facilities challenges: the buildings' foundations are shifting, there are critical piping issues with our hydraulic line, we lack a functioning HVAC system, our boiler needs parts replaced, our alarm system is not fully functional, and various other building renovations are needed. We have diligently logged these pressing concerns in the MAXIMO system; hired engineers and contractors with relevant experience to provide site assessments, designs, and proposals; contacted the BIE; and contacted the Bureau of Indian Affairs Division of Facilities Management and Construction (DFMC), all to little avail. Many of these issues could have been avoided if corners had not been cut when our school buildings were replaced in 1995 and in the following years the BIE and DFMC had properly maintained these buildings. The DFMC when pressed, offers small, nominal fixes for discrete building problems when comprehensive solutions are needed. While the BIE owns the buildings we use, the BIE and DMFC have not taken the necessary actions to properly repair and maintain them.

School Facilities Operations and Maintenance funds also play a pivotal role in the health and safety of our students and staff. More funding is needed to address the BIE system-wide maintenance backlog, to hire staff with sufficient repair and maintenance expertise, to ensure schools have enough funding to adequately heat and cool our buildings with adequate air circulation to reduce the risk of coronavirus transmission, and to ensure that safety inspections are completed and provided to schools in a timely fashion (we are still waiting for the results of our most recent safety inspection). We also encourage Congress to shift these two accounts to the forward funded portion of the BIE's budget to help further insulate schools from the disruptive uncertainties of continuing resolutions and government shutdowns.

COVID–19 Relief Funds Must Be Expeditiously Distributed for Ventilation Repairs. Our HVAC system is a fundamental, pressing concern. Since 2017, Pinon Community School has requested assistance from the BIE and DFMC for HVAC improvements to address excessive heat. Currently on our campus, the dormitories, recreational building, kindergarten classrooms, and cafeteria building are without HVAC units, which provide critical ventilation and air conditioning. The Navajo Nation is requiring all schools to conduct a walkthrough of school facilities to assess and document findings that may impede students from safely returning to school. Unfortunately, we have been unable to complete the walk through due to our lack of ventilation. An improved HVAC system is not only a critical safety measure, it is critical to our ability to bring our students back for in-person services. A safe and healthy in-person living and residential environment is crucial to the well-being of our students and community. We have worked diligently to take steps to improve the HVAC system. Recently, the DFMC began construction on a portion of the project; however, the project is very limited in scope and will not permit proper ventilation for the entirety of the school campus, including the kindergarten classroom. Despite this, we have secured design plans and estimates for what it would take fully repair and replace the HVAC and associated hydraulic cooling system. We have also selected contractors who are licensed to perform this work. The estimate we were provided is roughly $4 million—far more than Pinion Community School has been allocated in emergency COVID–19 relief funds. The DFMC's tinkering around the edges of this problem is not acceptable, particularly when COVID–19 re-

lief funds have been allocated by the BIE to help schools repair, replace and upgrade our HVAC systems.

We would like to sincerely thank Congress, and specifically these subcommittees, for appropriating several rounds of urgently needed COVID–19 relief funds to the BIE school system. Your support helped our students, teachers and schools weather the worst of the pandemic and we could not have come this far without these emergency funds. The delays on the BIE and DFMC's implementation, however, have frustrated our attempts to make the critical improvements to our facilities, which are needed to safely welcome back our students.

Given the urgency of our School's needs and Congress' intent to rapidly deploy COVID–19 relief funds, we find BIE and DFMC implementation delays particularly troubling. We note that from the three rounds of COVID–19 relief funds Congress appropriated "for programs operated or funded by the BIE", 10 percent or $125.9 million was set-aside for the BIE's "national-level support/administrative reserve." The BIE in subsequent webinars, communications to schools and press releases specified that the "national-level support/administrative reserve" funds are focused on the following: mental health services; learning management system investments; HVAC & indoor air quality improvements; emergency management and coordination; communications outreach; system enhancements (NASIS); oversight and records support; and "other priorities". Further, BIE specified that schools wishing to access these funds should enter this into MAXIMO, and contact the BIE and the DFMC, which we have done. While some of the BIE's other identified uses of the "national-level support/administrative reserve" funds appear to have, at best, only a tangential impact on keeping our students and staff safe, "HVAC & indoor air quality improvements" are fundamental to their health and safety. We urgently need $4 million for our HVAC repair and replacement project and we urge the DFMC to provide this funding without further delay.

ISEP Formula Funds are our core operating account. The Student Count is one of the key factors driving the ISEP distribution formula. As a residential school, the shift to virtual learning during the worst of the coronavirus pandemic had a significant impact on our enrollment. We appreciate that on February 8, 2021, BIA Director Darryl LaCounte, exercising the delegated authority of the Assistant Secretary—Indian Affairs, issued a blanket waiver of the 25 CFR Subchapter E regulatory requirements applicable to SY 2020–2021 for bus transportation; commercial transportation; residential; and instructional hours. This waiver applied to all schools in the BIE school system. This had the effect of ensuring that schools were "held harmless" in the distribution formulas for the drop in enrollment due to the pandemic. We also appreciate that on February 2, 2022, Assistant Secretary—Indian Affairs Bryan Newland issued a similar blanket waiver for all schools in the BIE school system for SY 2021–2022. Because student count is a calculated on a 3-year average, these waivers ensure that we are held harmless 3 years into the future for the pandemic-related drop in enrollment. We ask that prior to the end of the SY 2021–2022 waiver, a multi-faceted assessment of pandemic recovery conditions should be employed to determine whether to extend the waiver. Such an assessment should also evaluate whether local concerns may warrant a school-specific extension of the waiver.

As we prepare for our students to return in-person, we have 100 residential students enrolled for grades 1–12, when we have capacity for 400. Meanwhile, we have 25 kindergarten students enrolled, with capacity for 100. We are currently working to increase enrollment but the state of our facilities and our difficulties attracting and retaining teachers and staff is holding us back from fully realizing our potential as a school and as a resource for our community. For example, we are exploring the concept of offering vocational education options for our high school students but more funding would be needed to develop that curriculum and hire the teachers and staff to run it. BIE-funded schools across the Nation are facing a significant teacher shortage, but that shortage is particularly acute here on the Navajo Nation, where many schools operate in remote locations and because surrounding public schools in Arizona and neighboring New Mexico have responded to the teacher shortage by substantially increasing teacher pay. Having the resources to attract and retain quality teachers and counselors is a significant challenge for us.

Full Funding for Teacher and Counselor Pay Parity is a critical tool for attracting and retaining quality teachers. Federal law requires the BIE to provide funding so that teachers and counselors in the BIE-funded school system may be paid equivalent salaries to their counterparts in the Department of Defense Education Activity. Federal law also provides that, at the discretion of the local school board, a BIE-operated school may pay salaries consistent with those paid by public schools in the state where the BIE school is located.

We would like to thank the subcommittees for the fiscal Year 2021 House Report 116–448 and the Joint Explanatory Statement accompanying the 2021 Consolidated

Appropriations Act which direct the BIE to "clearly display funding amounts required to comply with Defense Department-equivalent pay rates as part of future budget justifications and to include sufficient funding in its budget request to fully fund these requirements". While the Administration's fiscal Year 2022 budget request for the BIE proposed an increase for ISEP Formula Funds and included teacher and counselor pay parity among the priorities to be funded from within this program increase, the fiscal Year 2022 budget justification failed to quantify the specific amount for this purpose. We ask the subcommittees to continue to hold the BIE accountable for quantifying and requesting the correct amount for teacher and counselor pay parity and ensuring that the amounts provided are sufficient to match the increases provided by the Defense Department schools or are consistent with the rate of pay of public schools in the States where our BIE-operated and tribally controlled schools are located, whichever of these rates are higher. Given the acute teacher shortages, this parity is essential to our school's ability to recruit and retain qualified teachers and counselors.

Expanding Eligibility for Tribally Controlled Schools to Participate in the Federal Employee Retirement System (FERS) would not create any new costs for the Federal Government but it could significantly bolster the efforts of tribally controlled schools like ours to attract and retain quality teachers. Congress recently extended eligibility for tribally controlled schools to participate in the Federal Employee Health Benefits (FEHB) and Federal Employee Group Life Insurance (FEGLI) programs. Extending the option of FERS participation to us and other tribally controlled schools would strengthen this effort.

Thank you. We would like to thank the subcommittees for your support and partnership throughout the pandemic. The resources you allocated for BIE system schools helped keep our students and teachers safe and connected. We also deeply the appreciate the recent increases provided to the key BIE accounts we depend on and for your ongoing oversight of the BIE. We consider you our partners in this important endeavor of preparing our students for a bright future. Thank you for the opportunity to provide this testimony. Please consider us a resource if you have any questions.

[This statement was submitted by Sharon Begay, Governing Board President and Joe Benally, Principal.]

PREPARED STATEMENT OF PRESERVATION ACTION'S

Chairman Merkley, Ranking Member Murkowski and Members of the subcommittee, on behalf of Preservation Action's thousands of members and supporters, representing nearly every State, I appreciate the opportunity to present written testimony on the Department of Interior's fiscal Year 2023 Appropriations for the National Park Service and its historic preservation programs. My name is Russ Carnahan and I'm the President of Preservation Action. Founded in 1974, Preservation Action is a 501(c)4 nonprofit organization created to serve as the National grassroots advocacy organization for historic preservation. We represent an active and engaged grassroots constituency from across the country, and we appreciate the opportunity to provide their perspective.

On behalf of members and supporters across the country, I'd like to thank the subcommittee for their strong support of historic preservation programs and priorities in the past several Interior Appropriations bills, and especially for the FY22 Interior Appropriations bill, which funded the Historic Preservation Fund at $173.3 million. This marked the seventh consecutive year of record funding for the program and for the first-time exceeded the program's decades old, $150 million authorized level. Thanks to your support, programs that have a proven track record of saving places American's value, revitalizing communities, combating climate change by reusing infrastructure, and helping tell the story of historically marginalized and underrepresented groups; continue to benefit all Americans.

Preservation Action's mission is to make historic preservation a national priority. For 48 years we've advocated for sound preservation policy, including two of the most important tools for historic preservation- the Historic Preservation Fund and the Federal Historic Rehabilitation Tax Credit (HTC).

NATIONAL PARK SERVICE: HISTORIC PRESERVATION FUND

The Historic Preservation Fund (HPF) is the principal source of funding to implement the Nation's historic preservation programs. Since 1976 the HPF has helped to recognize, save, revitalize and protect America's historic resources. HPF funding is critical to State Historic Preservation Offices and Tribal Historic Preservation of-

fices (SHPO/THPOs) to ensure they have the staffing capacity needed to review infrastructure and green energy projects as per Congressional directive under the National Historic Preservation Act. HPF funding also supports critically important competitive grant programs. We especially appreciate this committee's continued support of programs like the African American Civil Rights Grant Program, the History of Equal Rights grant program, the Underrepresented Communities Grant Program, and others that are helping to tell a more diverse and inclusive American story.

Preservation Action is extraordinarily grateful for the strong support Congress, and especially this Committee, have shown for the HPF in recent years, but more is needed, especially as SHPOs and THPOs are expected to face increased workloads as the Infrastructure Investment and Jobs Act is implemented.

Preservation Action recommends this subcommittee to continue their strong support of historic preservation by appropriating $200 million in funding for the Historic Preservation Fund in FY23's Department of Interior budget. Including funding at the following levels:

—$65 million for State Historic Preservation Officers (SHPOs) for heritage preservation and protection programs that create jobs, economic development, and community revitalization. SHPOs carry out the primary functions of the National Historic Preservation Act including -finding and documenting America's historic places, making nominations to the National Register, providing assistance on rehabilitation tax credit projects, reviewing impacts of Federal projects, working with local governments, and conducting preservation education and planning. Additionally, States are required to match at least 40 percent of the money they receive from the HPF.

—$35 million for Save America's Treasures Program. The Save America's Treasures grants program helps preserve nationally significant historic properties and collections that convey our Nation's rich heritage to future generations of Americans.

—$34 million for Tribal Historic Preservation Officers (THPOs). THPOs are designated by federally recognized Tribal governments and assume the Federal compliance role of the SHPO on their respective Tribal lands. Tribal historic preservation plans are based on traditional knowledge and cultural values, and may involve projects to improve Indian schools, roads, health clinics and housing. THPOs have been chronically underfunded. Funding levels have not kept pace with the growing number of Indian Tribes with THPO programs, resulting in a lower average grants per tribe.

—$24 million for the African American Civil Rights Initiative Competitive Grants. A competitive grant program to preserve the sites and stories of the African American struggle to gain equal rights in America.

—$12 million for Historically Black Colleges and Universities. Funding would provide grants to Historically Black Colleges and Universities (HBCUs) to preserve and repair historic buildings on the campuses of HBCUs.

—$12 million for the Paul Bruhn Historic Revitalization Subgrants. Supports the rehabilitation of historic properties and fosters economic development of rural communities through subgrants.

—$10 million for the Semiquincentennial Grants. This competitive grant program preserves publicly owned historical sites commemorating the upcoming 250th anniversary of the founding of the United States.

—$5 million for the History of Equal Rights Grant Program. A competitive grant program to preserve the sites and stories related to the struggle of all people to achieve equal rights in America.

—$3 million for the Under-Represented Communities Grant Program. These competitive grants support the survey and nomination of properties to the National Register of Historic Places and as National Historic Landmarks associated with communities currently under-represented.

TOTAL FISCAL YEAR 2023 HISTORIC PRESERVATION FUND REQUEST: $200 MILLION

Preservation Action also supports the bipartisan Historic Preservation Enhancement Act (H.R. 6589) which would fully fund and permanently authorize the Historic Preservation Fund at $300 million. The HPF's authorization has not been increased since the program's inception in 1976 and the program's current authorization is set to expire in 2023. This bill would provide much needed certainty to the States, Tribes, and local communities that rely on this Federal funding to carry out their critical preservation work.

NATIONAL PARK SERVICE: FEDERAL HISTORIC REHABILITATION TAX CREDIT

The Historic Rehabilitation Tax Credit (HTC), administered by SHPOs, THPOs and the National Park Service, is the most significant Federal investment in historic preservation. The HTC has been a catalyst for development, rehabilitating of more than 46,000 historic buildings across the Nation and leveraging over $181 billion in private investment. Since inception, the HTC has created more than 3 million jobs and produced over 178,300 affordable housing units. In addition to revitalizing communities and spurring economic growth, the HTC returns more to the Treasury than the cost of the program. The HTC has helped to rehabilitate historic structures and revitalize communities in all 50 States, the District of Columbia, Puerto Rico and the U.S Virgin Islands. Preservation Action also supports the bipartisan Historic Tax Credit Growth and Opportunity Act (S. 2266, H.R. 2294), which would increase the value of the HTC, improve access to the credit, and make the credit more appealing for smaller projects.

Preservation Action urges the Committee to continue to support the Historic Tax Credit by sufficiently funding SHPOs, THPOs and the National Park Service who administer the program.

NATIONAL PARK SERVICE: NATIONAL HERITAGE AREAS

We'd also like to express our support for the Preservation Partnership Program which supports National Heritage Areas nationwide. Designated by Congress, National Heritage Areas (NHAs) are community-driven sites that weave cultural, natural, and historic resources together to tell nationally significant stories. NHAs rely on public-private funding where every Federal dollar allocated is matched with an average of $5.50 in public and private funds.

While we appreciate Congress's support of NHAs, funding has not kept pace with the need and popularity of the program. Since 2004 the number of NHAs have more than doubled while funding for the program has only increased by 33 percent. To bring funding in line with the increased number of NHAs, Preservation Action recommends, in accordance with the National Alliance of National Heritage Areas, $32 million for National Heritage Areas through the Preservation Partnership Program in the FY22 Department of Interior's budget. Preservation Action also supports the bipartisan National Heritage Area Act of 2021 (H.R. 1316) which establishes standardized criteria of NHAs and ensures long term sustainability.

INDEPENDENT AGENCY: ADVISORY COUNCIL ON HISTORIC PRESERVATION

The Advisory Council on Historic Preservation (ACHP) is an independent Federal agency that promotes the preservation, enhancement, and sustainable use of the Nation's diverse historic resources, and advises the President and Congress on national historic preservation policy. We appreciate the continued support of this important agency. Preservation Action recommends the Committee support $10.5 million for the ACHP in the fiscal Year 2023 Interior Appropriations Bill. An increase in funding will enhance the critical functions of the agency in ensuring the Nation's historic and cultural resources are protected, while advancing Tribal consultation, and finding efficiencies to deliver timely Federal review of major infrastructure projects.

CONCLUSION

Preservation Action appreciates the opportunity to provide our views on the FY23 Department of Interior budget. We work closely with a broad cross-section of preservation professionals from the State and local level and are pleased to be able to add their perspective.

Preservation Action continues to value the dedicated work of National Park Service employees, the partnership of the Advisory Council on Historic Preservation as well as the instrumental work of SHPOs and THPOs in preserving America's cultural heritage.

Thank you for valuing the input of the preservation community as you consider the FY23 Department of Interior budget and your past support of vital historic preservation programs. We look forward to working with the committee and are happy to answer any questions you may have.

[This statement was submitted by Russ Carnahan, President, Preservation Action.]

PREPARED STATEMENT OF PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY

Thank you for the opportunity to submit testimony regarding appropriations for the Department of the Interior ("DOI") and its agencies, namely the National Park Service ("NPS"), Bureau of Land Management ("BLM"), and Fish and Wildlife Service ("FWS"). We believe public land use agencies are underfunded and require increases in staffing, particularly ranger positions.

Public Employees for Environmental Responsibility ("PEER") is a nonpartisan, nonprofit, service organization for environmental and public health professionals, land managers, scientists, enforcement officers, and other civil servants dedicated to upholding environmental laws and values. We work with current and former federal, State, local, and Tribal employees who seek a higher standard of environmental ethics and scientific integrity within their agencies.

First, PEER will address NPS. Since 1916, NPS has been charged with an essential task: preserving the Nation's most awe-inspiring vistas and iconic wildlife, while keeping the parks "unimpaired for the enjoyment of future generations."[1] More than a century later, pressures within and beyond park boundaries threaten the future of the parks' natural beauty and ecosystems. In order to uphold the conservation legacy of national parks, Congress must invest in agency staffing.

The current trajectory of park expansions and overcrowding, without commensurate increases in staffing, is unsustainable. Between 2010 and 2020, NPS lost 5,935 employees, 29 percent of the 20,813 staff that remained in 2020.[2] Park visitation rebounded following the 2020 pandemic when many parks were closed. In 2021, the 45 most popular parks set attendance records. Despite record levels of visitation, increasing search and rescue operations, and rising crime, the number of rangers in our National parks has steadily declined. Since 2005, the ranks of permanent law enforcement rangers fell by 15 percent, while seasonal law enforcement rangers deployed during peak seasons dropped by 30 percent.

In 2021, PEER released the NPS Voices Tour 2018 Summary Report. The report was compiled by Sepler and Associates and was intended to empower NPS employees to speak out about their work environments. The report identifies multiple issues arising from the increase in park visitation and increase in job responsibilities and decreased budgets. The report calls working conditions "sub-par" and recommends "Alignment between Budgets and Expectations." "In the face of smaller budgets, participants urge that expectations and priorities reflect reduced capacity. Alternatively, they call for full funding for the priorities currently identified."[3]

One of the major themes that the report highlights is the issue of staffing. "Overwhelmingly, participants speak out about understaffing of parks and its consequences. At all levels, they describe the parks as stretched to breaking with workers being asked to work many uncompensated hours and overwork causing sickness, stress, lack of morale, and safety problems. Frequent 'acting' positions, often poorly staffed, also disrupt any attempt at stability in the parks. Many believe that chronic understaffing and the failure to match qualifications to positions contribute to disrespectful, abusive, and harassing behavior. Furthermore, the administrative demands on supervisors prevent them from spending time interacting with and supervising their staff."[4]

"We heard voices from people wearing thin from being asked to perform at a high level in the face of inadequate resources, competing demands, and in some cases work environments rendered extremely stressful due to interpersonal behavior."[5] To correct these problems, supervisors said NPS must increase its permanent staff. Supervisors reported perpetual turnover led to constant onboarding and training, loss of institutional knowledge, and a lack of continuity.[6]

We cannot keep asking NPS staff to meet current and future challenges without adequate resources and support. Instead, we need to build and expand a core workforce equipped with the tools to tackle the complex management problems parks face. The Biden administration's proposed budget for Fiscal Year 2023 provides for a slight increase in NPS hiring but with almost nothing targeted for its depleted ranger force. PEER is asking Congressional appropriators to:

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[1] https://www.nps.gov/grba/learn/management/organic-act-of-1916.htm#::text= percent22....to percent20conserve,of percent20the percent20National percent20Park percent20Service.

[2] https://therevolvingdoorproject.org/wp-content/uploads/2022/01/Climate-Capacity-Crisis—-Attrition-at-Climate-Agencies-and-Immediate-Steps-to-Address-It.pdf.

[3] https://peer.org/nps-voices-summary-report-06–06–2019-pdf/at 4.

[4] Id. at 3.

[5] Id. at 10.

[6] Id. at 15.

—Prioritize visitor and resource protection among NPS operational budget increases; and

—Require NPS to implement its own policy requiring the application of consistent standards for determining appropriate force levels.

Next, we shift our focus to BLM. BLM manages more than 245 million acres of public lands (10.5 percent of all land in the country, the most of any Federal agency).[7] Both in conserving and restoring habitat at the surface and holding mineral prospectors to the highest of environmental standards, BLM can protect biodiversity and slow the climate crisis by decreasing overall U.S. greenhouse gas emissions.

Like NPS, BLM is experiencing significant increases in visitation coupled with concerning reductions in agency staff. In 2010, BLM estimated it had 58,570,000 recreational visits[8] on BLM-administered lands. By 2020, that number rose to 73,110,000, nearly a 25 percent increase in one decade. In contrast, in 2010, BLM employed just over 11,000 full time employees (FTE)[9], but by 2020 it fell to 9,458 FTE[10], more than a 14 percent decrease in the same time period. Currently, BLM employs 8,800 FTE, amounting to one employee for every 31,499 acres.

An instructive example of the on-the-ground impacts of growing visitation and reduced staff is the Red Rock Conservation Area just outside of Las Vegas, Nevada. There, red rock formations in the sandstone draw visitors from the sprawling metropolis to off-road, mountain bike, and hike. Staffing levels in the conservation area have remained flat as visitation has increased from 200,000 visitors per year in the 1980s to 3.5 million in 2020. The acreage in the conservation area itself has also more than doubled during that time. As crowds and lands have grown without commensurate increases in staffing, infrastructure and staff have struggled to match the challenges posed by increased visitation. Unauthorized mountain bike trails now tear through important historical and cultural sites. Graffiti mars canyon walls. Cultural sites face an accumulation of trash and increased looting.

Overall, the dedicated members of BLM's staff cannot be expected to maintain their diligent oversight of the 245 million acres of public lands in their charge with fewer employees and more responsibilities. PEER is asking Congressional appropriators to:

—Increase BLM staffing to a total of 15,000 FTE. This recommendation comes with the support of current BLM employees and is supported by a former BLM Director.

Lastly, PEER will discuss FWS. FWS works to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people.[11] The agency oversees more than 560 National Wildlife Refuges, 70 national fish hatcheries, numerous regional and field offices across the country, and thousands of active conservation projects.[12] FWS employs over 8,400 staff members currently.[13] In Fiscal Year 2021, FWS employed 641 commissioned law enforcement rangers and special agents, both permanent and seasonal. Comparatively, FWS employed 662 commissioned law enforcement rangers and special agents, both permanent and seasonal, in Fiscal Year 2011. With increased visitation across all public land use agencies, PEER is concerned about staffing decreases in FWS.

Overall, DOI must address the widening gap between personnel resources and demand by increasing its staff, specifically rangers. Rangers within the public land agencies are charged with a variety of essential tasks, ranging from park interpretation to search and rescue operations to investigating criminal activity. In general, they help facilitate park enjoyment and guarantee public safety. The reduction of rangers in our land use agencies, timed with record visitation, has adverse public safety consequences. Across DOI, criminal referrals for prosecution dropped 70 percent (from 6,082 down to 1,812), prosecutions filed off those referrals fell 67 percent (from 4,233 to 1,381), and convictions secured declined 74 percent (from 3,328 to 919).[14] With fewer rangers employed to patrol public lands, law enforcement and

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[7] https://www.blm.gov/about/what-we-manage/national.
[8] https://www.blm.gov/sites/blm.gov/files/docs/2021–08/PublicLandStatistics2020.pdf.
[9] https://www.westernwatersheds.org/wp-content/uploads/2021/10/FY2012__BLM__Greenbook-2.pdf.
[10] https://www.doi.gov/sites/doi.gov/files/fy2022-blm-budget-justification.pdf.
[11] https://www.fws.gov/.
[12] Id.
[13] Id.
[14] Interior Criminal Enforcement 1986–2021 (generated by TRACFED, https://trac.syr.edu/infoTRACFED.html).

public safety efforts fall significantly. PEER is asking Congressional appropriators to:

—Ensure that NPS, BLM, and FWS law enforcement staffing levels are funded to the level they were a decade ago in 2012. This would be a modest but significant bump from current levels; and

—Add report language requiring the three agencies to report back to the subcommittee on their assessment of law enforcement needs for Fiscal Year 2024, including the specific steps they have taken to implement the recommendations from the Government Accountability Office report.[15]

Americans across the country have rediscovered the beauty and awe of public lands, and with each visit they are reminded of how integral these places are to our National identity. In order to preserve these natural spaces for future generations, NPS, BLM, and FWS require increases of their most important resource: people. Increased staff can help agencies maintain their missions and support the communities that are in and near these lands by providing local, good-paying jobs. PEER is proud to support these efforts, and we ask Congressional appropriators to demonstrate theirs by:

—Granting public land use agencies the full funding that they have requested, plus an additional 20 percent for more staffing.

Thank you for your work on this issue thus far, and for considering this testimony regarding increased staffing in DOI's public land agencies in Fiscal Year 2023.

[This statement was submitted by Public Employees for Environmental Responsibility.]

PREPARED STATEMENT OF THE PUBLIC LANDS FOUNDATION

We thank you for this opportunity to present the subcommittee with our views regarding the Bureau of Land Management's (BLM) budget for fiscal Year 2023. As a national, non-profit organization with more than 600 members, comprised principally of retired BLM employees, the Public Lands Foundation (PLF) has a unique body of experience, expertise, and knowledge of public land management. As retirees, we believe we offer an objective and non-bureaucratic view of what is currently happening on the public lands managed by the BLM. The PLF supports the BLM and its programs, but we are independent in our views and requests. We strive to improve the effectiveness of the BLM by: 1) encouraging professionalism of its employees; 2) increasing the public's understanding of and support for the proper management of the public lands; and 3) promoting scientific management of lands administered by the BLM.

The BLM manages the most diverse landscapes in the Nation's portfolio; providing stewardship to approximately 247 million acres of land and 700 million acres of mineral estate from the north slope of Alaska to Jupiter Inlet in Florida, and from tundra to old growth forests to desert landscapes. These lands consist of many attributes, habitat for thousands of species of plants and animals, clean water, cultural resources, scenic beauty, solitude, and special places. They also provide the Nation with wealth from its many resources including oil and gas, coal, renewable energy, non-energy minerals, all types of recreation, forage for livestock, timber, and wild horses and burros. The economic value of these lands to the American people is immense; according to the BLM: A Sound Investment for America 2020 report, during Fiscal Year 2019 these lands generated combined revenues in excess of $111 billion and supported over 498,000 jobs. These lands are important economically to the United States as a whole. They are especially vital to the many rural communities throughout the West that are intermixed with these lands and whose citizens work and recreate on the lands. These uses and values can only be achieved when there is some balance between energy development and other programs, such as wildlife, livestock grazing, forest management, and recreation to provide for the diversity of uses and the maintenance of healthy, resilient landscapes.

Last year Secretary Haaland made the decision to move the BLM Headquarters back to Washington, D.C. The PLF strongly supports that decision. This decision places the leadership of the BLM where it can better work with the Department, other agencies, OMB and Congress, and National constituencies, while maintaining its western presence through its state and field office organization. The reorganization in 2019 and 2020 resulted in the loss of a large part of the senior level staff

[15] https://www.gao.gov/products/gao-20–171t.

of the agency through reassignments to other agencies or retirements. This along with other factors such as Covid-19, resulted in a huge number of vacancies across the Bureau, estimated to be at least 20 percent of the full-time positions. These vacancies affect the Bureau at all levels of the organization and the loss of capacity is impacting the BLM in efficiently meeting its multiple use and sustained yield mission, along with the additional workload that goes with implementing new initiatives such as the Infrastructure Investment and Jobs Act (IIJA). The leadership of BLM is currently working on filling these vacancies and providing the necessary training of employees. The reality is that unless the Bureau can successfully fill a significant number of these vacancies, it will be impossible to carry out the priority work of the Administration and this Congress.

The BLM estimates that the fiscal Year 2023 proposed budget will support some 10,592 FTE positions and has also proposed an increase of $8.1 million from fiscal Year 2021 and fiscal Year 2022 funding levels for workforce and organizational support. The PLF is concerned that the proposed budget may not meet the needs of the Bureau to reestablish the leadership and refill vacant positions of the organization and requests that Congress appropriate sufficient funding to the BLM to regain lost capacity and add capacity to meet new initiatives such as the IIJA. Funding must cover workforce planning, hiring, and training.

The PLF recognizes and appreciates the difficult decisions that must be made by the Congress and the Administration to allocate scarce dollars to programs that generate the best economic and social returns to the American taxpayers. The PLF believes the budget should prioritize programs that provide for healthy, resilient landscapes capable of withstanding the impacts of a changing climate; the conservation of species dependent on the diverse habitat the BLM manages; economic benefits to the Nation and to the rural communities dependent on the BLM-managed public lands; all forms of energy and associated transmission; and the safety of communities these lands surround and the public that lives near and uses them.

The BLM fiscal Year 2023 proposed budget of $1.6 billion includes $1.4 billion for the Management of Lands and Resources appropriation and $128.7 million for the Oregon and California Grant Lands appropriation. This is a $238 million increase from fiscal Year 2021 and fiscal Year 2022 funding levels or approximately a 17.5 percent increase in funding. This compares to a proposed funding increase of 24.5 percent for the U.S. Fish and Wildlife Service and a proposed funding increase of 15.8 percent for the National Park Service.

The PLF is supportive of the Oil and Gas Management ($115.8 million), Oil and Gas Inspection and Enforcement ($51 million), Coal Management ($16.5 million), and Renewable Energy ($49.7 million) budget requests for the BLM that support the sustainable and balanced development of both traditional and renewable energy resources, including solar, wind, and geothermal energy resources on the public lands. Funding should also support the needs for the associated infrastructure related to pipeline and transmission development on the public lands necessary for the development of these energy resources. Energy and infrastructure development on the public lands is part of the multiple-use mandate for the BLM under the Federal Land Policy and Management Act (FLPMA) and supports economic growth, energy independence, jobs in our rural communities, and generates revenues for Federal and State treasuries and local economies. It is critically important that sufficient funds are provided to not only support the leasing and permitting activities to facilitate environmentally responsible energy development and associated infrastructure needs, but that sufficient funds are also provided for land use planning, other resource assessments, NEPA reviews, program management, and inspection and compliance activities to assure that development is complying with laws, regulations, and lease terms. Adequate dollars to cover Resource Management Plans and activity-level plans must be available or the permitting of any of these activities will be threatened by continuing litigation. It should be recognized, however, that the development of energy resources and associated infrastructure on the public lands also affects other resources and must be balanced as to time and scale of development. Funding for other high value resource programs can help mitigate and offset some of the effects on these other resources and the landscape. An example would be the proposed $158.5 million funding in the Wildlife Habitat Management program, which includes support for the implementation of conservation practices for sage-grouse under the west-wide sage-grouse habitat management plans, currently being revised, that are potentially affected by energy and infrastructure development.

An area of great interest to the PLF is the management of habitat for species across the diverse habitats of BLM managed public lands. Habitat for the greater sage-grouse is one species of particular concern because its management affects vast areas of the West. As the West has become urbanized over the last 100 years,

large areas of sagebrush have been impacted and this medium-sized bird has suffered population declines. Although it is a State-managed species that depends on the sagebrush-steppe habitat to survive, the BLM manages large areas of the habitat across the Western States and must be in lock step with management strategies of the western States. The PLF supports the proposed funding in the Wildlife Habitat Management program to coordinate activities on public lands with State agencies, stakeholders, and partners to improve and restore habitat that has been damaged by wildfire, weed invasions, and development. Conserving and restoring habitat for sage-grouse will also enhance populations of elk, mule deer, golden eagles, and hundreds of species. Healthy sagebrush habitats also maintain vibrant ranching communities dependent on these habitats and a thriving outdoor recreation economy.

Another area of concern is one that the PLF has spoken to for many years. The overpopulation of wild horses and burros on the range is past the critical point and is doing irreparable harm to the land, vegetation, wildlife, livestock, and the horses and burros themselves. In the past we have requested that BLM receive significant increases in this program so that the agency can aggressively address the overpopulation issue through removals and fertility control. Last fiscal year's appropriations included significant increases in this program and BLM has been working to reduce the population. However, as you well know, this program is not without controversy, and it will take several years of work to address the imbalance between the horse population and the health of the land. We ask that Congress support the $153.1 million funding request for fiscal Year 2023 to allow the BLM to implement their strategic management plan, consistent with the May 2020 Report to Congress on the BLM wild horse and burro program.

The BLM has proposed a $110 million funding level for the Rangeland Management program for fiscal Year 2023, however has not addressed the ever-increasing backlog of grazing permit renewals on the public lands. The BLM administers approximately 18,000 grazing permits on nearly 22,000 grazing allotments. Grazing permits are generally renewed every 10 years. A proper renewal requires an appropriate level of NEPA analysis to ensure healthy rangelands and conserve and protect lands and other important resources. There is already a backlog of these permit renewals and the analyses required for these renewals. As of February 2022, the agency had 10,522 unprocessed permits and in fiscal Year 2023 approximately 1,800 additional grazing permits are scheduled to expire. A priority needs to be placed on the funding for the analysis and review of those permits impacting riparian areas and those permits not meeting rangeland health standards. Some reports have indicated that 54 million acres, or half of the 108 million acres of BLM grazing leases, do not meet rangeland health standards. If the BLM is unable to conduct the reviews and analyses necessary to administer these permit renewals, it will not only affect the range management program but also all other programs. This backlog of permit renewals also creates another additional problem, namely the potential for litigation that will consume more manpower and financial resources of the agency. The BLM needs additional funds in order to properly administer the current and future backlog of permit renewals. The PLF strongly urges Congress to appropriate an additional $8 million specifically for the analyses and administration of grazing permit renewals for each of the next 3 years, starting in fiscal Year 2023.

The BLM has proposed a $68.2 million funding level for the Recreation Resources Management program for fiscal Year 2023, however this funding level will not be sufficient to meet the dramatic increase in the recreational use of the public lands. Recreation use throughout the West has expanded significantly. Western communities are growing and recent national trends toward more remote workforces has allowed more and more employees to locate nearer public lands. One of the attractions of the public land is the broad spectrum of recreation activities that the public lands support, both dispersed recreation and developed recreation sites. In 1993, the BLM recreation program budget was $47 million. Adjusted for inflation, the fiscal Year 2021/FY 2022 budget should have been at $86 million, however the fiscal Year 2021/FY 2022 budget was only$58 million (a $28 million deficit). The BLM's proposed fiscal Year 2023 budget has identified an increase of only $9.7 million to enhance recreational opportunities and improve infrastructure. This increase is insufficient. Without adequate and sustained increases, the adverse impacts on the public lands from ever-increasing recreation use will continue to be significant and the recreational visitor will have less than positive experiences.

Several Administrations and Congresses have recognized that catastrophic wildland fires continue to be a serious issue across all land ownerships. These fires are the result of several conditions across the landscape including climate change, deteriorating forest and rangeland health, increased recreational use, and increased development within the wildland-urban interface. Providing adequate funding for

wildfire preparedness and suppression is critical. Equally important is the need to reduce wildland fuel loads and improve forest and rangeland health and resiliency through active management. The land management agencies have been working to reduce wildland fire risks over the past few decades; however, there has not been adequate funding for the agencies to address the problem at the pace and scale needed. Congress recognized this issue and authorized additional funding through the IIJA to help increase the pace of this work. The PLF requests that the BLM and other land management agencies be fully funded for wildland fire suppression and landscape health and resiliency projects.

One way to aid in the funding of BLM forest health projects is to reauthorize the BLM's Forest Ecosystem Health and Recovery Fund (FEHRF). In 1992, Congress established the FEHRF (Public Law 102–381) to authorize the BLM to recover dead and dying timber rapidly and restore the forested area quickly. This Fund was later broadened to include forest health treatments. The Fund provided that the Federal share of monies received from the disposal of the timber from these treatments would remain available, without further appropriation, for the BLM to conduct similar treatments. Since that time, the BLM has successfully treated tens of thousands of acres using this authority. It has been an important source of funds on the O&C lands, but in particular on the Public Domain forestlands to restore the health of forests. Authority for this fund has sunset; however, it has been reauthorized through this fiscal year as part of the Continuing Resolution. We strongly encourage the Congress to restore authority for this important funding tool permanently, or in the alternative, for a period of not less than 10 years.

While authorized by Congress in 2017, the current Administration has just recently established the Foundation for America's Public Lands. This Foundation is being tasked with providing supplemental resources and support to the BLM, which will benefit all Americans who value and use BLM-administered public lands. The Covid-19 pandemic underscored just how important public lands are to this country. The BLM has requested $1 million to support the Foundation in fiscal Year 2023 and Congress needs to provide sufficient funding to allow the Foundation to continue its work on behalf of the BLM.

We appreciate the hard choices that this subcommittee has before it. The Nation faces many challenges, all of which require funds. The public lands managed by the BLM are a good investment that can provide positive returns to the Treasury as well as many amenities that contribute to the wellbeing of the American people. These lands are the lifeblood of many communities that provide economic development in commodities, recreation, cultural identity, and many other benefits.

Thank you for the opportunity to share the PLF's priorities for the BLM fiscal Year 2023 Budget.

[This statement was submitted by Mary Jo Rugwell, President, Public Lands Foundation.]

PREPARED STATEMENT OF THE PUYALLUP TRIBE

The is an independent sovereign nation having historically negotiated with several foreign nations, including the United States in the Medicine Creek Treaty of 1854. This relationship is rooted in Article I, Section 8, of the United States Constitution, Federal laws and numerous Executive Orders. The governing body of the Puyallup Tribe of Indians is the Puyallup Tribal Council which upholds the Tribe's sovereign responsibility of self-determination and self-governance for the benefit of the 6,000 Puyallup Tribal members and the 25,000 plus members from approximately 355 federally recognized Tribes who utilize our services.

The Puyallup Tribe operates healthcare, social services, law enforcement and corrections, education, and a myriad of other programs and services for our Tribal citizens and individuals within our program and service areas. These programs depend on continued resources and support through Federal appropriations—which reflect the Federal trust and treaty obligations to American Indian and Alaska Native people and Tribes.

DEPARTMENT OF HEALTH AND HUMAN SERVICES—INDIAN HEALTH SERVICE

The Puyallup Tribe has operated a healthcare program since 1976 through the Indian Self-determination Act, Public Law 93–638. The Puyallup Tribal Health Authority (PTHA) operates a comprehensive ambulatory care program serving the Native American population in Pierce County, Washington. The current patient load exceeds 9,000, of which approximately 1,700 are Tribal members.

There are no Indian Health Service hospitals in the Portland Area, so all specialties and hospital care have been paid for out of our contract care allocation. This the full funding of the Purchased and Referred Care (PRC) program is critical to ensuring that Indian people in the Northwest receive adequate health care. The Pandemic highlighted this need, because the hospitalized care our COVID–19 patients needed was paid for by PRC.

The Puyallup Tribe strongly supports the proposal for advance appropriations for the Indian Health Service. The fiscal Year 2020 government shutdown underscored the need for this change. The delays in funding had deeply-felt impacts in Tribes' ability to provide health care to our people.

We also strongly support the initiative to make contract support costs and 105(l) lease costs mandatory costs so that they do not continue to stress the limited funding allocation that the subcommittee receives. This is the first important step to making all the Indian Health Service's funding mandatory.

Regarding Contract Support Costs, we remain concerned that the Indian Health Service is seeking to undermine its obligation, which has now been confirmed twice by the U.S. Supreme Court, to pay full contract support costs, by categorizing certain necessary costs/activities as "Secretarial activities," and refusing to pay contract support costs for these activities, which are and have always been considered contract support cost activities for which Tribes have received CSC payment. We would ask the Committee to include language in its appropriations bill that would require the Indian Health Service to compute fiscal Year 2023 CSC consistent with computations undertaken in fiscal Year 2021. We appreciate the direction to the Agency on this matter in the fiscal Year 2023 Committee Conference Report.

DEPARTMENT OF INTERIOR—BUREAU OF INDIAN AFFAIRS

We strongly support increased funding for the Bureau of Indian Affairs and Bureau of Indian Education. This funding is to focus on the most critical needs of Indian country, the safety of our children, our families, and our environment.

Public Safety & Justice: The Tribe's top priority is public safety and justice. The lack of financial resources is a significant barrier to the provision of effective public safety services in Indian country. The Bureau of Indian Affairs only provides $588,000 for our Tribal law enforcement services contract, this amounts to 8 percent of the Tribe's total level of need. The Tribe can supplement these resources, so that we are able to have a Chief of Police, and thirty commissioned officers and two (2) reserve officers.

These officers are charged with the service and protection of the entire 40 square miles of the Reservation and the usual and accustomed areas where we exercise our Treaty protected hunting and fishing rights. The Puyallup Reservation encompasses most of the City of Tacoma, as well as parts of five other different municipalities (Fife, Milton, Puyallup, Edgewood and Federal Way). Furthermore, Interstate 5 runs through the Puyallup Reservation and is a known drug and human trafficking corridor. Our officers are tired, and they need reinforcements.

Detention and corrections funding remains of critical importance to the Puyallup Tribe. The Puyallup Tribe has a 28-bed adult corrections facility. Again, we worked closely with the OJS on an agreed upon operating cost of this facility at $2.7 million. However, the BIA provides only $725,000, approximately 26 percent of what the Tribe needs to run the facility.

In addition, we operate a Tribal Court program. Our base BIA funding for this program has remained at $194,996 since fiscal Year 2015. Like the Law Enforcement and Detention funding, this amount represents only a small amount of the Tribe's needs to fully operate the Tribal Court program. Increased funding for Tribal courts is critical as we are working to exercise our jurisdiction over non-Indians who commit domestic violence and other violent crimes against native women.

Natural Resources Management: The Puyallup Tribe is the steward for the land and marine waters of our homeland, including our usual and accustomed fishing places and shellfish and wildlife areas. The United States has treaty, trust, and governmental obligations and responsibilities to manage natural resources for uses that are beneficial to the Tribal membership and regional communities. Our resource management responsibilities cover thousands of square miles in the Puget Sound with an obligation to manage production of anadromous, non- anadromous fish, shellfish and wildlife resources. Unfortunately, despite our diligent program efforts, the fisheries resource is degrading, causing economic losses on Native and Non-native fishermen, as well as the surrounding communities.

Existing levels of appropriations are simply inadequate to reverse the trend of resource/habitat degradation in Puget Sound and other areas. A minimum funding level of $17.146 million is necessary for the BIA Western Washington (Bolt) Fish-

eries Management program, and we urge the subcommittee to meet or exceed this amount for fiscal Year 2023 appropriations. Any increase in funding would provide new monies for shellfish, groundfish, enforcement, habitat, wildlife and other natural resource management needs. As the aboriginal owners and guardians of our lands and waters, it is essential that adequate funding is provided to allow Tribes to carry out our inherent stewardship of these resources.

The Puyallup Tribe also operates several salmon hatcheries in our territory. These hatcheries benefit both Indian and non-Indian commercial and sport fisheries. We work cooperatively with the Northwest Indian Fisheries Commission, neighboring Tribes, Federal agencies and state fishery managers to ensure the success and sustainability of our hatchery programs. We urge Congress to increase funding to these important facilities. And finally, the Timber, Fish and Wildlife (TFW) Supplemental and U.S./Canada Pacific Salmon Treaty programs have allowed for the expansion of Tribal participation in the state forest practice rules and regulations, as well as allowed Tribes to participate in inter-Tribal organizations to address specific treaties and legal cases relating to multi-national fishing rights, harvest allocations, and resource management practices. This funding must be continued.

One area of critical importance is the need to provide additional resources to fund natural resource infrastructure to ensure that our Natural Resource Programs have the facilities they need to operate.

Operations of Indian Programs & Tribal Priority Allocations: The Tribal Priority Allocations (TPA) account within the Operations of Indian Programs include the majority of funding used to support ongoing services at the "local tribal" level, including natural resources management, child welfare, education, and other Tribal government services. These functions have not received adequate and consistent funding to allow Tribes the resources to fully exercise self-determination and self-governance. Further, the small increases TPA has received over the past few years have not been adequate to keep pace with inflation. The Puyallup Tribe requests that the subcommittee increase funding for the Operation of Indian Programs and TPA to ensure program stability and operations as the needs of our Tribal members increase.

Bureau of Indian Education. We celebrate the Administration's emphasis on the Tribal Schools. The Puyallup Tribe operates the pre-K to 12 Chief Leschi School, including the ECEAP and FACE programs, with an enrollment of 640 + students. The costs of operating this school—including staff, supplies, and student transportation—continue to increase. Unfortunately, the amounts that Congress has appropriated are not keeping-up with inflation, let alone sufficient to allow us to dedicate additional resources to improving the education outcomes for our children. We are treading water and if more assistance is not provided, we may begin to drown.

[This statement was submitted by Bill Sterud, Chairman of the Puyallup Tribe of Indians.]

PREPARED STATEMENT OF THE RAMAH NAVAJO SCHOOL BOARD

Honorable Chair, Ranking and subcommittee Members, Ya'aht'eeh. My name is Martha Garcia, President of the Ramah Navajo School Board, Inc. (RNSB). Together with the other four members of the Board of Trustees and on behalf of the Ramah Navajo people, we are grateful to all the members of the U.S. House and Senate Appropriations subcommittees on Interior, Environment, and Related Agencies for the opportunity to share our testimony.

RNSB operates a complex of Head Start, Elementary, Junior High and High Schools, as well as the Pine Hill Health Center and Behavioral Health and Social Services programs on the Ramah Navajo Reservation in New Mexico. In 1970, RNSB established the Ramah Navajo High School, the first Indian community school governed by an all-Indian, locally controlled school board. Our efforts were a model for the groundbreaking 1975 Indian Self-Determination and Educational Assistance Act, PL 93–638 (ISDEAA). Today, RNSB provides quality services and programs to address our community's needs and uplift their economic conditions.

RNSB's priority budget concerns include line items in the Bureau of Indian Education (BIE), Bureau Indian Affairs (BIA), and Indian Health Service (IHS) budgets. We also have significant facility and infrastructure challenges that must be addressed to be able to deliver our programs and services safely and without disruptions. Our pressing infrastructure needs include the renovation and replacement of school buildings, completing the replacement of our electrical system, and the replacement of our water and wastewater systems.

Our priority budget line items in the BIE and BIA budgets are:

—Increases for ISEP Formula Funds;

—Full Funding for Teacher and Counselor Pay Parity;

—Expanding Eligibility for Tribally Controlled Schools to Participate in the Federal Employee Retirement System (FERS);

—Increases for Road Maintenance for School Bus Routes and Student Transportation;

—School Facility Replacement Construction and Oversight of the Division of Facilities Management and Construction (DFMC);

—Emergency Repair and Support for Essential Infrastructure Systems; and

—Reduce Unnecessary and Burdensome Reporting to the BIE.

Our priority budget line items in the IHS budget are:

—Advance Appropriations; and

—Increases for the Hospitals and Health Clinics line item in the IHS Services Budget.

EDUCATION

ISEP Formula Funds is the core BIE account, which funds our school's operations. ISEP funding increases are vital to enhancing learning opportunities for all of our students through the training, development and retention of excellent teachers. Schools across the Nation are facing a significant teacher shortage but that shortage is particularly acute here in more remote communities like ours on the Navajo Nation. New Mexico has responded to the Nationwide teacher shortage by significantly increasing teacher pay. RNSB does not have the budget to compete with the salaries being offered by public schools here in New Mexico. In order to effectively address this problem, we need ISEP increases paired with Full Funding for Teacher and Counselor Pay Parity, and opportunities to expand the benefits package we can offer our teachers and staff as discussed below.

Full Funding for Teacher and Counselor Pay Parity is a critical tool for attracting and retaining quality teachers. We ask the subcommittees to continue to hold the BIE accountable for ensuring that the amounts requested for pay parity are sufficient to match the increases provided by the Defense Department schools. Given the significant salary increases for public school teachers in New Mexico, RNSB also encourages consideration for pay rate increases that would keep pace with either the Defense Department schools, or the rate of nearby public schools, whichever of these rates is higher. Given our acute teacher shortage, these requested increases to provide pay parity are essential.

Expanding Eligibility for Tribally Controlled Schools to Participate in the Federal Employee Retirement System (FERS) would significantly bolster the efforts of tribally controlled schools like ours to attract and retain quality teachers, but would not create any new costs for the Federal Government. We thank Congress for recently extending eligibility for tribally controlled schools to participate in the Federal Employee Health Benefits (FEHB) and Federal Employee Group Life Insurance (FEGLI) programs. Extending the option of FERS participation to us and other tribally controlled schools would provide a competitive benefits package that will enhance our ability to recruit and retain teachers.

Increases for Student Transportation in the BIE Budget and Road Maintenance Funding for School Bus Routes in the BIA Budget are of particular importance to RNSB. Our experience is consistent with what the Government Accountability Office (GAO) reported in 2017: poor road conditions on school bus routes present safety concerns and pose obstacles to student attendance. Many of our students travel long distances on unpaved (gravel) and unimproved earth roads. A strong rain or snowstorm can render our school bus routes impassible and disrupt learning for days. Also, as the GAO pointed out, our geographically dispersed locations and poor road conditions result in increased transportation costs for fuel (especially now as gasoline prices are skyrocketing), additional vehicle maintenance, and the increased bus driver pay associated with our rural and isolated routes.

RNSB is greatly concerned by the increased costs for student transportation and the continued deteriorating conditions of the roads serving our communities. RNSB has been troubled by the BIE's outdated and incomplete student transportation funding formula, which currently operates to underestimate student transportation needs. Most BIE-funded grant schools on the Navajo Nation exhaust their student transportation allocation by February of each school year. The BIE's school transportation funding formula does not consider the higher maintenance costs for vehicles traveling on rutted, washboard gravel roads. Additionally, many necessary transportation expenses are not eligible for funding under the formula. These in-

clude trips made for fuel or maintenance services; transportation necessary for medical or other emergencies; transportation associated with after-school programs (such as athletics, band, detention, tutoring and study hall, arts and crafts, special classes, and other extra-curricular activities). Given that after-school programs are a vital part of the curriculum we offer, RNSB views after-school student transportation as an essential student service that should be included in the BIE's funding formula to better respond to the actual needs and costs for student transportation in the BIE-funded school system. For these reasons, continued increases for Student Transportation and Road Maintenance funding targeted to school bus routes remain essential.

School Facilities Improvement & Repair and School Replacement Construction in the BIE's Education Construction budget significantly impacts the health and safety of our students and staff. RNSB is grateful to the subcommittees for the increasing levels of support you have provided for the improvement and replacement of school facilities. In our prior years' testimonies, RNSB has documented the significant health, safety and learning challenges our students have faced as a result of the chronically delayed and piecemeal approach the Indian Affairs Division of Facilities Management and Construction (DFMC) takes with respect to the repair and maintenance of our facilities. Through our testimony before the subcommittees and the strong support of our Congressional Delegation, RNSB has able to address part of our education facilities concerns through an agreement with DFMC to replace, renovate and repair certain school buildings. RNSB is very concerned, however, by the lack of progress being made by the DFMC. In April 2019, DFMC anticipated a 30-month period for the completion of both the renovation and new construction phases of the project. Today, more than 30 months have passed and the project has not even reached the 20 percent design phase. RNSB looks forward to the moment when we can report to the subcommittees that the project is completed and we have provided our students with a learning environment where they can excel, with healthy indoor air and water quality, reliable internet connectivity and IT features-all unhindered by disruptions caused by power outages, leaking pipes or other health and safety hazards.

Emergency Repair and Support for Essential Infrastructure Systems. The Ramah Navajo community celebrated RNSB's 50th anniversary in 2020, just before the COVID–19 Pandemic began. After 50 years of operation, however, RNSB has been experiencing significant facility and infrastructure needs as critical systems, such as our water and wastewater systems, have exhausted their design life, or have deteriorated due to insufficient inspection and maintenance activities by the BIA. Power and water service outages and broken pipes disrupt the delivery of services and can pose serious risks to health and safety. RNSB has sought DFMC assistance with respect to emergency repair for our water system as water samples have exceeded the Environmental Protection Agency Maximum Contaminant Levels for arsenic, lead, radionuclides and endocrine disrupting phthalates water. RNSB also sought DFMC emergency repair assistance with respect to the failure of our electrical system. Both the water system and the electrical system failures have posed immediate threats to life, health, and safety. In the case of our electrical system, the DFMC failed to conduct a site visit and indicated that since the repair at RNSB exceeded the Agency's $250,000 program funding limit for emergency repairs, it would not treat the matter as an emergency repair. Meanwhile, RNSB's wells and water pipes are 45 years old and need replacing. The system has grown over the years and serves not only our school building, but also our IHS-funded clinic, and other facilities that are needed by the community. Safe, clean water is one of the most pressing of RNSB's priorities.

As a matter of oversight and accountability, we ask the subcommittees to inquire with DFMC regarding its emergency repair cap and call upon the DFMC to engage in meaningful consultation with the requesting Tribe or Tribal organization on emergency repairs whenever facility conditions present a threat to life, health, and safety. Furthermore, as the subcommittees consider facility funding requirements for BIE-funded schools, RNSB encourages the subcommittees to ensure those budget requests include amounts necessary for periodic inspection, maintenance and upgrades of essential supporting infrastructure.

Reduce Unnecessary and Burdensome Reporting to ensure the effective implementation of Indian education programs and the efficient use of Federal resources. RNSB has concerns regarding BIE actions that have undermined self-determination in Indian education and distracted our teachers and administrators from focusing on providing quality educational services to our students. When Congress drafted the Tribally Controlled Schools Act (TCSA), it included an express limitation on tribally controlled schools' reporting requirements and what authorities apply to them. Yet, the BIE often attempts to subject tribally controlled schools to additional

reporting that duplicates information already available in the existing reports that tribally controlled schools provide. When RNSB personnel are used to gather, format, and submit information in response to the BIE, they are not available to focus their efforts on providing educational services to our students. We ask that the subcommittees express awareness of concerns in the appropriations instructions that will be provided to the BIE and that those instructions request a report or response from the BIE.

Thank you. Before turning to our health priorities, we would like to extend our gratitude to the subcommittees for the role you played in ensuring that schools in the BIE school system were included in the COVID–19 relief laws in a robust and equitable manner.

HEALTH

Support for Advance Appropriations for IHS. Funding delays make it impossible for IHS and Tribal health programs to plan and manage our annual budgets. At the time of this writing, fiscal Year 2022 is almost halfway over, and we are still waiting to understand our full appropriation. We urge the subcommittees to take the necessary steps in the fiscal Year 2023 appropriations bill to move IHS to an advance appropriation starting in fiscal Year 2024.

Increases are needed for the Hospitals and Health Clinics line item in the IHS Services Budget. Our Pine Hill Health Center services three counties in NM, and one county in Arizona. Cibola, McKinley, Catron, and Apache. Services are provided to 19,023 residents of the four counties. Over the past year we have experienced a 10 percent per capita increase in healthcare spending, attributed to these several factors: inflation, increases in staff salaries, and additional costs associated with treating patients with long COVID. More funding is needed to keep pace with these increased costs.

[This statement was submitted by Ramah Navajo School Board, Inc.]

PREPARED STATEMENT OF THE SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS

I am Dr. Aaron Payment. As the elected Chairperson of the Sault Ste. Marie Tribe of Chippewa Indians, I am speaking on behalf of my Tribe. My testimony today will focus upon Federal recognition of Tribal sovereignty rights; Federal treaty and trust obligations to the Tribes; the need for mandatory funding; and advance appropriations. Throughout all of my testimony, I will use data from my own Tribe, as well as national statistics.

The Sault Ste. Marie Tribe of Chippewa Indians is located in the Upper Peninsula of Michigan. The Tribe administers 23 governmental divisions and manages over 75 federal, State, local and tribally funded programs across our seven-county service area-Alger, Chippewa, Delta, Luce, Mackinac, Marquette and Schoolcraft counties. We have a Tribal membership of 43,376. Our territory includes 2,800 acres of trust land and our ceded territories throughout Michigan where we exercise our Treaty reserved rights to fish, hunt and gather. For almost fifty years the Sault Ste. Marie Tribe has built its governmental capacity to provide the full range of services to its members including health care, education, elder services, law enforcement, housing, family and social services, and cultural programs.

The Tribe operates 8 health clinics across our seven-county service area. In these clinics we offer a wide range of services including medical, dental, behavioral health, special diabetes, nutrition, pharmacy, wellness programs, and traditional medicine. We are proud of our work in this space, but it is time to fully fund Indian Health Services.

We strongly support Indian Programs Advance Appropriations Act. This legislation is modeled after the *Veterans Health Care Budget Reform and Transparency Act of 2009 and the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015*. We also strongly support making the Indian Health Service mandatory federal. Overall, this will insulate funding that helps fulfill trust obligations, provide for seamless operations across fiscal years and advance fairness and parity.

INDIAN HEALTH SERVICES

The pandemic made clear that there is no more critical need in Indian country than competent health care. People's lives are literally at stake. Poor living conditions contribute to the Native health crisis, but so too, does the Federal Government's failure to adequately fund Tribal health programs. National health care spending in 2016 was $9,990 per capita, while Indian Health Service spending was only $2,834. American Indians and Alaskan Natives are much harder hit by disease,

chronic illness, and injury than other Americans. Native Americans are 450 percent more likely to die of tuberculosis; 520 percent more likely to suffer from alcohol-related deaths; 368 percent more likely to die from chronic liver disease and cirrhosis; 207 percent more likely to die from motor vehicle crashes; 177 percent more likely to die from diabetes complications; and our youth are 2.5 percent times more likely to commit suicide than other populations. Cancer rates in Indian Country are 12 percent higher than the rest of the US, and Native Americans with cancer are 26 percent more likely to die compared to non-Natives. The Sault Ste. Marie Tribe of Chippewa Indians Tribal clinics are only funded at approximately 50 percent capacity which means that we are unable to provide adequate treatment for our People. Thus, we need additional resources across the full spectrum of the Indian Health care system.

Hospitals and Health Clinics: We fully support the Bemidji Area's recommendation for a 12.7 percent increase in the Health and Health Clinic line item will allow Area and Tribal programs to apply funding in a targeted and program specific manner; at the same time, it supports the direct care needs unique to each Tribal community. Certainly, funding for the Indian Health Care Improvement Fund must be used to ensure that each reach has funding parity.

Indian Health Facilities: In the Bemidji Area, we need a regional opioid addiction recovery treatment facility. In February, 2019 we announced a collaboration with the Hazelden Betty Ford Foundation to expand our substance abuse treatment and recovery services and enhance our integrated health and wellness center to build a true team based facility to support those in our community and throughout the Region who are in the throes of addiction.

The Recovery Hospital and Campus is a product of the Tribe's Tribal Action Plan, approved in 2016 by the Tribe, with the input from the membership. From this process we heard the membership's demand for a Recovery Hospital close to home, with Traditional Medicine at its core. We have learned that incorporating traditional beliefs and culture are critical to combatting the cultural identity crisis that has plagued Tribal communities since the 1800's. Our idea is to incorporate culturally traditional and modern treatment modalities, while working not only with the addict but his family as well. Only through family support and healthy living, will be able to effectively combat this plague. As we have started the journey to make this dream a reality, we have been confronted by many who tell us this kind of facility has never been built in Indian country. Therefore, it cannot be done. My ancestors overcame too much for me to give up simply because something has never been done before. I believe we can do it and I am asking for your help to make our dream a reality.

Health IT Modernization: We support the increase of $750 million for Electronic Health Records. In addition to ensuring electronic health record stabilization, it will be imperative to have a system that "talks" with other systems, including those associated with the Veterans Administration, Federal prisons, and Tribal and Urban Indian facilities. For this to happen in our Area, Bemidji needs broadband and technological infrastructure support. The same kind of support will be needed throughout Indian Country.

Purchased and Referred Care (PRC): We support the 11.1 percent requested increase for Purchased and Referred Care. While primary and direct care programs exist in some areas of Indian Country, access to more advanced care is still needed and PRC funding increases will assist with this need along with augmenting direct care services. The need for full funding of Purchased and Referred Care was made critical by the pandemic, as many patients needed to be treated in hospitals with ICU units or acute respiratory care units, which impact PRC dollars.

Dental Services: The Sault Ste. Marie Tribe supports the requested 4.9 percent increase for Dental Services. Dental services are a growing need in the Area and a recent analysis of the funding received showed that the current level of funding equates to only $20 per individual in the Bemidji Area. Increased money and resources are necessary to meet the dental needs of Indian Country.

BUREAU OF INDIAN AFFAIRS

Tribal Natural Resources Programs: The Sault Ste. Marie Tribe of Chippewa Indians are co-managers of a large part of lakes Michigan, Huron, and Superior as we hold Treaty protected rights to fish in these lakes pursuant to the 1836 Treaty. Thus, it is critical that the Congress provide full funding for the Chippewa Ottawa Resource Authority to ensure proper management of the resource consistent with the court approved consent decree.

On November 15th, 2021 the Secretaries of the Interior and Agriculture issued a Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in

the Stewardship of Federal Lands and Waters. This order was issued to "ensure that the Department of Agriculture and the Department of the Interior (Departments) and their component Bureaus and Offices are managing Federal lands and waters in a manner that seeks to protect the treaty, religious, subsistence, and cultural interests of federally recognized Indian Tribes [...]; that such management is consistent with the Nation-to-nation relationship between the United States and federally recognized Indian Tribes; and, that such management fulfills the United States' unique trust obligation to federally recognized Indian Tribes and their citizens.

Also on November 15th, 2021 the President's Office of Science and Technology Policy issued a memorandum to the heads of all departments and agencies instructing them to "recognize Indigenous Traditional Ecological Knowledge (ITEK)-a form of Indigenous Knowledge-as one of the many important bodies of knowledge that contributes to the scientific, technical, social, and economic advancements of the United States and to our collective understanding of the natural world."

The Bureau of Indian Affairs appropriations are the primary funding mechanism for the Sault Tribe Natural Resources Programs to engage our Federal Partners in ensuring that ITEK is incorporated and that our collective treaty and subsistence are properly accounted for and communicated in pursuit of these Federal policies. We ask Congress to provide support for Tribal natural resources programs to develop and integrate this information into our work to better protect treaty protected natural resources.

The BIA's Natural Resources Management Endangered Species program is an important program, vital to the maintenance of important threatened and endangered species. Since 2012, Sault Ste. Marie Tribe of Chippewa Indians has identified several endangered species needs and submitted requests for funding. To date however, our funding requests have not been granted. This is due to the competitive nature of limited funds available to the Midwest region. My Tribe recommends full funding for the program.

The Sault Ste. Marie Tribe of Chippewa Indians has relied on the BIA Forestry Program for several planning and management of forestry projects on the Reservation. While my Tribe does not have substitutive commercial forest resources, we do have over 1,500 acres of forest lands that are maintained. The management of these acres are dependent on the Forestry Program funds and the BIA staff that work on our behalf. Additionally, we have a strong interest in developing forest resources in the future. We see this as an opportunity for the Tribe to create new jobs for Tribal members and increase access to natural resources for subsistence harvest. We strongly recommend full funding of the BIA Forestry Program.

Tribal Court Programs: Our Tribal Court program, an integral component to our Tribe's sovereignty, is significantly underfunded. In fact, the Federal Government provides only 3.76 percent of base need funding necessary to operate a Tribal Court capable of meeting our Tribe's service population needs. In fact, Federal base funding for our Tribal Court program has only increased a total of $3,000 in the past 21 years. In the end, our Tribe provides additional funding necessary to meet the needs of basic needs of our government, but that money is taken from other governmental programs, such as health, education, and care for the elderly.

Even with this strong Tribal support for our program, our courts are still lacking. Our most recent BIA assessment of our courts identified the need to upgrade the Court's technology, improve the Tribal Court building's security. We recommend Congress fully fund Tribal Courts base funding levels to meet the budget model provided by the BIA.

[This statement was submitted by Dr. Aaron A. Payment, Chairperson of the Sault Ste. Marie Tribe of Chippewa Indians.]

PREPARED STATEMENT OF SEATTLE INDIAN HEALTH BOARD

Chair Pingree, Ranking Member Joyce, and members of the House Committee on Appropriations—Subcommittee on Interior, Environment, and Related Agencies, my name is Esther Lucero. I am Diné, of Latino descent, the third generation in my family to be living outside of our reservation, and I strongly identify as an urban Indian. I serve as the President & Chief Executive Officer of the Seattle Indian Health Board (SIHB), one of 41 Indian Health Service (IHS) designated urban Indian organizations (UIO) nationwide serving the 76 percent of American Indian and

Alaska Native (AI/AN) people residing in urban areas.[1] I have had the privilege of serving SIHB for 6 years and have been providing testimony to this subcommittee for the past 4 years. I am honored to have the opportunity to submit my testimony today, including a request of $949.7 million to the Urban Indian Health line item to address the chronic underfunding of the Indian healthcare system and support our communities' adjustments to live alongside the COVID–19 pandemic.

SUPPLEMENTAL FUNDING FOR URBAN INDIAN ORGANIZATIONS

I would like to extend our gratitude to the subcommittee for the record investments in the Indian healthcare system through COVID–19 supplements, which included $414 million for the 41 UIOs nationwide. SIHB was awarded $37 million in COVID–19 supplements captured by a diverse stream of funding from the Public Health Service and Social Services Emergency Fund, the Centers for Disease Control and Prevention (CDC), Substance Abuse and Mental Health Services Administration (SAMHSA), and the Health Resources and Services Administration (HRSA). As you know, UIOs have historically never received facilities dollars. These investments supported SIHB's ability to enhance our facility to create a COVID–19 safe environment for our relatives (patients) and our staff. We are also proud to say that we did not have to furlough or layoff staff through the pandemic and we have kept our services open to meet the needs of our people. We have been identified as true leaders in our community-centered approach to COVID–19 testing and vaccination distribution, which never would have occurred without these supplemental funds.

Additionally, I would like to thank the subcommittee for the passage of the American Rescue Plan Act (ARPA) which included the temporary extension of 100 percent Federal Medical Assistance Percentage (FMAP) to UIOs, amended the UIO line item for funds to be utilized for minor renovations, and addressed the "Four Walls" issue to allow for services outside of Tribal facilities. These inclusions are critical to improving the quality of healthcare service delivery to AI/AN communities nationwide. In Washington State, we successfully advocated to have the 100 percent FMAP cost-savings allocated into a budget line item that will support our work in documenting our Traditional health services as billable services. This allows us to serve our relatives in a culturally attuned manner and ensures that our Indigenous epistemologies are treated in parity with western care methods.

ADVANCE APPROPRIATIONS & MANDATORY SPENDING FOR THE INDIAN HEALTHCARE SYSTEM

I am thankful for members of the subcommittee for supporting S. 2985 Indian Programs Advanced Appropriations Act, to authorize advance appropriations for IHS. This can mitigate the potential for unsavory administrations to inflict us with government shutdowns. However, IHS has failed to submit a budget proposal to Congress, creating an administrative barrier to moving forward with this legislative act.[2]

To address this concern, I would like to request Congressional advocacy to immediately appoint an IHS Director capable of submitting a budget proposal that outlines the necessary structure and incremental funding approaches for the Indian healthcare system to reach full funding levels. In previous recommendations to the subcommittee, SIHB had requested the Secretary of Health and Human Services (HHS) oversee IHS submitting the budget proposal. In combination, the IHS budget proposal and advanced appropriation bill will strengthen the Indian healthcare system to avoid susceptibility to Continuing Resolutions (CR) and government shutdowns.

I also urge the subcommittee to support the proposed President's Budget for Fiscal Year 2023 which includes $9.1 billion in mandatory spending for IHS. Historically, the Indian healthcare system has been significantly affected by CRs and government shutdowns. In the midst a pandemic, I find it frustrating that we were dependent on a CR for fiscal Year 2022 until March 2022. CRs harm the daily operations of UIOs and threaten the continuation of our services, programs, and activities offered to our relatives. In the previous administration, the government shutdowns closed IHS facilities, delayed our relatives' access to critical healthcare services, and in some cases resulted in death of community members. If we had not re-

[1] U.S. Census Bureau. (2021). County Population by Characteristics: 2010–2020. https://www.census.gov/programs-surveys/popest/technical-documentation/research/evaluation-estimates/2020-evaluation-estimates/2010s-county-detail.html

[2] To accompany H.R. 4372–117th Congress. (July 6, 2021). Department of the Interior, Environment, and Related Agencies Appropriations Bill, 2022. https://www.congress.gov/117/crpt/hrpt83/CRPT–117hrpt83.pdf

ceived generous donations from community partners, we would have had to close our entire Elders' program. Mandatory spending and advance appropriations can support the long-term planning and quality of healthcare delivery provided by the Indian healthcare system at large.

OPTIMIZING 100 PERCENT FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP)

I encourage the subcommittee to support permanent reauthorization of urban Indian health parity. Congress recently passed a 2-year temporary extension of 100 percent FMAP to UIOs through ARPA. Through our collaborative efforts with Tribal and state partners, Federal cost savings have been captured into Washington State's Indian Health Improvement Reinvestment Account. The 2-year pilot will bring in an estimated $18 million for health programs, activities, and services provided to AI/AN communities.

Following the overwhelming success of the FMAP reinvestment, SIHB received SAMHSA Block Grant funds to implement a first-of-its-kind Traditional Indian Medicine (TIM) Parity Pilot. The pilot program seeks to demonstrate TIM's impact on improving health outcomes and increasing cost savings when sufficiently integrated into a blend of Western and culturally attuned services. SIHB's pilot will credential and privilege our TIM practitioners and assign Electronic Health Record (EHR) codes for TIM services within existing behavioral health billing models. TIM encounters will be documented within our EHR system and evaluated by our research division—Urban Indian Health Institute (UIHI). Our final report on the pilot will be shared with Tribal, government, and community partners to encourage the reimbursement of traditional programs nationally.

Blending TIM services with Western healthcare is essential to improving our relative's health outcomes and reducing health disparities. In 2021, our TIM services had over 39,000 encounters with the highest service areas including blessings, educational and cultural programing, and group talking circles. Despite the positive health impacts of TIM services, the absence of third-party reimbursement or other funding mechanisms continues to be a substantial barrier to AI/ANs accessing TIM services.

INCREASED DEMAND FOR BEHAVIORAL HEALTH ACCESS & WORKFORCE DEVELOPMENT

I applaud President Biden's recent recommendation to increase funding for behavioral health prevention, treatment, and harm reduction services, including targeted investments in culturally attuned services.[3] AI/AN people are disproportionately represented in poor behavioral health outcomes, including higher rates of behavioral health conditions such as mental health, substance use, and suicide.[4] Mounting stressors and grief related to COVID–19, have shown increasing national rates of substance use disorder (SUD) before and during the pandemic[5] yet the access to behavioral health providers is lacking, especially in AI/AN communities. I ask the subcommittee to support workforce initiatives that support the Indian healthcare system including dual credentialing of our behavioral health providers and increasing administrative activities under the IHS Loan Repayment Program (LRP).

To address the shortage of behavioral health providers, I would like to request Congressional support to mirror the Veterans Benefits Administration (VBA) dual certification process of behavioral health and mental health providers for the Indian healthcare system. I have recently spoken to IHS, who has stressed this is a legislative fix that can increase incentives for providers to join the Indian healthcare system. To address the growing need for SUD treatment, SIHB offers out-patient behavioral health services and is in the process of acquiring a facility for a 92-bed inpatient facility. Dual certification can support our soon to open in-patient facility that will increase the local behavioral health workforce and include services for pregnant and parenting adults, offer Medically Assisted Treatment, operate a full-service clinic with pharmaceutical services, and offer culturally attuned services for whole-person care.

I also believe adjusting the IHS LRP can increase leadership skills for providers. Currently, IHS LRP contracts outline clinical practice as. 8 Full Time Employee (FTE) practicing direct inpatient or outpatient care and. 2 FTE performing practice-

[3] President Biden's State of the Union Address. (March 2022). Retrieved from: https://www.whitehouse.gov/state-of-the-union-2022/

[4] U.S. Department of Health and Human Services—Office of Minority Health. (2021). Mental and Behavioral Health - American Indians/Alaska Natives. Retrieved from: https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=4&lvlID=39

[5] Centers for Disease Control and Prevention. (December 2020). COVID–19 and People at Increased Risk. Retrieved from: https://www.cdc.gov/drugoverdose/resources/covid-drugs-QA.html#risk-severity

related administrative activities. Many times, participants in the IHS LRP go on to fill critical leadership roles within the Indian healthcare system but feel unprepared to fulfill the required roles and duties of leadership positions. To address this gap, I suggest increasing administrative activities to. 3 FTE and reducing clinical time to. 7 FTE to ensure providers learn how to manage clinical operations.

Collectively, these two initiatives can address the Indian healthcare systems vacancies and provide necessary incentives to support recruitment and retention of healthcare professionals. I also support the National Tribal Budget Formulation Workgroup recommendation to invest $1 billion to the Indian healthcare workforce development program to address the chronic and pervasive health care provider shortages.

INFRASTRUCTURE FOR THE INDIAN HEALTHCARE SYSTEMS

I am grateful for the facilities fix in ARPA allowing UIOs to utilize our single line item for facility improvement, but this amendment is not enough. Recently, the Indian healthcare facility construction need grew from $14.5 billion in 2016 to $23 billion in 2021.[6] UIOs continue to face severely aged, inefficient, and overcrowded healthcare facilities that are not equipped to meet the rising healthcare demands.

I want to echo our UIO partner's request[7] and encourage Congress to invest $100 million in future infrastructure packages to address the immediate needs of UIO facilities including construction, maintenance, equipment, and other facility needs.

IMPROVING HEALTH EQUITY THROUGH URBAN CONFERS

Lastly, I would like to request members of the subcommittee support of H.R. 5221 Urban Indian Health Confer Act. H.R. 5221 will allow UIOs to be part of the decision-making process with Federal health agencies, while increasing transparency between UIOs and HHS. Urban confers address key challenges for AI/AN and have the potential to increase culturally responsive services and quality of health service delivery to AI/AN populations. Urban confer mechanisms can also guide preventive measures to address chronic health conditions, diseases of concern, and public health emergencies. The passage of H.R. 5221 will support the requests made in this testimony including advocacy for 100 percent FMAP, behavioral health workforce initiatives, infrastructure, and support equitable decision-making on the allocation of resources provided to the Indian health care system.

[This statement was submitted by Esther Lucero (Diné), President & CEO, Seattle Indian Health Board.]

PREPARED STATEMENT OF SELF-GOVERNANCE COMMUNICATION & EDUCATION TRIBAL CONSORTIUM

On behalf of SGCETC, I am submitting this written statement regarding funding priorities for the fiscal Year 2023 budgets for the Departments of the Interior's (DOI) Bureau of Indian Affairs (BIA), Health and Human Services' (HHS) Indian Health Service (IHS) and Environmental Protection Agency (EPA).

The fiduciary responsibilities of the United States to Tribal Nations arise from commitments made in treaties and agreements, in exchange for which Indians relinquished vast tracks of homelands and resources.[1] More than 380 Tribal Nations have entered into Self-Governance agreements with the DOI and/or IHS to transfer Federal resources and programs from Federal to Tribal administration to better serve the needs of their citizens and communities. Tribal Nations that elect to administer Federal programs through Self-Governance agreements know that increased Tribal control and decision-making authority results in improved social and economic wellbeing at the local level.

Tribal Nations assuming administration over programs once administered by Federal agencies, do so knowing that this does not abrogate the Federal Government's treaty and trust obligations. It empowers Tribal governments as sovereign nations to best determine the needs of their citizens and communities while bolstering Trib-

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[6] Indian health Service. (2021). Indian Health Service All Tribal and Urban Indian Organizations Leader Call presentation. Retrieved from: https://www.ihs.gov/sites/newsroom/themes/responsive2017/display__objects/documents/2021__Speeches/IHSJulyTribalLeaderandUIOLeaderCallJuly2021.pdf.

[7] NCAI. (April 13,2021). RE: Indian Country Infrastructure Legislative Proposal. Retrieved from: https://ncai.org/NCAI__Indian__Country__Infrastructure__Letter—-FINAL__Update-.pdf.

[1] Pub. L. No. 114–178, § 101, 130 Stat. 432 (2016) (codified at 25 USC § 5601).

al economies and job creation for Indian country and surrounding non-Native communities. As such, we offer the following recommendations:

INCREASE BASE BUDGETS AND RECURRING FUNDING FOR INDIAN PROGRAMS AND REDUCE RELIANCE ON GRANT FUNDING

Across the board, Federal Indian programs are significantly underfunded. The lack of adequate funding puts the lives of Tribal citizens at risk and limits the services provided by Tribal governments. Increases in base budgets for Indian programs will allow Tribes to fund core Tribal government programs and will provide an opportunity for additional Tribal Nations to participate in Self-Governance.

SGCETC supports the growing sentiment expressed by Tribal Nations that we do not want our funding sources to be increasingly supplemented by grants. Short-term competitive grants hinder Self-Governance because it creates uncertainty in planning, imposes extensive regulations and reporting requirements, and restricts the use of indirect costs. Tribal Nations are not non-profit organizations and should not be treated as such. The signers of the over 400 treaties between Tribal Nations and the United States did not sign with the intent of being dependent on grants. Lives were not lost, nor land ceded for our needs to be dependent on a successful grant application package review.

RECLASSIFY SECTION 105(L) LEASE COSTS AS MANDATORY SPENDING

Pursuant to the Indian Self-Determination and Education Assistance Act (ISDEAA), most Tribal Nations now administer programs that were previously administered by the Federal Government, which results in the need for Tribal facilities to house these programs. Section 105(l) of the ISDEAA, 25 USC § 5324(l), provides that the Secretaries of DOI and HHS must enter into leases with an Indian Tribe or Tribal organization for the administration and delivery of services under the ISDEAA. Section 105(l) requires both Secretaries to compensate each Indian Tribe or Tribal organization for lease costs, including rent, depreciation, operation and maintenance, and other reasonable expenses. The Maniilaq Assn's v. Burwell decisions in 2014 (72 F. Supp. 3d 227 (DDC 2014)) and 2016 (70 F. Supp. 3d 243 (DDC 2016)) upheld this Federal responsibility, and Tribal Nations are now entering into lease agreements with both DOI and HHS to compensate for the use of Tribal facilities for ISDEAA services.

Tribal Nations commend the Federal Government's recognition of its obligation to fully fund 105(l) leases. The next step in fostering this progress is by reclassifying Section 105(l) lease funding from discretionary to mandatory spending.

RECLASSIFY CONTRACT SUPPORT COSTS (CSC) AS MANDATORY SPENDING

ISDEAA obligates the Federal Government to provide Tribal Nations with the necessary funding to ensure that a Tribal Nation has the resources to contract or compact Federal programs. In 2005 and 2012, the Supreme Court confirmed that the ISDEAA requires full payment of CSC to each contractor even when Congress caps CSC appropriations at a level insufficient to fully pay all contractors.[2]

Despite the progress realized, Congress still funds CSC as a discretionary appropriation which creates an environment of competition with other programs funded in the agencies' discretionary budget. Additional progress cannot be achieved, in this matter, until CSC is not required to compete against funding for Indian programs. The way to remove this element of competition is to appropriate CSC on a mandatory basis.

INSTITUTE ADVANCE APPROPRIATIONS FOR THE INDIAN HEALTH SERVICE (IHS)

The Indian Health Service has historically operated in an environment of unpredictable funding. This instability has proven to be an obstruction to the delivery of high-quality, treaty obligated services to citizens of many Tribal Nations. Despite funding uncertainties, the individuals operating the healthcare delivery system comprised of the IHS, Tribal health programs, and urban Indian health organizations have been relentless in their efforts to provide high-quality, comprehensive services. Just imagine what they could do with access to predictable funding that allows for them to plan service delivery more effectively.

Funding predictability can be provided by offsetting the fact that these services are funded on an annual basis through the appropriations process with authorizing advance appropriations for the IHS. One of the most recent examples of unpredict-

[2] Cherokee Nation of Okla. v. Leavitt, 543 US 631 (2005); Salazar v. Ramah Navajo Chapter, 567 US 182 (2012)

able funding is the partial shutdown which occurred from late 2018 to early 2019. There is no doubt that the 35-day disruption in critical services and employee pay exacerbated the state of the already fragile healthcare services provided throughout Indian Country.

During this trying time, citizens who depend on the Indian health system, whether IHS or Tribal, for care experienced negative health outcomes, including premature death. Additionally, Indian health system employees faced the emotional distress associated with loss of wages during furlough. Some employees were directed to work without pay because they have been classified as "essential" employees. These types of work environments create an elevated level of stress for employees, which, without a doubt, has a severe and detrimental impact on the quality of care provided to patients.

As a matter of fact, on September 13, 2018, the Government Accountability Office (GAO) issued a report titled "Indian Health Service: Considerations Related to Providing Advance Appropriation Authority" (GAO–18–652). This report confirms the challenges the current IHS appropriations process has on the delivery of health care to American Indian and Alaska Native populations and how advance appropriations can alleviate these challenges.

GAO notes in their report that the IHS budget has been enacted by the start of the fiscal year only four times in the last 40 years. This means that IHS and Tribal health providers are left scrambling to manage budgets with only short-term funding through continuing resolutions. Advance appropriations will allow IHS and Tribal health programs the assurance of funding to effectively administer health programs, thereby increasing access and improving the quality of care provided to American Indian and Alaska Native populations. Advance appropriations for the Indian health system would promote greater stability in services and facilities management and improve budgeting, retention, and recruitment of health professionals.

These types of worst-case scenarios can be avoided, and lives can be saved by authorizing full advance appropriations for the Indian health system.

Therefore, we humbly request your support for IHS advance appropriations for fiscal Year 2024 in the fiscal Year 2023 appropriations bill. We request support for standalone legislation that would establish advance appropriations for the IHS.[3]

SUPPORT THE EXPANSION OF TRIBAL SELF-GOVERNANCE AUTHORITY IN EPA

Tribal Nations have proven their ability and effectiveness administering Federal programs that provide services to their citizens and communities. Now is the time to support expansion of this successful approach for the delivery of Federal programs and resources to Tribal communities beyond just the Department of the Interior, IHS, and Department of Transportation. We request that the Committee includes funding for a Tribal-Federal workgroup on the feasibility of expanding Self-Governance to EPA and how such authority would be implemented, possibly as demonstration projects.

Thank you for the opportunity to share our recommendations with the subcommittee.

[This statement was submitted by W. Ron Allen, President, Board of Directors, Communication & Education Tribal Consortium (SGCETC) and, Tribal Chairman/CEO, Jamestown S'Klallam Tribe.]

PREPARED STATEMENT OF THE SEVILLETA NATIONAL WILDLIFE REFUGE

This testimony is being submitted on behalf of the Amigos de la Sevilleta, which was formed in 1997 to support the Sevilleta National Wildlife Refuge.

The Amigos de la Sevilleta appreciates the opportunity to offer comments on the fiscal Year 2023 Interior Appropriations bill.

We would like to focus our testimony on the value that increased Refuge funding would bring to the Sevilleta National Wildlife Refuge (which is of course just one of many spectacular National Refuges). Sevilleta is one of the largest Refuges in the lower 48 States. Its 230,000 acres include four different biomes that intersect and support a high level of biological diversity. The Refuge is unique in that it was set aside "to preserve and enhance the integrity and the natural character of the ecosystems of the property by creating a wildlife refuge managed as nearly as possible in its natural state." The Refuge is not managed for specific wildlife species, but in-

[3] See HR 5549 (sponsored by Rep. Young (R–AK)). Two other bills, HR 5567 and S. 2985 would create advance appropriations for IHS and the Bureau of Indian Affairs and Bureau of Indian Education.

stead focuses on restoring natural processes by means of controlled burns of invasive vegetation, and tree restoration, and removal of domesticated animals that still can be found on the refuge.

This huge Refuge is currently operated by only 5 people: the Refuge Manager, a Biologist, a Visitor Services Manager, and two maintenance workers. The Amigos helps by providing volunteers to supplement the staff, as well as contributing limited funds. We also organize events to introduce the public to the trails and Visitor Center. Unfortunately, due to limited refuge staff, the Visitor Center is only open three days a week, disappointing visitors who travel to the refuge when the Center is closed.

The Amigos therefore urge that the National Wildlife Refuge System be fully funded, with adequate maintenance, biological, hunting, fishing, environmental education, and interpretation programs. Our testimony reflects our desire to reach this full funding goal over the next few years, and we ask that you work towards $712 million in annual funding. $712 million reflects the loss of over 1,000 staff in the last decade from the System.

[This statement was submitted by Colin Barnett, President, Amigos De La Sevilleta.]

PREPARED STATEMENT OF SHOALWATER BAY TRIBE

RECOMMENDATIONS

1. Provide increased funding for climate change mitigation efforts including community relocation programs in fiscal Year 2023
2. Work with others in Congress and the Administration to facilitate the mandatory trust acquisition of fee lands where a Tribe is undergoing forced relocation due to climate change and other threats
3. Create funding opportunities for Tribal and intergovernmental agreements for infrastructure between federal, State, local and Tribal governments
4. Provide full funding and advance appropriations for the Indian Health Service (IHS).
5. Fund Critical Infrastructure investments for the Indian health system
6. Ensure mandatory funding for Contract Support Costs and 105(l) lease payments
7. Amend Indian Self-Determination and Education Assistance Act to Clarify CSC provisions

Thank you Chairman Merkley, Ranking Member Murkowski, and Members of the subcommittee for the opportunity to share our funding priorities for the fiscal Year 2023 Federal budget. My name is Charlene Nelson, and I am the Chairwoman of the Shoalwater Bay Indian Tribe on the beautiful north shore of Willapa Bay, facing out to the Pacific Ocean. Similar to most coastal Tribes, we are stewards of the great ocean. As the Chairwoman of the Tribe, and in my former career as an educator and commercial fisherman, I have learned firsthand that vibrant and successful Indian communities are not possible without first attending to the human health of the community members and also ensuring the health of the environment. The following testimony will provide information about our community's urgent need to relocate in the face of the climate crisis, and support additional funding for climate resiliency programs. The testimony also outlines priorities for the IHS budget in fiscal Year 2023. Like many Tribal communities we continue to be impacted by the growing challenge of climate change on our environment. Threats such as flooding, erosion, ocean acidification, increased wildfires, extended drought, and changes in seasons all contribute to the serious challenges that Tribal communities currently face. We encourage the committee to provide increased funding for climate change activities targeted at Tribal communities in fiscal Year 2023.

We appreciate $32 million in Tribal Climate Resilience funding contained in the fiscal Year 2022 omnibus appropriations legislation (H.R. 2471), which includes $8 million for Tribal relocation grants. We also appreciate the $216 million in funding provided to the BIA in the Infrastructure Investment and Jobs Act (Public Law 116–58) for "Tribal climate resilience, adaptation, and community relocation planning, design, and implementation of projects which address the varying climate challenges facing Tribal communities across the country." However, while these opportunities are appreciated, they are limited. The problems facing Tribal communities due to climate change are immense. We appreciate the $21 million proposed by the Bureau of Indian Affairs for fiscal Year 2023 for those with need to relocate. We urge this Committee to provide significantly increased funding for climate change resilience

and mitigation in fiscal Year 2023, as the challenges we—and many Tribal communities—face will require significant investment. To fail to do so, is tantamount to being complicit in the disappearance of our lands, our people, and our way of life.

SHOALWATER BAY TRIBE AND CLIMATE CHANGE

Indian Tribes and Alaska Natives are on the front lines of climate issues because, unlike many others in our society, we are rooted to our ancestral homelands. Our lands are us, and we are our lands and waters. If things change due to climate instability-flooding, habitat loss, diminished drinking water, incapacity to engage in subsistence activities-we have nowhere else to go.

We are a Pacific Northwest coastal Tribe and all of our housing and government buildings are just 15 feet above sea level. Partial Federal funding, and a Tribal relationship with the Army Corps of Engineers, has led to construction of an embankment in the tidal zone portion of our Reservation, and adjoining lands, but was constructed using native sand and earthen materials, and is now washing away. We are told that with the advent of climate change, and the varying weather patterns and tidal effects, everything has been sped up. A single tsunami event would take out every home, our government, our economic development opportunities, and what defines us as Shoalwater people.

We need to move to higher ground to survive as a Tribe. Other coastal Tribes in our region have been in similar circumstances and Congress has come through with funding for relocation, recognizing the Federal trust responsibility. We have committed a lot of our limited resources—both financial and time—to planning for and preparing for the necessary changes to keep our people alive. Fortunately, some of the land adjacent to our reservation is suitable for this. Using Tribal funding, we have purchased 1,200 acres of land at 250 feet above sea level for the relocation of our Tribal village. But this is raw land and there are only dirt roads. We are tapping out our only reserves to meet these exigent needs. Based on erosion and other projections, this needs to happen immediately.

This support will not just impact our Tribal community, but will support the two counties in our area, both of which have some of the highest rates of poverty in the state. The Shoalwater Bay Tribe is now one of the biggest employers in the county, so support for our Tribe equals support for the entire area. Many of the current key roads are merely a few feet above sea level, so planning for alternate roads is already a critical need for the whole area. The Tribe has formal support for this project from the Pacific Board of County Commissioners; Economic Development Council of Pacific County; and Tokeland-North Cove Chamber of Commerce.

I would urge the Committee to consider the Federal trust responsibility to Tribes and make a commitment that there if and when there are Tribal climate refugees-dispossessed of their lands and waters by climate change-Congress will use its plenary power over Indian and Alaska Native matters to rebuild ancestral homelands. The Shoalwater Tribe can be a test case, establishing how Tribal and Federal resources can relocate a Tribal community to a new, more resilient location.

CONGRESSIONAL ASSISTANCE

Our Tribe does not have the land base we will need to support us indefinitely. We will need Federal funding for land acquisition, replacement of roads, utilities, three essential government buildings, and 80 homes. In total, we believe the project would cost approximately $120 million. This total includes $70 million for roads and utilities, $17 million for government buildings and $33 million for homes.

But we do not just need funding. We urge you to work with your colleagues in Congress and the Administration to facilitate the mandatory trust acquisition of fee lands where a Tribe is undergoing forced relocation due to climate change, erosion, flooding, tsunami, and other threats to its existing Reservation and trust land base. Tribes should not have to go through a lengthy and expensive fee to trust process for relocation land acquisition, which, by definition will be an off-reservation acquisition for most Tribes. We are encouraged by recent actions of the Department of the Interior and Bureau of Indian Affairs to examine the land into trust process, especially when it comes to issues around climate change for Tribal communities. However, Congressional support for such actions is critical.

Congress can also create legislation and funding opportunities for Tribal and intergovernmental agreements for infrastructure between federal, State, local and Tribal governments to make the changes needed to help our communities survive in the face of climate change. The Department of Transportation, for example, will often not release emergency funding for road infrastructure until an existing road completely fails. If that occurs with Washington SR 105, which runs through our Reservation, it will cut the Tribe off from its schools, banks, closest groceries, and

many of its employees from their homes, among other impacts. Congress can change these rules to allow for substantial road replacement funding in advance of an existing route becoming impassable. Any funding of this nature should be non-competitive, and be provided directly to Tribal governments without matching fund requirements.

Infrastructure investment for land acquisition, road and building construction, and rebuilding economic development opportunities will not only assist the Tribe, but will also support the local economies of Pacific and Grays Harbor counties. A new road system will be a resilient, and necessary coastal connection for the two counties, so it will be a true investment that will create returns. The cost of us not finding the support to relocate our village is the highest cost any community can pay—sea level rise will mean the annihilation of our Tribal community and culture. Even if we physically survive as individuals by relocating off of traditional lands, it will mean the erasure of our Tribal culture.

INDIAN HEALTH SERVICE PRIORITIES

Full Funding for the Indian Health Service. We with support from the IHS, we strive to provide Alaska Natives and American Indians with access to high quality and comprehensive medical services, no more so than during the ongoing pandemic. The Indian health system has navigated unimaginable hardships related to supplies, staffing levels, infrastructure and facilities, and high rates of underlying conditions in serving our people at this time. We sincerely appreciate the work that this committee has undertaken—on a bipartisan basis—to provide funding increases for IHS year after year. However, more must be done for the United States to honor its trust and treaty obligations to Tribal Nations.

The IHS Tribal Budget Formulation Workgroup has calculated the need at $49.8 billion for full funding. The Workgroup supports fully funding this amount in fiscal Year 2023.[1]

Support for Mandatory and Advance Appropriations for IHS. We appreciate the Biden Administration's proposal to provide mandatory funding for IHS and increase funding over 10 years. Reclassifying the IHS budget as mandatory spending not only reflects the nature of the trust and treaty obligations to Tribal Nations, but also will allow IHS to be funded at a level that is necessary for providing health care to AI/ANs. As noted in the President's budget request, "Mandatory funding for the IHS provides the opportunity for significant funding increases that could not be achieved under discretionary funding caps."[2] The proposal outlined in the President's Budget request is a good start, but must be developed in partnership with Tribal Nations. We stand ready to work with you and IHS to further develop this proposal so that it provides adequate funding for IHS and fully honors Tribal self-determination and self-governance.

However, if full mandatory appropriations cannot be achieved for fiscal Year 2023, we continue to support IHS advance appropriations for the short term. For many years, Tribes have requested that IHS appropriations be funded on an advance appropriations cycle. Funding delays make it impossible for IHS and Tribal health programs to plan and manage their annual budgets. Congress recognized these challenges when it provided the Veterans Administration with advance appropriations over a decade ago. Yet, IHS still waits for parity. In fiscal Year 2022, we did not receive our full funding amount until almost halfway through the fiscal year. The practical implication of this is that our health systems do not have the ability to plan our finances even weeks ahead, as we do not know what our funding level will be. Full advance appropriations for the IHS would lead to better stability for our health system, improve provider recruitment and retention, and improve practices over all. We appreciate President Biden's support for IHS advance appropriations in his fiscal Year 2022 budget request to Congress and the support of many members of this subcommittee on IHS advance appropriations. We urge the Committee to take the necessary steps in the fiscal Year 2023 appropriations bill to move/continue IHS to an advance appropriation for fiscal Year 2023 and beyond.

Mandatory Funding for Contract Support Costs and 105(l) lease payments: If Congress is not able to enact full mandatory funding for IHS this year, we continue to support mandatory funding for Contract Support Costs (CSC) and 105(l) leases. We appreciate the subcommittee's commitment to ensuring that Contract Support Costs (CSC) and 105(l) lease costs are fully funded by including an indefinite discretionary

[1] Full recommendations are available here: https://www.nihb.org/docs/02072022/FY percent202023 percent20Tribal percent20Budget percent20Formulation percent20Workgroup percent20Recommendations percent20Vol percent201.pdf

[2] Department of Health and Human Services, Fiscal Year 2023, Indian Health Service, Justification of Estimates for Appropriations Committees, p. CJ–3.

appropriation in fiscal Year 2021 for both of these accounts However, changing these accounts to mandatory appropriations in fiscal Year 2023 would bring appropriations process into line with the clear legal requirements of the authorizing statute. CSC and 105(l) lease funds are already an entitlement under substantive law for the ISDEAA to function as intended by Congress. It is contradictory and problematic to appropriate funding for CSC on a discretionary basis.

Amend Indian Self-Determination and Education Assistance Act to Clarify CSC provisions: We also request that the committee consider amending the Indian Self-Determination and Education Assistance Act (ISDEAA) to clarify that when agency funding paid to a Tribe for program operations is insufficient for contract and compact administration, contract support costs will remain available to cover the difference. In the recent court decision Cook Inlet Tribal Council, Inc. v. Dotomain,[3] a Federal appeals court held that costs for activities normally carried out by IHS are ineligible for payment as CSC-even if IHS transfers insufficient, or even no, funding for these activities in the Secretarial amount. Under this new ruling, if facility costs are higher for a Tribe than for IHS, the Tribe is forced to cover the difference by diverting scarce program dollars. Recently, this serious misinterpretation of the ISDEAA that has been applied to one Tribal organization resulting in a 90 percent reduction of contract support costs reimbursement threatens Tribal self-governance and self-determination. Therefore, we call upon Congress to provide a legislative fix to clarify the intent on Congress for this matter, and ensure consistency with precedent.

[This statement was submitted by Charlene Nelson, Chairperson, Shoalwater Bay Tribe.]

PREPARED STATEMENT OF THE SOCIETY FOR AMERICAN ARCHAEOLOGY

The Society for American Archaeology (SAA) once again appreciates this opportunity to present its recommendations for Fiscal Year 2023 cultural resources program appropriations for the Department of Interior and USDA Forest Service. I am Dr. Deborah Nichols, president of the Society.

The SAA is an international organization that, since its founding in 1934, has been dedicated to research about and interpretation and protection of the archaeological heritage of the Americas. With more than 5,500 members, the SAA represents professional and avocational archaeologists, archaeology students in colleges and universities, and archaeologists working at Tribal agencies, museums, government agencies, and the private sector. The SAA has members throughout the United States, as well as in many nations around the world.

The members of the SAA thank the subcommittee for supporting an increase in funding for Federal cultural resources programs in fiscal Year 2022. These Federal and federally supported programs, created under the National Historic Preservation Act (NHPA), the National Environmental Policy Act (NEPA), and other key statutes and funded through annual appropriations, constitute the foundation of historic and cultural preservation activities in the United States. These activities comprise the principal means of preserving and protecting our Nation's irreplaceable historic, archaeological, and cultural treasures. In addition to ensuring Americans can learn about and enjoy the artifacts and knowledge of America's history, funding Federal archaeology programs facilitates economic growth and infrastructure project delivery.

Given the above, our testimony for fiscal Year 2023 emphasizes the message that we have expounded on over the past several years-in order for federally based historic preservation to work effectively, it must have the necessary staffing and resources. This year, several circumstances expand the need for funds.

DEPARTMENT OF THE INTERIOR-INCREASED ARCHAEOLOGIST STAFF: $10 MILLION

As we noted last year, Federal archaeologists perform a huge number of important tasks, including reviews under Section 106 of the NHPA for federally funded projects, projects requiring a Federal permit, or projects on Federal lands; conducting surveys for historic and cultural resources under Section 110 of the NHPA; protection of archaeological sites and materials under the Archaeological Resources Protection Act (ARPA); preservation and repatriation of highly sensitive cultural and spiritual Tribal objects under the Native American Graves Protection and Repatriation Act (NAGPRA); consultation with Indigenous and descendant communities on the effects of Federal actions on their cultural resources; development of con-

[3] Cook Inlet Tribal Council, Inc. v. Dotomain, 10 F.4th 892 (D.C. Cir. 2021).

tracts and cooperative agreements between Federal agencies and private firms or universities; technical assistance on archaeological matters; coordination and management of volunteers helping to preserve cultural sites; and curation of Federal archaeological collections.

At present, the Federal archaeological workforce, across many departments and agencies, lacks a sufficient number of people on staff (fewer than 1,400 in all) to carry out its current and future statutorily required responsibilities. The situation will become even more serious when you factor in the skyrocketing increase of projects authorized under the Great American Outdoors Act (GAOA) and the Bipartisan Infrastructure Law. Another concern must be addressed-climate change threatens archaeological sites. For instance, Jamestown, the first English settlement in North America, is experiencing flooding due to rising coastal water levels. The multiyear drought in the West has severely depleted many federally controlled reservoirs such as Lakes Mead and Powell. Lower water tables expose many previously submerged archaeological sites to the danger of erosion from the elements, as well as the threat of looting. ARPA, the NHPA, and NAGPRA require the protection and proper management of these sites and whatever objects they contain. The NPS, the Bureau of Reclamation, and other DOI agencies need more archaeologists to protect these vulnerable public cultural resources.

The SAA recognizes that correcting the situation will require a multiyear effort. It is critical that this begin sooner rather than later. We request an additional $10 million in fiscal Year 2023 for Interior archaeologist positions.

NATIONAL PARK SERVICE-NATIONAL RECREATION AND PRESERVATION CULTURAL PROGRAMS: $36 MILLION

When most people picture our National parks, they envision the parks' natural and recreational aspects. Though less visible, but equally vital to the public mission, we urge you to remember that the overwhelming majority of our Nation's parks also contain historical and cultural sites, including sacred lands of deep meaning to Indigenous Americans and places that tell the story of America's development and more recent past. NPS National Recreation and Preservation Programs are vital for the technical assistance and other support they provide for resource protection within National Parks, to other Federal agencies, and to state, Tribal, and private sector stakeholders. These programs assist communities in preserving their significant historical and archaeological properties. The archaeological component identifies, documents, and inventories archaeological resources in parks; produces archaeological technical and programmatic publications; implements regulations for protecting archaeological resources; and assists other agencies through program development and training. The SAA appreciates the increase of $2.4 million in the final fiscal Year 2022 bill. In order to keep up with the rising cost of inflation, and to ensure that these programs keep pace with the compliance workload increases brought by the GAOA and the infrastructure law, the SAA requests a total of $36 million for fiscal Year 2023, an increase of $1.6 million.

NATIONAL PARK SERVICE-HISTORIC PRESERVATION FUND (HPF): $200 MILLION

The Historic Preservation Fund (HPF) provides crucial support to State (SHPO) and Tribal (THPO) Historic Preservation Offices and matching grants to nonprofits and local governments to preserve and document historic resources. Your local communities rely on these grants to attract tourism, retain a unique sense of place, and promote economic development. The HPF (among other programs) plays a crucial role in the ability of States and local municipalities to comply with the preservation system established by the NHPA-particularly with regard to Section 106 consultations. SHPOs and THPOs constitute the "front line" in the effort to preserve our cultural heritage. Their workloads have grown and will continue to expand.

We need to shine a spotlight on an especially dire shortfall. THPO's are particularly hard-pressed because there are 210 offices, and the fiscal Year 2022 omnibus bill appropriated a totally insufficient average of just $75,000 of annual funding per office. The HPF overall saw a record level of funding in the final fiscal Year 2022 bill, but SHPOs received only a $2 million increase. THPOs fared even worse ($1 million). These increases did not even account for the erosion of spending power due to inflation. We urge more resources for these offices to rectify this situation. The SAA strongly endorses the recommendations put forward by the preservation community for a total of $200 million for the HPF in fiscal Year 2023, of which $65 million would go to SHPOs and $34 million to THPOs.

BUREAU OF LAND MANAGEMENT (BLM)-CULTURAL RESOURCES MANAGEMENT: $21.8 MILLION

The BLM manages 245 million acres, which makes the agency the largest land manager in the United States. These lands contain an enormous number of known and as-yet-undiscovered cultural resources. To date, only 10 percent of BLM lands have been surveyed for cultural resources. As with the other programs mentioned here, the BLM needs resources so it can fulfill its statutory requirements to research, inventory, and protect the cultural resources under its control. In the fiscal Year 2022 final omnibus bill, the BLM Cultural Resources Management program received $20 million, an increase of $422,000. While appreciated, the many activities of BLM staff archaeologists require more funding so that this personnel may better continue their work to survey the lands they administer and identify the cultural resources therein, conserve archaeological sites and materials, and integrate cultural resources data through the National Cultural Resources Information Management System. In particular, new funding will enable the BLM to finally resolve the disruption and dysfunction that occurred in the cultural resources program under the last administration due to the relocation of many headquarters staff to offices in the West. That action resulted in the retirement or resignation of many staff members and was only reversed by Secretary of the Interior Haaland last year. The SAA requests an increase of $1.8 million for BLM Cultural Resources Management.

BUREAU OF LAND MANAGEMENT-NATIONAL LANDSCAPE CONSERVATION SYSTEM: $65.1 MILLION

The National Landscape Conservation System (NLCS), first established in 2000 and authorized by Congress in 2009, contains more than 35 million acres of National Monuments, Wilderness Areas, Wild and Scenic Rivers, and other sensitive lands. They include an extensive and diverse array of the Nation's archaeological and cultural resources. While the System received a much-needed increase of $3.4 million in fiscal Year 2022, more needs to be done to provide the level of preservation management and sound stewardship of the lands in the system. Investigation, research, and preservation needs remain great. In order to provide adequate management of these lands and the cultural resources they contain, the SAA strongly supports an allocation of $65.1 million for the program. This substantial increase would restore the NLCS to its record fiscal Year 2006 funding level, address the rise in inflation, and allow the BLM to bring to bear the resources necessary to carry out this essential mission.

NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT GRANTS: $2.3 MILLION

We reiterate the importance of the NAGPRA Grants Program to restoring culturally affiliated human remains, funerary objects, sacred objects, and objects of cultural patrimony to affiliated Native American Tribes and Native Hawaiian organizations. It serves a key role by helping facilitate cooperation between Tribes and museums to document covered items and realize their repatriation under the NAGPRA statute. The increase in the fiscal Year 2022 final bill, to a total of $2.1 million, was helpful. Nevertheless, with increasing numbers of THPOs and increasing numbers of Federally Recognized Tribes, demand for these grants is also surging, and inflation must also be taken into account. Given these realities, and the fact that some repositories still have not completed their inventories, the SAA urges another increase. We respectfully request that the National NAGPRA Grants Program receive $2.3 million for fiscal Year 2022, an increase of approximately $200,000.

US FOREST SERVICE-RECREATION, HERITAGE AND WILDERNESS: $115 MILLION

Most of the work carried out by the USFS heritage activities involves Section 106 compliance on Federal forest land. The Bipartisan Infrastructure Law will reportedly increase that workload by a factor of four. In order to address the situation, the USFS-apparently alone among Federal agencies-began the process of hiring archaeologists to ensure that these new undertakings comply with historic preservation statutes. It will take at least the next 4 years to bring this effort to a successful conclusion. Therefore, we recommend that $115 million be allocated to the Recreation, Heritage and Wilderness account, with $6 million dedicated to making these new archaeological positions permanent.

The SAA greatly appreciates your time and consideration of these important issues. Please contact us if you have any questions or concerns.

[This statement was submitted by Dr. Deborah Nichols, President of the Society.]

PREPARED STATEMENT OF THE SOCIETY OF AMERICAN FORESTERS

The Society of American Foresters (SAF) appreciates the opportunity to submit written public testimony to the Senate Committee on Appropriations, subcommittee on Interior, Environment, and Related Agencies regarding fiscal year 2023 appropriations. SAF recommendations focus on supporting programs at the USDA Forest Service (USFS) and the Department of the Interior (DOI), including the Bureau of Land Management (BLM).

SAF'S TOP FEDERAL PRIORITIES FOR FISCAL YEAR 2023

(1) Increased investment in the USFS Forest Inventory and Analysis (FIA) program to at least $32.4 million and the addition of a budget line item for FIA salaries and expenses.

(2) Increased investment in the USFS Research and Development programs to $82 million and continued support for the Joint Fire Science program.

(3) Increased investment in the Forest Products program to $47 million and the Roads program under Capital Improvement and Maintenance to $86 million to better support National Forest System lands and rural economies.

(4) Fully funding the Landscape Scale Restoration program at $20 million and increased investment in the Forest Stewardship program to $22 million.

(5) Permanently authorizing BLM's Forest Ecosystem Health and Recovery Fund.

Founded by Gifford Pinchot in 1900, SAF is the premier scientific and educational organization in the United States advancing and promoting science-based, sustainable management and stewardship of the Nation's public and private forests. SAF has over 9,000 members including public and private sector natural resource professionals, researchers, CEOs, administrators, investment advisors, educators, and students. As the professionals who study, manage, and care for our Nation's forest resources, we have a vested interest in ensuring their long-term health and sustainability.

Americans rely on the 751 million acres of public and private forests in the US to provide clean and abundant air and water, forest products, fish and wildlife habitat, recreational opportunities, carbon sequestration and storage, forage and range resources, energy, and scenic beauty. Continuing to sustainably manage our forests for these diverse benefits has become increasingly challenging due to unprecedented environmental threats. In particular, the climate change and biodiversity crises illustrate the need for continued investment in the forest sector.

While wildfires and carbon storage are likely the most topical issues in the public discourse surrounding forests today, a myriad of challenges faced by forestry professionals are intensifying under changes in climate (e.g., invasive pests, disease, species migration, water availability). In the face of these challenges, forestry professionals continue to create an adaptive suite of forest management solutions that balance resilience, ecological integrity, and natural resource economies. Implementing these solutions and ensuring the sustainability of our forests requires continued investment in our forestry professionals.

Healthy, viable forests are long-term investments. Funding for research, science, and technology is essential to building effective programming with sufficient workforce capacity to protect our forests for the future.[1] Furthermore, breaking the pattern of unresolved funding bills and continuing resolutions would be of tremendous help to our land managers. A commitment to consistent and timely budget and appropriations cycles from Congress and the Administration provides the certainty required for resource managers to plan for the upcoming field season and consider future years as well. This certainty will dictate management activities and allow managers to provide direction and instruction on deployment of resources to address critical needs.

SPECIFIC FISCAL YEAR 2023 REQUESTS

Forest and Rangeland Resources

Advances in research have highlighted the instrumental role that forests continue to play in mitigating the effects of climate change. For example, US forests and associated harvested wood products sequester nearly 15 percent of economy-wide CO2 emissions each year and store more than three decades of CO2 emitted from fossil

[1] Society of American Foresters. Forest Sector Research and Development. Last updated April 30, 2021.

fuels.[2] USFS Forest and Rangeland Resources is one of the critical bodies ensuring the longevity and resilience of our forests by advancing climate- smart, ecological management strategies across the landscape.[3]

FOREST INVENTORY AND ANALYSIS

Forestry professionals and a diverse array of stakeholders rely on the inventory data and analysis of America's forests provided by the Forest Inventory and Analysis (FIA) program. This critical information is needed to support sound policy and forest management decisions, both public and private, and is increasingly important for decisions regarding carbon stocks, sustainability, and new and expanding markets. The needs of our Nation's forests, coupled with the policy priorities of this Congress, make this an ideal time to significantly increase investment in this critical program. SAF recommends at least $32.4 million in program funding for FIA in fiscal Year 2023 and supports adding a budget line item that includes FIA salaries and expenses.

RESEARCH AND DEVELOPMENT

Investments in forestry research are essential for the future health and sustainability of the Nation's forests. Research conducted at the five USFS research stations, the International Institute of Tropical Forestry, and in the Forest Products Laboratory is crucial to: (1) developing new products and practical innovation; (2) identifying forest ecosystem disturbance responses and forest resilience; (3) responding to shifting social demands and demographic changes; (4) and quantifying the contributions of forests to air and water quality. Without USFS leadership, investigation of these critical research needs would largely be left unfulfilled. Using Federal investments that are leveraged in partnership with universities and private-public consortiums, important research questions, emerging threats, and potential opportunities are thoroughly researched and vetted. SAF recommends $82 million for the Research and Development program in fiscal Year 2023.

JOINT FIRE SCIENCE

SAF appreciates this subcommittee's commitment to continuing the important work of the Joint Fire Science Program (JFSP). SAF recommends funding for the JFSP at or above fiscal Year 2022 levels and asks the subcommittee to encourage active participation by DOI and USFS in prioritizing investment in fire research and decision support.

Capital Improvement and Maintenance

ROADS

Roads on National Forest System lands are vital infrastructure facilitating the use, enjoyment, protection, and long-term health of Federal lands. Properly maintained roads enable the agency to meet critical natural resource needs and provide safe access to public lands. Unfortunately, with annual appropriations not nearly matching the need, properly maintaining this vital infrastructure has become increasingly challenging. Deteriorating roads reduce access for recreation, firefighting, and resource management. Investments in these critical assets will create jobs in rural communities while also improving wildlife habitat, hunting and fishing opportunities, public safety, and resource management. SAF recommends $86 million for the Roads program in fiscal Year 2023.

National Forest System

FOREST PRODUCTS

The Forest Products program supports the agency's goals to foster resilient ecosystems, mitigate climate change and wildfire risks, and strengthen rural communities through timber sales and other removals of forest products. Increased investment would not only support a sustainable flow of wood fiber to markets but also launch more projects focused on removing small diameter, low-value material, and

[2] USDA Forest Service. Forest Inventory and Analysis National Program: Forest Carbon Science and Reporting. Retrieved March 3, 2022, from https://www.fia.fs.fed.us/forestcarbon/#::text=In percent20the percent20United percent20States percent2C percent20forests,CO2 percent20emitted percent2 0from percent20fossil percent20fuels.

[3] United States Department of Agriculture, Forest Service, Research & Development (2021). Research Improves Climate-Smart Management of America's Forests and Grasslands (Report No. FS–1175).

understory trees that are not commercially viable but need to be removed to reduce the risk of wildfire or improve forest health conditions. SAF recommends $47 million for the Forest Products program in fiscal Year 2023.

State and Private Forestry

LANDSCAPE SCALE RESTORATION

Landscape Scale Restoration (LSR) projects are key tools for States, in collaboration with the USDA Forest Service and other partners, to address the most critical forest priorities identified in each State's Forest Action Plan. The competitive grant process ensures innovative approaches to restoration work are proposed and priority is given to projects that further the advancement of State Forest Action Plans. Therefore, LSR contributes to achieving results across the landscape and making meaningful local, regional, and national impacts. SAF recommends full funding for the Landscape Scale Restoration program at $20 million in fiscal Year 2023.

FOREST STEWARDSHIP

The Forest Stewardship Program (FSP) equips private forest landowners with the unbiased, science-based information they need to sustainably manage their forests now and into the future, helping to keep forests as forests. On average, state forestry agencies and other partners match Federal investments 2:1, which means the impact of Federal dollars delivered through the FSP have amplified on-the-ground impacts. Increased Federal funding for FSP will allow state forestry agencies and forestry professionals to ramp up outreach efforts and provide additional technical assistance to landowners to ensure that private forestland acres are maintained and continue to provide a myriad of public benefits. SAF recommends $22 million for the Forest Stewardship program in fiscal Year 2023.

Department of the Interior-Bureau of Land Management

FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

Managing BLM forestlands is an important element of maintaining and improving the health and productivity of our Nation's public lands. The Forest Ecosystem Health and Recovery Fund (referred to as the 5900 Account by BLM) was originally established in 1993 to help BLM rapidly respond to forestlands damaged by wildfire, insects, and disease. Over the years, the authorization has expanded to include a wide range of proactive forest health treatments to reduce the risk of future damage as well as a variety of recovery activities including salvage and replanting.

The Forest Ecosystem Health and Recovery Fund is self-funded with receipts generated from the sale of forest products resulting from projects planned and executed to meet the purposes of the fund. Since its creation, the fund has provided an additional $4–10 million annually to improve forest health and resilience on BLM forestlands.

SAF believes that the justification for this fund is stronger than ever. Given hotter and drier summers, our forests are subjected to increased insect and disease damage and longer and more extreme wildfire seasons. Public land managers-including BLM foresters-need proper resources to manage forests to reduce fuel loads, salvage damaged timber, and make forests more resilient to disturbances. SAF requests that the subcommittee consider permanent or long- term authorization for the Forest Ecosystem Health and Recovery Fund (PL 102–381).

[This statement was submitted by Terry Baker, Chief Executive Officer, Society of American Foresters.]

PREPARED STATEMENT OF SOUTHCENTRAL FOUNDATION

My name is April Kyle, and I am the President and CEO of Southcentral Foundation (SCF) and an enrolled Ninilchik Tribal member. SCF is the Alaska Native Tribal health organization designated by Cook Inlet Region, Inc. and 11 federally-recognized Tribes—the Aleut Community of St. Paul Island, Igiugig, Iliamna, Kokhanok, McGrath, Newhalen, Nikolai, Nondalton, Pedro Bay, Telida, and Takotna—to provide health care services to beneficiaries of the Indian Health Service (IHS) pursuant to a government-to-government contract with the United States under authority of the Indian Self- Determination and Education Assistance Act (ISDEAA), Public Law 93–638. SCF is a two-time recipient of the Malcolm Baldrige National Quality Award for health (2011 and 2017) and one of the largest 10 employers in Alaska.

SCF, through our 2,500 employees, provides critical health services, for the physical, mental, emotional, and spiritual wellness of 65,000 Alaska Native and Amer-

ican Indian people. This includes 52,000 people living in the Municipality of Anchorage and the Matanuska-Susitna Borough, and 13,000 residents of 55 rural Alaska Native villages. SCF offers over 85 programs including primary care, dental, behavioral health, and addiction treatment as well as co-owning and co-managing the Alaska Native Medical Center with our partner the Alaska Native Tribal Health Consortium (ANTHC). Our service area encompasses over 100,000 square miles, an area the size of Wyoming.

1. Advance Appropriation is critical to the stability of the Tribal health care delivery system.

SCF strongly supports advance appropriations for the Indian Health Service. The fiscal Year 2020 government shutdown underscored the need for this change. The delays in funding had dire impacts in Alaska Native and American Indian communities across the country. As Congresswoman McCollum has said, "[d]uring the government shutdown, basic everyday needs like health clinics, Tribal justice services, and social services for children, families, and seniors went unfunded, putting Native American communities at risk." We completely agree that "[t]hese programs are critical to life, health, and safety in these communities, and the Federal Government has a legal and moral responsibility to ensure funding for our trust and treaty responsibilities is not interrupted. Advance appropriations for Indian Country is a promising avenue for making good on our commitments to our Native American brothers and sisters."

Much has been said in this subcommittee, year after year, about how the programs and departments subject to this appropriations process are reflections of the trust relationship the Federal Government has with American Indian and Alaska Native people. The problems that arise from shutdowns and other delays in the context of a lack of advance appropriations exacerbate the problems caused by the funding shortfalls and disparities.

2. Continue to Provide Increases for Behavioral Health Programs

We cannot state strenuously enough how important it is to increase available funds for behavioral health. Alaska Native and American Indian people are disproportionately represented in substance misuse, especially opioid addiction, and suicide statistics. According to the Centers for Disease Control and Prevention (CDC), Alaska Native and American Indian people had the highest drug overdose death rates for the last 3 years. This death rate has risen by almost 10 percent since 2018. The CDC also found the suicide rate among Alaska Native people is almost three times the U.S. general population rate and at least six times the National average in some parts of Alaska.

Behavioral health funds are critical to our most vulnerable population—our youth. SCF operates several programs that provide mental health care for Alaska Native youth which go beyond individual and group therapy to include programs that build academic, vocational and leadership skills through culturally appropriate methods. It is our firm conviction that only by addressing the root causes that drive individuals to drug misuse and addiction, domestic and child abuse, poverty, and unemployment—can we help them heal.

SCF is also standing up services dedicated to serving individuals experiencing behavioral health crisis. Together with our partners at Alaska Native Tribal Health Consortium, we are on our way to opening a short-term crisis stabilization center on the Alaska Native Health Campus, and we are planning work on a crisis residential center. These facilities will serve Alaska Native and American Indian individuals in Anchorage and across the State. However, Federal investment in behavioral health facilities is desperately needed to help build out these areas of the behavioral health continuum of care in Alaska.

We also support specific appropriations for an Opioid Prevention, Treatment and Recovery program for Alaska Native and American Indian people. We recommend that all behavioral health funding increases be distributed among Tribes and Tribal organizations as additions to our self-governance compacts and contracts. The Indian Health Service practice of creating competitive grant programs for behavioral health services has created access barriers for many Tribes and unnecessarily increased the administrative burden of Tribal organizations. Alaska Native health care providers like SCF recognize that the size of the opioid and substance abuse problem in Alaska demands resources. However, with insufficient funds to address behavioral health challenges, we cannot adequately reach those who suffer from addiction, those struggling with PTSD, our military veterans, or victims of violent crime. Prevention, education, and timely medication-assisted treatment (MAT) programs remain our most potent tools to raise a new generation of Alaska Native peo-

ple who practice positive, life-affirming behaviors and who will, in turn, pass on these life skills to their children and grandchildren.

Unfortunately, recent appropriations have only provided a modest increase for mental/behavioral health, and it did not increase funding for the behavioral health integration initiative or for suicide prevention, or the amount available for alcohol and substance misuse programs. More is needed.

3. Health Workforce Development

The pandemic highlighted the drastic shortage of health care workers in America. The need is at every clinical level from doctors, nurses, dentists, mental health specialists, to medical assistants, and other medical technicians. We have worked to build systems that recruit, train, and develop not only our clinical staff but our executive staff as well. We firmly believe that solving this workforce crisis is a mission-critical priority and we are exploring all avenues for recruiting talent and developing our own employees.

We have had tremendous success in training Tribal members as dental health aide therapists, behavioral health aides, and community health aides. We have also had great success in executive training programs to ensure we have a high level of competency in managing our health system.

While we appreciate that the funding for Indian Health Professions has increased in the last 2 years, we think more must be done to recruit and retain health care professionals to serve in Tribal communities.

4. Section 105(l) Lease Payments and Contract Support Costs

We appreciate the committee's careful attention to the issue of 105(l) leases. We also continue to strongly support that these costs remain an indefinite appropriation, but with the goal to make sure these costs (along with contract support costs) are made mandatory costs so that they do not continue to stress the limited funding allocation the subcommittee receives.

Regarding Contract Support Costs, we remain concerned that the Indian Health Service is seeking to undermine its obligation, which has now been confirmed twice by the U.S. Supreme Court, to pay full contract support costs, by categorizing certain necessary costs/activities as "Secretarial activities," and refusing to pay contract support costs for these activities, which are and have always been considered contract support cost activities for which Tribes have received CSC payment. We would ask the committee to include language in its appropriations bill that would require the Indian Health Service to compute fiscal Year 2023 CSC consistent with computations undertaken in fiscal Year 2021. We appreciate the direction to the Agency on this matter in the fiscal Year 2023 Committee Conference Report.

5. Conclusion

Thank you again for the opportunity to provide testimony on behalf of Southcentral Foundation and the people we serve.

[This statement was submitted by April Kyle, President and CEO of Southcentral Foundation.]

PREPARED STATEMENT OF SQUAXIN ISLAND TRIBE

On behalf of the Squaxin Island Tribal Leadership and citizens, it is an honor to provide our funding priorities and recommendations for the fiscal Year 2023 Budgets for the Bureau of Indian Affairs (BIA), Bureau of Indian Education (BIE), and Indian Health Service (IHS) and related agencies. We request that Tribal program funding throughout the Federal Government be exempt from sequestrations, rescissions, and disproportionate cuts. We support Advance Appropriations for the IHS and BIA to prevent funding lapses and other unintended consequences associated with short-term funding measures from disrupting critical services to American Indians and Alaska Natives provided by the Federal Government. Thank you for fully funding Contract Support Costs (CSC) and 105(l) leases as indefinite line items but we ask that you re-classify both as mandatory spending to ensure Tribal Nations have the tools for effective governance critical in fulfilling the promise of the Indian Self-Determination and Education Assistance Act. Squaxin Island is one of the first 30 Federally recognized Tribes to enter a Compact of Self-Governance with the United States in both the Departments of the Interior and Health and Human Services.

SQUAXIN ISLAND TRIBE Specific Requests:

1. $13 million Construction of New Health Center

2. Northwest Indian Treatment Center (NWITC) Residential Program in IHS
   A. $1.5 million—Medicine Building
   B. $250,000—Sustain Operations
3. $500,000 Shellfish Management Program—BIA

Support National and Regional fiscal Year 2023 Budget Requests and Recommendations for the Bureau of Indian Affairs, Indian Health Service and Bureau of Indian Education—by the National Congress of American Indians, National Indian Health Board, National Indian Education Association, Affiliated Tribes of Northwest Indians and the Northwest Indian Fisheries Commission

SQUAXIN ISLAND TRIBE BACKGROUND

We are native people of South Puget Sound and descendants of the maritime people who lived and prospered along these shores for untold centuries. We are known as the People of the Water because of our strong cultural connection to the natural beauty and bounty of Puget Sound going back hundreds of years. The Squaxin Island Indian Reservation is in southeastern Mason County, Washington and the Tribe is a signatory to the 1854 Medicine Creek Treaty. Our treaty-designated reservation, Squaxin Island, is approximately 2.2 square miles of uninhabited forested land, surrounded by the bays and inlets of southern Puget Sound. Because the Island lacks fresh water, the Tribe has built its community on roughly 26 acres at Kamilche, Washington purchased and placed into trust. The Tribe also owns 6 acres across Pickering Passage from Squaxin Island and a plot of 36 acres on Harstine Island, across Peale Passage. The total land area including off-reservation trust lands is 1,715.46 acres. In addition, the Tribe manages roughly five hundred acres of Puget Sound tidelands.

Our Tribal governance combines our sovereign powers as well as U.S. Congressional acts related to treaties, statutes, and public law. The Squaxin Island Tribe, like all Tribal Nations, continues to work through the impacts of the pandemic. Prior to COVID–19, the Tribal government and our economic enterprises constituted the largest employer in Mason County with over 1,250 employees. The Tribe has a current enrollment of 1,123 and an on-reservation population of 426 living in 141 homes. Squaxin has an estimated service area population of 2,747; a growth rate of about 10 percent, and an unemployment rate of about 30 percent. We continue to need the assistance of Congressional relief funds to mitigate the ongoing challenges to recovery. We are grateful for the support we have received so far.

SQUAXIN ISLAND TRIBE SPECIFIC REQUESTS/JUSTIFICATIONS:

1. $13 million—Design and Construct New Squaxin Island Health Center—IHS Division of Facilities Planning and Construction

In 1995, under a Self-Governance compact with the U.S. Department of Health and Human Services' Indian Health Service, the Squaxin Island Tribe began construction of the Tribally owned Sally Selvedge Memorial Health Center (the Center). The original 8,000 square foot facility housed the primary care, dental, mental health, contract health services and community health and served an estimated 770 users. The Center consolidated health programs into one facility and expanded new services not previously available due to the lack of space and resources. We remain proud of this accomplishment and what we were able to offer our citizens using and leveraging funds as we saw fit to meet our local needs.

On June 17, 2021, IHS testified before the House Committee on Natural Resources on the status of IHS and Tribal facilities, "Disparities in the health status of American Indians and Alaska Natives are directly affected by access to health care services. Health care services are constrained by the limited capacities of existing Indian Health Service and Tribal health care facilities. There is a significant need for expansion, renovation, or replacement of many buildings."[1]

Thirty years after the Center was built, the Squaxin Island Health and Human Services (HHS), located in the Center now provides 9,000 patient/clinic visits with over 17,000 pharmacy encounters taking place each year to 905 AI/AN patients as well as other family members of those patients. We can no longer accommodate all of our mental health and substance use disorder programs in the same facility. Our Health Promotion/Disease Prevention and HIT programs are also located in another site. Medical services have outgrown our existing space and our ability to address the public health emergency has been hindered because our facility was unable to

[1] https://www.hhs.gov/about/agencies/asl/testimony/2021/06/17/examining-federal-facilities-indian-country.html

accommodate any increases to medical or administrative staff. The Tribe bills Medicare, Medicaid and other third-party payers but the buying power we once had to build a new health center in 1995 has diminished in 2022, even more so because of inflation caused by the pandemic. Our American Indian/Alaska Native patient population has increased over 25 percent since 2012. Current medical, dental, and behavioral services are insufficient for our current population. Laboratory and lab services are severely under built and would not be able to meet accreditation standards. The recent pandemic spotlighted our need for basic health care delivery infrastructure improvements, in both staffing and buildings, required to address communicable viruses. The potential consequences on our Tribal members and families with underlying health conditions remains a concern for us. We can no longer continue to provide good care in facilities that have met their maximum remodeling capacity. Squaxin Island Tribe is in desperate need of Congressional appropriations to construct a new facility.

Since 1993 and continues today, the Healthcare Facilities Construction Priority System (HFCPS) is the methodology that the IHS uses to identify and prioritize the need for IHS and Tribal healthcare facilities. Prior to Squaxin Island building the Center, the IHS, in collaboration with Tribal representatives, used the HFCPS to prioritize major health facilities' needs. The IHS projects were ranked based on the population served, the condition of health care facilities, remoteness, and barriers to care. The total need for the HCFC Program in 2016 was approximately $14.5 billion for expanded and active authority facility types according to the 2016 IHS and Tribal Health Care Facilities' Needs Assessment Report to Congress.[2] An update to the needs assessment report to Congress is in progress. However, early drafts report an increase in the need is up to approximately $22 billion.

The President's fiscal Year 2022 Budget Request for Health Care Facilities Construction is $266 million to boost the line item to an historical $526 million. However, the final fiscal Year 2022 budget amounts remain uncertain. The Squaxin Island facility is operating beyond capacity and the operational and maintenance costs continue to soar. Health care needs are becoming more challenging every day and we are not winning the battle.

In March 2020, pre-pandemic, we were in the process of rolling out the Squaxin Island Tribe Strategic Health Plan; a robust health program plan which includes all the details about a new facility and expanded services. Today there is approximately 12,000 square feet that houses the entire HHS department. Using estimates of current building sizes, or comps, the Confederated Tribes of the Umatilla Indian Reservation recently built a 64,000 square foot health center with a user population of 3,331. Medical facilities average $500 per square foot. Squaxin Island's user population is approximately 28 percent the size of Umatilla. We estimate we need a minimum of 25,000 square feet based on the Indian Health Care Services' Healthcare Systems Planning tool, which calculates the current user population and projections of growth out to 2034. Estimated total cost for the design and construction of the Squaxin Island Health Center is $13,000,000.

2. $1.750 Million Increase for Northwest Indian Treatment Center (NWITC) Residential Program—IHS—H″D3WXbi Palil" meaning "Returning from the Dark, Deep Waters to the Light″

The Squaxin Island Tribe's Northwest Indian Treatment Center, D3f bi Pa lil, is a residential treatment facility that serves Native Americans with chronic substance abuse patterns related to unresolved grief and complex trauma, including generational trauma. The Center is Commission on Accreditation of Facilities accredited and a recognized national model of treatment for treating trauma in the presence of addiction, uniquely integrating the Best Practice of Dialectical Behavioral Therapy (DBT) with Plant Medicines. This culturally infused use of a Best Practice, based on this NWITC program, has been adapted in many Tribal communities since its development. DBT is a model of treatment with good research results for the treatment of substance above and mental health conditions.

In recognition of NWITC's unique model of treatment, the State of Washington Health Care Authority has requested NWITC to create a video-documentary describing the key elements. They have provided over $82,000 to fund this video-documentary which can be used as a model by other Tribes to help understand the benefits and requirements of the facility. NWITC has these urgent needs:

A. Medicine Building—this project is shovel ready cost estimated at $1.5 million. This building will support and expand the reach of the activities of the DBT/Plant

[2] https://www.ihs.gov/sites/newsroom/themes/responsive2017/display__objects/documents/RepCong__2016/IHSRTC__on__FacilitiesNeedsAssessmentReport.pdf.—PDF

Medicine program. It will be a place of medicine making, but also have video capacity linking this program to other Tribal medicine programs and creating a library available to Tribal behavioral health programs and NWITC alumni. The result will be better support for alumni, but also will help build capacity in Tribal communities in the Northwest.

B. Because of the pandemic, the relapse rate in Tribal communities served by NWITC are high. To better support NWITC alumni, it is necessary to provide more support. Even though the NWITC has a Recovery Support Team who actively supports alumni for 1-year post treatment, in the current environment this is insufficient. NWITC requires a staff position to provide the DBT/Plant Medicine training/coaching in the Tribal communities in which alumni live. Costs include a position to implement this, plus expenses of alumni to participate, including hotel, food, etc. In past events NWITC has verified this as the most successful approach for teaching/coaching alumni. Budget for this is $250,000.

1. $500,000—Shellfish Management—BIA

The Squaxin Island Tribe faces an ongoing budget deficit to maintain and operate the shellfish program at its current level of operation-a level that leaves 20 percent of treaty-designated state lands and 80–90 percent of private tidelands unharvested due to lack of funding. To address this shortfall and enable effective growth and development of the program, an annual minimum increase of $500,000 is requested. Shellfish have been a mainstay for the Squaxin Island people for thousands of years and are important today for subsistence, economic and ceremonial purposes. The Tribe's right to harvest shellfish is guaranteed by the 1854 Medicine Creek Treaty. Today, we are unable to fully exercise our treaty rights due to lack of Federal support for our shellfish management program.

[This statement was submitted by Kristopher K. Peters, Chairman, Squaxin Island Tribe.]

PREPARED STATEMENT OF TANANA CHIEFS CONFERENCE

The Tanana Chiefs Conference (TCC) appreciates the opportunity to submit written testimony to the subcommittee regarding fiscal Year 2023 appropriation priorities for the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS). TCC urges the subcommittee to continue in fiscal Year 2023 to prioritize funding increases for the BIA and IHS appropriation accounts that provide critical housing, Tribal Courts, public safety, social services, subsistence, and healthcare needs to rural, isolated communities such as the Alaska Native villages TCC serves.

We are grateful to the subcommittee and Congress for the bipartisan support it has shown for Alaska Native villages, especially since the Coronavirus pandemic swept across the Nation and into Alaska Native and Tribal communities. Federal funds have often spelled the difference between the success or failure of Tribal programs and, in turn, the wellbeing of the indigenous peoples of this great country. This remains true today as Alaska Natives face continued challenges concerning inadequate infrastructure, healthcare, public safety, food insecurity, and the impacts of climate change.

TCC is a non-profit interTribal consortium of 42 communities, including 37 Federally recognized Indian Tribes, located across Alaska's interior. TCC serves approximately 18,000 Alaska Natives in Fairbanks, where our headquarters is located, and in the rural villages located along the 1,400 miles of the Yukon River and its tributaries, and the upper Kuskokwim River drainage, in Alaska's interior.

HOUSING

On average, TCC receives about 280 eligible applicants each year for the BIA Housing Improvement Program (HIP) (funded at $11.7 million in fiscal Year 2021). Due to funding restrictions, only the top scoring applications are awarded. Since 2018, we received HIP funds to rebuild eight homes in five villages. If HIP continues to be funded at this level, it will take 140 years to meet the housing needs of the low-income individuals in Interior Alaska. The lack of housing for low-income Alaska Native families continues to be a priority for TCC. Approximately 23 percent of Tribal households in our region (381 households) are dealing with overcrowding. The COVID–19 pandemic highlighted the health disparity resulting from overcrowding in Alaska Native villages and Tribal communities. The region's average per capita income is $26,366 per year, which is approximately 25 percent lower than the average per capital income for Alaska. HIP assistance is the only assistance very low-income families qualify for. HIP is not duplicative of NAHASDA's grant program.

We urge the subcommittee to significantly increase this "neediest of the needy" housing program for fiscal Year 2023 at levels well above the fiscal Year 2021 enacted level to improve housing conditions for low-income Alaska Natives.

TRIBAL COURTS (PUBLIC LAW 280 STATES)

We urge the subcommittee to establish permanent and recurring funds for Tribal Courts within BIA's Public Safety and Justice account for Tribal Courts (TPA) in Pub. L. 280 States like Alaska. We also ask to increase Tribal Court funding to $20 million per year. Since receiving BIA Pub. L. 280 Tribal Court funds, TCC Region Tribes have expanded their caseloads, case types, and have improved outcomes for minor Tribal members normally involved in the State child welfare system. Tribes now having funding to ensure Indian Civil Rights Act applies in all cases through full time Tribal court clerks, administrators, and training of Tribal judges. These changes have improved Tribal Court approaches to families struggling with addictions, domestic violence, and mental health issues. Due to Alaska Native villages not receiving BIA public safety funds, the role of Tribal Courts in Alaska Native villages is critical. It allows our villages to address public safety concerns at the community level in a culturally appropriate manner that is responsive to local concerns. Trained Tribal Court personnel make a difference.

Tribal and Wellness Courts are tangible evidence of our sovereign status and promote healing and reduce criminal activity through a holistic approach, rather than through arrest, prosecution, and incarceration far from family and Tribal services. Tribal Courts have been using their affirmed authority under VAWA to issue and enforcement domestic violence protection orders and address minor crimes through tribal/state diversion agreements. Tribes in the Region are currently working to develop a regional interTribal court for Healing to Wellness, and hope to help serve families and individuals that need additional supports through the diversion courts.

PUBLIC SAFETY

TCC appreciates the leadership of Interior Secretary Deb Haaland and this subcommittee concerning Missing and Murdered Indigenous women and the creation of new unit to investigate and solve these cases within the BIA's Office of Justice Services. Living in rural communities with little or no local law enforcement often means that rural Alaska Natives are 2–4 times more likely to be the victim of crime compared to living in an urban center such as Anchorage. TCC currently has 10 Village Public Safety Officers (VPSOs) funded by the State and one Tribal Peace Officer to provide public safety and other first responder services to our region. Our villages have 11 officers to cover a service area that is slightly smaller than the state of Texas. Our Tribes continue to call for increased public safety resources for Alaska Native villages to keep our communities safe and to break the cycle of abuse, trauma, and suffering.

ICWA & SOCIAL SERVICES

TCC receives ICWA funding to allocate $24,000 to our eligible villages. This covers one-half of the cost for an ICWA advocate paid $14/hr. for a 40-hour work week. Interior Alaska Tribes need $100,000 annually (a four-fold increase to the current assistance level we can provide based on an appropriation of $17 million for ICWA). If our Tribes are to end the cycle of abuse and trauma to young Native children, we need qualified staff to monitor ICWA cases and ensure that the children are kept safe and whenever possible reunited with parents or guardians. The Tiwahe Program is a successful model that better integrates social services, ICWA, Tribal Courts, counseling, and job training. Please expand this culturally-rooted and holistic program beyond its pilot Tribes so that this proven model can be replicated among all Tribes. Tiwahe Program funds should be allocated equally to all Tribal human services programs. It will save lives, money, and build strong Native communities that raise healthier and more confident Native children.

Unfortunately, rates of child abuse and neglect in Alaska are above the National average. Alaska's physical abuse investigations during the COVID pandemic have increased by 200 percent. This is a significant increase and yet the BIA funds to prevent child abuse are consistently inadequate. While funding increases for costs to implement the Indian Child Protection and Family Violence Prevention Act are important, Congress should also increase welfare assistance, ICWA, and social service funds.

REALTY

The funding for the realty program has not matched the increased demand for services. Our realty program started with under 3,000 landowners and today we are serving nearly 12,000. Since the passage of the 2019 Dingell Act, Veterans are eligible to apply for allotment lands with support from their local Tribal realty providers. This work is an unfunded mandate.

Historically, record keeping funding was sent to regional BIA offices and then distributed as end of year monies to Tribes, which was approximately $500,000 per year. Over the last decade, TCC has not received these funds, yet our landowners continue to increase and the BIA shifted more record keeping responsibility onto Tribes. Probates are becoming more complex. As land ownership becomes fractionated, more individuals are named in probate cases and aging probate backlogs increase. The volume and difficulty of work has increased, yet the funding has not. In 2012, we had 3 realty specialists, 2 archeologists, 2 appraisers, 3 surveyors, and 3 probate specialists. We now have 1 realty specialist, 2 probate specialists, 1 appraiser, 1 surveyor and 1 archeologist/environmental officer due to funding constraints.

Surveys to partition/subdivide restricted lands is critical for landowner use and is one of the most effective ways to combat fractionation. We have an incredible need for survey with nearly 100 requests for survey that are unmet. We receive no funding for surveying. The number of trespass complaints has quadrupled in the last 5 years. Fractionation, road construction for resource development, outside hunting/fishing pressures, and climate change contribute to the increase in trespass complaints.

PUBLIC LAW 102–477 PROGRAM

TCC has successfully operated a 477 program since late 1990s, currently with 12 programs consolidated under the plan. 477 programs allow TCC to provide wrap around services to our clients to help them achieve their self-sufficiency goals. In the past 3 years, TCC served 6,664 adults, 633 youth, and 2,489 cash assistance recipients. TCC appreciates the work by BIA AS–IA Newland for prioritizing the Department of the Interior's MOA with other agencies to expand the 477 Program. With an update MOA that compliments the law, TCC plans to expand consolidated programs. TCC views the 477 program as providing an excellent model of how increasing Tribal flexibility with funding can improve successful outcomes for our beneficiaries.

TRIBAL MANAGEMENT/DEVELOPMENT PROGRAM AND CO–MANAGEMENT

TCC seeks permanent and recurring funding for Inter-Tribal Fish Commissions and Tribal Wildlife Co-Management Organizations. TCC uses funds received within the TM/DP account to support the work performed by the Yukon River Inter-Tribal Fish Commission that works to unify the Yukon River Tribes, advocate for Tribal management, build capacity and address food security challenges with the decline of salmon runs due to climate change. We need permanent and recurring funding for Inter- Tribal Fish Commissions and Tribal Wildlife Co-Management Organizations to continue this work. Harvesting salmon is vital to the health and wellbeing of Tribal members. There is no culturally acceptable and economical feasible substitute for this subsistence practice. Fisheries management decisions on the Yukon River are made using fish counts from two sonars operated by the State near Pilot Station at river mile 123 and the other more than 1,000 miles upriver at Eagle. On average, it takes 27–40 days for salmon to travel between the two sonar sites. The past 3 years, the counts at the Pilot Station sonar have overestimated the run size, with up to 40,000 king salmon "unaccounted" for between the two sonar sites. With an increase of $500,000 in our fiscal Year 2023 TM/DP funding, TCC can purchase a sonar midriver near Galena to count salmon in the Yukon River earlier. A midriver sonar could impact and create more equity of salmon harvest opportunities for the entire population that lives on the Yukon River watershed, which is about 126,000 people. The resource management system does not acknowledge traditional knowledge unless supported by data. A mid-river sonar at Galena would give Tribes critical data to influence more accurate and fair management decisions. This is an important step toward co-management of our traditional resources.

TCC urges the subcommittee to instruct the non-BIA bureaus of the Interior Department to honor the legal authority to enter self-governance contracts for the stewardship of traditional territories with Tribes (ISDEAA Title IV), recognizing the capacity and capability of Tribes and Tribal organizations to assume co-management of public lands and resources that are critical to the maintenance of our hunting

and fishing stewardship practice, and meeting national climate change and conservation goals.

HEALTHCARE

In the late 1980's TCC assumed management of the Alaska Native Health Center in Fairbanks and renamed it the Chief Andrew Isaac Health Center after the Traditional Athabascan Chief from Dot Lake who led TCC from 1972 to 1991. The Chief Andrew Isaac Health Center is an accredited ambulatory health care facility providing comprehensive outpatient services to eligible beneficiaries in our region. We strongly support advance funding of IHS appropriations in the fiscal Year 2023 appropriation bill and making IHS funding mandatory.

We urge the subcommittee to increase Services funds well above the fiscal Year 2021/FY 2022 enacted levels to address the historic and continuing inequitable and unequal funding for Alaska Native and American Indian healthcare. If we are to end health disparities between indigenous and non-Native people, address behavioral health needs, the unacceptable high rate of infant mortality, the opioid epidemic, and suicide among Native people, we need recurring funding increases in IHS Services and Facilities programs commensurate with our needs and the Federal Government's trust obligations to provide health care to Alaska Natives and American Indians.

This subcommittee knows well our lack of infrastructure and the negative health consequences that result to Native people from too few health facilities, inadequate housing and transitional housing, lack of qualified health professionals, long waiting lists for alcohol, substance abuse, and mental health treatment programs, and long travel distances to health facilities. Tribal organizations like TCC need Federal appropriations across a broad array of Federal programs to build more ambulatory health clinics, rehabilitate or construct housing and transitional housing, recruit and hire qualified and dedicated health professionals, staff, operate, and maintain substance abuse treatment centers, and increase public transit. With more funds, we can better ensure access to life- saving medical care and mental health treatment services for Alaska Natives and beneficiaries.

The Pub. L. 102–477 Program is an excellent model that breaks down arbitrary and harmful "silos" of Federal funding that deprive Tribal organizations like TCC the flexibility we require to address multiple needs in a holistic and culturally appropriate manner. It is in our mutual interest for the Federal Government to afford Tribal organizations the flexibility we require to do the most with what we are given. Congress should trust Tribal organizations and let us demonstrate what we can achieve for our members if we collaborate and work together toward these shared goals.

Thank you for the opportunity for us to share our funding priorities with you.

[This statement was submitted by Brian Ridley, President, Tanana Chiefs Conference.]

PREPARED STATEMENT OF THE URBAN INDIAN HEALTH INSTITUTE

Members of the Senate Committee on Appropriations subcommittee on Interior, Environment, and Related Agencies, my name is Abigail Echo-Hawk, and I am an enrolled citizen of the Pawnee Nation of Oklahoma, currently living in an urban Indian community in Seattle, Washington. I am the Executive Vice President of the Seattle Indian Health Board (SIHB) and Director of the Urban Indian Health Institute (UIHI), an Indian Health Service (IHS) designated Tribal Epidemiology Center (TEC), where I oversee our policy, research, data, and evaluation initiatives. To ensure adequate resources and research can be conducted by TECs, I request $474.4 million to the IHS Hospitals and Clinics: Tribal Epidemiology Center line item to improve culturally attuned research, data, and evaluation services for the over 7 million American Indian and Alaska Native (AI/AN) people across the country.

I am an American Indian health researcher with more than 20 years of experience in both academic and non-profit settings. I am part of numerous local, State, and Federal efforts to support AI/AN communities in research, including serving on the Tribal Collaborations Workgroup for the National Institutes of Health (NIH) All of Us precision medicine initiative. I am also a recent member of the NIH Office of AIDs Research Advisory Council as the only Native representative. I am a co-author to four groundbreaking research studies on sexual violence and Missing and Murdered Indigenous Women and Girls (MMIWG) where I have called national attention to the institutional barriers in data collection, reporting, and analysis of demographic data that perpetuate violence against AI/AN people. I am a member of the

National Academies of Sciences, Engineering, and Medicine (NASEM) Standing Committee for the Centers for Disease Control and Prevention (CDC) Center for Preparedness and Response (SCPR). And I was a committee member for the NASEM: Framework for Equitable Allocation of COVID–19 Vaccine.[1] As the only representative from the Native community, I worked to ensure the needs of our Indian healthcare system, Tribes, AI/AN rural and urban were appropriately included to inform States and policymakers nationwide.

SUPPORT ADVANCED APPROPRIATIONS FOR TRIBAL EPIDEMIOLOGY CENTERS

I would like to thank the subcommittee for hosting a hearing on A Review of the Fiscal Year 2023 President's Budget for the Indian Health Service held on May 11, 2022. I was pleased to hear the subcommittee raising the concerns of Indian Country, including IHS failing to submit a budget proposal to support our efforts in reaching advanced appropriations for the Indian healthcare system. I was also pleased to hear Congresswoman Murkowski advocating for IHS to receive a permanent director capable of submitting this budget proposal. Through collective advocacy, I am confident in the Indian healthcare system receiving equitable funding to uphold obligated trust and treaty responsibilities to AI/AN populations.

CONTINUED INSTITUTIONAL BARRIERS ON DATA ACCESS

I would like to thank the members of the subcommittee for their support on S.1397 Tribal Health Data Improvement Act of 2021,[2] which passed the House and was heard in the Senate in late March. The act addresses many of the concerns and recommendations issued by the Government Accountability Office (GAO) report Tribal Epidemiology Centers: HHS Actions Needed to Enhance Data Access.[3] The act expands an Indigenous Data Sovereignty framework[4] by reaffirming TECs access to public health data, encouraging the IHS to share public health data with Tribes, Tribal organizations, urban Indian organizations (UIOs), and improving the quality and accuracy of public health data.

UIHI's work continues to highlight the ongoing undercount, misclassification, and gaps of information collected on AI/ANs, signifying the erasure of health inequities experienced in Indian Country. On February 19, 2021, UIHI released a national report card, Data Genocide[5] to the House Select subcommittee on the Coronavirus Crisis, that analyzed the collection and reporting of COVID–19 case surveillance data for AI/ANs by State. The report revealed the Nation receive a grade of D+ for our ability to track and report on racial demographic COVID–19 data for AI/ANs. To provide our community with accessible and reliable AI/AN data, UIHI maintains two data dashboards, COVID–19[6] and Community Health Profiles[7], on AI/ANs across the country. These dashboards are the first-of-its kind and provide viable data to service providers to support program planning, identify gaps in data and research, and support decision-making for our community.

Despite the Affordable Care Act authorizing public health data to TECs, the IHS continues to deny TECs with necessary data. As recently as January 19, 2022, UIHI was denied county-level STI and HIV data stratified by race. Additionally, the CDC has not improved our ability to access the National Notifiable Diseases Surveillance System (NNDSS) and National Data Warehouse with the CDC simultaneously hold-

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[1] National Academies of Sciences, Engineering, and Medicine (2020). A Framework for Equitable Allocation of Vaccine for the Novel Coronavirus. www.nationalacademies.org/our-work/a-framework-for-equitable-allocation-of-vaccine-for-the-novel-coronavirus#sl-three-columns-ae9c516d-4db7–4a55-be7a-9cc567aa561b

[2] H.R. 3841 (2021). Tribal Health Data Improvement Act of 2021. www.congress.gov/bill/117th-congress/house-bill/3841?s=1&r=70

[3] United States Government Accountability Office. (March 2022). Tribal Epidemiology Centers: HHS Actions Needed to Enhance Data Access. Retrieved from: https://www.gao.gov/assets/gao-22–104698.pdf .

[4] United States Indigenous Data Sovereignty Network. (2021). usindigenousdata.org/policy-briefs

[5] Urban Indian Health Institute. (February 15, 2021). Data Genocide of American Indians and Alaska Natives in COVID–19 Data. www.uihi.org/download/data-genocide-of-american-indians-and-alaska-natives-a-report-card-grading-u-s-States-quality-of-covid-19-data-and-their-effectiveness-in-tracking-it-for-american-indian-and-alaska-native-p/?wpdmdl=17709&refresh=62165c5d26f381645632605

[6] Urban Indian Health Institute. (2021). COVID–19 Data Dashboard. www.uihi.org/covid-19-data-dashboard/

[7] Urban Indian Health Institute. (2022). Community Health Profiles. www.uihi.org/urban-indian-health/data-dashboard/

ing back on releasing COVID–19 data to the public.[11] We are actively pursuing and requesting public data across the Department of Health and Human Services (HHS) with the Administration and Congress to oversee the CDC fulfilling our data requests.

We request Federal agencies establish data sharing requirements with TECs which uphold Congressional intent and recommendations by the GAO report. The lack of investment affects the quality of data reported out, inter-operability between public health agencies, and limits our ability to analyze data in a timely manner. Increased funding for data modernization supports TEC's provide information to Tribes, Tribal organizations, UIOs, and government agencies and inform decision-making for the equitable distribution of resources as well as robust policies, planning, and programming to address social determinants of health experienced in Indian Country.

PRIORITIZING MATERNAL HEALTH UNDER THE BIDEN ADMINISTRATION

In 2021, the Administration announced initial actions to address the Indigenous maternal health crisis.[8] However, the future of maternal and infant programming is severely lacking within IHS programming. Nationally, CDC data shows that AI/ANs have almost twice the infant mortality rate[9] and three to four times the maternal mortality rate[10] as compared to non-Hispanic whites. Significant investments must be made for maternal and infant health delivered under the Indian healthcare system.

https://www.nationalpartnership.org/our-work/resources/health-care/maternity/american-indian-and-alaska.pdf

Currently, there are only 10 IHS obstetric facilities available nationwide to support infant and maternal health.[11] In 2020, the Phoenix Indian Medical Center abruptly closed their inpatient obstetrics services due to outdated equipment and staffing shortages.[12] On average, IHS spends $3,332 per patient compared to the National average of $9,207 per patient.[13] Urban AI/AN women rely on Medicaid as their primary insurance compared to only 27.2 percent of non-Hispanic white women.[14] Despite the expansion of Medicaid in the Affordable Care Act, 21 percent of AI/AN women remain uninsured or underinsured.[15] These types of ramification have resulted in over 90 percent of AI/AN births occurring outside of IHS facilities.[16]

While not under the IHS, the National Institutes of Health—Healthy Native Babies Program (HNBP) was the only national AI/AN educational campaign for infant and maternal health which expired on May 5, 2022. HNBP provides culturally attuned programming and trainings to address infant health disparities including high rates of Sudden unexplained infant death (SUID) through materials, community stipends, and culturally attuned training. With the ending of this program, the subcommittee must advocate for increased initiatives to address the maternal and infant health crisis or find HNBP a new home within a Federal agency like IHS.

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[8] The White House. (April 13, 2021). Fact Sheet. www.whitehouse.gov/briefing-room/statements-releases/2021/04/13/fact-sheet-biden-harris-administration-announces-initial-actions-to-address-the-black-maternal-health-crisis/.

[9] Centers for Disease Control and Prevention. (2020). Infant Mortality in the United States, 2018: Data From the Period Linked Birth/Infant Death File. www.cdc.gov/nchs/data/nvsr/nvsr69/NVSR–69–7–508.pdf

[10] Petersen EE, Davis NL, Goodman D, et al. (2019). Vital Signs: Pregnancy-Related Deaths. DOI: http://dx.doi.org/10.15585/mmwr.mm68181

[11] IHS. Locations. https://www.ihs.gov/babyfriendly/locations/

[12] Indian Country Today. (October 23, 2020). Birthing center closure: 'My baby and I felt abandoned'. https://indiancountrytoday.com/news/birthing-center-closure-my-baby-and-i-felt-abandoned?redir=1

[13] National Congress of American Indians. (2020). Healthcare. https://www.ncai.org/07__NCAI–FY20–Healthcare.pdf

[14] Urban Indian Health Institute. (2021). Community Health Profile. https://www.uihi.org/download/community-health-profile-national-aggregate-of-urban-indian-organization-service-areas/?wpdmdl=19113&refresh=62570f7186e871649872753

[15] National Partnership for Women & Families. (October 2019). American Indian and Alaska Native Women's Maternal Health.

[16] IHS. Maternal Mortality and Morbidity in Indian Country. https://www.ihs.gov/sites/dccs/themes/responsive2017/display__objects/documents/IHSmaternalmortalityfsfinal.pdf

[17] National Commission on COVID–19 and Criminal Justice (February 2021). Domestic Violence During COVID–19: Evidence from a Systematic Review and Meta-Analysis.

[18] Urban Indian Health Institute. (September 2020). Sacred: Womxn of Resilience.

HOLISTIC GENDER-BASED VIOLENCE SERVICES

The pandemic has stressed the need for additional resources to reach AI/AN survivors, victims, families, and communities affected by the Missing and Murdered Indigenous Women and People (MMIWP) crisis. During the pandemic, gender-based violence incidents increased by 8.1 percent,[17] yet we know this is a severe undercount for AI/AN populations who are difficult to reach. IHS must receive additional funding to support prevention and intervention of violence for our loved ones.

In response, UIHI has released a number of reports including: Sacred: Womxn of Resilience,[18] a report on the COVID–19 impact on Native femme-identify Native survivors of sexual violence; Service as Ceremony: A Journey Toward Healing,[19] a national study interviewing gender-based violence direct service providers; and Building the Sacred: An Indigenous Framework for Programs Serving Native Survivors of Violence.[20] These reports are critical to understanding where continued investments and policy change are needed so we may move towards healing.

Sacred: Womxn of Resilience was a grant opportunity for Native femme-identifying survivors of sexual assault who had been impacted by the pandemic. The report recommended funding for housing stability, legal representation, behavioral health, and strengthening community support to reduce unmet needs, support providers, promote self-determination and healing, and honor Tribal sovereignty. The report also found the relationship between law enforcement, providers, and survivors could be improved through culturally responsive training and authentic relationship-building.

Service as Ceremony: A Journey Toward Healing details stories and experiences of gender-based violence direct-service providers in urban and rural Native communities. The report found culturally attuned programing that holistically address physical, psychological, and spiritual impacts, while responding to community needs, were essential to building resiliency and responding the spectrum of violence. The providers' stories revealed six areas of unmet needs: centering culture as a core part of service; improve flexibility of State and Federal grants; increased access to housing and stability; and expanded LGBTW2S+ services in community prevention.

As a compliment to Service as Ceremony, we released Building the Sacred: An Indigenous Evaluation Framework for Programs Serving Native Survivors of Violence. UIHI's framework supports building the patient-provider relationship and culturally attuned responses to MMIWP. These reports make three key recommendations 1) fund TECs to conduct research by and for Indigenous people 2) Assure funding is non-competitive, multi-year, and provides flexible spending, and 3) Include UIOs in grant carve outs in bills like the Violence Against Women Act (VAWA).

The subcommittee and IHS must implement policies, programming, and activities to support a multipronged approach to address the MMIWP crisis. Federal agencies have a fiduciary obligation to protect AI/AN populations across the Nation and must do everything in their statutory limits to combat MMIWP.

[This statement was submitted by Abigail Echo-Hawk, MA, Director of the Urban Indian Health Institute.]

PREPARED STATEMENT OF THE U.S. FISH AND WILDLIFE SERVICE

Thank you for the opportunity to provide testimony regarding Fiscal Year 2023 (FY23) appropriations. Our organizations share a commitment to collaborative, landscape-scale conservation. This work brings people together across geographies, sectors, and cultures to restore fragmented landscapes and seascapes, safeguarding the ecological, cultural, and economic benefits provided by intact and connected habitat. We therefore support the President's FY23 Budget Request of $57.5M (an increase of approximately $27.7M over FY22) for the U.S. Fish and Wildlife Service's

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[15] National Partnership for Women & Families. (October 2019). American Indian and Alaska Native Women's Maternal Health.

[16] IHS. Maternal Mortality and Morbidity in Indian Country. https://www.ihs.gov/sites/dccs/themes/responsive2017/display_objects/documents/IHSmaternalmortalityfsfinal.pdf

[17] National Commission on COVID–19 and Criminal Justice (February 2021). Domestic Violence During COVID–19: Evidence from a Systematic Review and Meta-Analysis.

[18] Urban Indian Health Institute. (September 2020). Sacred: Womxn of Resilience. www.uihi.org/download/supporting-the-sacred-womxn-of-resilience/?wpdmdl=18261&refresh=6217b40a4ce3e1645720586

(USFWS) Science Applications Program.[1] This funding is critical for effectively coordinating collaborative, large landscape conservation, climate resilience, and habitat connectivity efforts across the Federal Government-and with state, Tribal, and non-governmental partners nationwide. Furthermore, we urge you to provide an additional $2.5M ($60M total for Science Applications) in order to begin implementing the consensus recommendations that emerged from the recent Future of Conservation Forum[2] (led by USFWS) and the recent congressional briefing on "Building a Durable National Framework for Large Landscape Conservation."[3]

As described in the USFWS FY23 Budget Justification,[4] Science Applications "addresses complex, multi-jurisdictional conservation challenges across large landscapes using a collaborative approach to develop shared conservation priorities, actions and outcomes" (SA–1, emphasis added). Science Applications achieves this by convening federal, state, Tribal, and non-governmental partners to identify and implement durable, inclusive, and landscape-scale conservation solutions. The Science Applications Cooperative Landscape Conservation[5] and Science Support[6] activities provide the coordination, scientific expertise, and technical tools needed to tackle challenges that transcend the management authority, resources, and scope of any single entity. Investing in the collaborative processes and Landscape Conservation Designs[7] of these multi-stakeholder conservation partnerships is necessary to adequately address pressing threats to American livelihoods and ecosystems, such as climate change, habitat fragmentation, biodiversity loss, and environmental injustice-key goals of the Biden administration's America the Beautiful initiative.

Effectively synchronizing landscape conservation, habitat connectivity, and climate adaptation efforts across Federal agencies and coordinating these efforts with non-federal partners requires investing in a new durable, comprehensive, and inclusive national structure for and approach to landscape conservation. That is why a group of experts published a report in 2021 calling for renewed Federal leadership and resources to address large-scale conservation challenges and to support and connect regional conservation partnerships across the Nation.[8] This perspective is shared by many prominent leaders in the conservation community, as articulated in an op-ed published in The Hill last year by former U.S. Department of the Interior (DOI) officials.[9]

Given this clarion call for a coordinated strategy, and growing public attention to the issue, the non-partisan Environmental and Energy Study Institute (EESI) held a congressional briefing on large landscape conservation in March (summarized in Appendix 1 of this testimony). Expert panelists-representing USFWS, the Native American Fish and Wildlife Society, conservation organizations, and environmental foundations-discussed opportunities to coordinate and catalyze collaborative conservation efforts through a locally-led, nationally-scaled strategy and approach. A key theme that emerged was the need for funding, policies, and processes that elevate shared conservation priorities from the bottom up, and that weave together conservation efforts into a cohesive network of landscape-scale partnerships and programs.

Recognizing this need, Science Applications has stepped up to launch the "next generation of collaborative conservation," in partnership with State and Tribal agencies, Federal counterparts, and stakeholders on the ground (USFWS FY23 Budget Justification, SA–4). Ultimately, these efforts aim to build an inclusive, "durable conservation framework to promote biodiversity, climate adaptation and mitigation, and racial equity" (USFWS FY23 Budget Justification SA–7). To achieve this ambitious and important goal, USFWS convened over 200 federal, state, Tribal, and non-governmental partners in January to prioritize actions to better coordinate con-

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[20] Urban Indian Health Institute (February 17, 2022). Building the Sacred. www.uihi.org/download/building-the-sacred-an-indigenous-evaluation-framework-for-programs-serving-native-survivors-of-violence/?wpdmdl=19565&refresh=6216aacc3cca61645652684

[1] https://www.fws.gov/press-release/2022–03/presidents-2b-service-budget-request-prioritizes-conservation-key

[2] https://www.futureofconservation.earth/forum.html

[3] https://www.eesi.org/briefings/view/032922fed

[4] https://www.fws.gov/media/fiscal-year-2023-fish-and-wildlife-service-budget-justification

[5] The FY23 budget request for Cooperative Landscape Conservation is $19,013,000 and 85 full-time employees (FTEs), an increase of $6,102,000 and 25 FTEs over the 2022 annualized level provided by the continuing resolution (SA–1).

[6] The FY23 budget request for Science Support (including Adaptive Science and Service Science, combined) is $38,482,000 and 49 full-time employees (FTEs), an increase of $21,215,000 and 26 FTEs over the 2022 annualized level provided by the continuing resolution (SA–1).

[7] USFWS defines Landscape Conservation Designs as "blueprints that guide partners in targeting their management efforts to areas they collectively identify as having high conservation value" (USFWS FY23 Budget Justification, SA–8).

[8] https://largelandscapenews.org/2021/05/17/national-landscape-conservation-framework/

servation efforts and build a unifying national framework. Science Applications took the lead on summarizing these recommendations into a report, the executive summary of which is included as Appendix 2 to this testimony. To begin implementing the actions-which echo the recommendations of the aforementioned landscape conservation framework report,[10] op-ed by former DOI officials, and EESI briefing-Science Applications needs funding beyond the $57.5M in the budget request.

An additional $2.5M (for a total FY23 appropriation of $60M for Science Applications) is necessary to collaboratively develop a new national framework for conserving a network of healthy and productive lands and waters that sustain our Nation's unique natural and cultural resources. In particular, greater direct investments in building and sustaining the collaborative capacity of landscape conservation partnerships across the country are critical (as recognized in Theme 3 of Appendix 2). In the USFWS FY23 Budget Justification, Science Applications recognizes "[c]apacity for coordination and collaboration is essential for maintaining [the] partnerships" that underlie their work (SA–3). USFWS also notes that fostering the strong working relationships at the heart of collaborative conservation requires reliable funding over the long-term (SA–3). Once a solid foundation of trust and a shared conservation vision are in place, then USFWS and their partners can successfully "work within their respective authorities and priorities to deliver conservation actions that are collectively greater than the sum of the parts" (SA–3).

Ultimately, Science Applications is uniquely positioned to provide "Federal support to local, State, and regional conservation efforts that contribute to creating a more inclusive and enduring conservation framework by bringing people and organizations together to accomplish shared conservation priorities." (SA–7). To play this vital support and catalyst role, the program needs robust congressional appropriations. We appreciate your consideration of our testimony and would be happy to provide additional information.

APPENDIX 1

BUILDING A DURABLE NATIONAL FRAMEWORK FOR LARGE LANDSCAPE CONSERVATION

ENVIRONMENTAL AND ENERGY STUDY INSTITUTE BRIEFING SERIES AGENCIES IN ACTION: FEDERAL PROGRAMS THAT DELIVER CLIMATE MITIGATION AND ADAPTATION BENEFITS EVERY DAY

The final briefing in the series focused on landscape conservation. Ecosystems often span county, state, Tribal, and national borders. Wide swaths of area must be managed across jurisdictions and in collaboration with stakeholders on the ground to maximize social and environmental benefits, including ecosystem services such as water filtration and carbon sequestration. Furthermore, networks of intact and connected core habitats, working lands, and open space facilitate the migration of species, which is especially important for allowing animals to adapt to climate and land use changes, as well as for reducing human-wildlife conflict and wildlife-vehicle collisions.

Panelists dove into the benefits of coordinating conservation efforts at the scale of large landscapes and showcased opportunities to advance an inclusive and durable national framework for landscape conservation.

Key Takeaways

—No single entity alone has the authority or the ability to address conservation challenges across the United States. A coordinated national effort by the conservation community is required. This effort, due to its scale and scope, would be best supported by Federal leadership.

—A national framework for landscape conservation should not be a top-down regulatory approach. Rather, it should be a set of conditions that would elevate shared conservation priorities and challenges from the bottom up. It could also include a national network of collaborative conservation partnerships.

—A national survey by the Network for Landscape Conservation identified 122 collaborative landscape conservation initiatives in the United States. The projects are locally focused, but they achieve significant regional and national outcomes.

—The Infrastructure Investment and Jobs Act (Public Law 117–58) provides $400 million in ecosystem restoration grants to States, Tribes, and territories. Continued engagement with States and Tribes on implementation is critical.

[9] https://thehill.com/opinion/energy-environment/549729–21st-century-conservation-a-vision-of-collaboration-across

—There is no guaranteed funding for Tribal fish and wildlife programs. Tribes must cobble together funds piecemeal for their programs through multiple funding sources. The Recovering America's Wildlife Act (H.R.2773) would be a great way to work with Tribes. For the first time, Tribes were included in the development of this conservation bill from the beginning. The Tribal title would provide base funds for Tribal fish and wildlife programs.

APPENDIX 2

THE FUTURE OF CONSERVATION FORUM: CREATING AND IMPLEMENTING A COLLABORATIVE NATIONAL FRAMEWORK

DRAFT SUMMARY OF RECOMMENDED ACTIONS

Executive Summary

Stemming the biodiversity crisis and mitigating climate impacts requires us to rally together to create a network of connected lands and waters that can support healthy wildlife and thriving human populations. Fish and wildlife agencies have the important role and unique responsibility to conserve fish, wildlife, and their habitats yet the agencies also recognize the need to adapt to a changing society to increase the relevancy of conservation. An overarching challenge to conservation is how we weave disparate efforts together to create a durable and unifying national framework for conservation.

In January 2022, the Future of Conservation Forum brought together over 200 professionals to discuss and begin to prioritize the actions needed to ensure a durable future for conservation. Participants included representatives from federal, provincial, and State governments, Indigenous groups, non-governmental organizations, philanthropies, businesses, landowners and others. Forum participants were divided into working groups that generated ideas in one of seven areas:

—Collaboration

—Private Lands

—Biodiversity

—Climate Change

—Urban Landscapes

—Coordination across Governments

—Integrating Science and Traditional Ecological/Indigenous Knowledges in Conservation Planning

The report summarizes cross-cutting themes and their respective actions that surfaced across many or all of the working groups during the forum. It also includes actions around each of the seven working group areas. We consider this report a "living document" that we expect to evolve with additional input. It is hoped that this summary and the report will be used by agencies and organizations as they work collaboratively towards defining and developing a national framework for landscape-scale conservation.

Cross-cutting themes emerging from the forum are:

1) Build Trust to Strengthen Collaboration and Achieve Greater Impact

2) Inventory Approaches to Landscape Conservation and Collaboration

3) Establish Support for Critical Functions

4) Advance A Framework That Increases Equity and Inclusion

5) Secure New Funding and Develop A Comprehensive Funding Approach

6) Develop and Deliver Robust Communication, Outreach, and Education

[This statement was submitted by Center for Large Landscape Conservation.]

PREPARED STATEMENT OF THE WATEREUSE ASSOCIATION

Thank you for the opportunity to present our fiscal Year 2023 funding requests for programs administered by the U.S. Environmental Protection Agency (EPA). The WateReuse Association (WateReuse) urges you to meet the President's fiscal Year 2023 Budget Request of $25 million for the Pilot Program for Alternative Water Source Grants (33 U.S.C. 1300).

WateReuse is a not-for-profit trade association for water utilities, businesses, industrial and commercial enterprises, non-profit organizations, and research entities that engage in and on water reuse. WRA and its state and regional sections rep-

resent more than 200 water utilities serving over 60 million customers, and over 300 businesses and organizations across the country. WRA's mission is to advance safe and sustainable water supplies, to promote acceptance and support of recycled water, and to advocate for policies and funding that increase water reuse.

As climate change accelerates, and its associated impacts on water resources increase, the Nation must invest in water recycling to build resilience, manage energy demands, support public and environmental health, and ensure America's economic prosperity. Investments in water recycling ensure reliable and resilient community water supplies, support sustainable economic development, and help protect our rivers, lakes, streams, aquifers and wetlands. Moreover, water recycling projects often using less energy, imposing a smaller carbon footprint, and generating fewer air pollution emissions than other options for providing new water supplies.

To address this urgent need, Congress authorized the Pilot Program for Alternative Water Source Grants as part of the recently enacted Infrastructure Investment and Jobs Act of 2021. Through the program, EPA would make competitive grants to state, interstate, and intrastate water resource development agencies to engineer, design, construct, and test alternative water source systems, including water reuse systems. The program will ensure that communities in all 50 States plus the District of Columbia and Puerto Rico can access water recycling tools to solve local water challenges.

We strongly supported Congress' decision to reauthorize the Pilot Program for Alternative Water Source Grants as part of the Infrastructure Investments and Jobs Act, and we urge you to provide first-time funding for the program in fiscal Year 2023.

EXAMPLES OF WATER RECYCLING FROM AROUND THE COUNTRY

In Virginia's tidewater region, Hampton Roads Sanitation District is pursuing a multi-benefit water reuse program called the Sustainable Water Initiative for Tomorrow (SWIFT). HRSD's SWIFT project treats wastewater effluent to drinking water standards and reuses it to recharge the regional aquifer. The investment of $1.1 billion in capital outlays provides critical public health, environmental and economic benefits by replenishing the overdrawn Potomac Aquifer, recharging 100 million gallons per day (MGD) of fresh water at full implementation, providing a reliable safe water supply to support the region's population and the Nation's critical military assets, and generating nutrient credits that HRSD can trade—providing an estimated savings of $1.5 billion for 11 counties across the region. EPA investment programs have provided critical capital to help move this large project forward.

In Florida's Tampa Bay Region, Hillsborough County's Saltwater Intrusion and Aquifer Recharge Program (SHARP) is creating a hydraulic barrier to saltwater intrusion between the Bay and the region's drinking water aquifer. At a cost of $20 million, SHARP is yielding significant climate-resiliency benefits by protecting the region's freshwater aquifer from sea level rise and saltwater intrusion, reducing pumping costs and energy use by raising groundwater levels and increasing pressure in the potable freshwater aquifer, generating water supply credits that offset the project's cost, and supporting seagrass and fishery recovery efforts by reducing nutrient and other effluent loadings.

In Texas, El Paso Water is using water recycling and saline groundwater desalination to produce a drought-resilient, cost-effective, and reliable water supply to support a vibrant local economy. Compared to the next best alternative (importing groundwater), El Paso's water reuse program is reducing energy use by 3.6 million MWH over the planning period, shrinking the agency's carbon footprint by nearly 700,000 MT of carbon emissions over a 50-year period, and addressing affordability challenges related to imported water by saving more than $1.2 billion, or 74 percent.

In Southern California's Chino Basin, local leaders developed the Optimum Basin Management Program (OBMP) to address the region's water challenges. At its core, the OBMP is a water reuse program with other key components facilitated by water recycling. The OBMP generates energy savings in excess of 5.8 Billion kWh over 30 years by relying on local resources rather than energy intensive water imports, saves ratepayers an estimated $2.4 billion in water supply costs (a 153 percent return on investment), and restores instream flows and water quality in the Santa Ana River, returning a surface water supply to downstream Orange County and replenishing and improving water quality in the Chino Groundwater Basin.

[This statement was submitted by Greg Fogel, WateReuse Association.]

PREPARED STATEMENT OF WESTERN GOVERNORS' ASSOCIATION

Chair Merkley, Ranking Member Murkowski, and Members of the subcommittee, the Western Governors' Association (WGA) appreciates the opportunity to provide written testimony on the appropriations and activities of the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), National Park Service (NPS), U.S. Forest Service (USFS) and Environmental Protection Agency (EPA). WGA is an independent organization representing the Governors of the 22 westernmost States and territories. The Association is an instrument of the Governors for bipartisan policy development, information sharing and collective action on issues of critical importance to the western United States.

The agencies within the subcommittee's jurisdiction wield significant influence over vast areas of the American West. Ninety-four percent of all Federal lands are located in the western States, and the Federal Government owns over 46 percent of the land within active WGA States. The work of this subcommittee is of vital importance to Western Governors, as it affects public lands management and Federal agency interaction with other levels of government and the public.

There is a natural tension between State and Federal Governments that is embedded in the fabric of the U.S. Constitution. These sovereign governments must have a close and productive working relationship to promote efficiency and maximize returns on taxpayer investments. Improving the partnership between States and the Federal Government is central to the mission of WGA and is reflected in WGA Policy Resolution 2021–01, Strengthening the State-Federal Relationship.

In last year's House committee report accompanying the Interior, Environment, and Related Agencies Fiscal Year 2022 appropriations bill (H. Rpt. 117–83), the Federal agencies funded by the Interior bill were directed to provide appropriate feedback on Tribal input received by agencies through meaningful consultation in their decision-making processes. Similar direction to Federal agencies for government-to-government consultation with States, which is required pursuant to Executive Order 13132, Federalism, would improve the co-sovereign relationship between States and the Federal Government.

Federal agencies should provide state, territorial, local, and Tribal government officials with accessible and clear information on available Federal resources and programs and the most effective utilization of those resources in disaster recovery. WGA has worked with Federal partners to improve interagency coordination on post-wildfire restoration work, including a roadmap of assistance available to communities affected by wildfire and identification of "navigators" to help communities prioritize post-wildfire restoration needs. Western Governors urge the Federal Government to prioritize the funding of these important efforts, as they should have a positive effect on maximizing the value of restoration work and, more importantly, addressing the needs of communities affected by wildfire.

Western Governors are proud of the 2018 Shared Stewardship Memorandum of Understanding (MOU) between WGA and the U.S. Department of Agriculture (USDA). The MOU has led to collaborative engagement on several cross-boundary, cross-jurisdictional issues, including post-wildfire interagency coordination, cheatgrass infestations, and vegetation management in utility corridors. It has also led to positive engagement between individual States and the Department: USDA has now executed Shared Stewardship agreements with 28 States, 15 of which are within the WGA footprint. These agreements provide States a useful tool to discuss land management priorities and coordinate on priority land management projects.

Responsible land management can only occur when federal, State and local stakeholders collaborate to improve the health and resilience of our lands. Likewise, proactive fish and wildlife conservation is most effective when leveraging the cooperative efforts of State and Federal officials across multiple disciplines. To this end, Western Governors support all reasonable proactive management efforts to conserve species, including engaging stakeholders to implement early, voluntary conservation measures. WGA also believes the Services should explore expanded use of detail positions and shared staff between State and Federal agencies to increase interagency coordination.

States possess primary authority to manage most fish and wildlife within their borders, and they receive economic benefits associated with healthy species and ecosystems. At the same time, species listings can dramatically affect the efforts of western States to promote economic development, accommodate population growth, and maintain and expand infrastructure. Western Governors believe that States should be full partners in listing, critical habitat designations, recovery planning, recovery efforts, and delisting decisions. State agencies often have the best available science, expertise and other scientific and institutional resources such as mapping capabilities, biological inventories, biological management goals, state wildlife action

plans and other important data. All listing, recovery and delisting decisions made by the Federal Government should recognize, consult, and employ these vast state resources and utilize objective, peer-reviewed scientific literature and scientific observations.

Fish and wildlife migration corridors and habitat are necessary to maintain healthy populations of species in the West. Western Governors applaud the additional funding for Federal agencies to advance state-supported programs and projects promoting voluntary migration corridor and habitat conservation and request that you continue to appropriate these funds. Governors note that any Federal efforts to identify, regulate or conserve wildlife migration corridors through administrative or legislative action must involve coordination and consultation with States and should advance collaborative, locally driven initiatives to conserve key wildlife corridors and habitat.

WGA applauds the full funding for the Payment in Lieu of Taxes (PILT) program administered by the Department of the Interior for fiscal year 2021 and recommends the enactment of a permanent and stable funding mechanism for the program. PILT funding does not represent a gift to local jurisdictions; rather it provides important compensation for the disproportionate measure of non-taxable Federal lands in the West. Similarly, payments under the Secure Rural Schools and Community Self-Determination Act (SRS) compensate communities whose timber industries have been negatively affected by actions and acquisitions of the Federal Government. Western Governors request that you continue to appropriate full funding annually for both PILT and SRS in the future.

Western Governors continue to be concerned about the number of wild horses and burros on BLM lands. This number is presently estimated to be more than triple the current Appropriate Management Level (AML). Overpopulation has resulted in the degradation of rangeland, negatively affecting wildlife and domestic livestock as well as the habitat of threatened and endangered species. WGA supports a process to establish, monitor and adjust AMLs for wild horses and burros that is transparent to stakeholders, supported by scientific information (including state data), and amenable to adaptation with new information and environmental and social change. Western Governors recognize BLM's 2019 Path Forward for Management of BLM's Wild Horses and Burros and 2020 Analysis of Achieving a Sustainable Wild Horse and Burro Program as examples of sensible alternatives to current wild horse and burro management practices. WGA encourages the subcommittee to continue funding the BLM's implementation of the recommendations contained in these proposals.

WGA remains concerned about the spread of invasive mussels in the West and has highlighted this issue through the Western Governors' Biosecurity and Invasive Species Initiative. Of particular concern are invasive quagga and zebra mussels, which continue to be a major threat to western water resources. To combat this threat, Western Governors request that the BLM, FWS and NPS continue to be provided with the resources necessary to implement mandatory inspection of all high-risk watercraft and decontamination of watercraft infested with quagga and zebra mussels leaving waterbodies under their jurisdiction. Outside the jurisdiction of the subcommittee but relevant to this matter, Western Governors support legislation that would clarify Federal authority to conduct inspection and decontamination procedures and manage invasive species on lands and waters under their jurisdiction.

Western Governors applaud NPS for its efforts to preserve iconic landscapes, habitats and cultural resources. WGA is concerned, however, about the significant maintenance backlog affecting National Parks. WGA appreciates the funding authorized by the Great American Outdoors Act for priority deferred maintenance projects administered by Federal land management agencies and supports ongoing NPS operations to address critical infrastructure needs.

Data for water management and drought response planning is critical to western States. Western Governors request continued funding for the Groundwater and Streamflow Information Program administered by the U.S. Geological Survey. The data generated by the program is integral to water supply management decisions of States, utilities, reservoir operators and farmers. It is also essential for risk management, disaster mitigation, and drought and flood forecasting throughout the West.

Infrastructure management is another crucial element of drought response, and Federal investments in our Nation's aging water and wastewater facilities are essential to our Nation's continued economic prosperity and environmental protection. EPA'S Clean Water and Drinking Water State Revolving Funds (SRFs) provide necessary support for communities to maintain and enhance their water infrastructure. Western Governors' Policy Resolution 2021–10, Water Quality in the West, encourages adequate funding for SRFs. Western Governors appreciate the SRF appropria-

tions and authorizations included in the Infrastructure Investment and Jobs Act and encourage the subcommittee to strongly support these programs. Western Governors similarly support the funding of Federal programs that promote non-federal water infrastructure investment, such as the Water Infrastructure Finance Innovation Act program. This important program provides flexible long-term, low-cost supplemental credit assistance for projects of national and regional significance.

States have exclusive authority over the allocation and administration of rights to groundwater located within their borders and are primarily responsible for protecting, managing, and otherwise controlling the resource. The regulatory reach of the Federal Government was not intended to, and should not, be applied to the management and control of groundwater resources. WGA encourages Congress to include express and unambiguous language protecting States' authority over groundwater resources in any water-related legislation, as well as clear direction to administrative agencies to respect such authority. WGA appreciates the language included by the subcommittee in prior Appropriations Acts addressing existing statutory authorities for groundwater protection. Federal agencies should work within existing State authorities to address their groundwater-related needs and concerns. WGA urges you to ensure that Federal efforts involving groundwater recognize and respect state primacy and comply with all statutory authorities.

States also possess delegated authority from EPA to manage air quality within their borders. Congress and EPA should recognize state authority under the Clean Air Act (CAA) and accord States sufficient flexibility to create air quality and emissions programs tailored to individual state needs, industries and economies. State CAA programs require financial support from Congress, yet funding has declined since the CAA's enactment. In addition, given the unique character of the West and the region's attainment challenges, funding should be appropriated for EPA to assist western States in research on background, interstate and transported ozone. This is especially critical as more frequent and intense wildfires are steadily reducing the West's gains in air quality improvement. Smoke from wildfires causes exceedances under National Ambient Air Quality Standards for particulate matter and ozone, negatively affecting public health, safety and transportation. Prescribed fire can reduce these effects but is currently underused in many areas due to concerns about how it may affect compliance with CAA State Implementation Plans.

Western Governors and Federal land management agencies deal with a complex web of interrelated natural resource issues. It is an enormous challenge to judiciously balance competing needs in this environment, and Western Governors appreciate the difficulty of the decisions this subcommittee must make. The foregoing recommendations are offered in a spirit of cooperation and respect, and WGA is prepared to assist you in discharging these critical and challenging responsibilities.

[This statement was submitted by James D. Ogsbury, Executive Director, Western Governors' Association.]

PREPARED STATEMENT OF WESTERN STATES ARTS FEDERATION

Thank you for providing the opportunity to submit outside witness testimony as you consider investments in vital Federal agencies, including the National Endowment for the Arts (NEA). The Western States Arts Federation (WESTAF), a regional partner of the NEA, and the Western Arts Advocacy Network (WAAN) write to affirm the integral role the NEA plays in communities throughout the region.

As we know, arts and creativity strengthen our Nation. They make us stronger-as individuals, families, communities, States and as a country. They are a backbone of innovation, prosperity, and thriving people and places. Public funding for arts and creativity is a high return investment that benefits every American in every city, town and rural community nationwide. Federal support of the arts is uniquely valuable because the ratio of private and other public funds matching every NEA grant dollar is about 9:1, far surpassing the required non-federal match of at least 1:1 (NEA, 2021).

We urge you to continue bipartisan support and fund the National Endowment for the Arts in the fiscal Year 2023 Interior Appropriations bill at no less than $203.55 million to broaden access to the cultural, educational, and economic benefits of the arts and to advance creativity and innovation in communities across the United States. Because of the leadership of Congress, this increase will mean expanded support of arts and culture across the West driven by decisions made at the community level. We encourage the subcommittee to build a specific path to index funding for the National Endowment for the Arts and National Endowment for the Humanities (NEH) at $1 per capita. Each agency is currently funded at about .54 cents per capita. We also encourage continued parity between NEA and NEH fund-

ing. We further request you to support the recovery of the arts sector by allowing the NEA to provide general operating support funding as the sector recovers from the Omicron variant to COVID–19.

We understand the importance of the NEA's leadership in the West and would like to point out the following:

1. NEA is a significant funder and a positive force for arts development in the West, a fast growing and exceptionally diverse region that is home to nearly a quarter of the U.S. population.

2. NEA funds reach every congressional district in the West and throughout the United States (435 congressional districts). NEA support is a critical component in ensuring that arts funding reaches every community in the U.S.

3. In the West, the NEA has awarded more than $25 million in grants annually to arts efforts in recent years. In 2022, the NEA awarded $11.2 million to support state arts agencies in the West, and across the region the Endowment's federal-state partnership is absolutely essential.

4. Every dollar of Federal funding invested in the National Endowment for the Arts leverages $9 of additional funding nationally. Investment into state arts agencies in our region alone provides a nearly 12:1 return on investment based on 2022 data (see table below).

National Endowment for the Arts Contribution to State Arts Agency Revenue in the West FY22

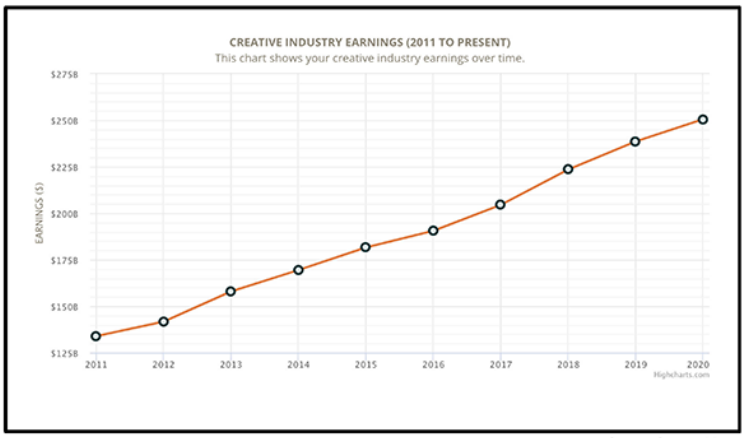
State	Total Agency Revenue ($)	Arts Endowment funds ($)	% of Total Funding From Arts Endowment
Alaska	3,852,107	726,807	18.9
Arizona	4,378,732	942,732	21.5
California	179,027,900	1,305,900	0.7
Colorado	2,907,265	808,1000	27.8
Hawai'i	8,507,889	750,700	8.8
Idaho	1,712,755	828,460	48.4
Montana	1,923,508	879,900	45.7
Nevada	2,815,976	772,700	27.4
New Mexico	2,189,200	771,200	35.2
Oregon	7,022,195	841,600	12.0
Utah	12,165,900	799,700	6.6
Washington	6,703,449	922,200	13.8
Wyoming	1,786,200	743,483	41.6
WESTAF region	234,993,076	18,366,382	23.72

Source: National Assembly of State Arts Agencies, 2022

Arts and creativity are an American economic engine. Based on 2020 data from the Bureau of Economic Analysis, the arts and culture sector experienced substantial losses due to the COVID–19 pandemic. Between 2019 and 2020, the U.S. arts economy shrank at nearly twice the rate of the economy as a whole: arts and cultural production fell by 6.4 percent compared with a 3.4 decline in the overall economy. In spite of these challenges in 2020, arts and culture still added $876.7 billion, or 4.2 percent, to national GDP (Bureau of Economic Analysis, 2022). The size and diversity of the arts and culture sector helped it to remain a major contributor to the economy.

The sector provides people with the foundation for creativity, equipping an innovative workforce, generating new ideas in every field, and keeping our Nation globally competitive. Arts and creativity strengthen economic health by creating jobs in multiple industries, driving tourism, and providing opportunities for young people. In the West, jobs in creative occupations, creative industries earnings, and cultural nonprofit revenues were all on an upward growth trajectory prior to the pandemic according to WESTAF's Creative Vitality Suite data.

CREATIVE INDUSTRIES EARNINGS GROWTH IN THE WEST, 2011–2020



Source: Creative Vitality Suite, 2022

Helping the creative economy to get back on track will reap rewards for the region and the Nation as a whole. The National Endowment for the Arts acts as the flag bearer for this vital industry in our Nation that in the West alone grew by 85 percent between 2011 and 2020 (Creative Vitality Suite, 2022).

New research shows that the arts can accelerate State and local economic turnarounds. A first-of-its-kind empirical analysis conducted by Douglas Noonan at Indiana University studied the role of the arts in economic recovery after the Great Recession, and the data reveals that the creative sector grew more quickly than the general economy in those years. Unlike conventional industrial supply chains, the arts often grow independently from other sectors, which helps to diversify state economies. States with varied arts ecosystems (including the performing, visual, media, design and publishing subsectors) posted bigger economic gains after the Great Recession than their less-diversified neighbors. Creativity stimulates economic development while bolstering civic engagement, making the arts a powerful catalyst for building economic strength.

In addition to economic benefits, the NEA is an example of impactful federal-state partnership. Effective federal-state partnership is what allows the Endowment to continue its long standing focus on the "underserved." Thanks to Congressional leadership, the NEA can continue to support the work of local communities across the West. Recent examples of the Arts Endowment's direct support in the West ranges from support of organizations such as Art Access who provides visual and literary arts programs for veterans in Utah to Crow's Shadow Institute of the Arts whose vision is to help creative people on the Confederate Tribes of the Umatilla Indian Reservation in Pendleton, Oregon. The Arts Endowment invests in projects that represent all communities in the West, but the agency's support has been particularly important to engaging rural communities, indigenous communities, young people, and the full range of communities that make up the West in terms of race and ethnicity.

Public funding for arts and creativity is a high-return investment in every town and rural community nationwide, not only in the biggest cities. It improves the lives of all Americans, equips an innovative workforce, and keeps us competitive globally. It is a great example of government done right that fuels public-private partnerships, leverages considerable additional public and private investment far surpassing the required Federal match of 1:1, and puts tax dollars and decision-making authority into State and local hands. The NEA's fiscal Year 2022 budget is $180 million, just 0.004 percent of the Federal budget. The Administration's fiscal Year 2023 budget request for the NEA is $203.55 million. A more robust agency budget would not only help to support the recovery of one of the most devastated, yet resilient industries emerging from the pandemic but also move us toward ensuring that the arts contribute to the present and future strength, pride, cohesion and economic success of every community in the United States.

Sincerely,

Tamara Alvarado Chair	Christian Gaines Executive Director	David Holland Deputy Director

Western Arts Advocacy Network

Julie Baker *Co-Chair* Executive Director California Arts Advocates Californians for the Arts	Manny Cawaling *Co-Chair* Executive Director Inspire Washington	Norm Campbell President Alaska Arts & Culture Foundation
Patrick McWhortor Executive Director Arizona Citizens for the Arts	Christin Crampton Day Executive Director Colorado Business Committee for the Arts	Benjamin Brown Chair Alaska State Council on the Arts
Paul Stahl Chair Montana Cultural Advocacy	Tia Flores Chair Cultural Alliance Nevada	Jim Patterson Chair Creative New Mexico
Sue Hildick Executive Director Cultural Advocacy Coalition of Oregon	Crystal Young Executive Director Utah Cultural Alliance	Wendy Bredehoft Chair Wyoming Arts Alliance

[This statement was submitted by WESTAF and the Western Arts Advocacy Network.]

PREPARED STATEMENT OF THE WILDLIFE CONSERVATION SOCIETY

The Wildlife Conservation Society (WCS) would like to thank Chairman Merkley, Ranking Member Murkowski, the members of the subcommittee for providing this opportunity to submit testimony in support of funding in the FY23 Interior, Environment Related Agencies Appropriations Act for the Multinational Species Conservation Fund (MSCF), Office of International Affairs (IA), Office of Law Enforcement (OLE), Endangered Species Recovery Grants Program accounts at the U.S. Fish Wildlife Service (FWS), the International Forestry program at the U.S. Forest Service (USFS), the Climate Adaptation Science Centers at the U.S. Geological Survey (USGS).

WCS was founded with the help of Theodore Roosevelt in 1895 with the mission of saving wildlife wild places worldwide. Today, WCS manages the largest network of urban wildlife parks in the United States, led by our flagship, the Bronx Zoo. Globally, our goal is to conserve the world's most important wild places, focusing on 14 priority regions that are home to more than 50 percent of the world's biodiversity. We have offices field programs in more than 60 countries work with our partners to manage more than 200 million acres of protected areas around the world, employing more than 4,000 staff including about 200 Ph.D. scientists 100 veterinarians.

The world faces three existential crises, all caused by humankind: a pemic of zoonotic origin, the loss of biodiversity, climate change. These crises are interrelated, with many of the same causes solutions. We know that pemics of zoonotic origin (passed between animals people) such as COVID–19 are directly tied to wildlife trade the breaching of the human-wildlife interface through deforestation forest degradation. We also know that deforestation forest degradation are major causes of carbon emissions, that more than a third of the answer to climate mitigation can come from nature-based solutions. Protected conserved areas are at the heart: they protect biodiversity, mitigate climate change, prevent future pemics of zoonotic origin. Ecologically intact areas in between protected areas support the well-being of millions, including Indigenous Peoples, are critical to achieving the UN Sustainable Development Goals. Additional funding in the FY23 Interior appropriations bill for international conservation programs will be critical to address these crises reassert U.S. leadership in the world.

FWS-Multinational Species Conservation Fund-$30 Million: Global priority species, such as tigers, rhinos, African Asian elephants, great apes, turtles, tortoises, face constant danger from poaching (particularly for illegal trade purposes), habitat loss degradation, other serious threats. MSCF programs have helped to sustain recover wildlife populations by combating poaching trafficking, reducing human-wild-

life conflict, protecting essential habitat-all while promoting U.S. economic security interests across the globe. These programs efficiently use taxpayer dollars, granting them an outsized impact because they consistently leverage two to four times as much in matching funds from organizations like WCS, foreign governments, local NGOs, private foundations.

Funding from the MSCF provides front-line protection against zoonotic disease by supporting projects that prevent or reverse the conditions that lead to pathogen spillover events. These events increase when humans come into closer contact with wildlife through the destruction degradation of wildlife habitats, particularly forests, or at live wildlife markets where animals are crowded for sale slaughter. In both situations, wildlife is likely to be severely stressed, which further increases the potential for pathogen spillover to occur for human disease outbreaks. Biodiversity loss, in itself, can also contribute to zoonotic disease spillover by removing buffer species that protect against diseases jumping into human populations.

WCS has had great success on projects using funds from the MSCF. One ongoing Great Ape award to WCS is supporting a 5-year project to secure the Cross River gorilla population in Nigeria Cameroon. WCS has established an effective network of core protected areas corridors linking habitat between the two countries is working with local communities to protect the intact, old growth forest that is their home critical to the survival of the fewer than 300 remaining gorillas.

FWS-International Affairs-$35 Million: The FWS IA program supports efforts to conserve our planet's rich wildlife diversity by protecting habitat species, combating illegal wildlife trade, building capacity for lscape-level wildlife conservation. The program provides oversight of domestic laws international treaties that promote the conservation of plant animal species by ensuring that international trade other activities do not threaten their survival in the wild. Within IA, the FWS Regional Programs for Africa, Eurasia, the Western Hemisphere seek to address grassroots wildlife conservation problems from a broad, lscape perspective, building regional expertise capacity while strengthening local institutions. The IA program works with the MSCF, supporting the conservation of species that are not specifically addressed by the Fund funding conservation of entire habitats, even in cases where they cross political boundaries.

WCS asks that the subcommittee increase funding for the program to $35 million so that it can continue to support efforts to conserve lscapes vulnerable species better address the crises facing the planet. In addition to this, increased funding is also needed to mitigate the impacts that the pemic is having on revenues that normally fund conservation, particularly those from ecotourism. Some of the most highly successful wildlife conservation programs, including those that the U.S. has supported for decades, work with developing countries local communities to combine sustainable management conservation of wildlife with new economic opportunities incomes derived from wildlife-based tourism. In some African countries, parks protected areas are a major driver of tourism a substantial contributor to their national GDP sustainable development. In many of these countries' community-managed "conservancies" wildlife is the foundation of tourism models that have generated millions of dollars in benefits for local communities supported successful, locally run conservation. With these revenues still recovering due to the pemic, support is needed to ensure conservation activities can continue.

The final FY20, fiscal year 2021 FY22 bills included report language directing the Department of the Interior to develop policies procedures for the execution oversight of international conservation programs to ensure that grant recipients have policies in place that safeguard the rights of Indigenous peoples the human rights of individuals communities in around protected areas supported by grant monies. WCS has worked with the Department FWS on the development of these guidelines urges the Committee to include funding to support their continued implementation enforcement.

FWS-Office of Law Enforcement-$152.5 Million: The U.S. remains one of the world's largest markets for wildlife wildlife products, both legal illegal. A small group of dedicated officers at OLE are tasked with protecting fish, wildlife, plant resources by investigating wildlife crimes-including commercial exploitation, habitat destruction, industrial hazards- monitoring international trade to intercept illegal products like wildlife timber facilitate legal commerce. As the United States developed implemented a comprehensive strategy to combat the growing crisis of wildlife trafficking over the last several years, most of the new responsibilities placed on FWS are enforced by OLE, WCS supports increasing funding for the agency to $152.5 million. A primary need for additional funding is to strengthen OLE's presence at the U.S. border to protect against the importation of wildlife that may serve as a host of pathogens that could cause dangerous diseases of zoonotic origin.

Recent increases in the OLE budget have enabled the agency to deploy 12 FWS attachés in targeted U.S. embassies overseas in countries including Tanzania, Gabon, Peru, China, Thail, where wildlife trafficking has proven to be a serious problem. Law enforcement attachés are experienced criminal investigators who specialize in wildlife natural resource investigations have provided extensive support to local authorities engaged in wildlife trafficking investigations. Several investigations of transnational organized crime networks involved in the trafficking of elephant ivory, rhino horn, reptiles, other wildlife wildlife parts between Africa Asia have been initiated as a direct result of attaché intervention, attachés have assisted extensively in fostering intelligence sharing investigative support between affected countries. The House has twice passed parts of the Preventing Future Pemics Act, most recently as part of the America COMPETES Act, which would authorize $150 million for the deployment support of additional OLE attachés. This language has bipartisan support in the Senate. As part of this request, WCS urges the Committee to include $37.5 million-one quarter of the authorization-to enable OLE to begin sting up this expected authorization.

FWS-Endangered Species Recovery Challenge Grants-$15 Million: Funding provided to the USFWS for recovery efforts of endangered species has been limited for decades. although the Service has accomplished some great successes-recovery of the bald eagle the brown pelican, for example-hundreds of species are in desperate need of help to prevent extinction. The Recovery Challenge Grants program provides matched funds from USFWS to support projects conducted by outside partners like zoos aquariums accredited by the Association of Zoos Aquariums to develop implement recovery plans high priority recovery actions for endangered species. With limited funding for recovery, it is more important than ever to invest Federal funding in programs that leverage the significant resources expertise of outside partners to help the USFWS accomplish its objectives in the most effective way. Increasing funding for endangered species through the Recovery account the Recovery Challenge Grant program specifically would recognize the positive impact this funding has had on recovery goals encourage the continued prioritization of these important functions.

USFS-International Forestry-$20 Million: With estimates ranging broadly from $51 billion to $150 billion, the trade in illegal timber threatens the world's forests, reduces biodiversity, severely impacts countless local communities that rely on forests for food, employment, wealth. The trade also affects the U.S. economy, which has lost approximately $1 billion per year over 200,000 jobs due to illegal logging. The International Forestry program (FS–IP) works to level the playing field by reducing illegal logging improving the sustainability legality of timber management overseas, translating to less underpriced timber undercutting U.S. producers. Through partnerships with USAID the Department of State, FS–IP helps to improve resource management in countries of strategic importance to U.S. economic national security. This work maintains biodiversity in important natural strongholds helps some of the world's last intact forests continue to play a key role in sequestering carbon, reducing the effects of climate change.

With technical financial support from FS–IP, WCS has been conserving the biologically rich Southern Forest Complex in the southern part of Myanmar. The region comprises tropical rain forests inhabiting globally endangered species like Indochinese tiger, Asian elephant, Malayan tapir. Furthermore, about 600 kilometers of coastline edged with mangrove forests allows for a considerable variety of biodiversity, including marine species such as sea turtles cetacean species such as whales dugong. In this lscape, WCS promotes a participatory approach to lscape level l-use planning advocating for the establishment of a Community Based Conservation Corridor along the Myintmoletkhet range, supporting local communities to conduct biological monitoring surveys within their traditional village boundaries, within or around protected areas.

USGS-Climate Adaptation Science Centers-$97 Million: The USGS Climate Adaptation Science Centers (CASCs) collaborate with cultural natural resource managers other stakeholders of public ls to develop research, data, scientific resources to respond to the effects of climate variability change on fish, wildlife, ecosystems, the communities they support. The National CASC manages nine Regional CASCs, which serve every State in the Nation connect decision makers to science by educating conducting actionable research to answer common concerns about how climate extremes trends affect human populations, wildlife, forests, grassls, rivers, coastlines, other natural resources.

Sea-level rise, changing stream ocean water temperatures, extreme weather events are causing Federal, State, local governments, businesses, Indigenous peoples to face new damages incur new costs to prepare for new conditions. As the challenges faced by these entities worsen, CASCs are deploying their research, edu-

cation, outreach capacities to provide science data to make strong decisions. But given accelerating dems, additional resources are required to provide the assistance to anticipate adapt to these changing circumstances. Looking to the future, there are opportunities for CASCs to: exp strategic partnerships with other government offices agencies, private-sector partners, community groups to increase understing implementation of new practices informed by sound science; exp CASCs role in generating knowledge the future workforce to build the capacity of DOI managers, their partners, to access apply climate science; increase development of data research that addresses the increasing informational needs of natural cultural resource managers; better inform the DOI strategic priorities mission areas with their supporting goals.

WCS appreciates the opportunity to share its perspective to make a case for modest increases in Federal investments in conservation in the FY23 Interior, the Environment Related Agencies Appropriations Act. Conservation of public ls is an American tradition, as far back as 1909, Theodore Roosevelt recognized that the management of our natural resources requires coordination between all nations. Continued investment in conservation will reaffirm our global position as a conservation leader, while improving national global security building capacity good governance in developing countries.

[This statement was submitted by Colin Sheldon, Director of Federal Affairs.]

PREPARED STATEMENT OF WILD HORSE MANAGEMENT

The below-signed national and state organizations concerned for public land health request your support for adequate funding to enable the Bureau of Land Management (BLM) to achieve a sustainable program addressing the urgent need to manage wild horses and burros for the protection, restoration and conservation of our lands and the multitude of wildlife species that depend upon them.

The Wild and Free-Roaming Horse and Burro Act of 1971 mandates that wild horses and burros shall be managed to achieve and maintain a thriving natural ecological balance. Compliance with this mandate can only be accomplished by management of wild horses and burros to the number that sustains the carrying capacity of the land. Unfortunately, in the 50 years since enactment of the act, this mandate has rarely been achieved.

The current estimated population of over 86,000 wild horses and burros is more than three times greater than the carrying capacity of BLM-managed public lands, undermining the health of public rangelands, adversely affecting other uses of the lands and the species that depend on them. In turn, this necessitates emergency gathers of horses and burros to prevent them from dying of dehydration and starvation. Direct removal of excess wild horses and burros from the range is the only way to protect and improve the health of the land, wildlife and of the those remaining wild horses and burros themselves before irreversible ecological damage occurs. As importantly, removal programs stop the needless, preventable suffering of the removed animals due to effects of this overpopulation on the landscape. Without a continuing increase in the rate of removal of horses and burros, populations will continue to expand. As a result, our Nation will witness not only growing degradation to its rangeland ecosystem, wildlife and these horses and burros, but also exponential growth in restoration costs to its taxpayers.

As a result of the continued growth of wild horse and burro populations in the West, habitat is declining in quality across many areas, which is being further exacerbated by warmer and drier conditions, wildfire, and nonnative invasive plants. Native wildlife species that millions of Americans care about-including bighorn sheep, sage grouse, pollinators, and a multitude of other species large and small-are being negatively impacted across most of their range.

BLM has seen their budget annually boosted over the last few years, enabling them to begin effective and humane proactive management actions to reduce wild horse and burro numbers on the range, thus moving toward the restoration our lands.

We urge this committee and other members of Congress to support the continuation of additional capacity for BLM to address this increasing problem for our Nation's valuable public lands. By continuing to provide sufficient annual funding for effective management of wild horse and burro populations we can achieve appropriate management levels to retain the health of our land. Sufficient funding now, saves far more taxpayer monies than allowing horse populations to continue to increase at the current rate of 20 percent per year.

Thank you for your consideration of this urgent request of our broad coalition of concerned entities. We invite your questions and welcome the opportunity to discuss this ongoing issue and possible solutions.

Sincerely,

Arizona Wildlife Federation
Backcountry Hunters & Anglers
California Bowmen Hunters/State Archery Association
California Chapter—Backcountry Hunters & Anglers
California Chapter of the Wild Sheep Foundation
California Deer Association
California Rifle and Pistol Association
California State Chapter, National Wild Turkey Federation
Coalition for Healthy Nevada Lands
Congressional Sportsmen's Foundation
Ducks Unlimited
Friends of Nevada Wilderness
Houston Safari Club
Idaho Wildlife Federation
Inland Northwest Wildlife Council
Izaak Walton League
Lander County Conservation District
Mule Deer Foundation
National Deer Association
National Wildlife Federation
Nevada Association of Conservation Districts
Nevada Association of Counties
Nevada Bighorns Unlimited
Nevada Cattlemen's Association
Nevada Coalition for Wildlife
Nevada State Chapter, Backcountry Hunters & Anglers
Nevada State Chapter, National Wild Turkey Federation
Nevada Waterfowl Association
Nevada Wildlife Federation
New Mexico Wildlife Federation
North American Grouse Partnership
Northern Nevada Safari Club International
Oregon Anglers Alliance
Oregon Chapter of Backcountry Hunters & Anglers
Oregon Chapter of Safari Club International
Oregon Pack Works
Oregon State Chapter, National Wild Turkey Federation
Oregon Wild Sheep Foundation
Orion, the Hunters Institute
Rocky Mountain Elk Foundation
Safari Club International
San Diego County Wildlife Federation
San Francisco Bay Area Chapter of Safari Club International
Sierra Front Chapter- Muley Fanatic Foundation
Sportsmen's Alliance
Southern Nevada Coalition for Wildlife
Theodore Roosevelt Conservation Partnership
Washington Hunters Heritage Council
Wildlife Management Institute
Wyoming Wildlife Federation

[This statement was submitted by John Gale, Conservation Director—Backcountry Hunters & Anglers.]

PREPARED STATEMENT OF THE WILDLIFE SOCIETY

The Wildlife Society (TWS; wildlife.org) appreciates the opportunity to provide testimony concerning the fiscal Year 2023 budgets for the U.S. Geological Survey (USGS), U.S. Fish and Wildlife Service (FWS), Bureau of Land Management (BLM), and U.S. Forest Service (USFS). Founded in 1937, TWS represents approximately 15,000 wildlife biologists and managers with a mission to inspire, empower, and enable wildlife professionals to sustain wildlife populations and habitat through science-based management and conservation.

Appropriations for the following programs within the jurisdiction of the subcommittee on Interior, Environment, and Related Agencies will affect the current and future status of wildlife and wildlife professionals in North America. To enable

the appropriate use of science within these programs and beyond, TWS respectfully requests the following programmatic funding in fiscal Year 2023.

FY 2023 Interior Appropriation Requests—The Wildlife Society

Agency	Program	FY 2022 Enacted	FY 2023 TWS
USGS	Climate Adaptation Science Centers	51.9 M	85.74 M
	Cooperative Research Units	26 M	28.2 M
	National Wildlife Health Center Infrastructure Improvements	.....	*82 M
FWS	National Wildlife Refuge System	519 M	712 M
	State and Tribal Wildlife Grants	72.6 M	100 M
	Ecological Services	277 M	356.2 M
	NMBCA	5 M	7.9 M
	Partners for Fish and Wildlife	57.7 M	68 M
	Migratory Bird Joint Ventures	15.6 M	25 M
BLM	Wildlife and Aquatic Habitat Management	197.7 M	239.1 M

*no-year funding request appropriated until expended

U.S. GEOLOGICAL SURVEY (USGS)

Within the Ecosystems Mission Area, the Climate Adaptation Science Centers program responds to regional wildlife, ecosystems, and community-based stakeholder needs in the face of a changing climate. Minor funding increases in recent fiscal years have allowed for increased program responsiveness through the launch of the Midwest Climate Adaptation Science Center and additional capacity in ensuring Tribes have proactive opportunities to shape projects and distribution of associated resources. However, funding has not kept pace with identified needs, particularly in ensuring USGS has the resources to communicate scientific outputs to stakeholders to act on project findings. In fiscal Year 2023, we recommend full implementation of the Administration's proposal, with a goal of reaching no less than $85.74 million.

The USGS will also play a critical role in providing the Nation with the tools needed to avoid the next pandemic. The Survey-wide National Wildlife Health Center located in Madison, WI is the Nation's only Federal BSL–3 facility exclusively dedicated to scientific investigation and research on wildlife diseases that threaten human, animal, and environmental health. The COVID–19 pandemic heightens the need for completing a long-proposed modernization of the facility to ensure early detection of biological threats and robust bio-surveillance for high-consequence pathogens in wildlife. TWS thanks Congress for providing $55 million in funding for phase one improvements to the National Wildlife Health Center in fiscal Year 2021. However, an estimated $82 million is still required for project completion. TWS requests the remaining $82 million in funding, appropriated until expended, to complete these much-needed infrastructure improvements.

The USGS is also uniquely positioned to provide a scientific basis for understanding implementation mechanisms for the Administration's America the Beautiful initiative. The USGS Cooperative Fish & Wildlife Research Units (CRUs), which fosters federal, state, NGO, and academic partnerships to provide actionable science tailored to the needs of natural resource managers, will be vital to robust, stakeholder driven implementation of these efforts. The support of many State agencies, universities, and non-government organizations has allowed the program to be a model for cooperative natural resource science programming and leverage an average of three dollars in outside funds for every Federal dollar invested. The Wildlife Society thanks appropriators for their understanding of this need and associated funding increases provided in fiscal Year 2021 and continued in fiscal Year 2022. The program has been able to fill a majority of vacant positions with this funding, and has been able to forge new partnerships with States and organizations not presently working with the program. The Wildlife Society requests a small increase in funding to the Administration-requested $28.2 million, which will allow the CRUs to build on these new partnerships and establish units in States that have long requested one.

With over 850 million acres of lands and waters, the National Wildlife Refuge System (NWRS) will also play a key role in implementation of the America the Beautiful initiative. Unfortunately, the current NWRS operations and maintenance (O&M) budget is nowhere close to meeting the moment. In order to adequately conserve NWRS lands and align with the multiuse goals of America the Beautiful, significant investment in O&M programming is required. Conservation planning, a core O&M subactivity that deals with the creation of multistakeholder comprehensive conservation plans for refuge system units, has been chronically underfunded. As a result, 40 percent of these congressionally mandated plans are either out of date or do not exist. In addition to inadequate funding for long-term planning, the NWRS has lacked funding to meet their own identified needs in bringing diverse audiences into NWRS and USFWS programming. The Urban Wildlife Program, housed under NWRS O&M, seeks to target USFWS investments to underserved communities to bolster recreational access and conservation outreach. This program will be well-positioned to support DEI efforts outlined in America the Beautiful, but is not able to meet identified needs with the $5.5 million currently allocated.

While Congress did provide a minimal increase across operations and maintenance accounts in fiscal Year 2022, this increase did not even cover the cost of the baseline 2.2 percent salary increase scheduled for Federal employees. TWS urges Congress to consider the significant shortcomings of the operations and maintenance accounts of the Refuge System in fiscal Year 2023, and provide at least $712 million in operations and maintenance funding to begin making inroads on adequate visitor services, habitat management activities, and long term conservation planning.

The State and Tribal Wildlife Grants Program (STWG) is the Nation's only program that encourages developing and implementing State Wildlife Action Plans, thereby directly supporting States in preventing wildlife from being listed under the Endangered Species Act. Collectively, STWG funds support strong partnerships among federal, state, Tribal, private, and nonprofit entities that enable wildlife professionals to implement on-the-ground conservation activities that benefit over 12,000 at-risk species. In fiscal Year 2010, appropriations were at $90 million for the program—allowing States to complete more of the projects deemed necessary for monitoring and recovery of at-risk species. Subsequent budget reductions in STWG, however, have not allowed this highly successful program to reach its full potential. TWS requests that Congress once again work to increase funding for the program to at least $100 million annually.

Through the Ecological Services Program (ESP), USFWS works with diverse public and private partners to help identify species facing extinction, reduce threats to their populations, and return species back to the public trust responsibilities of States and Tribes. Wildlife professionals in USFWS are working on new strategies to increase efficacy of ESP, though the primary impediment to effectiveness remains inadequate funding. To effectively move species through all components of the ESA listing and delisting process, TWS requests full implementation of the Administration's fiscal Year 2023 request of no less than $356.2 million for all subactivities.

Since 2002, the Neotropical Migratory Bird Conservation Act (NMBCA) has provided more than $75 million in grants to support over 600 projects in 36 countries that enable partner entities and wildlife professionals to conserve approximately 400 migratory bird species on 5 million acres in the U.S., Mexico, Central America, South America, and the Caribbean. Moreover, NMBCA has achieved a partner match ratio of nearly 4:1 despite requiring only a 3:1 match. The needs of U.S. migratory bird species and conservation efforts to keep these species common extends to landscapes far beyond U.S. borders. As a result, TWS recommends Congress increase funding to no less than $7.9 million in fiscal Year 2023 to achieve greater proactive conservation results under the NMBCA program.

Further promoting FWS' partnership with non-federal stakeholders is the Partners for Fish and Wildlife Program. This program allows voluntary habitat restoration goals, aligned with identified strategic priorities, on private lands to be achieved through cost-efficient financial and technical assistance. If adequately funded, this program has the potential to serve as a vital tool in implementing private land conservation efforts as sought in the America the Beautiful initiative. TWS supports an increase in Partners for Fish and Wildlife program funding to no less than $68 million in fiscal Year 2023.

The Migratory Bird Joint Ventures (MBJV), part of USFWS' Migratory Bird Management program, are locally-directed partnerships that develop and implement science-based habitat conservation strategies for all species of birds across North America. These partnerships have leveraged Federal funds at 31:1 to enhance and conserve over 27 million acres of avian habitat. TWS supports $25 million for en-

hancing and promoting the highly effective and collaborative partnerships of the Migratory Bird Joint Venture.

BUREAU OF LAND MANAGEMENT (BLM)

The Wildlife and Aquatic Habitat Management program maintains and restores fish, wildlife, and their habitat across a large portion of America's western landscapes. This includes projects to balance effects of multiple public land uses, such as energy development and livestock grazing, with needs of native species. This program also includes management of approximately 300 listed species under the Endangered Species Act. TWS recommends Congress support the Wildlife and Aquatic Management program with no less than the Administration request of $239.1 million in fiscal Year 2023—with robust funding applied to the Threatened and Endangered Species management subactivity.

The Wildlife Society recognizes free-ranging horses and burros in the U.S. as ecologically invasive, feral species. Free-ranging, legally designated "wild", horse and burro populations on BLM lands were estimated at over 82,000 individuals in March of this year, only the second estimated population decrease in a decade. While TWS has been pleased to see the BLM's increased use of gathers and adoptions, population estimates still exceed the agency's threshold for ecological sustainability by more than 55,000 animals. By the BLM's own estimates, it will take hundreds of millions of dollars and several years more to reach ecologically sustainable levels. TWS recommends continued financial support for the BLM in their efforts to employ all the tools at their disposal to achieve ecologically sustainable levels. Additionally, TWS requests the elimination of an annual appropriations rider limiting sale and/or destruction of unwanted or unadoptable horses and burros. This will allow for the flexibilities and long-standing protections to herd health as outlined in the 1971 Wild Free Roaming Horses and Burros Act to be implemented as originally outlined by Congress.

U.S. FOREST SERVICE

Improving the future health and sustainability of the Nation's forests and grasslands in line with the goals of America the Beautiful requires a strong investment in USFS Research and Development (R&D). Through long-term monitoring and collaborative research efforts with States and other partners, USFS R&D generates broad environmental and societal benefits, including an understanding of wildlife-habitat relationships for multiple species and ecological communities that enables informed land management decisions. Further, providing adequate resources for effective science-based wildlife habitat management is central to balancing the multiple uses of public forests and grasslands. TWS requests robust funding for the program in fiscal Year 2023 to ensure cooperative research on our Nation's lands and forests can continue.

[This statement was submitted by Gordon Batcheller, President, The Wildlife Society.]

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