

**THE PRESIDENT'S BUDGET REQUEST
FOR THE U.S. DEPARTMENT OF THE
INTERIOR FOR FISCAL YEAR 2025**

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

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THE PRESIDENT'S BUDGET REQUEST FOR THE U.S. DEPARTMENT OF THE INTERIOR FOR FISCAL YEAR 2025

THURSDAY, MAY 2, 2024

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

The Committee met, pursuant to notice, at 10:00 a.m. in Room SD-366, Dirksen Senate Office Building, Hon. Joe Manchin III, Chairman of the Committee, presiding.

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

The CHAIRMAN. The Committee will come to order.

This morning the Committee will discuss the President's proposed Fiscal Year 2025 budget for the Department of the Interior. I would like to welcome Secretary Haaland, Acting Deputy Secretary Daniel-Davis, and Interior Budget Director Denise Flanagan back to the Committee, and I want to thank you, all three, for joining us today.

To set the scene, the Administration is requesting \$18 billion for the Interior Department for Fiscal Year 2025. That is a \$935 million, or five percent increase over Fiscal Year 2024 enacted appropriations. And I think it is important to note for context that Congress has also provided the Department almost \$50 billion in addition to annual appropriations in the last three years through the Bipartisan Infrastructure Law and the Inflation Reduction Act. I look forward to discussing how the Department is implementing those laws and using this historic funding, in addition to hearing the justifications for the increase over Fiscal Year 2024 enacted levels.

Now, it has been a year to the day since you were last before the Committee for the Fiscal Year 2024 budget hearing. There have been some highs, from renewing the Compacts of Free Association, which we finally accomplished as part of the Consolidated Appropriations Act passed in March, to achieving record-level energy production. I am also supportive of efforts by Interior to work collaboratively with the states to distribute billions of dollars of federal funds Congress provided for the Abandoned Mine Lands Program and the Orphaned Well Program. States like West Virginia have done the heavy lifting for decades to power our nation to greatness and still bear the scars of these sacrifices. That is why funding to remove orphaned infrastructure and reclaim abandoned mine lands

in order to make these communities better and safer places to live is so vital, and I look forward to continuing to working with you to ensure there are no obstacles to distributing these funds going forward.

I am also pleased to see the budget allocates just over \$1 billion for Land and Water Conservation Fund federal and state programs as provided by the Great American Outdoors Act. The LWCF has helped acquire and protect inholdings in our national parks, forests, wildlife refuges, and other public lands to provide important hunting, fishing, and outdoor recreation opportunities to the nation. I also note your budget includes just over \$1.6 billion in funding for deferred maintenance projects at the National Park Service and other departmental bureaus, reflecting the final year of funding from the Great American Outdoors Act. With \$9.5 billion in funding over the five years of the program, I look forward to getting a better understanding of the progress made in reducing the agency's deferred maintenance backlog and the Department's plans for moving forward after the funding expires at the end of this year.

But with that, there have unfortunately been too many lows, as well, with the Interior Department and broader Administration picking favorites when it comes to energy, leading to many instances where U.S. investment has been discouraged. Getting this Administration to celebrate the abundant resources our country has been blessed with—whether that be oil, gas, coal, or minerals—that we can produce cleaner and safer than anywhere else in the world, and that we and our friends around the world rely on, should be an easy lift. But the radical climate advisors in the White House have put election-year politics ahead of a thoughtful and achievable long-term strategy for the country. Thinking back to a year ago, Secretary Haaland, we were waiting for the overdue offshore oil and gas five-year plan, which has since been finalized with only three potential lease sales over five years. And as far as we have been able to tell, the Department isn't actually doing the necessary work for that first sale to take place. Meanwhile, this Administration, just like they did with Venezuela, has avoided enforcing sanctions on Iranian oil, apparently to try to keep the prices down. It is just ridiculous to allow Iran to evade sanctions and use its oil profits to fund its terrorist proxies, like Hamas, when we are restricting our own production here.

This paltry lease schedule is not just bad for oil and gas production, it's bad for wind as well. You have recently announced the new five-year offshore wind leasing schedule with up to 12 potential lease sales through 2028. But let me remind you all that the Inflation Reduction Act only allows—and I repeat—only allows Interior to issue offshore wind leases if it has held a substantial oil and gas lease sale in the prior year. Even if the three oil and gas lease sales in this new oil and gas plan went forward, it would mean years of gaps where no wind leases can be issued. It does not make any sense at all. Despite the IRA requirements to hold offshore lease sales, the Department has tried to undermine the law at every turn. First, the Department reduced interest in a lease sale at the Cook Inlet in Alaska by increasing royalties and rents. Then, the Administration entered into a sue-and-settle agreement

with environmental groups that, at the last possible minute, removed acreage and added highly restrictive requirements to Lease Sale 261 in the Gulf of Mexico. Not only do these decisions make us less energy secure, which of course was noted in the internal Department memos on the Alaska Lease Sale, they also don't help reduce emissions or overall demand for these types of energy.

According to the Energy Information Administration's projections, which I know are used by the Interior Department for its modeling, the United States will remain a net exporter for petroleum products through 2050, and global demand for oil and gas will continue to grow. And when it comes to production from federal waters, the Department's own environmental analyses show there will be less global emissions by holding more offshore oil and gas lease sales. Here in the U.S., we have some of the strictest standards in the world. So energy produced in America displaces dirtier production elsewhere in the world. Unfortunately, the story around efforts to onshore our critical mineral supply chain is no better. For example, in the past few weeks, the Interior Department also announced a final Environmental Impact Statement, effectively canceling the Ambler Road in Alaska—a road necessary for producing critical minerals in the United States. Also, Congress directed the Interior Department in the Bipartisan Infrastructure Law to provide Congress with a report on improving and expediting the permitting around our domestic critical minerals supply chain. But the report we received, which was many, many months late, clearly failed to meet the requirements set by Congress, and barely contained any concrete recommendations to actually accelerate mine permitting.

You don't need to take my word for it. Interior's own Inspector General recently found the Department failed to meet Congress's direction, and instructed Interior to provide the additional legally required information. So I look forward to hearing DOI's progress correcting that report, and how Interior is deploying its existing resources and current tools to help tackle the significant permitting issues that we are facing. Unfortunately, the only explanation that makes sense to me is that the Administration would prefer to continue to rely on Chinese-controlled critical mineral supply chains than allow for the domestic production of these critical minerals needed for their electric vehicles, for batteries, for satellites, and the list goes on and on. At the end of the day, global demand for oil, gas, and minerals will continue to grow, and we probably wouldn't like who fills the void in our absence. But that is really what we are in for by continuing to give into the NIMBY-ism of the far left—not in my backyard—as we have all heard for years and years.

Secretary Haaland, when it comes to traditional energy and mineral programs that are so crucial to our energy and national security, I must say that for the last few years it has felt like we are repeating the same conversation over and over again. I'm tired—and I know other members of this Committee are tired—tired of asking again and again when will we see progress on an action required by the law and being told “soon” or “we are working on it.” Even worse, I am tired of hearing “I will get back to you on that” when we just received a few short weeks ago your responses to the

Questions for the Record from last year's budget hearing. We need and deserve better and more timely answers than that, especially given the importance of so much of what the Department of the Interior does and what we expect. So I am hoping that we can have a productive discussion today and actually get some detailed answers.

Now I am going to recognize my friend, Senator Barrasso, for his opening remarks.

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

Senator BARRASSO. Well, thanks so much, Mr. Chairman. I agree with so much of what you just said there in your remarks about the Secretary and her appearance today, and the unresponsiveness and illegality of the actions of this Department and really abusing the way that the Department ought to be following the law, because they are not. So thanks so much for your strong statement, Mr. Chairman. I thank you for holding today's hearing and having the Secretary here, because the Department of the Interior has a profound impact on the people of my home State of Wyoming. And that is because almost half of the land in Wyoming is owned by the Federal Government, nearly 70 percent of the minerals under that land is owned by the Federal Government, and the Secretary's decisions affect people's livelihoods, affect people's family budgets, and even the quality of public education in our state. And that is why I find Secretary Haaland's record so troubling.

Yesterday—just yesterday—during a Congressional hearing in the House of Representatives, Wyoming Representative Harriet Hageman asked the Secretary if she “had heard of the Rock Springs Resource Management Plan.” The Secretary testified, “no.” Well, the people of Wyoming know what it is. It is this Department's disastrous proposal to block access to 3.7 million acres of public lands in Southwest Wyoming. It would severely restrict energy and mineral development, restrict grazing, and restrict recreation activities on those lands. It would affect nearly a quarter of the state's population. These lands are the economic lifeblood of local communities. They supply jobs. They provide tax dollars. They keep hospitals open. They fund our public schools. Thousands of people in Wyoming have written to the Department opposing this fiasco. The Secretary testified yesterday that she had never heard of it. The governor, the state legislature, county commissioners, and local communities all strongly oppose this plan coming out of this Department of the Interior. And it is deeply troubling that Secretary Haaland, as of yesterday, was not even aware of one of her Department's major actions affecting my state.

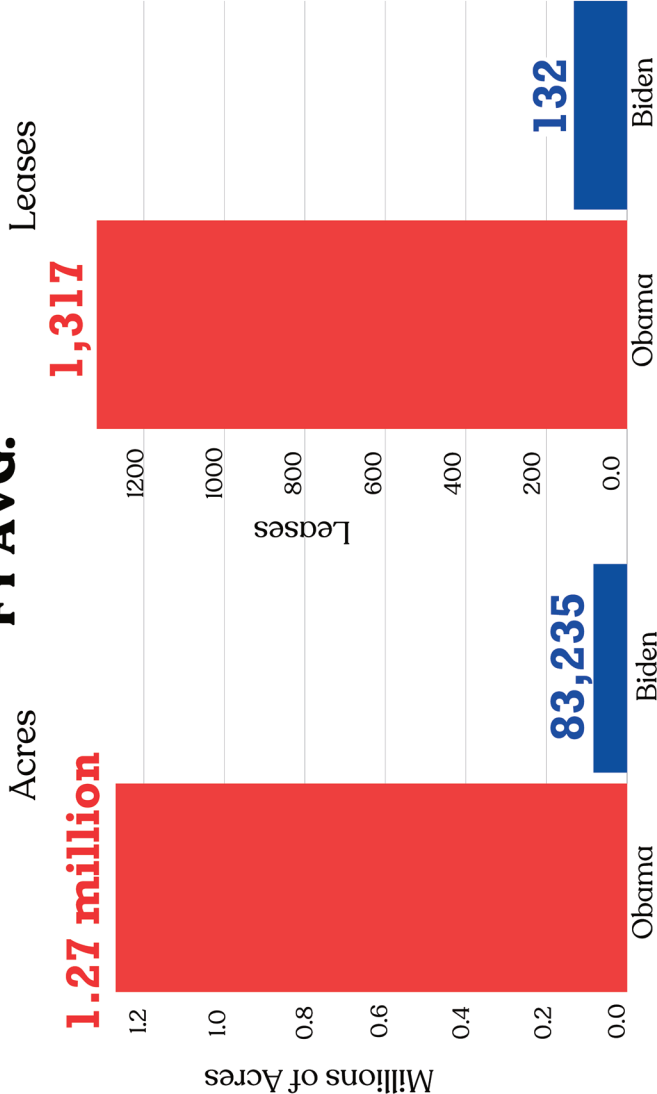
What is even more disturbing is how many of Secretary Haaland's decisions are lawless. Take, for example, her refusal to follow the Mineral Leasing Act. The Act requires the Secretary to hold quarterly lease sales in each state with oil and gas resources. That is one lease sale in each state with oil and gas every three months. Yet, during the first ten quarters of Secretary Haaland's tenure, she held only two lease sales. Since then, the Department has had three more. But the Secretary has made no effort whatsoever to reinstate the eight missing lease sales, and we are now

starting to see the damage in store for us. So from Fiscal Years 2001 through 2021, the Department leased an average of over 2.3 million acres each year. In 2022 and 2023, under Secretary Haaland, the Department leased an average of 83,000 acres per year. From 2.3 million to 83,000, that is a 96 percent drop in the amount of acreage leased. Likewise, in Fiscal Years 2001 to 2021, the Department issued an average of 2,000 leases a year. The last two years, the Department—132. Again, a 93 percent drop in the number of leases issued. Let's just compare President Biden to President Obama. There has been a 93 percent drop in the amount of acreage leased, 90 percent drop in the number of lease issues between Obama and Biden. This is a horrible record, Mr. Chairman, undermining the economy of the United States.

[Displayed chart follows:]

OBAMA VS. BIDEN

NEW OIL AND GAS LEASES AND ACRES LEASED FY AVG.



Source: Bureau of Land Management
Note: Figures for Obama include FYs 2010-2016; Figures for Biden include FYs 2022-2023.

Senator BARRASSO. What does it all mean? Well, first, it means that today's oil and gas production has nothing to do with President Biden. It means that oil and gas production on federal lands that is happening today has nothing to do with Biden. It is headed for a fall. It means that if Secretary Haaland's decisions are allowed to stand, the people of the West are going to suffer in the years to come. The Secretary's lawless actions are not just limited to her failure to follow the Mineral Leasing Act. She has also failed to follow a host of other laws.

Last month was a good example. Within the span of two days, Secretary Haaland issued three decisions that have made a mockery of Congress and the law. First, the Secretary issued the so-called Public Lands Rule. This rule turns the multiple-use mandate, which has been a decades-old, bedrock principle of federal land management, turns it on its head. It equates the non-use of land with productive use of the land. It's going to allow activists to stop grazing, to stop energy and mineral production, to stop timber harvesting, and to stop recreation on the very lands where Congress directed these activities to take place. One day later, the Secretary prohibited oil and natural gas production in the National Petroleum Reserve in Alaska. This is an area that Congress has established with the express purpose of producing oil. It is why it's called the National Petroleum Reserve in Alaska, right there in the name. This area is central to our nation's long-term energy security and the Secretary is locking up half of it. Then, the Secretary announced plans to block access to the Ambler Mining District. This is a large mineral deposit on the state and native lands in Alaska. It is a rich source of copper, as you talked about Mr. Chairman—cobalt, zinc, other minerals. Federal law guarantees access to these lands, yet this Secretary is doing what she wants in spite of the law. She's doing what she wants in spite of the fact that President Biden is driving up demand for these very same minerals.

Mr. Chairman, the American people deserve much better than we are getting from this Secretary and from this Administration. They deserve leaders who will uphold and honor the laws enacted by Congress, not take every opportunity to subvert them. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Madam Secretary, you may go on with your statement.

STATEMENT OF HON. DEB HAALAND, SECRETARY, U.S. DEPARTMENT OF THE INTERIOR; ACCOMPANIED BY ACTING DEPUTY SECRETARY LAURA DANIEL-DAVIS AND DOI BUDGET DIRECTOR DENISE FLANAGAN

Secretary HAALAND. Chair Manchin, Ranking Member Barrasso, and members of the Committee, thank you for the opportunity to testify in support of Interior's Fiscal Year 2025 budget request. I appreciate all of the support this Committee and your staffs have consistently shown the Department of the Interior. I have especially enjoyed visiting so many of your home states. Every trip informs my understanding of the issues important to the American people, the impact of the work that we do, and how our budget can support those interests.

Our 2025 budget totals \$18 billion in current authority. First, I want to highlight several important proposals—permanent pay legislation and reforms for our wildland fire workforce, mandatory funding for future Indian water rights settlements, and reclassifying contract support costs and leasing payments to tribes from discretionary to mandatory funding starting in 2026. This Administration has made a steadfast commitment to strengthen government-to-government relationships with tribal nations. We are doing so thanks to significant investments from Congress, which are helping address the deficiencies that decades of underfunding have created. I am grateful to the members of this Committee for working on a bipartisan basis to champion tribal priorities. With a total request of \$4.6 billion for Indian Affairs programs, this budget will address complex and difficult challenges, such as the missing and murdered indigenous peoples crisis, the legacy and continuing impacts of federal Indian boarding school policies, and native language revitalization. Public safety continues to be a top priority for tribal leaders across the country. The budget includes \$651 million to support critical public safety needs across all of Indian country. We also request \$1.5 billion for Indian education programs, with strong investments in the day-to-day operations of schools. This funding is critical as we prepare the next generation of indigenous Americans to lead their communities.

Turning to wildland fire, we continue to see the devastating impacts they are having across the country. I want to thank Congress for extending supplemental fire pay for another year. The 2025 budget invests in reforms, including \$75 million to support permanent pay increases for federal and tribal wildland firefighters. Stewardship of our natural resources is a core mission for us. Interior manages about 20 percent of America's lands, and is responsible for protection and recovery of more than 2,300 endangered and threatened species. Our request includes \$2.8 billion in annual funding for conservation efforts that support key initiatives, such as wildlife corridors, and implementing the nation's seed strategy. I am proud of the proposal of \$8 million for a mandatory-funded tribal land acquisition program, a top priority of tribes, as part of our implementation of the Land and Water Conservation Fund program. This proposal honors the role that tribes play as stewards of the land and will help ensure they have resources to ensure healthy lands for future generations.

The 2025 budget invests \$189 million to continue the progress we have made in deploying clean energy, building a resilient domestic-based supply chain, and creating thousands of good-paying jobs. The demand for renewable energy has never been greater, and Interior is leading the way to a clean energy future. Regarding infrastructure, our request includes \$2.7 billion to fund operations and maintenance for more than 130,000 buildings and structures and 65,000 miles of public roads. In addition, there is \$1.6 billion in mandatory funding available in 2025 through the Great American Outdoors Act Legacy Restoration Fund. We are currently executing 326 GAOA-funded projects, with 83 additional projects requested for 2025. We cannot address our major maintenance needs through annual appropriations alone. I look forward to working with Congress to reauthorize the GAOA Legacy Restoration Fund.

Overall, the President's budget request for Interior invests in programs to strengthen our nation for all Americans. This great work would not be possible without the dedication of career public servants at Interior. I look forward to our continued work together on these important issues. Thank you for your partnership and support for the important work of the Department and its incredible employees. And we are pleased—Denise, myself, and Acting Deputy Secretary Laura Daniel-Davis—are pleased to answer any questions that you have about the budget.

[The prepared statement of Secretary Haaland follows:]

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

May 2, 2024

Chairman Manchin, Ranking Member Barrasso, and Members of the Committee, thank you for the opportunity to testify in support of the Interior Department's Fiscal Year 2025 Budget Request.

It is an honor and privilege for me to be here with you today to speak on behalf of the President's 2025 Budget for the Department of the Interior. This Committee plays an important role in the success of the Department of the Interior (Department or Interior). I look forward to working with you in continued collaboration to address some of our country's most pressing challenges.

As the steward of 20 percent of America's lands, the Department serves critical roles for the Nation. Interior's programs are important to the Nation's economy: generating jobs, supporting local economic growth, building resilience to the changing climate, and managing important natural and cultural resources. Interior is also charged with unique responsibilities to fulfill the Nation's Trust and other obligations to American Indians, Alaska Natives, Native Hawaiians and the Insular Areas. In addition, Interior's scientists and technical experts provide actionable science and monitoring data people depend on to prepare for and respond to natural hazards, drought, and wildland fires.

The Department's 2025 budget totals \$18.0 billion in current authority (\$17.8 billion in net discretionary authority)—an increase of \$575.9 million, or 3 percent, from the 2024 continuing resolution (CR) level. An additional \$360.0 million is accessible through a budget cap adjustment for wildfire suppression to ensure funds are available in the event the regular annual appropriation is inadequate to meet suppression needs. The budget also includes an estimated \$14.8 billion in permanent funding available in 2025.

Within the requested increase for 2025, \$206.0 million is needed to cover fixed-cost increases, such as rent and Federal salary adjustments, to maintain Interior's core operations carried out by more than 68,000 people living and working in every corner of the country. The 2025 request also includes \$412.2 million needed to keep pace with 2024 fixed costs that are not included in the 2024 CR base.

The 2025 President's Budget also allocates important mandatory funding available in 2025 through the Great American Outdoors Act (GAOA). This includes \$1.6 billion for deferred maintenance projects through the Legacy Restoration Fund (LRF) in the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), National Park Service (NPS), and Bureau of Indian Education (BIE) and \$681.9 million in mandatory funding for Interior's Land and Water Conservation Fund (LWCF) programs. Interior's 2025 allocation for LWCF includes \$313.0 million for voluntary Federal land acquisition projects and programs, \$8.0 million for a new Tribal LWCF land acquisition program, and \$360.8 million for grant programs. An

additional \$117.9 million is estimated to be available for State LWCF grants in FY 2025 from offshore oil and gas revenue in the Gulf of Mexico.

2025 Legislative Proposals

The 2025 budget request includes the following legislative proposals and technical budgetary adjustments.

Wildland Firefighting Workforce—The 2025 President’s Budget provides funding increases to advance wildland firefighter workforce reform initiatives first proposed in the 2024 budget. The cornerstone of these long-term reforms is a permanent increase in pay, as provided for in the pay reform legislation transmitted to Congress in March 2023. This legislation will establish a special base rate salary table for wildland firefighters, create a new premium pay category that provides additional compensation for all hours a wildland fire responder is mobilized on an incident, and establish a streamlined pay cap that includes waiver authority to the Secretary on the basis of specific criteria. The budget includes funding for these Federal pay reforms and similar pay increases for Tribal personnel. These proposals build upon the historic reforms in the BIL to ensure wildland fire personnel receive the enhanced support they need to meet evolving mission demands from the increasing frequency and intensity of catastrophic wildfires, which are expected to continue due to climate change.

Indian Water Rights Settlements—The budget proposes \$2.8 billion in mandatory funding over 10 years to expand the Indian Water Rights Settlement Completion Fund to cover the costs of enacted and future water rights settlements and provide for ongoing operations and maintenance costs associated with enacted water settlements managed by the Bureau of Reclamation. Providing a stable, dedicated funding source for Indian water rights settlements helps to ensure these commitments are honored and Tribal communities have safe, reliable water supplies to support public and environmental health and economic opportunity.

Transfer Authority for Implementation of BIL Projects—The 2025 budget continues to propose appropriations language to expand authority for Federal agencies to transfer funds provided under the Bipartisan Infrastructure Law (BIL) to FWS to accelerate and improve Endangered Species Act consultations in support of responsible development of priority infrastructure projects and energy solutions.

Tribal Contract Support Costs—Contract Support Costs funding is a critical Tribal sovereignty payment enabling Tribes to assume responsibility for operating Federal programs by covering the costs to administer the programs. The budget proposes to reclassify Tribal Contract Support Costs from discretionary to mandatory funding beginning in 2026 and requests discretionary funding in 2025 to fully cover estimated requirements.

Payments for Tribal Leases—Section 105(l) of the Indian Self-Determination and Education Assistance Act provides that Tribes and Tribal organizations carrying out Federal functions under a self-determination contract or self-governance compact may enter into a lease agreement with the Department of the Interior for the tribally owned or rented facility used to carry out those functions. This critical Tribal sovereignty payment is allowing Indian Affairs to get Tribes closer to meeting the full cost of program implementation and improve their facilities. The 2025 budget proposes to reclassify funding for 105(l) lease agreement requirements from discretionary

to mandatory funding beginning in 2026 and requests discretionary funding in 2025 to fully cover estimated requirements.

Land and Water Conservation Fund Program for Tribes—The budget proposes language that will allocate \$8.0 million of mandatory LWCF funding to establish a Tribal LWCF program in the Office of the Secretary account. The program will be managed by the Bureau of Indian Affairs to award funding for Tribal land acquisition proposals that meet the criteria of the Land and Water Conservation Fund to advance conservation and recreation opportunities. This program will, for the first time, provide Tribes direct access to participate in LWCF without relying on partners—an important advancement supporting Tribal Self-Determination.

Strengthening Tribal Nations

This Administration has made a steadfast commitment to honor our Nation’s Tribal trust responsibilities and strengthen government-to-government relationships with Tribal Nations. This budget maintains that commitment to support and expand this work with a total request of \$4.6 billion for Indian Affairs programs. Through initiatives addressing complex and difficult challenges, such as addressing the legacy of the Federal Indian Boarding Schools, meeting the need for native language revitalization, and coordinating Federal efforts to address Missing and Murdered Indigenous People, this Administration’s commitment to respect the sovereignty of Tribal Nations and address long-standing disparities is unprecedented.

Honoring Tribal Sovereignty

The 2025 budget makes significant investments in Tribal sovereignty and revitalization, providing new and expanded funding opportunities and resources for Tribes to manage their lands and waters. Interior’s efforts to strengthen Tribal sovereignty extend across the Department and with other Federal partners. For example, the Department held Tribal consultation sessions with the USDA, with the participation of NOAA, in which participants consistently pointed to the adverse impacts the changing climate is having on Alaska Native communities and subsistence practices, and they emphasized the need to expand Tribal co-management partnerships and incorporate Indigenous knowledge into subsistence management. Subsistence practices are vital to the lifeways of Alaska Native communities and people. Alaska Native people depend heavily on subsistence practices for their nutritional, social, economic, and traditional cultural needs. The budget includes increases in FWS and NPS to support resource management associated with Alaska Native subsistence. The Department is working to implement the FY 2024 Congressional direction transferring the Office of Subsistence Management from FWS to the Office of the Secretary.

In late 2023, I hosted the 12th and final session of the “The Road to Healing” tour, a year-long commitment to travel across the country to allow survivors of the Federal Indian boarding school system the opportunity to share their stories and help connect communities with trauma-informed support. During the “Road to Healing” Listening Sessions, one of the most significant Tribal concerns expressed was the devastating impact boarding school policies have had on the retention of Native languages in their communities. To address those concerns, the 2025 budget includes \$18.0 million, an increase of \$11.5 million from the 2024 CR amount, to expand BIA grant awards for Tribal Native language revitalization programs that are imperative to restore generational continuity and Tribal culture and strengthen Tribal sovereignty.

The 2025 budget maintains the Administration's strong commitment to fully fund Tribal Contract Support Costs and Tribal 105 (I) lease costs, which compensate Tribes for the cost of administering programs on behalf of the Federal Government, and for the use of tribally owned space for the operation of Government-owned services. The budget continues to propose to reclassify these required costs as mandatory funding starting in FY 2026 and, for FY 2025, proposes discretionary funding to fully fund requirements in the budget year: an estimated \$426.2 million for Contract Support Costs and \$120.0 million for Tribal 105(I) Lease Costs.

Investing in Tribal Communities

The budget includes \$2.9 billion for Bureau of Indian Affairs programs, \$344.8 million above the 2024 CR level. The 2025 BIA budget contains significant investments in Tribal communities, including \$73.1 million for the Tiwahe Initiative, \$28.6 million above the 2024 CR level. Under Tiwahe, funding assists Tribes at selected sites to implement a tribally driven approach to deliver essential services more effectively and efficiently. The initiative facilitates collaboration within Tribal communities—which can help to leverage resources, share expertise, reduce duplication, and exchange information about families' needs—to formulate the most responsive approach to provide service. Since 2015, the Tiwahe Initiative has focused primarily on promoting family stability through several Human Services programs. The Department's 2025 budget further expands Tiwahe in Social Services, Indian Child Welfare Act, Housing, and Tribal Justice Support programs.

The budget includes \$50.1 million, \$10.9 million above the 2024 CR level, to address another long-standing Tribal priority to improve road maintenance. Poor road conditions directly affect the quality of life in many Tribal communities, limiting transportation for public safety and emergency response, travel to school, and travel to work. This additional investment increases maintenance for an additional 5,000 miles of BIA roads. Funding will also increase bridge maintenance and safety reviews of 250 bridges to inform prioritization, project selection, and planning to better implement construction funding available through the Bipartisan Infrastructure Law (BIL). The estimated deferred maintenance backlog for BIA roads and bridges is nearly \$400 million. BIA's budget includes additional investments in Tribal communities in areas such as Tribal climate resilience, social services, housing, and land consolidation.

Public safety continues to be a top priority for Tribal leaders across the country. The elevated level of concern is coupled with emerging needs to expand services to address the *McGirt v. Oklahoma* decision and the needs of 31 Tribes that are eligible for but do not receive BIA public safety and justice funding. The budget includes \$651.2 million in Tribal Public Safety and Justice funding, a net total change of \$71.5 million above the 2024 CR level, to support critical public safety needs in Indian Country. The request provides additional resources to help meet Tribal needs in policing, detention, and Tribal courts. A \$41.9 million program increase is included for Criminal Investigations and Police Services; of that amount, \$33.5 million is specifically targeted to increase the number of officers and investigators on the ground in Indian Country. The budget also includes a \$20.1 million increase for Detention and Corrections programs and maintains public safety and justice construction funding at the FY 2024 CR level of \$51.6 million.

Advancing Indian Education

Indian Education programs are funded in the 2025 budget at \$1.5 billion, \$119.5 million above the 2024 CR level, to provide a strong educational foundation for Native children to succeed. Native students face stark inequities in access to education, many of which were highlighted and exacerbated by the pandemic. To help address the gap, the budget invests in the day-to-day operations of BIE-funded elementary and secondary schools. The budget includes \$518.1 million, an increase of \$36.5 million above the 2024 CR level, for 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 resources to operate and maintain BIE-funded schools and fully funds the estimated \$100.7 million required for Tribal Grant Support costs, which cover the administration costs for Tribes that choose to operate BIE-funded schools. The 2025 budget also features \$7.5 million for Native language immersion programs at BIE schools.

The budget includes \$191.1 million for postsecondary schools and programs—including Haskell Indian Nations University and Southwestern Indian Polytechnic Institute, Tribal colleges, universities, and technical colleges—and expanded Tribal scholarships and adult education programs.

At \$310.2 million in the 2025 budget, annual funding for Education Construction is \$42.3 million above the 2024 CR level. The 2025 budget also continues efforts to address BIE-funded school facilities in poor condition and the deferred maintenance backlog in the BIE school system, which totals more than 180 schools. The budget includes \$162.6 million, \$8.1 million above the 2024 CR level, for facilities operations and maintenance. An additional \$95.0 million in mandatory funding for BIE school construction through the GAOA Legacy Restoration Fund is available in 2025 to support projects at two school campuses. Together, this funding will allow BIE to replace four schools in 2025 and address cost increases at schools funded in prior years.

Meeting Financial Tribal Trust Responsibilities

The 2025 budget includes \$111.3 million, level with the 2024 CR amount, to support Tribal and Individual Indian Money financial functions managed by the Bureau of Trust Funds Administration (BTFA). BTFA was established within the Office of the Assistant Secretary—Indian Affairs in 2020 to house the ongoing financial trust management functions established through trust reforms carried out by the Office of the Special Trustee for American Indians. BTFA currently serves as the financial manager for more than \$8 billion of Indian Trust Funds and provides services for 4,200 Tribal accounts and roughly 411,000 Individual Indian Money accounts. Thank you for providing full recognition of BTFA as a bureau in the FY 2024 Enacted Appropriation which will allow the organization to focus on its mission of serving Indian Country.

Addressing Climate Challenges and Building Resilience

Across America, communities are enduring historic and catastrophic flooding, wildfires, extreme heat, drought, and more, and longer-term changes in temperature are affecting ecosystems and the economies that depend on them. The impacts of climate change are intensifying, disrupting lives and livelihoods, and causing billions of dollars in damages. Together with agencies across the Federal Government, States, Tribes, and other partners, Interior is working to address the

immediate and long-term needs driven by the changing climate. Catastrophic fire, flood, and drought events are increasingly top-of-mind considerations for Interior's resource managers. These events demand immediate attention and resources, but long-term success requires work to build climate resilience. The 2025 budget reflects Interior's important role in the all-of-government approach to tackling climate change and building long-term resilience. The budget invests \$5.5 billion in climate adaptation and resilience efforts to address these important challenges.

Wildland Fire Management

The devastating consequences of severe wildfires continue to affect communities and wildland firefighters across the country. The National Interagency Coordination Center reports that more than 56,000 wildfires occurred across the United States in 2023, burning nearly 2.7 million acres. Climate change-driven, long-term trends continue, with increasing wildfire occurrence, burned area, and high-severity incidents expected in 2025 and beyond, with impacts ranging from direct loss of life and property to health, economic, and ecosystem impacts. For 2025, the President's Budget expands the Nation's response to wildfire impacts beyond the near term, investing in longer-term actions to restore wildfire resilience, rehabilitate burned areas, and increase the workforce capacity and capability to manage wildland fires.

The 2025 budget request for the Department's Wildland Fire Management (WFM) programs is \$1.6 billion, including \$1.3 billion for WFM annual appropriations and \$360.0 million for the Wildfire Suppression Operations Reserve Fund. The request for the WFM account includes \$831.8 million in emergency designated appropriations (also referred to as shifted base). The total request is an increase of \$206.7 million, and an estimated 61 Federal full-time equivalents (FTEs) and 7 Tribal FTE, a funding increase of 14.4 percent above the 2024 CR level. The request includes \$75.0 million to support permanent pay increases for Federal and Tribal wildland firefighters and an increase of \$39.8 million above the 2024 CR level.

The 2025 budget continues to press for implementation of permanent, comprehensive pay reform for Federal wildland firefighters at Interior and the U.S. Department of Agriculture (USDA). Enacting pay reform is essential to meet the challenges posed by longer and more intense wildfire seasons to ensure stable firefighter recruitment and retention. The long-term reforms are supported by funding requested to implement a permanent pay increase to replace the temporary pay increases provided in the BIL and continued in the 2024 Enacted Appropriation. Complementing these pay reforms are investments to enhance health services, hire additional permanent and temporary wildland firefighters to increase capacity, and improve government housing. These investments will help address long-standing recruitment and retention challenges, attend to firefighter mental health and well-being, increase the Department's capacity to complete critical risk mitigation and post-fire recovery work, and further the Administration's commitment to build a more resilient wildland firefighting workforce as the frequency and intensity of catastrophic wildfires continue to increase due to climate change.

The 2025 budget continues to reflect the important role proactive fuels management plays in wildland fire management to reduce the intensity, severity, and negative effects of wildfire and improve the resiliency of public and Tribal lands. The budget includes \$287.6 million for Fuels Management, which maintains program capacity at the 2024 CR level and includes a program increase of \$25.0 million to cover the program's share of the increased cost of the permanent

firefighter pay reform. Combined with funding provided in the BIL for fuels management, the Department expects to treat 1.8 million acres in 2025.

The 2025 budget also proposes appropriations language to increase Interior's flexibility to engage in cross-boundary fuels management and burned area rehabilitation work, including on non-Federal lands if the work benefits resources on Federal lands. These changes will address gaps and uncertainties in current authority and support implementation of the National Cohesive Wildland Fire Management Strategy. Among other benefits, these changes will support underserved communities that may be unable to share the costs for work that also benefits Federal jurisdictions.

The budget for Wildland Fire includes \$15.0 million for Facilities Construction and Maintenance, \$5.0 million above the 2024 CR level, which includes \$10.0 million to repair, renovate, and construct housing for wildland fire personnel. These funds will significantly help address the problem of inadequate or unaffordable housing facing many wildland firefighters working in certain geographic locations. The budget will further improve wildland fire management by establishing a Joint Office for Wildfire Science and Technology with the U.S. Forest Service. The budget includes \$2.5 million in Interior's Preparedness program and \$2.5 million in the U.S. Forest Service budget to support joint efforts leading to the development, deployment, and sustainment of technology, science, and data to be used to improve safety, effectiveness, and cost efficiency across the Wildland Fire Management program.

Drought and Ongoing Water Challenges

Severe and sustained drought conditions across the West are forcing difficult challenges and choices to manage available water supplies. Limited water availability and increased wildland fire risk pose significant threats and challenges for communities, agriculture, Tribes, and ecosystems. Interior is bringing every resource to bear to help mitigate the impacts of drought and bolster long-term solutions supporting continued conservation and economic growth, so no community is left behind.

The 2025 President's Budget for the Bureau of Reclamation, funded through the Energy and Water Development Subcommittee, complements the transformative investments in water infrastructure, drought mitigation, and domestic water supply projects now underway through funding from the BIL and the IRA. The 2025 budget includes \$1.5 billion for Reclamation's water programs and projects, sustaining a strong commitment to drought mitigation in the Bureau's annual appropriations. Funding in the request will help to ensure communities across the West have access to a resilient and reliable water supply by investing in rural water projects, water conservation, desalination technology development, and water recycling and reuse projects. The budget provides funding to address the ongoing drought affecting water systems across the West, including along the Colorado River System, which is near historically low levels.

In the past 3 years, Interior has allocated \$2.43 billion available through the BIL to address Indian water rights settlements enacted by Congress as of November 15, 2021. Indian reserved water rights are vested property rights for which the United States has a trust responsibility. Settlement of Indian water rights disputes helps create conditions that improve water resource management and provides certainty as to the rights of all water users who are parties to the

disputes. Honoring those commitments promptly is especially important to the health, safety, and empowerment of Tribal communities.

In addition to these previous investments, the budget provides \$181.0 million in the Bureau of Reclamation to support the White Mountain Apache Tribe's water settlement agreement within the settlement's statutory completion deadline. The budget also includes \$45.0 million in the Bureau of Indian Affairs to support payments authorized in the Hualapai Tribe Water Rights Settlement Act of 2022.

The Administration proposes legislation to expand the Indian Water Rights Settlement Completion Fund. This proposal will provide \$2.8 billion in mandatory funding over 10 years to help ensure commitments are honored on existing, newly enacted, and anticipated Indian Water Rights Settlements. Included in this total is \$340.0 million in mandatory funding for operations and maintenance costs associated with currently enacted Bureau of Reclamation funded settlement projects.

The U.S. Geological Survey (USGS) also works with partners to deliver water predictions and drought risk assessment tools that support the mitigation of and response to prolonged drought. USGS has supported extensive partner engagement throughout the Colorado River Basin with science to identify and begin to understand the cascading effects of drought on ecosystems and socioeconomic factors; improve partners' access to science, data, and tools; and improve the understanding of gains and losses of water as it moves from one Colorado River reservoir to another. Predictions and assessments—along with other fundamental information on how drought drives physical, biological, and chemical landscape change—are used to evaluate watershed conditions on multiple-use public lands, the status of fish and wildlife species, drought impacts on rangeland management, and plans and investments for infrastructure, conservation, and restoration projects. In FY 2025, USGS will invest an additional \$7.0 million to support these efforts to address the critical issues facing our Nation due to drought.

Building Resilient Communities

The impacts of climate change on communities across the Nation have focused more attention on the need to strengthen resilience to these changes through short-term disaster preparedness and long-term planning and infrastructure investments. Interior programs advance these efforts in many ways through proactive investments leveraging science and critical monitoring networks.

USGS manages the Groundwater and Streamflow Information Program, which maintains a nationwide network of streamflow and water level information collected from more than 31,000 sites. The budget includes \$121.4 million for this program, \$6.8 million above the 2024 CR level. Network information is available online to help States, Tribes, natural resource managers, scientists, and emergency managers across the country to monitor for floods and drought and forecast water availability for crops and natural resource management.

The USGS Ecosystem Change Research Program analyzes and synthesizes the effects of environment, land use, and climate changes on ecosystems to inform natural resource management policy and decisions—including those concerning wildfires and drought—and collaborates with Tribal partners to assess climate impacts on Tribal lands and waters.

As part of the USGS Coastal and Marine Hazards programs, researchers use on-the-ground field work, high-resolution data, and modeling to help communities understand and respond to changes in coastal landscapes. Federal, Tribal, State, and local entities around the country use USGS data to inform coastal management and strategic planning. Some organizations use this science to plan evacuation notices, inform city planning, and construct storm-resistant infrastructure. Others use USGS habitat assessments and decision-support tools to restore coastal ecosystems and develop infrastructure that can help buffer future storm damage and coastal erosion. The budget includes \$49.2 million for the Coastal and Marine Hazards program, \$6.0 million above the 2024 CR level.

The 2025 budget includes \$48.8 million, \$13.8 million above the 2024 CR level, in the Bureau of Indian Affairs (BIA) for Interior's Tribal Climate Resilience program to support Tribes in climate resilience planning, assessment, and adaptation activities. The program also funds planning and design work for Tribal communities evaluating the need for or pursuing climate-related relocation. This annually funded program complements the Voluntary Community-Driven Relocation program, led by Interior, and made possible with investments from the BIL and the IRA, with additional support for relocation from the Federal Emergency Management Agency and the Denali Commission. This initiative is helping Tribal communities severely affected by climate-related environmental threats take the next step in the process of relocating crucial community infrastructure away from imminent threats.

The Office of Insular Affairs budget includes \$118.3 million for Assistance to Territories to support basic services in the Insular Areas and targeted investments related to climate change. These investments include \$15.5 million to promote renewable energy and strengthen grid infrastructure in the Insular Areas and \$2.8 million for work related to coral reef ecosystems and other natural resource needs. Funding in 2025 for Assistance to Territories includes total increases of \$4.0 million for important investments needed to maintain ongoing support for conservation and climate resilience in the Insular Areas. These increases are offset by a reduction of \$6.0 million reflecting the discontinuation of support for the discretionary funded Compact Impact program. Compact Impact is addressed in the recently enacted COFA legislation.

Healthy Public Lands, Waters, and Wildlife

Interior manages more than 480 million acres of lands across the United States and is responsible for the protection and recovery of 2,367 endangered and threatened species. Interior leads as an active partner in ongoing efforts to understand and mitigate climate impacts on natural resources, promote biodiversity, and ensure these valuable assets remain available for the public to experience and enjoy. Natural resource conservation, restoration, recovery, and adaptive management are a fundamental part of Interior's mission across the agency. Interior's conservation and adaptive management work relies heavily on partnerships and interagency collaboration to leverage information and resources. The 2025 budget includes roughly \$2.8 billion in annual funding for conservation efforts, including critical work for restoration and improvements supporting healthier lands, waters, ecosystems, and their resident species.

The 2025 budget includes targeted investments aimed at protecting biodiversity; restoring fish, wildlife, and their habitats; and halting nature loss. The request includes \$2.0 billion for natural resource programs in NPS, BLM, and FWS. This funding supports Interior's core mission activities and at the same time supports the objectives of the America the Beautiful initiative to

advance conservation efforts that are locally led, collaborative and inclusive, honor Tribal sovereignty, and follow science.

The FWS budget invests \$602.3 million in the National Wildlife Refuge System to maintain and operate 571 national refuge areas across the country. Each unit of the refuge system is established to target conservation of native species dependent on its lands and water, and all activities on those lands are reviewed for compatibility with this purpose. The budget includes \$280.4 million for Wildlife and Habitat Management activities in the national refuge areas, an increase of \$19.9 million above the 2024 CR amount.

The budget also includes \$942.5 million, an increase of \$37.9 million from the 2024 CR level, for FWS species and habitat conservation; restoration and recovery of species; migratory bird programs; fish and aquatic conservation; and international conservation programs. Many of these programs support collaborative partnerships leveraging the support of a wide range of partners, including sportspeople, local communities, private landowners, and Tribes. The budget includes \$68.1 million for the Partners for Fish and Wildlife Program, \$7.8 million above the 2024 CR level, to further support voluntary conservation on private lands—a key focus of the America the Beautiful initiative. The FWS budget also includes \$17.6 million for the Migratory Bird Joint Ventures program, \$0.8 million above the 2024 CR amount, to continue collaborations with a multitude of partners to ensure the migratory pathways of our Nation’s birds remain connected and support sustainable populations.

A primary responsibility of the National Park Service is to conserve and protect the natural and cultural resources and values at 429 park units, 25 trails, and 66 wild and scenic rivers. NPS natural resource stewardship activities support active management, research, and projects to conserve, protect, and better understand park natural resources. NPS is managing invasive plants and animals, restoring disturbed ecosystems, and addressing the resiliency of park resources to climate changes to conserve iconic natural resources and enhance the visitor experience. NPS develops best management practices and applies science to understand the risks to park resources from environmental hazards, identifies specific factors that affect park resources and park investments. National Park lands are also venues to collaborate with partners and the public on this important work. The budget includes \$431.0 million for natural and cultural resource stewardship activities across the national parks, \$11.3 million above the 2024 CR level.

The Bureau of Land Management’s (BLM) National Conservation Lands (NCL) system of national monuments and national conservation areas comprise nearly 37 million acres. The NCL system was created to recognize and help protect the outstanding value of these unique places, which are some of BLM’s most popular and heavily visited sites. The 2025 budget includes \$54.6 million, \$4.0 million above the 2024 CR level, to maintain and operate these areas on behalf of the public. The funds support the management and operation of the NCL sites to protect and conserve these special places and address the impacts of stressors, such as high recreational use, invasive species, and climate change. BLM and its volunteers provide key visitor services and interpretive programs at areas with the highest visitation to offer the American people exceptional areas for recreation. The budget includes \$61.5 million, \$5.9 million above the 2024 CR level, for recreation management activities across BLM. That amount includes increased funding to implement the MAPLand Act (Modernizing Access to Our Public Land Act) to improve geospatial data about and facilitate access to BLM-managed public lands.

Interior bureaus often work collaboratively to address cross-cutting resource stewardship challenges. A long-standing example of this approach is Interior's ongoing support to enhance wildlife migration corridors and habitat connectivity to help ensure fish and wildlife have the freedom to move and migrate, as areas are increasingly fragmented by roads, fences, and other barriers. Since 2018, Interior has worked in partnership with 11 Western States, a wide diversity of nongovernmental organizations, and Western Tribes to support projects to better understand migration routes, remove barriers to migrating wildlife, and improve habitat conditions on public and private lands. The budget includes \$12.0 million for migration corridor activities in the FWS, BLM, NPS, and the USGS to help leverage public-private partnership efforts to protect pronghorn, elk, mule deer, and other iconic species across the West. As part of this work, USGS has led development of the coproduced science needed to manage migration corridors. Because of the widely acknowledged value of this work and the recognition of increasing threats to Western landscapes, the 2025 USGS budget includes \$3.9 million to support this work, a program increase of \$3.5 million above the 2024 CR level.

Interior plays a leadership role in implementing the National Seed Strategy (NSS) to support ecosystem restoration by addressing the increasing demand for native seed that outpaces the supply. The NSS provides a framework for coordination across Federal agencies and other partners and cooperators to build an adequate supply of native seeds. The 2025 budget includes \$27.2 million, \$4.3 million above the 2024 CR level, across BLM, FWS, and BIA to implement the NSS as part of Interior's core operations. This investment is consistent with congressional direction to "supply native plant materials for emergency stabilization and longer-term rehabilitation" and will strengthen broader restoration efforts by helping to reduce suppliers' uncertainty of demand for seed, increase the availability of stock seeds, and increase knowledge sharing.

Creating Jobs and Meeting Energy and Environmental Challenges

Interior's programs create jobs and spur economic growth in a variety of areas—energy and minerals, recreation and tourism, irrigation and other water-related activities, grants and payments, and infrastructure investment. Enactment of the Great American Outdoors Act, the BIL, and the IRA have and will continue to significantly expand Interior's contributions to America's economic and job growth. An Interior analysis completed in 2023 found that investments from three BIL-funded programs alone—Abandoned Mine Lands; Orphaned Well Plugging, Remediation, and Reclamation; and Water Resources—support on average 17,669 jobs and generate \$2.0 billion for the U.S. economy each year. The 2025 budget maintains a consistent strategy to emphasize investments that create jobs and better position the country to be more competitive worldwide.

Developing a Robust Clean Energy Economy

The 2025 budget continues to advance the Administration's clean energy goals. Interior has made significant progress to stand up clean energy projects on public lands and establish a strong offshore wind energy program, which will create good-paying union jobs and help the transition to a decarbonized economy.

At the start of 2024, two U.S. offshore wind energy sites announced the first delivery of electricity to the grid from projects off New England and Montauk, NY. This event came on the heels of Interior's announcement at the end of 2023 that the Nation's sixth commercial offshore

wind energy project had been approved and a new offshore wind lease sale was proposed in the Central Atlantic. Four offshore wind-lease auctions have taken place during this Administration, which have brought in almost \$5.5 billion in high bids. BOEM has also advanced the process to explore additional opportunities for offshore wind energy development, including in the Gulf of Maine and Gulf of Mexico and offshore the U.S. Central Atlantic and Oregon coasts. Also this year, the Bureau of Safety and Environmental Enforcement (BSEE) stood up a regulatory and enforcement program for this new offshore industry. BSEE is also preparing a regulatory update to ensure safe development and operation of offshore wind facilities.

In 2023, the Bureau of Land Management approved 10 wind, solar, and geothermal projects that, when built, will power millions of homes across the West. The Administration also made significant progress clearing the way for key transmission lines crossing federally managed lands and celebrated the groundbreakings of the TransWest Express Transmission Project (Wyoming), the Ten West Link (Arizona and California), and the SunZia Transmission Project (New Mexico, Arizona, and California).

BLM is processing more than three dozen utility-scale onshore clean energy projects proposed on public lands—including solar, wind, and geothermal projects—and the interconnected generation tie lines vital for connecting clean energy projects on non-Federal land to transmission lines. These projects have the combined potential to add more than 22 gigawatts of renewable energy to the Western electric grid.

Overall, the budget includes \$189.3 million, \$35.3 million above the 2024 CR level, to continue the Administration's progress in deploying clean energy, spurring economic development, and creating thousands of good-paying jobs. Funding supports the leasing, planning, and permitting of solar, wind, and geothermal energy projects and associated transmission infrastructure that will help mitigate the impacts of climate change and support the Administration's goal of deploying 30 gigawatts of offshore wind capacity by 2030 and 25 gigawatts of clean energy capacity on public lands by 2025.

The 2025 budget includes \$53.1 million for BLM's onshore renewable energy program, \$12.1 million above the 2024 CR level. The request will help build staffing capacity at BLM's Renewable Energy Coordination Offices and accelerate planning and permitting to accommodate increased demand and workload. BLM also plans to undertake market and technology trend analysis; enhance engagement with States, counties, and Tribes; and work to adopt a regional approach to permitting and environmental reviews.

The 2025 budget includes \$52.0 million for BOEM's Renewable Energy program, a \$9.2 million increase above the 2024 CR level. This request includes funding to continue to support permitting for projects proposed on existing leases and activities associated with Interior's current Offshore Wind Leasing Path Forward 2021–2025. The budget includes \$21.7 million within BOEM's Environmental Programs for studies that inform clean energy decisions, an increase of \$1.7 million, which includes additional funding for environmental reviews associated with offshore renewable energy projects.

The budget for BSEE includes \$12.6 million to continue work in support of offshore renewable energy deployment. BSEE anticipates receiving more than 40,000 wind engineering, construction, and other technical reports for review through the end of FY 2025. The bureau is

working closely with BOEM to implement the framework needed to ensure offshore renewable energy projects are constructed and operated safely and responsibly.

Conventional Energy

The budget for BOEM provides \$67.5 million for conventional energy programs, approximately \$6.0 million above the 2024 CR level, to support Outer Continental Shelf planning, leasing, and oversight. This work includes inventorying oil and gas reserves, overseeing ongoing activities, ensuring adequate financial assurances for decommissioning liability and risk management, implementing the 2024–2029 National OCS Oil and Gas Leasing Program, reviewing and administering oil and gas exploration and development plans and geological and geophysical permits, and conducting economic analyses, environmental studies, and resource evaluation. Decisions pertaining to conventional energy activities also receive support from the Environmental Programs funding.

The 2025 budget for BSEE includes \$213.0 million that supports conventional energy program work. This funding supports OCS permit application reviews, regulation and standard development for offshore activities, verification and enforcement of operator compliance with all applicable environmental laws and regulations, technical reviews of planned operations and emerging technologies to properly identify and mitigate risks, an annual inspection program that includes risk-based inspections, and incident investigations. Within this funding, BSEE will continue to strengthen its technical workforce to keep pace with an evolving industry with increasingly complex deepwater operations. BSEE’s budget also includes \$12.0 million to fund the decommissioning of orphaned offshore oil and gas infrastructure. This funding, along with funding from other sources, will be used to address the most immediate and urgent well, pipeline, and platform decommissioning needs to help reduce the risk of pollution.

Included in the 2025 budget is \$115.8 million for BLM’s Oil and Gas Management program, an increase of \$3.0 million from the 2024 CR level. The BLM budget also includes \$51.0 million for Oil and Gas Inspection Activities and proposes to offset the cost of this program through onshore inspection fees.

The 2025 budget continues to support onshore and offshore carbon sequestration activities. The BIL provides authority to the Secretary of the Interior to grant a lease, easement, or right-of-way on the Outer Continental Shelf for activities that “provide for, support, or are directly related to the injection of a carbon dioxide stream into sub-seabed geologic formations for the purpose of long-term carbon sequestration.” Carbon sequestration permanently stores carbon dioxide (CO₂) in secure subsurface geologic reservoirs to reduce the amount of CO₂ in the atmosphere and mitigate its impact on global climate change. BOEM and BSEE are working to develop and publish draft offshore carbon sequestration regulations for public comment. The proposed rule will address aspects of carbon sequestration on the OCS, including the transportation and geologic sequestration of CO₂, leasing of OCS areas for that purpose, storage site characterization (i.e., delineation of potential storage reservoirs), environmental plans and mitigation measures, facility and infrastructure design and installation, injection operations, monitoring, incident response, financial assurance, and safety, among other issues.

While the rule is under development, BOEM and BSEE will continue to develop their carbon sequestration programs to facilitate program implementation upon final rule publication. The 2025 BOEM budget includes \$1.0 million to establish a dedicated carbon sequestration team and

fund environmental studies, scientific research, data collection, and other activities critical to implement the new program. The 2025 BSEE budget includes \$1.5 million to prepare to regulate and oversee safe and effective offshore carbon sequestration activities.

Reclamation Jobs

The 2025 budget continues to provide annual ongoing support for related reclamation activities targeting State and Tribal reclamation needs associated with abandoned hardrock mines, legacy pollution on Interior's lands, and innovative coal mine reclamation projects directly supporting local economic growth. The Administration is committed to remediating the physical and environmental hazards to repair those lands, improve air and water quality, and, at the same time, create jobs in rural communities. The budget includes \$7.0 million, \$2.0 million above the 2024 CR level, for the Abandoned Hardrock Mine Reclamation Program to support State, Tribal, and Federal efforts to inventory and address legacy sites on their lands. Abandoned hardrock mine sites often pose significant health and safety risks to surrounding areas and are found across the country. Many States, Tribes, and Federal land programs do not have good inventories or strong programs to manage those sites. This program targets the need to build capacity and begin to address this long-standing problem.

On Interior lands, the Department has identified thousands of mines and features that pose safety risks and generate environmental contaminants. USGS, in partnership with BLM, has developed the first national database of current and historical mine features. Tens of thousands of legacy pollution sites are on BLM lands alone, including roughly 56,600 abandoned hardrock mine sites, many of which pose serious threats to the public and the environment. Rural and Tribal communities proximate to historic mining sites feel the physical and environmental impacts of those sites most keenly, but the growing popularity of BLM lands for recreation has placed even more people in harm's way. The budget includes \$58.4 million for BLM's Abandoned Mine Lands and Hazardous Materials Management program, \$1.3 million above the 2024 CR level, which will work in tandem with national Abandoned Hardrock Mine Reclamation Program efforts to inventory and remediate those sites more broadly on State, private, Tribal, and other Federal agency lands.

The Office of Surface Mining Reclamation and Enforcement (OSMRE) works with States and Tribes to regulate active coal mines to ensure environmental problems do not occur and remediate abandoned coal mines to address health and safety hazards. High-priority abandoned coal mine problems can include clogged streams, acid mine drainage, dangerous highwalls, waste piles or embankments, subsidence, underground mine fires, and polluted water—all of which can pose immediate threats to the public health and safety of communities. OSMRE manages the State and Tribal abandoned mine reclamation grant programs authorized by the Surface Mining Control and Reclamation Act and the BIL. In 2023, OSMRE invested nearly \$1 billion in coal communities, including \$724.8 million made available to 22 States and the Navajo Nation for reclamation as part of the BIL and \$126.5 million available through the traditional, fee-funded, mandatory Abandoned Mine Land (AML) grant program.

OSMRE also manages the Abandoned Mine Land Economic Revitalization (AMLER) program, which administers grants to six States and three Tribal Nations to return legacy coal mining sites to productive uses and foster economic and community development. Since 2016, the AMLER program has provided more than \$900 million to America's current and former coal communities

to deliver economic and community development and achieve reclamation of historic abandoned mine sites. The 2025 budget includes \$135.0 million to continue support for AMLER.

In 2025, the OSMRE budget includes \$2.5 million to provide grants to nongovernmental organizations and local and State government agencies to help construct, operate, maintain, and rehabilitate abandoned mine land passive-treatment systems that were previously constructed to address water pollution from mine drainage. This funding helps local communities protect the investments made in passive-treatment systems installed to address water pollution discharges from abandoned mine lands.

Promoting Equity, Diversity, and Inclusion of Underserved Communities

Interior is taking steps across the Department to expand equity, diversity, and inclusion beyond day-to-day management policies to incorporate this concept into the delivery of the Department's missions. This commitment is consistent with the Administration's all-of-government approach to advance equity, civil rights, racial justice, and equal opportunity. Interior's 2025 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 and program implementation. The Department seeks to ensure that everyone—no matter their background or ZIP Code—can enjoy the benefits of Interior's mission programs.

The Department of the Interior is committed to maintaining a diverse workforce that reflects the public we serve and sustaining an equitable and inclusive workplace environment. In 2022, the Department published its first Equity Action Plan, which was then updated in 2024. It outlines efforts to advance equity through all Interior operations, remove barriers to equal opportunity, and deliver resources and benefits equitably to the public.

Ongoing Commitment to Diversity and Equity

In support of the Equity Action Plan, the 2025 budget includes program increases of \$2.8 million for the Office of Diversity, Inclusion, and Civil Rights; Office of Human Capital; and Office of Collaborative Alternative Dispute Resolution to strengthen Equal Employment Opportunity compliance and advance antidiscrimination protections provided to the Department's employees and job applicants.

Increasing Representation and Tribal Co-Stewardship

Reflecting the Administration's commitment to accessibility and inclusion, the budget includes targeted investments to increase representation in the delivery of Interior's core missions. An example is \$3.1 million requested in the NPS budget to support recent or potential new designations that preserve important places and tell the stories of those historically underrepresented. Through the Outdoor Recreation Legacy Partnership Program, NPS recently designated three new local parks in urban areas to increase residents' opportunities to connect with the outdoors. The designations include a park in Anchorage, AK, in an area with a high concentration of low-income youth; an aging park in Moorhead, MN, in a community with a high poverty rate; and Roosevelt Park in Buffalo, NY, to address a severely deteriorated multiuse athletics field built in the 1950s in a community with a high poverty rate.

The responsibility for meeting Tribal trust responsibilities and promoting Tribal sovereignty stretches across Interior. The 2025 budget includes targeted increases to expand Tribal co-

stewardship across the Department. The NPS budget includes a \$3.0 million increase to directly support Tribal participation in management of Federal lands and waters with cultural and natural resources of significance and value to Indian Tribes and their citizens, including sacred religious sites, burial sites, wildlife, and sources of Indigenous foods and medicines.

The budget for FWS includes increases totaling \$5.5 million to advance co-stewardship and engagement with Tribes on Indigenous knowledge research, conservation planning, and marine mammal management. Implicit in the Marine Mammal Protection Act is the realization that cooperative management of subsistence harvests between FWS and Alaska Native organizations is more likely to achieve the goals of the act than management by a Federal agency alone. The budget provides strong support to continue to build these relationships with partners such as the Eskimo Walrus Commission and the Alaska Nannut Co-management Council, which is the FWS co-management partner for polar bears.

The NPS 2025 budget proposes \$2.5 million in dedicated funding for Tribal Heritage Grants within the Historic Preservation Fund to support Indian Tribes, Alaska Native villages and corporations, and Native Hawaiian Organizations for the preservation and protection of their cultural heritage in addition to other important ongoing Tribal programs.

The Bureau of Reclamation budget includes \$29.5 million for its Native American Affairs Program, \$9.5 million above the 2024 CR level. The program supports a variety of Reclamation activities with Tribes, including technical assistance, drought assistance, the Secretary's Indian Water Rights Settlements Program, and outreach.

Building Agency Capacity

Interior is strengthening the Department's delivery of core programs and services for the American people. Efforts related to improving Interior's workforce and operations and better leveraging technology and information are underway across the Department.

Interior's Workforce and Infrastructure

Interior is building its capacity for next generation hiring through promotion and expansion of existing and emerging hiring authorities, working closely with the Office of Personnel Management and the Office of Management and Budget. Recently, the Department received approval for use of term appointments excepted beyond general time limits for work in support of the Great American Outdoors Act and direct-hire authority for permitting positions. The Department continues to use direct-hire authority for wildland firefighting, information technology, and STEM positions. Interior also recently increased the hiring of former Public Lands Corps participants, Resource Assistant interns, Knauss Fellows, and military spouses. These programs—when combined with Schedule A hiring for persons with disabilities, Pathways internships, hiring of recent graduates, and the Presidential Management Fellowship (PMF) program—will greatly affect the Department's ability to acquire the talent needed to achieve its mission for the next several decades.

The budget includes \$206.0 million to fully support anticipated fixed-cost increases in 2025, assuming a 2.0-percent increase in Federal salaries in FY 2025. The budget also includes \$412.2 million in program baseline capacity funding to reflect increased 2024 fixed-cost requirements

over the 2-year budget comparison. Without full funding for these costs, Interior bureaus and offices will absorb these must-pay costs by cutting funding for program work or staffing.

Another key operational priority for Interior is infrastructure. Interior manages a real property portfolio valued at more than \$400 billion, consisting of more than 130,000 buildings and structures, 65,000 miles of public roads, and a wide variety of other constructed assets. Those facilities serve millions of visitors each year, provide schooling for tens of thousands of Native American children, and are places of work for more than 68,000 Interior employees. Many of Interior's infrastructure assets are priceless for their historical significance. As the steward of those assets, the Department is committed to sustaining and making the lifecycle investments in facilities that are critical to its mission.

The Department continues its evolution toward a lifecycle investment approach to help slow the growth of the maintenance backlog and sustain assets in the long term. This approach includes focusing efforts on preventive and recurring maintenance and selectively targeting assets for modernization and renewal investments, which will enable bureaus to move away from practices that result in an unmanageable backlog. The 2025 budget includes more than \$2.7 billion for lifecycle management of real property.

The Department continues to support the Administration's goals to transition the Federal motor vehicle fleet to clean and zero-emission vehicles. The 2025 budget includes \$13.0 million across bureaus to support the Department's transition of light-duty fleet acquisitions to ZEVs. This funding will be used to conduct fleet planning (including ZEV integration), electric vehicle supply equipment (EVSE) site evaluations, and EVSE installation. The funding will also support Interior's efforts to right-size its fleet to ensure the Department has efficient, mission-capable vehicles at the right locations and with the right vehicle mix to deliver Interior's missions. Fleet planning will ensure ZEVs are integrated into the overall fleet plan, prioritizing locations and appropriate missions for deployment of those vehicles.

Investing in Technology and Information Management

The 2025 budget includes \$57.8 million, \$3.5 million above the 2024 CR level, for the operation and maintenance of the Financial and Business Management System (FBMS), which supports the Department's core financial and business management requirements. The request provides for the ongoing operations and maintenance of the Department's integrated FBMS system of record, mandatory technology upgrades, improved end-user training, and implementation of zero trust architecture to strengthen FBMS' IT security. Modernizing Interior's core business system helps to ensure a strong administrative backbone and is critical to the continued execution of Interior's mission activities.

Cybersecurity remains a top priority for the Department. Malicious actors continue to present risks to Federal systems and the Nation's critical infrastructure. Interior continues to work to support a consistent level of assurance and risk reduction for the Department at the enterprise level. This effort will provide a solid foundation for an operationally focused enterprise cybersecurity architecture that is resilient and scalable and will allow the Department to respond rapidly to sophisticated and advanced threats.

The 2025 budget includes \$67.8 million for Departmentwide cybersecurity, \$23.5 million above the 2024 CR level. This investment funds high-priority recurring operations and maintenance

costs for incident remediation, provides resources to fight emerging threats, and supports the development of an enterprise cybersecurity architecture. The increase in the 2025 budget enables foundational enterprise capability to implement zero trust principles, which require all devices and users—regardless of whether they are inside or outside an organization’s network—to be authenticated, authorized, and regularly validated before being granted access. Within the increase is \$5.0 million to implement a secure access service edge (SASE) solution to secure access points to meet the required zero trust security and performance standards.

Conclusion

The 2025 President’s Budget for Interior invests in programs which will strengthen our country for all Americans, protect our environment, and ensure future generations continue to not only enjoy, but improve their 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.

The CHAIRMAN. Thank you, Secretary Haaland. Now we will start our questioning, and I am going to start with Senator Wyden since he has a very important meeting to go to.

Senator WYDEN. Thanks very much, Mr. Chair, and good to see you, Madam Secretary. I have enjoyed working with you since we were working across the House and the Senate.

There are a couple of issues that are particularly important in the West, and I think you all are aware that we were going to get into these briefly this morning. As you know, for a lot of folks in the West, DC might as well be Mars for kind of all the connection. And so, what we are trying to do is shorten the distance, and your folks have been very constructive with us on two very important natural wonders that our rural communities care a great deal about. One of them is Crater Lake and one of them is Owyhee. With respect to Crater Lake, in December, I learned of very alarming issues with a private concessionaire at Crater Lake National Park. It was clear that NPS staff were working tirelessly to prevent the contractor issues from damaging irreplaceable park resources. And I wrote to the National Park Service, outlining in a very lengthy letter about all these issues, and asking for a swift effort on the part of the Department to address the problem. So I want to start by thanking you for the Department's immediate action that set an example, really a land speed record almost for responding to a really important issue in the West. And it ultimately resulted in the transfer of the contract to a new concessionaire. And as I say, you know, getting this done in a matter of months, essentially, at the end of the year is something much appreciated.

Now, I understand you have safeguards in place to prevent the issue from recurring. And my first question, and I have only two, is are you confident that visitors to Crater Lake National Park and the park itself are now being better served by the concessionaire?

Secretary HAALAND. Senator, thank you so much for the very kind comment. The NPS, as you know, works closely with concessionaires in our parks to ensure that they are providing the appropriate services for the visiting public. We know that visitation has exploded over the last several years and we are working hard to meet those demands. I understand that in very rare circumstances, our concessionaires do not meet the terms of their obligations and that the NPS must take immediate action to remedy that. So I appreciate the opportunity to help you get the solution to this issue.

Senator WYDEN. And I thank you for it. And your last comment is particularly relevant because working with the Department, which your folks have indicated we can continue to do, allows you to have a preventive kind of effort, which ensures we don't get in this situation again.

My other question involves the Owyhee in Malheur County. Much of this rural landscape is managed by BLM and supports the local economy. I mean, ranching is a way of life there, as is hunting and fishing, and outdoor recreation, and management of these lands has been a long-running source of frustration, as you know. I have been working very closely now with the local ranchers, at their request. I mean, they had been watching the years of gridlock, and a few years ago they all came in and basically said, would you take this on? And I smiled at them, and I said, I think you

are asking because you believe I am the only one crazy enough to be willing to jump into the middle of this battle. And I said, we have just got to get it done. And the ranchers deserve an enormous amount of credit for working with the tribes and the stakeholders. And Senator Merkley and I have teamed up on legislation called the Malheur County Empowerment for the Owyhee Act that really makes it clear that we can champion these local concerns and do it in a way that fits with sensible environmental policy. It provides Interior with new management direction and tools to meet tribal needs and it improves flexibility for livestock grazing, which is absolutely important for land health.

And as we all know as Westerners, nothing brings these discussions to a close faster than having everybody go into battle over grazing. And we have brought people together on this issue, and the consultation with all of you has been very, very helpful. So my question is, Madam Secretary, do you foresee any problem with Interior's ability to implement the legislation, if passed, especially with BLM having recently finalized its Southeast Oregon Resource Management Plan for the area? We believe we have got the ducks in a row and are in good shape, but we would be very glad to have your comments with respect to this on the record as well.

Secretary HAALAND. Thank you, Senator. And of course, we appreciate the work that you have done on this legislation and support, as it aligns with the Administration's conservation goals. Thank you so much for all of that. We actually don't foresee any issues. And I can assure you that BLM will follow the law as enacted and consistent with other applicable authorities.

Senator WYDEN. My time is up. I just want to thank you for this effort. You know, back east, people call the Owyhee Oregon's version of the Grand Canyon. We call it home. And these local ranchers and tribes and stakeholders really are pretty amazed that we have gotten to this point, and I think it's because there has been a lot of goodwill between the Department and Sarah Bittleman and our team that has been working on it. We look forward to continuing that and we thank you.

Thank you, Mr. Chairman, for the courtesy.

The CHAIRMAN. Thank you. Thank you, Senator.

And now to Senator Barrasso.

Senator BARRASSO. Thanks, Mr. Chairman.

Secretary Haaland, in 2023, the United States produced a record amount of crude oil and natural gas. Is that a good thing or a bad thing?

Secretary HAALAND. Senator, I believe that President Biden is——

Senator BARRASSO. Good thing or bad thing that we produced a record amount of crude oil and natural gas?

Secretary HAALAND. Well, I agree that we have a record amount of production on federal lands and——

Senator BARRASSO. No, not on federal. Is it a good thing or a bad thing? It's a simple question.

Secretary HAALAND. Well, I think that energy independence for our country is a good thing.

Senator BARRASSO. Because two weeks ago, Secretary of Energy Granholm told the Committee it's a good thing. So you agree with her?

Secretary HAALAND. Senator, I think that energy production on our public lands is at an all-time high. We are grateful that we have been able to produce energy, specifically, also, our work on clean energy—

Senator BARRASSO. It doesn't seem like you are helping so much, because of what we have talked about in my opening statement. So the Rock Springs Resource Management Plan would, among other things that you proposed, prohibit oil and natural gas exploration on more than two million acres. It would ban trona production on over two million acres. It would severely restrict all surface uses of 1.6 million acres. The governor, congressional delegation, state legislature, county commissioners in Wyoming, local communities, all strongly oppose this plan by your Department. I just want to know how can the Department be a good partner to Wyoming if it ignores the opposition from the people who are most affected by this plan?

Secretary HAALAND. Thank you for the question, Senator, and I do also appreciate your opening statement, and want you to know that I apologize. This project has also been referred to as Sweetwater, and so that is what I have been calling it. We appreciate that your Governor put together a constructive task force. We are taking those recommendations as well as all the public comments we get very seriously, as we always do. We expect that the task force, as well as the many people who took the time to weigh-in on the draft plan, will see their comments reflected in a final plan that best balances—as I have always promised to manage our public lands with a balance—the many important uses in the Rock Springs or Sweetwater area, such as grazing, trona mining, recreation, and wildlife migration.

Senator BARRASSO. Because this proposed plan is a stake in the heart of the Wyoming economy. The Department needs to listen more to the people of Wyoming. I would appreciate all of your efforts in that area.

I want to go to, also, the Bureau of Land Management—they had another rule called the Public Lands Rule. That is going to turn decades of multiple-use mandate on its head. You just said you are for a lot of these things, but that rule is not. It's going to allow third parties to lease public lands to block the productive use of the land. These lands—we're not talking about national parks, we're not talking about wildlife refuges, we're not talking about wilderness. These are lands that Congress has specifically made available for grazing, as you mentioned, for energy, for mineral production, for recreation. I mean, the three big parts of the Wyoming economy—agriculture, energy, tourism—so I don't know how non-use of land qualifies as the productive use of land. Could you explain that to me?

Secretary HAALAND. Thank you very much, Senator. And since I have been in this Committee, during my confirmation hearings, I have promised to manage our public lands in a balance, and that is what this rule seeks to do. It makes conservation on par with BLM's other uses in our multi-use mandate—recreation and graz-

ing, consistent with BLM's multiple-use and sustained-yield mission. It enables the BLM to manage public lands to maintain their health and function for years to come because we believe we have an obligation to future generations for those public lands.

Senator BARRASSO. Well, it does sound like, when I read through this Public Lands Rule, you would be happy if all the land went away, if people rented it all, protect all, and then just put it all as non-use. So I think that what you are saying is not at all true in terms of what the intent of the law is to allow multiple use for productive use of the land.

And on one other area, the Bureau of Land Management has yet to issue leases to the winning bidders of its December 2020 onshore oil and gas leases. These were paid for. \$7 million went to the Treasury. The government took the money. The law says the leases must be issued in 60 days. When do you plan to issue these leases to the winning bidders who paid for the leases back three years ago?

Secretary HAALAND. Thank you, Senator. I want to assure you that BLM is following the law. We are holding regular onshore lease sales.

Senator BARRASSO. That's not the question. The question is, leases have been sold. Money has been paid. \$7 million taken in. You are supposed to put out the lease in 60 days. They handed you the wrong paper to read the wrong answer. You had three and a half years to issue the leases. Will you commit to issue them in the next 30 days?

Secretary HAALAND. Thank you, Senator. As soon as I get back to my office, I will double check on this issue and make sure that we give you the status when we get back to our office.

Senator BARRASSO. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

And to follow up on that, is there any penalty in the law or the rule that basically, if you don't basically allow the leases to happen in a timely fashion, any retribution to the Department? Not aware of any? Maybe that is our problem.

Okay, Secretary Haaland, as I alluded in my statement, you request a budget increase of \$935 million, or a five percent increase over last year. I also see your proposed budget expects Interior will collect nearly \$700 million less in bonuses, rents, and royalties because you all have chosen to have less lease sales and have discouraged production on public lands and waters. It's kind of hard to justify to the taxpayers why we should be using tax dollars to increase the budget for the Department of the Interior by \$935 million when you have the ability to collect this and be self-sustaining, but you have reduced it by \$700 million. So I would like to hear you all's concerns about that—that is a \$1.6 billion swing.

Secretary HAALAND. Thank you, Chairman. The Fiscal Year 2024 estimate was recently updated and increased \$3.3 billion from last year's projection. Both the Fiscal Year 2025 and Fiscal Year 2024 estimates reflect an overall upward revenue trend, and differences between 2025 and 2024 reflect lower OMB price assumptions for oil and gas and lower offshore bonus amounts for 2025.

The CHAIRMAN. So you agree that there is going to be less coming in. The \$700 million, you agree with, is less revenue coming in

because of a reduction of—I think you are saying a reduction of the prices and the royalties you would get, or just the leases that we have and the money we receive from the leases?

Secretary HAALAND. Chairman, the estimates reflect a point in time. It can change quickly based on assumptions and events. For instance, the price of oil affects the royalties companies pay, and that can actually fluctuate.

The CHAIRMAN. You would all have to agree that having less lease sales is going to affect that greatly. I mean, we would have to acknowledge that because that is just common sense.

The other question I have, in the Infrastructure Investment and Jobs Act, Congress gave you a statutory deadline to issue final offshore carbon capture and storage regulations by November 2022, okay? November 2022. We are two years down the road. You missed that deadline and continue to delay each year. All the signs tell us we can't meet our climate goals without carbon capture and sequestration. And given the Administration's focus on decarbonization, this is an issue that should be a top priority, which we made it a top priority in about every piece of legislation that we had done, yet a draft rule has not even been published yet. So when do you think you will publish a proposed rule for comments, since we are two years behind already?

Secretary HAALAND. Chairman, thank you for the question. And as you can imagine, creating a new regulatory program for a new applied technology is creating—it's very technical and it's very complex. We want to make sure we are doing a good job. We are consulting with the industry, with other government agencies and countries to ensure an efficient and comprehensive process. We don't have an actual estimated time for this to be completed, but I want to assure you that we are working on it.

The CHAIRMAN. How much CO₂, in the three-year delay, has been left unsequestered? I mean, do you have any idea how much is out there that we are not sequestering that we could?

Secretary HAALAND. I could not answer that at the moment, but of course, we would be happy to give you a status update on where we are with this and know that our scientists—

The CHAIRMAN. Let me make it very clear that the people that are producing a record amount today make us more energy secure than ever before. You know that we produced 38 trillion cubic feet of gas and 4.7 billion barrels of oil last year. We produced 14 billion cubic feet of LNG. We did more solar and more battery storage than ever before. So it's an all-in energy process that we have. I have just tried to make the rational evaluation that we are all understanding there is a transition coming, and we have to be part of that transition and gas and oil and all of this, but we have to do it cleaner and better, and we can. But if the Administration is fighting us on sequestration, then it's an oxymoron saying we can't do that because you are still putting out CO₂ because you would not give us—we can't get Class VI well permits. We have 128 pending, only two have been provided. Yet, we are willing to go ahead and start collecting fines on companies that are still producing CO₂ because they can't get a permit. It just does not make any sense whatsoever.

We are fighting our own selves on energy security and we are not going to be able to switch for the public. There is no way that we can switch before we have something that will do exactly what dispatchable fossil fuel is doing—24/7 production of energy. That is just common sense, too, for the superpower of the world, for the rest of the world's security, that we have energy production. Our allies are depending on it. And every time we displace Venezuela—I think we have gone back and forth on Venezuelan oil—and now, we are still turning a blind eye to the ghost ships coming out of Iran that use their profits to support Hamas and its terrorist operations around the world. It just does not make any sense to me, whatsoever, why we would be doing that when we produce it in the Gulf cleaner than anyone. So if we displace by producing more, it's good for the environment, but we are having a hard time.

And finally, last month the BLM published a final rule that authorized BLM to grant restoration and mitigation leases to third parties, restricts development on potentially environmentally sensitive areas on public lands, and allows BLM to waive fair market value if the leases would further other policy priorities identified by BLM. Grazing, mining, and non-renewables and renewable energy stakeholders all oppose the proposed rule. How much public land do you expect to restrict from development under this new rule?

Secretary HAALAND. Senator, I could not tell you the specific amount of acreage, but I can tell you that fair market value will apply to the restoration and mitigation leases that we are moving forward.

The CHAIRMAN. We would like to have an answer. How much do you think that is going to restrict and how much public land do you expect you will lease without charging fair market value, which has been historical with BLM?

Secretary HAALAND. We will take those questions back, Chairman, and consult with you.

The CHAIRMAN. Okay, with that, Senator Hoeven. We are so glad that you are here, sir.

Senator HOEVEN. Mr. Chairman, I just want to start by thanking you for your comments and your common sense because it's right-on. Right-on. And so I really appreciate those comments, and you know, it's not only a national imperative in terms of energy production for our economy and for good jobs and all those things, it really is, it's a national security issue, it's really a strategic global issue now.

And along those lines, I want to ask you, Secretary, there is a resource management plan you are putting in place on North Dakota BLM lands. Now, in North Dakota, you have what is called split estate. It's a checkerboard. Ms. Daniel-Davis, you are familiar with this, and I appreciate that, and I appreciate where you have worked with us on this, so I want to thank you for that. But these rules that you are putting out, Secretary, are very problematic because, in many cases, the BLM—the Federal Government—will own the surface acres, but they don't own the mineral acres. So under your resource management plan, because of that, 95 percent of the federal coal lease acres are taken out of production because of this checkerboard, okay? And those are private individuals—or

maybe the state that owns the minerals—in most cases, private individuals—and because you own the surface acres and you won't allow leases, you are disenfranchising those individuals. Imagine if you owned those minerals and you could lease them and be paid for them, but now the Federal Government won't let you, because you own the surface acres, you are blocking them. That is 95 percent of the acres on those lands that have federal coal access to federal coal blocked, and now, 45 percent oil and gas. So your resource plan is disenfranchising all the people that own those mineral acres where you own the surface acres. Do you think that is fair? Do you think that is reasonable for the Federal Government to do that to private individuals?

Secretary HAALAND. Senator, with respect to the question, I appreciate that and I wonder if you wouldn't mind if I passed that question to the Acting Deputy Secretary?

Senator HOEVEN. Sure, yes. I mean, because the question I have is what are we going to do about it?

Secretary HAALAND. Yes, indeed.

Senator HOEVEN. The Federal Government is unfairly disenfranchising its own citizens, and that is not fair, and we need to do something about it.

Ms. DANIEL-DAVIS. Well, I will just say, thank you, Senator, very much for the question, and I have appreciated the many conversations we have had on this and other issues. And with regard to the resource management plan, I am going to admit I am not completely steeped in the details, but I understand exactly what you are saying. You know, BLM is responsible for the surface—

Senator HOEVEN. Will you work with us on this to address it? This is fundamental fairness, and so I would really appreciate it, and if you would take the lead and work with us on it, I would greatly appreciate it.

Ms. DANIEL-DAVIS. Thank you for raising it. I would be happy to.

Senator HOEVEN. Okay. And then, just to add to that, the Dakota Gasification project is the largest carbon capture project in the world now. Fifty percent of their CO₂ goes for EOR in the Weyburn Oil Fields and 35 percent now is just coming online. It's going to go for geologic storage, okay? So this is a great example. They are out there in the area that I am talking about. If you cut off their coal supply, here's this huge carbon capture project, like the Chairman was just talking about. Here is how we are going to provide baseload electricity, you know, not only for the grid, as well as natural gas and so forth and oil that we need, also Project Tundra. DOE—the Department of Energy—just awarded \$350 million for Minnkota to do the same thing with their coal-fired electric plant, again, stability of the grid. They need access to these mineral acres owned by individuals, okay? They are not even your acres. Okay? And so, we have got to address this.

The second thing I want to bring up is just what the Chairman was talking about, the conservation lease program under the federal law, the Federal Lands Management Act of 1976 requires—requires—multiple use on these federal lands. And once you put those easements in place on millions and millions of acres, that won't be multiple use. That contravenes the law, does it not?

Secretary HAALAND. Senator, the land in question, BLM lands, will still be used for—they will be multipurpose still. The existing leases will not be jeopardized in any way. Grazing permits will—I mean, people will still be able to use the land for a multi-use purpose.

Senator HOEVEN. Not on the lands that you restrict with those easements. You are taking them out of multiple use in contravention of the law.

Secretary HAALAND. Would you mind if Laura Daniel-Davis worked on this?

Senator HOEVEN. Please.

Ms. DANIEL-DAVIS. Senator, I just wanted to provide a short clarification. The mitigation and restoration leases will be time-bound, and they will be specific to activity, in the case of mitigation probably tied to a project proponent, and in the case of restoration, a specific restoration objective. So they are not unbounded by time and they will be specific to the work that is meant to be done, so I just wanted to be sure.

Senator HOEVEN. But as to those lands, they no longer will be multiple use.

Ms. DANIEL-DAVIS. I think that—I don't expect that they would be limiting in terms of recreation. I suspect, even in the case of grazing leases, that they may wish to also have a restoration lease, potentially. So I don't think they are being taken out of multiple use, and certainly not for all time, sir.

Senator HOEVEN. Well, I see I am over my time, Mr. Chair. This is one that will end up in litigation, clearly, based on the law.

Thank you, Mr. Chair.

Senator BARRASSO [presiding]. Thanks.

Senator Heinrich.

Senator HEINRICH. Thank you, Chairman.

Secretary, in 2022, Congress finally passed the STOP Act, and I know you are very familiar with this law, but for my colleagues, it made it illegal to export stolen tribal cultural patrimony and sell it overseas. That law authorized \$3 million for the Interior Department to coordinate with State, with Department of Homeland Security, with Department of Justice, to put a stop to these illegal exports of stolen cultural items. Your budget request includes zero dollars to implement that law. Why on Earth is there no funding in this budget for STOP Act implementation?

Secretary HAALAND. Thank you for the question, Senator, and the 2025 budget advances implementation of the revised NAGPRA rule and the STOP Act, \$7 million across DOI to implement the NAGPRA rule, \$4 million in DOI Bureaus to support their compliance, and \$3 million in the National Park Service for grants and assistance in repatriation of remains and collections.

Senator HEINRICH. That is very important work at the National Park Service, but it doesn't substitute for the coordination with DOJ and DHS. I think this should be a higher priority for the Department and for the Administration.

Secretary HAALAND. Senator, if I could just say, we will look forward to working with you to move that forward, and I appreciate your support of Indian tribes.

Senator HEINRICH. I want to move on to NAWCA, that is the North American Wetlands Conservation Act. In my view, it's the single most successful public-private conservation partnership in the United States. It has historically been funded, I think last year, at \$49 million. In this budget it receives a \$16 million cut, from \$49 million down to \$33 million. Why is this singled out for such a large cut in this budget?

Secretary HAALAND. Thank you for the question, Senator. And of course, our budget includes some tough choices. It would be great if we had unlimited amounts to put toward these important efforts. We took reductions in several very good and important grant and payment programs like this conservation act.

Senator HEINRICH. But you have a five-percent increase overall, and this program, which is wildly successful, has a 33 percent cut.

Secretary HAALAND. I would just say that it reflects top priority to fund ongoing operations and the services Interior directly provides to the public as well as reflecting that the program receives both mandatory and annual funding each year and a \$22 million increase in mandatory funding available for NAGPRA in Fiscal Year 2025.

Senator HEINRICH. Let's move on to the Great American Outdoors Act. I was proud to join my colleagues on this Committee to fully fund the Land and Water Conservation Fund and provide those five years of extra funding to address the deferred maintenance backlog. And I think it's important that we get this infrastructure funding to work as quickly as possible. So for the Fish and Wildlife Service, for the Bureau of Land Management, for the Park Service, what percentage of funds from the early years of Great American Outdoors—that would be like Fiscal Year 2021, Fiscal Year 2022—are actually under contract at this point?

Secretary HAALAND. Fiscal Year 2021—if it's okay, I will have Denise answer it. I have a chart here, but she is the budget person and has put all these numbers together.

Senator HEINRICH. Denise, do you want to address that?

Ms. FLANAGAN. Sir, I would be happy to do that. Fiscal Year 2021 projects are 82 percent obligated, and if I did the break up for you, the Fish and Wildlife Service is 95 percent obligated, the National Park Service is 85 percent obligated, and of course, they have the vast amount of funding under them.

Senator HEINRICH. Right.

Ms. FLANAGAN. The Bureau of Land Management is 70 percent funded and the Bureau of Indian Affairs is 34 percent funded.

In Fiscal Year 2022, the Department is 54 percent funded.

Senator HEINRICH. Why is the Bureau of Indian Affairs' number so low?

Ms. FLANAGAN. The Bureau of Indian Affairs program, they work with tribes and other organizations and they are doing schools and other things—

Senator HEINRICH. Yes. Well, that is actually—

Ms. FLANAGAN. Those are multi-year projects—

Senator HEINRICH. Right.

Ms. FLANAGAN. And they need to work and go through that process.

Senator HEINRICH. So, for example, in 2020 Congress appropriated funding to install HVAC systems for dormitories at the Navajo Preparatory Academy, and they are still not installed. And so, I am just wondering why the Bureau is getting this work done at such a lower rate than the other agencies.

Ms. FLANAGAN. All right. So if you wouldn't mind, what I would just say is that at Indian Affairs, I mean, they do recognize some of their improvements are needed to their deferred maintenance programs and their processes, but of course, what we don't want to do is slow down the progress to modernize their schools. And so—

Senator HEINRICH. Absolutely.

Ms. FLANAGAN [continuing]. Their actions are underway, of course, including those in response to the Inspector General report that you are doing. And they are continuing to implement their critical school facility improvement and repairs for other school replacement programs.

Senator HEINRICH. Well, I think we really need to focus on that because it's not an isolated situation at Navajo Preparatory Academy. If you look at the Crystal Boarding School on the Navajo Nation, it has been on the priority list for a new school building since 2016. The current timeline for completion is 2027. So I would love to see the Bureau implementing these projects at the same rate as the BLM, at the same rate as the Park Service, as the Fish and Wildlife Service.

Ms. FLANAGAN. Sure.

Senator HEINRICH. Thank you.

Senator BARRASSO. Thank you, Senator Heinrich.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Madam Secretary, I think you know that at these hearings I usually take my time to ask questions, but this morning I am probably going to be talking more than asking questions, because quite honestly, I have got a lot to say, and I think you know it's not good feelings. Right now, the State of Alaska is looking at what is coming out of the Department of the Interior and they are not seeing a single thing that Alaskans are asking of Interior that is actually advancing. It seems like every single decision coming out of the Department is working against Alaskans.

It was a pretty tough week, just a couple weeks ago now. In one day—in one day—the Department closes off 13 million acres of our petroleum reserve. In the same day, you rejected the Ambler Access project. And the heartburn here—I mean, it's more than heartburn—the danger here is this is a project that is literally guaranteed by federal law and you basically have rejected that and closed that off. You released a major land plan where it took Interior ten full years to fail to meet the direction of a law that I wrote 20 years ago. It was to lift the PLO—public land ordinance—in Alaska, but it took no time at all to close off millions more acres in the State of Alaska. And again, the kicker on all of this is you did it all on the same day—one day—one day. We have actually come to dread Fridays in Alaska because that is when we see the stuff coming out of Washington, DC that is burying Alaska and our economy. These decisions are now piled on top of dozens of others, from your con-

servation rule, to the cancellation of the leases in the 10-02 area, to the looming kneecapping of the oil and gas program in the area that you are mandated to carry out.

You know, there is a lot of history in Alaska. You know much of it, but when signing ANILCA, President Carter promised the deal was 100 percent of Alaska's offshore and 95 percent of our on-shore would be open to responsible development. President Biden voted for that law. He voted for ANILCA, but his Administration, led by your Department, has broken its promises to Alaskans again and again and again. And we have kept our side of the bargain here. We have been working to do just that. Our environmental record is second to none. We will put it up against anyone out there, but now it's effectively being held against us because Interior's decisions are punishing us for decades of responsible development. And ironically, it undermines the President's own policies. He is talking about all that he wants to do to advance the renewables and EVs. Well, they all require critical minerals. Well, where are we going to get the critical minerals? We have opportunities in Alaska, and a road to those minerals could have been—hopefully one day will be—a way that we are accessing that.

But in addition to all of this, you are setting a precedent for future Administrations to ignore the law. We pass things in Congress, we put the laws in place, and the Administration does whatever they please. And it's doing nothing to protect the environment because we know that our projects are going to have small footprints. We put in place the strongest safeguards in the world here. You have heard it before, but the headline is true, this Administration is sanctioning Alaska. We are sanctioning Alaska while we are boosting foreign resources. And you don't pay attention, you overlook the pollution, the human rights abuses, the regimes that it enables, from Russia and Iran. And in the meantime, you have a President that seems to think that Willow is enough to sustain an entire state. The Administration here has effectively reduced Alaska to nothing more than a debit card to pay off national environmental groups in an election year. And I know that that's tough, but we can't look at it any other way. There is no valid reason. There is no good excuse for Interior's decisions. The Department needs to follow the law. They need to follow the law, they need to consult with all Alaska natives—all Alaska natives—and frankly, I think, clean house at the BLM.

I want you to give this some thought because we are going to have an opportunity next week at Interior Appropriations for me to ask more questions—to ask questions—but I want you to think about this. What justifies this? What justifies this singling out of one state, of one state alone? To treat Alaska in this way and in this manner where you are effectively not only locking up the resources, you are going against our statehood compact, you are going against the laws that we have passed and against policies that seemingly, as an Administration, you should support. It seems like we are the giving tree, with more and more being taken from us every year, but we don't know that there is that much more to give. So again, I will look forward to the opportunity in the Interior Committee, or the Subcommittee, to ask these questions. You prob-

ably won't be looking forward to it as much as I will, but I think Alaskans deserve some answers.

The CHAIRMAN [presiding]. Senator Hickenlooper.

Senator HICKENLOOPER. Thank you, Mr. Chair. Thanks to all of you for being here today, but also for your service.

Madam Secretary, there is still resonance—people are still talking about your visits to Colorado. I just wanted to make sure you understand, and I am sure it's not easy to be going all over the country because I hear you are going to everybody's states. For a while there, I thought Colorado was special, but you are getting everywhere and people really appreciate it. It makes a big difference for people trying to, you know, create a relationship with the government.

I want to talk a little bit about the Colorado River Basin, of course, a big part of the communities all along the river in all the lower and upper basin states. We have had some snow the last couple years, but the levels at Lake Powell and Lake Mead are roughly the same levels now that they were two years ago. And I think we have made a lot of progress in the last few years, and I think while conditions have improved, we have still got a lot of work to do. I just want to take your pulse and see how optimistic you felt on the progress we have made.

Secretary HAALAND. Thank you so much for the question, Senator, and yes, we have always enjoyed our opportunities to be in Colorado. So thank you for always welcoming us.

As you know, the Colorado River Basin is incredibly important. It provides water for more than 40 million Americans, seven states, 30 tribes, and we are actually very proud of the fact that our team has worked diligently to make sure that everybody is at the table. It is really the first time that Indian tribes have had an opportunity to be at the table and have a real voice in these negotiations. And I do want to say that it has been an unprecedented level of collaboration and partnership with those entities, and Mexico, I will say. We have made significant investments to conserve water and modernize critical infrastructure and we have laid the foundation to ensure that future guidelines and strategies will be sufficiently robust and adaptive to withstand the uncertainty of climate change. We are grateful for the moisture we have gotten. We know how precious that is in the West. It doesn't mean that it will last from one year to the next, but we are grateful for Congress's support and the work that we have been able to do there.

Senator HICKENLOOPER. Yeah, we appreciate all the effort, and as you know, Camille Touton is a remarkable public servant and has just done—I am not sure the woman sleeps, you should worry about her health.

Also, I am very sober about climate change. You have heard of the uncertainty of climate change. I feel there is a fairly high degree of certainty that it is changing and it is moving more rapidly than we thought. Things that I, you know, I got a master's in earth and environmental science back in 1979, don't want to date myself, but back then we called it the Greenhouse Effect. But much of what we predicted back in the 80s and the 90s is coming true—the wildfire, the droughts, the rising sea level, the extreme weather that creates hurricanes and tornadoes. I wonder—part of what I

think, as we address this, we are going to have to go more rapidly and change the way we permit for clean energy if we are going to have any real chance of succeeding in this. I was excited to see that BLM announced last month the categorical exclusions that will enable the Agency to expedite the review and approval of geothermal exploration proposals. I was knocked over by the USGS report looking at the potential of geothermal and how much larger that potential is than I thought.

Can you speak to how permitting reforms can fit into meeting our climate goals, especially if we can prioritize developing projects in less sensitive locations, and obviously, we always are going to make sure we have a platform to make sure the public is heard and that everyone gets a hearing.

Secretary HAALAND. Absolutely, and thank you for that question, Senator. Of course, we need faster permitting for clean energy if we have any chance of addressing the climate crisis that we are experiencing now. Last month, I was very excited to see BLM announce new categorical exclusions that will enable the Agency to expedite the review and approval of those geothermal exploration proposals. We know that more is needed to put clean geothermal energy on the same footing as oil and gas, and so we are committed to permitting efficiencies across everything that we do. The Department of the Interior has a significant role to play, as we have made establishing a clean energy future one of our key priorities, and I think that is shown in the work that we have done all over the clean energy spectrum.

As you know, the White House Council on Environmental Quality released a final rule to reform, simplify, and modernize the federal environmental review process under the National Environmental Policy Act. And so, we will continue working, of course, with everyone to ensure that we can move this forward.

Senator HICKENLOOPER. Right. Well, thank you, and we salute all the hard work you guys are doing. Really appreciate it.

I yield back to the Chair.

The CHAIRMAN. Thank you, sir.

Senator Risch.

Senator RISCH. Thank you, Mr. Chairman.

Madam Secretary, as you recall, the last time we were here we had a spirited discussion about the Lava Ridge project. I think you are quite familiar with that. I delivered you a very clear message about what the people of Idaho think about this and the tens of thousands of people that are affected by this, all of whom oppose it. We have actually identified three people that are for it, but those three people have a financial interest in the project itself. Where are you on this?

Secretary HAALAND. Thank you, Senator, and we are currently working to meet the direction included in the 2024 appropriations bill to conduct additional consultations with local elected officials and stakeholders. We will report on the status of those consultations as required by law and we will not complete the final EIS until we have conducted all of those consultations and incorporated any of the relevant information into the analysis.

Senator RISCH. So you say you are in the process of that. Since we had that discussion last time, can you tell this Committee

whether or not you can confirm what I told you, and that is the number of people in Idaho that support this you can count on one hand?

Secretary HAALAND. Senator, in the consultations that we have had, there have been roughly 26 government-to-government consultation meetings with tribes, at least 19 meetings with county commissioners from Lincoln, Jerome, and Minidoka Counties, 14 briefings for Members of Congress and their staff, six meetings with local organizations, four meetings with grazing permittees and other members of the agricultural committee, and six public meetings on the draft environmental impact statement. We are doing our work.

Senator RISCH. That's good. Can you identify for me the people who support this project, because this will only take a few seconds for you to name the three people.

Secretary HAALAND. Thank you, Senator. I appreciate you mentioning that you have found three people. I——

Senator RISCH. Have you not found those three? I can give you their names.

Secretary HAALAND. Thank you, Senator. We would be happy to be in touch with your office regarding this issue and happy to have a conversation with you and your staff about who we are talking to and——

Senator RISCH. Sure. And that is a great list of people. Tell me, how many people have you found on that list that support this project?

Secretary HAALAND. Senator, I don't have a number for you today.

Senator RISCH. You surely have a feeling about this. Have you found anybody that is in favor of this?

Secretary HAALAND. Senator, I do truly appreciate your line of questioning here, and as I mentioned, we would be happy to be in touch with you.

Senator RISCH. No, no, no, no, no. Have you found anybody that said we support this project, I support this project? Have you found such a person or an entity?

Secretary HAALAND. Senator, I have some really amazing and dutiful career staff and——

Senator RISCH. Your staff supports this, I gather, but I am not looking for staff that supports this.

Secretary HAALAND. No, I understand that.

Senator RISCH. Tell me somebody who supports this project.

Secretary HAALAND. I don't have a list of people currently, but I am happy to get back with you.

Senator RISCH. Can you name one?

Secretary HAALAND. Senator, I would be happy to reach out to you.

Senator RISCH. You can't tell me one person today?

Secretary HAALAND. I have not actually done the conversations. As I mentioned, I have staff and people at the Department who have carried on these conversations.

Senator RISCH. Great. Can you give me a list of those people that support this? Will you commit to do that?

Secretary HAALAND. Senator, we will commit to getting in touch with your office about the——

Senator RISCH. No, will you commit to give me a list of people and/or entities who support this project? Will you commit to that?

Secretary HAALAND. Senator, I will commit to being in touch with your office about this project.

Senator RISCH. No, no, no.

Secretary HAALAND. We will——

Senator RISCH. Will you provide me the information I am asking for, and that is a list? You are required to go out and publicly contact people and determine who supports this and who opposes this. Will you give me a list of the people and entities who support this project?

Secretary HAALAND. Senator, we will have that for the record. We will have a list——

Senator RISCH. When will you have that for me?

Secretary HAALAND. We will, as soon as I get back to my office, I will——

Senator RISCH. It won't take you but minutes to put it together, believe me.

Secretary HAALAND. I appreciate that.

Senator RISCH. Okay.

Secretary HAALAND. Thank you, Senator.

Senator RISCH. So then the question I have for you is this: suppose you find what I am telling you is true, and that is there are tens of thousands, perhaps in the hundreds of thousands of Idahoans who are opposed to this and a very small handful of people who support this. What do you do about that?

Secretary HAALAND. Senator, we take all, as I mentioned in my previous response, we take all of those comments from all of the meetings with the entities that we have had, we put that together with other analyses such as the science and the data and we come to a final decision about the issue.

Senator RISCH. Will you be moved if the position is as I have described for you?

Secretary HAALAND. Senator, we always take the public comments into great consideration when we are considering these things. It means a lot to us. We know that the people on the ground are important, and we take their comments into deep consideration. Yes.

Senator RISCH. But you are not going to commit that you will abandon this if indeed the situation is that nobody in Idaho wants this?

Secretary HAALAND. Senator, I appreciate and recognize that you do not like this project——

Senator RISCH. No, no, no, not me. The people of Idaho do not like this project. I don't like it either, but the people of Idaho do not like this project, and not by one or two, but I am telling you, there is nobody here. You can't even name one person that you think is opposed to it.

My time is up, Madam Chairman.

Look, don't do this. Your own agency has said don't do this. The people of Idaho said don't do this. Don't do this.

Thank you, Madam Chairman.

Senator CORTEZ MASTO [presiding]. Senator Hirono.

Senator HIRONO. Thank you, Madam Chair.

Welcome, Secretary Haaland.

Before I begin with the questions, I just want to thank your Department for your part in having Congress finally approve the Compact of Free Association agreements, which took years to negotiate with the island nations of the Marshall Islands, Palau, and Micronesia. And these Compacts are critical to our national security, especially in the INDOPACOM AOR. The challenge with these compacts though was that it involves three departments—yours, State, and the DOD. So we can imagine all the moving parts, the number of Chairs and Ranking Members who had to agree to this, and before Senator Risch leaves, I want to thank him for his part. Hello. Thank you, Senator Risch. He was Ranking on Foreign Relations, very much a supporter of the Compacts, and an important part of the Compacts was the restoration of federal benefits to the citizens of these Compact nations who live in our country. These Compacts are so important that the citizens of these island nations are able to come and live in the United States without the need for visas. They are, as far as I know, the only group of people who are able to do that. But I am really thankful that the Chair of this Committee, the Ranking Member of this Committee, and over a dozen Chairs and Ranking Members in both the Senate and the House worked hard to get this done. So Madam Secretary, I thank you for your support.

Moving on, Hawaii experienced an unprecedented degree of devastation from the Maui wildfires that occurred last August. And afterwards, our natural resource managers, like so many others across the country, found that there was not enough native plant material available to adequately revegetate the burned landscapes. In order to address this issue, I have been working on a bill that would establish a national interagency seed and restoration center to enhance the availability of native plant materials across the United States. This would complement your announcement in February about the National Seed Strategy Keystone Initiative. Can you talk a bit about the importance of Congress working with your Department on this effort to ensure that land managers all across the country have a consistent supply of regionally appropriate native plant materials?

Secretary HAALAND. Yes, thank you, Senator, for your support on that, and you know, we battle invasive species all over the country, and in Hawaii it is especially important. Native plants are important. Promoting native plants is a critical way to help prevent against wildfire risk in the face of climate change. I know that the Department provided technical assistance on your draft bill to establish a national interagency seed and restoration center. We remain committed to working with you on this important issue. So I remain saddened by what happened in Maui, and we will do everything we can to help.

Senator HIRONO. And of course, as we face these natural disasters all across the country, I think that the restoration of native plant material is one approach to preventing these kinds of devastations.

I know that addressing the missing and murdered native peoples is—especially, of course, the women and girls—is an important issue for you, and is it still an issue that you are addressing, and can you talk a little bit about the progress that is being made to prevent these kinds of—what is happening to native women and girls? And you probably are aware that in Hawaii, one-fourth of the missing children are Native Hawaiian women and girls. So can you update me a bit on your addressing this devastation?

Secretary HAALAND. Thank you, Senator, and yes, we, as you know, we started the missing and murdered unit in 2021, and dedicated investigators for this issue. And so far, we have investigated 950 missing and murdered persons cases and solved or closed 595. Missing persons cases—we are staffing up the MMU, and it continues, as 38 of the 63 positions are now filled. We are still working to make sure we can fill all of those positions and we will continue to collect and review unsolved cases involving missing and murdered persons so that we can add other cases. But we are committed to it and appreciate your commitment as well.

Senator HIRONO. I want to commend you for your continuing efforts in these lines and I would assume that you are pursuing prosecution of the perpetrators.

Secretary HAALAND. Thank you, Senator.

Senator HIRONO. Thank you.

I have a few other questions for the record that I will submit.

Thank you, Madam Chair.

Secretary HAALAND. Appreciate that. Thank you.

Senator CORTEZ MASTO. Thank you.

Senator Daines.

Senator DAINES. Thank you, Madam Chairman.

Secretary Haaland, exactly a year ago you were before this Committee to testify, and I asked you about the U.S. Fish and Wildlife Service's 12-month status review on grizzly bears in the Greater Yellowstone Ecosystem and Northern Continental Divide Ecosystem. We are now 15 months into what was supposed to be a 12-month status review, and there is no end in sight. Both grizzly populations are well over the objectives set by the U.S. Fish and Wildlife Service and they continue to grow both in number and range. In fact, the Fish and Wildlife Service scientists have twice—twice—determined that the Greater Yellowstone Ecosystem bears have recovered and they've delisted them, but litigation and court rulings prevented those from going into effect.

Now, we should be celebrating the fact that the grizzly bear has recovered rather than dragging out the delisting process. Montanans in grizzly bear country have been forced to adjust their life and to be bear-aware at all times as they live with the bears—where their kids play, hiking with bear spray, fencing gardens, fencing playgrounds at schools. Everything is done with grizzly bears in mind. My question is, what is the target number of grizzly bears in the Greater Yellowstone Ecosystem and the Northern Continental Divide Ecosystem needed to meet the Fish and Wildlife Service's criteria for recovery?

Secretary HAALAND. Senator, I would have to get back to you with the numbers that the scientists and that the data shows, but I can tell you that the review—

Senator DAINES. No, just what is the recovery target? What is the recovery target? Not what the current populations are, what is the recovery target?

Secretary HAALAND. Senator, I don't have——

Senator DAINES. I have asked you five times since you began the process——

Secretary HAALAND. We will be happy to get back with you.

Senator DAINES. First, when we began the process for your confirmation before you even became public, I asked you, and you said, "I don't know." I mean, if I haven't telegraphed the test questions to you, let me be clear, I am just asking what is it? So you don't know?

Secretary HAALAND. I don't have the target number.

Senator DAINES. That's another way to say I don't know.

Secretary HAALAND. But I would be happy to get back with you——

Senator DAINES. Okay, well, you know what? Unlike Senator Risch's question, you don't have to get back to me. I will tell you what they are, and please write these down. The Greater Yellowstone Ecosystem recovery target is 500 bears. Write that down. And next time I ask you the question, when you come before me, please have that answer for me.

Secretary HAALAND. Thank you, sir.

Senator DAINES. The second is the Northern Continental Divide Ecosystem. That number is 800 bears. So 500 for Greater Yellowstone, 800 for the Northern Continental Divide.

My next question—how many grizzly bears are currently estimated, according to FWS information, to be in the Greater Yellowstone Ecosystem and the Northern Continental Divide Ecosystem?

Secretary HAALAND. Are you asking me to add these two numbers together?

Senator DAINES. No, you wouldn't do that, because those are the targets.

Secretary HAALAND. Okay.

Senator DAINES. So target is the threshold we need to meet or exceed to get delisted. So that is the target. I am asking you now, how many bears are there? Let's start with the Greater Yellowstone Ecosystem.

Secretary HAALAND. Senator, I have a suspicion that you would just tell me that number because you likely know it. If you would like——

Senator DAINES. So you don't—no, what I——

Secretary HAALAND. If you would like to tell me, I am happy—I don't have the number——

Senator DAINES. So write down target, 500 and 800, and now let me give you the numbers from FWS. These aren't numbers that my staff made up.

Secretary HAALAND. Okay.

Senator DAINES. These are the 2022 numbers, the most current data. It's 965 in the Greater Yellowstone Ecosystem. It's 1,138 in the Northern Continental Divide Ecosystem. So make a chart—500 is the target. Actual is 965. That is Yellowstone. And now, the Northern Continental Divide, the target is 800, and actual, according to FWS, is 1,138. So if the populations are greater than the re-

covery target would you conclude the grizzly bears have now recovered?

Secretary HAALAND. Senator, unfortunately, I am not a scientist so I don't—I refrain from——

Senator DAINES. You are the Secretary of Interior.

Secretary HAALAND. Indeed——

Senator DAINES. With complete respect, you are in line of succession for the Presidency of the United States.

Secretary HAALAND. I appreciate that. But I am not a scientist.

Senator DAINES. You are the Secretary of Interior, so if the target is 500 and the actual number is 965, nearly twice the target, have we recovered?

Secretary HAALAND. Senator, I am happy to ask the scientists when I get back to the Department of the Interior. I am not a scientist. I don't want to speculate what the science would say to your——

Senator DAINES. Well, the science tells us we are well over the targets. And here's another question—when did the numbers for the Greater Yellowstone Ecosystem, the population of bears, exceed for the first time the recovery target of 500? What year was that?

Secretary HAALAND. Senator, I can't tell you that.

Senator DAINES. I will tell you that. It was 2002. It was 22 years ago where the population targets first exceeded the recovery target—22 years. So question—will you commit to finalize, at least, the now-overdue status review on grizzly bears? It was supposed to be a 12-month review. We are now into 15 months. Will you commit to getting that done here?

Secretary HAALAND. Senator, I know the reviews for Montana and Wyoming began in February 2023 and I believe that the Fish and Wildlife Service does not have a date for completion, but I will ask them——

Senator DAINES. So let me ask, that was—when we started in February, it was a 12-month review.

Secretary HAALAND. Indeed.

Senator DAINES. I can open my calendar up here and now we are in month 15.

Secretary HAALAND. Thank you.

Senator DAINES. You are past due.

Secretary HAALAND. Thank you, Senator.

Senator DAINES. Yeah, and not only that, we are way over the targets. I am pleading with you to look at the science. Delist the bears, return the management of this incredible species back to the people of Montana where it belongs.

Senator CORTEZ MASTO. Thank you, Senator.

Senator KING.

Senator KING. Thank you, Madam Chair.

Madam Secretary, you may be surprised, I am going to start with a compliment. This week the Department published draft wind lease areas on the East Coast, two off the shore of Maine, six off the coast of Massachusetts. What I want to compliment you on is listening to the people of Maine, listening to our Congressional delegation, and taking those lease areas out of what is called Lobster Management Area 1. That was important to us as we pursue our offshore wind goals, that they be done compatibly and responsibly

with regard to our important fisheries. So the fact that the Department removed potential lease sites from Lobster Management Area 1 is a big deal in Maine and I want to express appreciation to the Department for that.

That's the good news.

I was one of the folks that worked very hard on the Great American Outdoors Act. And a key part of the Great American Outdoors Act was a fund to deal with deferred maintenance in our national parks, which was and is a very serious problem. Here's the problem. Your budget underfunds maintenance, so we are digging a hole again. I don't know if this is in the expectation that we are going to be able to do another Great American Outdoors Act or that there will be a good fairy come and take care of the deferred maintenance, but the maintenance budget is way below what it should be. A kind of rule of thumb for businesses is two to five percent of the asset value for annual maintenance. In that case, this would be a \$4-5 billion budget. Instead, it's a \$569 million budget. In other words, we are funding about ten percent of what should be the maintenance for our national parks.

I have talked to the Office of Management and Budget about this. I have talked to your Department about this. I hope next year, when you are proposing a budget, you are going to fight for maintenance, for an adequate maintenance budget for the national parks. It does not make sense on any level to be continuing to defer maintenance on our gem properties across the country.

Secretary HAALAND. Thank you, Senator.

Senator KING. Will you commit to aggressively fight for a decent maintenance budget?

Secretary HAALAND. Senator, we are so grateful for GAOA and understand how important it is. I want you to know that the budget does balance a continuing commitment to address the maintenance backlog through all sources of funding. In addition to the \$1.3 billion from the GAOA Legacy Restoration Fund, the budget proposes over \$993 million to prevent or eliminate deferred maintenance for multiple sources, including line-item construction, cyclic maintenance, Federal Lands Recreation Enhancement Act, and the Federal Lands Transportation Program.

Senator KING. Well, we will continue to discuss this. I believe that the fundamental maintenance budget is below where it should be and we are simply digging the deferred maintenance hole, once again, in contravention to the intent of the Great American Outdoors Act.

The next issue is permitting. We are not going to be able to achieve a clean energy future if we can't build things, whether it's transmission lines, whether it's mining facilities, processing facilities. In other words, the environmental benefits we want to obtain are going to require going through a permitting process. The problem is, your Department sits astride a great deal of the time involved in these permitting processes by virtue of the time it takes to do the analysis and the impact analysis. You just talked to Senator Daines about a project that was due in February. It's not done yet. From the point of view of the environment, we have to do a better job. We don't have time to spend years and years and years and years waiting for an environmental analysis to permit a project

that has a net environmental gain. And my problem is that there seems to be no sense of urgency in getting these studies done.

Here's my standard for my staff: Eisenhower retook Europe in 11 months. Nothing should take longer than that. If Eisenhower can retake Europe in 11 months, you should be able to determine what the impact on the environment is of a particular project in a particular place. Please, please, work with your Department, work with your scientists to incur a sense of urgency, because this is urgent for the environment. That is the point I am trying to make. This isn't an anti-environment position. This is a pro-environment position. But we can never get where we need to get on clean energy as long as environmentally sound projects languish in a permitting hell at the Department of the Interior.

Secretary HAALAND. Senator, thank you for acknowledging that this is an important issue. The Department—we sought ways to improve permitting efficiency in the face of a growing workload that exceeds available staffing, quite frankly, and the Fish and Wildlife Service is streamlining its environmental review process and inventing on our online system ways to provide greater transparency and improve both the process and conservation outcomes. We are working at it and we feel very proud of the work that we have been able to do with our clean energy projects and appreciate the opportunity to——

Senator KING. Well, when you head back to the office send a one-word email to your permitting staff—Eisenhower.

Thank you, Madam Chair. Oh, Mr. Chair.

The CHAIRMAN [presiding]. I slipped back in. And Madam Chair did a great job while I was gone.

With that, we go to Senator Lee at this time.

Senator LEE. Thanks, Mr. Chairman. Thanks to all of you for being here today.

Secretary Haaland, I understand you have been directly involved with the ongoing management process for the Bears Ears National Monument. Now, the Bears Ears Commission, which was formed following President Obama's creation of the Bears Ears National Monument on December 28th, 2016, includes representatives from five different tribes. Yes or no, did you commit to that Commission, to the Bears Ears Commission, that the Commission would be able to draft an alternative that would be designated as the preferred alternative to the management plan?

Secretary HAALAND. Senator, thank you for the question, and I would say that that draft plan incorporates considerable input from the Bears Ears Commission, the State of Utah, and other cooperating agencies.

Senator LEE. I understand that. I understand that, and it is also my understanding that you made a commitment to the Commission that the Commission would be able to draft an alternative that would be the preferred designated plan. Now, you and I spoke in December about the Bears Ears land exchange that we had been working with in good faith and put a lot of effort into it, really over the last three years. And after putting in that much effort on the end of the State of Utah, I was really disappointed with your decision to proceed with a temporary plan instead of a permanent land exchange, but is it any wonder why the State of Utah withdrew

from that exchange? Well, it's because of this sort of thing, of the target shifting after the fact.

Now, the draft management plan includes the phrase collaboration or coordination in reference to collaboration and coordination with Bears Ears no fewer than 559 times, while the phrase collaboration with the State of Utah is mentioned only once, and coordination with San Juan County, Utah is not mentioned at all, not a single time, even though this is home to the Bears Ears National Monument. And then, according to the draft plan, from what I understand of how things unfolded, the Commission was provided with over 100 meetings to offer and receive input. And meanwhile, as a cooperating agency, the State of Utah was provided only six meetings to offer input into the plan and two of those were listed as input-only. So effectively, four meetings versus 100 meetings, it's quite a disparity. All that Utah has asked for over the years is a real, actual seat at the table. And it's obvious that you have given the Bears Ears Commission a seat and left Utah off in the corner wearing a dunce cap. So it appears to me the Department is weighing stakeholder input disproportionately, far above any position where they are taking with serious or even comparable consideration the affected state and county.

The Bears Ears Commission's website, for its part, states openly that it is funded by Resources Legacy Fund, a dark money, radical environmental group. However, the Bears Ears Commission is nowhere to be found of the fund's financial disclosures. It appears that this is just another example of a radical, far-left NGO that is seeking cover to do what it is doing by doing it through tribes. And sadly, you have decided to let the whims and the wishes of this dark money group effectively dictate the management of 1.4 million acres of federal land, land that hardworking people in my state rely on for their livelihood. Look, I want to be clear about something. It isn't too late. It isn't too late to fix this, and I ask that you please do so. The State of Utah, San Juan County, we all stand ready to assist in finding a balanced approach to land management, not only for Bears Ears, but across the entire expanse of the 67 percent of my state that is owned by the Federal Government, causing us to feel very much and be very much at the whim and at the caprice of the U.S. Department of the Interior. Look, we all want to work together, but as a state that is occupied to the degree of 67 percent by your Department, we first need a seat at the table.

Thank you.

The CHAIRMAN. Thank you, Senator.

Senator Cortez Masto.

Senator CORTEZ MASTO. Thank you, Mr. Chair.

Madam Secretary, thank you for being here and thank you for your attention to Nevada, and your staff. You have been out there so many times and I have to say you have some amazing staff on the ground there in Nevada that I have the opportunity to work with every day. They are committed. They are passionate about the issue. They really believe in the work that they are doing.

I do want to talk to you about an area that I am focused on in Nevada and I hopefully can get your support. This is a statewide resource management plan on modernizing, an issue that we need to focus on. Last year I sent a letter supporting efforts by the BLM

state office in Nevada at undertaking that statewide resource management plan to allow for a comprehensive, science-based approach to determine management for BLM lands across the whole state, and would thus be able to incorporate entire ecoregions, competing land use needs, and varied stakeholders. It is particularly important in Nevada because Nevada contains 48 million acres of BLM-managed lands. That is three-fifths of Nevada's total landmass. Currently, there are 12 resource management plans in effect, with some completed over 36 years ago. These plans are out of date. They are impacting BLM's multiple-use management mission across my state.

However, several rules are being processed at the Department level that have significant impact to how our lands are managed in my state, including the oil and gas leasing rule, the solar PEIS, the public lands rule, and others. So my question to you is, what is the status of Nevada's statewide resource management plan? What steps are being taken to align all of these rules with our local and state planning efforts? And can we expect to see something relatively soon as we build out our clean energy across the land and our mining opportunities across the land as well?

Secretary HAALAND. Thank you, Senator. And I just—first I want you to know that we support wholeheartedly the RMP work of the Nevada BLM. Thank you for working to build the relationship with those folks. They do work very hard and care deeply about your state.

And with respect to the rulemakings, the public lands, oil and gas, renewables, as well as the updated western solar plan, they are all complementary and will ensure consistency across BLM's conservation and permitting work. So I am happy to get with you and your staff to kind of talk about how all those things fit together, if that is helpful to you, but we appreciate the opportunities to be in Nevada and we will do whatever we can to make sure that things are—

Senator CORTEZ MASTO. Thank you, and I will take you up on that offer. We will have a meeting to go over the resource management plan to figure out how we incorporate all of these rules. It's not just for me, it is for so many people in the State of Nevada that need an understanding of what that looks like, including our local and state, and really, private-sector partners as well. So I will take you up on that.

I want to call your attention to the pressing threats to Ash Meadows National Wildlife Refuge and the Devils Hole unit of Death Valley National Park in Nye County, Nevada. I was just there. It is an absolutely spectacular area, and it is threatened by a proposal to drill into the sensitive groundwater system, which then could dry up seeps and springs at a core of this refuge and to the tribal community that cherishes this land. I am going to be sending you a letter on the matter shortly, but can I get your commitment to work with me and my constituents to make sure that the incredible resources in the refuge and park are protected in the future?

Secretary HAALAND. Well, absolutely. I would be happy to look at a proposal for review. So we will be in touch about that as well.

Senator CORTEZ MASTO. Thank you.

And then, I want to draw your attention to the contamination of the Duck Valley Reservation. The Interior Department, including the Assistant Secretary for Indian Affairs, has promised the Shoshone Paiute Tribes of the Duck Valley Reservation that the Department would put resources behind remediating the tragic and longstanding contamination caused by BIA's dumping of heating oil, pesticides, and the use of Agent Orange on the Duck Valley Reservation. This has been going on for decades. We have heard that assessments need to be done in order to fund and remediate the issues, yet we have recently heard that BIA missed the timeline for the first milestone in an agreed-to schedule between BIA, EPA, and the tribes. And BIA has failed to finalize the draft assessment by April 12. We have also heard that BIA will not be able to meet the June 30 deadline to finalize the scope of the work. BIA has indicated that this assessment is a prerequisite to starting remediation, so that is why we need to get this going as soon as possible. So my question is, why is this taking so long, and can you give me answers to why BIA is missing this deadline and not making this a priority to remediate this land that is poisoning the members of the Duck Valley Reservation?

Secretary HAALAND. Thank you for that, Senator, and I want you to know that this contamination issue is extremely important to me, personally, and important to our Department. It is a priority. So I will take those comments back and I will get answers and I will make sure that we respond to you in a timely manner.

Senator CORTEZ MASTO. Thank you. I appreciate that. Thank you, Mr. Chair.

Senator BARRASSO [presiding]. Absolutely.

Senator Cassidy.

Senator CASSIDY. Madam Secretary, thank you for being here.

Madam Secretary, I am from Louisiana. You're going to guess what I am going to be interested in. Is there going to be, plain question, will the Department of the Interior hold at least three lease sales in the next five years?

Secretary HAALAND. Yes, Senator.

Senator CASSIDY. Okay. So 2024 is the first year without a lease sale since 1965. I am worried that Lease Sale 262 might slip to the end of 2025. DOI must complete several reviews and planning steps prior to the lease being issued. I am told it has hardly begun the process. So given that the Department of the Interior has not issued the notice of intent for Lease Sale 262, when is the earliest by which the agency could hold the lease sale?

Secretary HAALAND. Senator, that review is underway and I promise you we will get back to you. The lease you refer to is in our five-year plan and the law directs the process.

Senator CASSIDY. I gather that, but we are now almost halfway through 2024, and I am told the necessary steps prior to that lease sale have hardly been done. So how long does that process typically take to be completed?

Secretary HAALAND. Senator, with your permission, I would pass this question to our Acting Deputy Secretary.

Ms. DANIEL-DAVIS. Thank you, Madam Secretary. Thank you, Senator. And I just want to reaffirm what the Secretary said, that the first steps are underway.

Senator CASSIDY. Yes, I have gathered that.

Ms. DANIEL-DAVIS. With regard to your timing question—

Senator CASSIDY. Yes.

Ms. DANIEL-DAVIS. It typically takes approximately 18 months, I think at a minimum, we would say, for our folks to do diligent review.

Senator CASSIDY. So again, I have been told that it has hardly started. And so, 18 months puts us almost into 2026. And you said “at least,” suggesting that it often goes further. So it looks like we might miss a lease sale in 2024 and a lease sale in 2025. That’s how I’m gathering this answer.

Ms. DANIEL-DAVIS. Well, Senator, with respect, I would say that we are working diligently in the process.

Senator CASSIDY. Okay, so how does your five-year offshore wind leasing schedule with 12 potential offshore wind energy lease sales comply with the law? Because under existing statute there should be a sequence, and as Secretary, you cannot issue a lease for offshore wind unless there has been an oil and gas offshore lease of more than 60 million acres within the preceding year.

Secretary HAALAND. Thank you, Senator. We are confident that we can achieve our clean energy goals while complying with the IRA.

Senator CASSIDY. But will the lease sale for wind occur before 2026?

Secretary HAALAND. The planned OCS lease sales would meet IRA requirements if conducted and allow us to issue offshore wind leases. We will comply with the law.

Senator CASSIDY. So that means, what I am hearing is, that if you will not be even completing the necessary preliminary steps for the oil lease sale before 2026, or at best, the end of 2025, that there will not be a wind lease sale offshore until 2026.

Secretary HAALAND. Senator, I want to assure you that we will comply with the law.

Senator CASSIDY. Yeah, I found though that lawyers figure out what they want it to be and then they work backwards. And I have also found this Administration has played fast and loose with the law. They decide what they want to do, and they do it, and they say “sue me.” And so, if I am a little skeptical, it’s this Administration’s practice.

So what specific lease sales are you using to allow for the four lease sales planned for 2024? For example, what was the date and the acreage of those lease sales?

Secretary HAALAND. With all due respect, Senator, I can pass that to our Acting Deputy Secretary as well.

Ms. DANIEL-DAVIS. Thank you, Madam Secretary, and Senator, we held a lease sale in the Gulf of Mexico in December 2023, and I honestly don’t recollect the acreage. I apologize. But it was over 60 million, I am confident.

Senator CASSIDY. You are confident? Will you confirm that?

Ms. DANIEL-DAVIS. I am happy to confirm that back to you for the record. Yes, sir.

Senator CASSIDY. Thank you. I appreciate that.

Now, on carbon sequestration, Secretary, your testimony mentions a forthcoming rulemaking by BOEM and BSEE on offshore

carbon sequestration. And so, given Louisiana's proximity to the Gulf and our new Class VI well primacy, of course, I am interested. When do you anticipate the rule to be proposed?

Secretary HAALAND. Senator, I don't have an estimate of when it will be completed, but we are working on it. We recognize that it's late. Creating a new regulatory program for a new technology, it's a very technical and complex—

Senator CASSIDY. But just, in my remaining time—ballpark. Two months, 6 months, 12 months, 18 months?

Secretary HAALAND. Actually, I couldn't say, but I will go back to the office and find out where they are on it and we are happy to give you a status update to your office.

Senator CASSIDY. Thank you.

I yield.

Senator BARRASSO. Senator Hawley.

Senator HAWLEY. Thank you, Mr. Chairman.

Secretary Haaland, do you know the group called the Wilderness Society?

Secretary HAALAND. I have heard of it, yes.

Senator HAWLEY. And what, to your knowledge, what is this group?

Secretary HAALAND. It sounds like the name is explanatory.

Senator HAWLEY. Well, it's—let me help you a little bit—it's a left-wing environmentalist pressure group. Do you know who funds them?

Secretary HAALAND. I do not.

Senator HAWLEY. Well, I can help you with that too. It is funded, in large part, by a foreign billionaire, Hansjörg Wyss, who has routed his money through all manner of dark money groups, including the Arabella network. Hansjörg Wyss was investigated by the FEC for illegal campaign contributions because he is not a United States citizen. He sits on the governing council of this dark money environmentalist group. Has anybody in leadership at your Department met with them, the Wilderness Society?

Secretary HAALAND. Senator, I don't know this individual and—

Senator HAWLEY. Has anybody in leadership at your Department met with the Wilderness Society?

Secretary HAALAND. Well, I am sure we have met with a lot of groups and organizations in the work that we do when we are discussing the environment.

Senator HAWLEY. So does that mean you don't know, or you are not going to answer my question?

Secretary HAALAND. I don't have a full list of who everyone has met with—

Senator HAWLEY. Okay. Well, I can help you with that as well. The answer is yes, your leadership has met with the Wilderness Society. They met with the Wilderness Society when that group was a plaintiff suing the Department of the Interior with an adverse lawsuit against you and they met with them off the books. I have got the emails. In July 2021, after you had come to office, members of the Wilderness Society, when they are suing the Department, write to your top deputy and ask for a meeting and keep it off of his calendar.

Here it is—July 14th, 2021, “Can we set up a meeting with these folks?” July 19th, 2021, they propose how they might calibrate this so it does not look like they are violating any of the rules of the court, and remarkably, it stays completely off of everybody’s calendars. We only know about it because FOIA requests were filed. And then, after they have these off-the-books meetings, their request is to cancel the mineral leasing rights in Minnesota in the Superior National Forest. This is a critical minerals mine. The Society wants the mine shut down, and after they meet off the books with your leadership, you do it. A few months later, you do it. You cancel the leases and then you withdraw 225,000 acres of critical mining from production and leasing shortly after that. Is it common practice at your Department to meet with dark money groups off the books and conceal it from the public?

Secretary HAALAND. Senator, thank you for the question. And of course, I can’t answer to—if you are referring to our former Deputy Secretary—he’s no longer at the Department.

Senator HAWLEY. Who worked for you.

Secretary HAALAND. He worked for the President. He was appointed by the President.

Senator HAWLEY. He’s your Deputy Secretary. Are you the Secretary of the Department of the Interior? I thought that’s why you were here. Are you the Secretary? Don’t look at her, look at me.

Secretary HAALAND. Yes.

Senator HAWLEY. Are you the Secretary?

Secretary HAALAND. I am.

Senator HAWLEY. Do these people who are sitting here today, answering most of your questions, do they work for you?

Secretary HAALAND. They work—

Senator HAWLEY. Do they report for you? You’re not in charge?

Secretary HAALAND. They work with me.

Senator HAWLEY. They work with you. So you are not in charge of the Department? Oh, my gosh, I thought you were in charge. I thought that is why you were here.

Secretary HAALAND. We work as a team.

Senator HAWLEY. Oh, okay. So who is in charge then?

Secretary HAALAND. I provide the vision. I provide the overall direction and—

Senator HAWLEY. But you’re not in charge?

Secretary HAALAND. Our mission—

Senator HAWLEY. Do you take responsibility for what happens at the Department of the Interior?

Secretary HAALAND. I take responsibility.

Senator HAWLEY. You take full responsibility for what happens at the Department of the Interior? Good. Then why are your leadership meeting with dark money groups and concealing it from the public? Why are they doing it off the books? How many times has this happened?

Secretary HAALAND. Senator, this is the first I am hearing of this. My Deputy Secretary is no longer there, and I can’t answer to what he did when he was there—

Senator HAWLEY. What did they get out of it, do you suppose? What do you suppose Hansjörg Wyss got out of you canceling the leases after they asked you to, in an off-the-books meeting?

Secretary HAALAND. I don't know who this individual is——

Senator HAWLEY. Oh, sure, I mean, you don't know. You're not in charge. You're not responsible. We have a corruption problem in this government, Madam Secretary. And frankly, we have a corruption problem in your Department.

Secretary HAALAND. We don't.

Senator HAWLEY. We've got foreign—we certainly do. We have foreign billionaires who are funding dark money groups coming to meet with your leadership, concealing it from the public while they are filing lawsuits adverse to the Department, doing it without the court's knowledge, doing it, you say, without your knowledge, and then getting exactly what they want. Now, I don't know how much money he made off of it. I am sure it was a lot. I know how he made his money. He made his money by poisoning people. Hansjörg Wyss—here is what his company did—in 2009, Synthes USA, with Wyss at its head, was charged by Philadelphia's U.S. Attorney with running an illegal clinical trial on humans. They injected them with a cement that turns to bone inside the human skeleton. That's the guy who's funding this group, who is pressuring your Department, and you are meeting with him off the books and giving him exactly what they want.

Secretary HAALAND. I did not meet with him. You are implying that I met with him——

Senator HAWLEY. I am just trying to figure out who is in charge of the Interior Department. You said it isn't you. It sounds to me like it's the billionaires. It sounds to me like it's the dark money billionaires who are calling the shots at the Department of the Interior. And all I have to say to you, Madam Secretary, is that is a travesty. It is a travesty. The American people should be in charge, not the foreign billionaires. And the fact that you have let them run rampant is outrageous. It's outrageous.

Secretary HAALAND. Our public lands belong to every single American. I have said that over and over again.

Senator HAWLEY. Thank you, Mr. Chairman.

Senator BARRASSO. Well, thanks so much, Senator.

Secretary Haaland, a couple questions. You have been in office for over three years now. During that time, you have applauded President Biden's energy policies. His policies, I believe, are going to dramatically drive up our nation's demand for cobalt, for nickel, for zinc, for other critical minerals. Yesterday, you testified that your Department has permitted, and you said, five new critical mineral mines. Do you know where those mines are, and can you name them for me? Just, I am trying to ask about whether these were expansions of existing mines, modifications, or actually permitting of new mines. And if you need to visit with your staff, and they might have the answers to that, because you testified to that yesterday. I am just trying to figure out what they were.

Secretary HAALAND. Thank you, Senator. I will start and I can pass it to the Acting Deputy Secretary.

So yes, they were five mines producing critical minerals such as lithium, vanadium, and barium, and also, we recently took another step forward on the Rhyolite Ridge Lithium mine in Nevada. Laura might be able to provide more details.

Senator BARRASSO. All right, yes—new mines or expansions?

Ms. DANIEL-DAVIS. Thank you, Madam Secretary and thank you, Senator, for the question.

The five are new permitted mines. I honestly only know the name of one. It is the vanadium mine in Nevada.

Senator BARRASSO. Can you get me—

Ms. DANIEL-DAVIS. So we can get you the list. We would be happy to.

Senator BARRASSO. And the reason I ask is because, Madam Secretary, you just testified to Senator Hawley about how you provide the vision. So what I am concerned about is, the experts are telling us that the world is going to need 400 new mines to meet the growing mineral demand for the minerals that you just referred to. So instead of trying to solve the problem, it does seem to me that the Department has actually been blocking access to American minerals. You blocked access to minerals on federal lands and blocked access to minerals on state lands, some on native lands. So as you are providing this vision, what is your solution, and I am just trying to see how to equate the math of the five with the 400 that are needed.

Secretary HAALAND. Thank you for that, Senator. And yes, of course, we understand that if we want to have a clean energy economy, that critical minerals are definitely a part of that in the President's energy independence vision for our country. I will say, I apologize, the point of your question again? I am so sorry.

Senator BARRASSO. Well, you testified yesterday there were five new mines permitted.

Secretary HAALAND. Yes.

Senator BARRASSO. At a time when we feel the world is saying we need 400 new mines to meet what the President is trying to do.

Secretary HAALAND. Yes, thank you. Thank you, yes. One of the things that I feel very proud of, that we have done—the Interagency Working Group on Mining Reform. As you know, our Mining Law is 150 years old. This is 2024. New technologies have come up. The Interagency Working Group on Mining Reform has come out with a report. We feel that the recommendations in that report will help us to be more efficient and effective when it comes to permitting mines and moving the industry forward.

Senator BARRASSO. Yes, because the sad reality, as you know, is if we are willing to rely on China and the Congo and Indonesia for these critical minerals, they have horrible records in terms of environmental standards, in terms of labor standards, and I just find that unacceptable. We need to get more permitted.

Another area of mutual concern, I think, to both of us is the lack of housing for employees at our National Park Service, and you're going to hear that from both sides of the aisle. Many of the housing units for Park Service employees don't meet modern standards. Many of the living conditions are unacceptable. I understand there may not be a single solution to the problem. I think you need to partner with the private sector, at least as much as you are partnering and relying on Congress. Would you describe, in terms of the vision you have, your efforts to address the lack of suitable housing for park staff for the park service?

Secretary HAALAND. Thank you so much for the question and for caring about where our career staff actually live. So of course, we

are working on many new options. The budget proposes over \$100 million from different funding sources to improve employee housing in parks. That includes \$17 million to replace obsolete and deteriorated housing or to add housing capacity where affordable housing for purchase or rent is limited, \$2 million to continue to support private-sector leasing for seasonal housing, more than \$60 million in 2025 LRF projects to rehabilitate or replace NPS housing in various national parks. We were also successful at working with partners. We are very grateful for a \$40 million anonymous donation to Yellowstone National Park that will support housing construction. As you know, in some of these gateway communities, it is very expensive. It is where the folks who buy vacation homes can live, and so, we are grateful that we are putting all these sources together and appreciate you caring about it.

Senator BARRASSO. Thank you.

And then, my final question is that there is a wildfire crisis, and you are hearing this from both sides of the aisle, your Department has more than 50 million acres of forests that must be actively managed to prevent them from going up in smoke. This can't happen without partnering with the forest products sector. The Wildland Fire Mitigation and Management Commission has called on the Department to support the forest products sector. Sawmills now are closing across the West and the threat of catastrophic wildfires continues to increase. So shutting down forest management and restoration activities, I think, is dangerous—not a viable option if we are going to get control of the wildfire crisis affecting the West. Secretary Haaland, what happens to the federal forests when they lose a local sawmill? And would you agree the Department needs to try to retain its existing private-sector partners in the timber industry?

Secretary HAALAND. Senator, thank you for the question. I recognize that this is an issue. It is also an issue for tribes. We visited a tribal community in Wisconsin who has a sawmill and actively works to manage their forests. We appreciate the reports that were developed in a unified fashion. I will take your suggestions forward to the Department, and we recognize that this is all-important. Fuels management is also an issue for these wildland fires, and our budget reflects the commitment to that as well.

Senator BARRASSO. Thank you, Madam Secretary. Thank you again for being here and joining us this morning.

Members will have until the close of business tomorrow to submit additional questions for the record.

The Committee stands adjourned.

[Whereupon, at 11:58 a.m., the hearing was adjourned.]

APPENDIX MATERIAL SUBMITTED



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

JAN 17 2025

The Honorable Mike Lee
Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Chairman Lee:

Enclosed are responses prepared by the Department of the Interior to written questions submitted to Secretary Deb Haaland following her appearance before the Committee to discuss the President's Fiscal Year 2025 Budget Request for the Department.

Thank you for the opportunity to respond to you on these matters.

Sincerely,

Pamela L. Barkin
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Martin Heinrich
Ranking Member

Questions for the Record
 Senate Committee on Energy and Natural Resources
 Hearing: *The President's Budget Request for the*
U.S. Department of the Interior for Fiscal Year 2025
 May 2, 2024

As of 12.30.24

Questions from Ranking Member John Barrasso

Question 1: Secretary Haaland, during the hearing we discussed how our country is in a wildfire crisis. Your Department has more than 50 million acres of forests that must be actively managed to prevent them from going up in smoke. This cannot happen without partnering with the forest products sector. The Wildland Fire Mitigation and Management Commission called on the Department of the Interior to support the forest products sector. Yet sawmills are closing across the west, and the threat of catastrophic wildfire continues to grow. Shutting down forest management and restoration activities is dangerous and is not a viable option if we are going to get control of the crisis. What happens to federal forests when you lose a local sawmill? Do you agree that the Department must retain its existing private sector partners in the timber industry?

Response: A key land management objective for the Department of the Interior (DOI) is to maintain and improve the health, diversity, and productivity of the nation's public forests. Timber sales allow for the sustainable harvest of timber for commercial purposes on public lands and are often used as a tool to implement fire resilience and forest health objectives. DOI's partners in the timber industry play an important role in sustainable timber management, promoting forest health, and supporting the economies of local communities. The loss of local sawmills can directly impact these land management objectives and DOI's ability to actively manage forests to improve resiliency and reduce wildfire risk.

Question 2: In recent years, Congress has provided the Department of the Interior with billions of additional taxpayer dollars for wildfire mitigation efforts. Yet, despite all of this money, there has not been a significant increase in the number of acres treated to prevent catastrophic wildfire. With all of these resources, how is it that the Department continues to reduce timber outputs and acres treated remain stagnant?

Response: Funding from the Bipartisan Infrastructure Law (BIL) is supporting DOI efforts to reduce wildfire risk through collaborative strategic fuels reduction treatments. Accounting for all sources of Fuels Management program funding, DOI accomplished over 2.5 million acres of fuels treatments in fiscal year (FY) 2023 – a 30 percent increase over the FY 2022 accomplishment level. Since 2022, DOI has completed nearly 6.5 million acres of hazardous fuels treatments. These investments are critical to promoting and maintaining landscape resiliency and reducing community exposure to wildfire risk. The Bureau of Land Management's Forest Management programs have not received similar amounts of increased funding.

Question 3: The Colorado River Interim Guidelines along with several of the critical instruments that guide the operation and management of Colorado River facilities are scheduled to expire at the end of 2026. The Upper Basin states (Wyoming, Colorado, Utah, and New Mexico) and Lower Basin states (Nevada, Arizona, and California) have both submitted proposals for the operation of Colorado River facilities going forward. How will the Department of the Interior facilitate further negotiation between the Upper and Lower Basin? And if the two Basins cannot come to consensus, how will the Department of the Interior resolve the differences in the two proposals?

Questions for the Record
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May 2, 2024

As of 12.30.24

Response: The Bureau of Reclamation is working with our partners to develop new operating guidelines to replace and/or supplement the existing operational agreements that were finalized in 2007. In June 2023, Reclamation issued a Notice of Intent and solicitation for public comment on the Development of Post-2026 Colorado River Reservoir Operational Strategies. As part of that process, Reclamation requested that partners and stakeholders share concepts that they would like to be considered. Following that request, Reclamation received separate proposals from both the Upper Basin and Lower Basin States, as well as concepts from Tribal Nations, non-governmental entities, and others. Reclamation is currently working with all of these stakeholders and partners to refine their proposed alternatives so that they can be modeled.

Reclamation continues to collaborate with our partners across the basin to put in place durable solutions. We will continue to work with each of our partners and press for a consensus solution and remain confident that a consensus will be reached due to the history of collaboration in this basin and the shared reliance on a sustainable future for the river. Reclamation is developing operational alternatives that will be analyzed in a draft Environmental Impact Statement and expects that process, along with the continued dialogue and coordination with stakeholders and partners, to guide the development of new operating guidelines for the Colorado River.

Question 4: The Bureau of Reclamation owns 77 hydroelectric power plants, which account for approximately 15% of the hydroelectric capacity and generation in the U.S. It is estimated that Reclamation generates 40 billion kilowatt hours on average through these facilities. Despite this crucial power generation, the Biden administration appears intent on removing these critical pieces of infrastructure. In the Klamath River Basin, the JC Boyle, Copco 1, Copco 2, and Iron Gate dams are already being dismantled. And there are reports that suggest the administration is seeking a pathway to breach dams on the Lower Snake River: Ice Harbor, Lower Monumental, Little Goose, and Lower Granite. What is the Department of the Interior doing to support existing hydroelectric facilities, and what steps is the Department taking to increase the nation's hydroelectric capacity in the future?

Response: Reclamation hydropower facilities have played and will continue to play a critical role in the resiliency of our national energy grid, and assuring reliable, low-cost electricity to project power users, western communities and economies. Reclamation's hydropower program has a Strategic Plan describing its role within the national energy portfolio; highlighting costs and benefits of the investment; and explaining how Reclamation and partners can cultivate the hydropower workforce. The Reclamation hydropower program supports Administration and Department clean energy and climate change initiatives by increasing hydropower capabilities and value, and facilitating incremental, low-carbon energy generation on Reclamation projects.

Reclamation, Power Marketing Administrations, and power customer partners continuously invest in Reclamation hydropower facilities, delivering operational flexibility, capacity, and efficiency benefits. Reclamation also facilitates the development of non-federal hydropower on existing, non-powered Reclamation project facilities via our lease of power privilege (LOPP) program. Collectively these activities increase Reclamation project hydropower capabilities and value.

Questions for the Record
 Senate Committee on Energy and Natural Resources
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U.S. Department of the Interior for Fiscal Year 2025
 May 2, 2024

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Question 5: On August 1, 2023, the BLM sent Instruction Memorandum 2023-051 to all field offices, instructing them to obtain the approval of the Assistant Director of the National Conservation Lands and Community Partnerships directorate “before using the e-bike rule to exclude e-bikes from the definition of off-road vehicle.”

I am concerned that this memo effectively removes local land managers from making determinations about e-bikes and the result is unnecessary restrictions on public access.

Please answer the following questions:

a) What trends and conditions have emerged since 2020 that necessitate this policy change?

Response: Since 2020, the BLM has observed a continuing trend of more people using e-bikes on public lands and requesting to use e-bikes on trails where they are not otherwise allowed. As highlighted in the preamble to the BLM’s e-bike rule, the body of research on the impacts associated with e-bike use and the compatibility of e-bikes with other uses of the public lands is relatively limited and still being developed. The BLM looks forward to reviewing additional studies to inform future BLM decision making about where and when it may be appropriate to exclude Class 1, 2, and 3 e-bikes from the definition of off-road vehicle (OHV) and consider allowing e-bike use on trails where OHVs are otherwise prohibited.

b) How many local decisions has BLM reversed based on the authority provided in this memo?

Response: Since the issuance of this policy (IM 2023-051), the BLM has not disapproved or revised any proposals to use the e-bike rule to exclude e-bikes from the definition of OHV. The BLM recognizes the need to provide more opportunities for e-bikes and continues to address this by prioritizing development of travel and transportation planning efforts in five-year intervals, while also responding to individual requests and planning needs at the local level.

c) Have you reviewed the research around Class 1 e-bikes that demonstrates they have no additional impact on trails or the land?

Response: The BLM actively monitors and reviews the body of research focused on e-bikes, including Class 1 e-bikes, to ensure it is using the best available science to inform BLM decisions.

d) Will you rescind the memo and rely on the 2020 e-bikes rule?

Response: IM 2023-051 (<https://www.blm.gov/policy/im-2023-051>) is scheduled to expire on September 30, 2026. The BLM does not currently have plans to rescind the IM prior to that date.

Question 6: In December 2022, the Federal Land Asset Inventory Reform (FLAIR) Act became law as part of the Fiscal Year 2023 Omnibus Appropriation Act, P.L. 117-328 (43 USC 776). This law, , authorizes a cadaster of Federal real property and a report from the Secretaries of the Interior and Agriculture, outlining best practices for public land inventory and management. As of May 2, 2024, the

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report has not been received and is 125 days overdue to this Committee. Please provide an update on the implementation of this Act and when the Committee can expect to receive the report.

Response: The Department is working on the implementation of the inventory of federal real property in accordance with P.L. 117-328, div. DD, title I, § 103, including preparation of the report identified in subsection (b)(3). We would appreciate a conversation with the Committee regarding additional resources needed for this implementation.

Question 7: Law enforcement plays a critical role in carrying out the Department's mission. At the National Park Service, annual increased visitation correlates directly to the need for increasing staff for the benefit of protecting visitors and ensuring responsible management and conservation of natural resources. Although the Fiscal Year 2025 budget requests increases to law enforcement accounts to address mental health and psychological well-being, baseline capacity does not indicate additional full-time equivalents for actual enforcement activities. Mental health struggles in law enforcement are certainly an issue, and [evidence](#) indicates overwork perpetuates this issue. How does the Department plan to address the need to increase staff capacity, revitalize recruitment, and improve officer retention?

Response: The National Park Service recognizes the critical importance of addressing both the mental health and operational capacity of law enforcement personnel at the NPS. The FY 2025 budget request includes increased funding to address mental health and psychological well-being, specifically for our recently launched NPS Law Enforcement Peer Support Program and to establish pre-employment mental health examinations for new recruits. The FY 2025 budget request also includes increased funding to restore lost capacity in law enforcement, including the U.S. Park Police, and to support new parks and critical responsibilities. As part of the Secretary of the Interior's Law Enforcement Task Force, we are also working on strategies to enhance staff capacity, recruitment, and retention, as well as evaluating ways to optimize our current organization to create better efficiency with existing resources.

Question 8: The Department administers housing in accordance with *Circular A-45 Revised: Rental and Construction of Government Housing* (the Circular), guidance issued by the Office of Management and Budget. Among other things, the Circular discusses "right-sizing" government furnished housing to meet tenant needs at a reasonable value, and directs agencies to administer housing programming accordingly. There are certain functions the agency may, but does not always, utilize to prorate rent to ensure the cost of government furnished housing meets the needs of the employee tenants at a reasonable rate. Please describe how the Department is working within the framework of the Circular to ensure the best value for tenants.

Response: The Office of Management and Budget (OMB) Circular A-45 authorizes adjustments to government quarters rental rates to address differences from similar private housing. These adjustments account for factors such as isolation, lack of amenities, privacy loss, excessive or inadequate housing size, and the need for temporary housing. The Department uses these adjustments to evaluate the differences, between government and private market housing, and establish a reasonable value for employees. Additionally, the Department requires annual reviews by its bureaus to ensure these adjustments remain relevant and that rents reflect a reasonable value to tenants, within the Circular's limits.

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Question 9: Housing stands as the largest barrier to employee recruitment and retention at the Department. To hire good staff, you need good housing. The Department is seriously lacking in that regard with very few exceptions. Government furnished housing fills a critical need for mission-critical staff who cannot secure housing in private markets due to the lack of availability and affordability. To adequately address the Department's housing crisis, need must be quantified.

a) Which Department agencies administer a housing program? Of these agencies, please provide the agency-level guidance used to administer programming.

Response: Within the Department of the Interior, the following bureaus manage employee housing: Indian Affairs, Bureau of Land Management, Bureau of Reclamation, U.S. Fish and Wildlife Service, National Park Service, and the United States Geological Survey. Current versions of the requested guidance are attached.

b) To better understand the scope of the Department's housing portfolio, please provide the following for each agency that administers housing:

- i. How many beds does the agency manage?
- ii. Which administrative units manage employee housing?
- iii. How many beds does each administrative unit manage?
- iv. What types of dwellings are occupied by employee tenants (i.e. dormitories, single-family homes, duplexes, etc.)?
- v. What is the condition of government furnished housing? Because rental rates are certified at least annually based off the actual condition of individual units, please provide the most granular data available.
- vi. How many housing units are occupied by permanent staff?
- vii. How many housing units are occupied by seasonal staff?

Response: The Department manages housing by unit and tenant. In total, the Department manages more than 10,000 housing units. The Department's housing inventory includes Apartments, Cabins, Dormitories, Houses, Mobile Homes, Plexes, Trailer Pads, and Travel Trailers. In August, 2024, there were 3860 permanent employees occupying DOI housing, and 4430 seasonal employees occupying DOI housing.

Approximately 50 percent of DOI housing assets, as measured by GSA's Federal Real Property Profile (FRPP) Condition Index, are in excellent condition, approximately 9 percent are in good condition, approximately 25 percent are in fair condition and approximately 16 percent are in poor condition. Note that there are multiple housing *units* associated with many housing *assets*.

Question 10: In your response to my question about the lack of housing for National Park Service (NPS) employees, you noted that an anonymous donor provided funds to help address the housing shortage for NPS employees at Yellowstone National Park.

- a) What specific statutory authority does NPS already have to proactively engage in private-sector partnership for housing?
- b) What barriers has the Department identified to private-sector partnership?

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Response to (a) and (b): The Omnibus Parks and Public Lands Management Act of 1996 (54 USC 101331 et seq) authorizes the NPS to engage in public-private partnerships to develop, construct, rehabilitate, or manage NPS housing located on or off public lands. The NPS also has the authority to accept donations (54 USC 101101) as well as the authority to enter into agreements with non-Federal entities to share the costs of NPS projects (54 USC 101701).

Public-private partnerships have been attempted at several parks, each experiencing significant hurdles such as funding limitations on capital investments, occupancy percentages, and rent collection limitations restricting partner benefits. Additionally, an NPS-commissioned study that explored partnering with the private sector to construct housing indicated that partnering was generally not economically viable for private entities (remote location, not enough units, not enough rent collected, lack of appropriations).

Question 11: Vacation rental services have put upward pressure on the cost of living in rural communities. They have also reduced the available housing supply for NPS employees and affected the calculations outlined in executive-level rent setting guidance issued by the Office of Management and Budget (OMB), *Circular A-45 Revised* (the Circular). In conversation with staff at OMB, impacts of vacation rentals on National Park Service (NPS) housing programming is not acknowledged. My staff has learned it is OMB's view that because vacation rentals are not contracted for at least a year by occupants, they are not included in calculations mandated in the Circular and therefore have no impact on federally administered housing. You testified that vacation rentals pose an obstacle to NPS employee housing. How will the Department engage with OMB to ensure the impacts of vacation rentals are considered as Congress acts to address the housing crisis?

Response: The rise in vacation rentals in gateway communities is impacting housing availability for both seasonal and permanent employees. While short-term rentals increase overall rental rates in these communities, they are excluded from the Circular's rent calculations. Short-term rentals contribute to the overall housing shortage, making it harder for local managers to fill critical vacancies. The Department is collaborating with the Office of Management and Budget, and other stakeholders, to explore expanded authorities and available resources aimed at improving the availability and affordability of employee housing in these competitive markets.

Question 12: In May 2024, you testified before both the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources that there were five new critical mineral mines — not expansions or modifications — permitted under the Biden administration. Please list the names of the five newly permitted critical mineral mines to which you were referring. Please also include the minerals produced from each mine.

Response: The Department recognizes the important role mining plays in meeting the growing need for responsibly sourced critical minerals to achieve our shared climate, infrastructure, and global competitiveness goals. The Department is committed to ensuring mining is done in the right way and in the right places. The BLM continues to approve new mines or mine modifications/expansions across the country. Many of these produce critical minerals such as lithium, vanadium and barium, among others.

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Question 13: The Green River Road in Wyoming has been poorly maintained and is a risk to the public that uses it for access. When will the Department schedule maintenance for the road and what is the expected timeline?

Response: The Department is unable to identify a “Green River Road” under its jurisdiction in Wyoming. A search of our databases identified two different roads that could be considered “Green River Road” – the Green River Lakes Road (also known as Forest Service Road 600), located north of Pinedale, Wyoming, which is under the management of the United States Forest Service as part of the Bridger Teton National Forest, or the East Green River Road, also known as County Road 23-100, which is under the management of Sublette County, Wyoming. The Department does not have maintenance jurisdiction on either of these roads, but we welcome the opportunity to collaborate on identifying and addressing maintenance needs on federal lands managed by the Department.

Question 14: I understand that there are a number of abandoned uranium mines (AUMs) on federal land managed by the Bureau of Land Management, U.S. Fish and Wildlife Service, and other agencies within the Department of the Interior. It is also my understanding that the Department of Energy has identified many of these AUMs as sites which provided uranium ore to the U.S. Atomic Energy Commission for defense-related activities between 1947 and 1970.

- a) What activities are the Department of the Interior and its agencies engaged in to remediate AUMs on federal lands?
- b) What support does the Department of the Interior and its agencies provide to facilitate the introduction of innovative technologies that improve AUM remediation on federal lands?
- c) Does the Department of the Interior support the development of regulatory pathways and permitting processes that allow for innovative AUM remediation technologies to be utilized on federal lands in the least burdensome way possible?

Response to (a) – (c): The Department and its bureaus, including NPS and the BLM, are working with the Department of Energy (DOE) on validating and verifying (V&V) actions at Defense Related Uranium Mine (DRUM) sites on federally managed lands pursuant to Section 3151 of the National Defense Reauthorization Act of 2013. For AUMs on DOI-managed lands where there is a release or threat of release of hazardous substances that pose a risk to human health and the environment, DOI bureaus may exercise their authority under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601 *et seq.*, to respond to the release and pursue potentially responsible parties to clean up the site and reimburse the Department for costs incurred. The Department and its bureaus participate in several groups including the Federal Mining Dialogue (FMD), FMD Critical Minerals Subcommittee, and the Abandoned Uranium Mine Working Group, which are currently exploring and supporting innovative technologies with the potential to reduce the toxicity at AUM sites. The Department will consider innovative technologies in conjunction with applicable land management mandates when exercising CERCLA authority to remediate AUMs.

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Questions from Senator Maria Cantwell

Question 1: Washington state is fortunate to be home to some of the world's most iconic natural landscapes. Whether it's hiking in Stehekin in North Cascades National Park or scaling iconic climbs like Mount Shuksan and Enchantments, the Pacific Northwest attracts outdoor enthusiasts from around the world. Climbing specifically is a booming sport with over 7,000 climbing routes in Washington state alone. Fixed anchors are essential tools that allow climbers to safely ascend and descend rock and mountain climbs.

Secretary Haaland, will you commit to meaningful collaboration with the climbing and other impacted communities prior to any finalized directives from the National Park Service and the U.S. Forest Service on fixed anchors in Wilderness Areas? To do this, will you consider a pause in issuing fixed anchor directives?

Response: Recreational climbing is a legitimate and appropriate recreational activity that is growing in popularity on lands administered by the Department, including in designated wilderness areas. Promoting recreational climbing and ensuring public participation in the development of climbing policies are goals the Department shares and fully supports. Currently, Departmental guidance allows climbing and provides for the placement of fixed anchors in designated wilderness in accordance with the Wilderness Act, and the Department has no intention to change that.

Question 2: This last April, the Washington State Department of Ecology issued a statewide drought declaration because of extremely low snowpack and low water storage levels in Washington state. One of the areas that is being hit the hardest is the Yakima Basin. Washington state defines drought as 75 percent of normal water supply. As of mid-April, the snow-water equivalent was 43 percent of normal in the Lower Yakima River Basin and 64 percent of normal in the Upper Basin. The Yakima Basin is home to 400,000 people and a \$4.5 billion agricultural industry. Luckily, the Yakima Integrated Plan is in place and investments have been made in smart, fish-friendly water conservation projects that are designed to help farmers and the Yakima Basin's agricultural economy survive low water years. However, as lower-snowpack and hotter, drier summers have become the new normal, more investments are needed to continue to increase water supply to protect against dangerous drought years.

Secretary Haaland, in 2023, the Yakima Basin Integrated Plan Partners submitted an application for drought mitigation funding for the Yakima River Basin Water Enhancement Project. The Integrated Plan partners have proposed a list of approximately 90 shovel ready drought mitigation and resiliency projects that are critical to the Yakima River Basin's natural resources, water supply, and economy. Can you tell me the status of the IRA Drought Mitigation funding that was requested 2023?

In addition, the Yakima River Basin Water Enhancement Project has the capability to fund at least \$60 million worth of shovel ready projects water infrastructure projects. But the President's Fiscal Year 2025 request includes a little over \$30 million. Do you support increased funding for the Yakima River Basin Water Enhancement Project?

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Response: As highlighted, the Yakima Basin is in drought this year with precipitation at 82% as of May 2, 2024, and junior prorable water rights holders projected to receive 54% of their full entitlements. However, Reclamation continues to fund water conservation projects to support water resiliency in the Yakima Basin to efficiently manage water and lessen impacts from drought year supplies. Reclamation supports the Yakima River Basin Water Enhancement Project (YRBWEP) and the project partners to further build drought resiliency as part of the Yakima Basin Integrated Plan. Our Fiscal Year 2025 budget request includes \$35.5 million for YRBWEP. This includes funding to support the design of water reliability projects and operational improvements, including the Kachess Drought Relief Pumping Plant (KDRPP). Environmental compliance is being performed for KDRPP and is anticipated to be completed in 2024.

Reclamation is also continuing to support the pool raise at Cle Elum which is the first new water storage project within YRBWEP since Cle Elum Dam and Reservoir was constructed in 1933. The additional 14,600 acre-feet of water from the 3-foot pool raise will enhance instream flows for fish rearing, fish habitat, and migration.

With respect to the status of funding from Section 50233 of the Inflation Reduction Act, Reclamation received a significant amount of interest from projects and stakeholders across the West. Among these requests were projects submitted by Yakima Basin Integrated Plan partners including the Yakama Nation, Kittitas Reclamation District, and the Roza and Sunnyside Valley Irrigation Districts. We recognize the Integrated Plan's robust and innovative approach and are working on further analysis of each project to determine the best use of funding as it relates to areas outside of the Colorado River Basin. In May, Reclamation announced its first two basins that would receive Section 50233 funding for projects outside the Colorado River Basin and we expect to make additional announcements this year.

Question 3: Secretary Haaland, the Stehekin Valley and community is a treasured piece of the North Cascades National Park. Part of the Lake Chelan Recreation Area, the Stehekin welcomes thousands of visitors who travel to this unique, remote gateway to access the North Cascades. Earlier this year, the North Cascades National Park announced that it could not provide visitor-facing staff or open the Golden West Visitor's Center due to budget cuts and staffing shortages. This is a big issue for the Stehekin community and for the visitors that will travel to visit this special place this summer.

Secretary Haaland, we know the National Park Service has had to make tough budget decisions and many parks simply do not have enough staff. However, I do not want to see the Stehekin abandoned. Can you commit to working with me and community stakeholders to develop and communicate a plan to address the North Cascade Park budget and staffing at Stehekin?

Response: The National Park Service values Stehekin and what it means to both long-time visitors as well as new visitors eager to explore and recreate in this special and remote part of Lake Chelan National Recreation Area. The NPS continues to provide critical and other usual services in Stehekin; uniformed park staff continue to be an important presence in Stehekin, providing maintenance of campgrounds and restrooms, issuing backcountry permits to visitors, and working on the park's historic apple orchard operations. Although the Golden West Visitor Center will be closed this season, we and our partners are still providing visitor information and services in and about Stehekin. Information and interpretive materials will be available online,

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on bulletin boards located throughout the area, and on outdoor panels along trails throughout the valley. Concession operators will continue to provide general information to visitors along with lodging, food and supplies. Campground reservations will be available online as they have always been.

Like other parks around the region and nation, we are challenged by staffing issues and flat to declining budgets, and we need to focus our limited resources on where they can do the most good. Our park's overall visitation has increased by approximately 36% over the last ten years. However, Lake Chelan and Stehekin visitation has remained flat. The North Cascades Visitor Center in Newhalem averaged 114,718 annual visitors between 2021 and 2023; however, the Golden West Visitor Center in Stehekin averaged only 11,312. Because of this relative demand for services, we prioritized our limited seasonal interpretive staff to the Newhalem visitor center, where we can interact with and serve more park visitors this year. We will keep your office and our engaged stakeholders informed about our budget and staffing issues and plans for providing services and access to Stehekin into the future.

Question 4: Tribes large and small, urban and rural, in my state are on the frontlines battling the devastating fentanyl crisis. According to the Centers for Disease Control and Prevention, Native Americans and Alaska Natives in Washington state die of opioid overdoses at five times that state average. Many of these Tribes also do not have the law enforcement personnel needed to both respond to emergency situations and tackle intricate crime webs that are supplying the fentanyl to Tribal members. According to the Bureau of Indian Affairs Report on Public Safety and Justice programs, Tribal public safety is funded at just under 13% of the total need.

In addition, Tribal communities in our country are short over 25,600 additional public safety personnel, including over 13,600 law enforcement officers. The dismal funding for Tribal public safety and policies that make it difficult for Tribes to recruit and retain law enforcement officers are leaving Tribes with few tools to address this deadly crisis. We need to do more to support our Tribes now to get fentanyl out of their communities for this and the next generation.

Secretary Haaland, do you support S. 2695 the Tribal Law Enforcement Parity Act? Can you detail how this bill will help Indian Country combat the fentanyl epidemic?

I also think we need a federal government approach to helping Tribes fight this epidemic. This should include public health resources that can be deployed to Tribal communities now. Can you commit to working with me to develop a task-force model to immediately help Tribes address the fentanyl crisis?

Response: The Department is committed to strengthening public safety in Indian Country and is committed to working with you and other members of Congress on increasing resources for tribal communities. Tribal communities need more law enforcement officers not only to address the fentanyl crisis but to ensure the overall safety of Tribal communities.

The Department testified in support of S. 2695 on May 1, 2024, as it would help with the recruitment and retention of Tribal law enforcement officers (LEOs) by lowering administrative barriers and providing Tribal law enforcement officers increased access to the same federal benefits, including retirement benefits, as other

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federal law enforcement officers. S. 2695 would also allow Tribal LEOs to enforce Federal law within the Tribe's jurisdiction provided the Tribal LEOs are acting pursuant to a Tribe's contract or compact under the Indian Self Determination and Education Assistance Act.

The Department supports efforts utilize the task-force model of interagency coordination to help Tribes address the illegal activities within their communities. The BIA currently coordinates with other Federal agencies, such as the Drug Enforcement Administration, Federal Bureau of Investigation, Department of Homeland Security, Border Patrol, and the High Intensity Drug Trafficking Area task forces to combat illegal drug trafficking in Tribal communities. In addition to interagency coordination, BIA's Office of Justice Services (OJS) operates the Division of Drug Enforcement (DDE) that operates the largest nationwide network of drug enforcement agents dedicated solely to Indian Country. The DDE conducts Mobile Enforcement Team operations on Reservations across the country in cooperation with the Tribes, States, and other Federal agencies. They involve the deployment of additional resources such as additional agents, K9 teams, and specific equipment used to identify, gather, and present the necessary evidence to disrupt and dismantle drug trafficking in specified Tribal communities. Agents and officers conduct covert and overt drug investigations as appropriate for the area to remove the individuals involved and the drugs from the communities.

Question 5: Secretary Haaland, as you know I have been a longtime proponent of providing meaningful and enduring protections for the irreplaceable and unique public lands in Alaska. America's Arctic is a place like none other in our nation. The Alaskan Arctic is a critical carbon sink, premiere tourist destination, contains unparalleled wildlife habitat, and has been home to Indigenous traditions for countless generations. So I was pleased to see 13 million acres of protection in the National Petroleum Reserve – Alaska (NPR-A) for such an important part of this country -- and an area that is already warming four times faster than anywhere else on Earth.

Secretary Haaland, can you detail about what a "Special Area" is in the NPR-A and how they are meant to be managed? And highlight some of the critical species living in Special Areas?

Can you clarify that you and your Department engaged extensively with Alaskan communities in discussions around NPR-A, specifically, has DOI met with Tribal communities in the North Slope ahead of NPR-A management decisions? Did DOI notice multiple meetings for North Slope communities, and extend the comment period in advance of the NPR-A rule? Would declining to meet with a nonprofit advocacy organization constitute ignoring Tribal consultation? Can you elaborate on how this rule ensures additional opportunities for both Tribal co-management and co-stewardship in the Reserve?

Response: In the National Petroleum Reserves Production Act (NPRPA), Congress sought to strike a balance between oil and gas exploration and "the protection of environmental, fish and wildlife, and historical or scenic values" in the NPR-A (42 U.S.C. 6503(b)). To that end, the NPRPA vests the Secretary of the Interior with responsibility for protection of the NPR-A's natural, fish and wildlife, scenic and historical values. As part of that responsibility the NPRPA directs the Secretary of the Interior to identify areas in the NPR-A "containing any significant subsistence, recreational, fish and wildlife, historical, or scenic value;" and requires that any exploration in these areas shall be conducted in a manner which will "assure the maximum protection of such

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surface values to the extent consistent with the requirements of the Act for exploration of the reserve” [42 USC 6504(a)].

There are currently five special areas within the NPR-A: Teshekpuk Lake Special Area; Utukok River Uplands Special Area; Kasegaluk Lagoon Special Area; Peard Bay Special Area; and Colville River Special Area. Two of these Special Areas, the Teshekpuk Lake Special Area and Utukok River Uplands Special Area were specifically identified for protection in the NPRPA. The remaining special areas were subsequently designated by previous Secretaries of the Interior. The five special areas ensure maximum protection for critical species and habitats, including Arctic peregrine falcon nesting sites; important nesting, staging, and molting habitat for a large number of migrating shorebirds and waterbirds; critical habitat for caribou; and key haul-out areas and nearshore waters for marine mammals. Current management direction for Special Areas is provided in the 2022 Integrated Activity Plan for the NPR-A.

The Department is committed to strengthening relationships with Tribes and honoring our trust responsibilities, and engaged extensively with Alaska North Slope communities prior to the issuance of the NPR-A Final Rule. The Department and the BLM have repeatedly emphasized that opportunities for consultation are ongoing. Before publishing the proposed NPR-A Rule, on August 25, 2023, the BLM invited 45 Tribes and 30 Alaska Native Corporations to engage in consultation via mail. Since the announcement of the proposed rule, the BLM has continued to offer consultation via phone, email, and in-person invitations to the following communities: Native Village of Atkasuk; Atkasuk Corporation; Village of Wainwright; Olgoonik Corporation; Native Village of Nuiqsut; Kuukpik Corporation; Native Village of Barrow; Ukpeaġvik Iñupiat Corporation; Arctic Slope Regional Corporation (ASRC); and Iñupiat Community of the Arctic Slope (ICAS).

The BLM held the following consultation meetings on the NPR-A Rule:

- November 1, 2023, in Nuiqsut: Native Village of Nuiqsut
- November 3, 2023, in Utqiagvik: ICAS
- November 21, 2023 (virtually via videoconference): Village of Wainwright
- December 19, 2023, in Anchorage: Olgoonik Corporation
- December 21, 2023, in Anchorage: ASRC
- February 6, 2024, (virtually via videoconference) ICAS

The BLM held the following public meetings on the NPR-A Rule:

- October 6, 2023 - Public Information Session (virtually via videoconference)
- October 10, 2023 - Public Information Session in Anchorage, Alaska
- November 1, 2023 - Public Comment Meeting in Nuiqsut (originally scheduled for October 13, rescheduled due to weather)
- November 2, 2023 - Public Comment Meeting in Utqiagvik
- Monday, November 6, 2023 - Public Information Session (virtually via videoconference)
- December 4, 2023 - Public Comment Meeting in Wainwright (originally scheduled for November 3, rescheduled due to a death in the community)

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In addition, BLM staff met with the NPR-A Working Group, consisting of representatives from North Slope local governments and Alaska Native Corporations and Tribes (intended to provide a forum for North Slope communities to provide input to management of the Reserve), to discuss the NPR-A Rule on the following dates:

- September 26, 2023
- October 17, 2023
- December 1, 2023
- February 13, 2024
- March 14, 2024
- April 9, 2024

BLM and Department staff met with ICAS, the North Slope Borough (NSB), Voice of the Arctic Iñupiat, and ASRC on September 21, 2023 in Washington D.C. Department and BLM leadership met with representatives from ICAS, NSB, Voice of the Arctic Iñupiat, ASRC, Olgoonik Corporation and Anaktuvuk Pass, and their lobbying representation in Washington D.C. on November 8, 2023.

Most recently, Secretary Haaland had an in-person meeting with members of the North Slope community on June 13, 2024, at the Department of the Interior.

The public meetings described above were announced through a variety of methods including news release, social media posts, direct notifications to North Slope entities, and flyers posted in communities. The BLM also worked with North Slope Communities to quickly reschedule when weather or other issues required cancellation of meetings. Based on feedback provided in Alaska, the BLM extended the comment period on the proposed rule twice: on October 17, 2023, for 10 additional days, and on November 13, 2023, for an additional 20 days. The total comment period on the proposed NPR-A rule was 90 days.

Tribal consultation is essential to honoring Government-to-Government relationships and Tribal trust responsibilities to federally recognized tribes and Alaska Native Corporations (ANC). No request for Tribal consultation from a federally recognized tribe or ANC was declined. As discussed above, Department and the BLM continue to offer ongoing opportunities for government-to-government consultation.

Consistent with the Department's commitment to strengthening the role of Tribal governments in Federal land management, the NPR-A rule encourages the BLM to explore Tribally-led co-stewardship opportunities for special areas and more broadly for subsistence across the NPR-A, including co-management, collaborative and cooperative management, and Tribally-led stewardship. The rule also provides for the BLM to partner with local governments, such as the North Slope Borough and other organizations, as provided by law.

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Questions from Senator James E. Risch

Question 1: To follow up on our conversation in the hearing, it is my understanding that any form of support for the Lava Ridge Wind Energy Project in Idaho is extremely lacking. As you have been directed by Congress to reengage local stakeholders and further collect opinions, this will provide ample opportunity to find any support previously left unexpressed. Please provide a list of all supporters of Lava Ridge that have thus far been identified by the Bureau of Land Management.

Response: The BLM continues to engage in extensive outreach and consultation efforts with a broad range of stakeholders, including Tribes, federal and state agencies, interest groups, and other members of the public. The BLM received a total of 11,179 submissions during the public comment period for the Lava Ridge Wind Project Draft EIS, of which 976 comments were in support of the project.

The BLM did not develop a list of commentors that were in favor of or against the project. Comments that were determined to be substantive were listed with a BLM response in the EIS. Consistent with BLM policy and procedures regarding NEPA, comments unaccompanied by reasoning that solely expressed opinions in favor of or against the proposed action or alternatives were determined to be non-substantive and were not addressed with a response in the EIS.

Question 2: If the Bureau of Land Management is unable to identify any substantial form of support for Lava Ridge, will the permit still be issued? If yes, please explain why this administration finds it appropriate to ignore the opinions of nearly every Idahoan.

Response: In its Final EIS, the BLM identified a preferred alternative with project modifications that substantially reduce the impacts of the original proposal. These project modifications were shaped by public input and meetings, listening sessions, and significant engagement with local landowners and ranchers, Tribal Nations, state and county governments, interested organizations, including the Friends of Minidoka, the BLM's Idaho Resource Advisory Council, and the National Park Service.

Question 3: Generations of Idahoans have relied on the sustained yield of our public lands, making our state one of the greatest examples of how managing for multiple use can lead to notable conservation benefits. However, it is clear to me the BLM's new Public Lands Rule aims to erode this system and push out other established uses in favor of conservation, which is not considered a use under FLPMA.

a. How does the BLM plan to ensure conservation leases under the Public Lands Rule are not utilized to block access to our most resource-rich public lands?

Response: Restoration and mitigation leases will be used to restore lands and resources where appropriate or establish or protect resources to compensate for adverse impacts to those same resources elsewhere. Restoration and mitigation leases must be consistent with the applicable land use plan and may not be issued where they would interfere with another, previously authorized use of the public lands.

b. Will conservation leases be subject to public comment?

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Response: The BLM will evaluate proposed restoration and mitigation leases in accordance with all applicable laws, including the National Environmental Policy Act and FLPMA, and ensure transparency. While both lease applications and any issued leases are considered publicly available information, they may contain proprietary or confidential information deemed not publicly available pursuant to the Privacy Act.

c. Can any citizen or group apply for and be awarded a conservation lease?

Response: 43 CFR 6102.4 outlines the process for administering the restoration and mitigation leasing program, including by establishing who may hold them.

d. How does the BLM intend to define conservation?

Response: The final rule provides, “*Conservation* means the management of natural resources to promote protection and restoration. Conservation actions are effective at building resilient lands and are designed to reach desired future conditions through protection, restoration, and other types of planning, permitting, and program decision-making.” The overarching purpose of the rule is to help facilitate the use of conservation to support ecosystem resilience.

Question 4: **Grazing is an essential tool for management and conservation on our public lands. Is grazing considered a permissible activity within a conservation lease? Will you commit to ensuring that there is no net loss in grazing on BLM land under the Public Lands Rule?**

Response: Restoration and mitigation leases would not disturb existing authorizations, valid existing rights, or state or Tribal land use management. Where land is being grazed in a responsible and sustainable manner, that use would be expected to continue, and could be part of the activities supported by a restoration or mitigation lease.

Question 5: **How do you intend to ensure that the Updated Western Solar Plan does not displace any existing multiple uses when solar is inherently an exclusive use? Will you commit to ensuring that there is no net loss in any existing multiple uses by expanded solar under the Updated Western Solar Plan?**

Response: On December 19, 2024, the BLM finalized its updated Western Solar Plan to help guide efficient and environmentally responsible solar energy permitting on public lands across the West. The BLM’s updated Western Solar Plan aligns with the BLM’s multiple use and sustained yield mission by seeking to continue management of public lands in a way that balances various uses and adapts to the nation’s evolving energy needs.

It is important to note that the updated plan does not authorize any solar projects. Instead, it delineates areas on BLM-managed public lands where applicants can propose solar projects and identifies areas that will be excluded from solar development. The BLM will analyze the potential impacts of specific proposed solar projects—including potential impacts on other existing activities on public lands—in subsequent, robust project-specific environmental analyses in response to individual project applications.

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Question 6: In January 2024, the U.S. Fish and Wildlife Service announced a public scoping period to consider options for the reintroduction of grizzly bears to the Bitterroot ecosystem in Idaho. This area does not currently host an established population, and any reintroduction would understandably have a notable impact on communities in the area.

- a. How would this potential reintroduction affect the current settlement between the state of Idaho and the Fish and Wildlife Service to revisit and revise the current lower 48 listing for grizzlies?

Response: The effort to consider options for restoration of grizzly bears to the Bitterroot ecosystem (which include options that do not involve reintroduction as well as a no-action alternative) does not affect the current settlement with the State of Idaho. The U.S. Fish and Wildlife Service (FWS, Service) has assigned personnel to complete each action, and we expect to meet the settlement deadline to revisit the current lower-48 listing of grizzly bears.

- b. Given the Fish and Wildlife Service's refusal to delist other, recovered populations of grizzly bears, how does establishing another small population contribute to the goal to delist all grizzly bears?

Response: The FWS is currently completing the 12-month findings for the Greater Yellowstone Ecosystem (GYE) and the Northern Continental Divide Ecosystem (NCDE). On July 26, 2024, the FWS filed a declaration with the court indicating it anticipates finalizing the 12-month finding for GYE grizzly bears no later than January 31, 2025. The date within this declaration will enable consistency among several legal actions that directly impact one another. The NCDE 12-month finding is ongoing. These findings, in response to the petitions to delist, will indicate whether delisting is warranted for either ecosystem. Reestablishing populations of a species within their historical range is an identified goal in the Grizzly Bear Recovery Plan and directly contributes to their recovery by allowing an increase in the total population size and distribution which reduces extinction risk and reduces the likelihood that they will become endangered in the foreseeable future.

Question 7: In March 2024, the BLM issued three proposed Mining Performance Metrics in an attempt to fulfill the requirements within IIJA Section 40206, to measure success in establishing efficient timelines for federal permitting and review processes of mineral activities on federal lands, set goals for permitting performance and progress, engage in early coordination with project sponsors and impacted stakeholders, and other initiatives.

- a. The new metrics simply require BLM to check a box and claim this as a win for permitting, without creating any meaningful permitting improvements. Further, most of the proposed metrics do not discuss permitting processes but "pre-consultation" which remains undefined. Why is this?

Response: As identified in the final report of the Department's Interagency Working Group on Mining Laws, Regulations and Permitting, early coordination between agencies, with operators, Tribal Nations, stakeholders, and the public is key to ensuring timely and durable permitting decisions. Better understanding where issues are likely to come up, what information and data is needed, and what timelines are expected is an acknowledged best practice for permitting efficiency and responsible decision making. The BLM's proposed mining

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performance metrics will help ensure that BLM is tracking those important steps to ensure efficient and effective permitting of mineral development on public lands.

The BLM is currently finalizing internal policy guidance on the pre-plan submittal coordination process for mining which will encourage BLM field officials to coordinate with operators to describe the anticipated permitting process along with establishing milestones with reasonable timelines for completion. Clearly defined milestones will improve communication, aid in accountability, and help the BLM identify specific steps in the permitting process where there may be opportunity for further improvement.

b. Why did the BLM not publish these metrics in the Federal Register? Is there a reason why the agency would choose not to seek sufficient public feedback to support effective implementation of the metrics?

Response: The BLM engaged with the public in a robust and efficient manner in accordance with the Bipartisan Infrastructure Law. The BLM received 12 comments during the public comment period, which are being used to help improve and refine the final performance metrics. The BLM Critical Minerals Performance Metrics Final Report, available on the web at: https://www.blm.gov/sites/default/files/docs/2024-11/IB2025-013%2C%20ATT1_2.pdf, contains descriptions of the comments received along with the BLM's responses to comments. In addition, the BLM extended the original public comment period in response to requests from industry and Members of Congress, bringing the comment period to a total of 77 days.

Question 8: This administration has stated that mineral security and access to responsible mining is a priority. If this is a true sentiment, is the Department of the Interior providing the same level of priority to process permit applications for mining projects as it does for renewable projects? If not, why?

Response: Consistent with the BLM's multiple use and sustained yield mission, the BLM manages public lands for a variety of uses, including mining. The BLM balances the processing of proposed plans of operations for mines alongside other requests for use of lands for commercial, recreational, and conservation activities. Since January 20, 2021, the BLM has approved 50 plans of operations or plan modifications (3 lithium, 1 barium, 1 zinc, 32 gold, 4 gemstone, 3 bentonite, 2 limestone, 1 gypsum, 1 graphite, 1 uranium, and 1 vanadium.)

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Questions from Senator John W. Hickenlooper

Question 1: Last month, I was excited to see BLM announce new categorical exclusions that will enable the agency to expedite the review and approval of geothermal exploration proposals. Can you confirm if the categorical exclusions for geothermal cover exploration drilling and, if not, whether BLM has plans to create a new categorical exclusion to cover exploration drilling?

Response: On April 15, 2024, the Department of the Interior adopted two categorical exclusions, one from the U.S. Forest Service and one from the Department of Navy, for BLM use to expedite geothermal exploration permitting. The BLM is also working to develop categorical exclusions to streamline geothermal exploration drilling.

Question 2: BLM recently announced its final Public Lands Rule. Some clean energy developers have expressed concerns about how existing renewable energy applications will proceed under the new rule, potentially threatening the viability of these projects. Can you speak to what the rule might mean for new or ongoing clean energy projects? What is BLM's plan to work through any uncertainties for the renewables industry and other stakeholders to ensure that we continue to move towards our clean energy goals?

Response: Significant portions of BLM-managed public lands have excellent solar, wind, and geothermal energy potential, and the BLM works to provide appropriate sites for environmentally sound development of renewable energy. During the rulemaking process, in response to comments, the BLM clarified the relationship of the Public Lands Rule to other uses of the public lands, including renewable energy projects, and the expectation that the rule would not impact ongoing project evaluation. Moreover, elements of the Rule could facilitate renewable energy development. The Rule provides for the use of mitigation leases of public land to satisfy compensatory mitigation obligations, if appropriate, increasing options for developers that wish to install renewable energy facilities on public land, even when doing so would result in unavoidable impacts. Establishing methods to ensure impacts can be offset and expanding the ability to site compensatory mitigation on public lands through mitigation leases creates more opportunity to permit use while accounting for the unavoidable impacts of such use.

Question 3: Meeting our clean energy goals – as part of what I call the Great Transition – requires us to have the best data for unlocking our geothermal potential. The USGS Budget Request included nearly \$4 million to conduct an updated and expanded national assessment of geothermal energy resources, but to truly seize the opportunity for quantifying next-generation geothermal across all 50 states, more is needed. If Congress dedicated more robust resources for a state-by-state geothermal resource assessment, would the Department be supportive?

Response: The USGS provides unbiased, publicly available assessments of geologic resources for the United States and globally. These assessments describe the potential for undiscovered geologic resources, including geothermal. Geothermal energy is a significant source of renewable electric power in the western United States and, with advances in exploration and development technologies, a potential source of a large fraction of baseload electric power, heating, and cooling, for the entire country. The Department looks forward to

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evaluating appropriate future funding levels necessary to ensure USGS national-scale assessments and supporting research studies continue to inform policymakers about the potential contribution of geothermal energy to the nation's energy portfolio.

Question 4: Secretary Haaland, our critical mineral supply chains are a matter of national and energy security. We need a whole-of-government approach to securing a sustainable supply for our clean energy future. At the interagency level, how are you working with the Department of Defense and Department of Energy to ensure coordination on critical minerals?

Response: The USGS co-chairs the National Science and Technology Council's Critical Minerals Subcommittee with the Department of Energy and the Office of Science and Technology Policy. The Subcommittee coordinates Federal science and technology efforts across Federal agencies to ensure secure and reliable supplies of critical minerals to the United States. The USGS also collaborates with the Department of Defense, the Department of Energy and other partners on a range of activities to accelerate our understanding critical minerals, assess unknown resources, and increase mineral security for the Nation. USGS mineral science and USGS mineral supply chain analysis is used to guide Federal decisions and investments in every aspect of the supply chain. Specific examples of this advising include that the USGS provides extensive data and decision support to the Department of Defense for management of the National Defense Stockpile and use of Defense Production Act authorities to invest in domestic rare earth element and battery mineral supply chains and to the Department of Energy's loan programs.

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Questions from Senator Mike Lee

Question 1: The overpopulation of wild horses and burros continues to be a significant management challenge in Utah, impacting land health and other land uses. Please provide the latest figures confirming whether these populations are within their Appropriate Management Levels across all Herd Management Areas in Utah. What specific steps is the Department taking to control these populations?

Response: The BLM gathers and removes wild horses and burros from public lands to achieve appropriate management levels so as to protect and maintain the health of the animals and of our nation's public rangelands. In some locations, the BLM also uses fertility control to slow the growth of wild horse herds, and the BLM's 2025 Budget requests additional support to implement an aggressive permanent sterilization program. Since its peak in 2020, the national on-range population has been on a decline, with estimates in March 2024 of 73,350 animals.

In Utah, the BLM manages 19 wild horse and burro Herd Management Areas (HMA) on nearly 2.4 million acres of public lands. As of March 1, 2024, BLM estimates there were 4,305 wild horses and burros on public lands in Utah, which is 2,349 above the appropriate management level for all HMAs in the state. A total of 2,614 animals have been removed from Utah HMAs from FY 2021 to FY 2024 through 15 gathers. The Canyonlands, Swasey, and Sulphur HMAs were gathered in FY 2024, and 657 animals were removed during planned gathers. In addition, 700 mares were treated with fertility control. One emergency gather was initiated on the North Hills Joint Management Area in September 2024, and is expected to conclude in mid-October.

Question 2: Revised Statute (R.S.) 2477 roads are vital for access to vast areas of public land in Utah, including for emergency responses and economic activities. What rationale does the Department provide for closing these roads in its travel management planning process, given that the adjudication process for these roads is ongoing in the courts? What consultation has there been with local governments about these closures?

Response: The BLM bases travel management planning on purpose and need related to resource uses and access to public lands and resources and engages local and state governments throughout the development of travel management plans. The BLM's travel management plan decisions are not intended to provide evidence bearing on, or address the validity of, any R.S. 2477 assertions. The BLM acknowledges the pending, ongoing cases in which the State and counties seek to adjudicate title to R.S. 2477 rights-of-way.

Question 3: Travel management plans are crucial for determining access to BLM lands for various uses, including recreation and resource extraction. How have the recent updates to BLM's travel management plans affected access to motorized recreation in Utah? What measures are in place to evaluate the impact of these plans on local communities and economies?

Response: The BLM's travel management planning process is guided by the regulations at 43 CFR 8340. In accordance with these regulations, each of the recent updates to BLM's travel management plans has been based on the protection of the resources of the public lands, the promotion of the safety of all the users of the public lands, and the minimization of conflicts among various uses of the public lands. In these travel

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management plans, thousands of miles of routes have been designated as available for public OHV use. The BLM will continue to monitor the implementation of these plans, and may make modifications in the future, as circumstances require.

Question 4: The management plan for the Grand Staircase-Escalante National Monument has significant implications for local land use and conservation. How does the Department address concerns from local communities, specifically with regard to proposed restrictions on grazing?

Response: The BLM has sought input on the development of the management plan for Grand Staircase-Escalante National Monument from local communities, local governments, and the State of Utah. Public input, particularly feedback from local communities and local governments, has substantively informed the development of alternatives and the analyses thereof. The range of alternatives being considered by the BLM takes into consideration the importance of livestock grazing for the local communities, within the context of managing the Grand Staircase-Escalante landscape in a manner that protects the objects identified in Proclamations 6920 and 10286.

Question 5: There have been concerns about the Department's interactions with environmental NGOs, particularly around the creation and expansion of national monuments and changes to land use policies that severely impact mineral and energy development. Can you confirm whether any DOI policies or land management plans were drafted in consultation with environmental NGOs prior to public review? Please provide specific examples.

Response: DOI takes comments from all interested stakeholders.

Question 6: Given the potential conflicts of interest, what transparency measures does the Department have in place when dealing with environmental NGOs? How does the Department ensure these interactions do not unduly influence public land management decisions? Has the Department conducted any internal reviews to assess the impact of these collaborations on policy decisions?

Response: The Department is committed to ensuring that it complies with all applicable laws and policies in its dealings with interested stakeholders.

Question 7: Last September, the DOI Inspector General's report highlighted significant issues with inflated costs in National Park Service maintenance projects. Could you specify the main causes identified for these inflated costs and what immediate actions have been taken by the Department to address these inefficiencies? Furthermore, what specific measures have been implemented to ensure these overruns do not recur in future projects, especially in high-visibility parks like Zion and Bryce Canyon in Utah?

Response: NPS complies with all applicable law and policy when developing deferred maintenance and repair estimates. Due to the location, age, and variety of assets entrusted to NPS, as well as the nature of construction itself, precise cost estimates for major rehabilitation, replacement, and repairs cannot be accurately determined prior to developing the final design and specifications for large construction projects. Cost estimates are

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conceptual in nature and are developed by professional in-house staff or cost-estimating consultants throughout the planning and design phases of a project. Projects also have some contingency funds set aside, allowing flexibility if bids exceed internal estimates. In times of market volatility, the NPS will hold additional contingency funds in a separate line to provide a further buffer for uncertainty and varying local market conditions. When bids far exceed available funding, the NPS assesses if scope or cost changes are necessary and will address those through approved change or reprogramming processes.

Question 8: In response to the IG report, has the Department established any new accountability measures or oversight mechanisms to prevent financial mismanagement in NPS maintenance contracts? Please provide details on any disciplinary actions taken or structural reforms implemented as a direct result of the findings. How does the Department plan to monitor the effectiveness of these reforms?

Response: The NPS Denver Service Center maintains a Cost Estimating Requirements Handbook that outlines the requirements for estimating costs at various stages of project development. This guidance is used for the creation of estimates for all projects including maintenance. To meet Federal Accounting Standards Advisory Board (FASAB) requirements and to provide a baseline understanding of asset conditions and needs for repair, the NPS performs periodic condition assessments and calculates DM&R estimates for all assets. The NPS does not fully scope and develop projects to correct all condition deficiencies identified during this process, rather, projects are targeted for development based on timing, criticality, priority, and available funding. Determining project execution method, i.e., whether work will be completed in-house or by contracting, at the time of performing condition assessments and estimating DM&R across a portfolio of this size is neither effective nor efficient. The execution method is determined later in the project development process.

Question 9: How have the inflated costs reported by the IG affected the overall budget and project delivery timelines for NPS maintenance projects? Please provide specific examples.

Response: The standard 35% project execution mark-up is applied to estimates for DM&R across the NPS portfolio to represent construction-related costs and current replacement values reported at an aggregate level and are not intended to be used as a substitute for the allowances representing project-specific planning, design, and cost data. The DM&R estimate at an asset level is modeled and is not sufficiently accurate to establish a project budget. Precise cost estimates for major rehabilitation, replacement, and repairs cannot be accurately determined prior to developing the final design and specifications for large construction projects. Cost estimates are conceptual in nature and are developed by professional in-house staff or cost-estimating consultants throughout the planning and design phases of a project. Most project cost estimates exceed the reported asset level DM&R due to a more accurately defined scope of work, current market pricing for materials, labor, and services, and the inclusion of updated code, accessibility, and policy requirements that are not captured in the asset-level modeled DM&R estimates.

Question 10: What steps is the Department taking to ensure that future NPS maintenance projects stay within budget and meet their scheduled completion dates?

Response: Due to the nature of the construction process, projects must be prepared to address multiple risks that frequently increase costs. These include unforeseen/unanticipated site conditions that require adjustments to

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construction methods and timelines, adjustments to project scheduling when contending with unexpected environmental events, and unpredictable fluctuations in prices for supplies and materials—particularly in today's volatile construction market. Contingency funding reinforces the bureau's ability to complete projects on time, minimizing closures of the buildings, amenities, and roads improved by the projects and ensuring they are reopened for visitor enjoyment or unit/station operations in a timely fashion. Projects also have some contingency funds set aside, allowing flexibility if bids exceed internal estimates. In times of market volatility, the bureau will hold additional contingency in a separate line to further buffer against uncertainty. In the rare case that bids far exceed available funding, the NPS assesses if scope or budget changes are necessary and will address those through approved change or reprogramming processes.

Question 11: The Payment in Lieu of Taxes (PILT) program is crucial for providing essential public services in counties with significant federal land presence, such as many in Utah. There have been reports of discrepancies and inconsistencies in the calculation of PILT payments that have led to budget shortfalls in these counties. Please explain the current formula used for determining PILT payments. Are there plans to review and potentially revise this formula to better reflect the current needs and circumstances of affected communities?

Response: PILT payments are calculated based on the statutory formula in 31 U.S.C. Chapter 69, which can only be changed by Congress. The Department does not have the authority to deviate from the formula prescribed in statute. The PILT formula is applied uniformly across all local governments and calculated based on the updated data required by law submitted each year for each individual county. The individual payments to local governments can vary from year to year based on changes in the four key variables in the statutory formula:

- Federal acreage data, which is updated annually by the federal agency administering the land;
- Prior-year federal revenue-sharing payment deductions reported annually by the Governor of each State;
- Inflationary adjustments using the Consumer Price Index; and
- Population data, updated using information from the U.S. Census Bureau.

Eligible acreage for Interior's PILT program includes tax-exempt federal lands administered by the Department's bureaus including the Bureau of Land Management, Bureau of Reclamation, National Park Service, and U.S. Fish and Wildlife Service. It also includes federal lands administered by the U.S. Forest Service, the U.S. Army Corps of Engineers, and the Utah Reclamation Mitigation and Conservation Commission. Payments are calculated based on the number of acres of federal land within each county or jurisdiction and the population of that county or jurisdiction. The law also requires each State to report to the Department certain Federal payments made to local governments in the previous fiscal year, which must then be deducted from the annual PILT payment calculation.

Question 12: Timely disbursement of PILT payments is essential for local governments to plan their budgets and ensure uninterrupted delivery of public services. There have been instances where PILT payments were delayed or unpredictably disbursed, causing significant challenges for these communities. What is the Department doing to improve the timeliness and predictability of PILT payments?

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Response: Statutorily, the Department is required to issue PILT payments by September 30th of each fiscal year. The Department recognizes local governments do not typically operate on a federal fiscal year, so the Department works each year to issue payments by the end of June. The table below shows the timing of PILT payments for the last ten years which have been issued within the same 2-week window:

PILT Year	Payment Date	Total
2015	June 24, 2015	\$439.1 M
2016	June 22, 2016	\$451.6 M
2017	June 26, 2017	\$464.4 M
2018	June 26, 2018	\$552.8 M
2019	June 20, 2019	\$515.7 M

Question 13: An evaluation of the PILT program's effectiveness in supporting local governments is crucial for ensuring that it continues to meet its goals. Has the Department conducted any recent evaluations of the PILT program's impact on local governments, particularly in terms of their ability to provide services in areas with extensive federal lands? If so, will you share the findings of these evaluations and any actions the Department plans to take in response?

Response: The Department has not conducted evaluations of the PILT program's impact on local governments. Section 6902 of the PILT Act (Chapter 69, Title 31 of the U.S. Code) states PILT payments may be used by recipients for any governmental purpose and does not require local governments to report back to the Department on the application of PILT funds within the community.

Question 14: The recently finalized BLM Conservation Rule introduces conservation leasing provisions that prioritize conservation on public lands over other uses. Given that the Federal Land Policy and Management Act (FLPMA) mandates multiple-use management, please explain how the BLM reconciles these new provisions with the statutory requirement to manage public lands for a variety of uses including grazing, mineral development, and recreation. Specifically, how does the rule comply with Section 102(a)(7) of FLPMA which requires the BLM to coordinate the land use planning with state and local planning efforts?

Response: The Public Lands Rule implements the FLPMA requirement that the BLM generally manage public lands under principles of multiple use and sustained yield. (43 U.S.C. 1732(a)). The rule does not change the BLM's responsibility to consider and seek to promote consistency between its development of its land use plans and state, local, and tribal plans.

Question 15: The conservation leasing provisions in the new rule seem to create a de facto preference for conservation over other uses. What legal authority does the BLM cite for implementing these leases, and how does the Department justify these provisions against the backdrop of FLPMA's multiple-use framework? Are there concerns that this approach may lead to legal challenges based on the argument that it restricts the statutory multiple-use mandate?

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Response: The Public Lands Rule does not specify or direct particular land use decisions, nor does it prioritize one use over others and anticipates that restoration and mitigation lease activities will be compatible with other contemporaneous uses of the same land in some cases. Section 302 of FLPMA allows BLM to issue leases for the public to use, occupy, and develop public lands. The restoration and mitigation leasing provisions are derived from that authority.

Question 16: What comprehensive assessments has the BLM undertaken to evaluate the economic and social impacts of the Conservation Rule, particularly in communities dependent on resource extraction and land access for their livelihoods? How does the rule address potential negative impacts on these communities, and what mitigation measures are proposed to support them?

Response: The BLM analyzed potential benefits and costs of the rule in an economic analysis. The Rule does not itself provide for the reduction in any use of the public lands, including resource extraction. The BLM will analyze, as appropriate, the effects, including the socioeconomic effects, of any decision implementing the rule at the time it makes such a decision.

Question 17: Considering the critical role of federal lands in national and energy security, particularly in terms of domestic production of minerals and energy resources, how does the BLM's Conservation Rule ensure continued access to these vital resources?

Response: The Public Lands Rule does not preclude mineral lease sales or any type of energy development. Moreover, the Rule could facilitate responsible energy development on public lands by providing tools to authorize appropriately tailored and durable compensatory mitigation. Accordingly, the rule provides for leases of public land to satisfy compensatory mitigation obligations when development would result in impacts to resources that otherwise cannot be sufficiently avoided or minimized.

Question 18: Given the significant changes introduced by the Conservation Rule, please detail the process of stakeholder engagement that led to its finalization. How were conflicting interests between conservation advocates and other stakeholders, like the mining and agricultural sectors, reconciled during the rulemaking process? Were industry experts and local government representatives given equal consideration as conservation groups in the discussions?

Response: The BLM received and reviewed over 216,000 public comments on the proposed Public Lands Rule. The BLM made changes to the final Rule based on those public comments that refined and further developed the concepts identified in the proposed Rule. All of the comments can be found at the following url: (<https://www.regulations.gov/docket/BLM-2023-0001/comments>) and BLM's responses can be found in the final rule, available at the following url: (<https://www.federalregister.gov/d/2024-08821/p-9>). The BLM did not give more weight to comments from particular stakeholders in determining whether a proposed change was worthy of incorporation.

Question 19: Does the BLM plan to monitor the effects of the Conservation Rule and make adjustments based on empirical evidence and stakeholder feedback? What specific provisions are in place to ensure

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that the rule can be adapted or amended to better align with the multiple-use mandate should unintended consequences arise that significantly impact land access or economic activities?

Response: Implementation of the Rule will be an ongoing process, and the BLM will have flexibility to adjust its implementation guidance as necessary based on internal and external stakeholder feedback.

Question 20: Given the significant differences in hydrology between the Upper and Lower Basins of the Colorado River, how is the Bureau of Reclamation ensuring that the interests and water rights of the Upper Basin states are adequately represented and protected in the SEIS process? Specifically, what measures are being taken to ensure that obligations for downstream delivery do not disproportionately impact the Upper Basin states, which face different hydrological constraints and priorities, especially in drought years?

Response: The Bureau of Reclamation is working with all seven of the Basin States, as well as Tribes in both the Upper and Lower Basin to develop new operating guidelines that will be put in place in 2027 when the current Interim Guidelines expire. In June 2023, Reclamation issued a Notice of Intent to prepare an Environmental Impact Statement (EIS) which also solicited public scoping comments on the Development of Post-2026 Colorado River Reservoir Operational Strategies. Reclamation also requested that partners and stakeholders share concepts or alternatives that they would like to be included and analyzed in the EIS. Following that request, Reclamation received separate proposals from both the Upper Basin and Lower Basin States, as well as concepts from Tribal Nations, Non-Governmental Entities, and others.

Reclamation is currently working with these stakeholders and partners to refine their proposed alternatives so that they can be modeled and analyzed in the Draft Environmental Impact Statement. Through that process, Reclamation will ensure that each proposal submitted receives appropriate consideration and attention, including interests in the Upper Basin states. Reclamation continues to collaborate with our partners across the Basin to put in place durable solutions. We will continue to work with each of our partners and press for a consensus solution.

Question 21: Hydropower is a critical component of the Colorado River's infrastructure, providing significant baseload energy resources to the region. In the development of the SEIS, how is the BOR prioritizing the maintenance and enhancement of hydropower capacity? What specific provisions are being included to protect and potentially expand this vital energy resource, ensuring that hydropower generation is not compromised by new water management strategies?

Response: The Bureau of Reclamation has proposed to take action to adopt specific guidelines and coordinated reservoir management strategies to address operations of Lake Powell and Lake Mead through their full operating range. This action would provide improved predictability to all water users and managers in the Colorado River Basin by developing and adopting objective guidelines for the operation of Glen Canyon Dam and Hoover Dam to take effect when the current operating guidelines expire in 2026.

Reclamation recognizes the value of hydropower across the West and within the Colorado River Basin. Reclamation always seeks opportunities to maintain and enhance the value of Reclamation power resources and

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improve program effectiveness and reliability, and, as we have seen throughout the guidelines process referenced above, power generation consistently informed the discussion of operations in the Basin. Reclamation is developing operational alternatives that will be analyzed in a draft Environmental Impact Statement. All alternatives included in the EIS will be analyzed to determine the impacts to a number of resources including hydropower generation. Reclamation has also been coordinating with the Western Area Power Administration (WAPA) throughout the development of the Post-2026 Guidelines. WAPA is a Cooperating Agency in the Post-2026 National Environmental Policy Act (NEPA) process.

Question 22: Considering the long-term implications of decisions made in the SEIS process for the management of the Colorado River, there are concerns that the process may be expedited due to political pressures. Can you assure us that the SEIS will undergo a thorough and unhurried review, incorporating comprehensive scientific data and extensive stakeholder input? How is the BOR planning to avoid the pitfalls of a rushed process, ensuring that all potential impacts are carefully considered?

Response: The Bureau of Reclamation is working with our partners and stakeholders to develop new operating guidelines that will go into effect in 2027 when the current guidelines expire. In June 2023, Reclamation issued a Notice of Intent to prepare an Environmental Impact Statement (EIS) and solicited public scoping comments on the Development of Post-2026 Colorado River Reservoir Operational Strategies. Guided by the best available and comprehensive science and incorporating extensive stakeholder input, Reclamation is currently in the alternatives development phase of the Post-2026 NEPA process. Reclamation's process and timeline have been driven by the need for proper analysis and coordination to reach a final EIS and Record of Decision to ensure that the new guidelines are in place in time to be used for 2027 operations.

Question 23: What steps is the BOR taking to ensure a transparent SEIS process that actively involves all stakeholders, including state governments, local communities, and industry groups? How frequently does the BOR engage with these stakeholders, and in what format? Are there mechanisms to specifically solicit and incorporate feedback from the Upper Basin states and hydropower operators?

Response: The Bureau of Reclamation is committed to making the Post-2026 NEPA process inclusive and transparent. Reclamation has also taken steps to ensure that there is meaningful engagement with our Basin partners throughout the Post-2026 process.

In June of 2022, Reclamation engaged in a "pre-scoping" process to solicit public input prior to the initiation of the formal NEPA process. Reclamation published a Federal Register Notice (87 FR 37884) (FRN) requesting input on the process and substantive elements for post-2026 operations. The purpose of this pre-scoping process was to seek input and stakeholder perspectives as early as possible. Comments received in response to the FRN were reviewed by Reclamation and compiled into a Pre-Scoping Comment Summary Report which is available on Reclamation's website. Next, Reclamation formally initiated the Post-2026 Process in June of 2023 by publishing a Notice of Intent to complete an Environmental Impact Statement (EIS) and solicit scoping comments. During the scoping process, Reclamation met with several groups of Basin partners and stakeholders to discuss the process. Through the scoping period, Reclamation received 24,290 comment submissions, including 318 unique comment submissions from the public, Tribes, states, federal agencies, non-governmental organizations, and other stakeholders, 21,658 form letters, 1,256 form letters with unique content, and 1,058

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duplicate submissions. Reclamation completed the scoping phase of the Post-2026 Process in October of 2023 by publishing a Scoping Summary Report and Federal Register Notice. The report included a summary of the scoping comments received and the proposed federal action and anticipated purpose and need for the Post-2026 Process. The scoping comments received and the Scoping Summary Report are available on Reclamation's website.

Reclamation has also created new groups to engage with Basin stakeholders as part of the Post-2026 process. In response to the expressed desire of Basin Tribal leaders for Reclamation to be more inclusive in Colorado River decision-making processes, and after thorough dialogue with both Basin State and Tribal leaders, Reclamation established the Federal-Tribes-States Group with the goal promoting equitable information sharing and discussion among the sovereign governments in the Basin. Reclamation is committed to continued engagement with this group throughout the process. However, the formation of this new group does not replace independent consultations with Reclamation for either the Basin Tribes or the Basin States. For example, Reclamation has participated in over 30 Government-to-Government Consultations with the Tribes since 2022 working to be responsive of individual Tribal input during this period of drought and corresponding Federal actions.

In addition, Reclamation is committed to stakeholder technical education, technical outreach, and timely access to relevant technical information and has held sessions with the Integrated Technical Education Workgroup. This partner and stakeholder workgroup was developed in December 2022 to ensure that Basin partners and stakeholders have a common and accurate understanding of the underlying tools and concepts needed to participate in the development of operating alternatives. Central to Reclamation's technical assistance is the development of a web-based Post-2026 Operations Exploration Web Tool. The tool is a result of decades of collaborative research and development and is designed to enable users with different levels of technical skill to explore, create, and compare potential operating strategies using a common platform to enhance the development of alternatives.

As the Post-2026 process continues, Reclamation will continue to offer ample opportunities for Basin partner, stakeholder, and public engagement in the process.

Question 24: **Accurate hydrological models are crucial for fair water distribution and the planning of hydropower production. What measures is the BOR implementing to ensure that the hydrological models used in the SEIS are up-to-date and reflect the current and projected water availability in both the Upper and Lower Basins? How does the BOR plan to address any discrepancies in data that could affect decision-making?**

Response: The Department and Reclamation are committed to addressing the challenges of climate change and drought in the Colorado River Basin, using science-based, innovative strategies, and working cooperatively with the Basin states, tribes, stakeholders, partners, and the public who rely on the Colorado River. Accurate hydrological models are central to sound water resource management. Through the development of the Environmental Impact Statement, Reclamation will consider the best scientific information currently available and will continue to work with stakeholders and scientists to develop the best modeling practices and most appropriate assumptions in light of the purpose of each model. This includes collaboration with the U.S.

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Geological Survey, who is acting as a participating agency and will provide technical expertise, including resource modeling support.

Question 25: The BLM's updated solar plan aims to expand solar energy development on public lands, which could potentially conflict with the multiple-use mandate established by the Federal Land Policy and Management Act (FLPMA). How does the BLM ensure this expansion does not disproportionately limit or exclude other critical land uses such as grazing, recreation, and wildlife conservation? Can you provide specific examples of how the BLM plans to balance these uses with the increased footprint of solar energy projects?

Response: The BLM's updated Western Solar Plan seeks to thoughtfully plan for solar energy development on public lands while acknowledging other important resources and land uses, consistent with FLPMA. The Plan identifies areas where there is a higher likelihood that solar projects could conflict with important resources and land uses, including wildlife and recreation—these exclusion areas are not available for solar applications. The Plan also includes outcome-based requirements, referred to as programmatic design features, that help ensure balance between various uses and solar energy projects. Additionally, adaptive management practices are employed to monitor solar projects to better understand how these projects interact with other land uses over time.

Question 26: The use of a top-down programmatic EIS approach for the updated solar plan has raised concerns about its ability to adequately address unique local environmental circumstances and stakeholder concerns. Why has the BLM chosen this approach over more localized, site-specific EISs? How does the BLM plan to ensure that local environmental factors and community inputs are not overshadowed by broader, national policy objectives in this programmatic EIS process?

Response: The BLM's programmatic approach seeks to improve national program consistency by updating land use plans. But the programmatic EIS does not eliminate the need for localized evaluation through site-specific NEPA analyses of each and every proposed solar project. In reviewing individual project applications under NEPA, the BLM would ensure that community input and concerns are considered.

Question 27: Given the scale and potential impacts of the updated solar plan, what measures is the BLM taking to enhance transparency and engage with local stakeholders, including those who might be adversely affected by large-scale solar developments? How is the BLM incorporating local knowledge and data into the programmatic EIS, and are there opportunities for ongoing stakeholder input throughout the planning and implementation phases?

Response: The BLM conducted a programmatic analysis to provide an updated and flexible land use planning framework, aiming to steer solar energy project applications towards areas of public lands with lower potential for conflict with important resources and land uses. Public engagement has been integral to this programmatic effort, including during scoping and the comment period on the Draft Programmatic EIS. The BLM has also engaged with Tribes and cooperating agencies in developing the updated Western Solar Plan. The BLM will further engage with the public during subsequent environmental analysis of individual proposed projects to

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ensure that local environmental conditions and concerns are incorporated in the decision-making process for specific project applications.

Question 28: Solar energy projects require significant land and can substantially impact local ecosystems. How is the BLM assessing and mitigating the environmental trade-offs associated with these projects, such as habitat fragmentation, displacement of wildlife, and alteration of landscapes?

Response: As the BLM receives applications for solar projects now and in the future, a thorough project- and site-specific evaluation will be conducted. These project-specific evaluations assess the potential impacts to relevant site-specific resources, including wildlife and visual resources, and identify any appropriate mitigation. These evaluations incorporate state and local input to identify potential adverse impacts and inform mitigation measures.

Further, as described above, the exclusion criteria in the updated Western Solar Plan are intended to direct project applications towards areas where there is a lower likelihood of conflicts with important resources and land uses. For instance, threatened and endangered species habitat and certain big game habitat areas are excluded from solar development. The updated Western Solar Plan also includes outcome-based requirements, referred to as programmatic design features, to mitigate adverse impacts of solar projects to resources and other uses on public lands.

Question 29: Predictability of oil and gas lease sales is vital not only for the energy sector but also for the economies of local communities that depend heavily on these industries. I am deeply concerned with disruptions and inconsistencies in the scheduling of lease sales. Please detail the Department's current approach to the regularity and predictability of these sales. How does the Department plan to address this uncertainty, particularly those related to court rulings and policy shifts?

Response: The Department continues to provide anticipated schedules for lease sales in each state. (See: <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/leasing/regional-lease-sales>) In addition, the Department continues to coordinate internally to provide the best approach for the NEPA review of oil and gas lease sales to ensure they are defensible. As always, unfavorable court decisions may delay certain lease sales as the BLM works to address any deficiency identified by the court.

Question 30: The current administration has reversed several amendments made to the Endangered Species Act regulations that streamlined processes, enhanced transparency, and incorporated economic considerations into species protection decisions. These reversals have raised concerns about potential impacts on land use, economic activities, and conservation efforts. Please elaborate on the specific reasons and scientific justifications behind the reversal of these ESA rules.

- **How does the Department plan to ensure that these reversals do not impede necessary economic development or the effective management of land and resources?**

Response: Through the language of the Endangered Species Act (ESA), Congress has directed us to help ensure that proposed development activities are compatible with the protection and recovery of imperiled

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species. The finalized ESA regulations will improve the effectiveness of the ESA while ensuring that vital economic activity and land management continues. Nothing in the revisions change the Fish and Wildlife Services' (FWS') long-standing practice of working with agencies, applicants, and land managers when carrying out our mission.

- **What mechanisms are in place to maintain transparency and stakeholder involvement in ESA decisions under the new regulations?**

Response: Stakeholder involvement is an essential part of effective implementation of the ESA and is a priority for the FWS. These regulation revisions do not change stakeholder involvement in ESA decisions. These regulation revisions improve clarity and transparency of process and emphasize that classification decisions are based on the best scientific and commercial data available. The FWS involves stakeholders throughout our classification actions - from announcing our classification workplan, to involvement in our status assessments, to review of proposed rulemakings. The regulation revisions do not change the public rulemaking procedures used to list, reclassify, or delist species; to issue protective regulations for threatened species; or to designate or revise critical habitat.

- **How will the Department balance the need to protect species with the rights and livelihoods of those living in and around critical habitats, particularly given concerns that such reversals prioritize environmental goals over human-centered considerations?**

Response: The regulation revisions do not change the statutory requirements of the ESA for determining what is critical habitat. Before designating any areas as critical habitat, the ESA requires the FWS to consider the probable economic, national security, and other relevant impacts of designating areas as critical habitat. If the benefits of excluding any particular area from a designation are found to outweigh the conservation benefits of designating the particular area, then the FWS may exclude that area from the designation. Critical habitat is a tool that supports the continued conservation of imperiled species by guiding cooperation within the federal government. Designations affect only federal agency actions or federally funded or permitted activities. Critical habitat designations do not affect activities by private landowners if there is no federal "nexus"—that is, no federal funding or permits are required to carry out the activity.

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Questions from Senator Steve Daines

Question 1: Secretary Haaland, what is the number one threat to old-growth forests on Bureau of Land Management lands?

Response: The BLM and the U.S. Forest Service published an introductory report, *Analysis of Threats to Mature and Old-Growth Forests on Lands Managed by the Forest Service and Bureau of Land Management*, on the threat analysis required by Executive Order 14072, *Strengthening the Nation's Forests, Communities, and Local Economies*. This report identified wildfire as the factor that caused the greatest decrease in old-growth and mature forests. The report also identifies other factors influencing the loss of mature and old-growth forests, including climate change.

Question 2: Secretary Haaland, the initial inventory of mature and old-growth forests by the Forest Service and BLM identified 24 million acres of mature and old-growth pinyon and juniper woodlands on federal lands. How does the BLM plan to manage these area to improve conditions?

Response: The BLM manages pinyon and juniper woodlands for forest health, wildlife habitat, recreation, grazing, and other multiple uses. In some areas on public lands, pinyon and juniper woodlands are expanding due to factors such as climate change and altered fire regimes. The BLM actively manages pinyon and juniper to improve rangeland conditions and habitat for sagebrush dependent species, such as greater sage-grouse. The BLM conducts fuels reduction projects in pinyon and juniper woodlands as necessary to reduce the risk of severe wildfire. In addition, the BLM and the U.S. Forest Service recently co-hosted a public workshop focused on sustaining resilient pinyon-juniper ecosystems. The workshop was held to ensure robust public engagement and scientific expertise are underpinning the approaches taken to fulfill EO 14072 and other management strategies for ensuring healthy, resilient pinyon and juniper woodlands.

Question 3: Secretary Haaland, is wildfire a risk for sagebrush dependent species such as the greater sage-grouse and what has your Department done to mitigate this risk?

Response: Wildfire is a critical and central threat to many intact and degraded sagebrush ecosystems and the species that depend on them, such as the greater sage-grouse. Departmental direction and program implementation specifically emphasize conservation and restoration of the sagebrush biome. The Department developed the Sagebrush Keystone Initiative as part of its Restoration for Resilience Framework to target invasive annual grasses, reduce wildfire risk, restore native plants, and restore and protect riparian habitats. The Bureaus within the Department are also working together with Tribal, state, and private partners to implement a "Defend the Core, Grow the Core" approach, utilizing the sagebrush conservation design.

Last year, the BLM identified 21 Restoration Landscapes, including many located within the sagebrush biome, to focus investments on ecosystem restoration and the economic resilience of communities dependent on these lands to support their livelihoods and traditions. As part of the Biden-Harris Administration's Investing in America agenda, the BLM will infuse \$161 million from the Bipartisan Infrastructure Law and the Inflation Reduction Act into improving the health of these landscapes to better provide clean water, habitat for fish and wildlife, opportunities for recreation, and more resilience to wildfire and drought.

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Question 4: Secretary Haaland, what benefits does BLM see from managed livestock grazing on sage-grouse habitat conservations?

Response: The BLM manages sagebrush rangelands to ensure health and productivity for multiple land uses and sustained yield, including for greater sage-grouse conservation. Well-managed grazing is compatible with sage-grouse habitat conservation. Livestock management on public lands focuses on meeting or sustaining land health standards, which in turn can support healthy sage-grouse populations where they overlap.

Question 5: Secretary Haaland, how can DOI increase targeted livestock grazing to mitigate the risk of wildfire?

Response: Livestock grazing can be used for fuel reduction or fuel treatment, in a manner similar to prescribed burns or mechanical, chemical, and biological thinning methods, to achieve vegetation treatment objectives, including mitigating the risk of wildfire. The BLM is currently expanding its practices to use livestock as a management tool through flexible grazing strategies to achieve land health objectives.

Question 6: Secretary Haaland, how can livestock grazing be used to reduce the amount of cheatgrass and other invasive grasses and plant species?

Response: Flexible grazing is being implemented and expanded in grazing authorizations under our current regulations and through the Outcome Based Grazing demonstration projects. Flexibility in grazing management prescriptions allows the BLM and livestock operators to make livestock use adjustments in response to changing conditions, such as drought or wildland fire, or utilize livestock as a management tool for invasive species, such as cheatgrass. Increasing flexibility for permit holders and the Bureau will provide more opportunities to achieve land health objectives for public lands and sustainability in ranching communities.

Question 7: Secretary Haaland, what is the impact to sage-grouse of solar development in sagebrush ecosystems?

Response: Our understanding of the impacts of solar development on sage-grouse needs to be inferred from similar types of development, as no scientific research has been published on this topic. Impacts will depend on how solar is developed and deployed, and the types of sage-grouse habitat affected. In general, there may be habitat loss from clearing vegetation for solar arrays, disturbance from support facilities and human activities, and an increased risk of predation from providing perching localtions on the arrays, fences, and transmission lines.

Question 8: Secretary Haaland, in BLM's draft solar plan, 4 million acres of big game winter range and 1.8 million acres of big game migration corridors are included in the preferred alternative available for potential development. How does BLM plan to mitigate the impact to big game should these areas be developed?

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Response: The BLM received many public comments on the draft Utility-Scale Solar Programmatic EIS related to big game migration corridors. In response to these comments, the updated Western Solar Plan excludes additional big game habitat areas from solar development. Specifically, “high use” big game migratory corridors, migration pinch points/bottle necks, parturition areas, stopover areas, and crucial and severe winter range are all excluded. Other big game migratory corridors are designated avoidance areas and projects in these areas need to be designed in a way that maintains the functionality of the corridor.

Question 9: Secretary Haaland, how much of the anticipated \$91.8 million in deferred maintenance addressed in FY24 was in Montana?

Response: For FY21 – FY24, Interior funded 20 GAOA LRF projects in Montana for approximately \$80.2 million which are anticipated to address \$61.8 million of deferred maintenance and repairs. In FY24, Interior funded one BLM project in Montana to repair recreation sites, roads, and dams. This project is expected to address \$6 million in deferred maintenance. In FY25 Interior proposes two additional projects, on BLM managed lands and at Glacier National Park, that will collectively address \$41 million of deferred maintenance and repair.

Question 10: Secretary Haaland, what is the current maintenance backlog for Department of the Interior lands in Montana?

Response: The deferred maintenance and repair backlog for Department of the Interior assets in Montana is \$1.68 billion (FY 2023 Federal Real Property Profile). The amount reported by bureau is:

- Bureau of Indian Affairs / Bureau of Indian Education: \$620.7 million
- Bureau of Land Management: \$205.1 million
- Bureau of Reclamation: \$540.9 million
- National Park Service: \$242.6 million
- U.S. Fish and Wildlife Service: \$70.4 million

Question 11: Secretary Haaland, how many miles of roads on Department lands in Montana are on the deferred maintenance list?

Response: Approximately 1,971 miles of Department of the Interior roads in the state of Montana contributed to \$215 million of deferred maintenance and repair reported to the FRPP in FY23. This represents road-related deferred maintenance and repair needs across BLM, BOR, FWS, and NPS-managed lands.

Question 12: Secretary Haaland, if the Fish and Wildlife Service makes the determination that Greater Yellowstone and Northern Continental Divide Ecosystems grizzly bear populations are recovered and warrant delisting, would you support Congress taking legislative action to support this decision to prevent litigation that would pull resources away from work on other species?

Response: When the U.S. Fish and Wildlife Service (FWS) assesses the status of species for the purposes of responding to petitions to list or delist a species under the Endangered Species Act (ESA), we fulfill our statutory responsibilities to utilize the best available scientific and commercial data in making these

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determinations. The FWS believes that the administrative rulemaking process prescribed by the ESA and the Administrative Procedure Act (APA), including public participation, is the best path for adding or removing species from the protections of the ESA.

Question 13: Secretary Haaland, does litigation over species listing and delisting delay the processing of petitions and other work to recover species?

Response: Section 4 of the ESA includes mandatory deadlines for FWS to complete certain actions, such as making findings on petitions to list or delist species as threatened or endangered species. The ESA also provides that any interested person or organization may petition us to add a species to the list, remove it from the list, or reclassify its status on the list. Further any interested party may file a lawsuit under the citizen suit provision of the ESA if FWS misses a deadline. FWS is often sued due to failure to meet the statutorily defined deadlines and must balance limited resources to address litigation while continuing to process petitions and other work to conserve species. To address the outstanding backlog of petition findings, FWS developed a set of workplans based on a prioritization methodology that allows us to strategically address our outstanding workload while providing transparency and certainty to stakeholders and our partners on the timing of our decisions. The workplans have been extremely successful and in recent years courts have deferred to our workplan dates when we have been sued for missed deadlines.

Question 14: Secretary Haaland, can you commit that actions taken to introduce grizzly bears in the North Cascades Ecosystem will not delay delisting efforts for Greater Yellowstone and Northern Continental Divide Ecosystems grizzly bear populations?

Response: FWS is currently completing the 12-month findings for the Greater Yellowstone Ecosystem (GYE) and the Northern Continental Divide Ecosystem (NCDE). On July 26, 2024, the FWS filed a declaration with the court indicating it anticipates finalizing the 12-month finding for GYE grizzly bears no later than January 31, 2025. The date within this declaration will enable consistency among several legal actions that directly impact one another. The NCDE 12-month finding is ongoing. These findings, in response to the petitions to delist, will indicate whether delisting is warranted for either ecosystem. Any actions we will take to reintroduce grizzly bears into the North Cascades Ecosystem will be in close coordination with our partners, and these efforts will not hinder the ongoing 12-month findings for either the GYE or NCDE.

Question 15: Secretary Haaland, can you commit that actions taken to introduce grizzly bears in the Bitterroot Ecosystem will not delay delisting efforts for Greater Yellowstone and Northern Continental Divide Ecosystems grizzly bear populations?

Response: FWS is currently completing the 12-month findings for the Greater Yellowstone Ecosystem and the Northern Continental Divide Ecosystem. On July 26, 2024, the FWS filed a declaration with the court indicating it anticipates finalizing the 12-month finding for GYE grizzly bears no later than January 31, 2025. The date within this declaration will enable consistency among several legal actions that directly impact one another. The NCDE 12-month finding is ongoing. These findings, in response to the petitions to delist, will indicate whether delisting is warranted for either ecosystem. The FWS is currently only evaluating restoration

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options for the Bitterroot ecosystem. The FWS is considering options that include reintroducing grizzly bears to the Bitterroot ecosystem as well as options that only include natural recolonization. The FWS is also considering a no-action alternative.

Question 16: Secretary Haaland, how old is the science on the impact to grizzly habitat of road density and can you provide the most recent science?

Response: Scientific studies focused on the impact of road density to grizzly bear habitats have been taking place for at least the last 15 years. The most recent study was published in 2019. Studies have shown that as road densities increase, there is a projected decrease in both female and male adult bear survival. Recommendations from multiple studies cite a road density of <0.6 km/km² (1 mi/ mi²) or less in order to maintain stable populations (Schwartz *et al.* 2010a, p. 661; Boulanger *et al.* 2013, p. 282; Boulanger and Stenhouse 2014, p. 11; Lamb *et al.* 2018, p. 1411; Proctor *et al.* 2019, p. 20). Please see citations below.

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Lamb, C. T., G. Mowat, A. Reid, L. Smit, M. Proctor, B. N. McLellan, S. E. Nielsen, and S. Boutin. 2018. Effects of habitat quality and access management on the density of a recovering grizzly bear population. *Journal of Applied Ecology* 55:1406–1417.

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Schwartz, C. C., M. A. Haroldson, G.C. White. 2010a. Hazards Affecting Grizzly Bear Survival in the Greater Yellowstone Ecosystem. *Journal of Wildlife Management* 74:654–667.

Question 17: Secretary Haaland, grizzly bear specialists at Montana Fish, Wildlife, and Parks work diligently to protect grizzlies from incidental take. How many grizzly bears have been caught in legally set public wolf traps in Montana in the past 10 years?

Response: Data on the incidental trapping of grizzly bears in legally set public wolf traps is maintained by Montana Department of Fish, Wildlife, and Parks.

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Question 18: Secretary Haaland, grizzly bear specialists at Montana Fish, Wildlife, and Parks work diligently to protect grizzlies from incidental take. Is there any data that shows harm to grizzly bears from legally set public wolf traps in Montana in the past 10 years?

Response: Wolf traps can harm individual bears that are incidentally trapped. In response to the State of Montana's and the State of Wyoming's petitions for delisting, the FWS is actively reviewing the grizzly bear's status, including the impact of legally set public wolf traps in Montana.

Question 19: Secretary Haaland, what was the cost of the status review of Northern Rocky Mountain gray wolf populations? Please provide an estimate of the number of staff involved.

Response: The FWS estimates that between September 2021 and February 2024, the development of the Species Status Assessment for the Gray Wolf in the Western United States and the 12-month finding for the Gray Wolf in the Northern Rocky Mountains and the Western United States cost approximately \$440,000 and estimates that the equivalent of approximately 6 FTEs assisted with the review.

Question 20: Secretary Haaland, does Fish and Wildlife Service anticipate that responding to the notices of intent to sue over the not warranted finding on the two petitions to list gray wolves will decrease their ability to focus on other species that have not yet recovered?

Response: Two complaints have been filed and one additional notice of intent has been received over the not warranted finding on the two petitions to list gray wolves. The FWS must often balance its limited resources to address litigation and continue to make progress on workplans, while supporting recovery efforts for listed species. The FWS does not anticipate that addressing these complaints and notice of intent will decrease our ability to focus on our recovery work related to other species.

Question 21: Secretary Haaland, on February 2, 2024, the U.S. Fish and Wildlife Service published a proposal to update the existing Biological Integrity, Diversity, and Environmental Health policy. What will you do to work with livestock producers to continue collaborative grazing on National Wildlife Refuges that provides important wildfire risk mitigation?

Response: On December 19, 2024, the FWS withdrew the proposed BIDEH rule based on the significant number of public comments received, the complexity of the substantive comments received and the issues involved, as well as the requests from the public for further opportunities to review and engage with the FWS on the substance of this proposal.

Question 22: Secretary Haaland, under the proposed update to the Biological Integrity, Diversity, and Environmental Health policy, what changes will be made to predator control measures?

Response: On December 19, 2024, the FWS withdrew the proposed BIDEH rule based on the significant number of public comments received, the complexity of the substantive comments received and the issues involved, as well as the requests from the public for further opportunities to review and engage with the FWS on the substance of this proposal.

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Question 23: Secretary Haaland, under the proposed update to the Biological Integrity, Diversity, and Environmental Health policy, what changes will be made for planting that provide important feeding opportunities for migrating wildlife?

Response: On December 19, 2024, the FWS withdrew the proposed BIDEH rule based on the significant number of public comments received, the complexity of the substantive comments received and the issues involved, as well as the requests from the public for further opportunities to review and engage with the FWS on the substance of this proposal.

Question 24: Secretary Haaland, under the proposed update to the Biological Integrity, Diversity, and Environmental Health policy, was there any review of potential impacts to surrounding private lands?

Response: On December 19, 2024, the FWS withdrew the proposed BIDEH rule based on the significant number of public comments received, the complexity of the substantive comments received and the issues involved, as well as the requests from the public for further opportunities to review and engage with the FWS on the substance of this proposal.

Question 25: Secretary Haaland, what groups if any, did the Fish and Wildlife Service consult with on the proposed update to the Biological Integrity, Diversity, and Environmental Health policy?

Response: On December 19, 2024, the FWS withdrew the proposed BIDEH rule based on the significant number of public comments received, the complexity of the substantive comments received and the issues involved, as well as the requests from the public for further opportunities to review and engage with the FWS on the substance of this proposal.

Question 26: Secretary Haaland, from the Biological Integrity, Diversity, and Environmental Health policy, to restrictions on traditional ammunition and tackle, to priorities in the Department budget, your agencies are putting up barriers to sportsmen access on public lands. Will you commit to bring sportsmen to the table on all policy decisions that impact public access?

Response: On December 19, 2024, the FWS withdrew the proposed BIDEH rule based on the significant number of public comments received, the complexity of the substantive comments received and the issues involved, as well as the requests from the public for further opportunities to review and engage with the FWS on the substance of this proposal.

Question 27: Secretary Haaland, the recent appropriations bill maintained a provision prohibiting the use of federal funds to be used to regulate the lead content of ammunition or fishing tackle. How do recent actions by the U.S. Fish and Wildlife Service to restrict the use of lead ammunition and tackle on public lands conform to this law?

Response: The Department does not have the authority to regulate the amount of lead in ammunition or fishing tackle. Under the Toxic Substances and Control Act (TSCA), the United States Environmental Protection

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Agency evaluates potential risks from new and existing chemicals and addresses any unreasonable risks chemicals may have on human health and the environment.

Question 28: Secretary Haaland, does U.S. Fish and Wildlife Service have plans to expand the ban of lead ammunition and tackle and funds to do so?

Response: The FWS has not banned the use of lead ammunition or tackle across FWS lands and waters and is not developing a rule to do so. Hunting and fishing are priority public uses of national wildlife refuges, and the FWS is committed to facilitating quality, accessible opportunities for hunters and anglers. The FWS is taking a measured approach to evaluating the future use of lead ammunition and tackle on FWS lands and waters by engaging in a deliberate, open, and transparent process with partners and external stakeholders, including the HWCC and state fish and wildlife agencies. At the several individual stations where the FWS has implemented phase-outs of lead ammunition and/or tackle, it made those decisions to reduce a known threat to a wildlife species while still providing access to hunters and anglers.

Question 29: Secretary Haaland, has U.S. Fish and Wildlife Service taken into account the cost to hunters and anglers of banning traditional ammunition and lead tackle?

Response: The FWS has not banned the use of lead ammunition and tackle across FWS lands and waters and is not developing a rule to do so. Hunting and fishing are priority public uses of national wildlife refuges, and the FWS is committed to facilitating quality, accessible opportunities for hunters and anglers. The FWS does consider the socioeconomic impacts of how it manages hunting and fishing on FWS lands and waters as part of its annual Station-Specific Hunting and Sport Fishing rulemakings.

Question 30: Secretary Haaland, what impact does a ban on traditional ammunition and fishing tackle have on Pittman-Robertson revenue that is apportioned to states?

Response: The FWS has not banned the use of lead ammunition and tackle across FWS lands and waters and is not developing a rule to do so.

Question 31: Secretary Haaland, U.S. Fish and Wildlife Service has not responded to questions on the scientific evidence cited in the 2022 and 2023 rules banning lead on certain National Wildlife Refuges. Can you provide evidence that shows consuming wild game harvested with lead component ammunition causes human harm?

Response: Consistent with its wildlife conservation mission, the FWS's primary basis for any decisions regarding the use of lead ammunition and tackle on FWS lands and waters is the impact of lead on fish and wildlife health, based on the best available science. At the stations where the FWS has implemented phase-outs of lead ammunition and/or tackle, it made those decisions to reduce a known threat to a wildlife species while still providing access to hunters and anglers.

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Question 32: Secretary Haaland, you appeared before the House Appropriations Interior Subcommittee and Representative Chuck Edwards asked if you could provide the scientific report that led to the 2022 Hunt/Fish rule. Please provide that report.

Response: The FWS's 2022-2023 Station-Specific Hunting and Sport Fishing Final Rule (2022 Rule) included citations to scientific studies in the publicly available supporting materials for the rule, including in the Cumulative Impacts Reports and the Environmental Assessment (EA) for Patoka River National Wildlife Refuge, which finalized a proposed phase-out of lead ammunition and tackle. The Cumulative Impacts Report included over 90 scientific sources and is available here: <https://www.regulations.gov/document/FWS-HQ-NWRS-2022-0055-16123>. The EA for Patoka River National Wildlife Refuge is available here: <https://www.regulations.gov/document/FWS-HQ-NWRS-2022-0055-0013>.

Question 33: Secretary Haaland, the Bureau of Land Management is proposing changes to charge utilities with power line corridors nearly \$3 million per fire incident for strict liability damages. Already small electric cooperatives are finding it difficult to obtain wildfire insurance. What collaboration has there been with utilities on this proposal?

Response: The BLM works with electric utilities, including rural electric cooperatives, through the Electricity Subsector Coordinating Council of the DHS-led Critical Infrastructure Partnership Advisory Council on a range of issues, including strict liability for wildfire-related damages.

Question 34: Secretary Haaland, what statutory authority is the Bureau of Land Management using to charge strict liability damages?

Response: Sections 504 and 512 of FLPMA authorize the BLM to impose strict liability on right-of-way holders and impose limitations on the permissible scope of strict liability. 43 U.S.C. §§ 1764(h), 1772(g). The BLM implements those statutory provisions through the regulations at 43 CFR 2807.12.

Question 35: Secretary Haaland, decades of mismanagement of federal forests has left us with overstocked and fire-prone federal forests that are overloaded with dangerous dry fuels that have been allowed to accumulate due to a lack of thinning, prescribed burns, and other treatments. What steps is the Department taking to increase the pace and scale of treatments?

Response: The Bipartisan Infrastructure Law (BIL) has enabled the Department to increase its fuels management efforts. Since 2022, the Department has completed nearly 5.2 million acres of priority fuels treatments throughout the country and is on track to reach a cumulative total of 6.5 million acres by the end of this fiscal year. In 2023, with appropriated funds and BIL allocations, the Department accomplished fuels management projects on over 2.5 million acres – a 30 percent increase over fiscal year 2022. The Department plans to complete approximately 1.8 million acres of fuels treatments in fiscal year 2024 and another 1.8 million acres in fiscal year 2025 using both BIL funding and base appropriations.

Question 36: Secretary Haaland, is expedited permitting for utility right-of-way access to address vegetation management in emergency and non-emergency situations needed to address wildfire risks?

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Response: The BLM is open to pursuing an improved right-of-way access approval process and any other efficiencies that would expedite vegetation management activities to reduce wildfire risk. The use of Master Agreements and programmatic Environmental Assessments that apply to all electrical rights-of-way in a given area or region, or to all rights-of-way operated by a given utility, has also helped to simplify and accelerate vegetation management and other actions that reduce wildfire risk on public lands.

Question 37: Secretary Haaland, the Bureau of Land Management's newly finalized "Conservation and Landscape Health" rule will impact ranchers who graze livestock on public lands. How did your agency engage with grazing allotment permittees?

Response: The BLM conducted external outreach and participated in dozens of meetings to discuss the content of the proposed Public Lands Rule, including meetings with States and State agencies; meetings with grazing, recreation, renewable energy, and other stakeholder interest groups and associations; congressional briefings; and presentations at conferences and events. Meetings were conducted by both headquarters staff and regional staff across the country. The BLM has a long history of collaboration and cooperation with local stakeholders, including ranchers, local grazing associations, conservation groups, and local and state governments. The Rule emphasizes collaboration and co-stewardship with Indigenous communities, who are often also ranchers.

Question 38: Secretary Haaland, the Bureau of Land Management's newly finalized "Conservation and Landscape Health" rule uses the term "sustainable recreation." Can you define what this term?

Response: "Sustainable recreation" is generally understood to mean recreation that is compatible with the landscape's ability to support recreation activities, use levels, access, and infrastructure, while providing for recreation experiences that also generate economic benefits.

Question 39: Secretary Haaland, the Bureau of Land Management's newly finalized "Conservation and Landscape Health" rule states that "leases will not override valid existing rights or preclude other, subsequent authorizations so long as those authorizations are compatible with the restoration or mitigation use." Please provide an example of what would be considered an incompatible use.

Response: Under the Public Lands Rule, compatibility determinations will depend on the facts and circumstances of the restoration or mitigation lease and the proposed use in question. Subject to valid existing rights and applicable law, once a restoration or mitigation lease has been issued, the BLM will not issue new authorizations to use the leased lands if the use would be incompatible with the authorized restoration or mitigation use (43 CFR 6102.4(a)(4)). For example, if a state wildlife agency were restoring an old, abandoned gravel mine for wildlife habitat under a restoration lease, the BLM would not allow restoration activities to be disturbed by authorizing another gravel mine to develop gravel resources at the restoration site while the restoration lease is in effect.

Question 40: Secretary Haaland, under the Bureau of Land Management's newly finalized "Conservation and Landscape Health" rule who will determine if restoration lease objectives are achieved?

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Response: The authorized officer of the BLM office with jurisdiction over the lands in the restoration lease area, supported by a team of interdisciplinary experts from across the BLM, will evaluate the outcomes achieved against the outcomes proposed in the restoration plan associated with the lease.

Question 41: Secretary Haaland, under the Bureau of Land Management's newly finalized "Conservation and Landscape Health" rule please confirm that mining would not be precluded from occurring because of a previous mitigation or restoration lease.

Response: Review and approval of mining authorizations would continue to comply with existing law and regulation.

Question 42: Secretary Haaland, under the Bureau of Land Management's newly finalized "Conservation and Landscape Health" rule would timber harvest, pre-commercial thinning, and prescribed fire be considered appropriate management technique on restoration leases to improve forest health?

Response: The authorized BLM officer, on a case-by-case basis, must determine if the activities proposed in a restoration lease application and the outcomes those activities are intended to achieve are appropriate for the area in which they are proposed.

Question 43: Secretary Haaland, please detail the consultation that the Bureau of Land Management did with the Small Business Administration to determine the impact to small businesses of their finalized "Conservation and Landscape Health" rule.

Response: BLM senior staff met with representatives of the Small Business Administration (SBA) on several occasions to discuss the intent of the proposed rule, potential impacts to small businesses, and the SBA's concerns. Further, the BLM responded directly to comments from the SBA during the interagency rulemaking processes, as supported by the Office of Information and Regulatory Affairs.

Question 44: Secretary Haaland, what is the current estimated completion date for the EIS/ROD for the Spring Creek Mine in Montana?

Response: The Office of Surface Mining Reclamation and Enforcement (OSMRE) released a draft EIS for a 45-day public comment period as posted in the Federal Register on September 4, 2024. The final EIS is scheduled for release in December 2024, and the final Record of Decision is expected to be completed in January 2025.

Question 45: Secretary Haaland, when is the current court ordered deadline to complete the EIS/ROD for the Spring Creek Mine?

Response: The U.S. District Court for the District of Montana issued an order deferring vacatur of the mining plan modification for the Spring Creek Mine until March 14, 2025, for OSMRE to complete corrective NEPA analysis.

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Question 46: Secretary Haaland, what actions are you taking to ensure that OSMRE will meet the court ordered deadline for the Spring Creek Mine?

Response: As noted above, OSMRE released a draft EIS for a 45-day public comment period as posted in the Federal Register on September 4, 2024. OSMRE is currently reviewing the comments received and preparing the final EIS, which OSMRE expects to release in December 2024, with a Record of Decision following.

Question 47: Secretary Haaland, as it relates to the Spring Creek Mine, do you believe that you are in compliance with the two-year timeline for EIS completion as required in Section 321 of Public Law 118-5?

Response: The U.S. District Court for the District of Montana issued an order deferring vacatur of the mining plan modification for the Spring Creek Mine until March 14, 2025, for OSMRE to complete corrective NEPA analysis. The Department is committed to complying with the U.S. District Court's order, which predated enactment of the Fiscal Responsibility Act of 2023, and with all applicable Federal laws impacting the NEPA process.

Question 48: Secretary Haaland, have you or any of your senior leadership purposely stalled or taken actions to slow the completion of the EIS/ROD for the Spring Creek Mine?

Response: No. The Department is committed to complying with the National Environmental Policy Act (NEPA) and the U.S. District Court's order.

Question 49: Secretary Haaland, why has the estimated completion date for the EIS/ROD for the Spring Creek Mine been pushed back multiple times leading to dates far past the original estimation?

Response: OSMRE must comply with other federal laws, including NEPA, and the changing legal landscape. The NEPA process is dynamic; changes in laws or regulations introduce complexities that often extend processing time.

Question 50: Secretary Haaland, it is my understanding that in January 2023, OSMRE told the Montana District Court it would take 17 months to complete an EIS on the mine plan amendment at Bull Mountains Mine (or until July 2024). Since then, OSMRE has repeatedly pushed out the completion date for the Bull Mountains EIS. What is the current estimated completion date for the EIS/ROD for the Bull Mountains Mine in Montana?

Response: The current estimated completion date to correct deficiencies in the NEPA process on the mine plan amendment at Bull Mountains Mine is August 2025.

Question 51: Secretary Haaland, why has the estimated completion date for the EIS/ROD for the Bull Mountains Mine been pushed back multiple times leading to dates far past the original estimation?

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Response: OSMRE is working methodically through the NEPA review process to ensure it makes the best and most legally defensible determination for this action. OSMRE is actively working to complete this process by August 2025.

Question 52: Secretary Haaland, it is my understanding that, after securing approval to mine private and state coal, the Bull Mountains Mine will run out of permitted coal to mine in the spring of 2025. What actions are you taking to ensure the EIS/ROD for the Bull Mountains Mine is completed in a timely manner to ensure the continued operation of the Mine?

Response: As noted above, OSMRE is working methodically through the NEPA review process to ensure it makes the best and most legally defensible determination for this action. OSMRE is actively working to complete this process by August 2025.

Question 53: Secretary Haaland, as it relates to the Bull Mountains Mine, do you believe that you are in compliance with the two-year timeline for EIS completion as required in Section 321 of Public Law 118-5?

Response: OSMRE is committed to complying with all applicable Federal laws impacting the NEPA process and completing the NEPA process by August 2025.

Question 54: Secretary Haaland, it is my understanding that since Signal Peak filed suit with OSMRE for failing to meet the two-year statutory requirement to complete and EIS under Section 321 of Public Law 118-5, that OSMRE has refused to meet with Signal Peak. Can you explain why this is the case and when you will begin working with the mine to finish the required EIS?

Response: After Signal Peak Energy, LLC filed a lawsuit regarding the Bull Mine EIS schedule, OSMRE suspended meetings for a short time as the schedule itself was the subject of the meetings and the litigation. OSMRE resumed meetings with Signal Peak Energy, LLC, in May 2024.

Question 55: Secretary Haaland, have you or any of your senior leadership purposely stalled or taken actions to slow the completion of the EIS/ROD for the Bull Mountains Mine?

Response: The Department is committed to complying with the National Environmental Policy Act (NEPA) and the actions taken reflect that commitment.

Question 56: Secretary Haaland, what was the reasoning for selecting the Bull Mountains EIS for the Departmental Review Team?

Response: A detailed explanation of the Department's Departmental Review Team process is explained in Environmental Statement Memorandum (ERM) 10-11, which can be accessed at the following url: <https://www.doi.gov/sites/doi.gov/files/erm10-11-eis-review-process-june28-2022.pdf>

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Question 57: Secretary Haaland, can you explain the process by which a project is selected for the Departmental Review Team?

Response: The Department's Departmental Review Team process is explained in Environmental Statement Memorandum (ERM) 10-11, which can be accessed at the following url:
<https://www.doi.gov/sites/doi.gov/files/erm10-11-eis-review-process-june28-2022.pdf>

Question 58: Secretary Haaland, what is the current estimated completion date for the EIS/ROD for the Rosebud Mine in Montana?

Response: OSMRE's currently estimated completion date of its work on an Environmental Impact Statement (EIS) and Record of Decision (ROD) for the Rosebud Mine is the end of December 2024.

Question 59: Secretary Haaland, when is the current court ordered deadline to complete the EIS/ROD for Rosebud Mine?

Response: The U.S. District Court for the District of Montana issued an order deferring vacatur of the mining plan modification for the Rosebud Mine until January 31, 2025, for OSMRE to complete corrective NEPA analysis.

Question 60: Secretary Haaland, what actions are you taking to ensure that OSMRE will meet the court ordered deadline for the Rosebud Mine?

Response: OSMRE has developed a project schedule and is actively working to complete this NEPA process by January 31, 2025.

Question 61: Secretary Haaland, as it relates to the Rosebud Mine, do you believe that you are in compliance with the two year timeline for EIS completion as required in Section 321 of Public Law 118-5?

Response: The U.S. District Court for the District of Montana issued an order deferring the vacatur of the mining plan modification for the Rosebud Mine until January 31, 2025, for OSMRE to complete corrective NEPA analysis. The Department is committed to complying with the U.S. District Court's order, which predated enactment of the Fiscal Responsibility Act of 2023, and with all applicable Federal laws impacting the NEPA process.

Question 62: Secretary Haaland, have you or any of your senior leadership purposely stalled or taken actions to slow the completion of the EIS/ROD for the Rosebud Mine?

Response: No. The Department is committed to complying with the National Environmental Policy Act (NEPA) and the court's order.

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Question 63: Secretary Haaland, why has the estimated completion date for the EIS/ROD for the Rosebud Mine been pushed back multiple times leading to dates far past the original estimation?

Response: OSMRE must comply with other federal laws, including NEPA, and the changing legal landscape. The NEPA process is dynamic; changes in laws or regulations introduce complexities and can extend processing time.

Question 64: Secretary Haaland, how many OSMRE staff are dedicated to the competition of environmental reviews for the agency?

Response: When completing each environmental review, OSMRE staffing typically comprises one project manager, four technical specialists, and six senior review staff. Additionally, OSMRE regularly utilizes a consultant to assist in preparing NEPA analyses. Depending on the complexity of the analysis, the consultant may use between 5-8 staff.

Question 65: Secretary Haaland, how many OSMRE staff are dedicated to the competition of environmental reviews for the three Montana coal mines currently under review?

Response: When completing each environmental review, OSMRE staffing typically comprises one project manager, four technical specialists, and six senior review staff. Additionally, OSMRE regularly utilizes a consultant to assist in preparing NEPA analyses. Depending on the complexity of the analysis, the consultant may use between 5-8 staff. This has been no different for the review of the coal mines in Montana currently under review.

Question 66: Secretary Haaland, how many staff at OSMRE were dedicated to rewriting the Ten-Day Notice Rule that was previously completed in 2020?

Response: OSMRE advises that the final Ten-Day Notice Rule team included eight OSMRE staff, all of whom performed other important duties while working on the Ten-Day Notice Rule.

Question 67: Secretary Haaland, what was the need to rewrite the Ten-Day Notice Rule that had just recently been updated in 2020?

Response: In accordance with Executive Order 13992, the Department reviewed previously issued regulations. Upon review, OSMRE identified areas where the Ten-Day Notice Rule should be revised to be more consistent with the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

Question 68: Secretary Haaland, can you commit to giving operators sufficient advanced notice to comply with OSMRE decisions and to plan for the future?

Response: OSMRE aims to work with all stakeholders to share information about its decisions. Clear and timely communication assists with the efficient and effective implementation of the rules and statutes for which OSMRE is responsible.

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Question 69: Secretary Haaland, how is OSMRE analyzing grid reliability issues when making regulatory decisions such as the new Ten-Day Notice?

Response: The revisions to the Ten-Day Notice rule reduce the burden on citizens for notifying OSMRE of potential violations related to active coal mining. Grid reliability is not a factor that SMCRA authorizes OSMRE to consider in taking regulatory actions. But, allowing state regulatory authorities to ensure coal mine operators operate within the parameters of their mining permits and applicable regulations helps ensure active coal mining continues uninterrupted.

Question 70: Secretary Haaland, how is the agency weighing grid reliability concerns when making permitting decisions?

Response: Grid reliability is not a matter OSMRE may consider under SMCRA in permitting decisions. However, one of the factors to grid reliability is operational reliability. Compliance with applicable statutory and regulatory requirements under SMCRA and NEPA, for example, advances permitting decisions and improves operational reliability.

Question 71: Secretary Haaland, there are a number of significant new federal regulatory actions, such as the 10-Day Notice, impacting in-state federal energy and mineral resources. How is your office analyzing the impact of these activities on state regulatory programs, state staffing and workload needs and state revenues, and coordinating with the governors in those states before making a rule final?

Response: The Ten-Day Notice is not a new requirement. The recent rule clarifies the process under SMCRA where citizens can report concerns related to possible permit violations on active coal mining sites. As required under the Administrative Procedure Act, interested parties and stakeholders are provided an opportunity to comment on all proposed rules before they become final.

Question 72: Secretary Haaland, can you ensure that regional offices provide state agencies and the impacted companies with a copy of the prepared guidelines that OSMRE is required to adhere to in preparation of an EIS?

Response: OSMRE's *Handbook on Procedures for Implementing the National Environmental Policy Act* is available on the agency's website: (<https://www.osmre.gov/laws-and-regulations/nepa>). Information to assist with the NEPA process is also available on the Council on Environmental Quality's (CEQ) website at <https://ceq.doe.gov/>. OSMRE will continue to work to ensure that state agencies have all the information they need to prepare an EIS.

Question 73: Secretary Haaland, what are you doing to ensure that Resource Management Plan Amendments protect federal leases and the right for future leasing for coal mining activities in Montana?

Response: When revising or amending Resource Management Plans (RMP), any existing federal lease for coal mining is protected as a prior existing right until the lease expires or is relinquished. Leasing is a separate action and approval process that occurs separate from resource management planning and resource use

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allocations in an RMP. Future leasing depends on several factors, including whether lands are made available for further consideration for leasing in an RMP. Availability is determined from evaluating lands through the coal screening processes as required in (43 CFR Part 1600 and (43 CFR 3420.1–4(d)), Resource Management Plans Amendments affecting coal leases aim to ensure the long-term sustainability of federal leases by considering the broader environmental and economic factors at play, as well as to promote a diverse energy portfolio that aligns with our Nation's ever-evolving energy needs.

Question 74: Secretary Haaland, what are you doing to streamline the permitting process for coal mines, particularly related the National Environmental Policy Act?

Response: The Department is adhering to all relevant court orders and the time and page limits set forth in the Fiscal Responsibility Act (42 U.S.C. § 4336a(e) and (g)) for completing environmental analyses in compliance with the National Environmental Policy Act.

Question 75: Secretary Haaland, how many hard rock mine permits are currently being processed at the Department of the Interior?

Response: The BLM is currently processing 237 proposed plans of operations under 43 CFR subpart 3908 and subpart 3802, if applicable.

Question 76: Secretary Haaland, how many hard rock mine permits that could potentially produce a USGS designated critical mineral are currently being processed at the Department of the Interior?

Response: The BLM is currently processing 17 proposed plans of operations that include USGS-designated critical minerals. In addition, many proposed plans of operation that the BLM is processing contain potential sources of critical minerals. For example, many gold deposits have the potential to produce arsenic, bismuth, and antimony, all of which are on the USGS critical minerals list.

Question 77: Secretary Haaland, how many new mines has the Department issued Records of Decision for since January of 2021? This includes, hard rock, coal, and other commodities. Please provide a list that includes the mine name and location and commodity.

Response: Since January 2021, the BLM has authorized one plan of operations for nonenergy leasable minerals. The BLM authorized the plan of operations for the Husky 1 North Dry Ridge Phosphate Mine in southeastern Idaho in April 2023.

Since January 2021, the BLM has authorized 30 plans of operations under 43 C.F.R. subpart 3809 for operations under the mining laws (see Table 1 below).

Table 1. Location, Owner/Operator, Date of Authorization, and Target Minerals for Plans of Operation for Locatable Minerals Authorized by the BLM since January 2021.

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Department of the Interior Mine Authorizations since January 2021				
State	Owner/Operator Name	Geographic Area/Project Name	Date Plan of Operations Authorized	Targeted Mineral(s)
Alaska	BONACOR, JOHN LESLIE, ORLEN	CENTRAL YUKON GOLD CREEK	7/22/2021	Gold
Alaska	NORDEEN, KARL	EMMA CREEK	5/27/2021	Gold
Alaska	SHOREY, TIMOTHY A	MINNIE CREEK	4/8/2021	Gold
Alaska	HOTTINGER, DOROTHY (SUE) CRARY, WALTER TRAVIS, SCOTT	MILCLAY CREEK / PROSPECT CREEK	5/6/2021	Gold
Alaska	ROJAS, JOSEPH	ARCHIBALD CREEK/NOLAN CREEK	6/9/2022	Gold
Alaska	HAMM, RALPH	HAMMOND RIVER/VERMONT CREEK/SLISCO BENCH	3/15/2023	Gold
Alaska	COUP, JOSEPH BERRINGER, ASH	SOUTH FORK KOYUKUK RIVER	3/17/2023	Gold
Alaska	JUBILEE MINE LLC.	PROSPECT CREEK	5/23/2023	Gold
Alaska	YOST, TODD	SLATE CREEK	5/14/2024	Gold
Arizona	ANTLER OPERATIONS INC	YUCCA	2/8/2023	Zinc
Arizona	CIMBAR RESOURCES INC.	RED STAR LIMESTONE	5/24/2023	Limestone
Arizona	ARIZONA SILVER EXPLORATION	PHILADELPHIA CLAIM GROUP	8/22/2024	Gold
California	US GYPSUM CO	US GYPSUM QUARRY	2/7/2022	Gypsum
California	GLACIAL MINERALS INC	DRAGONFLY PLACER PROJECT	8/17/2022	Gold
California	ROACH, JOHN M	JOKERS WILD PLACER MINING	9/22/2022	Gold
Idaho	TAYLOR, ROBERT	S FORK CLEARWATER RV	7/14/2021	Gold
Idaho	TREASURE CANYON CALCIUM INC	TREASURE CANYON	8/11/2022	Limestone
Idaho	SHULL, JASON	BRADBURY FLAT AGATE	9/26/2022	Gemstone

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Department of the Interior Mine Authorizations since January 2021				
State	Owner/Operator Name	Geographic Area/Project Name	Date Plan of Operations Authorized	Targeted Mineral(s)
Idaho	CLASSIC ROCKS	LONE JUNIPER AGATE	8/21/2023	Gemstones
Idaho	CLACHER, GREGG A	S FORK CLEARWATER RV	7/19/2023	Gold
Idaho	FREITAS, STANLEY	S FORK CLEARWATER RV	7/14/2023	Gold
Nevada	WK MINING (USA) LTD	HASBROUCK	2/19/2021	Gold
Nevada	BEACH MINING LLC	GOLDFIELD BASIN PROJECT	7/6/2021	Gold
Nevada	PURE ENERGY MINERALS LTD SCHLUMBERGER TECHNOLOGY CORP	CLAYTON VALLEY	7/28/2021	Lithium
Nevada	GULLSIL, LLC	PROSPECT MTN	10/5/2021	Gold
Nevada	SIO2 PARTNERS LLC	CRYSTAL TIPS	3/14/2022	Gemstone
Nevada	HALLELUJAH PARTNERS LLC	ROYAL SCEPTER	3/24/2022	Gemstone
Nevada	PANKOW, JERRY	OSCEOLA	8/10/2022	Gold
Nevada	LITHIUM NEVADA CORP	THACKER PASS PROJECT	2/22/2023	Lithium
Nevada	PROGRESSIVE CONTRACTING	BEACON MINE WILLIAMS CANYON AREA	7/25/2023	Barium
Nevada	NEVADA GOLD MINES	GOLDRUSH	12/8/2023	Gold
Oregon	APPLEGARTH, JERRY	4 APPLES ASSOCIATION	4/25/2024	Gold
Montana	RUBY GRAPHITE	RG CLAIM GROUP	2/27/2023	Graphite
Utah	ROCK LOVERS LLC	SEPTARIAN EGG NEST/A/	12/1/2021	Gemstone
Wyoming	WILSON BROTHERS CONSTRUCTN INC	DIAMOND BASIN PROJECT	9/24/2021	Bentonite Clay
Wyoming	WILSON BROTHERS CONSTRUCTN INC	DIAMOND BASIN PROJECT, ROAD REVISION	9/24/2021	Bentonite Clay
Wyoming	WYO BEN INC.	COAL DRAW WEST	7/27/2023	Bentonite Clay

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Department of the Interior Mine Authorizations since January 2021				
State	Owner/Operator Name	Geographic Area/Project Name	Date Plan of Operations Authorized	Targeted Mineral(s)
Wyoming	PATHFINDER MINES CORP.	SHIRLEY BASIN UR ISR	1/12/2024	Uranium

Question 78: Secretary Haaland, how many mine modifications or expansions has the Department issued Records of Decision for since January of 2021? This includes, hard rock, coal, and other commodities. Please provide a list that includes the mine name and location and commodity.

Response: Since January 20, 2021, OSMRE has approved four operations and reclamation plans for coal mine expansions: three for the Center Mine in North Dakota and one for the Coyote Creek Mine in North Dakota.

Since January 2021, the BLM has authorized eight plan modifications or expansions under 43 C.F.R. subpart 3809 for operations under the mining laws (see Table 2 below).

Table 2. Location, Owner/Operator, Date of Authorization, and Target Minerals for Plan Modifications and Expansions for Locatable Minerals Authorized by the BLM since January 2021.

Department of the Interior Mine Modifications and Expansions Since January 2021				
State	Owner/Operator Name	Geographic Area/Project Name	Date Plan Modifications Authorized	Targeted Mineral(s)
Alaska	GUILLES, ANNA COUP, CINDY COUP, JOSEPH BERRINGER, ASH	SOUTH FORK KOYUKUK; WISEMAN A-1	9/30/2021	Gold
Alaska	GREENE, STEPHEN A	CYO/DAVIS CREEK/SF KOYUKUK RIVER	5/11/2021	Gold
Alaska	GWSN VENTURES LLC.	CHAPMAN CREEK	7/23/2024	Gold
Alaska	EVEN, MARJORIE	WEBSTER GULCH	5/20/2024	Gold
Idaho	TAYLOR, ROBERT	S FORK CLEARWATER RV	7/14/2023	Gold
Nevada	PURE ENERGY MINERALS LTD	CLAYTON VALLEY	12/16/2021	Lithium

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Department of the Interior Mine Modifications and Expansions Since January 2021				
State	Owner/Operator Name	Geographic Area/Project Name	Date Plan Modifications Authorized	Targeted Mineral(s)
	SCHLUMBERGER TECHNOLOGY CORP			
Nevada	WK MINING (USA) LTD WK-ALLIED HASBROUK LLC	THREE HILLS	7/30/2021	Gold
Nevada	WALKER LANE MINERALS CORP	ISABELLA-PEARL LLC	9/16/2021	Gold
Nevada	GEMFIELD RESOURCES LLC	GEMFIELD	9/27/2021	Gold
Nevada	NEVADA GOLD MINES	GOLD RUSH	4/24/2024	Gold
Nevada	QUARTZ LAKE MINING	RED ROCK MILL PLAN MOD	6/27/2024	Gold
Nevada	LITHIUM NEVADA CORP	THACKER PASS	2/17/2023	Lithium

Question 79: Secretary Haaland, how many permitted and operational hard rock mines have come on line since January 2021?

Response: The BLM does not track whether an operator has initiated operations. The BLM's oversight deals with compliance with all applicable regulations and laws.

Question 80: Secretary Haaland, what is the average time to complete the environmental analysis and record of decision for a hard rock mine for the Department of the Interior?

Response: The Interagency Working Group on Mining Laws, Regulations, and Permitting (IWG) analyzed the data for 147 mines approved between October 2012 and April 2023, and found that the average time for a mine to complete the NEPA process was 1 year and 2 months, consistent with the GAO's January 2016 report, *HARDROCK MINING: BLM and Forest Service Have Taken Some Actions to Expedite the Mine Plan Review Process but Could Do More* (GAO-16-165), which found that the BLM and U.S. Forest Service completed the mine plan approval process in an average of under 2 years. For those mines requiring environmental impact statements, the IWG found that the average time to go from notice of intent to record of decision was 3 years and 1 month.

Question 81: Secretary Haaland, do you believe that the final report entitled "Recommendations to improve Mining on Public Lands" will increase or decrease the time to permit a hard rock mine?

Response: The Interagency Working Group on Mining Laws, Regulations, and Permitting (IWG) final report recommendations intend to streamline the permitting process, provide a fair return to American taxpayers, and

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reduce litigation and conflict by facilitating upfront discussions with all stakeholders and parties of interest on the local, Tribal, and national levels. As such, overall costs and timeframes should be reduced.

Question 82: Secretary Haaland, has the Department implemented any of the recommendations in the Final report entitled “Recommendations to improve Mining on Public Lands?” If so, which?

Response: The BLM is currently working to implement Recommendation C.1 from the IWG final report, which recommended that the permitting process model currently used by BLM Nevada be adopted as a national policy, and recently issued a national policy directing field offices to inform Tribes when exploration notices are filed in areas of interest to the Tribes, which is an interim step towards the implementation of IWG final report Recommendation E.6. Numerous other recommendations are also being advanced through a number of interagency fora, and the Department looks forward to working with Congress to implement legislative recommendations from the report.

Question 83: Secretary Haaland, how does your FY2025 Budget request promote mining on federal lands?

Response: The 2025 budget request for Mining Law Administration is \$42.7 million and 240 full-time equivalent (FTE) positions, an increase of \$3 million and 25 FTE positions from the 2024 enacted level. The requested funding will support the BLM’s implementation of the Administration’s priorities regarding critical mineral sourcing and supply chains, specifically E.O. 14017, America’s Supply Chains, as well as Congressional direction from Section 40206 of the BIL, “Critical Minerals Supply Chains and Reliability.”

The BLM proposes to support responsible domestic mining and improve permitting efficiency by hiring up to 25 new minerals staff and mining law adjudicators. The funding would also provide additional training for those in these positions, as well as managers in the Mining Law Administration Program to ensure uniform application of regulation and law to prevent the unnecessary or undue degradation of BLM-managed lands. In addition, the funds will enhance the BLM’s capacity to review notices and mining plans of operations and to implement recommendations from the Interagency Working Group on Mining Laws, Regulations, and Permitting. The funds will also enable the BLM to increase its capacity to conduct mining inspections, and the FY 2025 budget request will continue to support the implementation of the Mineral and Land Records System.

Question 84: Secretary Haaland, what is the average cost to plug and reclaim a federal onshore abandoned oil or gas well?

Response: Based upon the latest data, the average cost to plug and reclaim a Federal orphaned well has increased from \$71,000 in 2022 to \$114,000 currently.

Question 85: Secretary Haaland, what is the average cost to plug and reclaim an abandoned federal oil or gas well in Montana?

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Response: The BLM plugged one orphaned well in Montana in November 2021 at a cost of \$40,000. The cost to plug and reclaim orphaned wells varies dramatically based on depth, age, equipment, and the amount of surface disturbance.

Question 86: Secretary Haaland, how many abandoned or orphaned wells are there currently on federal lands?

Response: The DOI's most recent inventory of orphaned wells has identified nearly 16,000 wells on Federal lands.

Question 87: Secretary Haaland, what was the methodology and economic reasoning used to come up with the \$150,000 bonding requirement for an oil and gas well under the new Fluid Mineral Leases and Leasing Process rule?

Response: The \$150,000 individual lease bond will cover all operations on one Federal oil and gas lease and may cover multiple wells. As stated in the proposed Fluid Mineral Leases and Leasing Process rule, the BLM determined the \$150,000 individual lease bond based upon the rationale provided in the final rule at 88 Fed. Reg. 47,580-81 (July 24, 2023). See also the preamble to final rule at 89 Fed. Reg. 30,916, 30,937 (April 23, 2024).

Question 88: Secretary Haaland, will you commit to ensuring that the new bonding requirements under the Fluid Mineral Leases and Leasing Process rule are only for newly permitted wells and will not apply to existing wells?

Response: The increased minimum bond amounts will apply to all onshore oil and gas operations on Federal leases. The BLM declined to exempt existing operations from the increased minimum bond amounts because the BLM, the Government Accountability Office, and the Office of the Inspector General have concluded that the BLM's current bond amounts are inadequate to protect the Federal resources, as stated in the final Fluid Mineral Leases and Leasing Process rule, based upon the rationale provided in 89 Fed. Reg. 30,940 (April 23, 2024).

Question 89: Secretary Haaland, how many oil and gas lease sales have occurred in each the following states between January of 2021 and May 2, 2024? Montana, North Dakota, South Dakota, Wyoming.

Response: Between January 1, 2021, and May 2, 2024, the BLM has offered parcels: in Montana on two lease sales, in North Dakota on six lease sales, and in Wyoming on five lease sales. BLM did not offer any parcels in South Dakota.

Question 90: Secretary Haaland, the Mineral Leasing Act requires quarterly oil and gas lease sales in each state with available lands. Will there be make up sales for any missed or deferred sale?

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Response: The BLM will hold quarterly oil and gas lease sales for each state where eligible lands are available. The BLM cannot offer parcels when there are no eligible and available parcels. Parcels that were deferred for various reasons from other sales would be moved to the next available lease sale, whenever feasible.

Question 91: Secretary Haaland, will you commit to holding four oil and gas lease sales in Montana in CY2024?

Response: As required under the Mineral Leasing Act, the BLM will hold quarterly oil and gas lease sales for each state where eligible lands are available.

Question 92: Secretary Haaland, how many Applications for Permits to Drill have been approved in Montana since January 2021? How many of those were in 2023?

Response: Since January 2021, 25 Applications for Permits to Drill (APDs) have been approved in Montana. Of those 25 approved APDs since the start of 2021, 20 were approved specifically in FY 2023.

Question 93: Secretary Haaland, what is the process for individuals seeking to produce helium on Department of the Interior managed land?

Response: To produce helium on Federal onshore land, a company must enter into an agreement with the BLM for disposal of Federal helium. The Mineral Leasing Act, as amended by the Dingell Act, allows helium to be treated as if it were oil and gas so that the lessee can rely on helium production to hold an oil and gas lease. The regulations that govern helium agreements are found at 43 CFR Part 16. An existing Federal oil and gas lessee may enter into such an agreement. If the party who enters into a helium agreement is other than the Federal oil and gas lessee for particular lands, the agreement is subject to the existing rights of the Federal oil and gas lessee.

Question 94: Secretary Haaland, how many solar projects, and how many acres of land, have been permitted in the Montana/Dakotas region?

Response: The BLM currently does not have any solar projects permitted in the Montana/Dakotas region.

Question 95: Secretary Haaland, how many wind projects, and how many acres of land, have been permitted in the Montana/Dakotas region?

Response: The BLM currently does not have any wind projects permitted in the Montana/Dakotas region.

Question 96: Secretary Haaland, what is the average length of time to permit a wind project on Department of the Interior managed land?

Response: Permitting timetables for wind energy have varied since the 1970s, when the BLM authorized its first wind project. Currently, the BLM targets completion of wind energy permitting within 24 months after

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initiating public scoping for the National Environmental Policy Act (NEPA) review, consistent with requirements under the Fiscal Responsibility Act (FRA).

Question 97: Secretary Haaland, what is the average length of time to permit a solar project on Department of the Interior managed land?

Response: Permitting timetables for solar energy have varied since the 1970s when the BLM authorized its first project. Currently, the BLM targets completion of solar energy permitting within 24 months after initiating public scoping for NEPA review, which is consistent with requirements under the FRA.

Question 98: Secretary Haaland, have any pumped storage hydro projects been permitted on federal land?

Response: The Bureau of Reclamation is the largest water supplier in the United States, owning and operating 188 projects across the western states with dams, reservoirs, canals, and other distribution infrastructure. Reclamation supports the potential to develop pumped storage projects at our existing facilities. Pumped storage is an efficient means to store energy when supply exceeds demand and has been shown to be one of the most useful methods for regulating intermittent renewable generation resources, such as wind and solar. Increased energy storage provided by a pumped storage project improves grid reliability, avoids transmission congestion periods, and avoids potential interruptions in energy supply. Reclamation holds title to seven active pumped storage facilities, directly operating and maintain three of the seven. As of May 2, 2024 Reclamation, in coordination with the Federal Energy Regulatory Commission (FERC), has issued preliminary lease and/or permits to four non-federal pumped storage hydropower projects utilizing Reclamation facilities. In addition, there are 14 approved pump storage projects on federal lands managed by the BLM, and the BLM is currently processing two projects under FAST-41 authority.

Question 99: Secretary Haaland, does the Department coordinate with the Departments of Defense, Energy and State when considering permits for projects that produce critical minerals or materials?

Response: The BLM regularly coordinates with local, state, and Federal agencies (such as the U.S. Army Corp of Engineers, U.S. Fish and Wildlife Service, and U.S. Environmental Protection Agency) when permitting mining operations. These agencies frequently participate as cooperating agencies during the preparation of related NEPA analyses.

Question 100: Secretary Haaland, what factors does the Department consider when evaluating if a mineral is designated as 'critical'?

Response: Current law defines critical minerals as non-fuel minerals that are essential to the U.S. economy or national security, with a supply chain that is vulnerable to disruption, and that serve an essential function in the manufacturing of a product, the absence of which would have significant consequences for the economic or national security of the United States.

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The U.S. Geological Survey (USGS) published criteria in 2020 and 2021 outlining the factors for placing a mineral on the critical minerals list, including supply risk for a mineral (using quantitative data whenever it was available) and an evaluation of whether the supply chain had a single point of failure. When determining supply risk, the USGS considered net import reliance, level of production concentration, and whether countries supplying a mineral were reliable trading partners of the United States. More details on the underlying rationale and the specific approach, data sources, and assumptions for the 2022 list can be found at the [USGS Open-File Report 2021-1045](https://doi.org/10.3133/ofr20211045) (<https://doi.org/10.3133/ofr20211045>) and at "[Evaluating the mineral commodity supply risk of the U.S. manufacturing sector](https://doi.org/10.1126/sciadv.aay8647)" (Nassar, N.T. et al, 2020, *Science Advances* vol 6 no. 8, <https://doi.org/10.1126/sciadv.aay8647>).

The USGS is currently in the process of updating its methodology for the 2025 list. The methodology will be peer reviewed, applied to the latest data, and reviewed through an interagency process. A draft list will also be available for public comment in the Federal Register.

Question 101: Secretary Haaland, when the Department reevaluates the critical mineral list, what opportunities will there be for stakeholder input?

Response: For the 2022 list of critical minerals, the USGS provided a 62-day comment period for public input on the draft list through the Federal Register. The USGS also engages with stakeholders through industry and professional society conferences, both to provide information and to obtain input. The USGS is currently in the process of updating the methodology for the 2025 list. The methodology will be peer reviewed, applied to the latest data, and reviewed through an interagency process. Once again, the draft list will be available for public comment in the Federal Register. The USGS is also exploring additional avenues for stakeholder engagement.

Question 102: Secretary Haaland, should the United States increase or decrease its production of minerals, metals and commodities on Department of the Interior administered land?

Question 103: Secretary Haaland, should the United States increase or decrease its production of oil and gas on Department of the Interior administered land?

Question 104: Secretary Haaland, should the United States increase or decrease its production of wind power on Department of the Interior administered land?

Question 105: Secretary Haaland, should the United States increase or decrease its production of solar power on Department of the Interior administered land?

Question 106: Secretary Haaland, should the United States increase or decrease its production of helium on Department of the Interior administered land?

Question 107: Secretary Haaland, should the United States increase or decrease its development of transmission lines across Department of the Interior administered land?

Response to questions 102-107: As the steward of twenty percent of America's lands, the Department takes seriously its responsibility to manage our cultural and natural resources for the public's benefit. Since Day One of the Biden-Harris Administration, Interior has taken bold action to protect public lands, the environment and Americans' lives and futures. We are meeting the demand for responsibly sourced domestic energy and minerals to meet our climate, infrastructure, and global competitiveness goals, and our actions are conducted with strong environmental, sustainability, safety, Tribal consultation, and community engagement standards.

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Increasing domestic energy and mineral production in this way is a key component of meeting our responsibilities.

Question 108: Secretary Haaland, this week, CEQ released its final rules on amending NEPA, referred to as "NEPA 2.0." These regulations are supposed to comply with the Fiscal Responsibility Act of 2023, but the final regulations undermine the bipartisan nature of the FRA and make amendments to NEPA that would only increase the permitting burden. What role did DOI play in shaping these final regulations?

Question 109: Secretary Haaland, this week, CEQ released its final rules on amending NEPA, referred to as "NEPA 2.0." These regulations are supposed to comply with the Fiscal Responsibility Act of 2023, but the final regulations undermine the bipartisan nature of the FRA and make amendments to NEPA that would only increase the permitting burden. How will the final regulations affect current or pending projects under DOI review?

Response to Questions 108 and 109: CEQ's Bipartisan Permitting Reform Implementation Rule implements permitting efficiencies in the FRA, including setting clear deadlines for agencies to complete environmental reviews, requiring a lead agency and setting specific expectations for lead and cooperating agencies, and creating a unified and coordinated federal review process. The Department supported the CEQ-led effort and is working to incorporate tools the Rule provides to improve the efficiency and effectiveness of environmental reviews.

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Questions from Senator Bill Cassidy, M.D.

Question 1: According to a 2019 GAO report (GAO-19-410), the Department of the Interior's Office of Natural Resources Revenue (ONRR) changed in 2017. Does ONRR still have a goal to collect a defined amount through compliance functions? If ONRR has a defined amount, what is that amount and how does ONRR determine that amount annually? If ONRR no longer has a defined amount, when did ONRR dispose of that goal, and why was that goal disposed?

Response: ONRR's audit program uses the completion of assigned cases to help assess the effectiveness of its compliance work. Each year, ONRR establishes a separate completion goal for data mining cases, compliance review cases, and audit cases. In FY 2024, in response to a GAO recommendation that we establish an "accuracy" goal, ONRR began measuring and monitoring the percentage of payors subject to data mining, compliance reviews, and audits completed in a given fiscal year.

Question 2: How Has ONRR's defined compliance goal informed ONRR's budgets?

Response: ONRR is fully funded through appropriations, and compliance collections do not affect ONRR's budget.

Question 3: What is the total value of overpayments ONRR has identified during audits for each fiscal year since 2017?

Response: The following table represents overpayments identified through audits for the previous five years, from FY2019-FY2023:

CMP-2014 Overpayments				
Fiscal Year	# of unique companies	# of unique leases	# of unique DOC IDs	Royalty \$ Recouped
FY19	58	466	132	-26,165,086.94
FY20	60	516	157	-68,287,353.80
FY21	57	1310	173	-62,509,000.55
FY22	64	555	130	-22,648,017.24
FY23	63	476	124	-35,509,505.34
Information represented in the table above includes CMP-2014s for both audit and compliance review activities. The data represents unique overpayments by CMP-2014s by payor and lease for FY2019-FY2023.				
The document ID field represents the number of Payor reports ONRR has audited or reviewed and accepted into the system of record.				

Question 4: If a payor identifies an overpayment during an ONRR audit, how does ONRR account for that overpayment?

Response: If a payor discovers an overpayment on its own, the payor typically corrects the previously reported lines and reports the correction to ONRR, subject to ONRR verification for accuracy and completeness. If an overpayment is identified due to an audit, a payor may rereport or amend the reported lines during the compliance activity.

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Question 5: Are ONRR auditors incentivized to find underpayments by companies? Are any employees at ONRR given financial awards, time off awards, or any other form of compensation for identifying underpayments? What are the guidelines or policy ONRR has in place governing merit awards?

Response: ONRR does not issue awards or bonuses to employees based on dollar amounts collected through compliance efforts. If awards or bonuses to employees are provided, they are provided in accordance with Departmental personnel policy found Part 370 of the Departmental Manual, Chapter DM 451).

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COMMITTEES

ARMED SERVICES
COMMERCE, SCIENCE, AND
TRANSPORTATION
ENVIRONMENT AND
PUBLIC WORKS
VETERANS' AFFAIRS

May 2, 2024

The Honorable Deb Haaland
Secretary, U.S. Department of the Interior
1849 C Street N.W.
Washington, D.C. 20240

Dear Secretary Haaland:

I write regarding the competitive oil and gas leasing program (the Program) in the non-wilderness Coastal Plain (1002 Area) of the Arctic National Wildlife Refuge (ANWR) that was established under section 20001 of the Tax Cuts and Jobs Act (the Tax Act), and your decision to illegally cancel the leases that were awarded in 2021 pursuant to the Program. It has come to my attention that documents obtained from a Freedom of Information Act (FOIA) lawsuit raise new questions about the cancellation of those leases and the future of the 2024 sale.¹

I. BACKGROUND

In 2017, Congress provided clear approval and a mandate to the Department of the Interior (DOI) for commercial leasing, exploration, development, and production in the 1002 Area when it passed the Tax Act and established the Program as a means of improving energy security while generating revenue for the United States.² Specifically, Congress required the Secretary of the Interior, through the Bureau of Land Management (BLM), to develop and maintain an oil and gas leasing program within the 1002 Area and conduct at least two area-wide leasing sales, not less than 400,000 acres each, within seven years, with the first lease sale taking place before December 22, 2021, and the second lease sale before December 22, 2024.³ It also mandated that the Secretary of the Interior grant rights-of-way and easements necessary for the successful development of the oil and gas resources in the 1002 Area and authorizes up to 2,000 surface acres, or 0.01% of ANWR's 19.3 million acres, to be covered by production and support facilities.⁴

¹ See Press Release, Americans for Prosperity, AFP Foundation Files Suit for ANWR Lease Cancellation Documents (Oct. 31, 2023), <https://americansforprosperity.org/press-release/afp-foundation-files-suit-for-anwr-lease-sale-cancellation-documents/>.

² Pub. L. No. 115-97, tit. II, § 20001, 131 Stat. 2054 (Dec. 20, 2017).

³ *Id.* at § 20001(c) (requiring that the first lease sale occur within 4 years of the date of enactment of the TCJA and the second lease sale within 7 years of enactment).

⁴ *Id.*

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BLM moved forward with a final EIS and published the ROD for the Program in August 2020.⁵ BLM then responded to Congress' direction when it held the first lease sale on January 6, 2021, pursuant to the ROD, subsequently entering into contracts with three entities for the issuance of 10-year leases that covered nine tracts of land totaling more than 430,000 acres.⁶

It's important to note that the scope of alternatives analyzed in the 2020 final EIS ranged from a "no action alternative" to a maximum development scenario, as required by the National Environmental Policy Act (NEPA). There was and remains no other range of alternatives that could be used. Further, the 2020 ROD was vetted by multiple career attorneys within DOI's Solicitor's office. These attorneys met at least three times each week with professional staff at the BLM and Fish and Wildlife Service (FWS) offices in Alaska.

This painstaking process was done to ensure that the 2020 final EIS comported with each and every law and regulation governing DOI, including section 20001 of the Tax Act. As a United States Senator with oversight responsibilities over the very legislative language that you believe DOI "failed" to properly interpret, we can assure you that the 2020 final EIS and ROD reflect Congress' intent.

II. THE SCOPE OF THE SECRETARY'S AUTHORITY

It is particularly important to detail the scope of authority of the Secretary's authorities with respect to the Program. As discussed, section 20001 of the Tax Act explicitly requires that the Secretary conduct *at least* two lease sales in the 1002 Area, staggered over a 7-year period.⁷ Specifically, the Tax Act required that the first lease sale be held within 4 years of enactment and the second lease sale within 7 years.⁸ Yet despite this direction, BLM stated in the draft supplemental environmental impact statement (SEIS) published this fall that both must occur by December 22, 2024.⁹

BLM therefore has effectively not met its statutory obligation to conduct the first lease sale by December 22, 2021 in cancelling the leases that were issued pursuant to the first sale. BLM is consequently now behind on that schedule, and must hold two lease sales, the first of which should be held *immediately* given Congress' mandate.

More importantly, the Tax Act only provides the Secretary with the authority to "manage" the Program and "administer" it in a manner similar to that of the oil and gas leasing Program in the NPR-A.¹⁰ To that end, the Naval Petroleum Reserves Production Act of 1976

⁵ See Bureau of Land Management, et al., *Coastal Plain Oil and Gas Leasing Program Record of Decision* (Aug. 2020).

⁶ See Bureau of Land Management, *2021 Coastal Plain Lease Sale Bid Recap* (Jan. 6, 2021).

⁷ *Supra* note 2.

⁸ *Id.*

⁹ Draft Coastal Plain Oil and Gas Leasing Program Supplemental Environmental Impact Statement at § 1.3.

¹⁰ Tax Act at § 20001(b)(3).

(NPRPA), the statute governing the oil and gas leasing program in the NPR-A, only provides the Secretary with the authority to “direct or assent to the suspension of operations and production.”¹¹ The only time the NPRPA contemplates the termination of leases is under specific, limited circumstances that are beyond the control of the lessee.¹² It is clear that neither the Tax Act nor the NPRPA delegate you the authority or discretion to terminate a lease, and your actions constitute an abuse of administrative power and violate the law.

III. FOIA FINDINGS

The documents provided in response to the FOIA request shed light on DOI’s decision to cancel the leases and the variety of issues related to that decision. One email in particular demonstrates how officials in the Biden Administration, including DOI’s Office of Budget and the Office of Management and Budget (OMB), were caught off guard and confused by the absence of legal authority for DOI to cancel lease sales in ANWR:

I just saw this press release after [OMB official] Mike Hagan brought it to my attention. Can we arrange a phone call with the appropriate person(s) to discuss this announcement further, especially the ANWR piece. He wants to make sure he completely understands the decision and rationale, and their implications. For example, how was the 2021 lease sale in violation of (“not correctly interpret”) the the [sic] Tax Cut and Jobs Act of 2017? And is it just the existing leases that are not in compliance; e.g. even if these existing leases are cancelled, does BLM still have a statutory obligation under the Tax Cut and Jobs Act of 2017 to conduct a new lease sale?¹³

These officials were right to be skeptical: the Bureau of Land Management (BLM) is violating the law by cancelling the 2021 lease sale. Indeed, budget officials were also concerned by the budgetary impacts because the President’s budget “reflects ANWR revenues.”¹⁴ To date, DOI has not released any information about how ANWR revenues would have been used in the budget, nor has it provided a public estimate of the amount of lost revenue to the federal, state, local, or tribal interests from the cancellation of the lease sale.

The documents also show that there is little-to-no likelihood that DOI will hold the second lease sale required in the Tax Act. In late February 2024, BLM responded to Questions for the Record (QFR) from a September 2023 oversight hearing held by the House Natural Resources Subcommittee on Energy and Mineral Resources. In those QFRs, Chairman Bruce

¹¹ 42 U.S.C. § 6506a(k)(2).

¹² *Id.* at § 6506a(i).

¹³ Email from Bill J. Gordon, Department of the Interior Office of Budget, to Bureau of Land Management Budget Director Jessica Huffman (Sep. 6, 2023), available at <https://bit.ly/4ay1U45>.

¹⁴ *Id.*

Westerman asked if BLM would meet the deadline to conduct the 2024 ANWR lease sale as required under the Tax Act. BLM responded: “Yes, we will follow the law.”¹⁵

But another document confirms my suspicions that the Biden Administration has no plans to conduct and complete the 2024 lease sale. A document prepared for Secretary Haaland’s trip to Ottawa in September 2023, for example, acknowledges this mandate, but clearly implies that the agency has intentions to restrict possible production in the 1002 Area to the point where the lease sale will be effectively cancelled. This is especially troubling, as the Biden Administration is privately suggesting to foreign audiences that it intends to cancel the 2024 lease sale while keeping Americans—and Alaskans—in the dark:

[A]lthough we are mandated by statute to hold a second lease sale before December 2024, we have begun a new, comprehensive analysis of potential environmental impacts from the proposed program. We are working on that analysis – in consultation with several Cooperating Agencies – with the goal of completing that analysis next year.¹⁶

To my knowledge, there are little-to-no public details from the Administration regarding how DOI has carried out the referenced “comprehensive analysis,” including taking into consideration and giving weight to the Alaska Native communities most impact by DOI’s decision. Indeed, while DOI recently announced that it plans to issue the final SEIS in July, cooperating agencies, including the village of Kaktovik, the only Alaska Native community located in ANWR have yet to review that draft, and the Biden Administration has *still* not revealed the legal or regulatory authority for its actions.

For these reasons, I request written answers to the following questions by June 2, 2024:

1. How does the cancellation of the 2021 lease sale, and likely cancellation of the 2024 lease sale, affect the President’s budget now and in the future?
2. How is the cancellation of the 2021 lease sale, and likely cancellation of the 2024 lease sale, in compliance with the mandate from Congress to hold these lease sales? What federal statute does DOI believe gives it authority to not go forward with the lease sales?
3. Did DOI estimate the revenue loss to local and state governments, Alaska Native corporations, and Native Villages of cancelling the 2021 lease sale? What about if DOI cancels the 2024 lease sale?

¹⁵ Letter from Bureau of Land Management to Chairman Pete Stauber of the House Natural Resources Subcommittee on Energy and Mineral Resources (Feb. 23, 2024).

¹⁶ Email from Fish & Wildlife Service International Affairs Specialist Gilbert Castellanos to Fish & Wildlife Service officials Sara Boario, Wendy Loya, and Bobbie Jo Skibbo with proposed talking points for Interior Secretary Haaland’s trip to Ottawa, Canada (Aug. 28, 2023), available at <https://bit.ly/4aw9ydG>.

4. Does DOI, BLM, and FWS have a plan in place to quickly reinstate the 2021 leases if Congress explicitly overrides the Record of Decision or DOI loses in federal court?
5. What is the “new, comprehensive analysis of potential environmental impacts of the proposed program” in regard to the 2024 lease sale?
 - What is the legal or regulatory authority for the analysis?
 - Who are the cooperating agencies involved?
 - When will it be completed, and will it be released to the public?
6. Do you agree that section 1002(e)(2)(C) of ANILCA requires DOI to make data and information available [related to the exploration of ANWR and the location of likely oil and gas deposits, including 2D seismic, and other data] now that more than “two years [have passed] following any lease sale ...”? If so, what is the process for members of Congress or the public to obtain this information?
7. Is there any scenario where DOI, BLM, and the FWS allow the 2024 ANWR lease sale to complete and result in oil and gas development within the Coastal Plain? What factors would have to be met?

Thank you for your attention to this matter. DOI, FWS, and BLM should reverse course, follow the law, honor the 2021 lease sale, and faithfully conduct the 2024 lease sale. I look forward to your timely response.

Sincerely,



Dan Sullivan
United States Senator

CC: The Honorable Tracy Stone-Manning, *Director, Bureau of Land Management*
 The Honorable Martha Williams, *Director, Fish and Wildlife Service*
 Steve Cohn, *Alaska State Director, Bureau of Land Management*
 Sara Boario, *Alaska Regional Director, Fish and Wildlife Service*