

**THE U.S. FISH AND WILDLIFE SERVICE'S
PROPOSED FISCAL YEAR 2025 BUDGET**

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

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JUNE 12, 2024
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COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

ONE HUNDRED EIGHTEENTH CONGRESS
SECOND SESSION

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THE U.S. FISH AND WILDLIFE SERVICE'S PROPOSED FISCAL YEAR 2025 BUDGET

WEDNESDAY, JUNE 12, 2024

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

The committee met, pursuant to notice, at 10:03 a.m. in room 406, Dirksen Senate Office Building, Hon. Thomas R. Carper (chairman of the committee) presiding.

Present: Carper, Capito, Cardin, Whitehouse, Kelly, Lummis, Ricketts, Boozman.

OPENING STATEMENT OF HON. THOMAS R. CARPER, U.S. SENATOR FROM THE STATE OF DELAWARE

Senator CARPER. Good morning, everyone. The hearing will come to order.

Today, as you all know, we are here to discuss President Biden's Fiscal Year 2025 budget request for the U.S. Fish and Wildlife Service. We always appreciate the presence of Martha Williams, the Director of the Service, before our committee. Thank you for appearing today, and welcome back.

We have heard time and time again in our committee that wildlife conservation works best for people and for species when it is collaborative, when it is inclusive, when it is proactive. Director Williams leads the Service with those thoughts in mind.

The President's Fiscal Year 2025 budget request also embodies, I believe, we believe, this approach, and we look forward to hearing more about it from you today as our witness.

The President's budget request includes \$1.9 billion for the Fish and Wildlife Service. That is a 10 percent increase in funding over Fiscal Year 2024 enacted levels. One of the things we will get into in the course of our hearing is, 10 percent is not an insignificant increase, as you know, but I always like to ask, compared to what? I would like to look at the increases in the last couple of years, or the cuts in the last couple of years, that were proposed in this Administration and the previous Administration.

The increase of 10 percent, coupled with the investments that we made, in no small part from this committee room, but through the Bipartisan Infrastructure Law and through the Inflation Reduction Act, would provide the Service with the support it needs to carry out its many important missions.

Specifically, the President's proposed budget would support the Fish and Wildlife Service's work to conserve habitat, to combat climate change, to address biodiversity loss, and to maintain our na-

tional wildlife refuges, which we are all very proud of. All of these initiatives protect our planet while helping to drive our economy at the same time.

A reasonable question is, how would the President's budget support these efforts? First, the budget request includes some \$602 million for the National Wildlife Refuge System. That is, I believe, a 14 or 15 percent increase from Fiscal Year 2024's enacted levels. This funding would support habitat conservation as well as law enforcement and visitor services at over some 500 national wildlife refuges across the Country.

We have two of them in Delaware. How many does West Virginia have?

Senator CAPITO. Wildlife?

Senator CARPER. Wildlife refuges.

Senator CAPITO. Just one, I think.

Senator CARPER. Okay. Two weeks ago, I was privileged to visit one of Delaware's two national wildlife refuges called the Bombay Hook National Wildlife Refuge in the central part of our State. Imperiled species such as red knot and piping plover birds call this refuge home.

People come literally from all over the world to see these species in their natural habitat. They also come to hike, they come to bicycle, and they come to hunt in these special places. When they do, they support our local economies. I think the same is true in refuges in every one of our other 49 States.

The Administration's budget request also includes funding increases for programs focused on stemming biodiversity loss, including notable increases for Endangered Species Act planning, consultation, and recovery efforts. Why are these investments in biodiversity important? Well, for a couple of reasons.

One, our food system relies on biodiversity for pest control, for pollination, and for soil fertility. When our forests and oceans are healthy and biodiverse, they absorb more carbon dioxide, which is a good thing. We also rely on biodiverse ecosystems to provide us with clean water to drink.

For all of these reasons and for more, biodiversity loss has significant economic impacts. According to a recent report by, I believe it was J.P. Morgan, biodiversity loss costs the global economy an estimated \$20 trillion per year. When I saw that number, I had my staff double check. I said, is that trillion, with a "t"? They said, that is \$20 trillion, with a "t." That is a ton of money.

The Fiscal Year 2025 budget request also details how the Fish and Wildlife Service is implementing the Inflation Reduction Act by incorporating nature-based solutions into ecosystem restoration.

For example, the Service is working with the U.S. Department of Agriculture, with Ducks Unlimited, and with the Arkansas Game and Fish Commission to enhance more than 5,000 acres of wetlands in Arkansas, and I see we have been joined by our colleague from Arkansas. Specifically, the Service will restore the wetlands' natural ability to capture, store, and release rainwater and mitigate the effects of severe weather events.

We have seen firsthand in the first State, my State, and many other States that nature-based solutions actually do work. When Hurricane Sandy damaged the Prime Hook National Wildlife Ref-

uge in our State, the Fish and Wildlife Service restored the refuge with climate resilience in mind. Not only did this restoration effort conserve habitat and benefit endangered species, it also addressed longstanding flooding issues in a nearby community. We call that, in our State, a win-win situation. That is what we are always looking for.

Furthermore, the budget request of the President builds on our Inflation Reduction Act investments by including funding increases for programs like Partners for Fish and Wildlife and the Coastal Program. These programs are focused on improving ecosystems, as well as coastal resiliency through partnerships with States, partnerships with tribes, and partnerships with landowners.

The President's budget request complements the Bipartisan Infrastructure Law by enabling the Service to continue implementing successful programs like the National Fish Passage Program. This program funds aquatic ecosystem restoration projects while supporting local economies.

In addition to implementing the agency's own Bipartisan Infrastructure Law and Inflation Reduction Act funding, the Service is faced with an increasingly heavy workload as a result of Congress' investments in other agencies.

The Fish and Wildlife Service's role in the Federal permitting process is especially important, given the historic passage of these laws. As part of its congressionally mandated responsibilities, the Service must consult with other agencies to ensure that we are deploying the investments from the Bipartisan Infrastructure Law, as well as from the Inflation Reduction Act, and issuing permits in a way that does not jeopardize species.

However, neither the Bipartisan Infrastructure Law nor the Inflation Reduction Act included funding for the Service's responsibilities relating to permitting. In other words, Congress increased the number of environmental reviews that the Service must complete without providing the resources necessary to meet the increased workload.

Fortunately, the President's 2025 budget would provide the Service with adequate resources to improve efficiencies in the environmental review process, while also protecting species. I would just add, I think we can do both, and I believe we must do both.

As our colleagues on this committee oftentimes hear me say, we need to find out what works and do more of that. Having said that, we look forward to hearing from Director Williams today on what is working, and perhaps what is not working, and how the President's 2025 budget will support the Fish and Wildlife Service's important work.

Before we do that, I want to turn to our Ranking Member, Senator Capito, for her opening statement. Let's have a great hearing today. Thank you.

**OPENING STATEMENT OF HON. SHELLEY MOORE CAPITO,
U.S. SENATOR FROM THE STATE OF WEST VIRGINIA**

Senator CAPITO. Well, thank you, Chairman Carper, for holding today's hearing.

Welcome, again, to Director Williams. It is always great to see you and your staff. I appreciate your coming before the committee today to discuss the Fish and Wildlife budget for 2025.

In previous hearings, we have discussed my frustration that the consultation process under the Endangered Species Act has delayed critical projects in West Virginia and elsewhere. By the way, thank you for coming to West Virginia very early in your tenure. We are still very appreciative of that.

Our State department of highways has faced delays on road and bridge projects, and our State DEP (State Departments of Environmental Protection) has dealt with delays on active mining permits and on projects to remediate abandoned mine sites through the AML (Abandoned Mine Land) program.

If I sound like a broken record, I guess that is because I am. Those statements were taken from my opening statement at a hearing held around this time last year, and here we are again, seemingly in pretty close to the same position.

My staff has been meeting with your staff regularly, and I appreciate that, for 2 years now. Effective communication and timeframes on consultations have only marginally improved.

Currently, the field office has agreements with the West Virginia Department of Highways, the West Virginia Department of Environmental Protection, the U.S. Forest Service, and the Gas and Oil Association of West Virginia to fund staff positions. Not all of those positions have been filled. The office's work force is being supplemented considerably by outside groups, and that was some of the substance of our conversation 2 years ago.

State agencies in West Virginia continue to be bogged down by a back and forth with the field office on details which at times concern issues beyond the jurisdiction or expertise of your agency, in some cases, requiring project details on mines that date back to the 1950's.

In May, the West Virginia Coal Association issued a notice of intent to sue the Service for violating the 2020 Biological Opinion for the Office of Surface Mining Reclamation and Enforcement's Surface Mining Control and Reclamation Projects. That is a mouthful, there.

The 2020 Biological Opinion establishes a programmatic approach to consultation on OSMRE (Office of Surface Mining Reclamation and Enforcement) projects and outlines coordination and elevation procedures to expedite reviews and effectively resolve disputes.

According to West Virginia's notice of intent to sue, the field office has been blatantly disregarding this Biological Opinion. Specifically, the field office is not adhering to the 30-day coordination deadlines set by that 2020 document. Just a couple of months ago, the field office issued a permitting template, which was intended to expedite this application process.

However, the information required by that template goes above and beyond the requirements of the 2020 Biological Opinion and is almost to the level of information needed to complete a full formal consultation or an environmental impact statement.

Some of these projects covered by the 2020 document are as simple as ventilation holes, and yet, the field office seems unwilling to

complete the consultation until they have studied the history of the mine dating back decades and analyzed even the types of construction equipment that will be used.

West Virginia DEP is having to elevate some of these consultations as emergent just to keep the mines in the State operating.

While my State is already facing problems with ESA consultations, the Service in D.C. here is rolling back commonsense reforms that were implemented in 2019 and will make ESA implementation even more complicated. Specifically, the Service reinstated the blanket 4(d) rule, which effectively treats all threatened species as endangered.

The Service will no longer consider economic impacts when making species listing decisions. The Service removed language in its Section 7 interagency coordination process that limits reviews to “activities that are reasonably certain to occur,” which allows field offices to assess activities that are well beyond the scope of a proposed project, and the Service rescinded the definition of habitat in determining critical habitat designations.

So, I am a cosponsor of congressional Review Act resolutions led by my Senators Lummis, Ricketts, and Sullivan to overrule these three regulatory actions by the Service.

I appreciate a lot the dialog that we have had between our staff and yours over the past couple of years, but we are at another crossroads again and I look forward to learning from you what solutions we can use together to address these endless paperwork exercises and delays.

With that, I will yield back.

Senator CARPER. Great. We will have some time here today to address, I hope, all the points that you have just raised.

As you know, we have a bunch of other committees that we all serve on. Members will be coming and going. They have already begun coming and going, and others, some of them will come back and be part of this conversation today.

I am going to turn now to our witness. Martha Williams, as we all know, is currently serving our Nation as the Director of Fish and Wildlife Service. How many months now have you been in that role? How many months?

Ms. WILLIAMS. Chairman, I have not been counting, but I at least realize it has been over 3 years now.

Senator CARPER. Does it seem longer?

Ms. WILLIAMS. No, it has been remarkably amazing. It has been more wonderful than I would have expected.

Senator CARPER. Is not that great? I feel that way about what I do here. That is good.

Prior to your leadership role at the Fish and Wildlife Service, you served as the Director of the Montana Department of Fish and Wildlife and Parks. I understand you are a lifelong outdoor enthusiast and enjoy hiking, hunting, and fishing. You are pretty well cut out for this job.

Welcome back to our committee. Please proceed with your statement, and we will have some questions when you are finished.

Thanks so much for joining us.

**STATEMENT OF HON. MARTHA WILLIAMS, DIRECTOR, U.S.
FISH AND WILDLIFE SERVICE**

Ms. WILLIAMS. Good morning, Chairman Carper, Ranking Member Capito, and members of the committee. I really appreciate the opportunity to testify today on the U.S. Fish and Wildlife Service's 2025 budget request.

The President's budget for the Fish and Wildlife Service totals \$1.9 billion, an increase of \$163.4 million above the 2024 enacted level. The budget promotes strategic investments to conserve fish and wildlife species that face many stressors. It connects Americans with the outdoors, facilitates economic development, and creates good-paying jobs.

The Fish and Wildlife Service is a field-based organization that works collaboratively and creatively to meet our responsibilities. Our 9,000 dedicated employees carry out our work across eight regional offices and 800 field stations across the Country.

These biologists, refuge managers, hatchery operators, law enforcement officers, maintenance professionals, and wildland firefighters and more depend on relationships to help implement our mission in ways that respect the needs of local communities and fit the places where we work. We partner with everyone.

Although we are a relatively small agency, these many partnerships greatly increase our effectiveness and reach. Over the course of my career, and now as director, I have seen this firsthand. Just last week, I saw two examples of how the Fish and Wildlife Service is the glue to impactful partnerships built for the places where they are.

I saw our leadership working to combat aquatic invasive species in Lake Tahoe and to address grizzly bear conflict in the Blackfoot Valley in Montana. Our collaborative work in the Blackfoot, as an example, is a remarkable story of ranchers and landowners, tribes, nonprofit organizations, State and Federal agencies, and local communities coming together to find solutions that keep ranchers on their land, keep their animals safe, and simultaneously allow grizzly bears to be on the landscape, too.

I saw innovative solutions, including technology like electronic mats to keep livestock in or out, and virtual fencing to control livestock movement, and then livestock carcass management to prevent grizzlies from being attracted to the site. These actions keep ranchers ranching and conserve grizzly bears and a way of life, all in an effort to allow for thriving and connected landscapes.

Through funding from USDA and the Fish and Wildlife Service, these efforts are being scaled up across Montana and on to other States. The work of the Blackfoot Valley stands as a national model for successful collaboration. Such efforts would not be possible without the years of relationship-building and leadership of the Fish and Wildlife Service staff on the ground.

This is where we shine. Our staff bring parties together, bring them to the table, to work together to solve problems and ensure durable and lasting conservation for species, and supporting the communities in which they live. Building and sustaining partnerships like these takes people and resources.

However, over the past 20 years, due to relentless budget constraints, the Fish and Wildlife Service has had to significantly re-

duce our work force, stretching our ability to do our work safely and proactively to the point of snapping.

The Fish and Wildlife Service has consistently adapted and stretched our resources. For example, we seek reimbursable agreements to support our staffing needs because we do not have the capacity to staff each refuge as a standalone unit. We now administer units of the refuge system under what we call a complex structure to achieve management efficiencies.

When Congress, though, invests in this work, as it did under the Bipartisan Infrastructure Law, the Fish and Wildlife Service, together with our partners, has demonstrated that we can do great things for wildlife, local communities, and the economy. It has given us a chance to show just what we can achieve together.

If funded, our budget request would help restore capacity in key areas, and, as a result, provide positive impacts to people, communities, and habitat. We would maximize the budget's investments by leveraging capacity of our partners and tailoring implementation of our mission to meet the conditions and needs of local situations.

Thank you again for the opportunity to testify before you today. I would be pleased to answer any questions that you may have.

[The prepared statement of Ms. Williams follows:]

**Testimony of
Martha Williams,
Director, U.S. Fish and Wildlife Service
Department of the Interior
Before the
Senate Committee on Environment and Public Works
On
The U.S. Fish and Wildlife Service's FY 2025 Budget Request**

June 12, 2024

Introduction

Good morning, Chairman Carper, Ranking Member Capito, and Members of the Committee. I am Martha Williams, Director of the U.S. Fish and Wildlife Service (Service). I appreciate the opportunity to testify before you today on the Service's Fiscal Year (FY) 2025 budget request. The FY 2025 budget promotes strategic investments to: address the impacts of climate change on Service trust resources, conserve species and habitats, reconnect Americans with the outdoors, facilitate economic development, and create good-paying job opportunities.

The President's Budget for FY 2025 invests in America and prioritizes key conservation initiatives while following the Fiscal Responsibility Act of 2023. The President's Budget request for the Service totals \$1.9 billion, an increase of \$163.4 million above the FY 2024 enacted level.

The mission of the Service is working with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people. Meeting our mission is dependent on the Service leading with our values of collaboration, stewardship, integrity, respect, and innovation. The Service is a diverse and largely decentralized organization that works collaboratively and creatively to meet its conservation and management responsibilities. In addition to our headquarters office, the Service has eight regional offices and nearly 800 field stations. The backbone of the Service is its nearly 9,000 dedicated employees working in our regional offices and field stations across the country. The Service's headquarters office sets national policy to provide consistency and clarity, and stewards and implements most of our international conservation work, while the majority of our domestic conservation work is carried out on the ground by our regions and field stations. Our biologists, refuge managers, hatchery operators, and more build relationships at the global, regional, state, Tribal, and local level, to implement the Service's mission and carry out our statutory mandates in a way that respects local needs and fits the places where we work. The Service is a relatively small agency, but our reach is large due to the strength of our partnerships with other federal agencies, states, Tribes, foreign governments, landowners, scientists, hunters, anglers, nongovernmental organizations, industry, and the public. However, building and sustaining those partnerships takes people and resources.

Over the past twenty years the Service's capacity has eroded significantly, while at the same time costs and workloads have increased, and challenges to wildlife conservation have become more complex. In this challenging budget environment, the Service has been forced to adapt. We are

expanding our partnerships, seeking reimbursable agreements to support our staffing needs, establishing refuge complexes for management efficiencies, and establishing cross-programmatic teams to share expertise. The Service continually strives to be efficient and innovative with the resources Congress provides to us. For example, we continue to enhance our Information for Planning and Consultation (IPaC) decision support system to streamline the environmental review process. We similarly work to enhance our ePermits system to improve electronic permitting for a variety of stakeholders and the public. We have also sought good neighbor authority and stewardship contracting authority to enable the Service to partner with states, Tribes, and counties to conduct ecosystem restoration projects on Service lands. While we have found opportunities to adapt and be more efficient with the resources we have, these challenging budgets have required us to pull back on important partnerships and conservation work.

The Service's FY 2025 budget request seeks to address our needs to deliver our mission now and how to build towards the future. Through strategic investments like the Infrastructure Investment and Jobs Act, commonly referred to as the Bipartisan Infrastructure Law (BIL), the Service has shown that when given the resources to accomplish our mission, we, together with our partners, can do great things for wildlife, local communities, and the economy. If funded, the Service's FY 2025 budget request would help restore our capacity and invest in key conservation partnerships. My testimony below discusses the discretionary portion of our request in greater detail.

Ecological Services

For over 50 years, the Ecological Services Program has implemented the Endangered Species Act (ESA), our country's most important law for protecting imperiled fish, wildlife, and plants. The total request for the Ecological Services Program for FY 2025 is \$338.2 million, an increase of \$49.9 million above the FY 2024 enacted. The ESA is extraordinarily effective at preventing species from going extinct and has inspired action to collaboratively conserve at-risk species and their habitat before they need to be listed as threatened or endangered. Since it was signed into law in 1973, nearly all of the species listed under the law are still with us today and many species have recovered, been downlisted, or received the necessary conservation to not require listing.

Preventing extinction and recovering listed species has always been, and will continue to be, one of the Service's highest priorities. Through close collaboration with our federal, state, and Tribal partners, and range countries around the world, we have recovered species from the brink of extinction, restored critical habitat, and applied a balanced approach for building better natural and human communities. For example, on January 25, 2023, we celebrated the recovery and delisting of five species on the U.S. Navy-owned San Clemente Island (San Clemente Island paintbrush, lotus, larkspur, and bush-mallow plants and San Clemente Bell's sparrow). This conservation success was due to four decades of partnership between the Service and the Navy and shows how collaborative conservation can drive species recovery. The FY 2025 budget proposes \$126.4 million for recovery of threatened and endangered species, a \$15.9 million increase over the FY 2024 enacted level. This funding would allow the Service to reduce the recovery plan backlog for listed species that do not yet have recovery plans, conduct required 5-year reviews of listed species, and allow the Service to propose or finalize an estimated 25 delisting or downlisting rules. Additionally, funding would be used to catalyze and support high priority recovery actions identified in Service recovery plans for priority species.

The Service's work supports economic growth and job creation in the U.S. through timely reviews of proposed infrastructure and development projects that are consistent with statutory environmental requirements. We provide expertise and technical assistance to applicants, coordinating early whenever possible. We also continuously seek ways to innovate and improve the efficiency and effectiveness of our environmental review and permitting of projects. A clear example of this is the IPaC decision support system, a web-based application that allows federal agencies and project proponents to instantly obtain official species lists and recommended conservation measures. This system was conceived proactively by Service biologists who saw an ever-increasing consultation workload under flat and declining projected budgets. This innovative solution enabled the Service to address rising demand through greater efficiency. In the last 5 years, IPaC users generated over 115,000 documents using determination keys (DKeys), and over half required no further action on the part of the Service or the IPaC user. DKeys typically result in a final document in less than 30 minutes and all administrative logging for Service project tracking is completed automatically. This is a huge time savings and win-win for the Service, consulting federal agencies, and project proponents.

However, between 2003 and 2023, our environmental review staff decreased by 20 percent, while the number of species listed as endangered or threatened under the ESA has risen by 39 percent. This degradation of capacity has made it increasingly difficult to achieve our mission and meet the needs of federal agencies and applicants in a timely manner. To address the increasing needs for consultation in a growing economy, the Service is requesting \$146.6 million for planning and consultation, a \$28.4 million increase over the FY 2024 enacted level.

Additionally, the Service is requesting \$23.9 million for listing activities, a \$1.9 million increase over the FY 2024 enacted level. The Service is requesting \$41.2 million for conservation and restoration activities, a \$3.6 million increase over the FY 2024 enacted level. These investments will put key staff on the ground to work with partners and the public to carry out the essential mandates of the ESA and facilitate important development projects.

National Wildlife Refuge System

The mission of the National Wildlife Refuge System (Refuge System) is to administer a national network of lands and waters for the conservation, management, and restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans. The Refuge System spans all 50 States and 5 U.S. Territories, with more than 856 million acres of lands and waters, and includes 571 national wildlife refuges, 38 wetland management districts, 48 coordination areas, seven National Monuments, and 760 million acres in Marine National Monuments. In addition to conservation, the Refuge System delivers outdoor recreation and economic benefits to local communities. According to the Service's 2017 Banking on Nature report, the economic impact on local communities from recreation visits totaled \$3.2 billion, and the Refuge System generates \$1.1 billion in job income and over 41,000 jobs nationally.

In FY 2023, the Refuge System hosted a record-breaking 67 million visits to national wildlife refuges, an increase of 46.6 percent since FY 2011. This shows the growing importance of our

national wildlife refuges to the public. Without adequate staffing, our ability to safely manage and welcome visitors is strained. To begin to address this capacity need as well as on-the-ground conservation and public engagement, the Service is requesting a total of \$602.3 million for the Refuge System, \$75.3 million above the FY 2024 enacted level. This requested additional funding will position the Refuge System to meet expected increased demands for access, visitation, and ecological functioning.

At current funding levels, the Service maintains 125 visitor facilities, most of which are wholly volunteer-operated, have limited hours of operation, or are staffed by administrative officers or refuge managers as collateral duties. The FY 2025 budget request includes \$93.6 million for visitor services, an increase of \$17.6 million over the FY 2024 enacted level. The majority of this funding would be used to ensure safer operations at existing facilities and contribute to rebuilding the visitor services workforce, focusing on entry-level positions to greet visitors, teach students, engage communities, and coordinate volunteer programs.

Similarly, the Department of the Interior's (Department) Law Enforcement Task Force found that Refuge System law enforcement has had a 28 percent reduction from its 15-year high officer base, the highest of all the Department's bureaus. To address this need, the Service's FY 2025 budget request includes \$63.4 million for Refuge System law enforcement, an increase of \$17.9 million over the FY 2024 enacted level. This funding would enable the Service to hire an additional 48 officers, bringing the Service closer to the International Association of Chiefs of Police recommended minimum number of officers and enhancing the protection of the Refuge System and its visitors. It would also support additional needs of Refuge System Law Enforcement.

The number of units in the Refuge System has increased over the past ten years, changing staffing and expertise needed to fulfill the Service's stewardship responsibilities. The Service's FY 2025 budget request includes \$280.4 million for wildlife and habitat management on the Refuge System, an increase of \$25.7 million over the FY 2024 enacted level. This funding would enable the Service to fill vacancies in the Refuge System that support scientific studies, habitat restoration and management, landscape conservation, and climate resiliency, as well as implementation of the National Seed Strategy, subsistence management and Tribal co-stewardship.

The Refuge System maintains over 44,000 assets representing over \$58 billion in public investments, including 6,400 buildings, 17,500 roads, bridges, and trails, 8,700 water management structures, and 11,400 other real property assets. A robust maintenance workforce is required for responsible rehabilitation, maintenance, and construction of Service infrastructure. The FY 2025 budget requests \$160.1 million for Refuge System maintenance, an increase of \$12.1 million over the FY 2024 enacted level. This additional funding would be used to build capacity in our infrastructure workforce and address deferred maintenance as well as annual maintenance needs across the Refuge System.

Additionally, the Service's FY 2025 budget request includes \$68.1 million for the Partners for Fish and Wildlife (Partners) Program, a \$9.1 million increase over the FY 2024 enacted level. This voluntary, community-based program supports important conservation initiatives for

wildlife and habitat on private lands. The program is emblematic of how the Service carries out its mission through on-the-ground implementation that leverages the capabilities of partners and is tailored to fit the needs and aspects of the local community. Since inception, the program has restored more than 7 million acres of habitat while leveraging program funding with partner contributions at a ratio of greater than 4:1. The Partners Program also yields significant economic benefits for local communities. The Service's 2017 report titled "Restoration Returns: The Contribution of Partners for Fish and Wildlife Program and Coastal Program Restoration Projects to Local U.S. Economies" found that every dollar the Partners for Fish and Wildlife Program invested in a project creates \$6.15 in local economic returns. Additionally, a recent report developed by the Jobs Through Restoration and Resilience Sub-Team of the Service's National America the Beautiful Team identified that every \$1.0 million in FY 2022 spending under the Partners for Fish and Wildlife Program supported 12.28 jobs.

Migratory Birds

The Migratory Bird Program is the premier federal leader in migratory bird conservation and manages birds in the U.S. and internationally through effective partnerships, applied science, and innovative strategies. Migratory birds provide significant benefits to our ecosystems and economy. They pollinate, control pests, and support recreational opportunities. The 2022 *National Survey of Fishing, Hunting, and Wildlife Associated Recreation Report* estimated that the 2.8 million migratory bird hunters and 96 million bird watchers in the U.S. spent billions of dollars participating in these activities.

However, migratory birds are experiencing significant population declines. In 2019, a report published in *Science* found that 3 billion breeding birds have been lost since 1970 in North America. Habitat loss, invasive species, climate change, disease and human-caused mortality are among the leading drivers for bird declines. The mission of the Migratory Bird Program is as relevant and important today as it was at the inception of the Service: to ensure a legacy of healthy bird populations for the American people. The Service's FY 2025 budget request includes a total of \$73.1 million for the Migratory Bird Program, a \$19.9 million increase over the FY 2024 enacted level.

The Migratory Bird Program provides expertise in the conservation and management of over 1,100 species protected under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (Eagle Act) and 269 species included in the Birds of Conservation Concern. Migratory Bird Program staff develop decision-support tools and guidance for energy, infrastructure, and other development projects to avoid and minimize impacts to migratory birds. They also provide technical assistance and implement bird conservation partnerships under Partners in Flight and the U.S. Shorebird Conservation Partnership.

The Migratory Bird Program is also responsible for the continental-wide monitoring of migratory bird species, including waterfowl banding, aerial population surveys, and hunter harvest surveys. The Service's six-decade history of migratory bird monitoring data provides a unique perspective on shifting bird distributions and habitat conditions across North America over time. These rich datasets allow the Service to evaluate population shifts, migration chronology, and productivity, and prioritize land acquisition for the Refuge System and population goals for the North

American Waterfowl Management Plan. Additionally, this data is used to set and evaluate migratory bird hunting seasons.

Each year the Service conducts extensive migratory game bird surveys and bird banding programs across North America that provide valuable information about bird population, harvest, and habitat. Results from these surveys provide the foundation for the establishment of annual hunting seasons for migratory game birds. The Service is struggling to maintain its critical role in monitoring migratory game bird species abundance and establishing annual hunting regulations due to funding and workforce constraints. The Service's FY 2025 budget request includes \$40.9 million for conservation and monitoring, a \$10.5 million increase over the FY 2024 enacted level. A portion of this funding will address capacity gaps and allow the Service to pursue enhancements and efficiencies in its monitoring activities and current harvest management processes. This increase will also provide targeted investments in partner engagement, monitoring, technical assistance, conservation planning, on-the-ground conservation delivery, and promoting bird-friendly practices.

The Service's FY 2025 budget request also includes \$13.4 million for migratory birds permitting, an increase of \$8.0 million over the FY 2024 enacted level. With increasing infrastructure and energy development, the Service has also seen a rise in workload related to permitting reviews under the MBTA and Eagle Act. This funding increase would support capacity for migratory birds permitting staff, including in the Service's regional offices. The FY 2025 budget request also includes \$1.1 million for the Federal Duck Stamp Program, an increase of \$547,000 over the FY 2024 enacted level. A portion of this increase would be used to implement the new mandates of the Duck Stamp Modernization Act of 2023, recently enacted by Congress.

Additionally, the Service's FY 2025 budget request includes \$17.6 million for the North American Waterfowl Management Plan and Migratory Bird Joint Ventures (JVs), an increase of \$828,000 over the FY 2024 enacted level. JVs are another example of the Service creating partnerships to further our mission in a way that fits regional needs on behalf of the American people. Each JV is a network of regional, self-directed partnerships involving federal, state, and local governments; corporations; individuals; and non-governmental organizations. JVs are a model for collaborative conservation in the 21st century, using state-of-the-art science and public and private resources to ensure diverse habitat is available to sustain migratory bird populations. The increased funding would achieve target funding levels for all 21 JVs across the country.

Fish and Aquatic Conservation

The world's rivers and lakes once teemed with abundant and diverse communities of fish, invertebrates, and plants. However, aquatic species now represent some of the most imperiled organisms on the planet. Increasing impacts from habitat loss, fragmentation, aquatic invasive species, pollution, and climate change threaten America's freshwater ecosystems and native fish populations, which provide important benefits to communities, local economies, and the broader environment. The Service's Fish and Aquatic Conservation Program addresses these challenges by collaborating with states, Tribes, landowners, federal agencies, and other partners to conserve aquatic species and ecosystems. This includes conservation work through our National Fish

Hatchery System (Hatchery System), population assessments, habitat restoration and connectivity, and aquatic invasive species control. As the threats to freshwater ecosystems and native fish species have increased and changed, so must our tools, expertise, partnerships, and strategies. For FY 2025, the Service is seeking to increase and enhance actions to conserve native aquatic species and their habitats with a total request of \$239.3 million for the Fish and Aquatic Conservation Program, an increase of \$12.6 million above the FY 2024 enacted level.

The work of the Fish and Aquatic Conservation Program not only benefits aquatic ecosystems, it also creates and maintains outdoor recreation opportunities, yielding benefits for local economies. Fishing and other aquatic-based recreational opportunities are multi-cultural, multi-generational experiences that improve the quality of life for American families from all facets of our diverse society, and generate substantial economic returns for local communities. The *2022 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation* reports nearly 40 million anglers, age 16 or older, went fishing in 2022, spending a combined \$99.4 billion, with the average angler spending \$2,490 per year. And according to the Recreational Boating and Fishing Foundation's special report on fishing activities, roughly 54.5 million Americans went fishing in 2023.

For over 150 years, the Hatchery System has served communities across the U.S. Today, the Hatchery System consists of 71 National Fish Hatcheries, one historic National Fish Hatchery, six Fish Health Centers (Health Centers), seven Fish Technology Centers (Tech Centers), and the Aquatic Animal Drug Approval Partnership Program. The Service's captive rearing facilities produce over 150 million fish and other aquatic organisms each year to aid in the recovery of threatened and endangered species, restore imperiled species, mitigate the impact of federal water development projects on fish populations, meet Tribal trust responsibilities, and enhance recreational and commercial fishing opportunities. The Service's FY 2025 budget request includes \$80.3 million for fish hatchery operations, an increase of \$5.2 million over the FY 2024 enacted level. This funding will focus on propagating fish and other aquatic species to carry out Tribal trust responsibilities and sustain wild populations, including actions to help prevent the further decline of at-risk species and reduce the need for listings under the ESA. The FY 2025 request also includes \$31.6 million for Hatchery System maintenance, a \$7 million increase over the FY 2024 enacted level. This funding would help address the annual and deferred maintenance needs of the Hatchery System.

Across the nation, millions of barriers to fish passage and aquatic connectivity have compromised the ability of waterways to sustain healthy fish populations and ecosystems. Barriers like old culverts, dams, and levees, can also lead to public safety hazards, water quality degradation, and higher water treatment costs. Utilizing its national network of fish biologists and engineers, the Service works with partners to restore natural flows to streams, rivers, floodplains, and tidal areas, restore riparian areas and wetlands, remove barriers to fish passage and aquatic connectivity, and improve water quality. The investments in this work will pay valuable benefits far into the future as natural systems improve in health year after year once aquatic connectivity is restored.

This is another example of the Service working on the ground to deliver our conservation mission on behalf of the American people, in ways that fit the local circumstances. In addition to

the lasting benefits to fish and wildlife, the Service's work to restore degraded habitats benefits local communities through development of more resilient infrastructure, reduced public safety hazards, and improved recreational opportunities. The Service's FY 2025 budget request includes \$18.6 million for fish passage improvements, an increase of \$3.6 million over the FY 2024 enacted level. The Service will also continue to implement BIL funding for fish passage in FY 2025, building on our success and collaborative work with partners on priority projects.

Invasive species are a significant threat to human, animal, and plant health, infrastructure, the economy, and cultural resources. The Service plays a critical role in safeguarding the Nation's waters from aquatic invasive species by preventing introduction, detecting and responding to new invasions, and suppressing populations of existing invasive plants and animals. In FY 2025, the Service will prioritize prevention efforts, which are the most cost-effective strategy to minimize the long-term risk and impacts of invasive species. The FY 2025 budget request includes \$10.4 million for prevention, an increase of \$7.7 million over the FY 2024 enacted level. Funding would be used to establish a pilot Aquatic Invasive Species Rapid Response Fund and to build capacity in the Fish and Aquatic Conservation Program to conduct early detection surveillance within invasion hotspots and points of entry into the U.S. as part of a nationally coordinated Early Detection and Rapid Response Framework developed under BIL.

Science Applications

The Science Applications Program works across the Service's programs and with partners to addresses complex conservation challenges through voluntary, landscape-level partnerships and the innovative application of science and data management. The Service's FY 2025 request includes a total of \$37.9 million for the Science Applications Program, an increase of \$4.1 million over the FY 2024 enacted level.

Collaborative conservation is among the most effective methods to meet the enormous and diverse conservation challenges facing our nation. For more than a decade, the Service's Science Applications' Science Partnerships program has built trust with partners, successfully fostering regional, national, and international collaborations to identify shared conservation goals and deliver conservation actions. For example, the Science Partnerships program plays a central leadership, collaboration, and technical assistance role for the Center for Pollinator Conservation, which is conducting pollinator inventory and monitoring with the Refuge System and milkweed distribution analysis with the Monarch Joint Venture. Science Partnerships is also supporting implementation of the 2023 memorandum of understanding between the Service, National Alliance of Forest Owners, and National Council for Air and Stream Improvement through collaborative science and technical project management. The Service's FY 2025 budget request includes \$27.3 million for Science Partnerships, an increase of \$2.3 million over the FY 2024 enacted level. This funding would be used to further support partnership conservation initiatives and build capacity, including for data managers and geospatial mapping technicians to better incorporate information in collaboration with our partners.

Office of Law Enforcement

There is a significant amount of trade involving wildlife that occurs globally and within our nation's borders. The legal trade of wildlife into and out of the U.S. alone is valued at several billion dollars a year. This trade provides great benefits to Americans, but the high market value for wildlife creates incentives for bad actors to circumvent wildlife laws for ill-gotten financial gain. The Office of Law Enforcement is the investigative arm of the Service tasked with enforcing our wildlife laws. Our special agents, attachés, wildlife inspectors, intelligence analysts, forensic scientists, and other staff serve on the front lines to regulate the wildlife trade, investigate wildlife crimes, prevent the introduction of invasive species, and partner with international, Tribal, federal, and state counterparts to conserve and protect wildlife resources. The Service's FY 2025 budget request includes a total of \$110.8 million for the Office of Law Enforcement, a \$18.9 million increase over the FY 2024 level.

The ever-changing nature and growing complexity of wildlife crime has required the Office of Law Enforcement to adapt, develop innovative techniques, and expand our partnerships and our presence across the globe. Many wildlife crimes were once predominantly crimes of opportunity committed by individuals or small groups. Today, wildlife trafficking is largely carried out by transnational criminal organizations that are sophisticated, violent, and capable of illegally moving large commercial volumes of wildlife and laundering its proceeds. These transnational criminal organizations also traffic in people, weapons, narcotics, and other contraband.

In addition to our domestic special agents, the Service also has 11 personnel (10 attachés and one intelligence analyst) stationed internationally. Our attachés partner with foreign governments, share and coordinate intelligence, support and assist with investigations, and provide training. The Service also manages the National Fish and Wildlife Forensics Laboratory, the world's only full-service crime laboratory devoted exclusively to supporting wildlife law enforcement. Additionally, the Service manages the Digital Evidence Recovery and Technical Support Unit, which supports the retrieval and analysis of computer-based records and advanced digital surveillance techniques, which is critical as wildlife crime has moved increasingly online. The Service's domestic agents, attachés, intelligence analysts, forensic scientists, and inspection teams work together to combat the illegal wildlife trade. In FY 2023, the Service conducted over 9,600 wildlife crime investigations, which resulted in ordered restitution of \$1.9 million in fines, \$1.0 million in civil penalties, 64 years in prison, and 222 years of probation. Wildlife trafficking remains a serious threat to conservation, national security, economic prosperity, global health, and community stability. The Service's FY 2025 budget request includes an increase of \$8.9 million over the FY 2024 enacted level to support, equip, and expand the capacity of our law enforcement workforce and to implement the Department's Law Enforcement Task Force priorities.

The U.S. remains one of the world's largest markets for wildlife and wildlife products, both legal and illegal. The Service's Wildlife Inspection Program is based at U.S. ports of entry and monitors the wildlife trade, processes legal shipments, intercepts wildlife contraband, prevents the introduction of invasive species, and works with special agents to support wildlife trafficking investigations. In FY 2023, the Service's wildlife inspectors processed nearly 175,000 declared wildlife shipments and facilitated legal trade valued at over \$4.6 billion. The Wildlife Inspection Program faces a critical juncture as international wildlife trade expands in complexity, and responsibilities have evolved beyond facilitating legal imports and exports. Funding for the Service's wildlife inspectors is based on user fees, which have not increased since 2012. The

Service's FY 2025 budget request includes an increase of \$10.0 million over the FY 2024 enacted level to support the Wildlife Inspection Program. This increase would enable the Service to modernize technology to enhance risk analysis and inspection efficiency, increase special operations nationally to target high-risk trade routes, bolster biosafety measures, increase capacity at ports of entry, and strategically deploy K9 interdiction teams.

International Affairs

Global biodiversity faces ever-growing and evolving threats, including climate change, wildlife trafficking, rapid habitat loss, and disease, which are pushing species to extinction and threatening human well-being in many parts of the world. The Service has engaged in international conservation for more than a century, starting with the 1916 Migratory Bird Treaty with Canada. The Service's International Affairs Program has a long history of implementing global treaties and agreements, diplomatic engagement with foreign nations, collaborating with global partners to implement on-the-ground conservation, and supporting research and trainings abroad. The work of the International Affairs Program is critical to stemming global biodiversity loss and conserving some of the world's most iconic wildlife species, including African and Asian elephants, tigers, rhinoceros, great apes, sea turtles, scarlet macaws, and cheetahs. The Service's FY 2025 budget request includes \$24.0 million for the International Affairs Program, an increase of \$2.9 million over the FY 2024 enacted level. The Service is also requesting to move funding for the ePermits system into its own line to reflect the cross-bureau nature of that effort.

For over 50 years, the Service's International Affairs Program has served as the implementing body for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) through the Divisions of Management and Scientific Authorities. CITES provides a global framework to ensure scientific integrity and international cooperation to facilitate legal, sustainable trade of the over 37,000 species listed in the CITES Appendices, and to combat wildlife trafficking. The International Affairs Program implements CITES by leading U.S. engagement at CITES meetings, ensuring that U.S. exports and imports comply with CITES requirements, and supporting CITES capacity-building efforts around the world. The Service's FY 2025 budget request would support the Service's preparations for the 20th meeting of the Conference of the Parties to CITES, which will take place in mid-2025. It will also help address the Service's CITES permit workload through greater efficiencies.

The Service's International Affairs Program also implements the Pelly Amendment to the Fishermen's Protective Act (Pelly), which authorizes the President to prohibit import of products from nations whose nationals are determined by the Secretary of the Interior or Commerce to be engaging in trade or take that undermines the effectiveness of any international treaty or convention for the protection of endangered or threatened species. In 2023, the Secretary of the Interior, in consultation with the Department of State, issued two Pelly certifications to the President, finding that nationals of Mexico and the People's Republic of China (PRC), directly or indirectly, engaged in harvest or trade that diminishes the effectiveness of CITES. In Mexico, the concern is illegal fishing for and illegal trade in the totoaba, which is causing the imminent extinction of the vaquita, the world's smallest and most endangered marine mammal, with fewer than 10 individuals remaining. In the PRC, the concern is the illegal trade in pangolins, the most

trafficked mammal in the world. The Service's FY 2025 budget request would support implementation of Pelly, including ongoing efforts regarding the certifications of Mexico and the PRC.

The International Affairs Program supports on-the-ground conservation for priority species and habitats across the globe, including through the Multinational Species Conservation Funds (Species Funds). The Species Funds support strategic on-the-ground conservation projects for African elephants, Asian elephants, rhinoceros, tigers, great apes, marine turtles, and freshwater turtles and tortoises. From 2015 to 2022, the Species Funds provided \$92.5 million in grants and cooperative agreements and leveraged nearly \$200 million in additional funds towards conserving these species. The Service's FY 2025 budget request also includes \$21.0 million for the Species Funds, a \$500,000 increase over the FY 2024 enacted level. This increase would enable the Service to support additional conservation needs for priority species and their habitats.

Legislative Proposals

The Service's FY 2025 budget request includes a legislative proposal to provide the Service with good neighbor and stewardship contracting authorities. The good neighbor authority allows states, counties, and Tribes to enter into a Good Neighbor Agreement to perform forest, rangeland, and watershed restoration work on Service lands. Authorized restoration services include treating insect- and disease-infested trees, reducing hazardous fuels, and any other activities to restore or improve ecosystem health, including fish and wildlife habitat. Stewardship contracting authority will allow the Service to trade forest products for land management and ecosystem restoration services. While the Service was provided good neighbor authority in the Consolidated Appropriations Act of 2024, we would appreciate the opportunity to continue working with the Chairman and Committee on further technical assistance to meet the needs of the Service and provide stewardship contracting authority as well.

The FY 2025 budget request also includes a legislative proposal to allow persons responsible for harm to Service assets—not taxpayers—to pay for any injury they cause. Under current law, when Service resources are injured or destroyed, the costs of repair and restoration falls upon the appropriated budget for the affected field station or office. This is the case even when parties are ordered to pay restitution. Unlike some other land management agencies, the Service only has criminal penalties (fines) for those injuries occurring on Service property. In most cases, the injuries far exceed any fines recovered by the U.S. Government. With this authority, the recovery of damages for injury to Service resources would be used to reimburse assessment costs, prevent or minimize the risk of loss, monitor ongoing effects, and/or use those funds to restore, replace, or acquire resources equivalent to those injured or destroyed.

The Service's FY 2025 budget request also supports revising administrative amounts for both the North American Wetlands Conservation Act (NAWCA) and Neotropical Migratory Bird Conservation Act (NMBCA) to better keep pace with administrative needs. For NAWCA, this would mean increasing the administrative cap from four percent to seven percent to address increased administrative requirements and help our partners address threats to wetland dependent species and recover populations. For NMBCA, this would mean increasing the administrative cap from three percent to five percent and further lower match requirements passed in the

Migratory Birds of the Americas Conservation Enhancements Act of 2023 from 2:1 to 1:1 to encourage a wider variety of bird conservation partners.

The FY 2025 budget request also includes a proposal to grant authority for federal agencies to transfer funding provided under BIL to the Service to meet the consultation and environmental review workload for BIL projects. The Service appreciates Congress' inclusion of this authority in the Consolidated Appropriations Act of 2024. The Service is currently working to implement this newly provided authority.

Conclusion

The Service's FY 2025 budget request invests in America and prioritizes key conservation initiatives while following the Fiscal Responsibility Act of 2023. The Service strives to be efficient and innovative with the limited resources we have. However, over the past twenty years the Service's capacity has declined, while costs and workloads have increased, and wildlife conservation challenges have become more complex. The Service is in a moment where our decreased capacity is eroding our on-the ground conservation efforts.

If funded, the Service's FY 2025 budget request would help restore our capacity and invest in key conservation partnerships. The Service would maximize the budget's investments by building upon our experience in developing partnerships, leveraging the capacity of our partners, and tailoring the implementation of our mission to meet the conditions and needs of local situations.

Thank you again for the opportunity to testify before you today. I would be pleased to answer any questions that you may have.

Senator CARPER. Great. Well, thanks for joining us, again, today.

I am going to go back to what I said in my opening statement. I think what I said is that the President's budget request includes \$1.9 billion for the Fish and Wildlife Service. That is a 10 percent increase in funding over, I think, over what was funded for the current year, 2024.

I oftentimes say, compared to what, when I am talking with folks, including in this room with our witnesses. Ten percent compared to what? Through the years before that, the decade before that? Give us some ideas, so we will have some sense of reference.

Ms. WILLIAMS. Chairman Carper, thank you for that question. We have put, I have put a lot of thought into this question for numerous reasons. These are, it is compared to the 2024 enacted level, but when we look back over the last decade, the capacity within the Fish and Wildlife Service has continued to decrease by 20 percent.

So as we think about rebuilding and being able to meet our statutory obligations plus being able to do the proactive work so that, for example, species do not have to be listed, so that we can be more efficient in our Section 7 consultation, we are thinking about, how do we build for the future in an efficient manner.

So we are not just looking back to the last 10 years where we had larger capacity and saying we want it to be just like that. Instead, what we are thinking about is, how do we build from what we have now? How do we get through these lean years, first, and then how do we build going forward that meets the needs of today?

Senator CARPER. I am going to ask you in a separate question for the record, I want to make sure that I am comparing apples to apples. The 10 percent increase being requested, I want to be able to compare that apple to what has gone on in recent years. That will be a question for the record.

My next questions deal with Endangered Species Act consultation and permitting. The Fiscal Year 2025 budget request includes about \$147 million to increase environmental permitting capacity, which would be an increase of some \$28 million. The Fish and Wildlife Service issues, as you know, a variety of permits under its wildlife protection statutes, but I want to focus today specifically on Endangered Species Act consultation.

Consultation, as you know, is one of the Fish and Wildlife Service's most important responsibilities, but I find that a lot of people do not really know what consultation means or why it is essential to the Service's mission.

My question is this: would you spend a minute or two explaining for us what consultation means when the Service does it, and how it protects species?

Ms. WILLIAMS. Thank you for that question, Chairman Carper. I think back on the Endangered Species Act, and many people focus on Section 4 under the Endangered Species Act, and that is listing or the delisting process. The real heart of the Endangered Species Act is Section 7, that when Congress passed the Endangered Species Act, they set out Section 7 specifically to provide a means to conserve the ecosystems upon which endangered and threatened species depend.

There are two parts to Section 7 under the Endangered Species Act: one that directs all Federal agencies to participate in conserving these species, so this is not just up to National Marine Fisheries Service and the Fish and Wildlife Service, it is up to all of government.

The second part of Section 7 of the Endangered Species Act specifically says that when a Federal agency takes an action they must ensure that their activities are not likely to jeopardize the continued existence of threatened or endangered species.

So that is what triggers what we call Section 7 consultation. It is that requirement that Federal agencies need to make sure any act they undertake or permit or fund do not jeopardize these species. That is what sends in motion the consultation process with the Fish and Wildlife Service.

Senator CARPER. Thank you for that response. I am going to yield to Senator Capito, and then I am going to come back and followup this line of questioning. Thank you.

Senator Capito?

Senator CAPITO. Great, thank you. I want to talk about the field office in West Virginia unexpectedly determined that a formal consultation was necessary for the Roaring Run Bridge project, which is part of the Corridor H project, but there is an issue here. I think you are aware of it.

In order to ensure that Federal funding can still be spent on this project this year, this consultation needs to be completed by July. The field office and the regional staff, including Director Weber, have committed to making this a top priority. I have been told that the Department of Highways and the field office had a very productive meeting last week.

Director Williams, I am just asking if you would commit to making this a priority, because if we do not get this done by July, it is going to be another year off.

Ms. WILLIAMS. Ranking Member Capito, absolutely. I will make it a priority, and I understand that our West Virginia Field Office just received the Biological Assessment from the West Virginia Department of Transportation for Roaring Run, and that they indeed are in line to turn it around by the end of July.

I would love to add just a deep appreciation for your engagement on this issue and your staff and meeting with Wendi Weber and all of us to really find a path forward where the Fish and Wildlife Service is not the bottleneck to these projects. We want to help them go forward.

Senator CAPITO. Thank you.

So, it has been 2 years since we came. We met with the DEP and DOH (Department of Health) and some other people, and then, I want to give you a chance to respond to my opening statement where I said that the Coal Association is intending to sue because the field office is in, they believe, violation of the 2020 Biological Opinion.

We are restarting consultation on 880 mining permits with seemingly no plan to handle the workload. DEP is experiencing months of back-and-forth on the protection enhancement plans that ultimately required no substantive changes, and DOH has just decided

to go to formal consultations, because the back and forth is taking too long.

How do we resolve these challenges? We still need to, I think, work on improvement. What are we going to do about all these permits that are going to have to be re-looked at, as I mentioned in my opening statement, asking for information that goes well beyond what has been asked for in the past?

Ms. WILLIAMS. Ranking Member Capito, I wish I had an easy one sentence answer to that, but I can speak to how we are trying to address this challenge and get beyond it.

First off, as we recognize, we have had a 23 percent reduction in staff regarding consultations. We have had over, thank you to the Investment and Infrastructure, we have more and more projects coming our way than we have ever had before, let alone the OSMRE, these restarting these 880 permits.

We have had a decrease in staff and increase in consultations. We have thought about it in a number of ways. We are, first off, we have developed this innovative online system to kick out those projects that do not even need further discussion or consultation.

Senator CAPITO. Is that working now?

Ms. WILLIAMS. That is working now, and is only improving. Fifty percent of the permits that are coming through that system are based in West Virginia, so it is working now.

Senator CAPITO. Is that of the 880 permits?

Ms. WILLIAMS. That is not of the OSMRE permits.

Senator CAPITO. That is a separate thing.

Ms. WILLIAMS. I can speak to, first, if I can pull back and talk about how we are trying to address Section 7 consultations, where we have had a decrease in capacity. We are requesting more capacity. Thank you for your leadership and others in the transfer authorities, so we can be bringing in, as we have in the West Virginia Field Office, more staff.

We have to do it more quickly. We have to be thinking forward and be prepared for the permits as they come in. We are being more efficient now in weeding out those projects that do not need formal consultation. We have had over 11,000 informal consultations, 1,000 formal consultations.

We are just trying to, one step at a time, be more efficient and pay attention and move our resources to where we have those formal consultations.

With that said, for the 880 permits from the litigation with OSMRE and the Biological Opinion, we are working diligently with our sister bureau, OSMRE. Wendi Weber is in constant contact with them, and as you mentioned, we had first had this template. We are working on a better template. I am very interested in following up on where you think we have gone too far, and we can address those issues. I hope I am answering your question and the big picture.

Senator CAPITO. You are answering the question, but as I stated in my opening statement, DOH, the Gas and Oil Association in West Virginia, DEP, recognizing that there is a capacity issue here, has funded into that office positions that have not been filled. If the argument is, we do not have the people to do this processing, and

you are given the money to do the processing, but you are not hiring the people.

Ms. WILLIAMS. I can understand that frustration, Senator Capito, but it does not all have, you know, had we been able to look ahead for the increase in projects coming through the Bipartisan Infrastructure Law, had we had the money and the capacity, we could have built up ahead of time.

Senator CAPITO. Did you get any extra money?

Ms. WILLIAMS. Instead, we are on our back foot, and yes, we are in the process of hiring those people, and we are very grateful for the opportunity to.

Senator CAPITO. Did you get, in any of the FRAN, the IRA, or the IJJA, did Fish and Wildlife get any additional moneys in any of those?

Ms. WILLIAMS. Not to cover this.

Senator CAPITO. No, wait a minute. That is not my question. Did Fish and Wildlife get any additional dollars in these three bills, as a whole?

Ms. WILLIAMS. Absolutely, we got that money, but we did not get that money to put toward the capacity and the consultation positions. That is a very good question, because it gets to the very heart of the challenge, is that the money that we got, which is terrific, was not, we were not always able to put it into the permanent staff to get these projects going.

Senator CAPITO. Was some of that money for Section 7 consultation? Am I saying that right? Is it Section 7? It has a seven in it.

Ms. WILLIAMS. Senator Capito, I do not believe that any of that money was specifically to Section 7, but I would like to get back to you on that, because this has been the challenge we shared in the past 3 years.

Senator CAPITO. Thank you.

Senator CARPER. Thank you, Senator Capito.

We have been joined by Senator Ricketts, faithful in attendance. It is great to see you. How are you today? Welcome.

Senator RICKETTS. I am doing great, thank you, Mr. Chairman, and thank you, Ranking Member Capito, for holding this hearing today.

Thank you, Director Williams, for joining us. I want, again, to say thank you for the work that Fish and Wildlife has done on the Platte River recovery and implementation plan. We discussed this yesterday. This innovative and collaborative approach to the program has provided great benefits for the species along the Platte River while recognizing the value of public-private partnerships. Again, as we talked about yesterday, I think that was a great program to highlight for Fish and Wildlife.

Also, though, as we discussed yesterday, I have serious concerns about the steps your agency has taken to backtrack on some of this commonsense regulatory reform that was taken by the former Administration. Specifically, I want to address the changes made surrounding critical habitat designation.

The 2019 reforms updated the process to require areas where threatened or endangered species are present to be evaluated before unoccupied habitat can be considered critical. These reforms set a higher bar for agencies to designate unoccupied areas as crit-

ical habitat by requiring that unoccupied habitat contain one or more of the features required for a species' recovery.

Your agency is reversing this commonsense regulation. Potentially, your agency's final rule restricts the sharing of economic impact data, which does not align with the principles of transparency and informed public participation in the rulemaking process, and of course, this Administration originally said it would be the most transparent in history. It has turned out not to be true.

Critical habitat designation can carry major economic consequences for landowners and project developers. Landowners are not compensated for the lost value, and critical habitat designation causes significant job losses.

My friends in the west vividly remember the 1990 listing of the northern spotted owl, and the nine million acres of critical habitat that caused the loss of 32,000 timber jobs. These were good paying jobs in small communities, which had to be supported by Federal dollars to keep their school systems open following this designation.

As you are aware, I am leading a congressional Review Act along with my colleagues, Senator Lummis and Senator Sullivan, to overturn this rulemaking. I appreciate my Republican colleagues' support in overturning this overreach.

Director Williams, following the reversal of the reform, what scientific criteria will Fish and Wildlife use to determine the necessity of designating unoccupied areas of critical habitat under this new proposal?

Ms. WILLIAMS. Senator Ricketts, thank you again for meeting with me yesterday. Overall, regarding these Endangered Species Act regulations, after the last Administration promulgated them, they were litigated. As the President asked us at the beginning of this Administration to review the regulations, and in so doing, it was a policy determination to adhere to the law and the science to make these changes, including, as you asked about, unoccupied habitat.

For example, with climate change and other stressors on species, there are times where recovery of a species could go faster and more appropriately in the habitat that is not currently occupied, but is the best habitat for them going forward. Especially when we have, as you have, a State with 93 percent private landowners, where we have landowners who want to restore these species. We would always do this in concert with the State and the landowners.

Senator RICKETTS. Specifically, getting back to the unoccupied areas, what criteria, what scientific criteria, are you going to use to determine whether or not this is a critical habitat under the new proposed rules?

Ms. WILLIAMS. It will be necessarily specific to the specific species.

Senator RICKETTS. Okay, can you give us some examples? What are some examples then? Pick a specific species, or just give us examples. Give me an example of what this would look like.

Ms. WILLIAMS. I am trying to think of any species that has a largely diminished area now that we are, I can think of actually most species that are dwindled to such small, think of a small endemic species, that are dwindled to such small areas that they only occupy now. If you want them to be healthy and to the future, that

they might, one valley over, or one drainage over, be able to thrive and relieve the pressure of the area where they are now. I would think it can apply to myriad species, but the analysis should be specific to the species.

Senator RICKETTS. Okay, so what about, so you can not come up with a specific scientific thing off the top of your head. What about economic impacts to communities? Are you going to be looking at what may happen to those communities as a result of mandatory designation of unoccupied habitat?

Ms. WILLIAMS. Senator, we are always interested and care about the community health, but there are different interpretations of the law, the Endangered Species Act, and whether it allows us to take economic impacts into consideration in our Section 4 analysis. I would say we will follow the law and the science.

Senator RICKETTS. You are saying, there may be cases where you are not going to do the economic impact on communities to determine whether or not designating the critical habitat is going to impact them?

Ms. WILLIAMS. I am saying we will follow the Endangered Species Act law, where there are places where we do that economic impact, and there are times where the statute does not allow for that.

Senator RICKETTS. Again, this is part of my concerns, is that if you are going to do the impact analysis, that is going to impact communities. Obviously, we need to know that, so those communities can be prepared. Will you share that data with those communities in the cases where you are doing the economic impact?

Ms. WILLIAMS. Yes, Senator, we are always transparent in sharing our data through the public process, and the law requires that, as well.

Senator RICKETTS. Great. Well, I have run out of time, but thank you, Director Williams, I appreciate you being here today.

Ms. WILLIAMS. Thank you.

Senator CARPER. I appreciate you being here today, Senator. Thank you.

Senator Lummis, welcome. How are you today? It is good to see you.

Senator LUMMIS. Very well, Mr. Chairman, thank you so much. Thank you, Director, for coming. Nice to see you.

Ms. WILLIAMS. Nice to see you.

Senator LUMMIS. I noted that when you were visiting with Senator Ricketts, you said that you will follow the law and the science. Let us talk about grizzly de-listing, because you are doing neither, so here we go.

In January 2022, that is two and a half years ago, the State of Wyoming filed a petition with Fish and Wildlife Service to establish grizzly bears in the Greater Yellowstone ecosystem as a distinct population segment that is neither threatened nor endangered, and to remove it from the Endangered Species List. By law, your agency is required to make a determination within 12 months of receiving the application. We are now two and a half years out from when the petition was submitted, and your agency has stated you will not have a decision until July.

Further, the science established by the U.S. Fish and Wildlife Service decades ago proves that the grizzly has recovered, and is

way over population criteria. Will you, geez, will you commit to establish and delist the Greater Yellowstone grizzly bear population?

Ms. WILLIAMS. Senator Lummis, I cannot answer that question point blank, as we are under litigation regarding this specific question. I, too, want to acknowledge your frustration and the challenge that this has taken so long, and that the Fish and Wildlife Service has not gotten this finding out in the time with which the statute says.

I also recognize that the sheer numbers, the science shows that the numbers of grizzly bears have been a success story. When the Fish and Wildlife Service once petitioned, I will back up.

When I started in this job, I met one-on-one with the three State directors, Montana, Idaho, and Wyoming, to say, how can we find a path forward regarding grizzly bears? How can we do this together where we get to a spot where we can delist and it will stand in court?

Then, right after that meeting, we received petitions from the States of Idaho, Montana, and Wyoming making it very difficult for us to continue that collaborative conversation. We were pushed right into the potential litigation.

Senator LUMMIS. Yes, but potential litigation, potential.

Ms. WILLIAMS. Which we were then sued, then, Wyoming did sue us on the deadline, which we have a number of cases regarding grizzly bears before us right now. We have the Wyoming case; we have three petitions from the different States; we have an Idaho case.

Senator LUMMIS. Are you using our litigation, Wyoming's litigation, against you as an excuse for not following the law, when we are suing you because you are not following the law?

Ms. WILLIAMS. No, Senator I did not mean to say that in any way.

Senator LUMMIS. Well, that is what it looks like.

I am going to go on with gray wolves. Following years of delay, your agency committed to issue a new final delisting rule for wolves across the lower 48 by December 2024. This, after the agency has repeatedly missed the deadlines to issue defensible delisting rules that will hold up in court.

Then, last fall, your agency issued a half million-dollar grant to an outside mediator to discuss how wolves and people can coexist. This looks like political favoritism thrown at some group to study how wolves and people can coexist, after two decades of regulatory process, socialization of the issue, and repeated discussions. This looks like a delay tactic and a waste of taxpayer dollars to me.

I want to know, can you assure me this process will not delay a delisting rule and further, that no part of this "can we coexist" discussion will be part of the administrative record?

Ms. WILLIAMS. Senator Lummis, first of all, wolves are now delisted in the northern Rockies. The Fish and Wildlife Service was challenged on that, and we received a petition, and in this Administration, we issued a decision that wolves remain delisted in the northern Rockies.

Senator LUMMIS. Now you are doing this proposed National Recovery Plan?

Ms. WILLIAMS. Absolutely, yes.

Senator LUMMIS. You announced that? Wolves are under the jurisdiction of the State of Wyoming, and now you want to expand this to the whole Country?

Ms. WILLIAMS. Yes.

Senator LUMMIS. Oh my gosh. Will you maintain State jurisdiction in Wyoming?

Ms. WILLIAMS. Yes, Senator Lummis. The wolf process has nothing to do with, and does not impinge on, the State's authorities where wolves are delisted. What we were seeing across the Country was various litigation that I wanted to be able to say, time out, let us focus on the real work of wolves on the landscape, just like in the Blackfoot challenge where I was, where we support landowners being on the land and supporting them addressing any livestock depredations.

You are far more aware than I am of the various challenges in the States that have wolves, and the social tolerance and the culture wars around wolves. What I wanted this process to do was to cut through across the litigation and get to a place where wolves could have that quiet, where they remain delisted in the States where they are delisted, and we have some sort of coherent national strategy.

Senator LUMMIS. I think it would be better to spend half a million dollars studying, getting a mediator to study, how people can get along and coexist with each other. Thank you.

Ms. WILLIAMS. Thank you.

Senator CARPER. Thank you, Senator Lummis.

We are back to Senator Capito. Senator Capito?

Senator CAPITO. Thank you, and that was a good one.

I forgot to mention at the outset, because I thought the Chairman would be interested in this. Very sad news this morning, but a West Virginia legend, Jerry West, died last night.

Senator CARPER. Really?

Senator CAPITO. He was a basketball player, very well known. We are thinking about his family.

Senator CARPER. I am trying to remember what his number was. Do you recall?

Senator CAPITO. Forty-four.

Senator CARPER. Forty-four, I was thinking 42.

Senator CAPITO. Nope, 44. He is a true mountaineer.

Senator CARPER. What an icon. That is too bad. None of us can live forever, but he made every day count.

Senator CAPITO. Anyway, he was good.

I want to go back to the process on timelines. We have all been questioning, we are blowing through timelines here. What is happening between our field office and some of our State agencies, particularly highways, is that we are hitting pauses. The field office is pausing formal consultations.

I am concerned that these pauses, if you pause something and then later on restart, you can still be within the timeline, but you still had this large pause.

Who decides when to pause the clock? Who decides when the clock restarts, and how does the field office hold itself accountable to meeting the timelines for formal consultations? What constitutes a pause, and why pause, and who restarts?

Ms. WILLIAMS. Senator Capito, I would like to further look into the pauses that have happened in the West Virginia Field Office. I do not know.

I know that there are times where we are all challenged to get the information we need, and I know you mentioned that there are times where you feel that we are asking for more information than we need. I would like to sort through that. I can not answer your question on the fly.

Senator CAPITO. Okay, we will followup on that. Thank you.

You mentioned the template that you have put together as a tool for consistency, and that you are tweaking that. We would like to, and we mentioned that we have received complaints or concerns that a lot of the information is information that is extra information that is not really relevant to what we are doing, what they are trying to achieve here.

Could we work with you on the template? Could we look at the template? I do not think our office has seen it, but I do not think we have asked to see it, either. I am making that request today.

Ms. WILLIAMS. Yes, Senator Capito. I know we are still working with the bureau on that, and we would be happy to work with you on this, too.

Senator CAPITO. Thank you, thank you.

Then, it was interesting to hear Senator Lummis talk about lawsuits, and obviously, we have those issues in West Virginia and probably in every single State. Do you collect data on the number of lawsuits affecting projects in West Virginia as compared to, say, our sister States of Virginia and Kentucky that would see, is it, well, we have had instances, and I have had, personally, instances, where a project in coordination maybe with the Corps of Engineers or somebody else, well, the Ohio Fish and Wildlife, this is passing through quickly, same kind of information. It is held up in West Virginia.

I am looking for more consistency State-to-State. I think this is an issue. I would be interested to know, if you see on this, how it is affecting lawsuits and the success of lawsuits in different States with the consistency in question. Have you looked at that?

Ms. WILLIAMS. Senator Capito, that is an excellent question. I have not looked at or parsed out litigation and litigation success in our various field offices. What I have done and am interested in is finding more consistency across the Country, and how we implement the Endangered Species Act. It is one of the reasons behind our Section 10 regulation, where we have more consistency and it is meant to be easier to encourage habitat conservation plans and/or voluntary conservation agreements.

I am very interested in following through on this and have been, as we are in lean times at the Fish and Wildlife Service, and we are having to think through how to get through these two difficult budget years, 2024 and 2025, hence our budget request. We are looking at having something like strike teams or pulling together teams with expertise on these matters to make sure we are covering what needs to be covered in places where the most work is coming up, but also where we have our best and most creative thinkers on these issues.

Senator CAPITO. Well, I know, for instance, in some of the backlog that existed when we first started our conversation, that you sent some of your experts from different States like Kentucky or others to try to aid the West Virginia office as they were trying to clear through a backlog.

I mentioned, and this will be my last question, I mentioned in my opening statement specifically things that had changed, and I think Senator Ricketts alluded to the one. You are no longer considering economic impacts when making species listing decisions.

Is that a blanket statement there? Is that a correct statement, in your opinion, that you no longer are considering economic impacts because of some of the rules that you have put forward in making species listing decisions?

Ms. WILLIAMS. Senator, what I mean to say is that the Endangered Species Act itself has language in it. I do not have it in front of me. It is funny, I normally bring it to hearings with me, I have a little packet with the Endangered Species Act.

It is my understanding that the language of the statute itself talks about not adding in economic impacts for Section 4 listing and delisting determinations. I will followup on that with the exact language from the statute, but this is not just per regulation. It is how we interpret the Endangered Species Act itself.

Senator CAPITO. Okay, and then you removed language in Section 7, interagency coordination process, that limits reviews to activities that are reasonably certain to occur. You took that out, which I think would allow for a wider berth of what you could predict could happen.

Why did you do that?

Ms. WILLIAMS. Senator Capito, that was really a policy decision also driven by our career staff on their expertise on Section 7 consultations. It was not to make them less flexible, but it was to follow the processes that we have had in place. It was bringing the proposed rules back into comport with what the Fish and Wildlife Service has done over the years, our standard practice.

Senator CAPITO. My understanding is that this was in your coordination process. It must have been within the body of language that was guiding the Section 7 reviews, and you took it out because you were not doing that?

Ms. WILLIAMS. Not at all, Senator Capito.

Senator CAPITO. I know it is complicated.

Ms. WILLIAMS. No, and I want to say this carefully, but I would say in the previous Administration, rules were in litigation. We looked at them with, actually, we made everybody mad with how we moved forward with the regulations, because we looked at them very carefully in concert with our solicitors to what we thought adhered to the Endangered Species Act and the science.

Senator CAPITO. All right, thank you.

I have to go to the Appropriations Committee, but thank you, Mr. Chairman, and thank you again for being here.

Ms. WILLIAMS. Thank you.

Senator CAPITO. Thanks again for the constant contact. We will be with you. We will be keeping that up, thank you.

Ms. WILLIAMS. Thank you, Senator. I hope to go back to Charleston for the U.S.A. Cycling Nationals again.

Senator CAPITO. Oh, it was awesome. We did that.

Ms. WILLIAMS. My son raced.

Senator CAPITO. Oh, did he? Were you there?

Ms. WILLIAMS. Yes, I was there for the long weekend.

Senator CAPITO. You should have told me you were there.

Ms. WILLIAMS. I know.

Senator CAPITO. I walked down off the hill, and then I got to ride with the car where they did the whole—

Ms. WILLIAMS. Oh, you did?

Senator CAPITO. Oh, yes.

Ms. WILLIAMS. It was incredible. Thank you for hosting us.

Senator CAPITO. I will get you in the car for next time. Yes, you should have let me know. I just live like, an eighth of a mile from, actually, they went right by my house. They were serving beer by my house, but not me. Thank you.

[Laughter.]

Senator CARPER. Senator Capito, thanks so much for being with us. We will look forward to seeing you on the floor.

We have been joined by Senator Cardin. He has yielded, and has said he is happy to wait a few more minutes before jumping into this, but when he is ready, I will yield to him.

Senator CARDIN. I will benefit from your questioning and Senator Ricketts' questions.

Senator CARPER. I am not sure how much benefit will flow from my questioning, but hopefully, it will be of some value.

We were talking earlier about the, the Ranking Member just mentioned that one of the all-time great basketball players in West Virginia history, Jerry West, has passed away. What a legendary figure. My sister and I were born in West Virginia. We go back in the summers to visit our cousins in the State with our grandparents. One of my grandfathers was a huge Cincinnati Reds fan. The others were Jerry West fans, so we note his life and his death today.

Where I am going with this is, and the first question that I asked you today was, would you spend a few minutes explaining what consultation is, when the Service does it, and how it protects species. I will say that again. I will ask you to spend a few minutes explaining what consultation is, when the Service does it, and how it protects species.

Every now and then, I ask witnesses a question, I ask, how would you explain this to your grandmother, or maybe my grandmother? I want to give you another shot at this. How would you explain this, seriously, so that lay people can understand it, and maybe even the rest of us and our staffs? Please, what is consultation, when does the Service provide it, and how does it protect species? You are on.

Ms. WILLIAMS. Chairman Carper, that must mean I did not explain that in a way that my grandmother could understand. I will try to take another stab at that. I appreciate it.

Senator CARPER. I do not want to put words in your grandmother's mouth, but she might have been saying, "say what?"

[Laughter.]

Ms. WILLIAMS. No, that is a very fair question. I really appreciate the opportunity to pull back and think about what Section 7

means and how we implement it, especially because it is of such interest.

Section 7 of the Endangered Species Act requires that when a Federal agency undertakes an action, much like under, oh, my grandmother would not like NEPA, when a Federal agency undertakes an action, Congress and the President, when they passed the Endangered Species Act, said, you must make sure that that action does not jeopardize or put a species that is of special concern, whether listed as endangered or threatened, in jeopardy, and that its habitat needs to be in place, too.

What that has developed into, when a Federal agency takes an action or gives money to a company to do a project or permits that, that agency has to work with the Fish and Wildlife Service or with NMFS to say, does this project impact or affect that species and its habitat and if it does to a certain threshold where it might jeopardize it, what needs to happen to make sure that project takes into account the species' needs?

What it was meant to do was to set up a conversation about making sure those projects that might affect a species be put together in a way where they no longer impact the species. It is meant to be a conversation. There are many, many projects that do not require that conversation back and forth, where they can go through a system and say, they do not need to have any more conversation or consultation with the Fish and Wildlife Service. There are those projects that do require that information gathering and the conversation to make sure that the project does not jeopardize a species.

Senator CARPER. think your grandmother is going to chew on that for a while.

[Laughter.]

Senator CARPER. We have been joined by Senator Cardin, and I want to give him the opportunity to ask the next question, if you would like to. If you would like to, I am happy to recognize you for the next questions, to my Delmarva buddy.

Senator CARDIN. I thought Senator Ricketts was going to ask questions.

Senator CARPER. He has already asked one set of questions.

Senator CARDIN. He already asked?

Senator CARPER. He will comment after you, if we are not joined by others.

Senator CARDIN. First of all, thank you for your support. The Fish and Wildlife Service is critically important to us in Maryland. I know you have roots in Maryland, so we recognize your sensitivity.

I want to talk first about the neotropical bird issue, which we just reauthorized earlier this year. We have seen a 30 percent reduction in the last 50 years in our bird population. I think, sometimes, your agency is somewhat misunderstood as a regulatory agency, yes, but a partner in trying to deal with the mission of protecting fish and wildlife.

The neotropical bird issue is one that has been bipartisan here. We have reauthorized it, and we have an extra, I think, \$100,000 in the appropriations, but it is a global issue that affects migratory birds that come through the United States.

Can you just expand a little bit about the role of Fish and Wildlife in trying to accomplish a mission, a partnership, beyond just a regulatory mission, in an effort to accomplish the objectives that we all want to see, a healthier biodiversity species?

Ms. WILLIAMS. Senator Cardin, I really appreciate that question, because I think it gets to the heart of just how the Fish and Wildlife Service can be misunderstood, that while we absolutely have a regulatory responsibility under the Endangered Species Act, we indeed do far, far more. The work that we do proactively, like under the neotropical work that you have so helpfully supported and led on, we build partnerships around the world to help prevent species being imperiled, such that they would ever have to be listed and getting to that regulatory component.

Our 2025 budget request includes an increase of \$5.1 million for the neotropical program because, if you think about how we, this is a really good example of how we stretch our money so far into other countries, and absolutely everywhere with partners, this is completely partner-driven work that you have helped to support that allows these incredible species to pass through our Country.

I know, I think I understand that some of your staff were able to go on a bird walk. I would say it is one of the best ways to start a day for me, going into work, was to go on a bird walk on Roosevelt Island early in the morning with others, and got to see a Baltimore Oriole right up in the top of a tree, where you could see its color, and you could really hear it sing.

I think that neotropical birds speak to people's sense of wonder, of how do these species migrate so many thousands of miles, and what they represent in our ecosystem, not only people's health, but the health of our Country and the habitat that we need to support them, and that they move these thousands of miles from other countries through and into the United States. It is an effort that we all have to address together.

Senator CARDIN. I just really want to underscore the number of projects in 40-some countries that we have been involved with, with the neotropical birds, the migratory birds. It is a real testament to U.S. leadership, and partnerships with other players, including governments, that have made a huge difference. The Baltimore Oriole is flying high. They are on a five-game winning streak, so it must be working well.

[Laughter.]

Ms. WILLIAMS. How about them Os?

Senator, you are correct. We have had over 747 projects in 43 countries, and those countries absolutely rely on the U.S. Government's leadership. I have seen that firsthand as I have traveled to Panama and other countries, to know just how they rely on the funding that we have for these neotropical species.

Senator CARDIN. I just want to thank you. I know that you are working on the latest of our wildlife refuges in Maryland, which we are very proud about. The report is in on that. It is very popular in the southern part of our State. I think it is about 40,000 acres.

This is cooperative; the governments and communities are all in support of what we are trying to do to preserve more land, so thank you for your leadership in that regard.

Ms. WILLIAMS. Thank you for your support, Senator.

Senator CARPER. Senator Cardin, thank you for joining us.

He mentioned the Birds. He is a huge fan of the Baltimore Orioles. As it turns out, I am a huge fan of the Detroit Tigers. Every now and then, over the years, we have been privileged to go to a game when the Orioles host the Tigers.

Senator CARDIN. We do not have too many tigers in our community. We have a lot of Orioles, a lot more Orioles, but anyway, maybe we can look at cosponsoring a bill to protect the endangered tigers in the world.

Senator CARPER. Just to give you an example of what a good friend he is, a couple of years ago, the Tigers and the Orioles were battling for a playoff position to see who was going to go to the World Series, and I could not go to the game.

But he was nice enough to call me from the game when the Orioles were hosting the Tigers, had just won, and the cheering in Baltimore, you could almost hear it without a telephone. He held the phone out so I could listen the celebration.

Where do they play? They used to play in Memorial Stadium. Where do they play now?

Senator CARDIN. Oh wow, you are going back a long way. It is called Camden Yards. We have to get you there more frequently if you do not know Camden Yards, the first of the modern stadiums.

Senator CARPER. There you go. I will always remember your thoughtfulness.

Senator CARDIN. Have you been following David Rubinstein's purchase of the Orioles?

Senator CARPER. A little bit.

Senator CARDIN. Good.

Senator CARPER. With that in mind, I think that leads right into Senator Ricketts for his second round of questioning. Go ahead, Senator Ricketts.

Senator RICKETTS. Great, thank you very much, Mr. Chairman.

Director Williams, I kind of want to just pick back up, because we were talking about the 2019, the Trump Administration published a rule that gave Fish and Wildlife the ability to use the economic analysis when it was looking at the Section 7 listings, correct? That is the one you are referring to, there was a lawsuit over. Is that accurate?

Ms. WILLIAMS. There was a lawsuit over the suite of Trump Administration ESA regulations. Yes.

Senator RICKETTS. There was, right. Then, that is what, when the Biden Administration came in, they finalized the rule that basically reversed those. Is that accurate?

Ms. WILLIAMS. When the Biden Administration came in, the President asked the Fish and Wildlife Service to review those regulations. We rescinded, and then promulgated new ones that were not the same as prior to the Trump Administration, were not just the same as the Trump Administration's regulations, but instead, were a very thoughtful and measured approach forward, I would argue.

Senator RICKETTS. Getting back then, to the economic analysis. You said that you would follow the law with regard to the economic analysis. It is not in the original act, there. You said, if you do the economic analysis, you share it. Do you have any examples where

Fish and Wildlife, when you ever do an economic analysis, it had negative impact on species conservation?

Ms. WILLIAMS. Senator, I am not sure I understand your question. Whether a listing or delisting?

Senator RICKETTS. Are there times when you did the economic analysis, did that ever impact your ability to be able to protect a species?

Ms. WILLIAMS. I am not following how many, it depends. We do economic—

Senator RICKETTS. If it has not harmed you in protecting a species, then doing the economic analysis would be beneficial to communities, so they are aware, right? We referenced the spotted owl costing 32,000 jobs.

My point is, if you are not going to do the economic analysis, but if you do not have any cases where the economic analysis harmed you, why would not you do the economic analysis?

Ms. WILLIAMS. Senator, we do an economic analysis in all of the cases and all of the instance where we think the Endangered Species Act allows us to, and where we should. It is just that there is, and I do not want to go too far, because I do not have my statute in front of me, it is only the one instance that was my understanding of Section 4 listing and delisting, where we feel that the statute does not allow for that economic analysis. We absolutely do an economic analysis in other considerations, and we do share that information.

Senator RICKETTS. Getting back to the unoccupied land and critical habitat, I believe the Trump Administration rule gave Fish and Wildlife the flexibility with regard to the, gave you leeway to designate only unoccupied areas as critical habitat only if it was necessary. I think, do the new rules say that you have to designate that unoccupied land as critical habitat? You are not required to do it?

Ms. WILLIAMS. No, Senator, I would argue that the previous Administration did not give us flexibility, and our current regulation does give us flexibility. It does not require that unoccupied habitat be designated as critical habitat.

Senator RICKETTS. Let me switch up gears on you just a little bit here, with the remaining time I have. When you are thinking about success, and species conservation, would you, how do you define success when you are trying to conserve a species?

Ms. WILLIAMS. Excellent question, Senator. I think there are different ways to think about success. I think the first step of success is stemming the loss of the species, of preventing extinction to begin with. Then, the next step is getting to full recovery of that species.

Senator RICKETTS. Then, full recovery meaning that you would delist that species. Would that be accurate?

Ms. WILLIAMS. It is one method, yes.

Senator RICKETTS. Okay, so again, just the logic following that if a species, endangered or threatened, you are successful in recovering it, then getting it off the list would show that you have actually recovered the population, kind of what Senator Lummis was talking about with the grizzly bears in the Yellowstone ecosystem.

Ms. WILLIAMS. Yes.

Senator RICKETTS. Since the last 51 years since Fish and Wildlife has been working on this, there have been, I think, about 1,300 species have been listed, but only about 100 have delisted. That is about a 7 percent hit rate.

I would suggest that the Fish and Wildlife use that as one of the benchmarks to say, hey, we can actually show that this program is successful by getting more species to the point where they are being delisted. Quite frankly, 7 percent over 51 years is not a very impressive record. That means, if I was in school and I got a 7 percent on my grade, my parents would have been pulling my ear and telling me to pay more attention in the classroom.

I think that one of the things that Fish and Wildlife, and I would encourage you to share this with everybody else, should be thinking about is, we ought to be thinking about not just how we can set aside this land and so forth, but how do we actually get to the end goal of, how do we get, be more proactive as far as delisting species, because that is really the definition of success, is that those species are not endangered anymore.

Ms. WILLIAMS. Senator, I agree that is our end goal, but I do also feel that the Endangered Species Act has been incredibly successful in stemming the extinction of species that, when we lose them, we are poorer as a Nation.

Senator RICKETTS. Great. You know, actually, that will be one thing we will followup with, because I am out of time, is just how many species has Fish and Wildlife assessed that we have stopped from going extinct.

Ms. WILLIAMS. Yes, I am happy to followup.

Senator RICKETTS. Great, thank you.

Thank you, Mr. Chairman.

Senator CARPER. Thank you very much. I have a couple more questions. I do not know if we are going to be joined by other members of our committee or not. If we are, then I will yield to them as they arrive.

I want to come back and focus a little bit on capacity building, on consultation, and also especially on partnerships. In your testimony and as you discussed a few minutes ago with Senator Capito, you stated, I think, over the last 20 years, the Service's capacity has eroded significantly.

Meanwhile, costs and workloads have increased, and challenges to wildlife conservation have become not less complex, but more complex. I believe that we in the legislative body in Congress have an obligation to address this problem.

Here is my question. Would you elaborate on how, specifically, this budget request prioritizes capacity building within the Service, particularly as it relates to consultation and relates to permitting?

I will just say that again. Would you elaborate for us specifically how this budget request from the Administration prioritizes capacity building within the Service, particularly as it relates to consultation and permitting?

Ms. WILLIAMS. Thank you, Chairman Carper. This budget request absolutely prioritizes capacity to provide those services that are necessary for Bipartisan Infrastructure Law projects to go forward to allow us to meet our mission. Specifically, the 2025 budget request includes a \$146.6 million increase in our planning and con-

sultation under Ecological Services, so that is specific to the consultation work.

Where the budget request also prioritizes capacity that, as you mention, for the Fish and Wildlife Service to do its bulk of its work that is nonregulatory, it requires people to build those relationships and those partnerships. I think about our Partners for Fish and Wildlife Program. I think about our Coastal Program, as examples, where those are our people on the ground who are working day in and day out with our partners, with NGO's, and with landowners to piece together funding, technical assistance, and listening to what the community wants to build, and then working with our partners to build that. That is an example of asking our request for the Partners Program and for the Coastal Program.

Our request also asks for money for our refuge system. An example is law enforcement officers, so we have a request for an increase for law enforcement officers because, as an example, there are seven States where we do not even have a refuge law enforcement in the State.

In the State of Delaware, we share a law enforcement officer with the State of Maryland. We have nine States where we only have one law enforcement officer covering all of our refuge systems. That is an example of capacity that we have asked to build for the safety of our visitors, for the safety of our law enforcement officers.

I get the question from our law enforcement officers; how much is the life worth? Are we willing to request and put the money forward to keep our law enforcement officers safe day in and day out? Those are examples, but our full budget request builds on those capacity needs for us to be able to do our jobs and meet our statutory obligations.

Senator CARPER. Okay, just repeat that for me, if you will, I want to make sure I heard it right. How many States have no law enforcement officers for the refuges?

Ms. WILLIAMS. Seven States do not have a refuge law enforcement officer. Nine States, this is my understanding, nine States have only one.

I also, Chairman Carper, I get serious incident reports, so I am aware of all of the serious incidents that happen on Fish and Wildlife Service-managed lands, whether it is refuge, hatcheries, and/or where our law enforcement officers are called to assist local law enforcement. It is pretty remarkable, the needs out there for our enforcement officers to step up and help visitors and communities, and that they are in harm's way.

Senator CARPER. Again, just for clarification, the Administration's budget request, how would it affect the population of law enforcement officers on refuges in the seven States or the nine States that you just referenced?

Ms. WILLIAMS. Our Fiscal Year 2025 request is for \$63.4 million specific to law enforcement. It would build the capacity, it would increase to 48 Federal wildlife officers.

Senator CARPER. As compared to?

Ms. WILLIAMS. As opposed to right now, we have 205, but it would allow us, that increase of 48 Federal wildlife officers, would allow us to cover the seven States where we do not have law enforcement officers now.

Senator CARPER. It would be in terms of actual law enforcement officers, we are talking about a 25 percent increase, as I understand it. Okay, thanks.

Let me move on, if I can. I want to come back. I think we are going to be joined by Senator Whitehouse here very shortly. Before he arrives I want to turn to, again, partnerships. Partnerships, which as you know, are so important, but when the Fish and Wildlife Service has more boots on the ground, how does that improve the agency's ability to partner with States, to partner with Tribes, to partner with local governments, and to partner with stakeholders?

Ms. WILLIAMS. Chairman Carper, I was just in Montana last week working with the partners around the Blackfoot Challenge that are using grizzly bears and conflict as a way to build out support for conservation and keeping working lands working. They had, through the University of Montana, done a study on the necessary capacity to be able to build partnerships, but you have to have somebody in place to be able to build those relationships. We have traditionally focused just on implementing statutes without putting, investing in the people to get the work done and to build that support.

Another example, Chairman Carper, is with the Fish Passage Program that had a once in a generation investment from the Bipartisan Infrastructure Law. What we have done in the Fish and Wildlife Service is used our capacity there to work with FEMA, to work with the Army Corps of Engineers, to work with Federal Highways, to work with the USDA, to work with the Department of Defense so that we sequence and coordinate all of our Federal projects.

Without our Fish and Wildlife Service Capacity in that small program, there would not have been anybody to be that glue that pulls all the partners together.

Senator CARPER. Thank you for that. We have been joined by Senator Whitehouse. Senator Whitehouse, I know you have just sat down, but if you are ready, I am ready to recognize you.

You are recognized. Go right ahead; thanks for joining us.

Senator WHITEHOUSE. Great. Thank you, Chairman.

Welcome, Director Williams. Glad to have you here.

Ms. WILLIAMS. Thank you.

Senator WHITEHOUSE. I am glad you enjoyed your visit to Sachuest Point, one of your most beautiful locations.

Ms. WILLIAMS. I did.

Senator WHITEHOUSE. I wanted to flag just a few things for you. One is, I would encourage you to support as much as you can the Invasive Species Program. I have visited, for instance, Valley Falls Pond in Rhode Island and seen it completely overrun by invasive water chestnut. The homeowners nearby have a real problem on their hands, and the better we can be at helping them, the better off.

A lot of these are historic and treasured features, and when an invasive species comes in and transmutes them, it is ordinarily not to anyone's advantage, so if you could help with that, I would be grateful. I know you have a lot of different places and a lot of different invasive species, but I wanted to flag that in particular.

I also wanted to flag, as we discussed the other day, making sure we are paying a lot of attention to the Narragansett Tribe. We had a visit from the Secretary, and I sat down with her and the Tribe leaders.

I mentioned that it had been a long time since the Secretary of the Interior has visited the Narragansett Tribe. I do not know exactly how long. John Brown, who is the Medicine Man for the Narragansetts, put his hand up and said, "I do." He said, the last time, I am not going to get the year exactly right, but it is order of magnitude. He said, "The last time was in 1862, and it was for purposes of removal of our Tribe."

Secretary Haaland burst into tears at hearing that. I hope that the overlooked Narragansett Tribe is going to get a good deal more attention and support.

The last thing I will mention is that I hope that the department, all the way to the top, tells the White House how important the RISE Bill is. The RISE Bill would take revenue from offshore wind development so that local revenue, the 37 percent from GOMESA (Gulf of Mexico Energy Security Act) that you get from oil and gas offshore, is matched by offshore wind.

Because if you do not have a match, then when the developers are going into a State legislature or a Governor and they say, well, we can do more oil and gas, in which case, you get 37 percent of our revenues, or we can do offshore wind, in which case, you get the big zero, that puts offshore wind at a very serious regulatory and political disadvantage against further oil and gas development. We should eliminate that disadvantage.

It is going to be very important, I believe, to offshore wind development in the Gulf. The RISE Bill has very solid support from Republicans along the Gulf Coast, and also the former Democratic Governor of Louisiana was a very, very enthusiastic supporter. We would very much like to get that done. If we get that done, then the revenues go to the Coastal Resilience Fund.

As you know, I have had a long problem with the Land and Water Conservation Fund, that it should properly be called the Inland Upland and Freshwater Conservation Fund. When you get to the coast, there is essentially nothing there.

We can have a big old fight with Delaware and Rhode Island quarreling with upland States about reallocating Land and Water Conservation Fund dollars more fairly to coasts and to saltwater. Better than fighting over that existing pie, better to add a little sibling that would take care better of coastal and saltwater concerns, and putting the Coastal Fund in as a, as I said, like a kid brother to the Land and Water Conservation Fund, so we are not trying to compete for resources, but we are adding to the conservation resource and doing so in a way that encourages offshore wind and is fairer and et cetera.

Please take back that I am eager to see that become a priority recommendation to Congress from the Administration. I think we are there, but you are never entirely sure until it is game day. Then, if you find out you are wrong, it is too late. Let's try to get an enthusiastic—I do not know if you have a response to that already.

Ms. WILLIAMS. Senator Whitehouse, what I do have a response to is an agreement about how much the Fish and Wildlife Service cares about coastal and marine resources. As an example, when I traveled to New Hampshire with the Secretary, I am so sorry it was not Rhode Island coastal area, to see the incredible projects in marsh restoration and her full support of that.

I would add, in my travels with the Secretary, she has taught me, as she showed in meeting with the Narragansett Tribe, just how important our partnerships are with the tribes and the deep connection that tribes and indigenous peoples across the Country and even into the Pacific remote islands have with nature. There is much for us to learn from that, and to change our approach.

I will be happy to carry forward your messages. I know it is something that the Secretary cares about deeply and expects all of us too, as well. We share that. I would love to see and continue to support coastal areas and marine resources that are very important, as well, not just Delaware and Rhode Island, but across our coastal areas.

Senator WHITEHOUSE. Well, thank you. I do not mean to suggest that the Land and Water Conservation Fund support for coastal and saltwater projects is zero, but it is way out of balance when you consider how much coastal land there is, how much ocean that is the sovereign property of the United States compared to upland freshwater. The best way to remedy that balance is to make the pie bigger with the RISE fund, rather than engage in a fight over where the Land and Water Conservation Fund should be dedicated.

Let it keep doing what it is doing, but let's add in something for our coastal and saltwater areas. Thanks very much.

Ms. WILLIAMS. Thank you, Senator.

What I did forget, if I have a moment, I forgot aquatic invasive species, and that our 2025 budget does have a \$7.7 million increase there. Just to share how important our efforts are to have a really early detection, rapid response. We appreciate your support there.

Senator WHITEHOUSE. Thank you, Chairman.

Senator CARPER. Thanks for bringing up the RISE Act. As a small State, when Senator Cardin was here, we talked about being neighbors, but we are not neighbors with Rhode Island, but we are a small State, and we are a coastal State, and we share a lot of the same interests, so thank you. Thanks so much for embracing them.

I am not sure that we are going to have other members who are going to be joining us today, but I have another question or two, and then I am going to give you a chance to sort of raise a question, maybe something you wish you had been asked, but have not been asked. I will give you, at the end, a chance to do that.

Before we do that, I mentioned in my opening statement that biodiversity loss costs the global economy an estimated \$20 trillion per year, \$20 trillion, with a "t" per year. We have heard from our colleagues concerns about the economic impacts of protecting species and their habitats. Would you just elaborate for us on how protecting species actually does have and provides economic benefits?

Ms. WILLIAMS. Thank you for that question, Chairman Carper.

I think this goes back to the very reason for which Congress enacted the Endangered Species Act. It was a recognition that bio-

diversity and conserving these species are key to our very survival ourselves, and that they are important for medicinal purposes. They are important for innovation across the board, for not just for medicine, but also we learn from these systems.

I think science is showing us just how intertwined these ecosystem functions are, and the importance of keeping them with integrity. I think, also, it may not be an economic impact, but wildlife generally provides a sense of wonder and awe, and that most people, whatever their beliefs are, if they see a bear on the side of the road, or they see a peregrine falcon flying overhead, though they may not know it is a peregrine falcon, they see a deer or something, they stop and do not think about other things, but stop in the moment and get solace in seeing those species. There is also tremendous cultural significance for many people for these species.

But I think, too, that the biodiversity needs keep our food secure. Pollinators, so many of our plants and food sources require pollinators, require the habitat to be healthy. It also brings in clean water, clean air, healthy soils. These are all things that habitats and the species that depend on them are also what support our economic wellbeing, and I think the wellbeing, more generally, of our communities.

It is important to preventing flooding. It is important to preventing pollution of the wetlands. We think about the importance of wetlands as really pulling out these pollutants, but they also prevent flooding and are critically important to many of the species that we love and that we sustain ourselves with.

I think about Alaska. I think about our hunters and anglers that depend on these species as well. Coming from Montana, I filled my freezer with an elk. I only killed it so that I would have food for my family, and I did not buy meat.

I just think that there are so many myriad layers of reasons why biodiversity is so essential in this Country, and it is something we still have. Once you lose it, you can not bring it back.

Senator CARPER. That is probably worth repeating. Say that one more time, that last sentence.

Ms. WILLIAMS. Once you lose a species, you can not bring it back.

Senator CARPER. Thank you.

I do not know that we are going to be joined by any of our other colleagues. I have at least one more question, and it is a short one. Would you take a minute or two and talk more about how the Service is embracing nature-based solutions, please?

Ms. WILLIAMS. Chairman Carper, this is something that I am incredibly proud of.

Senator CARPER. I thought you might be.

Ms. WILLIAMS. I am proud of the way the Fish and Wildlife Service has really embraced nature-based solutions, and they have become part of the work we do.

One of the first projects where I think we really saw the benefit of nature-based solutions was indeed, as you mentioned, after Hurricane Sandy. We used nature-based solutions for Prime Hook in a way that it supports the community. It restored the marshland habitat, and it brought back the species that depend on that place.

That is just one example that we have learned from across the Country, and we are now working with our other sister Federal

agencies and building out those nature-based solutions because they work, because they are cost-efficient, and because they poise us for the future and to try to buffer from climate impacts going forward.

I just thank you and your support for nature-based solutions and how we have learned to build them into all of our work now.

Senator CARPER. All right. That is a pretty good example, I think.

Ms. WILLIAMS. Have you ever been to Prime Hook?

Senator CARPER. Oh yes, once or twice. Even in the last couple of weeks, as you know. We are very grateful. I almost feel like I am part of their family now, so thank you.

Ms. WILLIAMS. Good.

Senator CARPER. The last question, I have already telegraphed this question, but is there a question, just maybe one question, that you wish you might have been asked, but have not been asked? Go ahead and just briefly State that, and answer that question for us before we close.

Ms. WILLIAMS. Thank you, Chairman.

I have thought a lot about this, and in my serving for the past 3 years, as you know, I have traveled around the Country. I have really dived into—

Senator CARPER. Let me just say, I am mindful of your travels around the Country and visiting States. Keep doing that; that is a good thing. Go ahead.

Ms. WILLIAMS. Thank you. I hope to keep doing that, because I can see the impacts on the ground. I can visit with our staff and see the way in which we do our work.

What I have observed is that the current budget for the Fish and Wildlife Service does not match the work that we do. It does not always reward where our work is best.

So the 2025 President's budget request would help rebuild the capacity where we need to be proactive and to do that partnership-driven work. It would reward, say, for example, our fish passage work, where we are punching so far above our weight and bringing together many different organizations to really solve water quality, flooding, fish passage, aquatic connectivity issues.

I think of our coastal work, where we absolutely do everything with partners and stitch together these efforts in support of a community, but also for the ecosystem health and its impact to species. I think of our Migratory Birds Program, where we have been proactive and innovative in trying to cut through challenges of the past and get these eagle rules through, to be thinking about, how does the Migratory Bird Treaty, how do we implement the treaty?

I think about our Office of Law Enforcement, people across the world who are doing so much with so little to help allow for legal trade, but prevent illegal trade of wildlife. I think of all of our staff and their earnest faces, as I go across the Country, who are trying to solve problems and are trying to be creative and innovative with so little.

That is the question that I would love to be asked, and how the Fish and Wildlife Service would make such good use of the investment in our work, were Congress to pass the 2025 budget request from the President. Thank you.

Senator CARPER. We thank you, as well. Tell us again how many national wildlife refuges there are in the Country?

Ms. WILLIAMS. There are 571 now.

Senator CARPER. Five hundred seventy-one, Okay.

Ms. WILLIAMS. That should be a, that is a trivia question, but the Secretary, I played trivia with her, and she got that right.

Senator CARPER. Okay, that is good. There are a couple in Delaware that we are really proud of what is called Prime Hook, and there is another one, too. What is it called?

Ms. WILLIAMS. Oh, I think there is a special visitor center called the Thomas R. Carper Visitor Center.

Senator CARPER. What an honor, what an honor. We are just very proud of that.

We are proud of both of our wildlife refuges, but as folks around the Country are looking for places to go visit that maybe they have not been to before, I hope they will consider that we have two great visitor centers, but one that is particularly close to my heart. Thank you.

In closing, again, thank you for joining us today. Thank you for your service. Thank you for your testimony, and we especially appreciate your service to our Country at a time when we face great conservation challenges.

I like to quote Albert Einstein. Albert Einstein used to say, in adversity lies opportunity. That is true in this instance as well, because those challenges also bring with them some opportunities. We are mindful of that.

Before we adjourn today, some housekeeping. Let me say this to our staffs, both majority and minority side, our thanks to each of you for helping the members prepare for this important hearing.

This is my favorite part of hearings, when I am the last one here, and I get to make a unanimous consent request, and there is nobody, none of my colleagues are here to object, but it is something that gives me great pleasure. I want to ask unanimous consent to submit for the record a variety of materials that relate to today's budget hearing. Hearing no objection, so ordered.

[The referenced information follows:]

DAN SULLIVAN
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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 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 impacted 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,

A handwritten signature in blue ink that reads "Dan Sullivan". The signature is fluid and cursive, with a long horizontal flourish at the end.

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*



FWS 2025 Budget Request

FWS 2025 Budget Submission



Budget Authority (\$000)	2023 Actual	2024 Enacted	2025 President's Budget	Change from 2024 (+/-)
Current Authority without Supplementals	1,773,292	1,722,665	1,886,091	163,426
Bipartisan Infrastructure Law*	98,044	90,545	90,545	0
Supplemental Construction	247,000			0
Current Authority with Supplementals	2,118,336	1,813,210	1,976,636	163,426
Permanent Authority**	2,118,762	1,921,632	2,022,745	101,113
Total – with supplementals	4,237,098	3,734,842	3,999,381	264,539
Discretionary	6,652	6,663	7,082	419
Mandatory	373	444	444	0
Transfers/Alloc.	1,617	1,652	1,657	5
TOTAL FTEs	8,642	8,759	9,183	424

Note: 2024 Enacted column shows the Annualized CR amount for FTE due to timing of passage.

FWS 2025 Budget Submission

The President's budget proposal for the Service prioritizes investments for:

- Biodiversity
 - Habitat Conservation
 - Invasive Species Prevention and Control
 - ES Recovery
 - Birds
- Service Capacity
 - Refuge Staffing
 - ES Consultation Capability
 - MB Permitting
 - FAC offices- native fish conservation
- Climate Change
 - Distillation of climate science into management tools
 - Building a shared base of knowledge with our partners





FWS 2025 Budget Submission

- The 2025 President's Budget Request for FWS totals \$1.9 billion.
- An additional \$2.0 billion is available under permanent appropriations, most of which is provided directly to States for fish and wildlife restoration and conservation.
- The discretionary portion of the request is an increase of \$112.8 million above the 2023 enacted level, \$163.4 million above the 2024 enacted level.
- Much of the Service's increase directly supports conservation and retaining biodiversity on the landscape.

FWS 2025 Budget Submission

Conservation Capacity Needs

- The NWRS has 500 fewer staff than they did 10 years ago. To begin to address this, we are requesting \$602.3 million, +\$60.8 million for the refuge system from 2023 (+\$75.3 million from 2024 enacted).
- ES Consultation capability is at an all time low due to growing workload and a real decrease in funding. To meet this huge demand we are requesting \$146.6 million, an increase of \$25.8 million (+\$28.4 million from 2024 enacted).
- MB Permitting - Demand for the Service to improve the clarity and efficiency of its migratory bird permitting operations is at an all-time high. If Congress provides the requested \$13.4 million, +\$7.9 million (+\$8 million from 2024 enacted), additional resources will go to support staff handling permitting in our regional offices.
- FAC offices- Support for native fish conservation is lagging as fisheries offices lose staff due to funding shortages. Our request is \$32.9 million, an increase of \$11.8 million from the 2023 enacted and \$12.5 million from the 2024 enacted to provide more capacity for these offices.



FWS 2025 Budget Submission



Advancing Climate Science

- The request includes \$37.9 million, an increase of \$12.1 million above 2024 enacted for the base work of the Science Applications program, including funding for Science Partnerships to work with partners on landscape level planning to address climate change and other threats to species and habitats.
- \$10.6 million, +\$1.7 million from 2023 (+\$1.8 million from 2024 enacted) for translating science into useful tools for on-the-ground management to address climate change and other threats.
- Climate adaptation is also a priority of our other programs, as they work in the field to address species and habitat conservation.

FWS 2025 Budget Submission

Program details – Ecological Services

- The budget proposes \$126.4 million, a \$12.3 million increase from 2023 (+\$15.9 million from 2024 enacted) for Recovery of Threatened and Endangered Species. These funds will contribute to the delisting of species currently listed under the Endangered Species Act.
- Preventing extinction and recovering listed species has always been, and will continue to be, one of the Service's highest priorities. The ESA is extraordinarily effective at preventing species from going extinct and has inspired action to conserve at-risk species and their habitat before they need to be listed as threatened or endangered. Since it was signed into law more than 50 years ago in 1973, most of the species listed under the law are still with us today.
- The request for the Ecological Services program as a whole is \$338.2 million, an increase of \$42.1 million above the 2023 enacted (+\$49.9 million above 2024 enacted).



FWS 2025 Budget Submission



Program Details - Habitat Conservation

- The 2025 budget request for the Partners for Fish and Wildlife Program is \$68.1 million, \$7.8 million more than 2023 enacted (+\$9.1 million from 2024 enacted)
- The Coastal Program request is \$14.6 million.
- These citizen-centric programs work collaboratively with partners to restore, enhance, and protect habitat that contributes to biodiversity. The projects provide other benefits to the local communities, such as enhancing drought resistance through water conservation projects, creating resilience to wildfire, and supporting habitat and migration corridors for wildlife and plants.



FWS 2025 Budget Submission

Program Details – National Wildlife Refuge System

The National Wildlife Refuge System is a model for conservation around the world. The National Wildlife Refuge System spans more than 850 million acres of lands and waters and includes 571* national wildlife refuges, 38 wetland management districts, 48 coordination areas, seven National Monuments, and 760 million acres in Marine National Monuments.

The 2025 budget for the refuge system is \$602.3 million, \$60.8 million above the 2023 enacted level (+\$75.3 million above 2024 enacted).

- The increase will be used for adaptive management, habitat resilience, and the use of science-driven decision making, including the national seed strategy and control of invasive species on refuges.
- The Service's request for Refuge Law Enforcement is \$63.4 million, \$17.1 million above 2023 and \$17.9 million above 2024 enacted.
- The request for Refuge Maintenance is \$160.1 million, an increase of \$9.8 million from 2023 enacted (+\$12.1 million from 2024 enacted).

*includes recently-announced Everglades to Gulf Conservation Area





FWS 2025 Budget Submission

Program Details – Migratory Birds

- The budget includes \$73.1 million for Migratory Bird Management, \$19.2 million more than the 2023 enacted amount (+\$19.9 million above 2024 enacted).
- This budget proposes to provide an additional \$7.9 million (+\$8.0 million above 2024 enacted) to support staff handling Migratory bird permitting in our regional offices.
- The Joint Venture program will support grants to improve the resilience of important habitats—and nearby communities—across the Nation’s four migratory bird flyways.
- The program’s Urban Bird Treaties grants support partnerships to conserve birds in urban environments by creating parks and restoring nearby wetlands—all while engaging local communities.

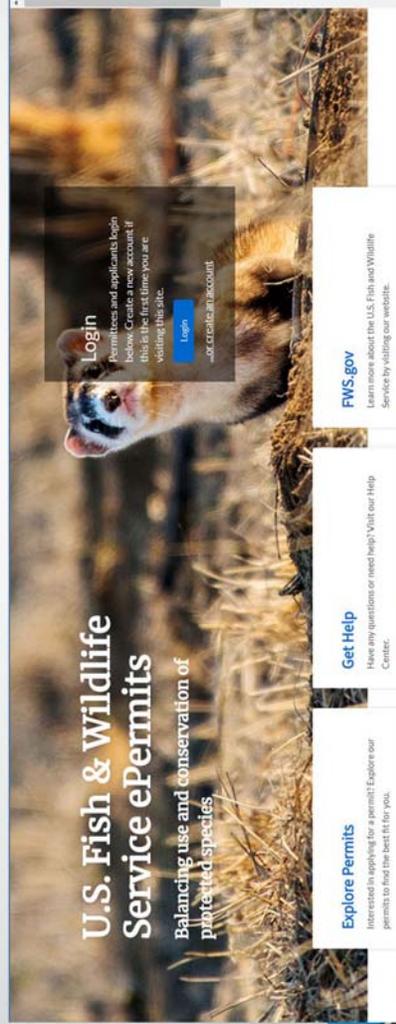




FWS 2025 Budget Submission

Program Details – ePermits

- The budget consolidates funding for our multi-program ePermits system into one subactivity, and requests an additional \$6 million for this year's development activities.





FWS 2025 Budget Submission

Program Detail – Law Enforcement and International Affairs

- The Service's Office of Law Enforcement investigates wildlife crimes and enforces the laws that govern the Nation's wildlife trade. Funding is proposed at \$110.8 million, an increase of \$18.7 million from the 2023 enacted level (+\$18.9 million above 2024 enacted).
- We continue to work with the State Department, other Federal agencies, and foreign governments to address the threat to conservation and global security posed by illegal wildlife trade and trafficking. The budget also supports body worn cameras for our law enforcement officers, plus additional funding for wildlife inspectors.
- To further our efforts to protect international species from wildlife trafficking and other threats, the budget also includes \$24.0 million, for International Affairs. This funding supports expanded conservation capacity for iconic species such as elephants and rhinos and climate adaptation and resiliency efforts abroad.
- The program complements our law enforcement efforts to reduce illegal wildlife trafficking by developing strategies to target consumer demand for illegal products, which is driving a rapid increase in the poaching of species such as tigers and pangolins.
- And, as part of the One Health effort, the two programs also work to protect against disease transmission through the wildlife trade.





FWS 2025 Budget Submission

Program Detail – Fish & Aquatic Conservation

- The request provides \$239.3 million to support the Fish and Aquatic Conservation program, including the National Fish Hatchery System, aquatic habitat conservation and restoration, and the prevention and control of aquatic invasive species.
- Includes \$80.3 million for operation of the National Fish Hatchery System and \$32.1 million for maintenance. The Hatchery System is an international leader in the propagation of imperiled aquatic species, and the budget expands capabilities to ensure the health of aquatic species. Advancing aquatic conservation requires modernizing and maintaining hatchery infrastructure, which is not eligible for funding under the Great American Outdoors Act.
- The budget also includes \$126.9 million for Aquatic Habitat and Species Conservation. The request expands aquatic invasive species prevention, fully funds the National Fish Habitat Action Plan at the authorized level, and provides for aquatic species assessments and cooperative management to enhance habitat adaptation and resilience.





FWS 2025 Budget Submission

General Operations

- The General Operations budget totals \$183.8 million, an increase of \$17.5 from the 2023 enacted amount (+\$30.0 million above 2024 enacted), including \$7.0 million to support the National Fish and Wildlife Foundation.
- The General Operations program provides the management and support that allows the Service's programmatic activities and organizations to accomplish their mission. This includes contracting, human resources and budget and finance.
- General Operations also ensures that the Service is in compliance with legal, regulatory, and Departmental policies for all administrative functions.
- Increases will largely fund bills for essential services.





FWS 2025 Budget Submission

Altogether, the Budget includes \$319.4 million for asset maintenance and construction.

Construction - \$32.2 million in Discretionary Funds

- The 2025 Construction budget is \$2.3 million more than the 2023 enacted amount (+\$12.9 million above 2024 enacted), including \$21.0 million for line-item construction projects. The budget also includes \$2.1 million for electric vehicle charging station infrastructure.

Deferred Maintenance - \$95 million in Permanent Funds;

- Starting in FY 2021 the Great American Outdoors Act (GAOA) Legacy Restoration Fund (LRF) provides mandatory funding for Refuge System Deferred Maintenance. This is in addition to the Deferred Maintenance funding under Refuges, which is \$47.6 million. All of Refuge Maintenance is funded at \$160.1 million.
- In addition, Fisheries Maintenance is funded at \$32.1 million.





Land and Water Conservation Fund Programs for U.S. Fish and Wildlife Service Net Budget Authority⁽¹⁾
(Dollars in Thousands)

Account/Activity/Subactivity/Program Element	2023 Actual	2024 Request	2025 Request	2025 Req vs. 2024 Req	2024 FTE	2025 FTE	2025 v. 2024 FTE
Land Acquisition							
Federal Land Acquisition	17,970	18,028	18,028				
Acquisition Management	491	493	493				
Land Protection Planning	1,557	1,591	1,591				
Exchanges	10,000	11,000	11,000				
Inholdings, Emergencies and Hardships	15,500	15,500	15,500				
Recreational Access	58,499	62,340	64,840	+2,500			
Line-Item Projects	104,017	108,952	111,452	+2,500	79	79	+0
Subtotal, Federal Land Acquisition ⁽²⁾	10,000	10,000	10,000				
State and Local Grants	10,000	10,000	10,000				
Highlands Conservation Act	10,000	10,000	10,000		2	2	+0
Subtotal, Highlands Conservation Act	114,017	118,952	121,452	+2,500	81	81	+0
Total, Land Acquisition Funding (Net Budget Authority)							
Cooperative Endangered Species Conservation Fund (CESCF)							
State and Local Grants							
Species Recovery Land Acquisition	11,162	14,162	14,162				
HCP Land Acquisition	21,638	26,000	26,000				
Total, CESCF Funding (Net Budget Authority)	32,800	40,162	40,162				

(1) Bureau line-item funding amounts are Net Budget Authority, the amount available to execute after *sequester* and pop-up adjustments. All mandatory LWCF funding is subject to a sequestration reduction of -5.7% across all programs. Amounts sequestered from LWCF programs become available for obligation ("Pop-Up") in subsequent years.
 (2) Subtotals may not appear to add correctly due to rounding of semester adjustments.



FWS 2025 Budget Submission

Program Detail – Grants - \$147.4 million

Grants provide funds for our partners to augment Service conservation efforts.

- Cooperative Endangered Species CF - \$14.4 plus \$40.2 million in permanent LWCF funding
- North American Wetlands CF - \$33.0 million
- Multinational Species CF - \$21 million
- Neotropical Migratory Birds CF- \$5.1 million
- State & Tribal Wildlife Grants - \$73.8 million





Legislative Proposals

- The budget proposes to expand authority beyond existing reimbursable and Economy Act authorities by enabling Federal agencies to transfer funds provided under the Bipartisan Infrastructure Law to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for consultation and other environmental clearances.
 - This proposal is needed to address the unique workload surge anticipated from this legislation and would accelerate environmental reviews in support of responsible development of priority infrastructure projects.
 - Resource Protection: Under current law, when Service resources are injured or destroyed, the costs of repair and restoration falls upon the appropriated budget for the affected field station or office. This is the case even when parties are ordered to pay restitution. Competing priorities can leave damaged Refuge System resources languishing until Congress appropriates funds to address the injury. This provision would allow persons responsible for harm—not taxpayers—to pay for any injury they cause.
 - Further, the Service is asking to increase the amount of funding that can go toward administering its North American Wetlands and Neotropical Migratory Bird Conservation Fund Grants, plus reducing the match for NMBCF.

Senator CARPER. Senators will be allowed to submit written questions for the record through the close of business on Wednesday, June 26th of this year. We will compile those questions and send them on to you and your team. We will ask you to reply to us by Wednesday, July 10th of this year.

With that, this hearing is adjourned. Thank you very much.
[Whereupon, at 11:45 a.m., the hearing was adjourned.]

