

**EXAMINING THE PRESIDENT'S
FY 2025 BUDGET REQUEST FOR
THE DEPARTMENT OF THE
INTERIOR**

OVERSIGHT HEARING

BEFORE THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

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HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: House Committee on Natural Resources Republican Members
From: Natural Resources Committee Republican Staff; Ashley McManus (Ashley.McManus@mail.house.gov; x5-9297) and Aniela Butler (Aniela@mail.house.gov; x6-7736)
Date: Wednesday, May 1, 2024
Subject: Oversight Hearing on “*Examining the President’s FY 2025 Budget Request for the Department of the Interior*”

The Committee on Natural Resources will hold an oversight hearing on “*Examining the President’s FY 2025 Budget Request for the Department of the Interior*” on **Wednesday, May 1, 2024, at 10 a.m. in Room 1324 Longworth House Office Building.**

Member offices are requested to notify Sophia Varnasidis (Sophia@mail.house.gov) and Madeline Bryant (Madeline.Bryant@mail.house.gov) by 4:30 p.m. on Monday, April 29, if their Member intends to participate in the hearing.

I. KEY MESSAGES

- The Department of the Interior (DOI) has played a key role in the Biden administration’s war on American energy and mineral security. Secretary Haaland has banned the development of one of the nation’s most promising copper-nickel deposits in Minnesota’s Iron Range, severely restricted oil and gas leasing on federal lands and waters, and locked up resource-rich lands in Alaska. The Department has recently issued several rulemakings that will only further impede domestic energy development. These actions are driving up energy prices for the American people and making our nation more reliant on China, Iran, and Russia for critical resources.
- The Biden administration is continuing its attacks on America’s public lands and waters by restricting access through preservationist land designations and rulemakings in furtherance of its 30x30 agenda. This puts the lands that feed and fuel our country and the rural communities that depend on their multiple uses in jeopardy.
- Our federal lands and waters are feeling the full impact of President Biden’s border crisis. Some of the most dangerous areas along the U.S.-Mexico border are the estimated 693 miles that abut federal land and the illegal dumping of trash threatens wildlife, destroys habitat, and damages natural resources. International criminal cartels target tribal communities for the distribution of dangerous and illegal drugs due to the high-profit margins that can be attained in these areas, the general lack of law enforcement across vast expanses of rural lands, and jurisdictional conflicts between tribal and local or state law enforcement agencies.
- The Biden administration has taken actions that severely restrict access to our nation’s lands and waters and have weaponized the Endangered Species Act (ESA) to a great extent. Proposed rules by the Fish and Wildlife Service would completely tie the hands of refuge managers and potentially remove well-established practices such as cooperative agricultural management and predator control on Refuge System lands. New rules are reversing the signifi-

cant progress made during the Trump administration to streamline how the ESA is implemented. Additionally, new species listings have the potential to put a complete stop on responsible land management and resource development across vast swaths of the landscape.

- House Committee on Natural Resources Republicans are committed to achieving American energy dominance, strengthening domestic mineral supply chains, securing our nation's borders, ensuring access to our natural resources, conservation with a purpose, and holding the Biden administration accountable.

II. WITNESSES

- **The Honorable Deb Haaland**, Secretary, U.S. Department of the Interior, Washington, DC

III. BACKGROUND

Budget Top-Line

Secretary Haaland is appearing before the House Committee on Natural Resources (Committee) to defend the Biden administration's budget request for the Department of the Interior (DOI). DOI's fiscal year (FY) 2025 budget requests \$34.5 billion in discretionary funding, a decrease of \$524.4 million (1.5 percent) over FY 2024 annualized CR levels. In total, the budget requests \$37.08 billion, a 6.6 percent increase over FY 2024 levels.

Specific agency breakdowns are below: (note: only main accounts are included, for a full breakdown, please contact Committee staff):

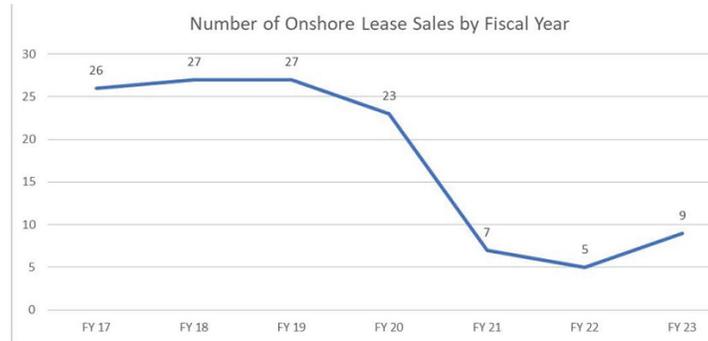
Agency	FY 2023 Actual	FY 2024 Annualized CR	FY 2025 Request	Change From FY 2024 Annualized CR to FY 2025
Bureau of Land Management (BLM)	\$1.99 billion	\$2.03 billion	\$2.06 billion	+\$31.5 million
Bureau of Ocean Energy Management (BOEM)	\$183.4 million	\$163.0 million	\$183.4 million	+20.4 million
Bureau of Safety and Environmental Enforcement (BSEE)	\$174.4 million	\$162.1 million	\$170.4 million	+8.3 million
Office of Surface Mining Reclamation and Enforcement (OSMRE)	\$1.48 billion	\$1.50 billion	\$1.58 billion	+86.3 million
U.S. Geological Survey (USGS)	\$1.61 billion	\$1.57 billion	\$1.65 billion	+81.1 million
U.S. Fish and Wildlife Service (FWS)	\$4.24 billion	\$3.79 billion	\$4.0 billion	+214.0 million
National Park Service (NPS)	\$6.24 billion	\$4.72 billion	\$4.81 billion	+89.1 million
Bureau of Indian Affairs (BIA)	\$2.81 billion	\$2.92 billion	\$3.51 billion	+593.4 million
Bureau of Trust Funds Administration (BTFA)	\$1.83 billion	\$1.91 billion	\$1.99 billion	+74.0 million
Office of Insular Affairs (OIA)	\$656.3 million	\$717.6 million	\$2.07 billion	+1.35 billion
Bureau of Reclamation (BOR)	\$3.83 billion	\$3.86 billion	\$3.56 billion	-\$299.6 million
Total DOI	\$36.7 billion	\$34.6 billion	\$37.08 billion	+2.45 billion

This memo discusses the Department of the Interior's FY 2025 proposed budget within the context of four main Republican policy themes: 1) Ensuring American energy dominance and securing mineral supply chains; 2) Defending America's national security; 3) Promoting access to our natural resources and conservation with a purpose; and 4) Holding the Biden administration accountable.

Ensuring American Energy Dominance and Securing Mineral Supply Chains

Federal Onshore and Offshore Oil and Gas—President Biden has waged a war on American energy production since his first week in office. With Executive Order

14008, the President halted oil and natural gas leasing on U.S. federal lands and waters.¹ The U.S. District Court for the Western District of Louisiana placed a preliminary injunction on the leasing ban in July 2021, yet the administration did not resume leasing until June 2022.² The first onshore sale only offered 20 percent of the parcels originally included and implemented a 50 percent royalty hike.³ The Biden administration has consistently failed to offer the acreage sought after by operators, jeopardizing the future of the onshore leasing program.



*All onshore lease sales in FY 2021 were conducted by the Trump administration⁴

The Biden administration also canceled offshore Lease Sale 261, prompting Congress to direct the Bureau of Ocean Energy Management (BOEM) to hold the sale in the Inflation Reduction Act.⁵ Before the sale, the administration attempted to reduce the acreage offered in the sale and impose vessel speed restrictions on operators. The U.S. Court of Appeals for the Fifth Circuit ordered the Biden administration to hold the sale without those restrictions,⁶ and BOEM eventually conducted Lease Sale 261 on December 20, 2023, receiving 352 bids on 311 tracts covering 1.7 million acres. High bids totaling \$382 million show strong interest in continued energy leasing offshore.⁷

BOEM's FY 2025 budget request includes planning for future lease sales under the 2024–2029 National Outer Continental Shelf Oil and Gas Leasing Program (National OCS Program), which includes only three sales—lower than any previous program.⁸ The National OCS Program notably does not include a sale in 2024, making it the first year since 1958 that the U.S. has not conducted an offshore lease sale.⁹

The Biden administration has continued its war on American energy by promulgating regulations that increase costs and red tape on domestic producers operating on federal lands. These include a new supplemental environmental assessment (EA) analyzing greenhouse gas emissions that could impact 3,600 oil and natural gas

¹ Exec. Order 14008, 86 Fed. Reg. 19, 7619 (Jan. 27, 2021).

² Partlow, Joshua and Eilperin, Juliet. Louisiana judge blocks Biden administration's oil and gas leasing pause. <https://www.washingtonpost.com/climate-environment/2021/06/15/louisiana-judge-blocks-biden-administrations-oil-gas-leasing-pause/>.

³ Energy in Depth, FIRST BIDEN ADMINISTRATION ONSHORE LEASE SALES BRING IN NEARLY \$22 MILLION, 7/1/22, <https://www.energyindepth.org/first-biden-administration-onshore-lease-sales-bring-in-nearly-22-million/>.

⁴ Bureau of Land Management, State Oil and Gas Lease Sales, <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/leasing/regionallease-sales>.

⁵ Offshore Magazine. (n.d.). *BOEM postpones Lease Sale 261 due to litigation*. Retrieved from <https://www.offshore-mag.com/regional-reports/us-gulf-of-mexico/article/14301031/boem-postpones-lease-sale-261-due-to-litigation>.

⁶ American Petroleum Institute. (2023, November 15). *API statement on Fifth Circuit decision on Lease Sale 261*. Retrieved from <https://www.api.org/news-policy-and-issues/news/2023/11/15/api-statement-on-fifth-circuit-decision-on-lease-sale-261>.

⁷ Bureau of Ocean Energy Management. *Lease Sale 261*. Retrieved from <https://www.boem.gov/oil-gas-energy/leasing/lease-sale-261>.

⁸ Bureau of Ocean Energy Management. (2024). Fiscal Year 2025 Budget Justifications and Performance Information (p. 54). U.S. Department of the Interior. Retrieved from https://www.boem.gov/sites/default/files/documents/about-boem/FY2025_BOEM_Greenbook.pdf.

⁹ Bureau of Ocean Energy Management. (2024). Summary statistics for all offshore oil and gas lease sales (February 2024). U.S. Department of the Interior. Retrieved from <https://www.boem.gov/sites/default/files/documents/about-boem/All%20Lease%20Offerings%20-%28February%202024%29.pdf>.

leases sold between 2015–2020,¹⁰ seven new Instruction Memoranda related to leasing on federal lands,¹¹ a final rule regulating emissions from oil and natural gas production on federal lands,¹² a final onshore leasing regulation that would significantly increase fees and reduce available acreage,¹³ resource management plan revisions that would prevent oil and gas exploration and production on large swaths of land,^{14,15} a cancellation of leases in the 1002 Area of the Arctic National Wildlife Refuge,¹⁶ and a rule that would lock up over half of the National Petroleum Reserve in Alaska (NPR-A).¹⁷ These regulations will restrict leasing lands and increase operators' costs, which will be passed along to American consumers. Additionally, these regulations will especially negatively impact small businesses operating on federal lands and jeopardize critical revenue streams for states and rural and Indigenous communities.

Coal Leasing—On August 15, 2022, a federal judge fully reinstated the moratorium on new coal leasing.¹⁸ In February 2024, the Ninth Circuit vacated this decision.¹⁹ Despite this ruling, DOI has failed to reverse course and resume proper review of coal operation expansion plans.²⁰

Critical Minerals—While no recommendations for streamlining the permitting process for new hardrock mines are included in the budget request, DOI issued a report from the Interagency Working Group (IWG) on Mining Reform in September 2023.²¹ Many of the recommendations in the report—like imposing a royalty on production and shifting the mining claims system to a leasing system—would discourage hardrock mining on federal lands.²² Despite the Biden administration's acknowledgment that the U.S.'s “over-reliance on foreign sources and adversarial nations for critical minerals and materials [pose] national and economic security threats,”²³ DOI continues to shutter domestic mineral development. In January 2022, the Biden administration canceled the two-decades-old mineral leases held by Twin Metals Minnesota. The administration also withdrew over 225,000 acres of mineral-rich land in the same area from mineral development,²⁴ effectively barring new extraction of minerals, including copper, nickel, cobalt, platinum, and iron ore.

¹⁰ BLM REQUESTS PUBLIC INPUT ON REVISED GREENHOUSE GAS LEASING ANALYSIS, Nov. 9, 2022, <https://www.blm.gov/press-release/blm-requests-public-input-revised-greenhouse-gas-leasing-analysis>.

¹¹ The BLM issues updated oil and gas leasing guidance, <https://www.blm.gov/sites/default/files/docs/2022-11/Fact%20Sheet%20Oil%20and%20Gas%20Leasing%20Guidance%2011.21.22.pdf>.

¹² 89 FR 25378, <https://www.federalregister.gov/documents/2024/04/10/2024-06827/waste-prevention-production-subject-to-royalties-and-resource-conservation#:~:text=On%20November%2030%2C%202022%2C%20the,gas%20from%20venting%2C%20flaring%2C%20and>.

¹³ RIN 1004-AE80, <https://www.blm.gov/sites/default/files/docs/2024-04/BLM-Fluid-Minerals-Leasing-FinalRule.pdf>.

¹⁴ Draft RMP and EIS for the Rock Springs RMP Revision, Wyoming, 88 Fed. Reg. 56654, August 18, 2023, <https://www.federalregister.gov/d/2023-17787>.

¹⁵ Notice of Availability of the Draft Resource Management Plan and Supplemental Environmental Impact Statement for the Colorado River Valley Field Office and Grand Junction Field Office Resource Management Plans, Colorado, 88 FR 51855, August 4, 2023, <https://www.federalregister.gov/d/2023-16598>.

¹⁶ U.S. Department of the Interior, Biden-Harris Administration Takes Major Steps to Protect Arctic Lands and Wildlife in Alaska, 9/6/23, <https://doi.gov/pressreleases/biden-harris-administration-takes-major-steps-protect-arctic-lands-and-wildlife-alaska>.

¹⁷ RIN 1004-AE95, <https://www.blm.gov/sites/default/files/docs/2024-04/BLM-NPR-A-Final-Rule-1004-AE95.pdf>.

¹⁸ Clark Mindock, “Judge reinstates Obama-era coal-leasing ban,” Reuters, August 15, 2022, <https://www.reuters.com/legal/litigation/judge-reinstates-obama-era-coal-leasing-ban-2022-08-13/>.

¹⁹ Hannah Northey and Niina Farah, “9th Circuit ruling axes Obama-era freeze on coal leasing,” E&E, Feb. 21, 2024, <https://www.eenews.net/articles/9th-circuit-ruling-axes-obama-era-freeze-on-coal-leasing/#:~:text=The%20appellate%20court%20panel%20found,moratorium%20on%20new%20coal%20leasing.&text=A%20federal%20appellate%20court%20on,coal%20leases%20on%20public%20lands>.

²⁰ Hannah Northey, “Coal Company sues Interior over delayed leasing,” Mar. 7, 2024, <https://subscriber.politicopro.com/article/eenews/2024/03/07/coal-company-sues-interior-over-delayed-leasing-00145339>.

²¹ DOI, Press Release, Biden-Harris Administration Report Outlines Reforms Needed to Promote Responsible Mining on Public Lands, <https://www.doi.gov/pressreleases/biden-harris-administration-report-outlines-reforms-needed-promote-responsible-mining>.

²² NMA, Press Release, IWG Recommendation on mining Unworkable and Unreasonable, <https://nma.org/2023/09/12/iwg-recommendations-on-mining-unworkable-and-unreasonable/>.

²³ White House, Press Release, FACT SHEET: Securing a Made in America Supply Chain for Critical Minerals, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/02/22/fact-sheet-securing-a-made-in-america-supply-chain-for-critical-minerals/>.

²⁴ DOI, Press Release, Biden Administration Takes Action to Complete Study of Boundary Waters Area Watershed, <https://www.doi.gov/pressreleases/biden-administration-takes-action-complete-study-boundary-waters-area-watershed>.

On April 19, 2024, the Bureau of Land Management (BLM) recommended the “no action” alternative in the Final Supplemental Environmental Impact Statement (EIS) for the Ambler Mining District Industrial Access Road (Ambler Road) in Alaska.²⁵ BLM’s decision to refuse a right-of-way permit on the small section of the proposed 211-mile Ambler Road that crosses federal lands impedes access to an estimated \$7.5 billion in copper and other minerals such as zinc, cobalt, silver, and gold²⁶ and hinders development that could create over 65,000 jobs, \$5 billion in wages, and \$1.3 billion in local and state revenues for Alaska.²⁷

Plugging Orphaned Wells and Reclaiming Abandoned Mine Lands—The Infrastructure Investment and Jobs Act (IIJA) included \$4.7 billion to plug orphaned wells and authorized separate programs to clean up orphaned wells on federal and tribal lands, as well as grants to supplement existing state orphan well programs. Last year, DOI issued guidance²⁸ on implementing these orphaned well provisions. This guidance exceeds the statutory authority of the IIJA and creates unnecessary administrative burdens, which will result in less funding for reclamation activities.^{29,30} DOI’s Phase I formula grant awards to states have included requirements for Endangered Species Act and National Historic Preservation Act compliance, straining state resources, delaying projects, and ultimately resulting in fewer wells being plugged. Further, the budget requests \$175.8 million for the Abandoned Mine Reclamation Fund (AMR), \$6.9 million above the FY 2024 Continuing Resolution levels.³¹ This is in addition to the funding provided by the IIJA, which included \$11.3 billion in AML reclamation grants to states and tribes,³² of which approximately \$725 million in funding is being distributed each year.³³

Tribal and Insular Energy—Rather than support full tribal self-determination through an all-of-the-above energy approach, the Bureau of Indian Affairs (BIA) budget request continues to highlight only clean energy and climate-change-related focuses. In the BIA’s FY 2025 budget request, \$33.6 million is requested for Energy and Minerals activities which specifically mentions investment in the deployment of clean energy in tribal communities.³⁴ The Tribal Climate Resilience Program, which focuses on climate preparedness rather than addressing environmental changes in communities, proposes a \$48.8 million budget request, a \$13.8 million increase over the annualized FY 2024 CR allocation.³⁵ Overall, the BIA budget request includes an approximately \$26 million increase over the FY 2024 CR for all programs addressing “critical trust natural resource activities and investing in climate resilience and environmental justice.”³⁶

The FY 2025 Office of Insular Affairs (OIA) budget justification continues to pick winners and losers in the energy sector by promoting taxpayer money for renewable energy development only, irrespective of which energy sources best meet the needs of individual insular areas. While there are no budget increases associated with the \$15 million budget request for the Energizing Insular Communities (EIC) Program,

²⁵ DOI, Press Release, Biden-Harris Administration Takes Critical Action to Protect Alaska Native Subsistence, Lands and Wildlife, <https://www.doi.gov/pressreleases/biden-harris-administration-takes-critical-action-protect-alaska-native-subsistence>.

²⁶ Lisa Friedman, “Interior Said to Reject Industrial Road Through Alaskan Wilderness”, N.Y. Times, Apr. 18, 2024, <https://www.nytimes.com/2024/04/16/climate/ambler-road-alaska-interior.html>.

²⁷ DOI, Press Release, Trump administration Supports Alaskan Infrastructure Development to Mine Critical Minerals, <https://www.doi.gov/pressreleases/trump-administration-supports-alaskan-infrastructure-development-mine-critical>.

²⁸ Bipartisan Infrastructure Law Sec. 40601 Orphaned Well Program: Phase 1 (Fiscal Year 2023) State Formula Grant Guidance, United States Department of the Interior, <https://www.doi.gov/sites/doi.gov/files/draft-state-formula-guidance-2023123-eop-final-for-eop-approval.pdf>.

²⁹ Soraghan, Mike, “Texas Slams Interior Plan for Plugging Oil Wells,” EnergyWire, March 3, 2023, <https://subscriber.politicopro.com/article/eenews/2023/03/03/texas-protests-well-plugging-rules-00084843>.

³⁰ Railroad Commission of Texas, Letter to Kimbra Davis Director of the Orphaned Wells Program Office, February 24, 2023, <https://subscriber.politicopro.com/eenews/f/eenews/?id=00000186-9a04-d967-a396-de6c45290001>.

³¹ FY 2025 Budget Justification and Performance Information, p. 71, https://www.osmre.gov/sites/default/files/inline-files/FY25-OSMRE-Greenbook_1-4.9.24_0.pdf.

³² Public Law No. 117-58, Sec. 40601.

³³ OSMRE, FY 2025 Budget Justification and Performance Information, p. 2, https://www.osmre.gov/sites/default/files/inline-files/FY25-OSMRE-Greenbook_1-4.9.24_0.pdf.

³⁴ BIA Budget Justifications, FY 2025, at IA-ES-3. <https://www.bia.gov/sites/default/files/media/document/fy2025-508-bia-greenbook.pdf>.

³⁵ *Id.* at IA-TNR-5.

³⁶ *Id.* at IA-TNR-5 to IA-TNR-6; See also, FY 2025 Bureau of Indian Affairs-Bureau Highlights. <https://www.doi.gov/media/document/fy2025-bureau-indian-affairs-bureau-highlights>. p. 2.

the administration continues to bypass the all-of-the-above-energy strategy prioritizing “clean/renewable energy strategies” and transitioning the territories to a “clean energy future.”³⁷ The Committee believes this program should be expanded to include all forms of energy sources for electricity generation, ultimately supporting Insular Area self-determination and the ability of each insular area to develop the mix of energy sources that best meet their needs.

As noted in the budget justification, OIA’s EIC Program has and will continue to “adjust accordingly” to assist in the Biden administration’s efforts to transition the territories to renewables, such as solar and battery power.³⁸ Unfortunately, this provision would also force Insular Areas to increase electricity generated from renewable sources while ignoring liquefied natural gas (LNG), nuclear, biomass, and other options that are more reliable than intermittent renewable sources. Additionally, there is no mention of addressing energy security and the reliability of baseload energy sources for Insular Areas that suffer from frequent outages.

Defending America’s National Security

Biden Border Crisis—Almost immediately upon taking office, President Biden heeded the far-left’s open-border platform by weakening America’s immigration laws and reducing border security through executive action. President Biden’s ongoing abuse of executive authority has caused major operational challenges along the southern border and allowed international criminal cartels to thrive across our nation.³⁹ Some of the most dangerous areas along the U.S.-Mexico border are the estimated 693 miles that abut federal land, representing approximately 35 percent of the total 1,965 miles of the southern border.⁴⁰ Although the federal government seeks to protect the ecological and recreational value of these lands, such areas are often targeted by criminals, drug smugglers, and human traffickers because they are remote, thinly populated, and less frequently patrolled.⁴¹ Under the Biden administration, illegal immigration into the U.S. has reached an all-time high, embroiling the nation in an unprecedented crisis. U.S. Customs and Border Protection (CBP) reports approximately 9.1 million encounters with illegal immigrants since President Biden took office, including more than 7.5 million illegal crossings along the southern border.⁴² Despite this staggering total, CBP data shows the migrant crisis is only worsening each year.

There are devastating environmental consequences of illegal immigration. Illegal immigrants leave behind trash, including human waste, medical products, abandoned vehicles, and other refuse. The illegal dumping of trash threatens wildlife, destroys habitat, and attracts disease-carrying insects such as mosquitoes and flies. Human waste contaminates the drinking water of nearby residents. Illegal trails and wildfires sparked by cross-border violators’ (CBVs) campfires contribute to the destruction of wildlife habitat throughout federal borderlands. The violence associated with high levels of CBVs deprives the public of access to federal lands and causes significant damage to local environments.

Despite the increasing severity of the Biden Border Crisis, the word “border” appears just once in the entire 260-page DOI budget document, specifically with reference to a \$1 million investment in water infrastructure along the Texas border and a \$11 million *reduction* in requested funds for “United States/Mexico Border Issues—Technical Support.” In contrast, the word “climate” appears 128 times, and the word “justice” appears 33 times.⁴³ Securing the border and combating illegal immigration will take a whole of government approach, and the federal land management agencies should be held accountable for their role in the failure to combat the consequences of illegal immigration.

³⁷ OIA Budget Justifications, FY 2025, at 56. <https://www.doi.gov/media/document/fy-2025-office-insular-affairs-greenbook>.

³⁸ *Id.*

³⁹ Jessica M. Vaughan, *Biden Border Policies Are Working Fine—For the Cartels*, CENTER FOR IMMIGRATION STUDIES (Feb. 5, 2024), <https://cis.org/Vaughan/Biden-Border-Policies-Are-Working-Fine-Cartels>.

⁴⁰ Note: This estimate ranges from 632 miles to 820 miles. Federal and Indian Lands on the U.S.-Mexico Border, Congressional Research Service, February 21, 2018, <https://www.crs.gov/Reports/IF10832>.

⁴¹ Statement of Brandon Judd on behalf of the National Border Patrol Council, Subcommittee on Oversight & Investigations Republican Forum: “The Biden Border Crisis: Environmental and Humanitarian Consequences”, May 27, 2021, https://naturalresources.house.gov/uploadedfiles/brandon_judd_testimony_biden_border_crisis_forum.pdf.

⁴² DOI, Fiscal Year 2025 The Interior Budget in Brief, March 2024, <https://www.doi.gov/media/document/fy2025-508-bib-entire-document>.

Public Safety and Cartels Targeting Indian Country—Criminal cartels, such as the Sinaloa and the Jalisco New Generation cartels, target Indian Country, particularly reservations located in Montana and Wyoming. These areas are targeted due to the higher prices for drugs in these areas compared to other areas of the U.S.,⁴⁴ the vast expanses of rural and often unpatrolled lands, and ongoing jurisdictional challenges that complicate law enforcement responses.⁴⁵ The impact of cartel activity is alarming among the Indian reservations in Montana and Wyoming and felt by every person in those communities.

The Office of Justice Services (OJS) within the BIA is charged with administering public safety and justice programs to fund law enforcement, corrections, and court services to support safe tribal communities. However, questions have been raised about OJS's effectiveness, especially regarding drug trafficking in Indian Country. Criminal cartels have long targeted rural Indian Country for the distribution of their dangerous and illegal drugs due to the high profit margins in these areas, the general lack of law enforcement across vast expanses of rural lands, and jurisdictional concerns between tribal and local or state law enforcement agencies.⁴⁶

The BIA budget requests \$651 million for FY 2025 (an increase of \$71.5 million over the FY 2024 CR amount).⁴⁷ Most of this funding would be focused on criminal investigations and police services, with BIA stating that this increase would go towards increasing staff for both direct services and tribally run law enforcement programs.⁴⁸ Law enforcement is often stretched thin over vast expanses of rural land in Indian Country, particularly in Western States.⁴⁹ For example, in Montana, the Northern Cheyenne tribe relies on just “two federally funded Bureau of Indian Affairs (BIA) tribal police officers per shift to patrol more than 440,000 acres of land that are home to roughly 6,000 residents, according to the tribal council.”⁵⁰ Similarly, the adjacent Crow Reservation, the largest in Montana, has “four to six police officers per shift to patrol a swath of land the size of Rhode Island.”⁵¹ The cartels know how to identify and exploit “social, economic and justice vulnerabilities that each tribal nation has,”⁵² including the long-standing jurisdictional concerns between federal, state, local, or tribal criminal justice agencies that further complicate law enforcement efforts.⁵³

The cartels have shifted their attention and resources to rural areas that tend to attract significantly higher prices for narcotics, making states such as Montana and Wyoming prime targets for criminal cartels. In Montana, pills can be sold for “20 times the price they get in urban centers closer to the border.”⁵⁴ A counterfeit fentanyl pill coming over from Mexico sells for around “\$3 to \$5 in cities like Seattle and Denver where drug markets are more established, but up to \$100 in remote parts of Montana.”⁵⁵ On the Fort Peck Reservation in Montana, law enforcement officers report that “an average opioid user’s daily dosage is between 10–20 pills” and the “average cost per pill is \$120.”⁵⁶ These high prices contribute to increased crime on Indian reservations, as opioid addicts often turn to dealing drugs themselves or committing other harmful crimes in their communities to support their expensive habit.⁵⁷

While the BIA budget justification states that the requested increase for public safety and justice “would impact both direct service and tribally run programs in a large number of locations where violent crime rates are well above the national average” there is no indication of specifically how these funds would be focused to

⁴⁴ Lisa Cavazuti et al., *Mexican drug cartels are targeting America’s ‘last best place’*, NBC NEWS (Feb. 10, 2024), <https://www.nbcnews.com/news/mexican-drug-cartels-are-targeting-americas-last-great-place-rcna130822>.

⁴⁵ *Methamphetamine in Indian Country: An American Problem Uniquely Affecting Indian Country*, The National Congress of American Indians (November, 2006), https://www.justice.gov/archive/tribal/docs/fv_tjs/session_1/session1_presentations/Meth_Overview.pdf.

⁴⁶ *Id.*

⁴⁷ BIA Budget Justifications, FY 2025, at IA-PSJ-1.

⁴⁸ BIA Budget Justifications, FY 2025, at IA-PSJ-2.

⁴⁹ *Id.*

⁵⁰ Cavazuti, *supra* note 44.

⁵¹ *Id.*

⁵² *Addressing the Harmful Effects of Dangerous Drugs in Native Communities: Hearing before the Senate Comm. on Indian Affairs, 114th Cong. (2015)* (Statement of Darwin St. Clair, Chairman, Eastern Shoshone Tribe).

⁵³ *Methamphetamine in Indian Country, supra* note 45.

⁵⁴ Cavazuti, *supra* note 44.

⁵⁵ *Id.*

⁵⁶ *Fentanyl in Native Communities: Native Perspective on Addressing the Growing Crisis: Hearing before the Senate Comm. on Indian Affairs, 118th Cong. (2023)* (Statement of Bryce Kirk, Councilman, Assiniboine and Sioux Tribes of the Fort Peck Reservation).

⁵⁷ *Id.*

address the pressing issue of drug cartels infiltrating and exploiting tribal communities.⁵⁸

Compacts of Free Association—The United States holds compact agreements with three sovereign Pacific Island countries, the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI), and the Republic of Palau (Palau), collectively known as the Freely Associated States (FAS). Through the Compact of Free Association (COFA), the U.S. gains exclusive access to the security and defense rights of these nations in exchange for U.S. economic assistance and defense guarantees.⁵⁹ These rights allow the U.S. to establish military facilities on the islands and to exercise strategic denial, in which the U.S. can deny foreign military access to FAS land, air, and maritime territory. The importance of these rights and relationships cannot be understated as the FAS maritime space provides a critical buffer between the People’s Republic of China (PRC) and the U.S. These compact agreements are integral to the United States’ ability to exercise peace through strength with our allies to counter increasing global threats.

The economic provisions of these agreements were renewed through the passage of H.R. 4366, the *Consolidated Appropriations Act of 2024*.⁶⁰ Under the renewed COFA, the three FAS countries will receive a total of \$6.5 billion in economic assistance from FY 2024 through FY 2043. The U.S. Postal Service will also receive \$634 million for providing postal services to the FAS for the next 20 years. The budget justification for the OIA includes \$1.57 billion in mandatory funding for COFA.⁶¹

Promoting Access to Our Natural Resources and Conservation with a Purpose

BLM Public Lands Rule—The BLM announced its final so-called “Conservation and Landscape Health” rule (Rule) on April 18, 2024.⁶² The Rule will fundamentally upend the agency’s long-standing, statutory multiple use and sustained yield mandate and cede control of federal lands to wealthy elites and environmental extremists. BLM is guided by a multiple use and sustained yield mandate under the Federal Land Policy and Management Act (FLPMA).⁶³ These uses include livestock grazing, energy and mineral development, timber production, outdoor recreation, habitat for wildlife, and watershed protection. Meaningful conservation work continues to occur simultaneously with, and often benefiting from, these multiple uses.

The finalized Rule will broadly allow the BLM to lease lands under new and vaguely defined restoration and mitigation leases and change standards around land use decisions. If the administration determines uses, such as grazing, energy production, mining, or recreation, are incompatible with a lease, land health standards, or an Area of Critical Environmental Concern (ACEC), those uses would not be allowed and could be prohibited indefinitely from those lands. This would effectively lock up lands indefinitely from multiple use, including potential historic uses of the land. Representative Curtis (R-UT) introduced the Western Economic Security Today (WEST) Act in May 2023 to permanently withdraw the Rule.

Water Infrastructure—The Bureau of Reclamation (Reclamation) was established in 1902 and manages federal water projects for agriculture, municipal and industrial purposes, and flood control projects across 17 western states.⁶⁴ Reclamation’s efforts support \$34.1 billion in economic activity and roughly 450,700 jobs.⁶⁵ In recent years, Reclamation has received funding through multiple enacted laws. The IIJA allocated \$8.3 billion for Reclamation, almost five times more than their FY 2021 discretionary appropriations, with an additional \$2.5 billion to the Secretary of the Interior for authorized Indian water rights settlements.⁶⁶ Additionally, the Inflation Reduction Act (IRA) included more than \$4 billion for water management and conservation efforts across the Colorado River Basin.⁶⁷

⁵⁸ BIA Budget Justifications, FY 2025, at IA-PSJ-2.

⁵⁹ OIA Budget Justifications, FY 2025, at 1.

⁶⁰ Public Law 118-42.

⁶¹ OIA Budget Justifications, FY 2025, at 5.

⁶² Public Lands Rule, Bureau of Land Management, accessed April 18, 2024, <https://www.blm.gov/sites/default/files/docs/2024-04/BLM-Conservation-Landscape-Health-Final-Rule.pdf>.

⁶³ Public Law 94-579.

⁶⁴ FY 2025 Bureau of Reclamation Budget Request. GS-1. <https://www.usbr.gov/budget/2025/FY-2025-Bureau-of-Reclamation-Budget-Justifications.pdf>

⁶⁵ *Id.*

⁶⁶ Congressional Research Service. Bureau of Reclamation Provisions in the Infrastructure Investment and Jobs Act (P.L. 117-58). Updated March 21, 2024. <https://crsreports.congress.gov/product/pdf/R/R47032>.

⁶⁷ Congressional Research Service. Bureau of Reclamation Funding in the Inflation Reduction Act (P.L. 117-169). Updated March 22, 2024. <https://crsreports.congress.gov/product/pdf/IF/>

The President's Budget Request for FY 2025 totals nearly \$1.6 billion for Reclamation,⁶⁸ \$200 million more than what was requested for FY 2024,⁶⁹ and \$300 million less than FY 2024 enacted levels. Within this request, Reclamation requests \$211.2 million for Reclamation's Dam Safety Program,⁷⁰ with more than \$182 million for dam modification actions.⁷¹ Reclamation states that the Dam Safety Program "represents a major funding need over the next 10 years," and that they have "identified 12 projects with anticipated modification needs through 2030."⁷² Reclamation also states that it seeks to "achieve the best use of its limited resources to ensure dam safety and maintain our ability to store and divert water and to generate hydropower."⁷³ At the same time, Reclamation requests and spends a substantial amount of its project-specific funding on ESA compliance. For example, in Oregon's Klamath Project almost 70 percent (\$24.6 million) of the project's federal funding is to meet ESA-related requirements.⁷⁴

U.S. Fish and Wildlife Service (USFWS or Service)—The Service implements the Endangered Species Act (ESA), the Lacey Act, and aspects of the Marine Mammal Protection Act (MMPA). They manage over 850 million acres of land and water across the United States, with nearly 800 field stations, 6 Fish Health Centers, 7 Fish Technology Centers, and 51 Fish and Wildlife Conservation Offices. The Service manages 570 National Wildlife Refuges, 71 National Fish Hatcheries, and 79 Ecological Services Field Stations. The Service has approximately 9,000 employees that work across the United States.⁷⁵

For FY 2025, the President's Budget Request represents a \$163.4 million increase over FY 2024 enacted levels. Notably, the Service requests \$1.7 billion for its principal account, Resource Management, which represents a \$150.9 million increase.⁷⁶ The Service states that this budget will help support 9,183 full-time equivalents (FTEs).⁷⁷

National Wildlife Refuge System—The President's Budget Request includes \$602.3 million for FY 2025 for the National Wildlife Refuge System (System),⁷⁸ including \$160.1 million for Refuge Maintenance and \$63.4 million for increased law enforcement capacity.⁷⁹ As the Committee noted in a recent oversight hearing with the Service,⁸⁰ these proposed funding increases coincide with proposed cuts to important programs with bipartisan support like the North American Wetlands Conservation Act (NAWCA). For FY 2025, the Service's Budget Request proposes cutting funding for that program by nearly one-third, from \$49 million to \$33 million.⁸¹

The funding request for the System comes as the Biden administration seeks drastic changes to the way the System is managed. On February 2, 2024, the Service issued a proposed rule to "ensure that the biological integrity, diversity, and environmental health (BIDEH) of the National Wildlife Refuge System (Refuge System) are maintained."⁸²

IF12437#:--:text=In%20August%202022%2C%20Congress%20enacted,the%20Department%20of%20the%20Interior).

⁶⁸ FY 2025 Bureau of Reclamation Budget Request. GS-1. <https://www.usbr.gov/budget/2025/FY-2025-Bureau-of-Reclamation-Budget-Justifications.pdf>.

⁶⁹ USBR, Press Release: *President's Fiscal Year 2024 Budget Requests \$1.4 Billion for the Bureau of Reclamation*, March 9, 2023. <https://www.usbr.gov/newsroom/news-release/4441>.

⁷⁰ FY 2025 Bureau of Reclamation Budget Request. W&RR-8. <https://www.usbr.gov/budget/2025/FY-2025-Bureau-of-Reclamation-Budget-Justifications.pdf>.

⁷¹ FY 2025 Bureau of Reclamation Budget Request. GS-6. <https://www.usbr.gov/budget/2025/FY-2025-Bureau-of-Reclamation-Budget-Justifications.pdf>.

⁷² *Id.*

⁷³ FY 2025 Bureau of Reclamation Budget Request. GS-5. <https://www.usbr.gov/budget/2025/FY-2025-Bureau-of-Reclamation-Budget-Justifications.pdf>.

⁷⁴ FY 2025 Bureau of Reclamation Budget Request. CGB-55. <https://www.usbr.gov/budget/2025/FY-2025-Bureau-of-Reclamation-Budget-Justifications.pdf>.

⁷⁵ FY 2025 Greenbook. EX-1. <https://www.fws.gov/sites/default/files/documents/2024-03/fy2025-508-fws-greenbook.pdf#page=24>.

⁷⁶ FY 2025 Greenbook. EX-04. <https://www.fws.gov/sites/default/files/documents/2024-03/fy2025-508-fws-greenbook.pdf#page=24>.

⁷⁷ *Id.*

⁷⁸ FY 2025 Greenbook. EX-12. <https://www.fws.gov/sites/default/files/documents/2024-03/fy2025-508-fws-greenbook.pdf#page=24>.

⁷⁹ *Id.*

⁸⁰ House Natural Resources Committee hearing, "The National Wildlife Refuge System at Risk: Examining the Impacts of the U.S. Fish and Wildlife Service's Proposed BIDEH Rule." April 10, 2024. <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=415815>.

⁸¹ USFWS Budget Table for FY 2025. U.S. Fish and Wildlife Service. https://naturalresources.house.gov/uploadedfiles/fws_fy_2025_summary_table_nwrs_breakdown.pdf.

⁸² U.S. Fish and Wildlife Service. National Wildlife Refuge System; Biological Integrity, Diversity, and Environmental Health. Proposed Rule. February 2, 2024. <https://>

Continued

The proposed rule would alter how refuge managers operate on System lands, creating a new “default position” that prohibits certain management practices unless a full analysis of the environmental impacts of the proposed activity is conducted in accordance with the National Environmental Policy Act (NEPA). Additional scientific peer review would also be required. These proposed changes would impact cooperative agricultural management practices on System lands, along with pesticide usage and predator control efforts, among other issues. The Committee held an oversight hearing on this issue on April 10, 2024.⁸³

Endangered Species Act (ESA)—Since taking office, the Biden administration has taken several actions that weaponize the ESA. In response to this overreach, over the course of the 118th Congress, the Committee has sought to hold the Biden administration accountable through legislative initiatives, letters, oversight efforts, and hearings. Recently, the Biden administration finalized three rulemakings that were proposed in June 2023. These new rules reverse reforms that were made during the previous administration, which sought to change how federal agencies consult with the Service under Section 7 of the ESA and how critical habitat designations are conducted.⁸⁴ A third rule recently finalized reinstated the “blanket 4(d) rule,” which reverses changes the Trump administration pursued to ensure the Service treated endangered and threatened species differently in accordance with congressional intent.⁸⁵ Notably, the Service states in its Budget Request for the Ecological Services program that, as recommended in the America the Beautiful Report, “the Service is moving away from managing species by species to focus on place based recovery plans that include considerations of changing climates.”⁸⁶ For FY 2025, the President’s Budget seeks \$23.9 for species listings under the ESA,⁸⁷ a \$1.9 million increase from the FY 2024 enacted level of \$22 million.

Ecological Services—The President’s Budget Request for FY 2025 includes \$338.2 million for the Service’s Ecological Services program,⁸⁸ which is a \$49.9 million increase from FY 2024 enacted levels. This request includes \$146.6 million for Planning and Construction,⁸⁹ and notes that environmental reviews “constitute a large and growing workload for the Service,”⁹⁰ and that the Service is “continuously seeking ways to improve the efficiency, consistency, transparency, and effectiveness of environmental review and permitting development projects.”⁹¹ However, as Republicans on this Committee have continuously noted, delays and burdensome requirements under NEPA continue to impact environmental protection and restoration efforts across federal agencies. Notably, the Service’s FY 2025 Budget Request for Ecological Services includes a proposed reduction of \$500,000 and 3 FTEs for NEPA Permitting, stating that “the decrease will reduce technical assistance for agencies in support of the National Environmental Policy Act.”⁹²

Forest and Rangeland Health and Wildland Firefighting—The DOI budget requests \$1.3 billion for the Wildland Fire Management Program. Of this, \$100 million is identified for a legislative proposal to provide a permanent increase in pay for wildland firefighters. While our brave wildland firefighters deserve fair pay, the budget request fails to identify any long-term funding sources for this pay increase.

www.federalregister.gov/documents/2024/02/02/2024-02076/national-wildlife-refuge-system-biological-integrity-diversity-and-environmental-health.

⁸³House Natural Resources Committee hearing, “The National Wildlife Refuge System at Risk: Examining the Impacts of the U.S. Fish and Wildlife Service’s Proposed BIDEH Rule.” April 10, 2024. <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=415815>.

⁸⁴House Natural Resources Committee, Westerman Blasts ESA Rules That Reverse Critical Reforms. March 28, 2024. <https://naturalresources.house.gov/news/documentsingle.aspx?DocumentID=415804>.

⁸⁵*Id.*

⁸⁶Budget Justifications and Performance Information Fiscal Year 2025.” The United States Department of the Interior. U.S. Fish and Wildlife Service. Page ES-28. <https://www.fws.gov/sites/default/files/documents/2024-03/fy2025-508-fws-greenbook.pdf>

⁸⁷Budget Justifications and Performance Information Fiscal Year 2025.” The United States Department of the Interior. U.S. Fish and Wildlife Service. Page BG-1. <https://www.fws.gov/sites/default/files/documents/2024-03/fy2025-508-fws-greenbook.pdf>.

⁸⁸Budget Justifications and Performance Information Fiscal Year 2025.” The United States Department of the Interior. U.S. Fish and Wildlife Service. Page EX-5. <https://www.fws.gov/sites/default/files/documents/2024-03/fy2025-508-fws-greenbook.pdf>.

⁸⁹*Id.*

⁹⁰Budget Justifications and Performance Information Fiscal Year 2025.” The United States Department of the Interior. U.S. Fish and Wildlife Service. Page EX-6. <https://www.fws.gov/sites/default/files/documents/2024-03/fy2025-508-fws-greenbook.pdf>.

⁹¹*Id.*

⁹²Budget Justifications and Performance Information Fiscal Year 2025.” The United States Department of the Interior. U.S. Fish and Wildlife Service. Page ES-15. <https://www.fws.gov/sites/default/files/documents/2024-03/fy2025-508-fws-greenbook.pdf>.

Further, the budget fails to pair firefighter pay reforms with the forest management reforms that are necessary to protect wildland firefighter health and safety by decreasing the scale and severity of the wildland fire on the landscape. DOI's budget requests substantial increases in funding for hazardous fuels reduction without actually committing to treating any additional acreage of fire-prone lands.

Approximately 2.7 million acres of land burned last year, with roughly 23 percent being lands administered by DOI.⁹³ To address the growing wildfire crisis, on April 4, 2022, DOI announced its "Wildfire Risk Five-Year Monitoring, Maintenance, and Treatment Plan" as a complement to the U.S. Forest Service's 10-Year "Confronting the Wildfire Crisis" Strategy.⁹⁴ However, unlike the Forest Service's strategy, DOI did not set a goal of additional acres to treat annually despite identifying more than 7.1 million acres of DOI lands in fireheds with a high or very high likelihood of wildfire exposure.⁹⁵ For the second year in a row, the budget justification for Wildland Fire Management makes no explicit mention of DOI's five-year plan and requests \$287.6 million for Fuels Management to support treatments on approximately 1.8 million acres of land. Concerningly, this is a decrease in the amount requested, and DOI plans to treat less acreage than was reflected in its FY 2023 plans.

30x30 Initiative—The Biden budget continues to support the 30x30 Initiative, which underwent a failed re-brand as the "America the Beautiful Initiative." On May 6, 2021, DOI and other federal departments released an "interim" report titled "Conserving and Restoring America the Beautiful," which outlined a 10-year campaign to preserve 30 percent of U.S. lands and waters by 2030.⁹⁶ Despite years of unanswered Congressional inquiries, the administration failed to address basic, fundamental questions about 30x30. The administration recently released its "American Conservation and Stewardship Atlas," nearly three years late, despite the fact that DOI has already been implementing 30x30 without clear goals or definitions and in whatever manner it considers convenient on any given day. This is a continued threat to working lands, private landowners, and multiple uses of land.

Managing Our Lands for Conservation—President Biden has recently designated several new national monuments using authorities under the Antiquities Act of 1906. Alarming, this trend shows no signs of slowing down as the budget requests \$3.1 million "in the National Park Service (NPS) budget to support recent or potential new designations that preserve important places and tell the stories of those historically underrepresented." In comparison, the entire BLM Rangeland Management and Public Domain Forestry Management accounts only request \$2.7 million and \$213,000 increases, respectively. These accounts are vital to sustaining the BLM's multiple use mandate, promoting forest health, and promoting economic opportunities such as grazing. Instead of focusing on locking up new lands, the BLM should focus on carrying out its multiple use and sustained yield mission. The budget is also full of examples of misplaced priorities justified under the guise of conservation or climate. For example, DOI proposes \$275 million to study the impacts of climate change and change land management practices from the federal to the local level.

Payments in Lieu of Taxes—Federal government land is non-taxable. This severely hurts local economies whose tax base is limited due to the high presence of federal land. As an attempt to compensate for this, federal programs exist to compensate local jurisdictions for the presence of nontaxable federal lands, such as DOI's Payments in Lieu of Taxes (PILT) program. PILT compensates local governments, often counties, based on a methodology including population and acres of federal land. In Fiscal Year 2023, PILT paid \$578.8 million to more than 1,900 counties.⁹⁷ Concerningly, the budget proposes a reduction in PILT of \$153 million due to "the need to balance funding requirements in a constrained budget environment."⁹⁸

⁹³ National Interagency Coordination Center, "Wildland Fire Summary and Statistics Annual Report," 2023, [https://www.nifc.gov/sites/default/files/NICC/2-Predictive%20Services/Intelligence/Annual%20Reports/2023/annual report 2023 0.pdf](https://www.nifc.gov/sites/default/files/NICC/2-Predictive%20Services/Intelligence/Annual%20Reports/2023/annual%20report%2023%200.pdf).

⁹⁴ DOI and U.S. Department of Agriculture, "Wildfire Risk Five-Year Monitoring, Maintenance, and Treatment Plan," April 2022, https://www.doi.gov/sites/doi.gov/files/bil-5-year-wildfire-risk-mmt-plan.04.2022.owf_final.pdf.

⁹⁵ *Id.*

⁹⁶ DOI, "Conserving and Restoring America the Beautiful," 2021, <https://www.doi.gov/sites/doi.gov/files/report-conserving-and-restoring-america-the-beautiful-2021.pdf>.

⁹⁷ Payments in Lieu of Taxes (PILT): Section 6902 Payments, Congressional Research Service, June 21, 2023, <https://www.crs.gov/Reports/pdf/IF11772/IF11772.pdf>.

⁹⁸ DOI FY25 Budget Briefing to Congressional Staff, March 19, 2024. Comments on file with Committee.

Holding the Biden administration Accountable

Failure to Respect Congressional Oversight—During the 118th Congress, the House Committee on Natural Resources continues to hold the Biden administration accountable in order to protect taxpayers from government waste, fraud, and abuse. Since retaking the Majority, the Natural Resources Committee, Subcommittee on Oversight and Investigations have sent a total of 47 oversight letters and held 17 oversight hearings. Numerous transcribed and/or off-the-record interviews with administration witnesses, as well as staff and member briefings have taken place, with additional oversight requests and letters in the works.

Republican Members of the Committee on Natural Resources will continue to hold the Biden administration accountable for executive overreach, inefficient use of taxpayer dollars, attempts to provide inadequate responses or evasive answers to Congressional inquiries, and/or ignoring deadlines for document production. The Committee looks forward to a robust commitment from the Secretary on Congressional oversight and document production during the remainder of the 118th Congress, particularly given Secretary Haaland’s past position on the necessity and importance of robust congressional oversight and investigations.

Using NPS Lands for Illegal Migrant Camps: Floyd Bennett Field—On August 21, 2023, DOI and NPS agreed to lease Floyd Bennett Field to New York City for a migrant encampment.⁹⁹ In response, New York State Governor Hochul described it as a “significant development” because she was working with the Biden administration for “many many months” to house migrants on Floyd Bennett Field after DOI and NPS said they “do not allow” the use of national park land for migrant housing.¹⁰⁰ On September 15, 2023, the parties executed the lease (FBF Lease) that enabled the construction of the migrant camp on National Park Service land.¹⁰¹

Despite establishing a migrant encampment at Floyd Bennett Field, the migrant crisis in New York City has continued unabated. The continued crisis led Mayor Eric Adams to state that “we cannot continue to do the federal government’s job” as New York City buckles under the failed immigration policies of President Biden.¹⁰² Meanwhile, to help New York City stay afloat, Mayor Adams issued an executive order to control when bus companies could deliver migrants to the city and requiring bus companies to provide advance notice of migrant arrivals.¹⁰³ The migrant crisis in New York City has led to increased crime. The widespread reports of criminality in and around the Floyd Bennett Field migrant encampment include domestic violence, assault, shoplifting, panhandling scams, prostitution, and panhandling.¹⁰⁴

Outside Contractors Pushing Social Change Initiatives—On March 14, 2023, Chairman Westerman led a letter questioning the use of taxpayer dollars by the

⁹⁹ Eyewitness News, *Floyd Bennett Field to be used to house asylum seekers in Brooklyn*, Hochul announces, ABC NEWS (Aug. 21, 2023), <https://abc7ny.com/nyc-migrants-asylum-seekers-floyd-bennett-field/13680120/>; Jon Campbell, *White House approves migrant shelter at Brooklyn’s Floyd Bennett Field*, Gov. Hochul says, GOTHAMIST (Aug. 21, 2023), <https://gothamist.com/news/white-house-approves-migrant-shelter-at-brooklyns-floyd-bennett-field-gov-hochul-says>.

¹⁰⁰ *Id.*

¹⁰¹ FBF Lease, *supra* note 99.

¹⁰² *Transcript: Mayor Adams Holds Virtual Media Briefing with Chicago Mayor Johnson and Denver Mayor Johnston to Discuss Asylum Seeker Crisis with Coalition of Cities*, CITY OF NEW YORK (Dec. 27, 2023), <https://www.nyc.gov/office-of-the-mayor/news/992-23/transcript-mayor-adams-holds-virtual-media-briefing-chicago-mayor-johnson-denver-mayor>.

¹⁰³ Jeffery C. Mays and Dana Rubinstein, *As Migrant Arrivals Surge, Adams Sets Controls on Bus Arrivals*, N.Y. TIMES (Dec. 27, 2023), <https://www.nytimes.com/2023/12/27/nyregion/mayor-adams-migrants-bus.html>.

¹⁰⁴ Carl Campanile, *Migrants’ pricey cars towed outside controversial NYC shelter in same area where they begged door to door*, NEW YORK POST (Jan. 6, 2024), <https://nypost.com/2024/01/06/metro/at-least-five-unregistered-vehicles-used-by-migrants-parked-outside-floyd-bennett-field-shelter-towed/>; Georgia Worrell et al., *Fear and loathing at Brooklyn’s Floyd Bennett Field: Neighbors fuming over migrants’ lawlessness*, NEW YORK POST (Jan. 13, 2024), <https://nypost.com/2024/01/13/metro/brooklyn-residents-fuming-over-migrants-lawlessness/>; Sarah Goodman et al., *City Hall vows to probe ‘lawlessness’ following Post report on spike in crime around Floyd Bennett Field migrant shelter*, NEW YORK POST (Jan. 14, 2024), https://nypost.com/2024/01/14/metro/city-will-probe-any-lawlessness-by-migrants-at-bennett-floyd-field/?utm_source=ground.news&utm_medium=referral; Isabelle Stanley, *Floyd Bennett Field migrants leaves NYCers fuming over reported spike in robberies, scams and an arrests near shelter*, DAILY MAIL (Jan. 14, 2024), <https://www.dailymail.co.uk/news/article-12962373/Floyd-Bennett-Field-New-York-migrant-crime-shelter-arrests.html>; Craig McCarthy & Alex Oliveria, *Adams ‘looking into’ imposing curfew at migrant shelters as panhandling, crime surges*, NEW YORK POST (Jan. 11, 2024), <https://nypost.com/2024/01/11/metro/adams-looking-into-imposing-curfew-at-migrant-shelters-as-panhandling-crime-surges/>.

FWS to fund “eco-grief” training for employees.¹⁰⁵ These trainings seek to “normalize the wide range of emotional responses that conservationists experience while empowering participants to act while taking care of themselves.”¹⁰⁶ FWS responded to the Committee on March 31, 2023, stating the training cost \$11,600 and that no further trainings were planned.¹⁰⁷

Following this response, the Committee received additional reports of the FWS hiring outside consultants at taxpayer expense for various trainings, workshops, and projects in related areas. The Service purportedly utilizes the expertise of outside consultants to institute “social change” initiatives, including but not limited to programs on social justice, environmental justice, eco-grief, diversity, equity, inclusion, and accessibility (DEIA); and justice, equity, diversity, inclusion, and accessibility (JEDIA).

The FWS’ use of outside consultants during the Biden administration to push “social change” initiatives includes, but is not limited to, spending nearly \$2.5 million on Metropolitan Group L.L.C.,¹⁰⁸ a “social change agency” from Portland, Oregon.¹⁰⁹ Other outside consultants used by the FWS for “social change” initiatives purportedly include, but are not limited to, Partners For Performance, Inc.; Collabovate Consulting, L.L.C., which develops pathways for “racial equity transformation”¹¹⁰ in organizations; and Syah B. Consulting, whose mission is to “transform workplace culture.”¹¹¹

Abuse of Nonprofits and Ethics Concerns—Under the leadership of Secretary Haaland, DOI has cultivated close and potentially improper relationships with activist nonprofits driving the Biden administration’s agenda. Information obtained from media reports, document productions in response to Freedom of Information Act (FOIA) requests, and Congressional oversight from Committee raises serious concerns about DOI’s relationship with these groups. The Committee is particularly concerned about undisclosed ex parte communications and off-the-record meetings between DOI officials and nonprofit staff.

Notably, limited information in the public domain suggests that senior DOI officials improperly worked with radical anti-use nonprofits during natural resource withdrawals in New Mexico and Minnesota. Specifically, the Committee is concerned with Secretary Haaland’s involvement in the Chaco withdrawal decision, in conjunction with her involvement with the Pueblo Action Alliance, among other groups.¹¹² In addition, the Committee is concerned with meetings between The Wilderness Society and high-level political appointees within DOI regarding the Twin Metals Mine.¹¹³

Great American Outdoors Act—Following a steady rise in the NPS maintenance backlog throughout the 2010s, a growing coalition of NPS stakeholders began to push Congress to provide a solution to a maintenance backlog that reached \$12.7 billion by the end of FY 2019. In 2020, Congress passed the Great American Outdoors Act (GAOA), making an unprecedented investment with the goal of ensuring our nation’s treasured National Park System continues to be a source of pride for future generations of Americans. Four years following GAOA’s passage, the investment made by Congress has failed to produce returns. The NPS backlog inexplicably increased to \$23.3 billion.¹¹⁴ In addition to the increased backlog, Committee Republicans have legitimate concerns as to whether decision-makers at DOI are appropriately using GAOA funding for their intended use to address deferred maintenance at NPS facilities around the country. DOI’s FY 2025 budget includes \$45 million in GAOA funding for repairs at the White House.

The budget also proposes \$40 million in repairs at Gateway National Recreation Area in New York, the same unit the administration is currently using to house

¹⁰⁵ Bruce Westerman. 3/14/2023. *eco-grief letter.pdf* (house.gov).

¹⁰⁶ “A world of hurt: Workshops aim to help federal employees cope with “ecogrief.” Stephen Dinan. *The Washington Times*. 2/15/23. *Ecogrief: Interior Department pays to help employees deal with emotional trauma of climate change*—*Washington Times*.

¹⁰⁷ *Id.*

¹⁰⁸ USASPENDING.GOV, *FY2021-2023 USFWS Spending on Metropolitan Group L.L.C.*, <https://www.usaspending.gov/search/?hash=73e292011d87b703826370f353d0f710>, (last visited Apr. 22, 2023).

¹⁰⁹ METROPOLITAN GROUP, <https://www.metgroup.com/> (last visited May 16, 2023).

¹¹⁰ Krischanna Roberson, *Bio*, COLLABOVATE CONSULTING (June 16, 2020), <https://www.collabovateconsulting.com/post/2020/06/16/bio>.

¹¹¹ SYAH B. CONSULTING, <https://www.deepdivedei.com/> (last visited May 16, 2023).

¹¹² See O&I April 30 Hearing Memo

¹¹³ *Id.*

¹¹⁴ National Park Service, “Budget Justifications and Performance Information, Fiscal Year 2025,” p. SpecEx-2, https://www.doi.gov/sites/default/files/documents/2024-03/fy2025-508-nps-greenbook_2.pdf

thousands of illegal immigrants. It is unclear whether any of these funds will be used to construct or improve housing for illegal migrants rather than restoring some of our nation's top crown jewels.

Payments for Tribal Leases and Tribal Contract Support Costs—The Indian Self-Determination and Education Assistance Act (ISDEAA) provides that tribes and tribal organizations carrying out federal functions under a self-determination contract or self-governance compacts may receive payments for tribal leases or contract support costs.¹¹⁵ Payments for tribal leases occur when a tribe or tribal organization enters into a lease agreement with DOI for the tribally owned or rented facility used to carry out those functions. Contract support costs cover the costs tribes incur for managing and administrating tribally operated programs under ISDEAA. Both payments for tribal leases and contracts support costs are legally required to be paid under ISDEAA and *Salazar v. Ramah Navajo Chapter* and have, since 2012, been included in appropriations bills as ongoing, indefinite appropriations.¹¹⁶ The BIA has requested an additional \$37.5 million over FY 2024 CR levels for payments for tribal leases, bringing the total up to \$120 million. For FY 2025, the BIA requested \$426.2 million for contract support costs in discretionary funding.¹¹⁷ The FY 2025 budget once again includes a tone-deaf request that both payments for tribal leases and contract support costs become mandatory spending, removing the oversight of the appropriations process.¹¹⁸

Indian Trusts and Land Consolidation—The BIA once again continues the Land Buy Back Program (LBBP), now rebranded as the Indian Land Consolidation Program. The FY 2025 budget requests \$11 million for the program (a \$3 million increase over FY 2024 CR enacted levels) with an emphasis on plans for adaptation to climate change.¹¹⁹ This emphasis can distract from focusing on tracts that are able to be quickly economically developed for the benefit of tribal communities. The proposal contains metrics or requirements that the Department focus on the consolidation of highly fractionated land with no suggestions for policy changes to make the program more sustainable. While the LBBP has made some progress in reducing fractionation, it is not a full solution. DOI's own final report reveals a reduction of only approximately 500,000 of 2.9 million purchasable fractional interests over the 10-year life of the program.¹²⁰ DOI also acknowledged that without sustained purchasing efforts, the growth of fractionation is predicted to exceed pre-LBBP levels in just 15 years.¹²¹ Without policy changes to land consolidation programs, there will continue to be an uphill battle to put land fractionation in Indian Country on a downward trajectory.

As seen in previous budget requests, the President's FY 2025 budget includes a legislative proposal for the *Carciari* "fix."¹²² In 2009, the Supreme Court held in *Carciari v. Salazar*¹²³ that the Secretary of the Interior may not acquire land for Indians pursuant to the Indian Reorganization Act¹²⁴ unless they are members of a tribe that was "under federal jurisdiction" in 1934. While there is support for tribes having land in trust, concerns remain with how enactment of this provision could lead to additional off-reservation gaming. Considering the outstanding concerns, any attempts to address *Carciari* must be moved through regular order and carefully considered within Congress' authorizing committees of jurisdiction.

¹¹⁵ P.L. 93-638.

¹¹⁶ 567 U.S. 182 (2012).

¹¹⁷ BIA Budget Justifications, FY 2025, at IA-ES-5.

¹¹⁸ BIA Budget Justifications, FY 2025, at IA-PTL-3.

¹¹⁹ BIA Budget Justifications, FY 2025, at IA-ILC-5.

¹²⁰ DOI. Land Buy-Back Program for Tribal Nations. Dec. 2023, p.2 <https://www.doi.gov/sites/default/files/doi-lbb.pdf>.

¹²¹ *Id.*

¹²² FY 2025 Budget Appendix at p. 661 https://www.whitehouse.gov/wp-content/uploads/2024/03/appendix_fy2025.pdf

¹²³ *Carciari v. Salazar*, 555 U.S. 379 (2009). FY 2025 Budget Appendix at 661, https://www.whitehouse.gov/wp-content/uploads/2024/03/int_fy2025.pdf.

¹²⁴ Act of June 18, 1934, 48 Stat. 985 (25 U.S.C. 465), amended by P.L. 100-581, 102 Stat. 2941.

**OVERSIGHT HEARING ON EXAMINING THE
PRESIDENT'S FY 2025 BUDGET
REQUEST FOR THE DEPARTMENT OF
THE INTERIOR**

**Wednesday, May 1, 2024
U.S. House of Representatives
Committee on Natural Resources
Washington, DC**

The Committee met, pursuant to notice, at 10:03 a.m., Room 1324, Longworth House Office Building, Hon. Bruce Westerman [Chairman of the Committee] presiding.

Present: Representatives Westerman, Lamborn, Wittman, McClintock, Gosar, Graves, Radewagen, LaMalfa, Webster, Fulcher, Stauber, Curtis, Tiffany, Carl, Boebert, Bentz, Hunt, Collins, Duarte, Hageman; Napolitano, Sablan, Huffman, Gallego, Neguse, Levin, Porter, Leger Fernández, Stansbury, Peltola, Ocasio-Cortez, Mullin, Hoyle, Kamlager-Dove, Case, Dingell, and Lee.

The CHAIRMAN. The Committee on Natural Resources will come to order.

Without objection, the Chair is authorized to declare a recess of the Committee at any time.

The Committee is meeting today to hear testimony from the Secretary of the Department of the Interior, the Honorable Debra Haaland, on the Department of the Interior's Fiscal Year 2025 budget request.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member. I therefore ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted in accordance with Committee Rule 3(o).

Without objection, so ordered.

STATEMENT OF THE HON. BRUCE WESTERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

The CHAIRMAN. Good morning, and welcome, Secretary Haaland. We appreciate having you back in the Committee, and I am looking forward to hearing your testimony and the questions from our Members today.

While some things have changed since you last appeared before us, much has remained the same. I know our Members and I have many questions for you on DOI's policymaking over the past 12 months, and the way your agency continues to ignore local voices in pursuit of vague, undefined goals dictated by a radical agenda.

The consequences of DOI's actions are deeply felt in areas that have relied on multiple use of public lands for generations. These

communities have been abruptly destabilized by decisions from DC bureaucrats who think they know what is best. Despite the Administration's inclusive claims, their actions paint a different picture, one that is causing real harm to our fellow Americans. DOI's games are putting America in jeopardy.

With so many questionable actions from DOI, it is impossible to name them all. Instead, I will take them one jeopardy category at a time.

The first is faux conservation, a category of cleverly-named actions that, in reality, restrict land access to further an extreme environmental agenda. Leading off, the Bureau of Land Management's final rule, which, when first proposed, drew the ire of Western Governors, Members of Congress, and thousands of Americans. It is a danger to the land America relies on to feed and fuel our economy, and a blatant disregard for input.

The answer to that clue is, what is BLM's public lands rule?

Not to be outdone, the next category is rogue rules. And here is your clue: This rulemaking will impose new fees and regulatory burdens on Americans' energy producers, have devastating effects on small businesses, and increase energy costs for consumers. The answer is, what is BLM's onshore leasing rule?

Or how about our next category, where is my energy? I will give you several clues, starting with the latest devastating sanctions on Alaska. The decision to limit energy development in the NPR-A ignored the blatant concerns of Indigenous communities, residents of Alaska, and Alaska's entire Congressional Delegation. The Biden administration also effectively shuttered mineral development in Alaska by blocking the access road to the Ambler Mining District.

Lest President Biden forgets, these are the same minerals needed for his own renewable energy goals, not to mention the items we depend on for our daily use.

When it comes to these actions and this clue, the answer is clear. And that is, what are Biden's attacks on Alaska's right to produce energy and minerals?

I have been a little tongue in cheek with my examples, but the jeopardy posed by the actions of the Department of the Interior under the Biden administration is all too real. Each decision I outlined came out of just the past 2 weeks. Just the past 2 weeks, those three decisions and three rules, which seem more like law-making that Congress should be doing, instead of rulemaking by the Administration.

There is not enough time for me to outline the attack after attack from this Administration since Day 1. At the same time, the Biden border crisis has spread to every community across America. I have spent time in New York City, of all places, seeing how National Park Service lands are now home to camps for migrants. This rules for thee and not for me situation shows DOI is choosing to prioritize the needs of migrants above the safety and well-being of American communities and our treasured public lands.

This Administration treats policymaking as a game, using American communities as political pawns. Unfortunately, decisions have real consequences. We are talking about people's livelihoods, real money, not game show winnings.

In contrast, Republicans have advanced policies that promote a healthy environment and a healthy economy. These are not mutually exclusive goals. In fact, they go hand in hand. Our solutions provide access to American resources, advance conservation, environmentally-friendly ideals, and put local leaders in the driver's seat instead of DC bureaucrats.

Secretary Haaland, I urge you to give all communities a seat at the table, not just the ones that fit your narrative. End this pattern of disrespect and disregard, and work with us to enact meaningful change that works for everyone.

I yield back my time, and I recognize the Ranking Minority Leader, Ms. Kamlager-Dove, for any statement.

STATEMENT OF THE HON. SYDNEY KAMLAGER-DOVE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Ms. KAMLAGER-DOVE. Thank you, Mr. Chair.

And a warm welcome to you, Secretary Haaland. I know that you served on this auspicious Committee before you became Secretary. I also know that Ranking Member Grijalva is disappointed that he can't be here to welcome you himself. But I think I speak on behalf of all of my colleagues in saying that we are glad he is taking time to fully recover.

Madam Secretary, you are here today as we have had an unusually warm week in DC, and this is coming from someone from Los Angeles. I can't help but think of it as a subtle forewarning for the summer that lies ahead. Last year, we had the hottest summer on record, and many experts think there is a good chance we will break that record again this time. But even if we only come close, it doesn't change the fact that our oceans, the planet's proverbial canary in the coal mine, are hotter than they have ever been in recorded history, and not by a small margin.

The climate crisis is clearly here, and it is not shy. It is making its presence known in nearly every aspect of our lives. In fact, I think the only place where you can potentially forget that we are in the midst of the most existential crisis of our time may be in this very hearing room, where my Republican colleagues have yet to bring up a single bill that meaningfully addresses the climate crisis, not a single one.

But gratefully, House Republicans are not the sole proprietors of our U.S. governing body. We are deeply fortunate to have the leadership of President Biden and Secretary Haaland, which is, shall we say, a bit more rooted in the reality that we are facing.

When President Biden took office, he made a pledge to close the book on the climate denialism of the previous administration and restore the United States' climate leadership, both here and abroad. And he, with your help, of course, Madam Secretary, has done just that. In fact, the Biden administration has accomplished more on climate than any other administration in history. Capitalizing on the historic investments in climate and clean energy that Democrats passed through the Inflation Reduction Act, the Biden administration is deploying clean energy across the country, which has garnered billions in private-sector investment and created over

270,000 good-paying jobs with ribbon-cutting ceremonies across the country that Republicans attend, as well as Democrats.

At the Interior Department specifically, Secretary Haaland has overseen the recent release of several new rules that represent the bold action we need to transform the management of our public lands for a cleaner energy future. The Bureau of Land Management's new Public Lands Rule, for example, finally puts conservation on equal footing with other uses of our public lands like oil and gas drilling, grazing, and timber.

Other newly-finalized rules put long-overdue fiscal reforms in place to make sure American taxpayers are finally getting a fair return when Big Oil drills on our public lands and waters.

Another rule builds on the success of the Biden administration, which has already surpassed its goal of permitting 25 gigawatts of renewable energy, by boosting more solar and wind energy development on our public lands. Together, these new rules are transforming our energy economy status quo from one that has enabled the fossil fuel industries' desecration of our public lands, nearby communities, and global climate to one that is safer, cleaner, more sustainable, and more just. This is the kind of leadership the vast majority of Americans who want to see us do more on climate are asking for.

But, of course, it is decidedly not the kind of leadership that polluters want. We have seen them here, week after week, at the invitation of my Republican colleagues, pining and longing for the days of the previous administration which rolled back more than 100 environmental rules so they could turn a bigger, quicker, and dirtier profit, all at the expense of the American people.

So, I want to thank you again, Secretary Haaland, because while it is clear that my colleagues across the aisle are all too willing to do the bidding of their favorite polluter pals, you have shown in no uncertain terms that our public lands and waters are no longer a breeding ground for corporate polluter greed.

If industry wants to do business here, they will do it safely, they will do it responsibly, they will listen to nearby communities and tribes, and they will clean up their mess. This is the kind of leadership that will build a cleaner, safer, more affordable energy future with good-paying jobs that will protect our beautiful public lands and special places for generations to come and that will listen to the millions of Americans who have been overburdened by pollution for far too long. This is what puts American people first: your leadership.

So, thank you again for being here, Madam Secretary, and we look forward to your continued leadership.

I yield back, Mr. Chair.

The CHAIRMAN. The gentlelady yields back. We will now introduce our witness.

Our witness today is the Honorable Debra Haaland, and she is the Secretary of the Department of the Interior, confirmed by the Senate on March 15, 2021. She is accompanied by Acting Deputy Secretary Laura Daniel-Davis and Director of the Office of Budget, Denise Flanagan.

Let me remind the witness that under Committee Rules, you must limit your oral statement to 5 minutes, but your entire statement will appear in the hearing record.

To begin your testimony, please press the “talk” button on the microphone. Having been a veteran of the Committee, you get the drill.

As you know, we use timing lights. When you begin, the light will turn green. When you have 1 minute left, the light will turn yellow. And at the end of 5 minutes, the light will turn red, and I will ask you to please complete your statement.

After the testimony, then we will have Member questioning.

I now recognize Secretary Haaland for 5 minutes.

STATEMENT OF THE HON. DEBRA HAALAND, SECRETARY, U.S. DEPARTMENT OF THE INTERIOR, WASHINGTON, DC

Secretary HAALAND. Chairman Westerman, Vice Chair Kamlager-Dove, and members of the Committee, thank you for the opportunity to testify in support of Interior’s Fiscal Year 2025 budget request.

I appreciate all of the support this Committee and your staff have consistently shown the Department of the Interior. I have especially enjoyed visiting so many of your home districts. Every trip informs my understanding of the issues important to the American people, the impact of the work that we do, and how our budget can support those interests.

Our 2025 budget totals \$18 billion in current authority.

First, I want to highlight several important proposals: permanent pay legislation and reforms for our wildland fire workforce; mandatory funding for future Indian water rights settlements; and reclassifying contract support costs and leasing payments to tribes from discretionary to mandatory funding starting in 2026.

This Administration has made a steadfast commitment to strengthen government-to-government relationships with Tribal Nations. We are doing so, thanks to significant investments from Congress, which are helping address the deficiencies that decades of underfunding have created. I am grateful to the members of this Committee for working on a bipartisan basis to champion tribal priorities.

With the total request of \$4.6 billion for Indian Affairs programs, this budget will address complex and difficult challenges such as the Missing and Murdered Indigenous Peoples crisis, the legacy and continuing impacts of Federal Indian boarding school policies, and Native language revitalization.

Public safety continues to be a top priority for tribal leaders across the country. The budget includes \$651 million to support critical public safety needs across all of Indian Country.

We also request \$1.5 billion for Indian education programs. With strong investments in the day-to-day operations of schools, this funding is critical as we prepare the next generation of Indigenous Americans to lead their communities.

Turning to wildland fire, we continue to see the devastating impacts they are having across the country. I want to thank Congress for extending supplemental fire pay for another year. The 2025 budget invests in reforms, including \$75 million to support

permanent pay increases for Federal and tribal wildland firefighters.

Stewardship of our natural resources is a core mission for us. Interior manages about 20 percent of America's lands, and is responsible for protection and recovery of more than 2,300 endangered and threatened species. Our request includes \$2.8 billion in annual funding for conservation efforts that support key initiatives such as wildlife corridors, and implementing the National Seed Strategy.

I am proud of the proposal of \$8 million for a mandatory funded tribal land acquisition program, a top priority of tribes, as part of our implementation of the Land and Water Conservation Fund. This proposal honors the role tribes play as stewards of the lands, and will help ensure they have resources to ensure healthy lands for future generations.

The 2025 budget invests \$189 million to continue the progress we have made in deploying clean energy, building a resilient, domestic-based supply chain, and creating thousands of good-paying jobs. The demand for renewable energy has never been greater, and Interior is leading the way to a clean energy future.

Regarding infrastructure, our request includes \$2.7 billion to fund operations and maintenance for our more than 130,000 buildings and structures and 65,000 miles of public roads.

In addition, there is \$1.6 billion in mandatory funding available in 2025 through the Great American Outdoors Legacy Restoration Fund.

We are currently executing 326 GAOA-funded projects, with 83 additional projects requested for 2025.

We cannot address our major maintenance needs through annual appropriations alone. I look forward to working with Congress to reauthorize the GAOA Legacy Restoration Fund.

Overall, the President's Budget request for Interior invests in programs to strengthen our nation for all Americans. This great work would not be possible without the dedication of career public servants at Interior. I look forward to our continued work together on these important issues.

Thank you for your partnership and support of the important work of the Department and its incredible employees.

I am pleased, we are all pleased, Denise, Acting Deputy Secretary Daniel-Davis, and myself are pleased to answer any questions you may have.

[The prepared statement of Secretary Haaland follows:]

PREPARED STATEMENT OF DEB HAALAND, SECRETARY,
U.S. DEPARTMENT OF THE INTERIOR

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

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

As the steward of 20 percent of America's lands, the Department serves critical roles for the Nation. Interior's programs are important to the Nation's economy: generating jobs, supporting local economic growth, building resilience to the

changing climate, and managing important natural and cultural resources. Interior is also charged with unique responsibilities to fulfill the Nation's Trust and other obligations to American Indians, Alaska Natives, Native Hawaiians and the Insular Areas. In addition, Interior's scientists and technical experts provide actionable science and monitoring data people depend on to prepare for and respond to natural hazards, drought, and wildland fires.

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

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

The 2025 President's Budget also allocates important mandatory funding available in 2025 through the Great American Outdoors Act (GAOA). This includes \$1.6 billion for deferred maintenance projects through the Legacy Restoration Fund (LRF) in the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), National Park Service (NPS), and Bureau of Indian Education (BIE) and \$681.9 million in mandatory funding for Interior's Land and Water Conservation Fund (LWCF) programs. Interior's 2025 allocation for LWCF includes \$313.0 million for voluntary Federal land acquisition projects and programs, \$8.0 million for a new Tribal LWCF land acquisition program, and \$360.8 million for grant programs. An additional \$117.9 million is estimated to be available for State LWCF grants in FY 2025 from offshore oil and gas revenue in the Gulf of Mexico.

2025 Legislative Proposals

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

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

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

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

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

Payments for Tribal Leases—Section 105(l) of the Indian Self-Determination and Education Assistance Act provides that Tribes and Tribal organizations carrying out Federal functions under a self-determination contract or self-governance compact may enter into a lease agreement with the Department of the Interior for the tribally owned or rented facility used to carry out those functions. This critical Tribal sovereignty payment is allowing Indian Affairs to get Tribes closer to meeting the full cost of program implementation and improve their facilities. The 2025 budget proposes to reclassify funding for 105(l) lease agreement requirements from discretionary to mandatory funding beginning in 2026 and requests discretionary funding in 2025 to fully cover estimated requirements.

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

Strengthening Tribal Nations

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

Honoring Tribal Sovereignty

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

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

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

Investing in Tribal Communities

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

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

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

Advancing Indian Education

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

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

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

Meeting Financial Tribal Trust Responsibilities

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

Addressing Climate Challenges and Building Resilience

Across America, communities are enduring historic and catastrophic flooding, wildfires, extreme heat, drought, and more, and longer-term changes in temperature are affecting ecosystems and the economies that depend on them. The impacts of climate change are intensifying, disrupting lives and livelihoods, and causing billions of dollars in damages. Together with agencies across the Federal Government, States, Tribes, and other partners, Interior is working to address the immediate and long-term needs driven by the changing climate. Catastrophic fire, flood, and drought events are increasingly top-of-mind considerations for Interior's resource managers. These events demand immediate attention and resources, but long-term success requires work to build climate resilience. The 2025 budget reflects Interior's important role in the all-of-government approach to tackling climate change and building long-term resilience. The budget invests \$5.5 billion in climate adaptation and resilience efforts to address these important challenges.

Wildland Fire Management

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

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

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

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

to cover the program's share of the increased cost of the permanent firefighter pay reform. Combined with funding provided in the BIL for fuels management, the Department expects to treat 1.8 million acres in 2025.

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

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

Drought and Ongoing Water Challenges

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

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

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

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

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

The U.S. Geological Survey (USGS) also works with partners to deliver water predictions and drought risk assessment tools that support the mitigation of and response to prolonged drought. USGS has supported extensive partner engagement throughout the Colorado River Basin with science to identify and begin to understand the cascading effects of drought on ecosystems and socioeconomic factors;

improve partners' access to science, data, and tools; and improve the understanding of gains and losses of water as it moves from one Colorado River reservoir to another. Predictions and assessments—along with other fundamental information on how drought drives physical, biological, and chemical landscape change—are used to evaluate watershed conditions on multiple-use public lands, the status of fish and wildlife species, drought impacts on rangeland management, and plans and investments for infrastructure, conservation, and restoration projects. In FY 2025, USGS will invest an additional \$7.0 million to support these efforts to address the critical issues facing our Nation due to drought.

Building Resilient Communities

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

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

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

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

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

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

Healthy Public Lands, Waters, and Wildlife

Interior manages more than 480 million acres of lands across the United States and is responsible for the protection and recovery of 2,367 endangered and threatened species. Interior leads as an active partner in ongoing efforts to understand and mitigate climate impacts on natural resources, promote biodiversity, and ensure these valuable assets remain available for the public to experience and enjoy. Natural resource conservation, restoration, recovery, and adaptive management are

a fundamental part of Interior's mission across the agency. Interior's conservation and adaptive management work relies heavily on partnerships and interagency collaboration to leverage information and resources. The 2025 budget includes roughly \$2.8 billion in annual funding for conservation efforts, including critical work for restoration and improvements supporting healthier lands, waters, ecosystems, and their resident species.

The 2025 budget includes targeted investments aimed at protecting biodiversity; restoring fish, wildlife, and their habitats; and halting nature loss. The request includes \$2.0 billion for natural resource programs in NPS, BLM, and FWS. This funding supports Interior's core mission activities and at the same time supports the objectives of the America the Beautiful initiative to advance conservation efforts that are locally led, collaborative and inclusive, honor Tribal sovereignty, and follow science.

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

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

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

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

Interior bureaus often work collaboratively to address cross-cutting resource stewardship challenges. A long-standing example of this approach is Interior's ongoing support to enhance wildlife migration corridors and habitat connectivity to help ensure fish and wildlife have the freedom to move and migrate, as areas are increasingly fragmented by roads, fences, and other barriers. Since 2018, Interior has worked in partnership with 11 Western States, a wide diversity of nongovernmental organizations, and Western Tribes to support projects to better understand

migration routes, remove barriers to migrating wildlife, and improve habitat conditions on public and private lands. The budget includes \$12.0 million for migration corridor activities in the FWS, BLM, NPS, and the USGS to help leverage public-private partnership efforts to protect pronghorn, elk, mule deer, and other iconic species across the West. As part of this work, USGS has led development of the co-produced science needed to manage migration corridors. Because of the widely acknowledged value of this work and the recognition of increasing threats to Western landscapes, the 2025 USGS budget includes \$3.9 million to support this work, a program increase of \$3.5 million above the 2024 CR level.

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

Creating Jobs and Meeting Energy and Environmental Challenges

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

Developing a Robust Clean Energy Economy

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

At the start of 2024, two U.S. offshore wind energy sites announced the first delivery of electricity to the grid from projects off New England and Montauk, NY. This event came on the heels of Interior's announcement at the end of 2023 that the Nation's sixth commercial offshore wind energy project had been approved and a new offshore wind lease sale was proposed in the Central Atlantic. Four offshore wind-lease auctions have taken place during this Administration, which have brought in almost \$5.5 billion in high bids. BOEM has also advanced the process to explore additional opportunities for offshore wind energy development, including in the Gulf of Maine and Gulf of Mexico and offshore the U.S. Central Atlantic and Oregon coasts. Also this year, the Bureau of Safety and Environmental Enforcement (BSEE) stood up a regulatory and enforcement program for this new offshore industry. BSEE is also preparing a regulatory update to ensure safe development and operation of offshore wind facilities.

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

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

Overall, the budget includes \$189.3 million, \$35.3 million above the 2024 CR level, to continue the Administration's progress in deploying clean energy, spurring economic development, and creating thousands of good-paying jobs. Funding supports the leasing, planning, and permitting of solar, wind, and geothermal energy

projects and associated transmission infrastructure that will help mitigate the impacts of climate change and support the Administration's goal of deploying 30 gigawatts of offshore wind capacity by 2030 and 25 gigawatts of clean energy capacity on public lands by 2025.

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

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

The budget for BSEE includes \$12.6 million to continue work in support of offshore renewable energy deployment. BSEE anticipates receiving more than 40,000 wind engineering, construction, and other technical reports for review through the end of FY 2025. The bureau is working closely with BOEM to implement the framework needed to ensure offshore renewable energy projects are constructed and operated safely and responsibly.

Conventional Energy

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

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

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

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

infrastructure design and installation, injection operations, monitoring, incident response, financial assurance, and safety, among other issues.

While the rule is under development, BOEM and BSEE will continue to develop their carbon sequestration programs to facilitate program implementation upon final rule publication. The 2025 BOEM budget includes \$1.0 million to establish a dedicated carbon sequestration team and fund environmental studies, scientific research, data collection, and other activities critical to implement the new program. The 2025 BSEE budget includes \$1.5 million to prepare to regulate and oversee safe and effective offshore carbon sequestration activities.

Reclamation Jobs

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

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

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

OSMRE also manages the Abandoned Mine Land Economic Revitalization (AMLER) program, which administers grants to six States and three Tribal Nations to return legacy coal mining sites to productive uses and foster economic and community development. Since 2016, the AMLER program has provided more than \$900 million to America's current and former coal communities to deliver economic and community development and achieve reclamation of historic abandoned mine sites. The 2025 budget includes \$135.0 million to continue support for AMLER.

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

Promoting Equity, Diversity, and Inclusion of Underserved Communities

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

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

Ongoing Commitment to Diversity and Equity

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

Increasing Representation and Tribal Co-Stewardship

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

The responsibility for meeting Tribal trust responsibilities and promoting Tribal sovereignty stretches across Interior. The 2025 budget includes targeted increases to expand Tribal co-stewardship across the Department. The NPS budget includes a \$3.0 million increase to directly support Tribal participation in management of Federal lands and waters with cultural and natural resources of significance and value to Indian Tribes and their citizens, including sacred religious sites, burial sites, wildlife, and sources of Indigenous foods and medicines.

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

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

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

Building Agency Capacity

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

Interior's Workforce and Infrastructure

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

The budget includes \$206.0 million to fully support anticipated fixed-cost increases in 2025, assuming a 2.0-percent increase in Federal salaries in FY 2025. The budget also includes \$412.2 million in program baseline capacity funding to reflect increased 2024 fixed-cost requirements over the 2-year budget comparison. Without full funding for these costs, Interior bureaus and offices will absorb these must-pay costs by cutting funding for program work or staffing.

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

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

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

Investing in Technology and Information Management

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

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

The 2025 budget includes \$67.8 million for Departmentwide cybersecurity, \$23.5 million above the 2024 CR level. This investment funds high-priority recurring operations and maintenance costs for incident remediation, provides resources to fight emerging threats, and supports the development of an enterprise cybersecurity

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

Conclusion

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

I look forward to doing this work together. Thank you again for having me, and I am pleased to answer any questions you may have.

QUESTIONS SUBMITTED FOR THE RECORD TO THE HON. DEB HAALAND, SECRETARY OF THE DEPARTMENT OF THE INTERIOR

The Honorable Deb Haaland did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.

Questions Submitted by Representative Westerman

Southern Border

Question 1. In response to questioning by Rep. Tom Tiffany, you admitted that you have not been to the U.S.-Mexico border in an official capacity.

1a) Given that the DOI manages approximately 608 miles of the 692 miles of federal land along the U.S.-Mexico border, is your failure to visit the area appropriate?

1b) Will you commit to visiting the U.S.-Mexico border this year to better understand how the DOI can aid border security and improve the health of America’s public lands?

1c) When will this visit be scheduled?

Question 2. The Congressional Research Service estimates there are over 1.1 million acres of wilderness along the Southern Border.

2a) How is the wilderness characteristic being maintained with the influx of migrants to the southern border?

2b) U.S. Customs and Border Protection (CBP) officers have testified before this Committee that wilderness designations pose significant obstacles to efficient border enforcement. Have you had any discussions with Secretary Mayorkas aimed at addressing these difficulties?

2c) If you answered no to question (b), will you commit to doing so?

Question 3. In response to questioning, you told Rep. Harriet Hageman that you have not taken any steps to work with Secretary of Homeland Security Alejandro Mayorkas to protect Tribal communities along the U.S.-Mexico border from human smuggling and drug trafficking.

3a) Given that the Bureau of Indian Affairs (BIA) is within DOI and has a mission to protect Tribal trust assets, is this complete lack of action on your part appropriate?

3b) Will you commit to speaking with Secretary Mayorkas about ways to solve this issue?

Question 4. It is estimated that millions of pounds of trash have been discarded by migrants along the U.S.-Mexico border in recent years.

4a) Does the DOI have up-to-date estimates of the quantities of border trash along the border? If so, please share. If not, please explain why not.

4b) Does the DOI undertake any large-scale efforts to remove border trash? If so, please provide an estimate of the percentage of border trash that is removed by these efforts. If not, please explain why not.

Bureau of Land Management Public Lands Rule

Question 5. When will the final rule on “Conservation and Landscape Health” be published in the Federal Register?

Question 6. Will the final rule be identical to the final rule document posted on the BLM’s website on April 18, 2024? If not, please provide a list of changes and the reason for the change.

Question 7. Where did the BLM derive the new definition of “intact landscape?”

Question 8. Will the landscape intactness inventory and accompanying information be publicly available?

Question 9. Will land health standards, assessments, and accompanying information be publicly available?

Question 10. The final rule allows for restoration lease fees to be waived.

10a) Does BLM have authority to waive lease fees?

10b) Can you provide current examples?

Question 11. If a proposal for a mitigation lease is 99 years, would the BLM grant that permit?

Question 12. There appear to be two contradicting statements in the final rule about how restoration and mitigation leases could impact current leases:

*“Leases will not override valid existing rights or preclude other, subsequent authorizations **so long as** those authorizations are compatible with the restoration or mitigation use.”*

“Restoration and mitigation leases would not disturb existing authorizations, valid existing rights, or State or Tribal land use management.”

12a) What statement is true? If authorizations are not compatible with restoration or mitigation use, it appears leases can override valid existing rights.

Question 13. Will the BLM require any permittee or all permittees to buy a mitigation lease or purchase credits generated from a mitigation lease? If not, can you provide citation to this assurance in the rule?

Question 14. The fundamentals of rangeland health and land health assessments have been part of the grazing regulations for many years, and this rule extends those standards across all uses. The requirement to conduct these assessments, however, will continue to live in the grazing regulations.

14a) Does the BLM intend to remove this provision from the grazing regulations?

14b) Does the BLM intend to continue to do these assessments at a grazing allotment scale while also pursuing watershed scale assessments? If so, what assessment will be used or given priority?

Question 15. The rule calls for BLM to develop a consistent set of national standards to allow the agency to apply land health standards across various ecosystem types. What is the timeline on development of these standards?

Question 16. Given that the rule is not expected to be final before BLM’s deadline to comment on ACEC components of the sage grouse plans and other Resource Management Plans, how are stakeholders supposed to believe their comments will be taken seriously?

Question 17. The rule identifies ACECs as the primary means to protect intact landscapes, including migration corridors and habitat connectivity. Does BLM intend to use ACECs for designations of wildlife migration corridors?

Question 18. Regarding ACECs:

18a) Is the temporary designation of an ACEC outside the land use planning process a new land use designation created under this final rule?

18b) If not, please share how many temporary ACEC designations were issued outside of a land use planning process each year for the last 5 years, including acreage, date of designation, and date of either temporary designation ending or transfer to a permanent ACEC.

Question 19. How many total acres are currently under a temporary ACEC designation?

Question 20. Is there a time limit on a temporary ACEC designation?

Question 21. What is the difference between a temporary ACEC designation and a National Monument designation under the Antiquities Act? Please give details on management, funding, access, and treatment of current leases and permittees.

Question 22. Of the 8,400 unique comments submitted, how many were in support of the rule, how many expressed concern, and how many were opposed?

Question 23. In terms of requirements for a lease application, the rule says the application must include, "Information on outreach already conducted or to be conducted with existing permittees, lease holders, adjacent land managers or owners, and other interested parties." It continues to say when BLM looks at leasing, they need to look at collaboration with existing permittees.

23a) What if current permittee expresses a lease is incompatible with their current use?

23b) Who will BLM listen to in such situation, the current permittee or a proposed lease by a potential permittee?

Question 24. Will the BLM confirm they will contact the existing permittees to verify their support or opposition before granting a conservation or mitigation lease?

Question 25. This rule creates new, unaccountable mechanisms, including so-called "mitigation and restoration leases," that could allow wealthy individuals and entities to lock up huge swathes of public land for preservationist purposes.

25a) Please describe, in detail, the processes by which lease applicants will be screened, making sure to identify the departments and teams within BLM that will conduct those processes.

25b) During a congressional briefing on the Public Lands Rule held on April 26, 2024, BLM Principal Deputy Director Nada Wolff Culver stated that mitigation and restoration leases would not be issued to foreign entities. What capacity does the BLM have for assessing whether entities are foreign-owned or foreign-controlled?

25c) Which departments and teams would be responsible for making these assessments regarding whether entities are foreign-owned or foreign-controlled?

Question 26. In touting the Public Lands Rule, the BLM has claimed that it received and considered over 200,000 comments during the 90-day comment period for the proposed rule.

26a) How did the BLM respond to those comments that expressed criticisms of the proposed rule?

26b) Does the final rule incorporate any changes that address those criticisms? Please be specific in each instance where a criticism was addressed in the final rule.

Question 27. In your testimony, you explained that "whoever wanted to comment publicly" on the Public Lands Rule "could do so." How do you reconcile this statement with the fact that there were in-person listening sessions in only three cities?

Question 28. On May 17, 2023, Republicans on the House Natural Resources Committee sent you a letter requesting a 75-day extension of the public comment period for the proposed rule. Yet, the BLM ultimately announced an extension of merely 15 days.

28a) Why was the extension period much shorter than what was requested?

28b) Were you personally involved in the determination that a 15-day extension was adequate?

28c) How is this consistent with DOI's statements that it values local input?

Question 29. Why did the BLM change the name of "conservation" leases in the proposed rule to "restoration" or "mitigation" leases in the final rule?

Question 30. Did the BLM change the name of conservation leases to restoration and mitigation leases because section 103 of FLPMA does not give the authority to BLM to define conservation as a use?

Question 31. Do restoration and/or mitigation appear as "principal or major uses" as defined by section 103 of FLPMA?

Question 32. How many times does the word "mitigation" appear in FLPMA?

Question 33. In what context does the word "mitigation" appear in FLPMA?

Question 34. Does the word “mitigation” appear in FLPMA in any context in which it would be an exclusive use of the land?

Question 35. How many times does the word “restoration” appear in FLPMA?

Question 36. In what context does the word “restoration” appear in FLPMA?

Question 37. Does the word “restoration” appear in FLPMA in any context in which it would be an exclusive use of the land?

Wildfires and Forest Management

Question 38. In the 2018 Consolidated Appropriations Act, Congress passed an update to the Federal Land Policy Management Act (FLPMA) to establish a streamlined process for development, approval, and implementation of vegetation management, facility inspection, and operations and management (O&M) plans for electric utilities operating in rights-of-way on BLM lands. BLM has not completed its required update of the process or O&M plans. The Forest Service completed the updates in 2.5 years.

38a) When will the BLM move forward with its compliance to the Congressional update in FLPMA?

38b) When will the BLM finalize the rule for updating O&M plans?

38c) Please provide a timeline for completion to Congress.

30x30

Question 39. A BLM Press Release from April 3, 2024, titled, “Biden-Harris Administration Finalizes Protections for Thompson Divide” states, “. . . [President Biden] is on track to conserve more lands and waters than any President in history.”

39a) How much land and water has the President conserved (please delineate in acreage)?

39b) At what point will President Biden conserve more lands and waters than any President in history (i.e. a certain percentage or acreage number)?

39c) What percentage of the lands “conserved” by President Biden are at risk of catastrophic wildfire?

39d) Since President Biden “conserved” those acres, what active management has occurred to reduce the threat of catastrophic wildfire.

Question 40. The Conservation and Stewardship Atlas (Atlas) was released after 3 years of working on it. How much money was used to develop the Atlas?

Question 41. How much staff time was used to develop the Atlas?

Question 42. Why did it take 3 years to develop the Atlas?

Question 43. Have the policies that the administration has been implementing prior to the release of the Atlas consistent with the Atlas?

Question 44. Will any administration policies need to change now that the Atlas is publicly available?

Question 45. On the home page for conservation.gov, the website is described as “[a]n information hub supporting locally led efforts to conserve and restore our nation’s lands, waters, and wildlife.”

45a) How does the Department of the Interior define “conservation”?

45b) Why is that definition not prominently displayed on the website?

45c) Will DOI commit to posting a concise and accurate definition of “conservation” on the website’s home page? If not, why not?

45d) How does DOI define “restoration”?

45e) Why is the definition of restoration not prominently displayed on the website?

45f) Will DOI commit to posting a concise and accurate definition of “restoration” on the website’s home page? If not, why not?

Question 46. On the webpage entitled, “Supporting Conservation Ambition and Progress across the U.S.,” there is a diagram that summarizes the Biden administration’s “preliminary framework for assessing progress toward the nation’s goal of conserving at least 30 percent of U.S. lands and waters by 2030.” Notably, National Forest System (NFS) and Bureau of Land Management (BLM) lands “that are

conserved and restored” are listed as only “potential additions” to the “National Conservation Goals.”

46a) How many acres of NFS lands are currently listed as “potential additions”?

46b) What data is required before this acreage can be added to the “National Conservation Goals”?

46c) What are the current uses of the specified NFS lands? Please give a percentage breakdown of primary uses (e.g., x percent is primarily used for wildlife habitat, y percent is primarily used for watersheds protection, z percent is primarily used for grazing, etc.).

46d) How many acres of BLM lands are currently listed as “potential additions”?

46e) What data is required before this acreage can be added to the “National Conservation Goals”?

46f) What are the current uses of the specified BLM lands? Please give a percentage breakdown of primary uses (e.g., x percent is primarily used for wildlife habitat, y percent is primarily used for timber harvesting, z percent is primarily used for grazing, etc.).

Question 47. The website claims that “approximately 13 percent of U.S. lands . . . are permanently protected and not subject to extractive uses.”

47a) Is this 13 percent figure equivalent to the sum of all “Permanently Protected Areas” and “Additional Conserved Areas” currently displayed in the diagram on the “Supporting Conservation Ambition and Progress across the U.S.” webpage?

47b) If not, how was this figure calculated? Please provide details.

47c) Please provide a list of every example the administration considers to be an “extractive use.”

Question 48. The Atlas is described on [conservation.gov](https://www.conservancy.gov) as “a data and mapping project that aims to better reflect the full scope, scale, and progress of conservation efforts across the U.S.” Yet the 13 percent figure described above is the only concrete figure currently cited for current lands conservation. Since so much data is pending, is it not misleading to cite the 13 percent figure, especially when the Atlas claims to “better reflect the full scope, scale, and progress” of U.S. conservation efforts?

Question 49. [Conservation.gov](https://www.conservancy.gov) boasts that, “[s]ince the launch of the America the Beautiful initiative in early 2021, the U.S. has experienced one of the most rapid accelerations of conservation progress in U.S. history, with more than 41 million acres of land and water conserved in 3 years.” This reflects an average of nearly 14 million acres conserved per year.

49a) According to the Congressional Research Service, as of FY 2022, the main federal land management agencies have a \$36 billion deferred maintenance backlog on their existing lands. Is it wise for the federal government to acquire more acreage for conservation when it has such a large backlog?

49b) Elsewhere, the website stresses the importance of maximizing local input in conservation planning. How can the Biden administration adequately gather and evaluate local input for land-use planning when its conservation efforts are undergoing “rapid accelerations”?

Question 50. Despite making repeated caveats that the data used in the Atlas is incomplete, and therefore only “preliminary,” [conservation.gov](https://www.conservancy.gov) assert that “U.S. protection, conservation, and restoration efforts will need to stay at or above 2021–2023 levels of expansion to achieve the 30 percent goal for lands by 2030 and to expand geographic and biological representation to ensure ecosystem health and resilience.”

50a) How can the Council on Environmental Quality (CEQ) accurately assert the need for expanded “protection, conservation, and restoration efforts” when its data on existing efforts is incomplete?

50b) According to Congressional Research Service, the federal government already owns approximately 28 percent of all land in the U.S. If the federal government is properly managing these lands, why would new conservation efforts “need to stay at or above 2021–2023 levels of expansion to achieve the 30 percent goal for lands” by 2030?

Question 51. *Conservation.gov* claims that the website's development was based on public input, which included "more than 34,500 comments received." How many of those comments were unique?

Question 52. How many taxpayer dollars were used to create the *conservation.gov* website?

Question 53. What is the difference between "restoration" and "conservation"? Please provide examples.

Question 54. *Conservation.gov* routinely emphasizes the importance of local input, declaring, for example, that "[t]he Federal Government should do all it can to help local communities achieve their own conservation priorities and vision."

54a) In formulating the Rock Springs Draft Resource Management Plan (RMP), the BLM abruptly switched its preferred alternative to Alternative B, despite representing Alternative D as the preliminary preferred alternative to local stakeholders for many years prior. Does the DOI view this abrupt change as consistent with "emphasiz[ing] the importance of local input"?

54b) If not, what steps will the DOI take to ensure this kind of conduct is not replicated in the future?

54c) In its finalized "Public Lands Rule," the BLM has eliminated the 60-day comment period for areas of critical environmental concern (ACECs). Is this action by the BLM consistent with "emphasiz[ing] the importance of local input"?

54d) If not, will the DOI commit to reinstating the separate comment period for ACECs?

Question 55. *Conservation.gov* maintains that "[c]onserving and restoring the nation's lands and waters can yield immense economic benefits."

55a) Is the DOI aware that the Rock Springs Draft RMP will cause 2,900 people to lose their jobs in Wyoming?

55b) Does the DOI view such job losses to be "immense economic benefits"?

55c) If not, how will the BLM seek to bring economic benefits to the areas of Wyoming that would be negatively affected by the Rock Springs Draft RMP?

Question 56. As part of the Biden administration's 30x30 Initiative, the administration released principles to "guide" their efforts. Two principles are: (1) Supporting tribal priorities and (2) Locally led and locally designed conservation efforts.

56a) How does the Department reconcile differences when the priorities of Tribes and local communities are not aligned?

56b) What policy changes has the Department implemented since the 30x30 announcement to ensure that voices of local communities are being heard when decisions are made that could drastically effect their way of life?

Payments in Lieu of Taxes

Question 57. Does the Administration support Payments in Lieu of Taxes (PILT)?

Question 58. The Department is requesting a \$153 million decline in funding for PILT. When asked why, DOI staff said in an email to Committee Staff, "The 2025 budget prioritized funding needed to support ongoing operations and sustain services and programs Interior provides directly to the public, including critical health and safety programs. As such, the budget proposes reductions in several major grant and payment programs, including PILT."?

58a) If the budget "prioritized funding needed to support . . . programs Interior provides directly to the public . . .," please explain how PILT payments directly to the public does not fit into this statement.

58b) Please list the "several major grant and payment programs" with a proposed reduction. Please include the name and amount.

Indian and Insular Affairs

Question 59. The Subcommittee on Indian and Insular Affairs held a hearing on the Land Buy Back Program earlier this year, where the Department did not testify in person. The Department's own report reviewing the program indicated that without sustained purchasing efforts, the growth of fractionation is predicted to exceed pre-program levels in just 15 years.

59a) Has the Department looked at changing its approach to decrease land fractionation on reservations given these findings and the minimal reduction of fractionated land over the past decade?

59b) If not, why?

Question 60. Regarding LWCF:

60a) Why does the FY 2025 request move the LWCF program from the BIA's account to the Secretarial account?

60b) Will this hinder BIA's ability to manage the LWCF program and create extra bureaucratic barriers for tribes?

60c) Is there concern that purchasing lands for tribes with LWCF funds will curtail future use of these lands that could stifle tribal autonomy?

Question 61. The Bureau of Indian Education (BIE) ordered a series of investigations at Haskell Indian Nations University (HINU) between 2021 and the present.

61a) The BIE Investigative Report prepared by the BIE Administrative Review Board (AIB) is dated November 7, 2022. It is also dated January 13, 2023. Provide the Committee with all changes made to the Report, including any or all edits (including additions or deletions) made after November 7, 2022 and January 13, 2023.

61b) During your testimony, you mentioned that you recently visited HINU. During the time of your visit, were you aware of ongoing investigations at the school? Please explain.

61c) Did you meet with any students who had filed assault and harassment complaints, and/or contacted your office? Please explain.

61d) On March 2023, a group of HINU Student-Athletes wrote to you and reported instances of "intimidation, threats, fraudulent reports, assaults, sexual abuse, embezzlement, forged signatures and countless crimes and unspeakable acts of evil, all from one group at HINU." Please provide a copy of your response.

61e) HINU student-athletes were forced to sign, at the direction of HINU President Pfeiffer, and other administration officials, formal non-disclosure agreements (NDAs), on or about November 4, 2021, without the ability to seek advice from counsel or even their parents. At the time, students were bullied and even threatened with expulsion if they did not sign the agreements.

i) Did you, or any official at BIA, or BIE, authorize, direct, or approve of this action?

ii) Do you agree with the use of NDAs for HINU students?

Energy and Mineral Resources

Question 62. In our Committee hearing when asked a question regarding oil and gas leasing in Colorado you said "In Colorado, specifically, we are moving forward with what we are required to do." The Mineral Leasing Act explicitly states that "lease sales shall be held for each State where eligible lands are available at least quarterly and more frequently if the Secretary of the Interior determines such sales are necessary."

62a) When do you plan to return to quarterly lease sales in the State of Colorado?

Question 63. During your testimony, you stated that the Department of the Interior has permitted 40 mine projects.

63a) Which projects have been permitted?

63b) Which projects were expansions or modifications?

63c) Which projects were fully new mines?

63d) Which mines were fully permitted, from start to finish, under the Biden administration?

63e) How many of these projects required an Environmental Impact Statement (EIS)?

63f) How many new mines are awaiting an Environmental Impact Statement (EIS)?

63g) How many new mines are awaiting a Record of Decision (ROD)?

Question 64. BOEM and BSEE have initiated an interagency consultation under Section 7 of the Endangered Species Act with the National Marine Fisheries Service to revise the current Biological Opinion for Oil and Gas Activities in the Gulf of Mexico (BiOp). I am also aware that a number of entities operating in the Gulf of Mexico, and industry trade associations, have requested that they be granted applicant status by the agencies to allow them to actively participate in the BiOp process. It seems logical that the entities that are performing the work that is being analyzed in the BiOp, and their associations, be given the opportunity to participate in the consultation. The requests were sent over the course of the last month, and neither BOEM nor BSEE has indicated that they are actively considering these requests. There are activities that take place early in the BiOp process that applicants could participate in if a decision is made in time.

64a) Do you have any information regarding the status of these requests?

Coordination with Local Communities

Question 65. In August 2023, the BLM published the Draft RMP and EIS for the Rock Springs RMP Revision, Wyoming. The BLM's proposed alternative (Alternative B) would designate 16 new Areas of Critical Environmental Concern (ACECs) covering 1.8 million acres of federal land, which is half of the RMP's covered area. Alternative B would also eliminate the possibility of fluid mineral leasing on roughly 2.5 million acres of the 3.7 million subsurface acres managed in the planning area. In our Committee hearing you admitted that you had not heard of the Rock Springs Resource Management Plan.

65a) Is it appropriate for you, the top DOI official, to be wholly unfamiliar with this controversial planning initiative?

65b) Will you commit to familiarizing yourself with the Rock Springs Draft RMP and to addressing yourself to the concerns raised by local officials and residents?

65c) How are the State of Wyoming and rural communities in Wyoming supposed to provide essential services to their constituents when you are locking up their lands for energy production?

65d) Please provide to the Committee all communications and meetings between Department HQ officials and outside stakeholder groups on the Rock Springs Resource Management Plan revision.

Question 66. When BLM Principal Deputy Director Nada Wolff Culver testified before this Committee on March 20, 2024, she admitted that she had not taken the opportunity to read testimony from other witnesses that had raised serious, local complaints about the Rock Springs Draft RMP. Is it appropriate for a leading BLM official to have neglected to read such complaints?

Question 67. In our Committee hearing, you stated that you went up to Utqiagvik where you did a roundtable with tribal leaders.

67a) During that roundtable did you tell tribal leaders of your plans to issue a regulation for management of the National Petroleum Reserve in Alaska and cancel the previously awarded leases in the 1002 area of ANWR?

67b) Please provide the transcript and any notes taken for and during that roundtable.

Question 68. In January 2024, officials representing Utah's Garfield and Kane Counties raised concerns at a BLM Coordination Meeting about BLM planning for Grand Staircase-Escalante National Monument (Grand Staircase). Specifically, these officials claimed that the BLM had failed to adequately coordinate with them over the 2-year period that began in 2021, when the BLM started working on an RMP in response to President Biden's expansion of the Grand Staircase. These officials also claim that BLM failed to meet a number of critical deadlines during that period and has failed to produce a list of the "objects" that would be protected by the monument's new acreage.

68a) Are these coordination failures consistent with the DOI's public statements about valuing local input and coordinating with local governments? What steps are being taken to remedy this situation.

68b) Will you commit to having the BLM provide the list of objects that would be protected by the expansion of the Grand Staircase?

Great American Outdoors Act

Question 69. The utilization of Maintenance Action Teams (MATs) has been touted by the Department as a valuable tool that incentivizes the Department to leverage economies of scale to efficiently tackle deferred maintenance and repair projects on public lands. In the FY25 budget proposal, there is no increased investment for MAT teams.

69a) Given the continued rise of the deferred maintenance backlog, why is the department not investing more resources in MAT teams?

69b) How does the Department determine what projects will be completed by MAT teams versus contracting out a project to a third party? Please provide examples.

69c) Has the Department considered increasing the scale of the MAT program?

69d) How many projects does the Department anticipate MAT teams will complete in FY 2025?

69e) On average, how much does a project completed by a MAT team save the Department compared to contracting the same project?

Question 70. In September 2023, an OIG report on the National Park Service's management of its deferred maintenance revealed concerning findings on accuracy and data reliability issues that have exacerbated barriers to conducting and conducting deferred maintenance projects. What measures has the Department taken to ensure that NPS reliability deferred maintenance projects are done in a reliable manner?

Question 71. How does the National Park Service prioritize various deferred maintenance projects?

Question 72. Please describe how the Department determines what financial resources are allocated to the contingency fund?

Question 73. Do these determinants vary for different agency's contingency funds?

Foreign Influence

Question 74. On April 29, 2024, the Daily Caller published an article which stated that a senior official from the Bureau of Ocean Energy Management solicited a legal opinion from the Natural Resources Defense Council in an effort to solicit interest from developers to invest in underserved communities. The Natural Resources Defense Council receives significant support from Energy Foundation China, a Beijing-headquartered organization led and staffed by individuals with significant ties to the Chinese Communist Party (CCP). With the Natural Resources Defense Council having ties to the CCP, is there concern in the Department that BOEM gave indirect access for CCP to influence American energy policy?

Natural Capital Asset Accounting

Question 75. The Interior Department, including the Bureau of Land Management, Bureau of Ocean Energy Management, and U.S. Geological Survey, serve on the Working Group that developed the "National Strategy to Develop Statistics for Environmental-Economic Decisions." The FY25 budget request for the Department of the Interior includes \$3.22 million for the USGS to "build on and augment existing datasets across mission areas that support environmental-economic accounts" and "produce pilot environmental-economic accounts for land, water, natural hazards, energy and minerals and ecosystems." In addition, the request also includes \$290,000 for the Office of the Secretary to hire an analyst to "advance the National Strategy for Statistics for Environmental-Economic Decisions," including ensuring that DOI "is well integrated in the Interagency Policy Working Group (PWG)," "help DOI in leading or supporting regular and thorough communications both from Interior to other collaborators and from the PWG to Interior; help ensure that economists, other scientists, and key policy staff across Interior are coordinated to contribute to accounts and their application; and apply technical knowledge of natural capital accounting to support the development, testing, refinement, and deployment of data and statistics, especially as pertains to inter-bureau and interagency topics." How specifically would these requested funds be used to support implementation of an unauthorized United States natural capital accounting initiative?

Question 76. The "National Strategy to Develop Statistics for Environmental-Economic Decisions" states that the federal government should "apply existing authorities and make use of the substantial expertise within Federal departments and agencies . . . to develop and update the system of natural capital accounts and

environmental-economic statistics,” noting that the plan features “actions agencies can take under existing resources and those that require some additional outyear investments.” Moreover, it notes that current OMB guidance and presidential directives require benefit-cost analysis, and that “agencies should endeavor to account for how their actions change the value of services provided by natural assets.” Please specify all actions that DOI has already taken to initiate implementation of this initiative, including the specific financial and human resources involved in doing so.

Questions Submitted by Representative Bentz

Question 1. What are the detailed budget commitments Interior has made to date as part of the agreement on behalf of the U.S. Fish and Wildlife Service and the Bureau of Reclamation? In other words, what Interior funds have been obligated thus for the “USG Commitments”?

Question 2. The “USG Commitments” outlined numerous deadlines to be met by each agency—can you please provide an updated list of which portions of the agreement Interior has funded and implemented and a timeline for the remaining items?

Question 3. What other additional resources have been tapped at Interior for the purpose of carrying out the “USG Commitments” such as staff time and other expenditures not expressed out in the settlement?

Question 4. How does Interior intend to communicate budget and expenditures for the “USG Commitments” to Congress or to the non-Six Sovereigns, aside from being asked for updates?

Question 5. How will stakeholders be engaged both in Interior’s budget commitments and generally as policy is drafted and implemented as part of the “USG Commitments”?

Question 6. How will the “Water Supply Analysis” contained involving the Bureau of Reclamation be coordinated and funded with the State of Washington and how will stakeholders be engaged in that process?

Question 7. Four sawmills have closed in Western Oregon since the beginning of the year. Each cited an insufficient supply of logs to maintain their operations, despite being surrounded by overstocked federal forests. Instead of increasing active forest management to improve forest health and meet our society’s needs for wood products, this year the Department of the Interior reportedly provided policy direction to the Oregon state office to reduce timber sale levels well below the levels called for in the Obama-era 2016 Resource Management Plans. This policy direction was not connected to funding levels and will result in a nearly 25% reduction. The rural communities and local governments I represent have a right to understand what policy direction has been provided and the rationale for it. Please provide me with information and the rationale behind the reduction of timber sale levels made by the Oregon state office.

Questions Submitted by Representative Carl

*Question 1. Recently, there were concerns regarding lease stipulations proposed by the Department of the Interior (DOI) in Lease Sale 261, which could have severely restricted oil and gas supply vessels’ ability to operate during nighttime and low visibility. Although these stipulations were deemed unlawful and dropped, it raises a significant question: **if similar restrictions were imposed in the future, could that potentially limit U.S. oil and gas production?***

*Question 2. DOI has full jurisdiction over offshore oil and gas activities, including regulatory decisions that impact supply vessel operations. Severely restricting these operations could have implications for the industry’s ability to maintain production levels. **Would such restrictions ultimately help or hurt the industry’s capacity to produce oil and gas in federal waters?***

*Question 3. Secretary Haaland, I want to reiterate our primary concern and request regarding the timeline outlined in the Notice of Intent (NOI) for Warrior Met Coal’s expansion project. This timeline includes the final Environmental Impact Statement (EIS) to be released in summer 2025, with a Record of Decision expected in early 2026. Given this timeline, **can you confirm that the Department of the Interior is committed to sticking to these deadlines and ensuring that all necessary steps are taken to meet the requirements in the NOI?***

Question 4. *It's crucial that there is clarity and assurance regarding this matter to prevent further delays that could have significant financial implications for various stakeholders. **Given this urgency, what steps can the Department of the Interior take to expedite the process and ensure that Warrior Met Coal can move forward with their expansion plans without further delays?***

Questions Submitted by Representative Lamborn

Question 1. *Secretary Haaland, how do you believe the Landscape Conservation and Health rule will survive the major questions doctrine?*

Question 2. *How will the agency accurately price a mitigation or restoration lease?*

Question 3. *Are there acreage limits to these leases?*

Question 4. *How will an agency know when specific parameters for a restoration lease have been realized?*

Question 5. *Will 501 c.3's or other groups be able to lease back-to-back 10-year conservation leases?*

Question 6. *In the rule, your agency states that certain uses of public land will be incompatible with one another. Which uses will be incompatible with Restoration and Mitigation Leases?*

Question 7. *Why do you believe this doesn't violate FLPMA?*

Question 8. *How are western states and communities supposed to provide essential services to their constituents when you are locking up their lands and failing to hold regular lease sales?*

Question 9. *Considering the immediate capital needs we're discussing, is NPS evaluating how best to encourage increased capital investment in new concession contracts that have not yet been issued? If so, please describe those efforts, particularly any efforts related to evaluating the need for concessioner investment and NPS calculation of the minimum franchise fees set forth in new concession opportunities.*

Question 10. *Based on discussions and previous testimony on these topics, there is overwhelming political and public consensus that the National Parks require immediate capital investment on a number of different fronts. The Great American Outdoor Act (GAOA) has been a source of funding for certain infrastructure projects in the national parks, but some of the issues—lack of affordable housing, diminished visitor experience, and dilapidated recreational infrastructure—do not appear to be subject to GAOA funds. How does NPS intend to fund these critical efforts to maintain our park assets?*

Questions Submitted by Representative Radewagen

Question 1. *The territory of American Samoa depends on fishing and NOAA has proven the overwhelmingly negative impacts that a prohibition on fishing would have on the economy of the Territory . . . **Fishing does not impact or benefit the species or habitat in those areas that are being proposed for a sanctuary. Why would the federal government prohibit sustainable U.S. fishing in its own waters?***

Question 2. *Existing management can include concerns about deep-sea mining, climate change, etc. Additional bureaucracy and job creation does not provide advantages for these places . . . **What are the added protections that will be provided that are not provided through the current layers of management such as national wildlife refuges, marine national monuments, and existing federal fishery management?***

Question 3. *Currently, the President's conservation efforts have been met almost exclusively by closures in the Western Pacific. Today we talk about equity and justice, yet the Pacific Islands, which were picked for being pristine because they were always well-cared for and managed from the beginning, are bearing the brunt of the conservation ethos of the rest of the U.S. . . . **Why do we need additional closures if the administration's 30x30 conservation goals have already been met? Why must Pacific Islanders carry the burden of this initiative in its entirety?***

Question 4. *These waters are deep, so deep that the fisheries operate in the top 3% of the water column. Anything below that level that is important to preserve will not*

be impacted . . . **What evidence is there that U.S. fishing is impacting biodiversity within these waters seaward of 50 miles from the islands?**

Question 5. We have limited resources on the islands, including the ocean. Taking away those resources forces us to look elsewhere that may not be sustainable for us in the long run and threatens our food security . . . **How are we, in the Pacific, supposed to be able to adapt and be resilient to a changing climate when large parts of our oceans are taken away, removing potential opportunities for food security?**

Question 6. The territories have some of the highest utility prices in the United States. The average electricity price in American Samoa is over three and a half times the U.S. average. And yet, the Administration expects us to rely solely on renewable energy and is attempting to limit our access to reliable energy sources such as LNG. The Administration insists that the transition to renewable energy would provide the territories with cheaper and reliable energy. And yet, we have seen the destruction of our land, habitat, and high costs associated with this transition. Not only is it costly to build the infrastructure necessary to support and store clean energy, but they are also highly prone to damage from severe weather. One hurricane can completely cripple our power grids for weeks, if not months . . . **Do you think it is fair for us Americans in the territories to be paying more for less reliable energy? Do you agree that the territories have unique needs and deserve the self determination to choose the energy options that meet those needs?**

Question 7. Among the renewable energy sources, solar and wind energy are the two primary options for the territories. However, these sources involve the use of massive turbines and solar panels. American Samoa would likely need to cover most of its land with these turbines and panels to provide enough energy to sustain the islands. This would negatively impact tourism and the Samoan way of life . . . **Do you believe that American Samoa should cripple its own economy and lifestyle for the sake of the Administration's political decision to prioritize on renewables in the territories?**

Question 8. The Administration has claimed that it is leading efforts to protect the U.S. from its adversaries and reduce our reliance on foreign products. And yet, the Administration has limited American LNG production and deep-sea mining. The hypocrisy unveils itself when looking at the Administration's energy policy in the territories. The DOI has prioritized its grant programs and funding on renewable energy, particularly on solar. Who produces the critical minerals used for making solar panels? China. Where does our LNG come from? Everywhere except the U.S. . . . **What are you doing as Secretary of the Interior to address these issues?**

Questions Submitted by Representative Peltola

Question 1. Last year, the Department of the Interior withdrew from a land exchange agreement with King Cove that would have allowed for the construction of a single-lane gravel road. What updates can you give me on a new land exchange, and will you be able to finish this before the end of the administration?

Question 2. BLM recently issued new land management regulations for the National Petroleum Reserve in Alaska.

2a) What was done to fulfill tribal consultation requirements with communities on the North Slope?

2b) What metrics were used to determine whether the new regulations would not have a significant economic impact?

2c) Can you confirm that the new regulations will not have a negative impact on the development and production of the Willow project?

Question 3. Interior has made many decisions about Alaska resource development recently. Given the administration's stated goals for onshoring critical mineral development, are there any new resource extraction projects in Alaska that you anticipate the Department moving forward with soon?

The CHAIRMAN. Thank you, Madam Secretary, for your testimony. The Chair will now recognize Members for 5 minutes of questions, and I will recognize myself to begin the questioning.

Madam Secretary, less than 2 weeks ago, BLM issued the final supplemental Environmental Impact Statement for the Ambler Road Access Project, a right-of-way application to construct a 211-mile road in the Ambler Mining District of Alaska. Just 25 miles of this 211-mile road would cross BLM land. Unfortunately, BLM took an unprecedented step in issuing the no action alternative, effectively killing access to huge deposits of minerals.

Secretary Haaland, do you know what minerals this project seeks to access?

Secretary HAALAND. Chairman, thank you so much for the question. And I want to, sorry about that. I guess I am losing my touch, Chairman. I had to remember to press “talk”.

[Laughter.]

Secretary HAALAND. I want to just state in the beginning that Ambler Road is not a decision yet, and I want to say that the analysis released concerns the 210-mile road construction proposal, and no related mine proposals are pending. So, if we get a related mine proposal, of course, then we will see what the proposal states and how we move forward on it.

The CHAIRMAN. But Madam Secretary, do you know what minerals are at that mine?

Secretary HAALAND. Congressman, there is no mine. There is no mine there, so—

The CHAIRMAN. The proposed mine. It is 265.5 million tons of mineral ore that includes copper, zinc, gold, silver, cobalt, lead, and germanium, all very critical to our economy.

Let’s take copper for an example. According to the USGS, the United States is currently 46 percent net reliant on foreign sources of copper, and global copper demand is already starting to skyrocket. Since the Biden administration shut down the potential access to 30 percent of U.S. copper reserves with its land withdrawal in northern Minnesota, and now yet we are looking at more in Alaska, where does the Biden administration support new copper production, and what is in the proposed budget to make that happen?

Secretary HAALAND. Chairman, thank you for the question.

And first I will say that, since President Biden has been in office, since January 2021, we have approved 40 mining or mining modification permits since the President has been in office. That includes five critical mineral mines.

The CHAIRMAN. But these aren’t new mines. And back to the original question, which comes first, the chicken or the egg? How do you build a mine without having a road to get to the mine?

But these elements of copper, nickel, and cobalt are critical to the Biden administration’s very own mineral-heavy renewable energy goals. Your testimony mentioned budgeting for supply chains. How are you specifically working to ensure that expedited production on Federal lands is there to meet the rising demand of these minerals?

Secretary HAALAND. Thank you very much for the question, Chairman.

And first I will say that our interagency work group on mining reform has taken this issue very seriously. We have a mining law that is 150 years old that doesn't meet the needs of our world today in 2024. We are proud of the report that we were able to put out, and we are moving forward with—

The CHAIRMAN. Madam Secretary, I have to move on. A report is not an action to make sure that we are securing these critical minerals.

Moving to a different topic, since the migrant camp opened at Floyd Bennett Field last year, nearly every issue that we predicted has come to light. This includes reports of increased crime and drug use in the neighboring communities. Local residents have reported increased incidences of shoplifting, panhandling, and street prostitution since the camp opened. There have been multiple arrests at the facility for assault and domestic violence. And all of this is happening while New Yorkers are having to bear the brunt of classes being canceled at school and community programs that are no longer safe for kids to attend.

Do you agree that it is wrong to deny New Yorkers access to their public lands, and this is one of the only green spaces they have, for these indefinite encampments for migrants?

Secretary HAALAND. Thank you so much for the question, Chairman. And I understand that this is a lease between the National Park Service and the City of New York. I know that during—

The CHAIRMAN. Do you agree this lease sets a new precedent?

Secretary HAALAND. We enter leases all the time. The National Park Service enter leases all the time with various entities—

The CHAIRMAN. Can you assure the Committee that no other national park sites will be used to house migrants?

Secretary HAALAND. It is my understanding that there are no other issues of this kind or proposed leases that are being worked on now.

The CHAIRMAN. Can you assure the Committee that no further migrants will be bussed to Floyd Bennett Field?

Secretary HAALAND. I can't answer to how various states move migrants across the country, Chairman. But the National Park Service, apparently, has had the necessary conversations, and I want to assure you that we have a very robust Solicitor's Office who takes very seriously and advises us on these issues and overlooks our contracts. We don't do this very lightly. It is all a very serious process, and we take it very seriously.

The CHAIRMAN. Thank you, Madam Secretary. My time has expired. I recognize Mr. Levin for 5 minutes.

Mr. LEVIN. Thank you, Mr. Chairman.

Secretary Haaland, it is wonderful to see you. We miss you here on the Natural Resources Committee. I am really glad you are here to discuss the Department's work and the importance of providing sustained funding for you to continue your many critical initiatives that help protect our public lands, promote domestic clean energy production, and provide outdoor recreation opportunities.

The Department has clearly been very busy over the last few weeks, and we are grateful to hear your announcements and see final rules that are promoting renewable energy development on

public lands, holding oil and gas companies accountable, and recognizing the vital role that conservation has in public lands management.

I am glad that you and the Biden administration are advancing historic action on climate change, commensurate with what this moment in history demands. I was pleased, in particular, to hear that we are already surpassing the goal Congress set in the Energy Act of 2020 to permit 25 gigawatts of renewable energy on public lands by 2025, with DOI already successfully permitting 29 gigawatts ahead of schedule.

As you know, the Public Lands Renewable Energy Development Act or PLREDA, which has long been bipartisan legislation I am proud to champion, promotes the responsible development of wind, solar, and geothermal resources on Federal land. It is endorsed by both industry and conservation organizations.

I see this bill as working in conjunction with DOI's recently finalized renewable energy rule and the ongoing Western solar PEIS process. The bill includes revenue sharing for states, communities, and a conservation fund, and incentivizes development in low-conflict priority areas. It will ultimately help ensure we can meet our dual climate goals of: (1) enhancing renewable energy permitting and deployment; and (2) conserving our nation's treasured natural and cultural resources.

Secretary, can you tell me more about how the Administration is working to facilitate environmentally responsible, renewable energy development on Federal lands?

Secretary HAALAND. Thank you so much, Congressman, and thank you for your welcome here. It is always wonderful to be back in your company.

Yes, I am very proud of the fact that we have met this goal ahead of schedule. Thank you for recognizing that. I just returned from Arizona, where we essentially cut a ribbon on the 10 West transmission line that will carry energy across state lines, so into your state, as well. The 500-kilovolt line was possible because of our early outreach and engagement.

And I want to emphasize the great work of Interior staff, specifically for this project the BLM, who knows the communities very well and engages with them early. And I think that is the key to ensuring that we can move more of these projects forward.

Mr. LEVIN. Can you, along those lines, compare the projects that have successfully gone through the permitting process with those that may have struggled due to community opposition?

And, specifically, can you speak to any correlation between how actively project sponsors engage with interested or impacted communities early on or prior to the permitting process and positive project outcomes, or how a lack of stakeholder engagement might create project delays or even cancellations?

Secretary HAALAND. Thank you very much, Congressman. And as I mentioned, the early outreach allows for more informed participation from tribes and stakeholders. Public buy-in also increases public confidence in these projects and reduces the risk of costly and time-consuming litigation.

And I would like to point out that, for renewable energy projects, our recently finalized rule ensures there is an initial in-person

meeting with the public, because we and the public have seen the improvements in outcomes from early engagement. So, I really believe that is the key, and we will follow that and move forward.

Mr. LEVIN. Thank you for that.

Another major announcement that came out was the final oil and gas rule, which set fair royalty and bonding rates for oil and gas operators on public lands for the first time in decades, and implemented reforms Congress enacted in the Inflation Reduction Act, including some that my colleagues and I on this Committee have championed. The final rule will hold oil and gas companies accountable for their impacts on public lands and provide a fair return for taxpayers.

Now, we sometimes hear that the bonding reforms are unwarranted. I have heard the claim there are only 37 documented orphan wells on BLM land. Can you take a moment to tell us why this may be a misrepresentation of the issue?

Secretary HAALAND. Thank you, Congressman. I first want to point out that the rule reflects provisions in the Inflation Reduction Act pertaining to increased royalty rates, rentals, minimum bids, and expressions of interest. The increase in bonding helps keep taxpayers from being on the hook.

We have traveled around the country to lift up the work that we are doing on orphan gas wells and abandoned mine lands, and it is pretty clear that taxpayers foot the bill on so many of these things. We want to make sure that companies have the wherewithal to clean up after themselves. So, this rule updates oil and gas bonding requirements for the first time in 60 years to ensure reclamation costs are not borne by the American public.

Mr. LEVIN. Thanks, Secretary. I am out of time.

I yield back.

Ms. KAMLAGER-DOVE. Mr. Chair, I ask unanimous consent to submit into the record a recent *New York Times* article showing that, contrary to Republicans' anecdote-driven claims that migrants entering the United States are causing a surge in violent crimes, according to police data there has been no surge of violence and crime since April 2022, which is when Governor Greg Abbott started using migrants as a political tool by putting them on busses and dropping them off in cities like New York. This is *New York Times*, February 24.

The CHAIRMAN. Without objection.

[The information follows:]

'Migrant Crime Wave?' Not Supported by Data, Despite High-Profile Cases

Several well-publicized acts of violence by migrants in New York have unsettled some city leaders, but police statistics do not point toward a surge in crime.

The New York Times, Feb. 15, 2024 by María Sánchez Díez and Melissa Kravitz Hoeffner

<https://www.nytimes.com/2024/02/15/nyregion/migrants-crime-nyc.html>

In the past month, the New York Police Department has described alarming crimes involving young men living in the city's migrant shelters.

A 15-year-old boy, the police said, shot at an officer in Times Square and hit a tourist. Two officers were kicked and punched on West 42nd Street. A Venezuelan

man oversaw a ring of criminals who rode mopeds and snatched purses and cellphones from more than 60 people, most of them women walking alone.

During an early-morning police raid last week in the Bronx, Mayor Eric Adams, dressed in a bulletproof vest over a Fendi scarf, joined officers as they arrested five people accused of perpetrating the robbery spree. “A migrant crime wave is washing over our city,” Police Commissioner Edward Caban told reporters hours later.

Some of the crimes were captured on videos that have since gone viral, leading Republican politicians and their allies to say that migrant criminals are besieging New York.

Quantifying crimes committed by migrants is nearly impossible, because the police are not allowed to ask about a suspect’s immigration status, said Kenneth Corey, a former chief of the department who retired in 2022. But police data indicate that there has been no surge in crime since April 2022, when Gov. Greg Abbott of Texas started sending buses of migrants to New York to protest the federal government’s border policy.

More than 170,000 migrants have arrived in the city since then, and it is difficult to know what crime statistics would show had they not come. But as the migrant numbers have increased, the overall crime rate has stayed flat. And, in fact, many major categories of crime—including rape, murder and shootings—have decreased, according to an analysis of the New York Police Department’s month-by-month statistics since April 2022.

The monthly number of robberies since migrants began arriving in large numbers has fluctuated. It peaked at 1,730 in July 2022, hit a low of 1,155 in February 2023 and climbed to 1,417 last month.

Grand larcenies have also gone up and down, but the monthly total stood at 4,056 in January, compared with a high of 4,687 in August 2022.

Jeffrey Butts, director of the Research and Evaluation Center at the John Jay College of Criminal Justice, said that there was no discernible migrant crime wave.

“I would interpret a ‘wave’ to mean something significant, meaningful and a departure from the norm,” he said. “So far, what we have are individual incidents of crime.”

Still, immigrants staying in shelters said they had felt a sense of hostility in recent weeks. On subway cars, they said, people slide over to avoid sitting too close to them or make rude comments under their breath.

“They say things in English you don’t understand, but you can tell it’s bad,” Ezequiel Velásquez, a 22-year-old Venezuelan, said in Spanish outside the Row NYC hotel in Times Square, where a migrant shelter has been established.

Because of the recent crimes, he said, people see all migrants the same way: “violent.”



Immigrants staying in shelters, like this one at the Row NYC hotel in Times Square, said they had felt a sense of hostility in recent weeks. Juan Arredondo for The New York Times

Days after the officers were assaulted in Times Square, a man stood in front of the Row NYC and yelled slurs, said Marcela López, a 38-year-old migrant from Colombia. She could not understand him, but her 11-year-old son translated.

“Immigrant bastard,” the man had said.

The police did not provide statistics to back up Commissioner Caban’s claim of a migrant crime wave and referred questions to a Feb. 5 news conference during which police officials announced the Bronx raid and listed a litany of other crimes likely committed by migrants. Officials at the news conference described a rise in robberies by men on mopeds—a source of transport and employment for many newcomers—since migrants had started to arrive. They also mentioned calls related to domestic violence at shelters, picked pockets, shoplifting and reports of human trafficking.

Joseph Kenny, the chief of detectives, said that mopeds were used in 32 different robbery patterns in the first five weeks of the year (a “pattern” refers to several similar crimes committed by one person or a group of people). Last year, there was only one such pattern in the same time period, he said.

The police said they have also been investigating groups of Venezuelan immigrants who they say are engaged in more sophisticated thefts, like hacking into stolen phones and using people’s identification to clear out their bank accounts.

It is not surprising that among a sudden influx of tens of thousands of people, there would be criminals or criminal behavior, said James Essig, a former chief of detectives for the department.

“Any group that comes in, where you’ve got unemployed, young males hanging out in the corners, they’re going to get themselves into trouble,” he said.

Mr. Corey, the former department chief, said that even a tiny percentage of immigrants engaged in criminal behavior could cause a surge in crime and lower people’s sense of security.

“The bigger question is why would we allow people who are clearly engaged in criminal activity—and we’re not talking about a young mother who is shoplifting baby formula to feed her baby—why would we allow them to remain here?” Mr. Corey said.

Some lawmakers have called for repealing a city law that forbids police officers from honoring detention requests issued by immigration authorities without a warrant from a federal judge.

When describing crimes by migrants, officials have largely stuck to anecdotes and videos that have been well publicized. At the February news conference, officials showed a woman being dragged by a thief on a moped. After the assault late last month on two police officers in Times Square, the department released a short clip of the attack, which led to the indictment of about half a dozen men. The story quickly became a staple on Fox News.

Alvin Bragg, the Manhattan district attorney, later released longer footage of the assault, which showed that the officers had initiated the encounter, aggressively ordering the men to keep walking before pulling one of them to the side after he appeared to yell an insult at the police. The fracas began after the man resisted.

The focus on particular crimes has created a false sense of chaos and insecurity that threatens law-abiding immigrants, said Ana María Archila, a co-director of the Working Families Party, which is allied with labor unions and community organizations. She noted the Feb. 6 assault by the Guardian Angels of a man the anti-crime group had mistaken for a Venezuelan immigrant. The attack took place just as the group’s leader, Curtis Sliwa, was being interviewed live on Fox News nearby.

“You look at the history of immigration, and you see very clearly that waves of migration are accompanied by diminishing rates of crime,” Ms. Archila said. “It’s also true that waves of migration have been received with racist, xenophobic rhetoric.”

In 2023, researchers at Stanford University found that immigrants were imprisoned at lower rates than people born in the United States. In 2020, a University of Wisconsin-Madison study noted that undocumented immigrants in Texas tended to have fewer felony arrests than legal residents.

Mayor Adams, who in September said that the migrant crisis would “destroy New York City,” has somewhat softened his tone.

“Any New Yorker that looks at those who are trying to fulfill their next step on the American dream as being criminals, that is wrong,” he told reporters the day of the Bronx raid. “That is not what we’re seeing.”

On Monday, the city announced an 11 p.m. to 6 a.m. curfew for migrant shelters. The decision was described as an effort to bring policies at migrant shelters in line with those of traditional homeless shelters, where curfews have existed for years, said Kayla Mamelak, a spokeswoman for Mr. Adams.

“This policy will allow for more efficient capacity management,” she said.

Ms. Mamelak said the curfew had nothing to do with the spate of crimes.

On Monday in Manhattan’s East Village, a line of migrants waited outside St. Brigid School, a former Catholic school, where city workers were handing out temporary housing assignments.

The scene was serene. Groups of men talked on benches, their suitcases close at hand, or played soccer in nearby Tompkins Square Park. One man used electric clippers to give haircuts to migrants waiting in line.

José Rodríguez, 32, who emigrated from Caracas, Venezuela, to New York 10 months ago, said he had waited outside St. Brigid for three days to try to get a housing assignment.

Shortly after he arrived in the city, his moped was stolen in the Bronx. He reported the crime to the police but they were unable to find it.

Still, he said he felt safer in New York than he ever did in Venezuela, where he was arrested for expressing anti-government opinions. When he heard about the shooting by the 15-year-old in Times Square, he felt dread.

“That’s terrible for us,” he said. “Most of us are coming here for a good life.”

Ms. KAMLAGER-DOVE. Thank you.

The CHAIRMAN. The gentleman’s time has expired. The Chair now recognizes the gentelady from Wyoming, the Chair of the Subcommittee on Indian and Insular Affairs, Ms. Hageman.

You are recognized for 5 minutes.

Ms. HAGEMAN. Thank you, and thank you, Madam Secretary, for being here. But you don’t need to thank me for my questions when I ask them.

Secretary Haaland, as you may already know, this Committee recently held a hearing during which tribal members spoke openly about their fear, as well as others, of testifying in front of Congress due to retaliation from criminal drug cartels that have been openly targeting Indian lands, such as the Sinaloa and Jalisco New Generation, among others. These cartels have run rampant across Indian Country, particularly in the northwestern region of the United States, and are enabled by the lack of enforcement of the border laws by the Biden administration.

As a member of a federally recognized tribe, I would assume that you care about ensuring that our tribal communities are safe. Yes or no, have you spoken to President Biden or Secretary Mayorkas about the damaging impacts the Administration’s border policy has had on tribal communities?

Secretary HAALAND. Congresswoman, I have not. However, I want you to know that I have traveled around to tribes around the country—

Ms. HAGEMAN. OK, but you haven't spoken to either President Biden or Secretary Mayorkas about the need to close the border in order to protect our tribal communities. Is that right?

Secretary HAALAND. I have not.

Ms. HAGEMAN. All right. Yes or no, do you believe that, due to the unique nature of law enforcement operating in Indian Country, is it fair to say that coordination with other agencies is crucial to tackling human and drug trafficking in Indian Country?

Secretary HAALAND. Congresswoman, the President, when he first came to office—

Ms. HAGEMAN. Have you done anything to work with other agencies to tackle the human and drug trafficking in Indian Country related to the border crisis?

Secretary HAALAND. Since the President has been in office, Congresswoman—

Ms. HAGEMAN. That is a yes-or-no question. Can you answer?

Secretary HAALAND [continuing]. We have—

Ms. HAGEMAN. Would you please answer my question?

VOICE. Mr. Chairman, can you let the Secretary answer the question?

Ms. HAGEMAN. She is not answering my question.

Ms. KAMLAGER-DOVE. Well, she is trying to.

Secretary HAALAND. Congresswoman, since the President has been in office, he has restarted the White House Council on Native American Affairs. These are issues that we discuss, that we take an intergovernmental approach to all of Indian Country—

Ms. HAGEMAN. What have you done specifically to work with Secretary Mayorkas to close the border in order to protect our tribal communities from the cartel criminal activity?

Secretary HAALAND. Congresswoman, that is not in the Department's mission. We manage our public lands, and we also uphold—

Ms. HAGEMAN. So, I take it that that means you have done nothing.

Secretary HAALAND [continuing]. The trust and treaty obligations of our nation's Indian—

Ms. HAGEMAN. You have not done anything to work with Mr. Mayorkas, is that correct?

Secretary HAALAND. No, ma'am.

Ms. HAGEMAN. OK. During your time as Secretary, what have you done specifically to work with our tribes to reduce and eliminate criminal cartels from targeting Indian Country?

Secretary HAALAND. Congresswoman, I want you to know that tribes have been underfunded for decades and decades with respect to law enforcement and justice services, and that is one area where we are working—

Ms. HAGEMAN. Have you done anything specifically to work with our tribes to address the drug trafficking and human smuggling that is going on related to the open border?

Secretary HAALAND. We are working very hard to make sure that Indian Affairs has several approaches to addressing recruitment and retention. We understand that they are understaffed in many of these areas, and we listen to tribes on how they would like us to move this issue forward for them—

Ms. HAGEMAN. Madam Secretary, what have you done, as a cabinet-level Secretary, to convince Mr. Biden and Secretary Mayorkas to close the border in order to protect our tribal communities?

Secretary HAALAND. Congresswoman, it is my job to manage our public lands. The Department of the Interior manages our public lands and conserves our cultural heritage and natural resources for the American people, as well as upholding the trust and treaty responsibilities of the—

Ms. HAGEMAN. But the Bureau of Indian Affairs is within the Department of the Interior, correct?

Secretary HAALAND. Yes, ma'am, but—

Ms. HAGEMAN. OK. In 2018, under the previous administration, more than 3,200 pounds of illegal narcotics, estimated to be valued at \$9.8 million, had been seized by the Office of Justice Services. How much did OJS seize in 2023?

Secretary HAALAND. Congresswoman, that would be up to the Department of Justice, and they can probably inform you with the number of those pounds.

Ms. HAGEMAN. But you don't know?

Secretary HAALAND. I do not know.

Ms. HAGEMAN. OK. Does DOI's Opioid Reduction Task Force still exist?

Secretary HAALAND. Congresswoman, thank you. We are working hard with tribes to ensure that we manage their justice services the way that they want to.

Ms. HAGEMAN. So, the question was, does the Department of the Interior's Opioid Reduction Task Force still exist?

Secretary HAALAND. Congresswoman, I would be happy to answer that for the record.

Ms. HAGEMAN. Is the answer yes or no?

Secretary HAALAND. I will be happy to answer that for the record.

Ms. HAGEMAN. You don't know as you sit here today?

Secretary HAALAND. I want to make sure that I give you the correct answer, and I will do that when I get back to my office.

Ms. HAGEMAN. Have you heard of the Rock Springs Resource Management Plan?

Secretary HAALAND. No, I have not.

Ms. HAGEMAN. Thank you. I am out of time.

I yield back.

The CHAIRMAN. The gentlelady yields back. The Chair recognizes the gentlelady from Nevada, Ms. Lee, for 5 minutes.

Ms. LEE. Thank you, Mr. Chairman, and thank you for being here, Secretary Haaland. I wanted to also thank you on behalf of the Native American tribes in Nevada for your leadership in designating Avi Kwa Ame as the nation's latest national monument.

And not only that, the Department of the Interior has also been actively uplifting Nevadans in other ways since that time, including finalizing an agreement with the Department of Housing and Urban Development to make eligible public lands available for \$100 an acre, far below fair market value for the sole purpose of constructing critically-needed affordable housing projects in Southern Nevada.

Can you update us on Interior's efforts to support affordable housing for Nevadans, including through this agreement?

Secretary HAALAND. Congresswoman, thank you so much for the question, and for recognizing that this is truly an issue across the country.

We want to get great folks working on our public lands, and we can only do that if they have a place to live. The BLM is currently working on two additional conveyances for affordable housing under this MOU. One of the proposals is from Clark County, and we are working to complete that conveyance by early next year. The other proposal is from the city of Henderson, which is at an earlier stage.

We are seeing great progress and potential under this MOU, and we will continue working with HUD and the state and local communities on this critical issue, and I would be happy to keep you updated on it as we move forward.

Ms. LEE. Great, thank you. I am also happy to report that a facility in my district with 195 units of affordable housing specifically for seniors is on its way. So, thank you for that.

Also, I appreciate Interior's testimony in support of my bipartisan ACE Act, which is another tool that will give the Department additional flexibility to get land deals done more quickly for housing, conservation, and other critical infrastructure.

Secretary Haaland, I want to switch to staffing. The BLM administers 50 million acres of land in my state alone, yet we know that after the Trump administration announced the plans to relocate BLM headquarters to Colorado, more than 87 percent of BLM's Washington-based employees left the agency.

And upon her confirmation, BLM Director Tracy Stone-Manning emphasized that her top priority was rebuilding the agency and fixing staff shortages. Last year in this Committee, you acknowledged this issue and the impacts it has on Western communities like my own. Officials in my home of Clark County, for instance, have indicated that it can still take up to 2 years for BLM to approve some leases that would enable it to advance locally-funded parks and trail projects.

I just want to ask, where are we on the staff shortage?

And is BLM closer to where they should be, which means is it robust enough to translate to fewer delays on the ground?

Secretary HAALAND. Thank you, Congresswoman, and we will take that concern back to the office with us when we depart this afternoon.

I want you to know that, under Tracy's leadership, the BLM has initiated a number of hiring surges and recruitment efforts to fill those vacancies. And we feel like we are continuing to make progress to build back the BLM workforce, including significant hiring increases at the headquarters and across the Bureau, because a lot of the folks don't actually work here in DC. And I will just tell you that we remain committed to ensuring that we can fill these positions because we know the work is critical.

Ms. LEE. Yes, and we would appreciate if you would let us know how Congress can best support you in that effort as well.

Secretary HAALAND. Thank you.

Ms. LEE. I have a little more time. Can you tell us what it would do to BLM's ability to continue to advance smart energy development, outdoor recreation, conservation, the full spectrum of uses for BLM lands if Congress were to cut the Bureau's funding by 50 percent, as a jaw-dropping 144 of my Republican colleagues voted to do in Fiscal Year 2024?

Secretary HAALAND. Congresswoman, of course, everything in our budget, we feel, is justified.

As I have said many, many times, our public lands belong to all Americans. I am proud of the work we have been able to do to lift up our public lands so that the outdoor recreation industry can grow. It can only grow if they have places to go that people want to go. So, all of the work we are doing on ecosystem restoration, you know, the Endangered Species Act, all of these things, they help preserve and conserve our public lands in a way that benefits the American people, and I believe will increase opportunities for small businesses and our economy around the country.

Ms. LEE. Thank you.

I yield back.

The CHAIRMAN. The gentlelady's time has expired. The Chair now recognizes the gentleman from Minnesota, the Chair of the Subcommittee on Energy and Minerals, Mr. Stauber.

You are recognized for 5 minutes.

Mr. STAUBER. Thank you very much, Mr. Chair.

Madam Secretary, thanks for joining us today. Yesterday, the House passed the Superior National Forest Restoration Act in a bipartisan fashion. It is a victory for northern Minnesota and the people I represent, along with U.S. mineral security in the wake of your decision to stop mining in my home state of Minnesota.

Yet, just a week and a half ago, you did it again. You shut down mining, this time in Alaska, when you selected the no action alternative for Ambler Road. Earlier in the testimony, you said there is no mine. There is going to be no mine if there is no road access into it. And for the 23 miles of the BLM land of the 211-mile road you have, in your decision, have stopped that mine once again.

What economic price will the people of Alaska have to pay for this decision?

And did the Department analyze the economic impact of stopping Ambler Road?

Secretary HAALAND. Thank you for the question, Congressman, and as you know, there were no related mine proposals pending for this area.

Mr. STAUBER. Madam Secretary, did you analyze the economic impact to Alaska and the Native Americans?

Secretary HAALAND. Congressman, it is my understanding that if we had a mine proposal, then an analysis such as that would be undertaken. But there is no mine proposal, so it is difficult for us to work off the—

Mr. STAUBER. Madam Secretary, because time is limited, we analyzed the economic impact. Stopping Ambler Road stops the 65,000, 65,000 jobs the project would create, \$5 billion, that is with a B, \$5 billion in wages, and \$1.3 billion in local and state revenue to the great state of Alaska.

Madam Secretary, expert analysis estimates that at least 384 new mines will need to be built over the next decade to meet demand for renewable energy sources.

You mentioned earlier that there were five critical mineral mines. Were these new mines, were these new critical mineral mines, or were they expansions or modifications of existing mines?

Secretary HAALAND. It is my understanding that the critical mineral mines are new permits, and we would be happy to impart that information on your staff.

Mr. STAUBER. And were they hardrock projects?

Secretary HAALAND. Do you know what the mines were?

Mr. STAUBER. You don't know, do you?

Were there any coal projects?

You don't know, do you?

Secretary HAALAND. Congressman, if you would like specifics on all of those mines, as you can imagine, I—

Mr. STAUBER. Yes, that is why I asked.

Secretary HAALAND. Laura Daniel-Davis, our Acting Deputy, would be happy to answer.

Mr. STAUBER. We will continue in my questioning, Madam Secretary.

The Department of the Interior, under your leadership, has squandered every opportunity to provide these minerals domestically.

The Duluth complex in my district is the largest untapped copper nickel find in the world, and you shut it down. And as you testified before the Appropriations Committee last year, you didn't even know there were critical minerals in there. You shut it down without having any knowledge that there were critical minerals in there.

During your testimony before the Appropriations Committee 2 weeks ago, you stated, "This Administration has made a steadfast commitment to strengthen government-to-government relations with Tribal Nations." Two weeks ago, you announced a final rule for the management of the National Petroleum Reserve in Alaska. And last September, you canceled previous leases in the 1002 Area of ANWR. Both decisions have been slammed by the Alaska delegation, along with communities across Alaska, including Alaska Native communities on the North Slope who claim you have refused to meet with them on both ANWR and NPR-A.

Madam Secretary, when was the last time you met with Alaska Native communities on the North Slope?

Secretary HAALAND. Congressman, thank you for the question, and I did my first trip to Alaska. I went all the way up to Utqiagvik, I had a round table with tribal leaders there.

I also want to say that, with respect to this area—

Mr. STAUBER. Madam Secretary, I have 47 seconds left. When was the last time that you met with the Alaska Native communities on the North Slope?

Secretary HAALAND. I was going to say, in addition to that I have had many virtual meetings with Alaska Natives since I have been in office.

And I also would like to say that, speaking for other tribes, because tribes are not a monolith, there are tribes that rely on a

subsistence lifestyle whose lives depend on the caribou migration and other animals to help their children to live.

Mr. STAUBER. Is that why you put the comment period during the whaling season? That is unacceptable.

Madam Secretary, just a few short months ago, there was a member of the North Slope that sat here, several members, that said you have not met with them. They have requested meetings with you twice. You neglected to speak to the Native American community from the North Slope. And they said that in a hearing. And it is disappointing. In fact, they tried to set up two meetings with, their words, “radio silence” from you, and it is unacceptable.

I yield back.

Mr. HUFFMAN. Mr. Chairman, I have a unanimous consent request, a document that I would like to enter into the record by unanimous consent.

The CHAIRMAN. Well, I have one, too, but I am going to let you go first.

Mr. HUFFMAN. Oh, well, thank you, Mr. Chairman. I appreciate that. Unanimous consent for 100, please, Mr. Chairman.

[Laughter.]

Mr. HUFFMAN. Since it has been suggested, erroneously, that the Secretary failed to consult with Alaska Natives, I seek unanimous consent to enter into the record a document outlining DOI’s extensive engagement and consultation with North Slope local governments, Alaska Native corporations, and tribal entities regarding the NPR-A rule.

The CHAIRMAN. Without objection.

[The information follows:]

NPR-A Rule Alaska Native Tribes and ANCSA Corporation Engagement

- On March 13, 2023, the Administration previewed its intent to develop a draft rule to maximum protections for significant resource values on the more than 13 million acres of Special Areas in the western Arctic, while supporting subsistence uses and needs for Alaska Native communities.
- On August 25, 2023, in advance of the publication of the draft rule, the BLM mailed a formal offer for consultation to 45 Tribes and 30 Alaska Native Corporations to engage in consultation on the proposal. The BLM did not receive a response to these invitations from any of the Tribes or Alaska Native Corporations. On September 6, 2023, agency staff called state and local governments to ensure they were aware of the upcoming publication of the proposed rule and to offer opportunities to discuss the rule language.
- On September 6, 2023, the Department released the draft NPR-A rule and launched a 60-day comment period following publication in the Federal Register on September 8th. The BLM continued to offer consultation via phone, email, and in-person invitations to Tribes and Alaska Native Corporations that it determined would be most likely to have substantial direct effects from the rule, including the Native Village of Atqasuk; Atqasuk Corporation; Village of Wainwright; Olgoonik Corporation; Native Village of Nuiqsut; Kuupik Corporation; Native Village of Barrow; Ukpeagvik Inupiat Corporation (UIC); Arctic Slope Regional Corporation (ASRC); and Inupiat Community of the Arctic Slope (ICAS).
- The BLM held three in-person meetings on the proposed rule in Anchorage (October 10, 2023), Nuiqsut (November 1, 2023), and Utqiagvik (November 2, 2023) to provide an overview of the proposed rule and answer questions from the public. The BLM also held one hybrid meeting in Wainwright on December 4, 2023. A court reporter was present at the Nuiqsut and Utqiagvik meetings to transcribe all comments and questions. The hybrid meeting in Wainwright was recorded via the Zoom platform, and those comments were

collected by the BLM on behalf of the commenters and submitted as comments to the rulemaking docket on regulations.gov. For each meeting in Reserve communities, the BLM coordinated with local entities.

- **Based on feedback our team heard in Alaska, the BLM extended the comment period on October 17, 2023, for 10 additional days.**
- The BLM met with the Mayor of Atkasuk on October 31, 2023; the Native Village of Nuiqsut on November 1, 2023; ICAS on November 3, 2023, and February 6, 2024; Village of Wainwright on November 21, 2023; Olgoonik Corporation on December 19, 2023; ASRC on December 21, 2023; and Kuukpik on February 1, 2024.
- In addition, the agency met with the NPR-A Working Group three times during the public comment period and three times since its close. The NPR-A Working Group is comprised of representatives from North Slope local governments, Alaska Native Corporations, and Tribal entities. It is intended to provide a forum for North Slope communities to provide input to management of the Reserve. ICAS, NSB, Voice of the Arctic Inupiat, and ASRC met with representatives of the BLM and the Department on September 21, 2023, in Washington DC.
- Representatives from ICAS, NSB, Voice of the Arctic Inupiat, ASRC, Olgoonik Corporation and Anaktuvuk Pass, along with their lobbying representation, met with Acting Deputy Secretary Laura Daniel-Davis and BLM leadership in Washington DC on November 8, 2023, in Washington DC, where they were joined by Representative Peltola.
- The Acting Deputy Secretary, BLM Director and BLM Principal Deputy Director also met with non-profit, Native Alaskan-led organizations who support the rule: Sovereign Inupiat for a Living Arctic and Grandmothers Growing Goodness.
- Following those meetings, the BLM again extended the comment period on November 13, 2023, for an additional 20 days, to ensure that anyone who wanted to participate had the opportunity. We also reaffirmed that nation-to-nation consultation is not restricted to a public comment period and could occur anytime Tribal leaders requested.

Mr. HUFFMAN. Thank you.

The CHAIRMAN. I also have a unanimous consent request. This is an article from the *New York Post* titled, “City Hall Vows to Probe Lawlessness Following Post Report on Spiking Crime around Floyd Bennett Field Migrant Shelter.” And it says, “According to NYPD data, theft, robbery, and petty larceny are all increased in the 63rd precinct, which includes the former Federal airfield, between November 27 and January 7, the first several weeks of migrants being housed at the massive tent city.”

Without objection, so ordered.

[The information follows:]

City Hall vows to probe ‘lawlessness’ following Post report on spike in crime around Floyd Bennett Field migrant shelter

New York Post, January 14, 2024, by Sarah Goodman, Carl Campanile, Jorge Fitz-Gibbon

<https://nypost.com/2024/01/14/metro/city-will-probe-any-lawlessness-by-migrants-at-bennett-floyd-field/>

City Hall vowed to investigate reports of “lawlessness” Sunday following The Post’s investigation on spiking crime around the controversial Floyd Bennett Field shelter—while migrants housed at the site said troublemakers were giving other asylum-seekers a bad rep.

In a statement Sunday, a spokesperson for Mayor Eric Adams said the city would boot migrants who break the law out of tax-funded shelters.

“We will investigate any reports of lawlessness and ask anyone who is not obeying our code of conduct on site to leave,” the rep said.

It came in response to The Post’s exclusive report on Saturday that found shoplifting, panhandling and scams have plagued the Brooklyn communities around Floyd Bennett Field since nearly 2,000 asylum-seekers moved there.

According to NYPD data, theft, robbery and petit larceny all increased, in the 63rd Precinct, which includes the former federal airfield, between Nov. 27 and Jan. 7, the first several weeks of migrants being housed at the massive tent city.

Locals said some migrants have taken to prostitution, while others try to scam motorists by claiming they were hit by their vehicles and trying to extort up to \$500 from them to let it go.

At least five migrants have been arrested at the makeshift shelter since its opening in mid-November, including a 20-year-old Venezuelan asylum-seeker charged with choking and beating his girlfriend, police records show.

Still, migrants at the facility on Sunday said the vast majority are simply trying to find a better life in the Big Apple and are staying on the straight and narrow—and that only a handful of bad apples are making trouble.

“Like everywhere else, there are always good people and bad people, and sometimes we all pay for the bad ones,” Fabian Vallas, a native of Ecuador now living at Floyd Bennett Field.

“Because those people are the ones who are making migrants look bad,” Vallas said. “We just want to get our papers and get a job, and also be independent. We don’t want to be another burden on the New York government.”

Another resident, Mexican migrant Juan Carlos Vasquez, who lives at the tent city with his wife, described life there as “tranquillo”—or calm.

“I’m a worker, I’m honest,” he said. “Those who steal put all of us in harm’s way—those [of us] who came here to earn an honest living.”

Andres Arrango, a cafeteria worker at the remote shelter said the vast majority of migrants residing there are “nice.”

“The people who do this, in practical terms, they’re alone,” added Luis Alfredo, a migrant from Venezuela.

“They don’t have children. They don’t have to think about a family.”

The City Hall spokesperson reiterated the Adams administration’s calls for the federal government to pitch in and help deal with the crisis.

“It is understandable that New Yorkers are weary from bearing the brunt of all of this as the city continues to not receive the meaningful support it needs,” the statement said, adding that “the system is breaking” as a result of the overwhelming number of new arrivals.

Adams has repeatedly called on the White House to do its share to deal with the crisis.

More than 165,000 migrants from the US-Mexico border have flocked to New York City since the spring of 2022, with nearly 70,000 still fed and housed in city hotels and shelters.

It was the Biden administration that signed off on the use of the federal site for migrants.

Floyd Bennett Field is one of three massive tent sites erected to deal with the influx, with the others being Randall’s Island in Manhattan and the former Creedmoor Psychiatric Center site in Queens.

The former Brooklyn airfield was the subject of harsh criticism before the tent was even raised, with detractors complaining that the desolate site was ill-suited to house migrant families.

Last week, the city abruptly evacuated the shelter amid fear that a dangerous storm approaching the site could topple the massive tent—sparking a new round of outrage when 1,900 migrants were forced to hole up in an active public high school five miles away.

The move outraged parents, whose children were forced to have remote classes the next day.

Those migrants, meanwhile, were crowded into a second-floor gym for several hours before being bused back to Floyd Bennett Field in the middle of the night after just a few hours.

The CHAIRMAN. The Chair now recognizes the gentlelady from New York, Ms. Ocasio-Cortez, for 5 minutes.

Ms. OCASIO-CORTEZ. Thank you very much, Mr. Chairman.

The *New York Post* in the Congressional Record. I can't believe it.

I want to return a little bit to one of the question lines that we saw earlier, Madam Secretary, and I want to clarify a few things. You are the Secretary of the Interior, correct?

Secretary HAALAND. Correct.

Ms. OCASIO-CORTEZ. You are not the Secretary of Homeland Security, correct?

Secretary HAALAND. Correct.

Ms. OCASIO-CORTEZ. The jurisdiction for border enforcement largely falls under the Secretary of Homeland's department, is that correct?

Secretary HAALAND. That is my understanding.

Ms. OCASIO-CORTEZ. And I think it is profoundly unfair of a line of attack to come in for explicitly targeting a Secretary whose jurisdiction is legally bound for not being nominated to a different department. And I think it is profoundly important that we have clarity here on the jurisdiction of the Interior.

I also find it very odd that there seems to be this push for you to be coordinating with Secretary Mayorkas, when the Republican Majority has voted to impeach Secretary Mayorkas on no evidence, with no allegation of a specific crime. And yet, if their allegation is that this is a reckless individual, they also seem to be alleging here that you should somehow be responsible for working with that.

So, to me, I find that to make no sense, and it also cuts to the core of what this whole immigration thing is about here, which is, unfortunately, not a solution, but politics, and it is about not making sure that we solve this issue, not providing a path to citizenship, not ensuring that we are providing resources to judges to adjudicate these cases, but to continue to restrict the resources and policies necessary so that there continues to be a problem, so that it can continue to run a new cycle.

We are better than this. Secretary Haaland, I am going to say it because I think it is important, too. You are the first Native cabinet secretary in the history of the United States, is that correct?

Secretary HAALAND. Yes, Congresswoman.

Ms. OCASIO-CORTEZ. Let alone the first Indigenous woman to ever serve as a cabinet secretary in the history of the United States from either party. Is that correct?

Secretary HAALAND. Yes, Congresswoman.

Ms. OCASIO-CORTEZ. I find the notion or the suggestion, and it is not just because of your identity, it is because of your record, your record, the insinuation that you do not care for or the insinu-

ation that you are not extraordinarily attentive to tribal issues to be deeply offensive. It is deeply, deeply offensive. And you are not in a position to speak up for yourself because you are an eminent professional. And I am going to say it.

I am going to say it because this woman has served on this dais, too, and I had a front row seat to how she advocated for Native communities here in the U.S. Congress, too. And the insinuation that that is somehow not central to her mission here is just completely unsubstantiated. And that is a line that we should not cross. It is just not.

Tribal consultation is very important, and it is fraught. Different tribes have different standards for consultation. Is that correct, Secretary Haaland?

Secretary HAALAND. Yes, Congresswoman, and no tribe is a monolith. They are in different areas of the country. They are all going to have different experiences and advocate for different things.

Ms. OCASIO-CORTEZ. So, it is extraordinarily challenging when we have such a great diversity of our tribal communities in this country to meet all these different standards of consultation. But the Department of the Interior has taken historic measures to meet everyone where they are at. Is that correct? Is that a fair assessment to make?

Secretary HAALAND. Congresswoman, when we first got into office, I will just point out that we had a consultation on tribal consultations. We got tribes together to ask them, what is the best way for us to meet you where you are?

So, we take that information and it helps guide us through how we do consultations for various issues through the various bureaus and offices, but also in general for Indian Country.

Ms. OCASIO-CORTEZ. Thank you very much, Secretary Haaland.

And while I am sure that there are places where we always can improve, and there are places where we can always make sure that we meet people better, I want us to be very mindful about the individual that we are speaking to here, and to make sure that we are doing that with respect.

And with that, I yield back.

The CHAIRMAN. The gentlelady yields back. The Chair now recognizes the gentleman from Wisconsin, the Chair of the Subcommittee on Public Lands.

Mr. Tiffany, you are recognized for 5 minutes.

Mr. TIFFANY. Madam Secretary, having been sufficiently chastised, I am going to start here. Roughly 40 percent of our southern border is Federal lands. Is trash on the Federal lands along the border an issue?

Secretary HAALAND. Congressman, I have not been to the border, so I couldn't tell you that.

Mr. TIFFANY. How much funding in your Department's budget is directed towards trash on Federal lands along the southern border? Do you know, offhand?

Secretary HAALAND. I would be happy for us to research that and get back with you on—

Mr. TIFFANY. Yes, and I don't expect you to know that right offhand, but I can tell you it is zero. It is zero.

The Bureau of Land Management shared with us when I was down to the southern border in February, and with all the damage that is being done, fentanyl overdoses, crime that is rampant, that is happening in places around America, there are 193 tons of garbage that was picked up by the Bureau of Land Management in one year.

You said one of the tasks that Interior takes very importantly and is one of your priorities is conserving natural resources. Is dumping 193 tons of garbage on our Federal lands conserving our natural resources?

Secretary HAALAND. Clearly not.

Mr. TIFFANY. Representative Stauber, just here to my left, asked you a question in regards to consultation. Why did you not meet with the Slopers?

Secretary HAALAND. With—

Mr. TIFFANY. Why have you not consulted and coordinated? I understand that you met with them very early on, but since then they have had real concerns with the actions taken by the Biden administration and Interior. Why have you not met with them?

Secretary HAALAND. Congressman, I want to assure you that we have had very strong engagement with Alaska Native tribes and the ANCSA corporations, and I can just say, starting on March 13, 2023, the Administration previewed its intent to develop this draft rule.

On August 25, in advance of the publication, the BLM mailed a formal offer of consultation to 45 tribes and 30 Alaska Native Corporations.

Mr. TIFFANY. Madam Secretary, if I may interject, do you know if the North Slope communities prefer the Obama-era Integrated Activity Plan or the Trump-era Integrated Activity Plan? Have they told you?

The one that you rescinded, the Trump-era one that was also there during the Obama era, have they told you which one they preferred?

Secretary HAALAND. Congressman, I do want to say that there are a lot of tribes in the area that you are referring to—

Mr. TIFFANY. So, we heard from them, Madam Secretary. We heard from them in Committee here. They prefer the Trump-era plan because they went and consulted with them.

Do you know, Madam Secretary, that you could be breaking the law by not following the consultation and coordination requirements that are in place?

Secretary HAALAND. Thank you for the information—

Mr. TIFFANY. Madam Secretary, do you know, when they came and testified before us, I believe they refer to themselves as the Slopers, they have said since 1980 their life expectancy went up 13 years. And it is directly a result of finding oil and natural gas up in that area that has benefited their communities.

In fact, there was a gentleman that was here. His arm was all bandaged up. He took a harpoon through his hand, and if it wasn't for the clinic that was built, and we heard this directly from him, as a result of oil revenue, he said he may not be here today, he may have bled to death.

Did you know that their life expectancy has went up 13 years since the discovery of oil and gas?

Secretary HAALAND. Congressman, I appreciate that information. I want you to know that there are many tribes in Alaska, and we know that they don't all feel the same way about every single project that happens in Alaska. It is our job to hear from everyone. We did extend the public comment periods for this issue, and we understand there has been a request, and my staff is working through the request.

Mr. TIFFANY. Madam Secretary, one of your employees put this quote up here: "We got to rush this through." Is rushing and evading the consultation and coordination requirement, let me just close with this question.

Will you commit today to delaying the National Petroleum Reserve Alaska regulation so that you can meaningfully engage with North Slope communities, Native villages, Native corporations, and federally recognized tribes? Will you make that commitment to consult with them as is required under the law?

Secretary HAALAND. Congressman, I can assure you that we don't generally work to rush anything through. We take everything that we do very seriously, and we follow the process to a T.

The CHAIRMAN. The gentleman's time has expired.

Mr. TIFFANY. I yield to the Chairman.

The CHAIRMAN. I ask unanimous consent to submit for the record this resolution by the Voice of the Arctic Inupiat and signed by the Inupiat Community of the Arctic Slope, the Arctic Slope Regional Corporation, and the North Slope Borough opposing the NPR-A roll, citing the lack of engagement by the Department.

Without objection.

[The information follows:]

**THE VOICE OF THE ARCTIC INUPIAT RESOLUTION
NO. 2024-01**

**Opposing the Proposed Rule for the Management and Protection of the
National Petroleum Reserve in Alaska**

WHEREAS, the Voice of the Arctic Inupiat (VOICE) is a nonprofit established in 2015 by the North Slope region's collective Inupiat leadership to speak with a unified voice on issues impacting the North Slope Inupiat, their communities, their economy, and their culture. Working together to provide for and enhance the lives of the Inupiat; and

WHEREAS, VOICE membership is comprised of local governments, tribal governments, tribal service providers, and Alaska Native corporations across the North Slope of Alaska; and

WHEREAS, the North Slope Inupiat have continually inhabited this region for over 10,000 years; and

WHEREAS, today, there are eight permanent Alaska Native villages in the North Slope: Anaktuvuk Pass, Atkasuk, Kaktovik, Nuiqsut, Point Hope, Point Lay, Utqiagvik, and Wainwright; and

WHEREAS, the North Slope region is roughly the size of the state of Minnesota, in which none of its eight communities are connected by a permanent road system, making the cost of living extremely high and access to economic opportunity generally low; and

WHEREAS, it is by chance the ancestral homelands of the North Slope Inupiat lie within one of the largest hydrocarbon provinces of the world; and

WHEREAS, the Alaska Native Claims Settlement Act of 1971 (ANCSA) was enacted to address the legitimate aboriginal land claims of Alaska Native people. It was a dramatically different approach to federal Indian policy and a departure from the reservation system in the Lower-48 with its aim rooted in economic self-determination; and

WHEREAS, ANCSA split the political and economic arms of the Indigenous peoples of Alaska, and through its enactment, created a fragmented system of Alaska Native representation and delivery of services therefore requiring a coordinated approach between multiple entities to effectively serve the Alaska Native people of the region; and

WHEREAS, pursuant to the enactment of ANCSA, the federal government conveyed nearly six million acres of land in the North Slope region to one Alaska Native regional corporation and eight village corporations in fee simple title; and

WHEREAS, the Iñupiat of the North Slope were the only Alaska Native people to oppose ANCSA, but upon enactment of the Act, worked to create a mechanism for the long-term sustainability of their communities; and

WHEREAS, the Iñupiat of the North Slope region came together to form a borough government, the North Slope Borough (Borough) the mechanism to ensure their communities and people would properly benefit from the inevitable oil and gas development on their ancestral homelands through infrastructure taxation, not a production tax on oil and gas; and

WHEREAS, more than 90% of property tax receipts come from the taxes levied on oil and gas infrastructure, which has enabled the Borough to invest in public infrastructure and utilities, support education, and provide police, fire, emergency and other services; and

WHEREAS, members of the VOICE include federally recognized tribes that have a government-to-government relationship with federal agencies under Executive Order 13175—Consultation and Coordination With Indian Tribal Governments; and

WHEREAS, members of the VOICE includes Alaska Native regional and village Corporations (ANC) created pursuant to ANCSA. In 2004, Congress required federal agencies to consult with Alaska Native corporations on the same basis as tribes under E.O. 13175; and

WHEREAS, the federal government owns approximately 70% of land in the North Slope; and

WHEREAS, in 1923, President Warren G. Harding issued an Executive Order establishing Naval Petroleum Reserve No. 4 on the North Slope region to provide a potential supply of oil for the United States Navy; and

WHEREAS, the Naval Petroleum Reserves Production Act of 1976 redesignated Naval Petroleum Reserve No. 4 as the National Petroleum Reserve in Alaska (NPR-A) and transferred responsibility for its administration to the Secretary of the Interior; and

WHEREAS, the NPR-A's 23 million acres is entirely located within the boundaries of the North Slope region of Alaska; and

WHEREAS, the North Slope Alaska Native communities of Atkasuk, Nuiqsut, Utqiagvik, and Wainwright are located within the boundaries of the NPR-A; and

WHEREAS, there are over 800,000 acres of surface and subsurface Alaska Native corporation land transferred pursuant to ANCSA within the NPR-A; and

WHEREAS, there are over 150 miles of Alaska Native corporation land that share a boundary with the NPR-A; and

WHEREAS, all eight Alaska Native communities and nine federally recognized tribes in the North Slope are impacted by decisions about the management of federal lands in the North Slope, including within the NPR-A; and

WHEREAS, in 2020, presidential candidate Joe Biden promised to, “ensure tribes have a seat at the table at the highest level of the federal government and a voice throughout the government”; and

WHEREAS, President Joe Biden has in 2021, 2022, and 2023, released guidance and executive orders affirming the Administration's commitment to tribal sovereignty and tribal self-determination, including: supporting robust Tribal economies, building physical and human infrastructure in Indian Country, investing

in Tribal Nations in the long term, establishing uniform standards for Tribal Consultation, respecting Tribal sovereignty and commitment to ushering the next era of Tribal self-determination, and elevating Native American voices; and

WHEREAS, in February 2023, Secretary of the U.S. Department of the Interior, Deb Haaland, herself a Native American and member of the Pueblo Laguna, shared in a speech, “I think its fair to say that, even to this day, no one knows my homelands better than its original stewards and their descendants;” and

WHEREAS, on September 6, 2023, the Department of Interior (DOI) Bureau of Land Management (BLM) announced a Proposed Rule for the Management and Protection of the National Petroleum Reserve in Alaska without conducting any prior meaningful engagement with, or giving notification to the any of the entities that represent and serve the North Slope Iñupiat, despite the public rhetoric and executive orders mentioned above; and

WHEREAS, on August 23, 2023, VOICE Board of Directors passed a motion “to direct VOICE staff to monitor and engage on federal actions that have significant impact, on culture, economy, and communities, for example: example executive orders, secretarial orders, and federal actions;” and

WHEREAS, the Proposed Rule falls within the confines of the motion passed by the VOICE Board of Directors; and

WHEREAS, the Proposed Rule was released at the beginning of many of the North Slope communities’ fall whaling and subsistence hunting seasons; and

WHEREAS, a fiber optic line was severed on June 11, 2023 which took down internet, land line, and cell phone communications in four communities on the North Slope. Service was not restored until September 19, 2023, 11 days after the rule was announced; and

WHEREAS, city, borough, and tribal government elections took place in September and October 2023, impacting the ability of leadership to effectively engage on the Proposed Rule; and

WHEREAS, on September 6, 2023, the VOICE released a statement admonishing the BLM for its lack of proactive or meaningful engagement with the North Slope Iñupiat elected leadership prior to publishing the proposed rule; and

WHEREAS, on September 6, 2023, the Iñupiat Community of the Arctic Slope (ICAS), the Borough, and Arctic Slope Regional Corporation (ASRC) released a statement sharing their concerns and frustration with the Administration’s lack of consultation and engagement with the region’s federally recognized tribe, Alaska Native corporation, and the Borough government; and

WHEREAS, the Proposed Rule was published in the Federal Register on September 8, 2023 with an accompanying 60-day public comment period and ruling of “not economically significant;” and

WHEREAS, on September 19, 2023, Voice of the Arctic Iñupiat (VOICE) President Nagruk Harcharek testified before the U.S. House Committee on Natural Resources—Subcommittee on Energy and Mineral Resources, advocating for North Slope communities to be included in all policy decisions that affect North Slope homelands and people. VOICE released a statement marking the testimony; and

WHEREAS, at the same hearing, BLM Deputy Director responded to a question that “it is my understanding throughout the entire process, communities were involved.” Additionally, in written testimony, BLM stated that, “it is essential that the BLM’s oil and gas management promotes the highest industry, environmental, and public engagement standards, including those related to environmental justice and tribal engagement, while securing a fair return for the American taxpayer;” and

WHEREAS, both statements by BLM Deputy Director stood in direct conflict with the lived experience of North Slope officials as reflected in the testimony of VOICE President; and

WHEREAS, North Slope communities, entities, and elected officials uniformly asked for a 90-day extension to the public comment period citing lack of time to fully understand impacts of the vague, sweeping Proposed Rule, alongside the lack of meaningful public engagement and consultation:

- October 4, 2023—the NPR-A Working Group sent a letter to BLM requesting the comment period be extended by an additional 90 days
- October 10, 2023—City of Atkasuk sent a letter to BLM requesting the comment period be extended by an additional 90 days
- October 11, 2023—Atkasuk Corporation passed a resolution requesting the comment period be extended by an additional 90-days
- October 12, 2023—ASRC sent a letter to BLM requesting the comment period be extended by an additional 90 days
- October 19, 2023—City of Utqiagvik sent a letter to BLM requesting the comment period be extended by an additional 90 days
- November 1, 2023—Olgoonik Corporation sent a letter to BLM requesting the comment period be extended by an additional 90 days
- November 2, 2023—Village of Wainwright and Ukpeagvik Iñupiat Corporation (the Alaska Native Village corporation for Utqiagvik) each sent a letter to BLM requesting the comment period be extended by an additional 90 days; and

WHEREAS, other regions and entities throughout Alaska saw the federal government’s mishandling of process surrounding the Proposed Rule and wrote in support of a request for an extension to the public comment period:

- October 30, 2023—Alaska Federation of Natives sent a letter to Secretary Haaland requesting an extension to the public comment period
- November 7, 2023—NANA Regional Corporation sent a letter to BLM requesting the comment period be extended by an additional 90 days
- November 13, 2023—the ANCSA Regional Association sent a letter to BLM requesting the comment period be extended by an additional 90 days; and

WHEREAS, the public and informational meetings regarding the Proposed Rule were noticed with little time due to the condensed public comment timeframe, resulting in canceled meetings, postponed meetings, and general confusion. Below are examples of BLM public engagements:

- October 2, 2023—BLM announced public meetings to be held re: the Proposed Rule in Anchorage on the 10th, Atkasuk on the 12th, and Nuiqsut on the 13th
- October 10, 2023—BLM held an informational meeting in Anchorage where *no one from the crowd was allowed to speak*, comments were taken by notecard and DOI officials handpicked which comments to discuss and respond to
- October 10, 2023—ICAS requested the public meeting in Atkasuk be rescheduled
- October 12, 2023—BLM communicated to ICAS via email that they spoke with the Mayor of Atkasuk and the public meeting was now postponed at his request. The meeting that was supposed to happen that day and was postponed the very day it was supposed to happen,
- October 12, 2023—BLM cancels October 13 Nuiqsut public meeting due to weather
- October 17, 2023—BLM announced an informational session in Washington, DC. at DOI headquarters that same day, without notifying Alaska’s U.S. Senators Murkowski and Sullivan. The informational session was canceled hours later.
- October 17, 2023—BLM announced a 10-day extension to the public comment period, pushing the deadline back to November 17. Please recall the fiber cable was restored 11 days after Proposed Rule was published
- November 1, 2023—BLM holds their *first* in-region public meeting at Nuiqsut, almost two months after the release of the proposed rule and less than a week before their original public comment deadline
- November 2, 2023—BLM holds their *second* in-region public meeting at Utqiagvik, almost two months after the release of the proposed rule and less than a week before their original public comment deadline
- November 3, 2023—BLM cancels public meeting in Wainwright due to a death in the community

- December 4, 2023—BLM holds their *third and final* in-region public meeting at Wainwright, almost three months after the release of the proposed rule and less than a week before the public comment deadline; and

WHEREAS, in the midst of the public comment period, the Alaska Federation of Natives held their annual convention from October 19–21, 2023 in Anchorage and DOI Secretary Deb Haaland traveled to Anchorage to be a keynote speaker; and

WHEREAS, prior to the convention, on October 13, 2023, the North Slope trilateral regional leadership wrote Secretary Haaland a letter asking for a meeting regarding both the ANWR and NPR-A announcements and lack of meaningful engagement with the region’s leadership. AFN Convention came and went without a response granting or denying the meeting request, and to date no response has been received; and

WHEREAS, on October 17, 2023 at an NPR-A Working Group meeting, DOI Deputy Assistant Secretary for Land and Minerals Management stated on the record that the condensed timeframe for the comment period was being driven to avoid the Congressional Review Act. The exact quote was “Yes, I wish we could, we hardly ever give extensions that long on rulemaking. In other contexts we might have that kind of time, but I’m happy to regale you with the ins and outs of the Congressional Review Act, but unfortunately we’re on a schedule with this one that we don’t have any control over, so we just don’t have that kind of time for this rule;” and

WHEREAS, the Congressional Review Act is a tool that Congress can use to overturn certain federal agency actions, including rules like the NPR-A proposed rule, within a certain timeframe; and

WHEREAS, the Deputy Assistant Secretary stated on the record to the NPR-A Working Group that DOI was working to ensure the Proposed Rule would be not fall within the timeframe in which the Congressional Review Act could be used to overturn it, implying that DOI believes that this rule could possibly not withstand a change in Administration or Congressional leadership; and

WHEREAS, the above quote also implies that DOI is not driving the condensed timeframe, it is another entity; and

WHEREAS, with the public comment deadline approaching and only two in-region meetings held by BLM, not to mention the comments by DOI at the NPR-A Working Group, North Slope leadership made the decision to go to Washington, D.C. to better understand the public process, figure out the decision makers are, and ensure that no decisions would be made without their input; and

WHEREAS, the week of November 6, 2023, a North Slope delegation comprised of VOICE, ICAS, the Borough, ASRC, Olgoonik Corporation, and the City of Anaktuvuk Pass leaders traveled over 3,000 miles to Washington, D.C. to try to figure out who the decision makers are to inform the Proposed Rule, as well as to shine light on the Proposed Rule’s failed public process; and

WHEREAS, the North Slope delegation met with officials from the White House including the Council for Environmental Quality’s Chair, Office of Management and Budget’s lone tribal advocate, and Intergovernmental Affairs Deputy Director. All three officials were surprised to hear that the Department of Interior was pointing to them as the decision makers, not meaningfully engaging with tribes and ANCs as required by and touted by the many Executive and Secretarial Orders, and the general lack of transparency with the public process; and

WHEREAS, the North Slope delegation was able to meet with acting Deputy Secretary of the Interior solely because Alaska Representative Mary Sattler Peltola requested the meeting; and

WHEREAS, Representative Peltola opened the meeting stating, “it should not take a Member of Congress to set up a meeting;” and

WHEREAS, at the meeting with the acting Deputy Secretary stated that DOI was admittedly having “correspondence issues” then continued to not answer a single question from the North Slope delegation, including questions about who the decision makers are after stating it is a “collaborative decision-making process;” and

WHEREAS, on November 8, 2023, the North Slope delegation, alongside Alaska’s two U.S. Senators hosted a press conference to publicly share concerns with the media on the lack of meaningful engagement by the Administration on the Proposed

Rule, emphasizing DOI Secretary Haaland's refusal to hear the unified voice of the North Slope Inupiat; and

WHEREAS, that same day, Representatives Stauber and Peltola introduced H.R. 6285 Alaska's Right to Produce Act of 2023, which was later referred to House Natural Resources Subcommittee on Energy and Mineral Resources Chaired by Mr. Stauber; and

WHEREAS, on November 9, 2023, Alaska's Senators Sullivan and Murkowski introduced the Senate companion, S. 3289; and

WHEREAS, Alaska's Right to Produce Act would reverse the Proposed Rule; and

WHEREAS, VOICE supported the introduction of the bill; and

WHEREAS, following the press conference and introduction of bills, on November 10, 2023, DOI staff contacts various members of the North Slope delegation stating DOI is considering another short-term extension in addition to the 10-day extension granted on October 17, 2023; and

WHEREAS, DOI shared on November 12, 2023 an electronic copy of its "Dear Tribal Leader" and "Dear Alaska Native Corporation Leader" regarding the Proposed Rule, which they claimed they sent via snail-mail on August 25, 2023; and

WHEREAS, VOICE asked its members and learned that not one of its members received the letter via snail-mail or e-mail, until November 12; and

WHEREAS, throughout multiple Presidential administrations, DOI agencies have a consistent habit of notifying North Slope entities of consultation and other federal announcements via e-mail; and

WHEREAS, to date, only one entity, tribe, or ANC, on the North Slope has confirmed receipt of the Proposed Rule notice of consultation letters via snail mail or e-mail; and

WHEREAS, on November 13, 2023, DOI announced an additional 20-day extension resulting in a total of 90-days to consider the Proposed Rule and the new public comment period falling on December 7, 2023; and

WHEREAS, the additional 20-day extension was not sufficient for the North Slope entities to fully consider the potential impacts of the Proposed Rule, which is why all North Slope entities all requested a 90-day extension; and

WHEREAS, in response to the 20-day extension announcement, VOICE released a press statement expressing disappointment with the Department of Interior's insincere attempts to appease, or quiet, the voices from the North Slope, stating the "extension falls far short of what was formally requested by elected North Slope Inupiat leaders on behalf of their communities;" and

WHEREAS, on November 29, 2023, U.S. House Natural Resources subcommittee on Energy and Mineral Resources held a legislative hearing during which H.R. 8265 was heard; and

WHEREAS, ICAS tribal council secretary and director of natural resources, Doreen Leavitt, and Kaktovik Inupiat Corporation president Charles Lampe, were invited to testify to share their experience of the public process for the Proposed Rule and other federal actions taken in the North Slope region without local input; and

WHEREAS, ICAS and KIC testified in favor of H.R. 6285; and

WHEREAS, on December 6, 2023, H.R. 6285 was taken up at a full House Natural Resources Committee mark-up, and passed out of committee with bipartisan support in a vote of 24-17; and

WHEREAS, on December 7, 2023, the public comment period closed for the Proposed Rule; and

WHEREAS, only *one* consultation was conducted with a North Slope entity before the public comment period concluded on December 7, 2023; and

WHEREAS, North Slope regional and local entities, including from each of the only communities located within NPR-A, submitted substantive comments opposing the Proposed Rule:

- Regional trilateral (ICAS, Borough, ASRC)
- City of Atqasuk
- City of Utqiagvik

- City of Wainwright
- Kuukpik Corporation (the Alaska Native Village corporation for Nuiqsut)
- Village of Wainwright; and

WHEREAS, in addition to concerns with impacts to subsistence, included in multiple substantive comment letters from North Slope entities was the shortcomings of the economic analysis done by DOI and used by OIRA to deem the rule economically insignificant; and

WHEREAS, OIRA's ruling of "economic significance" is a \$200 million threshold over a baseline; and

WHEREAS, an economic analysis should take into account the impact to the communities and their ability to provide services to their constituents if the Proposed Rule were to be implemented; and

WHEREAS, as stated above, the homelands of the North Slope Inupiat coincidentally are also home to one of the largest hydrocarbon provinces in the world, which were to be developed regardless of North Slope support in the 20th century, and the home rule government of the North Slope Borough was formed to ensure that the local people would benefit and be provided services from the oil and gas industry through the ability to tax industry; and

WHEREAS, there is a need for an economic analysis that counts the people that live in the NPR-A; and

WHEREAS, there is a need for a re-review by OIRA for the economic significance of the Proposed Rule; and

WHEREAS, BLM stated that they would continue to hold consultations after the public comment period closed, with input from those consultations included in consideration for the final rule; and

WHEREAS, on December 15, 2023, BLM conducted consultation with ASRC, more than a month after their initial attempt to schedule consultation; and

WHEREAS, also after the close of the public comment period, Olgoonik Corporation (the Alaska Native Village corporation for Wainwright) had consultation regarding the Proposed Rule on December 19, 2023; and

WHEREAS, on December 20, 2023, OIRA released new guidance for implementing Section 2(e) of Executive Order 14094, Modernizing Regulatory Review, which opened the door for North Slope leadership to request an audience with the agency that deemed the Proposed Rule economically insignificant after reviewing the economic analysis of BLM; and

WHEREAS, January 29, 2024, VOICE, ICAS, and ASRC met with OIRA Administrator to ask whether OIRA will have another chance to review the analysis of economic significance when the Proposed Rule inevitably returns to OIRA before the final rule is published, and also express the frustrations of the public process with the Proposed Rule thus far; and

WHEREAS, OMB was also at the meeting with OIRA and reiterated this administration's "commitment to tribal sovereignty;" and

WHEREAS, OIRA shared that typically the economic significance analysis of the proposed rule is also applied to the final rule, and that while OIRA does not conduct tribal consultations, they have never turned down an Executive Order 12866 meeting (which is somewhat equivalent to tribal consultation); and

WHEREAS, there is a consistent pattern of rhetoric not matching the actions of this administration, publicly promoting tribal sovereignty and native voices, yet silencing and not counting the Inupiat of the North Slope; and

WHEREAS, ICAS held their consultation with BLM on February 6, 2024 regarding the Proposed Rule; and

WHEREAS, the BLM has acknowledged that none of the over 25 entities that serve and represent the Alaska Native communities and people of the North support the Proposed Rule; and

WHEREAS, the Proposed Rule represents a major policy change in how the DOI will manage the NPR-A and as such has the potential to significantly impact the lands, people, and communities surrounded by and adjacent to the NPR-A by adding

additional processes, placing greater burdens on those living and working within and surrounding the NPR-A.

NOW THEREFORE BE IT RESOLVED, VOICE opposes this Proposed Rule and the public process, or lack thereof, through which it has been conducted; and

BE IT FURTHER RESOLVED that VOICE requests OIRA to re-review the economic significance of the Proposed Rule to ensure the economic analysis submitted by DOI includes the cost-benefit impacts to the North Slope Iñupiat and the local governments responsible for providing services to the eight Alaska Native communities in the region; and

BE IT FURTHER RESOLVED that VOICE's management and staff are hereby authorized and directed to take all such action necessary to give effect to this resolution.

RESOLUTION SPONSOR(S):

Iñupiat Community of the Arctic Slope
Arctic Slope Regional Corporation
North Slope Borough

CERTIFICATION

I, Martha Monnin, do hereby certify: that I am the Secretary of VOICE, organized and existing under the laws of the State of Alaska; that a meeting of the Executive Committee of the VOICE was duly held on February 13, 2024; that a quorum attended and participated; and that the foregoing resolution was duly adopted.

In witness whereof, I have hereunto set my hand, by order of the Executive Committee of the Corporation, this 13th day of February 2024.

Martha Monnin
Secretary

ATTEST:

Rex A. Rock, Sr.
Chair

The CHAIRMAN. The Chair now recognizes the gentlelady from California, Mrs. Napolitano.

You are recognized.

Mrs. NAPOLITANO. Thank you, Mr. Chair.

Ms. Secretary, welcome again. And first of all, let me state that I associate my remarks with Ms. Ocasio-Cortez. I believe you are doing your best.

Madam Secretary, the Department is working to implement the funding we secured under the infrastructure law for large-scale water projects. But one investment is, frankly, not enough. It must be continuous funding to grow, construct, maintain, and operate more facilities. That is why I am proud to have introduced the Large-Scale Water Recycling Reauthorization and Investment Act to reauthorize funding for water recycling and reuse projects in the West.

It is imperative we work to address the climate change to protect our water supplies and increase the presence of regional, large-scale water projects for the benefit of the future U.S. climate change.

Secretary Haaland, could you speak to how the Department is prioritizing water recycling under the Fiscal Year 25 budget?

Secretary HAALAND. Thank you very much, Congresswoman. And again, I want to say how happy we were to be in your district, and I appreciate you hosting us when we visited there.

As you know, last fall we launched a new, large-scale water recycling program and made initial funding from BIL available to incentivize projects at a larger scale aimed at creating new water supplies that are less vulnerable to drought and climate change.

With respect to funding details, the Fiscal Year 2025 budget continues to support all of the WaterSMART programs, including water recycling for \$4 million and desalination for \$7 million.

Mrs. NAPOLITANO. Thank you. I trust others are going to be seeking funding under this program.

Another thing I would like to ask is water recycling and reuse projects are a critical component in water security as we move forward, especially in the Colorado River Basin. The Bureau, basin states, and tribes are engaging in ongoing communications and negotiations regarding the post-2026 operations. Until then, we are operating under the 2007 interim guidance and the Drought Contingency Plan.

Could you explain to the Committee how funds for the Drought Contingency Plan are being implemented, and how the discussions have been going with tribes in and along the basin? And all tribes have been included and active.

Secretary HAALAND. The Colorado River Basin, of course, we know that it is crucial to 30 Tribal Nations there. We are very proud of the work that the Bureau of Reclamation has done to bring people together and to make sure that tribes have a voice in how we move these issues forward.

We have fostered an unprecedented level of collaboration and partnership with tribes, as well as the states and Mexico in our efforts to protect the short-term stability of the system and lead efforts to stabilize it into the future. This is the first time, Congresswoman, in history that tribes have been given a meaningful seat at the table. And I really am grateful to my team for making sure that that has happened.

Mrs. NAPOLITANO. Thank you for doing that. It is important to note that the large-scale water project is something new in the West, and I think many more states may be looking at it for the future protection of drought.

I yield back.

The CHAIRMAN. The gentlelady yields back. The Chair now recognizes the gentleman from Oregon, the Subcommittee Chair of the Water, Wildlife and Fisheries Subcommittee, Mr. Bentz.

You are recognized for 5 minutes.

Mr. BENTZ. Thank you, Mr. Chair.

And thank you, Madam Secretary, for being here today. I would like to start with the permitting reform Title 3, Section 321, the Builder Act. It was just passed as part of the Fiscal Responsibility Act.

And my question, this was drawn up a little less than a year ago, but the purpose is to kind of facilitate and make more projects happen quicker. What has your Department done to implement this law?

Are you writing rules now to make sure this law is applicable? And if so, where are they?

Secretary HAALAND. Thank you, Congressman. If it is OK, I would love to pass this question to our Acting Deputy Secretary, Laura Daniel-Davis. She can answer that better than me.

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

And I think one really important matter that we have been working on across government, including with the Department of Energy, and you have probably seen really recently—

Mr. BENTZ. Are you writing rules?

Ms. DANIEL-DAVIS. Can you be specific about which provisions you are referencing?

Mr. BENTZ. All of them. We will just start with the first one, the Builder Act. Are you writing rules? Just say yes or no.

Ms. DANIEL-DAVIS. I need a little more information on the specifics. We are writing a lot of rules.

Mr. BENTZ. I am sorry?

Ms. DANIEL-DAVIS. We are working on a lot of rules. It would help, specifics. We are working with the Department of Energy on—

Mr. BENTZ. OK, you don't have rules yet. It has been a year. You don't have rules yet to implement a law that would speed your permitting process up. Is that what I am hearing? You don't have them yet.

Ms. DANIEL-DAVIS. Well—

Mr. BENTZ. You are working on them.

Ms. DANIEL-DAVIS [continuing]. Process, we have been working very diligently at ensuring that it is efficient, and that includes what the Secretary was discussing about early engagement with communities and tribes.

Mr. BENTZ. I am not sure that a year reflects diligence, but I am happy to hear you are doing something. Would you please give me copies of whatever it is you are doing within the next 2 weeks? Would you please do that?

Ms. DANIEL-DAVIS. Yes, we would be happy to respond for the record. Thank you.

Mr. BENTZ. Thank you so much.

The conservation rule, I am unclear on the conservation rule. We had a hearing yesterday on it, passed a bill regarding it. The conservation rule, in my opinion, is a direct attack on multiple use of Federal lands by making conservation "on par with other uses."

Madam Secretary, tell me what "on par" means in your mind. And to make it more clear, my question is, is this conservation rule applicable to a specific space of land or across the board to every activity that is occurring under the guise of multiple use on Federal land?

Secretary HAALAND. Thank you for the question. And you are referring to the BLM public lands rule, is that correct?

Conservation, as you know, our public lands have a multi-use purpose mandate. So, we just wanted to make sure that all of the uses that our public lands are for can be worked on par with one another. No purpose is more important than the other. They are all important.

Mr. BENTZ. Well, that kind of goes without saying in there. But my question to you is there are ambiguous, almost impossible-to-

understand, subjective standards established for what is conservation.

So, my question to you is, if this is “on par,” does that mean that if someone wants to do something, oh, I know, a mine, does that mean then that it must comply with this new rule?

Secretary HAALAND. Are you referring to the restoration and mitigation leases in the rule?

Mr. BENTZ. Sure.

Secretary HAALAND. OK. With respect to the restoration and mitigation leases, those enable development by providing developers an opportunity to offset their impacts through investments in the health of public lands.

Mr. BENTZ. Right. So, your answer is that the word “on par” doesn’t mean that it is a separate use. It means it is an across-the-board requirement of anyone who wants to engage in one of the other types of multiple use. That is what you are saying.

Secretary HAALAND. I want to say that, with respect to this rule, we feel that it will restore balance to our public lands.

Mr. BENTZ. Well, that may be your thought, but what you are really saying is it is applicable across the board. It doesn’t say that clearly in this rule. I wish it did, so at least people knew what is going on.

On the gray wolf, we have a bunch of them in my state, and we are going to have a hearing this week. Unfortunately, I don’t think you guys are going to be there, U.S. Fish and Wildlife, I wish they were, up in Minnesota.

My question, I am happy that the U.S. Fish decided that the wolf was not in danger. I am very happy with that result. The court came out and suggested otherwise. But do you agree that the wolf is not endangered, as your U.S. Fish and Wildlife subdivision so agreed?

Secretary HAALAND. Of course, Congressman, as you know, we follow the science on all of these issues. I am not the scientist in the group, but scientists, they do study these things and let us know what the data is.

I want to say that, yes, the science tells us that wolves are not at risk of extinction in the western United States now for the foreseeable future. However, you know that there are a lot of factors that we have to consider in moving forward, and one of those is climate change.

To better understand the conservation needs and challenges and inform future policy, the Fish and Wildlife Service is undertaking a process to develop a first-ever nationwide gray wolf recovery plan, also creating a new effort to foster a national dialogue around how communities can live with gray wolves and include conflict prevention, long-term stability, and community security.

Mr. BENTZ. Thank you, Madam Secretary.

I yield back.

The CHAIRMAN. The gentleman’s time has expired, and I am going to ask unanimous consent to submit to the record this report from the Congressional Research Service entitled, “Federal and Indian Lands on the U.S.-Mexico Border,” and it states that DOI manages 607 miles out of 693 miles of Federal land on the border, and that is why we held a field hearing down there and I would

encourage everyone to visit the border. It has a relation to this Committee.

[The information follows:]



IN FOCUS

February 21, 2018

Federal and Indian Lands on the U.S.-Mexico Border

The federal government owns roughly 640 million acres of land, about 28% of the 2.27 billion acres of land in the United States. In addition, the Bureau of Indian Affairs (BIA), in the Department of the Interior (DOI), is responsible for administering another 55 million acres held in trust for American Indians, Indian tribes, and Alaska Natives. Congress faces diverse issues pertaining to the management, development, and protection of federal and Indian lands.

Federal and Indian lands on the border between the United States and Mexico present unique challenges due to the remoteness and topography of the lands, length of the border, extent of federal and Indian lands, and differences in missions of managing agencies. These challenges are particularly at issue during congressional consideration of proposals to secure the nation's borders against terrorists and illegal entry of persons and goods, including through construction of fences and other barriers. Questions include how to facilitate access to these lands that allows for efforts to enhance border security while at the same time protecting natural and cultural resources and addressing environmental damage related to illegal cross-border activities.

This CRS In Focus provides an estimate of total linear miles of federal and Indian land on the southwestern border. It also identifies the portions of these lands managed by each federal agency in each of the four states along the border—Arizona, California, New Mexico, and Texas.

For an overview of federal land ownership, see CRS Report R42346, *Federal Land Ownership: Overview and Data*, by Carol Hardy Vincent, Laura A. Hanson, and Carla N. Argueta. For an overview of natural resource policy and management issues related to federal lands, see CRS Report R43429, *Federal Lands and Related Resources: Overview and Selected Issues for the 117th Congress*, coordinated by Katie Hoover.

Differing Estimates

There is no single, authoritative estimate of linear miles of federal and Indian lands on the U.S. border with Mexico. Instead, widely differing estimates have been reported in recent years, depending on the objectives established, sources consulted, and approaches used. Past estimates have included 632 miles (Government Accountability Office, or GAO), 648 miles (U.S. Geological Survey, or USGS), and 820 miles (DOI). For some of these estimates, there is insufficient information publicly available to determine how they were prepared and why they differ.

A variety of factors can affect federal land estimates and likely account for much of the variation in reported estimates of federal and Indian border mileage. One factor

is the breadth of agencies reflected, specifically whether all or a subset of federal lands are captured. Similarly, some estimates might include Indian lands with the estimate of federal lands. Another factor is the source(s) used. Major geographic information system (GIS) sources of federal and Indian lands include the National Atlas, Protected Areas Database of the United States (PAD-US), and the U.S. Census (for Indian lands only). These sources reflect land ownership as of differing dates, and they vary in terms of precision and scale, among other variables. In addition, there are differing sources of GIS data from which the international border can be derived, and these sources can result in varying calculations of border length.

It is sometimes unclear from GIS sources whether federal or Indian lands are on the border or are located instead in close proximity to the border. In these cases, differing judgments could be made as to the inclusion of these areas. Further, some estimates may seek to capture only lands on the border whereas others might also seek to reflect lands in close proximity (e.g., within one mile of the border).

Variation in border mileage estimates also occurs based on the extent to which water features on the border are reflected in addition to land areas. Along the U.S.-Mexico border, federal areas that contain sizeable areas of water include two areas in Texas: Amistad National Recreation Area (National Park Service, or NPS), consisting of the U.S. portion of the International Amistad Reservoir, and the Lower Rio Grande Valley National Wildlife Refuge (Fish and Wildlife Service), located at the southern tip of Texas where the Rio Grande flows into the Gulf of Mexico.

CRS Estimate

Mileage

CRS estimates 693 miles of both federal and Indian land on the border, representing approximately 33% of the 1,965 miles on the southern international border. These lands are administered by a total of seven agencies.

Six of the seven agencies manage federal lands. They are the NPS, Bureau of Land Management (BLM), Fish and Wildlife Service (FWS), and Bureau of Reclamation (BOR), all in DOI; the Forest Service, in the Department of Agriculture; and the Department of Defense. The seventh agency, BIA, is the primary federal agency charged with carrying out the U.S. trust responsibility to American Indians, as noted, and thus Indian lands are reflected herein under "BIA."

These seven agencies manage differing amounts of land on the border, ranging from 10.1 miles for BOR to 195.1 miles for NPS. Of the four states, the most federally managed

Federal and Indian Lands on the U.S.-Mexico Border

border mileage is in Arizona (298.5 miles) and the least is in California (61.0 miles). **Table 1** contains the number of federal and Indian border miles by agency and state. **Figure 1** portrays all federal and Indian lands on the border, and **Figure 2** depicts these border lands by agency.

Notes: NPS = National Park Service; BLM=Bureau of Land Management; FWS = Fish and Wildlife Service; BIA = Bureau of Indian Affairs; FS = Forest Service; DOD = Department of Defense; BOR = Bureau of Reclamation. Both agencies and states are listed in descending order of mileage of federal and Indian lands.

Table 1. Federal and Indian Lands on the U.S. Border with Mexico
(by agency and state, in linear miles)

Agency	AZ	TX	NM	CA	Total
NPS	37.8	157.3	0	0	195.1 (28.1%)
BLM	30.7	0	81.7	60.4	172.8 (24.9%)
FWS	63.0	94.2	0	0.6	157.8 (22.8%)
BIA	71.2	0.7	0	0	71.9 (10.4%)
FS	48.5	0	0	0	48.5 (7.0%)
DOD	37.2	0	0	0	37.2 (5.4%)
BOR	10.1	0	0	0	10.1 (1.5%)
Total	298.5 (43.0%)	252.2 (36.4%)	81.7 (11.8%)	61.0 (8.8%)	693.4 (100.0%)

Source: CRS, using data from the Protected Areas Database of the United States at <https://gapanalysis.usgs.gov/padus/data/>, August 2016, and U.S. Census Bureau, TIGER/Line Shapefiles at <https://www.census.gov/cgi-bin/geo/shapetfiles/index.php>.

Sources and Methodology
The CRS estimate of 693 miles of federal and Indian lands on the border reflects lands managed by any federal agency as well as Indian trust lands under BIA. PAD-US was the primary source, because of the currency of the information (2016) and the detail as to ownership of small land parcels. U.S. Census Bureau data also were used for Indian lands and to identify the international border; these data reflect a total U.S.-Mexico border length of approximately 1,965 miles, as noted above. Further, to compare sources and methodology, CRS consulted with agency staff, including staff of the USGS and GAO who specialize in GIS data and take a lead role in federal government estimates of federal and Indian border lands.

The 693 miles is an estimate of federal and Indian lands with a boundary on the border as opposed to lands within a certain distance of the border. In some cases, it was difficult to determine whether federal or Indian lands shared a boundary with the border or were instead in very close proximity. CRS made these determinations based on a visual analysis of the GIS data, and other analysts could make different judgments.

With regard to water features, the estimate of 693 miles includes 94.2 miles within the Lower Rio Grande Valley National Wildlife Refuge and 36.4 miles of the Amistad National Recreation Area. However, the estimate does not include another 47.5 miles in Amistad consisting of waters that follow the international boundary (mid-channel in the Rio Grande), where there is no apparent adjacent dry land owned by the federal government.

Figure 1. Federal and Indian Border Lands



Figure 2. Federal and Indian Border Lands by Agency



Sources (Figure 1 and Figure 2): CRS, using data from the Protected Areas Database of the United States, U.S. Census Bureau, and Esri 2016 Data and Maps.

Carol Hardy Vincent, chvincent@crs.loc.gov, 7-8651

IF10832

The CHAIRMAN. The Chair now recognizes the gentleman from Arizona, Mr. Gallego, for 5 minutes.

Mr. GALLEGO. Thank you, Mr. Chair.

Good morning, Secretary Haaland. It is good to see you back in the Committee room.

As you mentioned in your statement, this budget includes resources to keep communities safe, protect our resources, and upholding our Federal trust responsibility. One important example is the work to coordinate Federal efforts to address Missing and Murdered Indigenous People. This is something you and I have

worked on together since your time in the House through legislation and hearings. It also increases resources for tribal public safety, something I have championed through my bill, the BADGES Act.

Second, by increasing funding to maintain and expand wildland firefighter pay, the budget prioritizes rapid response to wildfires. I met with firefighters last year to hear about the importance of this pay increase. Our workforce absolutely needs and depends on it.

Finally, this budget also invests in Western water solutions, especially around drought in the Colorado River system and tribal water rights in Arizona. Water shortages continue to be a top issue in Arizona, and we need investments that meet the moment and secure our access to sustainable growth. To highlight these important investments, I do have a couple of questions for you.

In Arizona, only 14 of 22 tribes have fully resolved, adjudicated, or partially resolved water rights, with many of the tribes relying heavily on the Colorado River as their primary water supply. I know the Bureau of Reclamation has been engaging in tribal consultation regarding post-2026 Colorado River operations, but I also want to ensure that tribal water rights are protected, and tribes with unsettled water rights are not left out of these important decisions that will impact their communities.

Secretary Haaland, how is your Department working to ensure that the ongoing negotiations over the post-2026 Colorado River operations will protect tribal water needs?

Secretary HAALAND. Thank you so much for the question, Congressman.

And, of course, as I mentioned earlier, this is the first time tribes have been given a meaningful seat at the table. Enactment of our request for \$2.8 billion in permanent funding for the Indian Water Rights Settlement Completion Fund will enable us to make tremendous progress on completing our commitments to complete our ongoing water rights settlements.

Mr. GALLEGO. Thank you, Secretary Haaland.

As you know, recruitment and retention of wildland firefighters has consistently been a challenge. How does that Fiscal Year 2025 budget support recruitment and retention of wildland fire personnel?

Secretary HAALAND. The Department's budget request includes additional funding to hire more wildland firefighters. Our funding request will also help to enhance mental health and well-being services and improve government housing. Those are all important issues.

And as we have in the past, we are also continuing to push for the establishment of a special base rate for wildland firefighters and permanent authorization to grant paid rest and recuperation leave, as we can imagine how difficult it must be to be out there on the front line.

Our budget request also includes provisions to create a premium pay category tied to incident response, and provide waiver authority for streamlined pay cap.

Mr. GALLEGO. Thank you, Madam Secretary. And when I did meet with the wildland firefighters, it was very clear that they did need this kind of permanent pay, this transparency on where their

promotions will be going, payment, as well as to retain them, because many times, once they are trained, they will also be recruited by local fire departments that sometimes, many times, will pay better and have way better benefits.

And just kind of along that thread of line, why is permanent comprehensive pay reform for wildland firefighters a necessary reform?

Secretary HAALAND. Yes, as you said, the demands on the wildland firefighter workforce continue to grow, as our fires become year-round and not just a fire season. They are fire years. And permanent and comprehensive pay reform will help improve firefighter recruitment and retention, which is the No. 1 thing that we need. It will also lead to stronger workforce capacity and fire operations.

I have had opportunities to visit with firefighters across the country. They are heroes of this climate change era, and we feel very committed to ensuring that they are respected in their jobs.

Mr. GALLEGO. Thank you, Madam Secretary.

I yield back.

The CHAIRMAN. The gentleman yields back. The Chair now recognizes the gentleman from Arizona, the Chair of the Subcommittee on Oversight, Mr. Gosar.

Dr. GOSAR. Thank you.

Ms. Secretary, as the first Indigenous woman to serve in your position, I know that the health and safety of young Native students is a top priority of yours, especially as it is highlighted not only in your testimony today, but also in the DOI budget. That is why I would like to take some time today to bring to light a situation that is taking place at Haskell Indian Nations University in Kansas.

For those of you who do not know, Haskell University is a Bureau of Indian Education school which ultimately reports to the BIA and the Secretary is their boss. That is why I was disturbed to learn about students making very serious allegations of things like harassment, bullying, theft, sexual assault, fraud, and more for years now. It is my understanding that the BIE investigated some of these claims, and then they went to great lengths to hide them until recently, when media reports made the findings public.

My first question, Secretary Haaland, yes or no, given your very strident and understandable support for the Native community, do you agree that the Bureau of Indian Education and BIA was slow to respond to the concerns of these students?

Secretary HAALAND. Congressman, I do want to say that I have visited Haskell Indian Nations University. We care deeply about every single student—

Dr. GOSAR. I know, but my question is, were they very slow in reporting this?

Secretary HAALAND. I don't have a timeline, Congressman, of—

Dr. GOSAR. OK. Well, I have so many things to ask you, so I am just going to leave it at that.

Madam Secretary, yes or no, do you believe that the students at Haskell University deserve better than what they have been presented by the BIE?

And as the ultimate administrator, you have a role in ensuring that they receive the answers they deserve.

Secretary HAALAND. I believe that every single Native child at any of our BIE schools deserves a quality, culturally relative education.

Dr. GOSAR. And you accept the role as being the ultimate person overseeing the BIE?

Secretary HAALAND. Tony Dearman, the BIE Director, is very—

Dr. GOSAR. I know, but you are ultimately the boss, right?

Secretary HAALAND. Absolutely.

Dr. GOSAR. OK.

Secretary HAALAND. I care about every single student.

Dr. GOSAR. I have a number of things. Will you commit today that you will work to make things better at the school on behalf of the students?

Secretary HAALAND. I work every day to make things better for everybody, Congressman.

Dr. GOSAR. Got you.

Secretary HAALAND. And certainly for our students.

Dr. GOSAR. I hear you. Now, let me ask you a question.

One of the things I represent is northwestern Arizona. Are you familiar with the Radiation Exposure Compensation Act?

Secretary HAALAND. Yes, I am.

Dr. GOSAR. Is there anything you could do in this Administration to get that exposure that was limited to southeastern Clark County and northwestern Mojave County? They were excluded by administrative fiat. This is the Hualapai Tribe. This is a whole bunch of different individuals that have been excluded for years. Is there anything you could do to help us compensate that with this Administration?

Secretary HAALAND. Congressman, we would be very happy to take a look at that. I know that there are a lot of communities in New Mexico, as well, who have been working to be acknowledged for a very long time. I appreciate knowing that, and we will take a look.

Dr. GOSAR. Yes, this was an administrative mistake. Congress wanted to have all of Nevada and Arizona placed in there, and they did not. Somebody made an administrative mistake, OK?

Secretary HAALAND. I appreciate your concern for our tribal communities, Congressman.

Dr. GOSAR. No. 2, I know that we helped settle the Bill Williams water settlement with the Hualapai, but they haven't had any adjudication along those lines. Would you be very receptive to looking at an old infrastructure aspect to form a consortium of water up in northern Arizona?

Would you be interested in kind of knowing more about that so that we have a mix of the tribes with local stakeholders like cities and towns to work together to form a co-op that would benefit the whole northern part of Arizona?

Secretary HAALAND. We absolutely want to always work together with tribes and local communities, and we will be happy to reach out to the Hualapai on this issue.

Dr. GOSAR. Thank you. Now, I assume you agree that transparency in our government is better than secrecy. Would you agree to that?

Secretary HAALAND. Transparency?

Dr. GOSAR. Yes, transparency—

Secretary HAALAND. Absolutely.

Dr. GOSAR. OK. So, is it fair to say that you would consider Citizens United to be wrongly decided?

Secretary HAALAND. Citizens United, the Supreme Court case?

Dr. GOSAR. Yes.

Secretary HAALAND. I don't necessarily have an opinion on that at a budget hearing here, Congressman.

Dr. GOSAR. OK. Would you consider that all NGOs, that if they take Federal money, they should disclose all their supporters?

Secretary HAALAND. First of all, I want to say that if we are involved with any meetings, grant requests, anything like that, there is a process that we follow. It is closely monitored by our Solicitors Department, and we follow all the rules.

Dr. GOSAR. But you agree that, if they take Federal money, they should be able to put out all their donors.

Secretary HAALAND. I think people should represent themselves in a correct manner, absolutely.

Dr. GOSAR. I yield back.

The CHAIRMAN. The gentleman's time has expired.

Ms. KAMPLAGER-DOVE. Mr. Chair, I ask unanimous consent to enter into the record, I am trying to be nice, this memo by Defend the Brooks Range that says these deposits do not hold significant quantities of critical minerals. Copper is not a critical mineral. The Ambler Mining District does not contain any economically viable deposits of cobalt.

The CHAIRMAN. Without objection.

[The information follows:]

DEFEND THE PROPOSED AMBLER ROAD IS AN ECONOMIC DISASTER THAT WILL
BROOKS RANGE NOT PROTECT AMERICA'S SECURITY OR CLEAN ENERGY FUTURE

There has been no demonstration that the extraction of minerals from the Ambler Mining District will be economical

- The original EIS estimated a cost of \$1.4 billion for the road. It would take at least 30 years of continuous mining for the State of Alaska to break even, requiring 4 major mines, none of which have begun federal permitting or even applied for a mining permit.
- The EIS assumes 50 years of mining activity, but there are no projections for long term mining beyond the initial 30 years.
- Since the EIS, the estimated cost of construction alone has gone up between \$250 and \$309 million. Interest rates make up more than half the cost of the road. With even a 1% increase in interest rates from the EIS estimate in 2019, the current estimated cost of the road is close to or over \$2 billion.
- An economic feasibility analysis has not been completed for 3 of the 4 major mineral deposits identified in the Ambler Mining District.
- The one feasibility analysis that has been completed – for the Arctic Deposit - has projected road toll costs that are less than half what the state of Alaska said it would charge in 2019.

These deposits do not hold significant quantities of “critical minerals.” These deposits will not ensure American mineral security or a clean energy future.

COPPER

- Copper is not a critical mineral. The U.S. Geological Survey (USGS) has repeatedly determined that copper is not a critical mineral. Supplies in the United States and allied countries are abundant.
- Supplies in the United States and allied countries are abundant.
- The Ambler Mining district will not solve global copper supply chain challenges caused by China’s role as a copper refinery.

COBALT

- The Ambler Mining District does not contain any proven economic deposit of cobalt
- The mining report for the Bornite deposit previously listed cobalt, but in 2023 the company removed cobalt from its mineral resource estimate.
- There has been an increase in the global supply of cobalt. Construction of a new cobalt mine in Idaho was recently suspended due to low cobalt prices ⁽¹⁾.
- Cobalt mining in the United States will not address the human rights abuses in the Democratic Republic of Congo because the United States has so little cobalt. Increased production in Australia and Indonesia and demand for certification from American businesses are the most likely avenues to reform.

GERMANIUM

- Trilogy Metals recently announced the potential for germanium as a by-product at the Bornite deposit, yet once again, this is highly uncertain.
- Germanium is not included in the mineral resource estimates at Bornite, and no economic feasibility study has been completed to demonstrate that the Bornite deposit is economic to develop.

ZINC

- The Ambler Mining District will not impact United States supply chains.
- The Arctic Deposit would produce just 0.6% of the zinc produced annually worldwide for just 13 years, and the company plans to ship the zinc concentrate to East Asia for refining.
- Supplies of zinc in allied countries are plentiful. The primary issue with zinc supply chains is refining, 46% of which was done in China in 2019 ⁽²⁾. Mining in the Ambler Mining District will not impact this.

⁽¹⁾ [Construction stops on Idaho cobalt mine about to ship ore | Local News | postregister.com](#)

⁽²⁾ [THE WORLD ZINC FACTBOOK 2020 \(ilzsg.org\)](#)

Dr. GOSAR. Mr. Chairman?
 The CHAIRMAN. Mr. Gosar, you are recognized.
 Dr. GOSAR. I would like to submit for the record this report out of Haskell University for the record.
 The CHAIRMAN. All right. Without objection, so ordered.
 Does anybody else want to submit something to the record?
 [Laughter.]
 Ms. KAMLAGER-DOVE. It is Jeopardy after all.
 Dr. GOSAR. For \$200.
 Ms. KAMLAGER-DOVE. Exactly.

[Laughter.]

The CHAIRMAN. The Chair now recognizes Mr. Sablan for 5 minutes.

Mr. SABLAN. Thank you. Thank you very much, Mr. Chairman. I apologize to my colleagues who I cut into first.

Secretary Haaland, good morning and welcome. Welcome back to the House. It continues to be your House also, as a former Member.

I want to commend the Administration's recognition of important insular area programs administered by your Department under the Office of Insular Affairs and the 2025 budget request. I think I have a second bite at this part of your budget because there is another one coming up next week in the Subcommittees.

The budget would increase by \$1 million the top money that supports the Marianas. These, as you very well know, are very important to the communities in getting funding not in normal situations or normal programs. So, thank you for that.

Your budget continues investment in the Energizing Insular Communities programs, which helps the insular areas reduce their reliance on expenditures on imported fuel. I think we could work more on this, but thank you for that also.

It also requests a modest increase, but an increase nonetheless, for the brown tree snake program and the coral reef initiatives.

CIP money, Madam Secretary, has been fixed at \$27.7 million since its inception 40 years ago, even though the infrastructure needs of the islands continue to expand. It was, by law, designed for the Northern Marianas exclusively, and then that changed, so it is now shared with the other territories. So, I hope appropriators will agree to it.

Madam Secretary, I do want to bring one thing to your attention. It was a remarkable accomplishment for us, for the United States and the Freely Associated States, to renew the Compacts of Free Association for another 20 years. The new agreements provide a meaningful funding increase, which will no doubt benefit our national security interest, as well as the future prosperity and well-being of the COFA nations and the people of the Marshall Islands, Palau, and the Federated States of Micronesia.

And I commend the Administration. I again commend for enlisting Ambassador Joseph Yun as Special Envoy to serve as the President's envoy for compact negotiations. His seasoned diplomacy and commitment to fairness and respect proved instrumental in renewing the compact. That was a really good decision.

But with the increase in funding, there is the obvious need for OIA to be equipped with the resources to exercise effective oversight in the management of the funds. Are you able to assure us that OIA will continue to do all of this task with the funds you request?

[No response.]

Mr. SABLAN. Yes? I think yes, right? No?

Secretary HAALAND. Thank you so much, and thank you for recognizing the hard work of everyone who worked long hours and a very long time on the COFA package.

I want to just assure you that our implementation is underway and is required by the new law. We are working to appoint DOI's representatives to the Interagency Group for Freely Associated

States, and require DOI members for the Compact Economic Management and Trust Fund Committees. So, it is all underway. We worked hard to get it done, and we will make sure that it gets done in the right way. Thank you.

[Pause.]

The CHAIRMAN. Mr. Sablan, do you have your microphone on?

Mr. SABLAN. OK, so I lost 20, 30 seconds. I will have another bite at OIA's budget.

So, I yield 30 seconds to Mr. Huffman, if you wish.

Mr. HUFFMAN. I thank the gentleman. It is not quite enough time to ask the question that I wanted to ask the Secretary, so I will thank you and defer.

Mr. SABLAN. Yes, thank you, Madam Secretary. Nice seeing you again.

And Mr. Chairman, I yield.

The CHAIRMAN. The gentleman yields back.

The Chair now recognizes the gentleman from Colorado, Mr. Lamborn.

Mr. LAMBORN. Thank you, Mr. Chairman.

Madam Secretary, it is good to have you back. I remember when we served together on this Committee. So, welcome.

The National Park Service is a great asset to our nation. In 2023, NPS recorded 325 million visits at more than 400 Federal sites. With the fact that these parks are the jewels of America, and I have been to over 300 of them myself, I must continue to ask about the quality of guest visits.

Many of our concessionaires stand ready and waiting to take up the slack. Our concessionaires are constantly judged, however, on some unknown and ambiguous criteria. And while the Commercial Visitor Services concession contracts rule went into effect earlier this year, I still find some concern at the amount of transparency. Will you commit to a more transparent process for the concessionaire contracting process?

Secretary HAALAND. Thank you so much for the question, and of course, we always love to be more transparent. I will take a look at this when I get back to the office, and see how that is going forward. But we rely on our concessionaires.

Mr. LAMBORN. Very good. Thank you. Has NPS considered looking to the concession industry to support immediate capital investment needs?

Secretary HAALAND. I couldn't answer that, but I would get with Chuck Sams and find out, and make sure we get back with your office.

Mr. LAMBORN. OK, thank you, because I would like to explore how NPS can allow for increased capital investment from willing concession industry members under existing contracts to improve the park guest experiences. I think with some creativity, flexibility, and willingness to work together, we could make some really good gains there.

Secretary HAALAND. I appreciate that.

Mr. LAMBORN. Now, changing subjects, since the Biden administration took office, 3.5 million acres of working Federal lands have been locked up through antiquities designations, resource management plans, mineral withdrawals, et cetera. The most egregious

land lockup is Administration's Land Conservation and Health Rule, which will allow so-called mitigation and restoration leases to lock up tens of thousands of acres per lease across the country.

Your agency states that the authority to implement this rule comes from 43 CFR part 2920. However, section 2920.1 clearly states that the only authorized uses for leases under this section are for residential, agricultural, industrial, and commercial uses. There is no mention of mitigation and restoration. Do you really think that this rule will stand up to legal challenge in court?

Secretary HAALAND. Congressman, thank you for the question. And I do want to say that, with this rule, we engaged in a robust and transparent public process. Many people had opportunities to weigh in, including our hunters, anglers, outdoor recreation enthusiasts. This rule will not inhibit any current grazing leases or anything like that.

And I want you to know that everybody thought about so many of these things when they were working through the rule, and I feel confident that we have done it in the right way.

Mr. LAMBORN. Well, it is my belief, though, that whether or not it breaks existing leases, it expands the definition of leases to unintended areas that Congress never authorized. And that is why we are doing a CRA on this issue this week. And we are going to send it over to the Senate, and hopefully they can repeal this rule.

Let me ask you about another subject. In Colorado, in the first 3 years under your control, the Department has held one lease sale, leasing a single 290-acre parcel, bringing in \$1.2 million in revenue to State and Federal Governments. And it looks like BLM has one scheduled upcoming lease sale in Colorado for a mere 120 acres. This lease sale, along with the only other lease sale that I just mentioned, shows neglect of the Western Slope of Colorado.

Will you commit to holding more lease sales on the Western Slope of Colorado this year?

Secretary HAALAND. Congressman, I do want to just say, because I haven't said it yet, that production on public lands is at an all-time high. So, we have been doing our jobs. Onshore in the last 2 years, the BLM has sold the drilling rights to more than 230,000 acres—

Mr. LAMBORN. Well, excuse me for interrupting, but what about in Colorado? There has only been one lease sale.

Secretary HAALAND. Oh, I beg your pardon. In Colorado specifically, we are moving forward with what we are required to do, and I am happy to get back with you on any specific areas in Colorado, if that is what you would prefer.

Mr. LAMBORN. OK. We will look forward to that.

Thank you, and I yield back.

Secretary HAALAND. Thank you.

The CHAIRMAN. The gentleman's time has expired. The Chair now recognizes the gentlelady from New Mexico.

Ms. Stansbury, you are recognized for 5 minutes.

Ms. STANSBURY. All right. Well, good morning and welcome, Secretary Haaland. Always wonderful to have you back in the House, which is also your former House.

And also, welcome to Assistant Secretary Daniel-Davis and Director Flanagan. It is wonderful to have such good friends here.

I want to start today by focusing on the broad scope and historic nature of the work that the Department of the Interior is doing right now under the leadership of our extraordinary cabinet secretary. We have already talked a little bit about that this morning, but under your leadership, Madam Secretary, there have been historic leases for clean energy, protection of vast swaths of our public lands, and, of course, a focus on climate resilience. And a lot of that was made possible because of this Administration and our President and your commitment to climate change.

And this body just two summers ago passed the Inflation Reduction Act, which is not only the largest investment in climate change in our nation's history, but of any nation ever in the history of this planet. And to watch the Department of the Interior implement the bill has been really extraordinary and impressive.

And I think it is also important to acknowledge that the work that you all are doing to involve our Tribal Nations and around the Justice40 Initiative is especially important to make sure that our low-income communities that have been historically excluded from those processes have a seat at the table.

I also want to acknowledge the extraordinary work that the Department has done on public lands. There has been a lot of political hype put forward today about the public lands rule. But, of course, as you know, as a New Mexican, we implemented a similar rule at the state level through our awesome public lands leader, Ms. Garcia Richard, just a couple of years ago. And not only did it not lock up our public lands, we had historic revenues and it enabled us to protect more sacred sites and conserve lands that are environmentally sensitive.

So, I strongly support the Department of the Interior's public lands rule, and I know it will be an important tool to put conservation and tribal sacred sites on par with the other uses that we use our lands for.

I also want to personally thank you for your leadership on Chaco Canyon. Of course, our tribes and pueblos have worked for decades, well, actually, over a century, to get those lands protected, and we greatly appreciate your leadership on that and also the Buffalo tract set-aside that just happened a couple of weeks ago. That land is, of course, important to many of our pueblos and our communities in Sandoval County as a historic and cultural site and a wildlife corridor.

I also want to commend you on your water resources work. I think you have the best water resources team probably in history, though you have had some good ones in the past. Your Colorado River work is really important for making sure that the West does not go dry. We are working on a similar bill for the Rio Grande with our colleagues in Texas and Colorado, and we strongly ask for your support on that, as well as for the Water Data Act, which is a bipartisan bill that we are trying to get across the finish line.

I also want to note that you all have a water rights settlement proposal in the budget which would enable us to fund many of our water rights settlements. And New Mexico has probably a historic number of water rights settlements in front of Congress right now, so one of the things I would like to ask for your support and commitment today is to help us get the Rio San Jose, Rio Jemez,

Navajo, Gallup, Taos, and soon Zuni, and Navajo Arizona settlement across the finish line. That is very important for us in New Mexico.

May I have your commitment that you will assist us with that?

Secretary HAALAND. Yes, we are working every day on those settlements. And as I mentioned in my opening remarks, we want to make sure that we have funding for that particular issue.

Ms. STANSBURY. Thank you. I know another issue that is very important and related to that is making sure that there is sufficient funding for the Pueblo Irrigation Fund, and we want to make sure that the funding makes it into the next budget for that, as well as to make sure that we have a settlement team for the middle Rio Grande pueblos. So, those are some of the priorities for our communities, as you know very, very well.

But I want to take the rest of my time to have you talk about the work you have been doing on boarding schools, and the historic work you have been doing to lift up Native voices in history and really reconfigure the Department and its priorities around tribal consultation and healing.

Secretary HAALAND. Thank you so much, Congresswoman. I am happy to answer that.

Of course, we have our second report coming out for the boarding school initiative. That should be out sometime very soon. We finished our road to healing. There will be an oral history project that the Smithsonian is helping us to implement, and I think the main issue that came out of all of those meetings with tribes, all of the opportunities that survivors and descendants had to speak directly with us is that language preservation, language revitalization across the board, even though things were so different from tribe to tribe, it was consistently said that their Native languages had been stolen from them. So, we are proud that the President and Dr. Biden are very supportive of our language revitalization efforts, and we will continue to make that a priority.

Ms. STANSBURY. Thank you. And, Mr. Chairman, I will just finish by saying every single day we are so deeply proud to have you as our Secretary, and as a New Mexican, and as a leader. And every single day I hear from members of our tribal communities of how grateful they are for your leadership, including yesterday, when a friend and colleague of mine from Washington State who is a tribal council member said that you are their hero, and they are so grateful that you are there serving our country. So, thank you for your service.

The CHAIRMAN. The gentlelady's time is expired. The Chair now recognizes the gentleman from Louisiana, Mr. Graves, for 5 minutes.

Mr. GRAVES. Madam Secretary, welcome back to the Committee. I appreciate you being here today.

One of the biggest things that I hear, last week I had the opportunity to be home during recess week, and hearing a lot about just the unaffordability of living in America today, and specifically watching as we are seeing higher energy prices related to gasoline, related to utilities. I am just curious. What message do you have to the American family that can't afford to make ends meet, and many of the policies that are coming out of the Department of the

Interior are actually contributing to that as a result of higher gasoline and utility prices?

Secretary HAALAND. Thank you, Congressman, and I will just say I missed your king cake this year, but that is all right.

[Laughter.]

Secretary HAALAND. I had to travel all the way to your state to get one.

But I will say, of course, we recognize that. And I know President Biden is working every day to lower costs for Americans. We believe that all the work we are doing on this clean energy transition will lower energy costs across the board for Americans across the country, and we feel confident about that. I know that we don't set gas prices.

[Chart.]

Mr. GRAVES. Madam Secretary, I guess just this table here really concerns me in that you would have to go back to the Jimmy Carter administration to even find any time in our nation's modern history where you would have such few acres that are offered for energy production.

And just to put things in perspective, during Jimmy Carter's administration they leased 100 times more acres than during the Biden administration during the same period of time. So, I feel like this is a direct result of this Administration's actions that are causing these higher, unaffordable prices for American families.

Secretary HAALAND. Congressman, I do, first of all, want to say that it is undeniable that production of oil on public lands is at an all-time high. It truly is. There are also a lot of leases and permits that are—

Mr. GRAVES. Madam Secretary, very quickly, just because I don't want to mislead the public, how long does it take to go from a lease sale to production onshore, and how long does it take to go from a lease sale to production offshore?

Secretary HAALAND. Of course, that depends greatly on the industry.

Mr. GRAVES. But a ballpark.

Secretary HAALAND. I would love to pass it to Laura.

Mr. GRAVES. I tell you what, just so we don't delay too long, it takes on average maybe 4 to 5 years for onshore. The only lease sale you have had for onshore was in 2022, which means none of the production occurring right now has anything to do with this Administration. For offshore, it is actually closer to about 10 years. Once again, none of the production today has anything to do with this Administration.

What you are doing is you are creating an energy crisis for the future, not just for right now as a result of future supply, but you are creating an energy crisis for the next Administration and the one after, as well, by not producing.

Now, we have had senior Administration officials that have come and testified before this Committee that have said when you stop producing, it doesn't cause a reduction in demand. All it does is it causes other countries to fill the void. So, let's take a look here.

[Chart.]

Mr. GRAVES. This is Iranian crude, and this shows the increase in Iranian crude. Because again, voids are going to be filled. Voids

will be filled. So, even though sanctions and everything else, we are actually seeing their exports increase, right? So, things like the LNG pause, the LNG ban effectively, it just creates market opportunity for other countries.

And here is Iran. I am going to guess that you don't support the Israel-Iran war that is going on right now with the terrorists and others that are occurring. Some estimates have indicated that Iran has profited to the tune of \$60 to \$65 billion, that money is going to Hezbollah, Hamas, and others, and American service members have been killed. Does it concern you that U.S. energy policy is funding the Iranian war?

We just came in and provided \$14 billion in funds to Israel. So, effectively, U.S. energy policy is funding Iran, U.S. taxpayers are funding Israel's defense. Does that concern you at all, and the death of American troops associated with this? Is that concerning?

Secretary HAALAND. Congressman, with respect to your original question on production, as I said it is at an all-time high.

Mr. GRAVES. I am sorry, I have moved on from that one. But on the Iran issue, does that concern you at all?

Secretary HAALAND. Congressman, I am concerned about everything about our country. I love this country. I am concerned about everything.

Mr. GRAVES. What message would you say to the troops' families that were killed as a result of Iranian proxies funded effectively with U.S. energy policy dollars that have been killed? What would you say to them as a result?

Secretary HAALAND. I would like to say to you, Congressman, that there are millions of acres of leased, non-producing Federal land currently in this country, and there are thousands of approved permits to drill.

Mr. GRAVES. And Madam Secretary, you have sat before this Committee and told us that there were 9,000, only to come back and realize that the number was grossly overestimated, and also not really understanding the process, and that that doesn't necessarily mean the ability to actually produce.

Once again, there was just \$60 billion provided in U.S. taxpayer funds to Russia. Russia is also profiting from U.S. energy policy. We are funding both sides of the war. Bad U.S. energy policy impacts American families and funds the Russians, and then American taxpayers fund the other side of the war. I am very concerned about what is going on.

I would strongly urge you to think about the problem you are causing for the next administration and the one after. Think about the fact that this Administration's energy policies are funding both sides of the wars, and American service members have died as a result.

The CHAIRMAN. The gentleman's time has expired. The Chair now recognizes the gentleman from Colorado, Mr. Neguse.

Mr. NEGUSE. Well, I hope the Chairman is as indulgent with Democratic Members as he was with our colleague from Louisiana.

The CHAIRMAN. I think Ms. Stansbury went over about a minute.

Mr. NEGUSE. Oh, right. I appreciate that. I will just say this, maybe my friend is confused about the particular witness that we are hearing from today. Ms. Haaland is not the Secretary of State.

She is not the Secretary of Homeland Security. She is the Secretary of the Interior. And in my view, she is doing an effective job.

And I would also say I think the questions in particular that were posed by the gentleman from Louisiana, and perhaps he didn't mean to convey them this way, but context matters. I know that the Secretary has a bone deep commitment to the United States. Perhaps he is unaware that her father was a veteran, was a distinguished officer in the United States Marine Corps who earned a Silver Star for his service during the Vietnam War. I find it offensive.

Mr. GRAVES. Is the gentleman suggesting something I said was inaccurate?

Mr. NEGUSE. Mr. Graves, it is not your time. It is my time.

Mr. GRAVES. I wanted to make sure I understood.

Mr. NEGUSE. To the extent the Chairman wishes to intervene, perhaps he can—

Mr. GRAVES. I wanted to make sure I understood.

Mr. NEGUSE [continuing]. Because I haven't yielded time to anyone.

The CHAIRMAN. It is—

Mr. NEGUSE. I am addressing the Secretary. And I say to you, Madam Secretary, that we are proud of your service and your family's service to our country, and grateful for the work that you were doing at the Department of the Interior, notwithstanding the histrionics from, unfortunately, some of my colleagues today. I am surprised by it, to be candid.

As you know, Madam Secretary, and it is good to see you, and welcome back to the Natural Resources Committee, I am proud to represent the 2nd Congressional District of Colorado, which includes the headwaters of the Colorado River, and to serve as co-Chair of the bipartisan Colorado River Caucus. We have been grateful for the communication and the leadership of your agency as we continue to face drought conditions throughout the Colorado River Basin.

I understand, of course, that the Department is currently developing post-2026 operating guidelines for the Colorado River through a multi-year and collaborative stakeholder process. I think it is important that we acknowledge the need to be proactive in our efforts to conserve this critical resource, rather than the solely reactionary and crisis driven.

To that end, I am proud that we have introduced two bills, one of which has passed the Natural Resources Committee and passed the House on a bipartisan basis: the Drought Preparedness Act, which would support a critical program in your Department, Madam Secretary, that the Bureau of Reclamation uses, the Drought Response Program, to provide assistance through drought contingency planning, drought resiliency projects, and emergency response actions. I am hoping the Senate will take that bill up.

As you know, your budget request includes \$25 million for the Drought Response Program. I wonder if you could briefly talk about how that investment will help increase drought mitigation work in the Colorado River Basin?

Secretary HAALAND. Thank you very much, Congressman, and I thank you for recognizing how important the Drought Response Programs are as part of the \$66 million request for WaterSMART programs to work cooperatively with communities to address water shortages.

And I will just tell you that if those authorities are not reauthorized, the Drought Response Program, it provides assistance to water managers to build long-term resiliency to drought. As you know, people have said that it is a 1,200-year drought in the West. And you recognize that every single day, as I do, being a New Mexican. So, we feel these programs are incredibly important so we can continue to do the work and make sure that communities have the water that they need.

Mr. NEGUSE. I thank you, Madam Secretary, and I certainly hope that the Senate will heed your call and our call to pass that bipartisan bill, as well as the House with respect to the second bill in reference to the authorities that you mentioned.

I just want to briefly touch on SRS, the Secure Rural Schools, and the Payments in Lieu of Taxes program. Of course, understanding that SRS is primarily a Forest Service program, but there is a portion operated by the Bureau of Land Management, we have introduced legislation. It is bipartisan legislation, Representative McMorris Rodgers of Washington is the co-sponsor, to reauthorize the SRS program for an additional 3 years.

The program is critical for rural communities across the country, including communities in my district. This program has broad bipartisan support. There are 70 co-sponsors on this particular bill, and I am certainly grateful for that. But, unfortunately, I will just say, Madam Secretary, that we have been frustrated that my colleagues on the other side of the aisle have not put this bill on the Floor for a vote. The authorization lapsed, as you know, back in September 2023.

There are a lot of communities and congressional districts that will be harmed if we don't get this bill done. Just to give you, by way of example, Chairman Bentz's district received more than \$51 million. Representative Fulcher, he and I have worked closely together for many years, his district received \$16.6 million. I know, Representative LaMalfa, you care about this program, \$11.4 million in your district.

We have to get this done. I know the Department is supportive of this effort. I am just hoping that we can implore the Speaker and perhaps, Mr. Chairman, we can enlist your support in getting this done so that all of our communities in rural America aren't harmed disproportionately.

I thank the Chairman for his indulgence. I yield back.

The CHAIRMAN. The gentleman's time has expired. The Chair recognizes the gentleman from California, Mr. LaMalfa.

Mr. LAMALFA. Thank you, Mr. Chairman.

And thank you for appearing with us today, Madam Secretary. Welcome back.

About 8 years ago, several secretaries ago, Secretary Jewell signed an agreement to remove the four hydroelectric dams along the Klamath River. And now we are seeing, with the partial work of that being done, devastation to that river that you, well, I won't

say can't imagine, because we could imagine that. We knew there were untold amounts of silt that had gathered behind those dams over the years. Now they have been unleashed upon the whole river system, all the way out to the mouth into the Pacific Ocean.

And I mentioned this to you when we saw each other. Have you had a chance to take a look at any of the video or photographs of that devastation, what it meant to the wildlife and water quality, et cetera, along there?

Secretary HAALAND. I am sorry, Congressman, I didn't hear the exact question.

Mr. LAMALFA. Have you had a chance to take a look at any of the photographs or videos or what have you of the devastation by the unleashing of that material into the river system, all the way out to the mouth of the ocean?

Secretary HAALAND. I have not seen photographs, but I would be happy to look at photographs. And of course—

Mr. LAMALFA. You really should. And if you have a chance to visit in person because what we are talking about, ostensibly this is about salmon, and the life cycle of the salmon involved is 3 years, and there are people from the Department and other entities claiming it will be a 10- to 12-year project for the silt to actually disappear at the same time while they have equipment scooping silt out from the lake bottom and dumping it in the river.

Now, if you were a miner, if you were anybody else, that would probably be life in prison for what they are doing there. Yet, somehow that is deemed to be OK.

So, what we are looking at is the dam removal project so far is a disaster. And at the same time, we hear a lot of talk about climate change and replacing our vehicles, replacing the power generation with CO₂-free, you know? I am sure the Department has a lot of goals on CO₂, right? I mean, in general, right?

Secretary HAALAND. CO₂?

Mr. LAMALFA. Carbon dioxide, goals on reducing it.

[No response.]

Mr. LAMALFA. Just from the hip, ma'am, we don't have to—

Secretary HAALAND. Sorry.

Mr. LAMALFA. Anyway, I will keep moving on. Everybody has goals in the California Government, the U.S. Government on climate change and reducing all that.

At the same time we are talking about this, we are getting rid of the source of CO₂-free electricity in dams and then dewatering other dams and making it where they are ineffective at running water through their hydro plants. We have barely kept alive the Diablo Canyon power plant in central California.

At the same time, we are talking about mining and the inability to extract the metals that are needed for producing the electrified vehicles and electrified everything else. We are going in the opposite direction on both things to meet the goals that the Administration and California Government seems to be placing upon people to their detriment economically, jobs, et cetera.

So, what do you say to the public with goals like this that are wrecking the river and making it much more expensive?

And let me zero in on this part. The Klamath Lake is at 90.6 percent capacity as of yesterday, as the lakes around California are

filling up. Shasta, Oroville, Folsom is on its way up. New Melones is as high as it has been in quite a while. Yet, we are seeing 40 percent allocation to some of the San Joaquin Valley districts. So, how does your Department explain that in context with people seeing skyrocketing food prices?

And then we talked about hydroelectric and electricity prices. What am I supposed to say to them about the direction that this Administration and your Department is going?

Secretary HAALAND. Congressman, thank you for the question. And I know you and I have had conversations about this, and you have also essentially had an open door to the Bureau of Reclamation staff.

Mr. LAMALFA. Yes.

Secretary HAALAND. I know they are also going to be here later in the month. So, I want to tell you that, yes, we understand that there was record moisture in some parts of the West. However, it is my understanding that the drought persists. So, they are working to be careful with the water that we have so that people will have it into the future.

Mr. LAMALFA. But there is not a drought. Two years in a row, almost record snowpack. The lakes are essentially full if they are allowed to be topped off, all except for the San Luis Reservoir, which is about 25 percent down.

So, the farmers in the Klamath are still, with a nearly full lake, are going to still be at maybe two-thirds of their allocation, as well as the 40 percenters down south in San Joaquin. So, with all that, how do you explain it to the farmers?

And then let me come back to the CO₂ one more time. Again, you have CO₂ climate goals. What percent of the atmosphere is carbon dioxide?

Secretary HAALAND. I understand that you will tell me how much it is.

[Laughter.]

Mr. LAMALFA. No, I would like to hear it from you.

The CHAIRMAN. The gentleman's time has expired. The Chair now recognizes the gentlelady from Oregon—

Mr. LAMALFA. 0.04 percent.

The CHAIRMAN. We have heard that before.

Ms. HOYLE. Once or twice. Thank you very much.

The CHAIRMAN. The Chair recognizes the gentlelady from Oregon.

Ms. Hoyle, you are recognized for 5 minutes.

Ms. HOYLE. Thank you very much.

Secretary Haaland, I just want to thank you for being here today. I want to thank you for your work and your availability and accessibility, specifically in talking about Federal lands, and timber and wildfire issues.

With that, I would like to yield the rest of my time to Mr. Huffman.

Mr. HUFFMAN. I thank the gentlelady from Oregon.

Madam Secretary, it is great to see you. And I want to start by commending you for the composure and dignity you have maintained throughout some questioning that in many cases is just absurd. You have been lectured about American national security

interests and apparently helping Iran and even Russia by a Member of Congress who just last week voted against aid to Ukraine, handing Vladimir Putin an incredible gift just as his incredible, unfailing obeisance to the American oil and gas industry has helped over the years to essentially enrich and empower and create Vladimir Putin and his war machine. There is no amount of shame or hypocrisy that will stop some of my colleagues from rolling out the political theater and trying to score cheap points, but you have maintained your cool and professionalism. I think it speaks to who you are.

It has to be especially tough, though, to be lectured about tribal consultation from members of this body who, at best, are ambivalent about tribal rights. And their hypocrisy and spottiness on this can be seen just in the last 24 hours. So, I am going to ask you a little bit about the gray wolf.

Am I correct, Madam Secretary, that the gray wolf is a sacred spirit animal to most American tribes?

Secretary HAALAND. I believe that wolves for many tribes have a deep cultural meaning.

Mr. HUFFMAN. Yes. And, in fact, in the past, when there has been legislative delisting of the gray wolf and states have proceeded to slaughter them in incredible numbers, Native American tribes have actually had to go to court and file lawsuits to protect this culturally significant and sacred part of their heritage. Am I correct about that?

Secretary HAALAND. I believe you are, Congressman. And I just want to say that all life is essentially sacred to Native Americans, and I know that they care deeply about every animal that has a right to be on our landscape.

Mr. HUFFMAN. And should Native American tribes have a voice? Should they be consulted in wildlife management decisions affecting the gray wolf?

Secretary HAALAND. Well, across the board I appreciate you raising that because we have entered into 200 co-stewardship agreements with tribes across the country, not just for animals but for landscape health as well. And we feel that their Indigenous knowledge has a lot to offer us.

Indigenous knowledge is science, and we can rely on that as a tool that we use to protect our lands for future generations.

Mr. HUFFMAN. And that, I would say, is as it should be. But just yesterday, to a person, every member, every Republican member of this Natural Resources Committee, on the Floor voted to reinstate a Trump rule that did not involve any tribal consultation for the gray wolf. And then they went a step further and prohibited any judicial review which kind of gives up the game. It would certainly suggest that they don't care very much about tribal consultation when it comes to the gray wolf.

But more broadly, it has been suggested that because you don't agree with the Native American voices that want to do oil and gas drilling in some places, and you have listened to other Indigenous voices that may oppose oil and gas drilling or may support land conservation, that somehow you are insensitive to tribal consultation. I find that offensive. It has to be hard to listen to while keeping your cool. But you have done it.

Let me just give you the remaining time that I have to speak to just what a serious value this is and priority this is to consult and lift up Native voices.

Secretary HAALAND. Thank you, Congressman. And, of course, since President Biden has been in office, tribal consultation has been a top priority of his. As I mentioned earlier, he restarted the White House Council on Native American Affairs. Many of us have Secretaries' Tribal Advisory Committees. We want to make sure that tribes have a seat at the table.

At one point, it seemed like we were doing so many consultations that the tribes were just asking us to slow down a little bit. I know that their voices are incredibly important. And there were decades and decades where tribes never were asked to have a seat at the table, where they never had opportunities to tell the Federal Government what their policies were doing to them and their communities. That is one of the reasons why our Federal boarding school initiative has been so important to tribes across the country.

I appreciate you being with me when we went to visit with the tribes in your district, that was incredibly important. And I know it means a lot to them for you to listen.

Mr. HUFFMAN. Thank you, Madam Secretary. I yield back.

The CHAIRMAN. The gentleman's time has expired. The Chair recognizes the gentleman from Idaho, Mr. Fulcher, for 5 minutes.

Mr. FULCHER. Thank you, Mr. Chairman.

And Madam Secretary, thanks for coming and for being back here. It is good to see you. I have had a chance to look at some of your written testimony, and also heard some of your verbal testimony, as well. But I haven't picked up, at least clearly, the answer to the following, and it has to do with the number of renewable energy projects that the Department has approved in this Administration.

Do you happen to know how many of those, approximately, renewable energy projects have been approved?

Secretary HAALAND. I feel like I know that number, but I would love for Laura to answer that question because I don't want to get it wrong, if that is OK with you.

Mr. FULCHER. OK, please.

Ms. DANIEL-DAVIS. Thank you, Madam Secretary.

And Congressman, I can tell you the megawatts approved, and it is somewhere exceeding 7,000 megawatts.

Mr. FULCHER. OK.

Ms. DANIEL-DAVIS. We would have to get back to you on the specifics of the numbers.

Mr. FULCHER. OK, let me do a follow-up question, then. How many mining projects have been approved in the approximate same window of time?

Secretary HAALAND. Since the President has been in office, we have approved 40 mining or mining modification permits as well as 5 critical mineral mines.

Mr. FULCHER. So, there appears, at least from my vantage point, that there is a disparity, where there is a focus much more in favor of renewable energy projects and over the mines at a time where we have so many needs for critical minerals.

Mr. Chairman, with that I would like to yield some time to Mr. Stauber.

Mr. STAUBER. Thank you very much, Representative Fulcher.

Secretary Haaland, Chair Westerman put into the record the Voice of the Arctic Inupiat Resolution No. 2024-1, meaning their first resolution of this year. And I want to say that they are called the Voice.

The Voice membership is comprised of local governments, tribal governments, tribal service providers, and Alaska Native Corporations across the North Slope of Alaska. In this resolution it says, "Whereas, prior to the convention," that is the Alaska Federation of Native American Convention, "held October 13, 2023, the North Slope Trilateral regional leadership wrote Secretary Haaland a letter asking for a meeting regarding both the ANWR and NPR-A announcements and lack of meaningful engagement with the region's leadership. AFN Convention came and went without a response granting or denying the meeting request, and to date no response has been received." Do you dispute that?

Secretary HAALAND. I do.

Mr. STAUBER. So, are you telling us today that you specifically met with the Voice of the Inupiat on ANWR and NPR-A Alaska?

Secretary HAALAND. I am saying that we have not ignored any voices in Alaska, Congressman.

Mr. STAUBER. Madam Secretary, this is a yes-or-no question. I am asking you specifically. Did you meet with the North Slope Alaska Natives, the Voice of the Inupiat, those groups on the North Slope? Did you specifically meet with them? That is a yes-or-no question.

Secretary HAALAND. I feel like I need to explain further on how this whole issue was dealt with, because we gave opportunities for the tribes in Alaska, as well as the corporations to respond to a tribal consultation request.

Mr. STAUBER. Madam Secretary—

Secretary HAALAND. It was not responded to.

Mr. STAUBER. With my minute-and-a-half left, this is just a simple question: Did you specifically and individually meet with the Alaska Natives on the North Slope?

Secretary HAALAND. Congressman, if you would like a detailed list of everyone that we have met with, we are more than happy to get with you or your staff after this meeting.

I want to say that we—

Mr. STAUBER. No, I don't need you to get with me, I need you to get with the Alaska Natives on the North Slope.

Secretary HAALAND. I understand that—

Mr. STAUBER. Madam Secretary, I have asked you three times. It is a simple yes or no. Did you specifically meet with the Alaskan Natives on the North Slope before you put this rule forward? That is a yes or a no.

Secretary HAALAND. My first trip to Alaska I went up to Utqiagvik. I had a tribal meeting, a tribal roundtable with tribes all over the district, as well as a State Legislator from the area.

Mr. STAUBER. Madam Secretary, this will be the fourth time I ask you specifically. Did you meet with the Alaska Natives on the

North Slope? Specifically and for your ANWR rule and NPR-A Alaska, did you meet with them?

Secretary HAALAND. I can say that the BLM held three in-person meetings on the proposed rule.

Mr. STAUBER. With that, I find it difficult that the NPR-A, 23 million acres, is entirely located within the boundaries of the North Slope region of Alaska, and she can't answer the question whether she met with them or not, and I yield back.

Mr. FULCHER. Thank you, Mr. Chairman. For the record, I wanted to respond to the Secretary that my understanding is there have only been five mines that have been approved in this Administration. The others were related to some sort of expansion. With that, I yield back.

Ms. KAMLAGER-DOVE. Does the gentleman yield?

The CHAIRMAN. The gentleman's time has expired. The Chair now recognizes the gentleman from California, Mr. Mullin, for 5 minutes.

[Pause.]

The CHAIRMAN. OK, I recognize the gentleman from Hawaii, Mr. Case, for 5 minutes.

Mr. CASE. Thank you, Mr. Chair.

Madam Secretary, aloha.

Secretary HAALAND. Aloha.

Mr. CASE. It is good to see you. I want to commend you and recognize you and your Department on a number of items that I think are relevant to the hearing.

First of all, I detect in the questions from the other side some fundamental misunderstandings about what tribal consultation actually consists of. An essentially, government-to-government interaction with the Indigenous peoples of our country that occurs on many levels, but is fundamentally an interaction and a sign of respect and inclusion of the Indigenous peoples.

And I know this for a fact, because you have been exemplary in terms of your understanding of the Native Hawaiians, the Indigenous peoples of our country whose Native lands are in Hawaii, and the consultation level in the Department of the Interior over your Administration has been superior. So that, obviously, indicates, from my perspective, a complete understanding of what consultation actually means. That is No. 1.

No. 2, I certainly believe that you have been exemplary in terms of your understanding of the critical threats presented to many species across our country in your administration of our endangered species laws. Half of the endangered species in our country are in Hawaii. Clearly, you have focused there.

No. 3, Mr. Sablan has already talked about the Compacts of Free Association which were critical agreements for our country on a number of levels. The Department of the Interior was central to getting the COFA over the finish line. I just met with the leaders of those countries, and they are still talking about the fact that it was a critical set of understandings and agreements.

No. 4, you understood and your Department understood the significant and severe tragedy of the Maui wildfires, and was part of a government-wide response in Lahaina and Maui overall. You took a personal interest in that. I deeply appreciate that.

No. 5, I believe that your management of our national parks, our treasures, as was already said, has been exemplary. And your administration of the Great American Outdoors Act, which you championed as a Member of Congress, where you are now administering some half-a-billion-dollars a year to address our national parks, has been a very significant contribution.

No. 6, we are in the middle of implementing generational reinvestments in our infrastructure through the Infrastructure Investment and Jobs Act, also called the Bipartisan Infrastructure Law, as well as the Inflation Reduction Act, trillions of dollars. And the Department of the Interior is personally responsible for getting out the door and into communities tens of billions of dollars under those infrastructure laws to critical areas that I think we could all agree are essential from the perspective of our broader interests. These fall in the areas of climate resiliency, including wildfire resiliency, tribal electrification, which I think we believe is of critical importance, and then legacy pollution projects, where we simply have to clean up. The infrastructure dollars have been going out of your Department for that.

And then finally, I would note your responsibility for the territories of our country, who often feel that they are not fully included. And you have embraced them, both as a Department and personally, and these are critical parts of our country.

Those are just seven of the areas where I believe that the Department's contributions and your contributions personally have been noted, both for our country, as well as for my Hawaii. And I thank you for all of that.

What I would like to do is give you a little bit of time to comment on one area that comes out of the Maui experience, and that is wildland fire management, which is an area that you are responsible for. Could you just give us a little bit of amplification of how the budget addresses wildfire prevention, which is impacting so much of our country?

Secretary HAALAND. Thank you so much, Congressman, and I just want you to know that one of our staff is still detailed to Maui, working with FEMA to make sure that things are right for the Native Hawaiian communities there.

Of the \$7.1 million, about \$3.4 million is for NAGPRA grants. Let's see, this funding will support the Native Hawaiian community by providing grants to Native Hawaiian organizations, as well as to museums. The remaining \$3.7 million in funding will be used to assist Interior's bureaus and offices with prioritizing and expediting repatriations.

That is not what you asked me. I apologize, Congressman. In 2023, DOI completed more than 2.5 million acres of priority wild-fire risk reduction using annual appropriations and BIL funding. With the BIL funding, 71 percent of the acres Interior treated were in the wildland urban interface, protecting places where people live on or adjacent to Federal lands. And I think those are some of the areas that you spoke about.

Mr. CASE. Thank you very much. And I also thank you on NAGPRA. That is really critical, as well.

Mr. FULCHER [presiding]. The gentleman's time has expired.

Ms. KAMLAGER-DOVE. Mr. Chair, I ask unanimous consent to enter into the record this legal analysis from the University of Colorado Law School and the University of Utah College of Law that details the statutory authority of BLM to update their multiple use mandate to incorporate conservation as a use on par with other traditional uses.

The analysis states that, based on the plain language of the Federal Lands Policy Management Act, the Public Lands Rule represents a sound interpretation of the mandates provided to Congress by BLM.

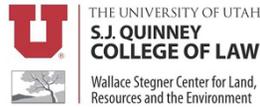
Mr. FULCHER. Unanimous consent has been granted.

[The information follows:]

A Legal Analysis of BLM's Public Lands Rule

April 19, 2024

A White Paper by:



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The Bureau of Land Management (“BLM”), in the U.S. Department of the Interior, oversees more than 245 million acres of federal public land, or one-tenth of the total land base in the United States. BLM lands provide important benefits to the American people, including clean water, wildlife habitat, renewable and non-renewable energy resources, grazing, timber, and outdoor recreation. In managing these public lands, BLM must balance this wide variety of uses to benefit current and future generations.

On April 18, 2024, BLM finalized a new rule—“the Public Lands Rule,” to advance the BLM’s stewardship mission by focusing on the health and resilience of ecosystems across public lands managed for multiple use and sustained yield. The Public Lands Rule implements the existing “multiple use and sustained yield” statutory framework adopted by Congress in the Federal Lands Policy and Management Act of 1976 (“FLPMA”). Consistent with the duty BLM was assigned by Congress almost fifty years ago, the new rule updates BLM planning and management regulations “to conform to changing needs and conditions” on public lands and to achieve the right “combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources.”¹

Since FLPMA’s passage in 1976, BLM has been tasked with managing “recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values” in a “harmonious and coordinated” balance that avoids “permanent impairment of the productivity of the land and the quality of the environment.”² The new rule recognizes that “BLM’s ability to manage for multiple use and sustained yield of public lands depends on the resilience of eco-

¹ 43 U.S.C. § 1702(c) (defining “multiple use”).

² *Id.*

systems across those lands.”³ Without resilient ecosystems that can withstand disturbance, the productivity of public lands and the quality of the environment face the risk of permanent impairment. The new rule clarifies and formalizes regulatory tools for protecting intact, functioning landscapes, restoring degraded habitats and ecosystems, and making wise management decisions based on science and data.⁴ The new rule provides predictability, expands transparency, and formalizes pre-existing policies as BLM manages public lands in a new era of challenges.

BLM provided for extensive public involvement in the preparation of the Public Lands Rule. The rule was subject to a 90-day public comment period, during which a total of 216,403 people voiced their opinion.⁵ BLM received over 152,673 comment letter from Tribes, state and local governments, industry groups, conservation organizations, and citizens across the country. BLM also held three in-person meetings and two virtual meetings during the comment period to better engage the public on the proposed rule. BLM actively engaged in government-to-government consultation with Tribes, and received over 20 formal comment letters from Tribal Governments, Alaska Native Corporations, and tribal entities.⁶ The final rule includes thoughtful adjustments demonstrating that it benefited from this robust and inclusive public participation process, and the level of engagement indicates the degree to which BLM lands provide important public benefits that must be thoughtfully managed for the long-term benefit of current and future generations.⁷

This white paper provides detailed information on the Public Lands Rule, including: (1) summaries of the policy tools and initiatives included in the rule; (2) the legal foundation for the rule with a focus on the multiple use and sustained yield mandate in FLPMA; and (3) a discussion of the conditions of BLM land that warrant the management approaches embodied in the rule.

1. What Management Tools Are Included in the Public Lands Rule?

In formulating the Public Lands Rule, BLM starts from the foundational policy statement provided by Congress in FLPMA. Congress has plenary power over the 245 million acres of land managed by BLM, and in FLPMA Congress set forth the policy of the United States that:

the public lands be managed in a manner that will protect the quality of the scientific, scenic, historical, ecological, environmental, air and atmospheric, water resources, and archaeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use.⁸

As BLM recognizes in the rule, “[m]any of these resources and values that FLPMA authorizes the BLM to safeguard emanate from functioning and productive native ecosystems that supply food, water, habitat, and other ecological necessities.”⁹ BLM has therefore developed the Public Lands Rule with the understanding that prudently managing the ecological health of public lands is necessary to achieve the important policies set forth by Congress in FLPMA. As the preamble observes, “widespread degradation of land health significantly limits the ability of public lands and their ecosystems to provide such resources and values and is inconsistent with the management direction and responsibility conferred to the BLM through FLPMA.”¹⁰

BLM recognizes that “degradation of the health of public lands threatens the BLM’s ability to manage public lands as directed by FLPMA.”¹¹ Invasive species, wildfire, drought, and fragmented wildlife habitat threaten the health and resilience of these lands and undermine their ability to support multiple uses and provide for a sustained yield of resources for the public. To address these threats, and to

³Unofficial pre-publication version of the BLM’s Final Conservation and Landscape Health Rule 3 (Apr. 18, 2024), to be codified at 43 C.F.R. Part 6000 and 1600 *available at* <https://www.blm.gov/public-lands-rule> (last visited Apr. 18, 2024) [*hereinafter* Conservation and Landscape Health Rule, PDF]

⁴*Id.* at 3.

⁵*Id.* at 34.

⁶*Id.* at 33.

⁷*Compare* 43 U.S.C. § 1702(c) (defining “multiple use” to include a “combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and non-renewable resources”).

⁸43 U.S.C. § 1702(a)(8).

⁹Conservation and Landscape Health Rule, PDF *supra* note 3, at 9.

¹⁰*Id.*

¹¹*Id.* at 7.

advance the national policy as set forth in FLPMA, BLM focuses on the *resilience of ecosystems*, that is the ability of ecosystems to recover from the threats of disturbances and environmental change.¹² “Ecosystems that collapse due to disturbance cannot deliver ecosystem services, such as clean air and water, food and fiber, wildlife habitat, natural carbon storage, and more.”¹³

The Public Lands Rule recognizes that BLM has three primary ways to build and maintain the resilience of ecosystems on public lands: “(1) protecting the most intact, functioning landscapes; (2) restoring degraded habitat and ecosystems; and (3) using science and data as the foundation for management decisions across all plans and programs.”¹⁴

The rule defines “conservation” as “the management of natural resources to promote protection and restoration” in order to build resilient lands or reach desired land use conditions through planning, permitting, and decision-making.¹⁵ In this sense, “conservation is a use” while “protection and restoration are tools to achieve conservation.”¹⁶ The preamble and discussion emphasize that “conservation takes many forms on public lands” and is not necessarily exclusive of other multiple uses. In fact, it may support other uses like sustainable grazing, recreation, or wildlife and fisheries management.¹⁷ The preamble also emphasizes that conservation is not a landscape designation, nor is it a permanent use. Instead, it is a deliberate use of land for specific ecological values, particularly ecological health and resilience. “Conservation is both a land use and also an investment in the landscape intended to increase the yield of certain other benefits elsewhere or later in time.”¹⁸ Within this context, conservation is treated as a use on par with other multiple uses.

Commenters identified potential confusion between the terms “conservation,” “preservation,” and “protection” and requested clarification.¹⁹ The final rule addresses this concern directly and updates the definition of “protection,” clarifying that it “is not synonymous with preservation.” For example, it “allows for active management of other uses consistent with multiple use and sustained yield principles.”²⁰ In the final definition, “‘protection’ means the act or process of conservation by maintaining the existence of resources while preventing degradation, damage, or destruction.”²¹

Within this broader framework, the Public Lands Rule clarifies or expands upon five primary regulatory tools the BLM will use to advance resilience of BLM lands and to achieve the objectives of multiple use and sustained yield management. Clearly articulating these management priorities promotes transparency, predictability, and consistent policy application across field offices.

A. Fundamentals of Land Health—The rule provides a framework to manage for resilient public lands by applying the fundamentals of land health and related standards and guidelines to all BLM-managed lands.²² The four fundamentals include: (1) watershed function; (2) ecological processes; (3) water quality; and (4) wildlife habitat. The framework and standards have applied to grazing activities and rangeland management since the 1990s and are consistent with BLM’s existing legal authorities.²³ The fundamentals and standards will facilitate informed and science-based decision-making by providing a consistent, predictable methodology for identifying baseline environmental conditions, assessing ecological conditions and trends, implementing adaptive strategies, authorizing uses, and making long-term management decisions.

B. Protection of Landscape Intactness—The rule focuses attention on landscape intactness, which “is the resource value that the BLM is seeking to identify and protect.”²⁴ Intact landscapes promote resilience across public lands, and for that reason are a resource to be inventoried, monitored, and

¹²*Id.* at 3.

¹³*Id.*

¹⁴*Id.*

¹⁵*Id.* at 4, 38, 134-35 (to be codified at 43 C.F.R. § 6101.4(b)).

¹⁶*Id.* at 4 n.2.

¹⁷*Id.* at 10.

¹⁸*Id.* at 10-11.

¹⁹*Id.* at 47.

²⁰*Id.* at 139 (to be codified at 43 C.F.R. § 6101.4(t)).

²¹*Id.*

²²*Id.* at 168 (to be codified at 43 C.F.R. § 6103.1); *id.* at 5-6 (providing explanation).

²³*Rangeland Health*, BLM, <https://www.blm.gov/programs/natural-resources/rangelands-and-grazing/rangeland-health> (last visited Apr. 18, 2024).

²⁴*Id.* at 53-54 (providing discussion of revised rule in response to comments).

deliberately managed.²⁵ The rule offers a thorough definition of “intact landscapes,” that can be summarized as an “unfragmented ecosystem” that is large enough to maintain native biological diversity, including viable populations of wide-ranging species. For example, “an intact landscape would have minimal fragmentation from roads, fences, and dams; low densities of agricultural, urban, and industrial development; and minimal pollution levels.”²⁶ In order to properly manage this resource value, BLM will maintain an inventory of landscape intactness and incorporate that value into planning and management decisions.²⁷

C. Restoration and Mitigation Leasing—The rule authorizes restoration leases and mitigation leases as tools to advance ecosystem resilience.²⁸ Referred to as “conservation leases” in the proposed rule, the final rule adopted two more clearly defined categories to clarify the uses that would be authorized. “These leases will be available to entities seeking to restore public lands or mitigate reasonably foreseeable impacts from an authorized activity.”²⁹ Contrary to fears that these leases would “lock up federal lands,” the preamble clarifies that these leases “will not override valid existing rights or preclude other, subsequent authorizations so long as those authorizations are compatible with the restoration or mitigation use.”³⁰ In response to public comments, the discussion specified that these leases “will not preclude access to or across leased areas for recreation use, research use, or other authorized use that is compatible with the restoration or mitigation activities.”³¹ Depending on implementation, these leases have the potential to streamline permitting by establishing a formal and predictable mechanism to achieve mitigation when necessary.

D. Areas of Critical Environmental Concern (“ACECs”)—The rule clarifies and standardizes the process for designation and management of ACECs to protect unique ecological, historic, scenic, or cultural values. Congress created ACECs and directed BLM to prioritize their identification and protection when it passed FLPMA almost 50 years ago. Until now, procedures for considering and designating ACECs had been partially described in regulations and partially described in BLM policies.

E. Mitigation Hierarchy—The rule promotes consistency and predictability in mitigation by adopting the definition of mitigation provided by Council on Environmental Quality Regulations,³² and clarifying that “BLM will generally apply a mitigation hierarchy to address impacts to public land resources, seeking to avoid, then minimize, and then compensate for any residual impacts.”³³ The rule supplements existing DOI policies, which among other things provide boundaries to ensure that compensatory mitigation is durable and effective.³⁴ Consistent with that approach, it clarifies how permittees may use third-parties to achieve mitigation through multiple strategies including “mitigation banks,” “in-lieu fee programs” and “third-party mitigation fund holders.”³⁵ These mechanisms can be an important tool for simplifying and streamlining permitting while achieving ecological outcomes required by mitigation standards.

2. Is the Public Lands Rule Authorized by Law?

Yes. The Public Lands Rule and the associated management tools are consistent with the broad, flexible authority granted by Congress to BLM under FLPMA, the BLM’s organic act, which authorizes and requires BLM to manage its lands for the purposes of “multiple use and sustained yield.”³⁶ The implementation of the multiple use and sustained yield mandate has long been entrusted to the discretion of BLM, within certain limitations, recognizing that the agency must strike a balance between competing uses within a system of complex resource needs and

²⁵ *Id.* at 95-96 (describing clarifications made between the proposed and final rule); *id.* at 137 (to be codified at 43 C.F.R. § 6101.4(j)).

²⁶ *Id.* at 137 (to be codified at 43 C.F.R. § 6101.4(j)).

²⁷ *Id.* at 144 (to be codified at 43 C.F.R. § 6102.2(a)).

²⁸ *Id.* at 149-55 (to be codified at 43 C.F.R. § 6102.4); *id.* at 14-15 (discussing the leases).

²⁹ *Id.* at 15.

³⁰ *Id.*

³¹ *Id.* at 57.

³² 40 C.F.R. § 1508.20.

³³ *Id.* at 44-45; *id.* at 164 (to be codified at 43 C.F.R. § 6102.5.1).

³⁴ *Id.* at 45.

³⁵ *Id.* at 66-67.

³⁶ 43 U.S.C. § 1732(a).

conditions.³⁷ Congress charged BLM with protecting public resources for the benefit of current and future generations over the long-term, and the Public Lands Rule faithfully builds upon and adheres to this statutory structure by standardizing the use of land health standards, confirming conservation as a use, and implementing a variety of management tools to ensure long-term ecosystem resilience and sustainability of natural, cultural, historic and scenic resources found on public lands.

Congress defined the terms “multiple use” and “sustained yield” to provide both direction and discretion to BLM, and those definitions are essential in understanding how the Public Lands Rule builds on the statute that was passed by Congress in 1976.³⁸

First, FLPMA’s definition of “multiple use” contains many explicit references to conservation considerations and values.

The term “multiple use” means the management of the public lands and their various resource values so that they are utilized *in the combination that will best meet the present and future needs of the American people*; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; *a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources*, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific, and historic values; and harmonious and coordinated management of the various resources *without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.*³⁹

In this definition, Congress provided a multigenerational management requirement in its layered definition of multiple use.⁴⁰ This includes: (1) a conservation directive to avoid “permanent impairment of the productivity of the land and the quality of the environment”;⁴¹ (2) enumeration of several environmental and ecological resources, including watersheds, wildlife and fish, natural scenic places, forests, rangelands, that should be managed for the long-term needs of future generations; (3) recognition of natural, scenic, scientific, and historic values that should be considered in land management decisions; (4) recognition that “changing needs and conditions” may require “periodic adjustments in use;” and (5) an acknowledgement that prioritizing short-term benefits may not always be the best way to manage the relative values of resources.⁴²

Based on the plain language of the statute, the Public Lands Rule represents a sound (and overdue) interpretation of the mandates provided by Congress to BLM. In particular, Congress defined the term “balanced and diverse uses” to include considerations like watershed, wildlife, natural, scenic, and scientific values. Those

³⁷ See, e.g., *Theodore Roosevelt P’ship v. Salazar*, 616 F.3d 497, 518 (D.C. Cir. 2010) (evaluating natural gas mandate according to the multiple use mandate and noting BLM “has wide discretion to determine how those principles should be applied”); *New Mexico ex rel. Richardson v. BLM*, 565 F.3d 683, 710 (10th Cir. 2009) (“It is past doubt that the principle of multiple use does not require BLM to prioritize development over other uses.”); *Nat’l Mining Ass’n v. Zinke*, 877 F.3d 845, 872 (9th Cir. 2017) (noting withdrawal of lands from mining satisfies multiple use as it “does not . . . require the agency to promote one use above others” but to “weigh competing interests and, where necessary, make judgments about incompatible uses”). See also George Cameron Coggins, *Of Succotash Syndromes and Vacuous Platitudes: The Meaning of “Multiple Use, Sustained Yield” for Public Land Management*, 53 U. COLO. L. REV. 229, 230, 280 (1982) (stating that “[m]any managers believe that the management authority delegated to the agencies by Congress amounts to little more than a request to them to ‘go forth and make wise, balanced decisions,’ but finding provisions that afford effective judicial review, which in turn means “more protection for users, less reliance on questionable economic theory, and more conservatism in management practice”).

³⁸ 43 U.S.C. § 1732.

³⁹ *Id.* § 1702(c) (emphasis added).

⁴⁰ *Id.* (noting public lands are to be managed to “best meet the present and future needs of the American people” and uses balanced to take “into account the long-term needs of future generations” in balancing resource use).

⁴¹ *Id.* (providing BLM should avoid “permanent impairment of the productivity of the land and the quality of the environment”).

⁴² *Id.* (noting coordinated management should be done with “consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output”).

same values are prioritized within the conservation use set forth in the Public Lands Rule. Other portions of the rule also reflect the need to balance multiple uses as required by FLPMA. For example, FLPMA prohibits unnecessary or undue degradation (“UUD”) across all BLM-managed public lands⁴³ and the Public Lands Rule defines the term and applies that prohibition through regulation to BLM land management activities. Additionally, by expanding the fundamentals of land health to consider, in part, watershed health and compliance with legal water quality standards in management decisions, BLM maintains “watershed” and “fish and wildlife” values—one of FLPMA’s specific directives.⁴⁴

Thus, the Public Lands Rule is consistent with the statutory definition of “multiple use” and translates those requirements into regulations governing resource planning and day-to-day management of the public lands. The rule recognizes modern resource planning realities, wherein activities like grazing, timber harvests, oil and gas drilling, and renewable energy projects, are planned in coordination with long-term resource conservation objectives that include watershed functions, wildlife habitat, and soil health. Conservation does not displace multiple use, but rather helps achieve the important policy objectives set forth in FLPMA.

Second, FLPMA’s “sustained yield” requirement enshrined in FLPMA also provides for conservation focused management.

The term “sustained yield” means the achievement and maintenance *in perpetuity* of a high-level annual or regular periodic output of the various renewable resources of the public lands consistent with multiple use.⁴⁵

Like multiple use, the definition of sustained yield also imposes a multigenerational management requirement. The definition articulates a management horizon “in perpetuity” with periodic “output of the various renewable resources of the public lands consistent with multiple use.”⁴⁶ “Various renewable resources” is not statutorily defined, but its meaning is informed by FLPMA’s declaration of policy to protect “scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values” as well as food and habitat for animals and outdoor recreation opportunities.⁴⁷

BLM clarifies that the Public Lands Rule is intended to protect resilience of the public lands to absorb and recover from disturbances and environmental change. By focusing on resilience, the new rule is designed to ensure that public lands can continue to support multiple uses including timber, minerals, and renewable and non-renewable energy projects, as well as environmental services like water supplies and wildlife habitat over the long-term. Again, the rule is premised upon the policy set by Congress and the statutory definitions, and BLM has adapted those concepts into clear and predictable management direction.

Opponents of the Public Lands Rule suggest that its conservation emphasis is contrary to BLM’s mission and statutory authority. But a close analysis of the rule and FLPMA do not bear this out. Those objections are premised either on an incorrect reading of the statute or a misunderstanding of the rule.⁴⁸

First, in addition to the plain language of the statute discussed above, FLPMA’s legislative history reveals that its drafters saw the Act as a vehicle to give BLM a clearer mandate for management of public lands—one that expressly included conservation.⁴⁹ Prior to passing FLPMA, Congress established the Public Land Law Review Commission and tasked it with studying the existing laws governing public land management and recommending improvements. The opening statement of the

⁴³ *Id.* § 1732(b).

⁴⁴ Conservation and Landscape Health Rule, PDF *supra* note 3, at 17-18, 169 (to be codified at 43 C.F.R. § 6103.1(b)); 43 U.S.C. § 1702(c).

⁴⁵ 43 U.S.C. § 1702(h) (emphasis added).

⁴⁶ *Id.*

⁴⁷ *Id.* § 1701(8).

⁴⁸ For more detailed treatment of this legal question, see Jamie Pleune, *BLM’s Conservation Rule and Conservation as a “Use,”* 53 ENV. L. REP. 10824 (2023); Sandra B. Zellmer, *Conservation as Multiple Use*, 66 ARIZ. L. REV. 1 (2024).

⁴⁹ See PLLRC, ONE THIRD OF THE NATION’S LAND: A REPORT TO THE PRESIDENT AND TO THE CONGRESS BY THE PUBLIC LAND LAW REVIEW COMMISSION 1-7 (1970) (providing recommendations to reform public land law and include environmental considerations pre-FLPMA); Pleune, *supra* note 49 at 10828 (noting the words of the Senate Committee on Energy and Natural Resources Chairman after FLPMA’s passage: “The policies contained in the Federal Land Policy and Management Act will shape the future development and conservation of a valuable national asset, our public lands.”) (quoting S. COMM. ON ENERGY & NAT. RES., 95TH CONG., LEGISLATIVE HISTORY OF THE FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976, at vi (Comm. Print 1978)).

final 1970 Report emphasized that conservation must be a central tenet of BLM's land management duties.

We . . . have looked in vain to find assurance in the public land laws that the United States, as a landowner, had made adequate provision to assure that the quality of life would not be endangered by reason of activities on federally owned lands. We find to the contrary that . . . there is an absence of statutory guidelines by which land management agencies can provide uniform, equitable, and economically sound provision for environmental control over lands retained in Federal ownership.⁵⁰

The Commission emphasized that BLM should, in some cases, emphasize what it called “nonmarket values” like protecting fish, wildlife and watersheds.⁵¹ It also recommended the development of statutory guidelines for land management that “will not endanger the quality of the environment, but will, where feasible, enhance the quality of the environment, both on and off public lands.”⁵²

Following the 1970 Report, Congress passed FLPMA, which implemented many of the recommendations. For example, FLPMA's opening statement of policy directs that “public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values . . .”⁵³ In other words, conservation was a motivating justification for the passage of FLPMA, and it has always been a part of multiple use.

Comparing FLPMA's definition of multiple use to the Multiple Use, Sustained Yield Act of 1960, which applied to the U.S. Forest Service, demonstrates that Congress deliberately included conservation of ecological values in FLPMA. In FLPMA, Congress evolved the terms and defined “multiple use” to include the “long-term needs of future generations” for resources such as “natural, scenic, scientific and historical values”—language that was not included in the earlier 1960 statute. Congress also called for BLM to manage “without *permanent* impairment of the productivity of the land *and the quality of the environment.*”⁵⁴

Based on this language in FLPMA, federal courts have repeatedly held that the multiple use and sustained yield mandate provides BLM with broad discretion in how to achieve the appropriate balance of uses. The D.C. Circuit Court of Appeals clarified in 2010 that BLM “has substantial discretion to decide how to achieve the multiple use and sustained yield objectives.”⁵⁵ The Tenth Circuit Court of Appeals has provided similar guidance, holding that it “is past doubt that the principle of multiple use does not require BLM to prioritize development over other uses.”⁵⁶ “Development is a *possible* use, which BLM must weigh against other possible uses—including conservation to protect environmental values.”⁵⁷ The Public Lands Rule, which provides a framework for maintaining critical ecological functions on public lands by formalizing the practice of conservation along with other uses, falls well within the discretion that rests with BLM under the statute, as recognized by federal courts.

Second, opponents of the Public Land Rule have suggested that by designating conservation as a use, BLM will manage entire landscapes to exclude other uses such as grazing, timber, mining, and oil and gas activities, thereby running afoul of the multiple use mandate. This argument misreads the rule. BLM is clear that conservation is a use that is “on par with” but not dominant over other uses across the public lands.⁵⁸ “The rule does not prioritize conservation above other uses; instead, it provides for considering and, where appropriate, implementing or authorizing conservation as one of the many uses managed under FLPMA, consistent with the statute's plain language.”⁵⁹

Mitigation leases, as an example, would be issued subject to valid existing rights—*i.e.*, other uses—and those leases may not be appropriate in places where other existing uses preclude the mitigation or restoration activities to be achieved through the leases. In addition, those leases are specifically designed as a tool to offset the impacts from other uses of public lands like degradation of wildlife

⁵⁰ PLLRC, *supra* note 50, at 3.

⁵¹ JOHN D. LESHY, OUR COMMON GROUND: A HISTORY OF AMERICA'S PUBLIC LANDS 492-93 (2022).

⁵² PLLRC, *supra* note 50, at 3.

⁵³ 43 U.S.C. § 1701.

⁵⁴ *Id.* § 1702(c).

⁵⁵ Theodore Roosevelt P'ship v. Salazar, 616 F.3d 497, 518 (D.C. Cir. 2010).

⁵⁶ New Mexico *ex rel.* Richardson v. BLM, 565 F.3d 683, 710 (10th Cir. 2009).

⁵⁷ *Id.*

⁵⁸ Conservation and Landscape Health Rule, PDF *supra* note 3, at 4, 24, 52.

⁵⁹ *Id.* at 4.

habitat. Similarly, the mitigation hierarchy has long been used to address potential adverse impacts to resources from other uses of BLM lands.⁶⁰ Standardizing these practices will provide more predictability, efficiency, and consistency for land users during the permitting process. Thus, both mitigation leases and the mitigation hierarchy are intended to be tools of multiple use management that will standardize and improve land management decisions that may result in adverse resource impacts without strategic and wise management. The purpose of these management tools is to incorporate principles of conservation throughout public lands management to ensure that potential adverse impacts do not result in permanent impairment or unnecessary or undue degradation of resource values. This is a modern approach to land management and decision-making—an allocation of scarce resources among competing uses where development activities and conservation are considered together in a multiple use framework.

In sum, the Public Lands Rule flows from the direction provided by Congress to BLM to manage for multiple uses, to ensure a sustained yield for the benefit of current and future generations, and to avoid permanent impairment or unnecessary or undue degradation of public resources. While the rule has been characterized as a shift from BLM's historic emphasis on resource extraction, Congress in fact directed BLM to move in this direction when FLPMA was passed in 1976. The Public Lands Rule is well supported by FLPMA, and it updates and modernizes BLM's land management framework to align with current best practices.

3. Are BLM Lands Facing Significant Threats?

Yes. BLM has made clear in preparing the Public Lands Rule that the 245 million acres under its control are facing serious threats as a result of natural and human causes that undermine their health and natural functions. For decades, BLM has emphasized traditional extractive uses like oil and gas, mining, grazing, and timber over conservation values, an approach that has historically and continues to cause ongoing negative environmental impacts like degradation of watersheds, fragmentation of wildlife habitat, and impairment of soil resources.⁶¹

Oil and gas leases abound. Nearly 37 million acres of federal land have been leased for oil and gas production, while less than half of those acres are currently producing oil and gas.⁶² This has two implications: first, that a large amount of land has already been leased but has yet to go into production; and second that there is a legacy of idled, orphaned and abandoned wells resulting in further degradation of public lands. In 2018, EPA estimated the population of unplugged abandoned wells to be around 2.1 million. A legacy of hard-rock mining and oil and gas drilling have left many BLM-managed lands in need of mitigation to restore the land to functioning condition.⁶³ The BLM also allows grazing on over 60% of its lands, which has resulted in well-documented impacts on resource values.⁶⁴ Meanwhile, only roughly 15% of BLM's lands are protected as National Conservation Lands.⁶⁵

Climate change is also a major concern, as its effects are likely to exacerbate existing threats and lead to more significant and detrimental changes into the future. Landscape degradation, habitat fragmentation, and biodiversity loss are all likely to accelerate as a result of climate change. These changes threaten not only

⁶⁰ *Id.* at 44-45, 86-88.

⁶¹ See Pleune, *supra* note 49 at 10830.

⁶² Robert B. Keiter & Matthew McKinney, *Public Land and Resources Law in the American West: Time for Another Comprehensive Review?*, 49 ENV'T L. 1, 11 (2019); Pleune, *supra* note 49 at 10830.

⁶³ There are at least 22,500 identified abandoned hard-rock mines on public lands that threaten human health and wildlife through pollution. A total of 140,000 abandoned hard-rock mining features have been identified, with an estimated additional 399,000 abandoned hard-rock features yet to be identified on public lands. U.S. GOVERNMENT ACCOUNTABILITY OFFICE (GAO), GAO-20-238, ABANDONED HARDROCK MINES: INFORMATION ON NUMBER OF MINES, EXPENDITURES, AND FACTORS THAT LIMIT EFFORTS TO ADDRESS HAZARDS 1, 16-17 (2020). In 2019, the Government Accountability Office also found identified 2,294 idle wells that have not been plugged or reclaimed. GAO, GAO-19-615, OIL AND GAS: BUREAU OF LAND MANAGEMENT SHOULD ADDRESS RISKS FROM INSUFFICIENT BONDS TO RECLAIM WELLS 17 (2019).

⁶⁴ BLM, *Livestock Grazing on Public Lands*, <https://www.blm.gov/programs/natural-resources/rangelands-and-grazing/livestock-grazing> (stating 155 million acres of BLM's over 245 million are leased for livestock grazing); PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY, *Agency Field Data Paints Bleak Picture of Western Lands*, <https://storymaps.arcgis.com/stories/d199635585f741e3afe875e72dd84263> (finding of the 54 million acres that fail BLM rangeland health standards, 72% list grazing as a cause).

⁶⁵ See BLM, *National Conservation Lands*, <https://www.blm.gov/programs/national-conservation-lands> (stating over 37 million acres of BLM's over 245 million are protected under National Conservation Land designation).

natural landscapes, but also human health and livelihoods that depend on the natural resources these landscapes support.⁶⁶ Additionally, future conditions will not mimic the past, resulting in potential volatility and uncertainty in planning and resource management.⁶⁷ Working to address the threat of climate change on public lands is imperative to provide for their health into the future.

In 2021, the Department of the Interior released their *Climate Action Plan*, acknowledging that “climate change is widely impacting the people the Department serves, the lands, waters, and natural and cultural resources the Department manages, and the mission-critical and mission-dependent infrastructure managed by the Department.”⁶⁸ Yet, a study published just the year before found that BLM had no comprehensive plan to adjust management strategies or provide guidance to land managers on how to respond to the effects of climate change.⁶⁹ The Public Lands Rule provides direction for how BLM will respond to the impacts of climate change, directing management of public lands for ecological resilience within the multiple use and sustained yield framework of FLPMA.

Development pressures and population growth adjacent to public lands puts added pressure on the connectivity and functionality of public lands. Population in the West has exploded in the previous half-century,⁷⁰ resulting in growth of urban development and habitat fragmentation. Along with this development comes physical impacts to the landscape and resulting negative implications for biodiversity.⁷¹ Many of the largest threats to biodiversity—including land use changes, natural resource exploitation, pollution, and invasive species—either result from, or are worsened by, growing population and development.⁷² If BLM does not have a plan and ability to address these negative impacts, present and future generations will not enjoy the same quality of natural values as earlier generations.

In sum, there is a pressing need for BLM to modernize its approach to managing the 245 million acres of land entrusted to its care. Climate change, a history of extractive uses, population growth, and other forces are all putting pressure on the ability of these lands to provide the many important ecosystem services and values that Congress recognized in FLPMA. The Public Lands Rule acknowledges these threats and seeks to establish a management framework that ensures the long-term sustainability of these public resources for current and future generations.

Ms. KAMPLAGER-DOVE. Thank you.

Mr. FULCHER. The Chair now recognizes Mrs. Radewagen for 5 minutes.

Mrs. RADEWAGEN. Thank you, Chairman Westerman and Ranking Member Grijalva, for holding this hearing.

And thank you, Secretary Haaland, for your testimony. It is always good to see you, as always.

I want to thank Interior for the work they do on behalf of the territories. I appreciate the support and testimony Assistant Secretary Cantor and Deputy Assistant Secretary Nakoia gave on behalf of my bill, H.R. 6062, and our efforts towards self-determination and self-governance.

⁶⁶ See NATIONAL SECURITY, MILITARY, AND INTELLIGENCE PANEL ON CLIMATE CHANGE, A SECURITY THREAT ASSESSMENT OF GLOBAL CLIMATE CHANGE 19 (2020) (“Human health and livelihoods depend directly on the stability of the natural world, from the renewable resources that we consume daily, to the habitats in which we build settlements.”).

⁶⁷ U.S. GLOBAL CHANGE RESEARCH PROGRAM, IMPACTS, RISKS, AND ADAPTATION IN THE UNITED STATES: FOURTH NATIONAL CLIMATE ASSESSMENT, VOLUME II: REPORT IN BRIEF 26 (David Reidmiller et al. eds., 2019), https://nca2018.globalchange.gov/downloads/NCA4_Report-in-Brief.pdf.

⁶⁸ CLIMATE ACTION PLAN, DEPT OF THE INTERIOR 4 (2021), <https://www.doi.gov/sites/default/files/department-of-interior-climate-action-plan-final-signed-508-9.14.21.pdf>.

⁶⁹ Pleune, *supra* note 49 at 10832 (citing Elaine M. Brice et al., *Impacts of Climate Change on Multiple Use Management of Bureau of Land Management Land in the Intermountain West, USA*, 11 ECOSPHERE 1, 2 (2020)).

⁷⁰ Keiter & McKinney, *supra* note 63, at 7.

⁷¹ Pleune, *supra* note 49 at 10830.

⁷² See generally *id.* at 10829-31 (discussing threats to biodiversity); see also LANDSCOPE, *Development Pressure*, <http://www.landscope.org/explore/threats/sprawl/> (describing impacts of human development on climate change).

I also appreciate that the Fiscal Year 2025 budget proposal includes level funding for the American Samoa Operations Account. The stated goal of OIA's assistance to the territories is to offset the difficulties caused by our geographic and economic isolation, and encourage our island's eventual self-sufficiency.

On a related note, in an often overlooked bit of history, American Samoa's first cannery many decades ago was built with support from a DOI initiative to kick-start our economy. Now, Starkist is second only to the local government as an employer. Unfortunately, our fishing industry and our self-sufficiency is now under existential pressure from overzealous and shortsighted green politics.

As part of President Biden's 30x30 Initiative, the Administration has a pending marine sanctuary proposal covering the area around the Pacific Remote Marine Island Monument. The monument was already doubled in size by the Obama administration, and with this expansion, 777,000 square miles of tuna fishing grounds, which supply our cannery, will be subject to multiple layers of environmental oversight. To put that in perspective, that is over four times the size of California.

Our natural resources are already protected under the Magnuson-Stevens Act, and adding another layer of bureaucracy adds no further protection. Expanding the monuments without allowing for commercial fishing will devastate American Samoa's economy.

I will be requesting report language directing no less than \$3 million from the operations account be allocated to the American Samoa Community College. The territories do not want to be a charity case, and we will invest in education, and our island's future leaders and business owners will work to make every dollar count, and we need Interior to ensure the money is going to go where it needs to go.

However, I assure you that, if the fishing industry fails in American Samoa, the long-term cost to the Federal Government will increase exponentially. Instead of our little \$28 million buffer account, the territory will instead require hundreds of millions in Federal assistance as our island drops even further below the poverty line.

So, Secretary Haaland, would you be able to get us an update on the status of the marine sanctuary proposal since NOAA has sponsored a workshop? They did it last September. We have not heard anything.

Secretary HAALAND. Congresswoman, thank you so much for the question. Unfortunately, I can't give you a specific update now, but we would be more than happy to ensure that we reach out to your staff soon after this. And certainly, if there is anyone in NOAA that you need to be in touch with, we will try to make sure that you are in touch with them.

But you are absolutely right. Indigenous voices are incredibly important here, and I appreciate you saying that, and we abide by that.

Mrs. RADEWAGEN. Considering DOI's obligations to the territories and the fact that nearly 80 percent of American Samoa's exports and port traffic revolve around the cannery, what is your contingency plan to cover the potential GDP loss if the cannery closes?

Secretary HAALAND. Again, I apologize. I can't answer that specifically. But absolutely, we will take that back and make sure that we get you detailed information on that question.

Mrs. RADEWAGEN. Secretary Haaland, can I have your commitment to DOI and OIA's oversight authority of the territory?

Will you ensure that Federal funding going to the territories is being used for intended social programs, and that territorial governments get the technical assistance they need to implement those programs and avoid waste?

Secretary HAALAND. We absolutely will follow the law, and we appreciate all of your support on the work that we did on the COFA.

Mrs. RADEWAGEN. Thank you, Madam Secretary.

I also have some questions for the record regarding the marine monument and its impact on the territories that I am hoping you will be able to bring back for an Administration response.

Thank you, Mr. Chairman. I yield back the balance of my time, which is none.

The CHAIRMAN [presiding]. The gentlelady yields back. The Chair recognizes the gentlelady from Michigan, Mrs. Dingell, for 5 minutes.

Mrs. DINGELL. Thank you, Mr. Chairman. Before I get to my remarks, and it is great to see the Secretary here, I would like to ask for a unanimous consent request to enter into the record a report from the non-partisan Cato Institute.

There have been many people making arguments this morning that illegal immigrants are smuggling drugs across the border and contributing to the fentanyl crisis, wreaking havoc across the country. This report debunks some of the rhetoric and distortions we have heard this morning about fentanyl.

Now, to quote the report, here are the facts. In 2021, U.S. citizens were 86.3 percent of convicted fentanyl drug traffickers, 10 times greater than convictions of illegal immigrants for the same offense. Over 90 percent of fentanyl seizures occur at legal crossing points or interior vehicle checkpoints, not on illegal migration routes. So, U.S. citizens, who are subject to less scrutiny when crossing legally, are more often the smugglers. Just .02 percent of the people arrested by Border Patrol for crossing illegally possessed any fentanyl whatsoever.

Annual deaths from fentanyl nearly doubled from 2019 to 2021, I had a family member myself who I lost, after the previous Administration banned most travel and asylum. And the fact that so many Americans are dying from fentanyl is a tragedy. We all need to care about it. But let's not scapegoat asylum seekers or shift blame on where some of the problem is.

And I would like to insert this—

The CHAIRMAN. Without objection, so ordered.

[The information follows:]

Fentanyl Is Smuggled for U.S. Citizens By U.S. Citizens, Not Asylum Seekers

CATO Institute Blog, September 14, 2022 by David J. Bier

<https://www.cato.org/blog/fentanyl-smuggled-us-citizens-us-citizens-not-asylum-seekers>

Fentanyl overdoses tragically caused tens of thousands of preventable deaths last year. Many politicians who want to end U.S. asylum law claim that immigrants crossing the border illegally are responsible. An NPR-Ipsos poll last week found that 39 percent of Americans and 60 percent of Republicans believe, “Most of the fentanyl entering the U.S. is smuggled in by unauthorized migrants crossing the border illegally.” A more accurate summary is that fentanyl is overwhelmingly smuggled by U.S. citizens almost entirely for U.S. citizen consumers.

Here are facts:

- Fentanyl smuggling is ultimately funded by U.S. consumers who pay for illicit opioids: nearly 99 percent of whom are U.S. citizens.
- In 2021, U.S. citizens were 86.3 percent of convicted fentanyl drug traffickers—ten times greater than convictions of illegal immigrants for the same offense.
- Over 90 percent of fentanyl seizures occur at legal crossing points or interior vehicle checkpoints, not on illegal migration routes, so U.S. citizens (who are subject to less scrutiny) when crossing legally are the best smugglers.
- The location of smuggling makes sense because hard drugs at ports of entry are about 97 percent less likely to be stopped than are people crossing illegally between them.
- Just 0.02 percent of the people arrested by Border Patrol for crossing illegally possessed any fentanyl whatsoever.
- The government exacerbated the problem by banning most legal cross border traffic in 2020 and 2021, accelerating a switch to fentanyl (the easiest-to-conceal drug).
- During the travel restrictions, fentanyl seizures at ports quadrupled from fiscal year 2019 to 2021. Fentanyl went from a third of combined heroin and fentanyl seizures to over 90 percent.
- Annual deaths from fentanyl nearly doubled from 2019 to 2021 after the government banned most travel (and asylum).

It is monstrous that tens of thousands of people are dying unnecessarily every year from fentanyl. But banning asylum and limiting travel backfired. Reducing deaths requires figuring out the cause, not jumping to blame a group that is not responsible. Instead of attacking immigrants, policymakers should focus on effective solutions that help people at risk of a fentanyl overdose.

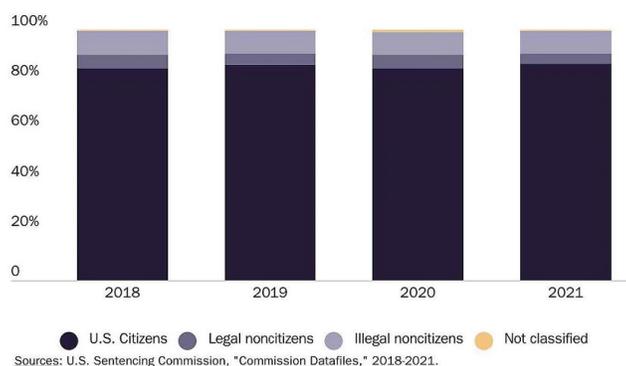
U.S. Citizen Consumers Fund Fentanyl Smuggling

U.S. consumer payments for illicit opioids ultimately fund fentanyl smuggling. Consumers pay retail dealers who pay wholesalers, and the cash is then transferred back in bulk cash form to Mexico. These funds are then used to pay smugglers to bring drugs back into the United States again. The best evidence indicates that about 99 percent of U.S. consumers of fentanyl (or products containing fentanyl) are U.S. citizens.^[i] Noncitizens appear to be about 80 percent less likely to be fentanyl consumers than their share of the population would predict. Fentanyl smuggling is almost entirely conducted on behalf of U.S. citizen consumers. Of course, consumers would prefer much safer and legal opioids over illicit fentanyl, but the government has unfortunately forced them into the black market with few safe options.

U.S. Citizens Are Fentanyl Traffickers

Fentanyl is primarily trafficked by U.S. citizens. The U.S. Sentencing Commission publishes data on all federal convictions, which includes demographic information on individuals convicted of fentanyl trafficking. Figure 1 shows the citizenship status of fentanyl traffickers for 2018 to 2021. Every year, U.S. citizens receive the most convictions by far. In 2021, U.S. citizens accounted for 86.3 percent of fentanyl trafficking convictions compared to just 8.9 percent for illegal immigrants.

Figure 1
Fentanyl drug traffickers are overwhelmingly U.S. citizens, not illegal immigrants
 Citizenship status of defendants convicted of fentanyl drug trafficking, 2018-2021



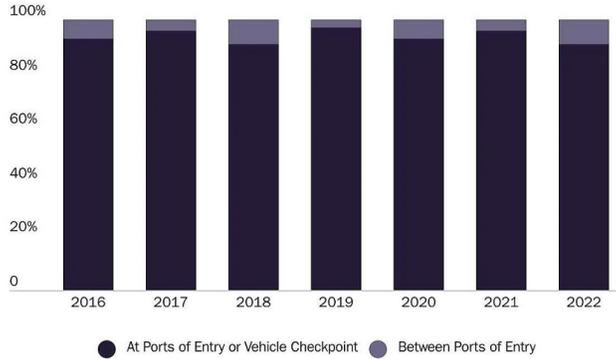
Note that since trafficking involves movement from Mexico to the United States, it is unclear how to measure the likelihood of conviction for a noncitizen without U.S. lawful immigration status or citizenship since the denominator would include most Mexicans in Mexico as well as anyone who crosses through Mexico. But regardless, the reality is that people with U.S. citizenship or residence traffic the vast majority of fentanyl, not illegal border crossers specifically or illegal immigrants generally.

Indeed, this appears to be the case even for the most high-profile cases. Aaron Reichlin-Melnick of the American Immigration Council analyzed every Customs and Border Protection press release mentioning fentanyl over a 6-month period and found just 3 percent involved illegal immigrants. This means that the agency itself believes the most important smugglers are U.S. citizens.

U.S. Citizens Bring Fentanyl Through Legal Crossing Points

That U.S. citizens account for most fentanyl trafficking convictions is not surprising given the location of fentanyl border seizures. Over 90 percent of fentanyl border seizures occur at legal border crossings and interior vehicle checkpoints (and 91 percent of drug seizures at checkpoints are from U.S. citizens—only 4 percent by “potentially removable” immigrants). In 2022, so far, Border Patrol agents who were not at vehicle checkpoints accounted for just 9 percent of the fentanyl seizures near the border (Figure 2). Since it is easier for U.S. citizens to cross legally than noncitizens, it makes sense for fentanyl producers to hire U.S. citizen smugglers.

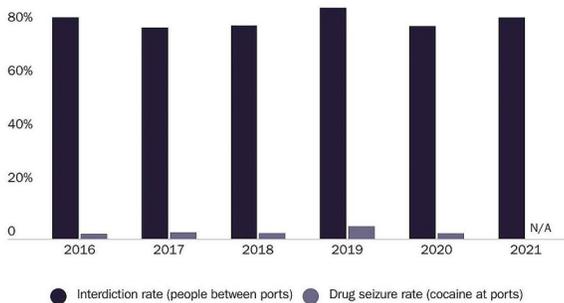
Figure 2
Fentanyl is primarily smuggled through legal ports of entry, not illegal entry routes
 Location of fentanyl seizures by Customs and Border Protection, 2016-2021



The DEA reports that criminal organizations “exploit major highway routes for transportation, and the most common method employed involves smuggling illicit drugs through U.S. [ports of entry] in passenger vehicles with concealed compartments or commingled with legitimate goods on tractor-trailers.” Several agencies including CBP, ICE, and DHS intelligence told Congress in May 2022 the same thing: hard drugs come through ports of entry.

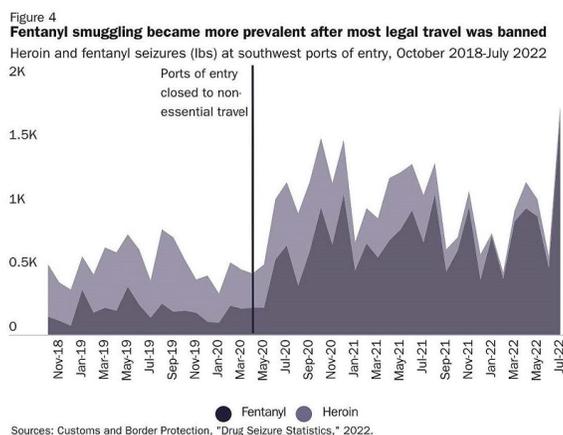
Some people posit that less fentanyl is interdicted between ports of entry because it is more difficult to detect there. But the opposite is true: fentanyl is smuggled through official crossing points specifically because it is easier to conceal it on a legal traveler or in legal goods than it is to conceal a person crossing the border illegally. Customs and Border Protection estimates that it caught 2 percent of cocaine at southwest land ports of entry in 2020 (the only drug it analyzed), while it estimated that its interdiction effectiveness rate for illegal crossers was about 83 percent in 2021 (Figure 3).[ii] This means that drugs coming at a port of entry are about 97 percent less likely to be interdicted than a person coming between ports of entry, and this massive incentive to smuggle through ports would remain even if Border Patrol was far less effective at stopping people crossing illegally than it now estimates that it is.

Figure 3
Smuggling drugs is easier at ports of entry than between ports of entry
 Interdiction effectiveness rate (crossers) & seizure effectiveness rate (cocaine at ports), FY 2016-2021



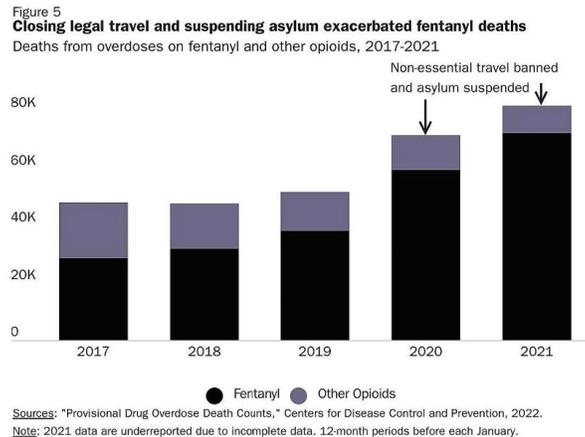
Closing Ports Increased Fentanyl Smuggling

During the early days of the pandemic, the Trump administration drastically restricted legal travel to the United States, banning nonessential travel through land ports of entry from Mexico in particular in late-March 2020. Because there were fewer opportunities to traffic drugs at ports of entry, traffickers switched to trafficking more fentanyl. Because fentanyl is at least 50 times more potent per pound than heroin and other drugs, smugglers need fewer trips to supply the same market. The seizure data demonstrate the change in tactics. From October 2018 to February 2020, about a third of fentanyl and heroin seizures at southwest ports of entry were fentanyl with no clear upward trend. By the time the travel restrictions were ended (at least for vaccinated travelers) in January 2022, over 90 percent of heroin-fentanyl seizures were fentanyl. Unfortunately, the market shift has continued. The absolute amount of fentanyl being seized quadrupled (Figure 4).



The United Nations Office on Drugs and Crime reported that in mid-2020, as a result of travel restrictions, "Many countries have reported drug shortages at the retail level, with reports of heroin shortages in Europe, South-West Asia and North America in particular" and that "heroin users may switch to substances such as fentanyl." The DEA predicted in 2020 that "additional restrictions or limits on travel across the U.S.-Mexico border due to pandemic concerns will likely impact heroin DTOs [drug trafficking organizations], particularly those using couriers or personal vehicles to smuggle heroin into the United States," leading to "mixing fentanyl into distributed heroin."

Unsurprisingly, the increased reliance on fentanyl has increased fentanyl deaths. Indeed, it appears that the border closures rapidly accelerated the transition from heroin to fentanyl, leading to tens of thousands of additional deaths per year (Figure 5). Note that 2021 data undercount the true number of deaths because not all locations have reported. Nonetheless, the annual number of fentanyl deaths have nearly doubled between 2019 and 2021. Banning asylum under Title 42 of the U.S. code probably had no effect on these trends, but it certainly did not help reduce fentanyl deaths, as some have claimed.



Asylum Seekers Don't Aid Fentanyl Smuggling

Fentanyl smuggling is not a reason to end asylum. The people arrested by Border Patrol are not smuggling fentanyl. Just 279 of 1.8 million arrests by Border Patrol of illegal border crossers resulted in a fentanyl seizure—too small of a percentage (0.02 percent) to appear on a graph—and many of these seizures occurred at vehicle checkpoints of legal travelers in the interior of the United States.

Nonetheless, some officials have asserted that asylum seekers distract Border Patrol from drug interdiction efforts. If asylum seekers were indirectly aiding drug smuggling, however, we would expect the effect to show up in the seizure trends by changing the locations, times, or amounts of the seizures in some way. But drug seizure trends simply do not deviate measurably with greater arrests of asylum seekers. This is true on several different metrics: across time, between sectors, along mile-distance from the border, or the share of seizures at ports of entry versus between them. If the administration legalized asylum at ports of entry, even this hypothetical problem would disappear.

Aggressive Drug Interdiction Exacerbates Fentanyl Smuggling

The fentanyl problem is a direct consequence of drug prohibition and interdiction. As my colleague Dr. Jeff Singer has written:

Fentanyl's appearance in the underground drug trade is an excellent example of the "iron law of prohibition:" when alcohol or drugs are prohibited they will tend to get produced in more concentrated forms, because they take up less space and weight in transporting and reap more money when subdivided for sale.

Fentanyl is at least 50 times more powerful per pound than heroin, which means you have to smuggle nearly 50 pounds of heroin to supply the market that a single pound of fentanyl could. This is a massive incentive to smuggle fentanyl, and the more efforts are made to restrict the drug trade, the more fentanyl will be the drug that is smuggled. The DEA has even admitted, "The low cost, high potency, and ease of acquisition of fentanyl may encourage heroin users to switch to the drug should future heroin supplies be disrupted." In other words, heroin interdiction makes the fentanyl problem worse.

Conclusion

Border enforcement will not stop fentanyl smuggling. Border Patrol's experience with marijuana smuggling may provide even clearer evidence for this fact. Marijuana is the bulkiest and easiest-to-detect drug, which is why it was largely trafficked between ports of entry. Despite doubling the Border Patrol and building a border fence in the 2000s in part to combat the trade, the only thing that actually reduced marijuana smuggling was U.S. states legalizing marijuana. It is absurd to

believe that interdiction will be more effective against a drug that is orders of magnitude more difficult to detect.

The DEA plainly stated in 2020 that fentanyl “will likely continue to contribute to high numbers of drug overdose deaths in the United States” even with the ban on asylum and travel restrictions. But ending asylum or banning travel has been worse than useless. These policies are both directly and indirectly counterproductive: first directly by incentivizing more fentanyl smuggling and then indirectly by distracting from the true causes of the crisis.

My colleagues have been warning for many years that doubling down on these failed prohibition policies will lead to even worse outcomes, and unfortunately, time has repeatedly proven them correct. The only appropriate response to the opioid epidemic is treatment of addiction. But for this to be possible, the government must adopt policies that facilitate treatment and reduce the harms from addiction—most importantly deaths. To develop these policies, policymakers need to ignore the calls to blame foreigners for our problems.

Notes

[i] This is based on overdose statistics, and last year, fentanyl caused 88 percent of opioid overdose deaths.

[ii] The cocaine seizure effectiveness rate includes an estimate of all cocaine that escaped detection, while the interdiction effectiveness rate for people only includes detected crossings. Including undetected crossings would lower the effectiveness rate for people, but because many arrests are the same person crossing after a prior arrest (27 percent in 2021), the interdiction effectiveness rate is a better estimate of the likelihood of being arrested during a first attempt, which would be all that is necessary to disrupt a drug smuggling attempt. Regardless, in 2020, DHS estimated an apprehension rate that included undetected crossings of 66.2 percent compared to 79.4 percent using only detected crossings. This would mean that drugs were only 96.8 percent rather than 97.4 percent less likely to be apprehended.

Mrs. DINGELL. Thank you.

Madam Secretary, it is great to see you. I am going to now, because I did that, have a shorter period of time.

You are doing a great job today. I am sure you would rather be at the dentist office having some really awful work.

[Laughter.]

Mrs. DINGELL. But one priority we share are our wildlife refuges, which are an integral part of conservation programs in the United States. Our refuges conserve 850 million acres of Federal lands and waters that help manage, conserve, and restore our fish, wildlife, and their habitats.

You know, you visited it, my district is home to America’s only international wildlife refuge. The Detroit River International Wildlife Refuge has islands, wetlands, marshes, shoals, and waterfront lands along the Detroit River. It is the last undeveloped mile along the river. It supports over 300 species of birds.

Unfortunately, refuge managers have been juggling many responsibilities with small budgets for too long. The refuge system’s budget has seen nearly no change since 2010. When accounting for inflation, it has less funding capacity now than it did 15 years ago. And despite a 36 percent increase in visitors since 2010, full-time refuge employees have decreased by 16 percent. Only half of the 500 refuge field stations are staffed, so we are only able to monitor less than a third of the over 1,300 threatened and endangered species found in the refuges.

Madam Secretary, I have a few questions. About how many visitors come to the refuges every year?

Secretary HAALAND. It is upwards of 68 million visitors.

Mrs. DINGELL. And how has the budget shortfall impacted how the refuges can be used and enjoyed by Americans?

Secretary HAALAND. Thank you, Congresswoman, for this line of questioning.

Our over 500 wildlife refuges, as you know, play an important role in conservation. The refuge system delivers recreational, ecological, economic benefits to local communities of all sizes. Recreational visits to the refuge system also generate over \$3 billion for local communities, local economies, and over 41,000 jobs across our nation. Those are all important by-products of a healthy refuge system.

And, of course, we recognize that we make the most out of limited staffing funding and other resources. We do the best we can, but our wildlife refuges are valuable gems in our national culture.

Mrs. DINGELL. Our colleagues across the aisle often complained that the Endangered Species Act isn't recovering species as quickly as they would like, but national wildlife refuges are an integral part of the recovery plans, and they are severely underfunded. How does a lack of ESA recovery funding, plus a lack of refuge funding, hinder species recovery? Can you provide an example?

Secretary HAALAND. Thank you so much for that question, as well. And I am thinking right now, as you are talking, about a wildlife refuge I visited in Wyoming, there is a toad there that almost went extinct. And were it not for the Fish and Wildlife Service and the dedicated staff ensuring that what little resources they had went to this project, we would add another species to the list of species that went extinct.

Extinction means forever. They say that all the time. We just finished our 50th anniversary of the Endangered Species Act, and I am proud of the dedicated staff every day who recognized the value that these species bring to our world.

Mrs. DINGELL. Thank you, Madam Secretary.

I am out of time and yield back, Mr. Chairman.

The CHAIRMAN. The gentlelady's time has expired, and the Chair recognizes the gentleman from Utah, Mr. Curtis, for 5 minutes.

Mr. CURTIS. Thank you, Mr. Chairman.

And Madam Secretary, I can't help but be here with you and think about, with fond memories, serving together with you here in Congress. Thank you for your work and thank you for being here.

Now, that said, you know that I am going to bring up a sore subject in Utah. The BLM Landscape and Conservation Rule has once again irritated the wound that makes Utahns feel like they are neglected and that people here in Washington have it out for them, adding further divide to something that is already divided.

And let me be clear, I believe Utah's farmers and ranchers have cared for this land for generations and generations. They want to leave it better than they found it, and have done a fantastic job of that. Yet, this takes just another poke at them, and these are the people who are most impacted by your rule.

I know there have been some comments today about the impressive groups of letters that have flooded, the messages that they want to support this, and I feel like it is a little bit like bragging

about the Valentine's cards you got when you asked people to send them to you.

More importantly, a million artificial messages aren't worth one comment from somebody who actually lives on this land. And to that point, I wrote you a letter last year asking you to have a listening session in Utah before this rule was implemented.

Let me remind everybody. I know I say this a lot, I just don't think it sinks in. Utah is 66 percent owned by the Federal Government. The rural parts of my district are over 90 percent federally owned. I think everybody needs to think about what it would be like to run a community when 90 percent of the property is managed by somebody 2,000 miles away.

You didn't respond to this request. We got no listening sessions in Utah. Can you tell me why you weren't willing to do that?

Secretary HAALAND. Congressman, I will say with respect to the Public Lands Rule that it was a very transparent process, where whoever wanted to comment publicly was able to do so.

And I feel very confident that the staff that we have in Utah is very close with the local community there. We saw that when I visited your state on several occasions. And I feel confident that those local communities have complete access to the BLM staff.

Mr. CURTIS. Let me agree with you. We do love your BLM staff on the ground. They are good people. They integrate into the community, so they understand the community needs. And that is the problem with people from Washington who don't understand those community needs. And that is where the pushback comes from.

Let me go to a term in the rule that says "sustainable recreation." The agency uses the term "sustainable recreation" multiple times, but never defines it. Can you define what is sustainable recreation?

Secretary HAALAND. It is my understanding, and please don't quote me on this, even though I am on the record, sustainable recreation, to me, says that we want this outdoor recreation industry to continue to be able to use these areas for recreation. And that will be there—

Mr. CURTIS. But that implies there is a non-sustainable recreation. Can you tell me the difference between sustainable and non-sustainable recreation?

Secretary HAALAND. I can't at the moment, but I would be happy to answer that for the record.

Mr. CURTIS. Yes, we would love to know that. I mean, people on the ground are wondering what does "sustainable recreation" mean.

Let me also then go to, "The rule is not intended to prevent or decrease recreation," and that word, "intend," is very bothersome to me. How do we know how that gets interpreted?

And then just a little bit more. One paragraph lower you say, "The BLM clarified mitigation language that would allow for renewable energy and development or other kinds of projects, even when that development produces unavoidable impacts." That isn't multiple use. That sounds like a hierarchy to me. The rule literally says renewable supersedes conservation as a use, and conservation can supersede recreation. Help me understand that language.

Secretary HAALAND. Congressman, with your permission I would like to pass to Acting Deputy Secretary Daniel-Davis to answer that question.

Ms. DANIEL-DAVIS. Thank you, Madam Secretary.

Congressman, thank you for the question. And I would not agree with your characterization and reading. And I am not saying you have it wrong, I am saying that the intent is not to suggest that, I think the BLM in that instance was trying to provide examples to be more clear that the Public Lands Rule and what is set forth provides a process to assure balance—

Mr. CURTIS. We are going to run out of time, but let me read this again. “Renewable energy development or other kinds of projects, even when that development produces unavoidable impacts”—why does it say renewable and nothing else?

Ms. DANIEL-DAVIS. I think they were seeking to provide an example, and it is not meant to suggest that other multiple uses are not situated in the same manner.

Mr. CURTIS. So, what is the purpose of the rule, if the projects supersede conservation?

Ms. DANIEL-DAVIS. I am sorry. I didn’t quite hear the question.

Mr. CURTIS. We are out of time, but I just want to make the point. There is no purpose for the rule if projects that want to be done supersede the rule, which is how I am reading this language.

Ms. DANIEL-DAVIS. I am sorry. I really don’t understand the question.

I do want to reaffirm that the rule is meant to assure that multiple use in practice can continue through the decades and through generations.

Mr. CURTIS. OK, I am out of time. I will yield. I will just simply say it says renewable energy will supersede. So, that is not clear to me.

The CHAIRMAN. The gentleman’s time has expired. The Chair recognizes the gentleman from California, Mr. Mullin, for 5 minutes.

Mr. MULLIN. Thank you, Mr. Chair.

Secretary Haaland, I first want to thank you for your recent visit to my district and for touring the Don Edwards San Francisco Bay National Wildlife Refuge with me. We are very fortunate to have this land set aside both as a critical habitat for migratory birds and also as a space for our community to enjoy nature.

During your visit, I learned about ecosystem restoration at the refuge. And my first question to you, Secretary, is about Interior’s approach on these issues. So, the question is, how is Interior working to restore ecosystems on Federal lands and how do these efforts ensure benefits for both conservation and recreation?

Secretary HAALAND. Thank you so much. And thank you for hosting us at that beautiful refuge. It was just amazing, the Don Edwards. We continued to have conversations, even after we left you, and it was really wonderful.

I am immediately thinking about our keystone initiatives. Across the country, we have certain areas where we are working to restore landscapes in various areas that are keystone initiatives. For example, the bison on our grasslands.

I apologize, I am so cold right now that it is hard for me to concentrate on anything else.

[Laughter.]

Secretary HAALAND. Forest birds in Hawaii, salt marshes on the East Coast, these are all ways that we are working to make sure that our ecosystems are restored, and that means that connecting these places around the country means that we all can work together and make sure that these landscapes last into the future for future generations.

Mr. MULLIN. And as you saw, my district, we are surrounded by the San Francisco Bay on one side, Pacific Ocean on the other side. So, our communities are very aware of the dangers posed by sea level rise due to climate change. California has already experienced roughly 8 inches of sea level rise over the past century, and current projections predict an additional 10 to 12 inches over the next 30 years. So, I want to thank you for Interior's \$2 million in funding for climate resilience projects specifically at that refuge.

Secretary, can you share with us some of the recent impacts of sea level rise on Interior lands and assets?

And what are some approaches Interior plans to use to mitigate flooding on public lands?

Secretary HAALAND. Thank you so much. I want to say yes on Interior lands, but also on tribal lands, as well. Sea level rise, nobody can escape that. And the Quinault Nation in Washington State, for example, is working to move their entire traditional village inland about 4 miles because of this issue. So, we are supporting tribes when they have to move in this way, and we are working to do whatever we can.

There are a number of sites around the country that are currently being impacted by that sea level rise and storm surge, as you mentioned.

The building over the USS Arizona at the Pearl Harbor National Memorial is experiencing greater strain due to rising sea levels.

Here in DC, the work to rehab the sea walls at the Tidal Basin. I think the cherry trees that need to be pulled out got the most media around the country, but we need to make sure that we are paying attention to that.

In Florida, the National Key Deer Wildlife Refuge is sinking due to sea level rise; in South Carolina, the Cape Romain National Wildlife Refuge.

All of these areas we have to pay attention to. There are a lot of birds that nest on land in these areas. If it is flooded, we don't have the next generation of sea birds. So, there is a lot at stake with this issue, and that is why everything we are doing, from renewable energy to landscape restoration to the work in these areas, it helps immensely.

Mr. MULLIN. Thank you for your leadership on all of those fronts, Madam Secretary.

With that, I yield back.

Secretary HAALAND. Thank you.

The CHAIRMAN. The gentleman yields back.

Madam Secretary, I will say that a lot of things change over time, but the temperature in this room is not one of those things.

[Laughter.]

The CHAIRMAN. It is consistently cold in here.

Mr. STAUBER. Mr. Chair, may I ask unanimous consent to enter into the record e-mails from the Voice, the regional tribe of the Arctic, by Doreen Leavitt? She is the Director of Natural Resources. It was dated October 13, 7:02 p.m., requesting a meeting with the Secretary, and a response 3 days later: "Unfortunately, Secretary Haaland is unable to join the meeting."

I would like to enter that into the record, please.

The CHAIRMAN. Without objection.

[The information follows:]

Rusterholz, Shawn

From: Eric Kros <ekros@capitolhillcg.com>
Sent: Wednesday, May 1, 2024 12:17 PM
To: Rusterholz, Shawn; MacGregor, Robert
Cc: Anderson, Bridget; Padgett, Chad; Alex Ortiz
Subject: Fwd: [EXTERNAL] ICAS, NSB, & ASRC Meeting Request Sept. 7-8

From: Interior, Scheduling <Scheduling_Interior@ios.doi.gov>
Sent: Friday, September 2, 2022 3:15 PM
To: Eric Kros <ekros@capitolhillcg.com>
Subject: Re: [EXTERNAL] ICAS, NSB, & ASRC Meeting Request Sept. 7-8

Good afternoon Eric,

Thank you for your request to Secretary Haaland. Unfortunately, the Secretary will not have the pleasure of meeting at this time but it is our understanding that you will be meeting with Deputy Secretary Beaudreau while in town. Glad that meeting came together and we will be on the lookout for future opportunities to connect. Please do not hesitate to contact our office in the future.

Kind Regards,

Office of Scheduling and Advance
Department of Interior

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From: Eric Kros <ekros@capitolhillcg.com>
Sent: Wednesday, August 31, 2022 12:37 PM
To: Interior, Scheduling <Scheduling_Interior@ios.doi.gov>
Subject: Re: [EXTERNAL] ICAS, NSB, & ASRC Meeting Request Sept. 7-8

Good Afternoon,

I hope all is well. Just wanted to follow up on the status of the meeting request.

Thank you,
Eric

Eric Kros
Legislative Director
Capitol Hill Consulting Group
Government Relations Professionals
499 S. Capitol Street, SW
Suite 608

Washington, DC 20003
Cell: (402) 650-2379
Office: (202) 488-0101
Web: capitolhillcg.com

From: Eric Kros <ekros@capitolhillcg.com>
Sent: Friday, August 26, 2022 4:01 PM
To: Interior, Scheduling <Scheduling_Interior@ios.doi.gov>
Subject: Re: [EXTERNAL] ICAS, NSB, & ASRC Meeting Request Sept. 7-8

Thank you. Please let me know if you have any questions. Have a nice weekend.

Best,
Eric

Eric Kros
Legislative Director
Capitol Hill Consulting Group
Government Relations Professionals
499 S. Capitol Street, SW
Suite 608
Washington, DC 20003
Cell: (402) 650-2379
Office: (202) 488-0101
Web: capitolhillcg.com

From: Interior, Scheduling <Scheduling_Interior@ios.doi.gov>
Sent: Friday, August 26, 2022 8:11 AM
To: Eric Kros <ekros@capitolhillcg.com>
Subject: RE: [EXTERNAL] ICAS, NSB, & ASRC Meeting Request Sept. 7-8

Dear Mr. Eric Kros,

It looks like you already sent the form. I apologize. The office will review your request and get back to you. Happy Friday.

Regards,
Office of Scheduling and Advance
Department of Interior

From: Interior, Scheduling <Scheduling_Interior@ios.doi.gov>
Sent: Friday, August 26, 2022 7:59 AM
To: Eric Kros <ekros@capitolhillcg.com>
Subject: RE: [EXTERNAL] ICAS, NSB, & ASRC Meeting Request Sept. 7-8

Dear Mr. Eric Kros,

Thank you for extending an invitation to meet with Secretary Haaland. Please complete the meeting request form linked below:

[Meeting request form](#)

As soon as the completed form is received, The Office of Scheduling and Advance will be able to further process this request. An update will be provided. Thank you for contacting the Office of the Secretary.

Regards,
Office of Scheduling and Advance
Department of Interior

From: Eric Kros <ekros@capitolhillcg.com>
Sent: Thursday, August 25, 2022 6:30 PM
To: Interior, Scheduling <Scheduling_Interior@ios.doi.gov>
Cc: Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: [EXTERNAL] ICAS, NSB, & ASRC Meeting Request Sept. 7-8

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Good Afternoon,

Please find attached the scheduling form with the meeting request information for Morrie Lemen, Executive Director of the Inupiat Community of the Arctic Slope, Harry Brower, Mayor of the North Slope Borough, and Rex Rock, President and CEO of Arctic Slope Regional Corporation.

Thank you,
Eric

Eric Kros
Legislative Director
Capitol Hill Consulting Group
Government Relations Professionals
499 S. Capitol Street, SW
Suite 608
Washington, DC 20003
Cell: (402) 650-2379
Office: (202) 488-0101
Web: capitolhillcg.com

Rusterholz, Shawn

From: Anderson, Bridget <banderson@asrc.com>
Sent: Wednesday, May 1, 2024 12:08 PM
To: MacGregor, Robert; Rusterholz, Shawn
Cc: Padgett, Chad; Doreen Leavitt
Subject: Fwd: [EXTERNAL] Meeting Request Sec. Haaland

See below. Doreen Leavitt also gave approval to enter her email into the record.

Bridget Anderson
Senior Vice President, External Affairs
Arctic Slope Regional Corporation
(907) 339-6066 (direct)

From: Doreen Leavitt <Doreen.Leavitt@icas-nsn.gov>
Sent: Wednesday, May 1, 2024 17:47
To: Anderson, Bridget <banderson@asrc.com>; Padgett, Chad <chpadgett@asrc.com>
Subject: Fwd: [EXTERNAL] Meeting Request Sec. Haaland

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Baba,
As requested, this was the official response to meeting with Haaland last fall when she came to Anchorage for AFN.

Doreen Leavitt
Director of Natural Resources/Tribal Council Secretary
PO Box 934
Barrow, AK 99723
907-852-8142 (Direct)

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From: Interior, Scheduling <Scheduling_Interior@ios.doi.gov>
Sent: Monday, October 16, 2023 3:51 PM
To: Doreen Leavitt <Doreen.Leavitt@icas-nsn.gov>
Cc: Morrie Lemen <Morrie.Lemen@icas-nsn.gov>; Personius, Anita <Anita.Personius@bia.gov>; Taylor, Sara M <sara_taylor@ios.doi.gov>; Caminiti, Mariagrazia <Mariagrace.Caminiti@sol.doi.gov>
Subject: Re: [EXTERNAL] Meeting Request Sec. Haaland

Good afternoon,

Unfortunately, Secretary Haaland is unable to join the meeting with Inupiat Community of the Arctic Slope leaders at this time. We are happy to provide the contact information of Assistant Secretary Bryan Newland, Senior Advisor for Alaska Affairs and Strategic Priorities Raina Thiele and Solicitor Robert Anderson if you'd like to reach out to them regarding their availability. I've copied their schedulers here to continue conversations around their availability. Please do not hesitate to reach out in the future.

Kind Regards,

Office of Scheduling and Advance
Department of Interior

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From: Interior, Scheduling <Scheduling_Interior@ios.doi.gov>
Sent: Monday, October 16, 2023 8:07 AM
To: Doreen Leavitt <Doreen.Leavitt@icas-nsn.gov>
Cc: Morrie Lemen <Morrie.Lemen@icas-nsn.gov>; Interior, Scheduling <Scheduling_Interior@ios.doi.gov>
Subject: RE: [EXTERNAL] Meeting Request Sec. Haaland

Dear Doreen Leavitt,

It looks like you already submitted your request. The Scheduling time is in the process of finalizing Secretary Haaland's schedule and will be in contact with you regarding your meeting if she is available. Thank you for your patience.

Regards,

Office of Scheduling and Advance
Department of Interior

From: Interior, Scheduling <Scheduling_Interior@ios.doi.gov>
Sent: Monday, October 16, 2023 8:01 AM
To: Doreen Leavitt <Doreen.Leavitt@icas-nsn.gov>
Cc: Morrie Lemen <Morrie.Lemen@icas-nsn.gov>; Interior, Scheduling <Scheduling_Interior@ios.doi.gov>
Subject: Re: [EXTERNAL] Meeting Request Sec. Haaland

Dear Doreen Leavitt,

Thank you for extending an invitation to meet with Secretary Haaland. Please complete the meeting request form linked below:

[Meeting request form](#)

As soon as the completed form is received, The Office of Scheduling and Advance will be able to further process this request. An update will be provided. Thank you for contacting the Office of the Secretary.

Regards,

Office of Scheduling and Advance

Department of Interior

Every e-mail sent or received is subject to the release under the Freedom of Information Act (FOIA)

From: Doreen Leavitt <Doreen.Leavitt@icas-nsn.gov>
Sent: Friday, October 13, 2023 7:02 PM
To: Interior, Scheduling <Scheduling_interior@ios.doi.gov>
Cc: Morrie Lemen <Morrie.Lemen@icas-nsn.gov>
Subject: [EXTERNAL] Meeting Request Sec. Haaland

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On behalf of Inupiat Community of the Arctic Slope, the Federally recognized regional tribe of the Arctic, we request a meeting with Secretary Haaland during her Alaska visit!
Quyanak!



Doreen Leavitt
Director of Natural Resources
Inupiat Community of the Arctic Slope
6986 Ahmaogak Street
PO Box 934
Barrow, AK 99723
(907) 852-4227 ext 218

Rusterholz, Shawn

From: Anderson, Bridget <banderson@asrc.com>
Sent: Wednesday, May 1, 2024 12:39 PM
To: MacGregor, Robert; Rusterholz, Shawn; Padgett, Chad; Doreen Leavitt
Subject: Fwd: [EXTERNAL] FW: Request to reschedule Nuiqsut Public Meeting
Attachments: image001.png

Bridget Anderson
Senior Vice President, External Affairs
Arctic Slope Regional Corporation
(907) 339-6066 (direct)

From: Doreen Leavitt <Doreen.Leavitt@icas-nsn.gov>
Sent: Wednesday, May 1, 2024 5:48:09 PM
To: Anderson, Bridget <banderson@asrc.com>; Padgett, Chad <chpadgett@asrc.com>
Subject: Fwd: [EXTERNAL] FW: Request to reschedule Nuiqsut Public Meeting

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Some other correspondence as well.

Doreen Leavitt
Director of Natural Resources/Tribal Council Secretary
PO Box 934
Barrow, AK 99723
907-852-8142 (Direct)

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From: Thiele, Raina D <raina_thiele@ios.doi.gov>
Sent: Friday, October 13, 2023 9:48:19 AM
To: Doreen Leavitt <Doreen.Leavitt@icas-nsn.gov>
Subject: RE: [EXTERNAL] FW: Request to reschedule Nuiqsut Public Meeting

Thank you, Doreen!

From: Doreen Leavitt <Doreen.Leavitt@icas-nsn.gov>
Sent: Wednesday, October 11, 2023 4:31 PM
To: Thiele, Raina D <raina_thiele@ios.doi.gov>

Subject: [EXTERNAL] FW: Request to reschedule Nuiqsut Public Meeting
Importance: High

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Again,
Keeping you in the loop.
Doreen

From: Doreen Leavitt
Sent: Tuesday, October 10, 2023 3:44 PM
To: Cohn, Steven M <scohn@blm.gov>; Jones, Nichelle (Shelly) <njones@blm.gov>; bmillion@blm.gov; Raina Thiele <raina.d.thiele@gmail.com>
Subject: Request to reschedule Nuiqsut Public Meeting
Importance: High

Mr. Cohn,

I, Doreen Leavitt, Inupiat Community of the Arctic Slope Tribal Council Secretary, and the Director of Natural Resources, am requesting the Nuiqsut Public Meeting on the NPR-A Proposed Rule currently scheduled for Friday, October 13, 2023 be rescheduled to a later date. Eleven days notice for a public meeting is not sufficient for our community to prepare to share comments and questions on an issue that could have long-term impacts to our community and culture. Our municipal and city governments also had elections in which impacts each of our villages and Nuiqsut was just participating in whaling and other cultural events. Please respond to this request at your earliest convenience. I have also cc'd our Executive Director, Morrie Lemen, Jr., as well.

Respectfully,



Doreen Leavitt
Director of Natural Resources
Tribal Council Secretary
Inupiat Community of the Arctic Slope
6986 Ahmaagak Street
PO Box 934
Barrow, AK 99723
(907) 852-4227 ext 218

The CHAIRMAN. The Chair now recognizes the gentleman from California, Mr. Duarte, for 5 minutes.

Mr. DUARTE. Thank you, Mr. Chair. I would like to yield back to the Chair for a short time.

The CHAIRMAN. I thank the gentleman for yielding.

Madam Secretary, you mentioned earlier that you have not been to the border. I have been to the border many times, and the fact that 35 percent of the border is Federal lands, I think, is a good reason for us to go, and it is a reason why we held a field hearing in Arizona along the southern border.

And my question to you is, do you have plans to go to the border, or will you commit to go to the border just to see and understand what is down there? Because it is shocking to me every time I go.

Secretary HAALAND. Congressman, thank you for that question.

I do want to tell you, and we recognize, in fact, I think in this Committee we had a hearing about our national parks and refuges that are on the border. So, yes, there are a lot of important wildlife and landscapes in that area.

I want you to know that the DOI has a strong working relationship with other Federal agencies in the southwest border area—

The CHAIRMAN. But my question, and I need to yield back to Mr. Duarte, will you go to the border?

Secretary HAALAND. Congressman, I can't answer that at the moment, but I am happy to take that request back to my scheduling staff, and we will be happy to let you know.

The CHAIRMAN. I hope you will make that a top priority.

Secretary HAALAND. Thank you.

The CHAIRMAN. And I would also like to point out that CBP's fentanyl seizures have increased more than 800 percent since Fiscal Year 2019, and our Fiscal Year 2023 seizures of fentanyl as reported by CBP have already surpassed the Fiscal Year 2022 seizures. So, it is a massive problem, and everybody knows the fentanyl is coming across the southern border.

I yield back to Mr. Duarte.

Mr. DUARTE. Thank you, Mr. Chairman.

Thank you, Madam Secretary, for being here with us today. I am a freshman. I am from California, farming district. I do a lot of resource work. We rely on a lot of natural resources.

As Secretary of the Interior, do you recognize your important role in rural community development? Do you realize that resource utilization, whether it be fisheries, forestry, water on the farms, drilling American oil, providing American energy is really the backbone of economics for rural America and keeping the American dream alive with affordability and opportunity?

Secretary HAALAND. Yes, rural communities are incredibly important. And, in fact, I represented rural communities when I was in this Committee.

Mr. DUARTE. Well, I have a few specific questions because I am highly confused.

I think what we see in America today is what I would call resource abandonment, complete abandonment of our natural resources at many different turns that are really hammering the American dream for many people in my district and many, many families throughout America, whether they be lobstermen in Maine or farmers in the Valley.

Let's use the Valley for an example. Our reservoirs, after two robust years of rain, very, very heavy rainfall and snowpack years, the reservoirs are over 90 percent full, most of them 95-plus percent full, just keeping a little bit of flood space and managing their levels. But downstream, we see water allocations from the Bureau of Reclamation under your charge at 35 percent. We see downstream offstream storage at San Luis Reservoir with half-a-million acre-feet left to fill it as we get towards the end of our run-off season.

What are you doing here? Why are we not getting this water on the farms? Why are we not getting it for municipal and industrial use? Why are we letting this critical natural resource go to waste?

Secretary HAALAND. Thank you so much for the question, Congressman, and I look forward to you having the opportunity to speak with Camille Touton, who will be in front of this Committee sometime this month. I believe she is the expert on the water in California.

I recognize that, yes, there were several good years, two great winters. However, my understanding is that we have to plan for the future, and I know that Reclamation is working to maximize storage and groundwater recharge in these areas. We are incorporating the best science into the operations and investing in water infrastructure.

Mr. DUARTE. I am sorry. I see that you are reading something that you were handed there. That is great.

You are not planning for the future. These dams are 92 percent full. We have farms that need this water to produce crops this year. At the end of the season, come summer, we will be dumping a very large amount of this water into the rivers to create flood control space in these same Bureau of Reclamation, Army Corps of Engineering dams. And this water will be wasted after the farmers have already made their crop plans and missed their opportunity to prosper from it. So, I don't know how you are planning for any, other than a dystopian future, quite honestly.

The CHAIRMAN. The gentleman's time has expired.

Mr. DUARTE. I yield back, thank you.

The CHAIRMAN. The Chair recognizes the gentlelady from New Mexico, Ms. Leger Fernández.

Ms. LEGER FERNÁNDEZ. Thank you very much, Mr. Chair.

And thank you so much, Madam Secretary, for being here and laying out all the great work that the Department of the Interior has been doing.

I would like to recognize also that in the 117th Congress, when Democrats were in control, President Biden signed into law magnificent bills that have led to the largest investment in rural America, basically, since the New Deal and electrification. And a lot of those amazing investments in rural America, which are making the difference so that we can have kind of work in rural America that ranges from recreation, which often occurs on lands that you oversee, to renewable energy to your new rule, which is going to be a benefit to ranchers, right? That there are many ways in which we can have economic development in rural America and on lands that the public owns and that belong to the public. So, I really want to thank the fact that your agency has been implementing those laws with great effect.

I also want to recognize that in this hearing room, we have had some of your assistant secretaries come and talk about the great work they are doing with more 638 contracts that are being processed. But really, no more staff. Like, you have the same amount of staff doing a lot more work. And you were kind of understaffed and overworked, and we appreciate how you are rising to that occasion. So, thank you for doing that.

I want to talk a little bit about something that we dealt with on the Floor regarding the 1872 Hardrock Mining Law. The date tells you everything: 1872. It is old. It needs updating. Unfortunately, the updates that have come out of this Committee would make it easier for mining corporations, foreign mining corporations, China, for example, to actually mine our resources. And we have seen the effect of that in New Mexico. You have seen, as you have driven home, as I have driven home, the piles, the tailings, and the effects.

I hiked to the Pecos watershed, where we had such an abandoned mine, and where we are looking at the possibility of withdrawal. The Forest Service is reviewing that, and we want to make sure that if the Forest Service sends you that information, that in fact, the Department of the Interior will work quickly to analyze it to make a determination. Because you know that river flows not just from New Mexico, but it flows down through New Mexico into Texas. And those waters are important for agriculture, as was just pointed out. These waters are essential for our rural economies and keeping them clean.

So, with regards to reviewing the, if there is a request for a minerals withdraw, whether you will be able to act swiftly upon that.

Secretary HAALAND. Thank you very much, Congresswoman. And, of course, we take our obligations to manage the public lands and waters on behalf of all Americans very seriously, and recognize that some lands warrant special protection. I am happy to know that you go there personally and enjoy those lands.

Withdrawals often build upon decades of efforts by local stakeholders, local communities, people just like you who like to be on those lands. And I would like to say that the principles of President Biden's America the Beautiful initiatives to support this locally-led and voluntary conservation and restoration efforts—we pay attention to those immensely.

And I understand that the Pecos watershed is a special place. If requested by the Forest Service, we will work diligently to consider the request.

Ms. LEGER FERNÁNDEZ. Thank you. While we are on water, I want to talk about an issue that I think affects many of us in this Committee on both sides of the aisle of the need to get to Indian water rights settlements.

As we know, those water rights settlements come out of decades, sometimes half a century of negotiations or litigation. And we are moving away from litigation to try to get to settlements. And we know that they are very difficult because water is life. Agua es vida. They mean everybody, right? Whatever state you are in, but especially in the West, has to make compromises. And the Department included a proposal for \$2.5 billion in mandatory water funding for Indian water rights settlement.

We have very little time, but can you speak to why this is important to have that much money in there?

Secretary HAALAND. Thank you, Congresswoman.

Reliable water is crucial to tribal communities, and this permanent funding for settlements will help us work with tribes and Congress to meet our trust responsibilities to ensure that tribal

communities receive the water resources they have long been promised.

Ms. LEGER FERNÁNDEZ. Well, thank you, and I have run out of time. Thank you for such a quick answer.

And thank you, Mr. Chairman, for holding the hearing.

The CHAIRMAN. The gentlelady's time has expired. The Chair recognizes the gentleman from Georgia, Mr. Collins, for 5 minutes.

Mr. COLLINS. Thank you, Mr. Chairman.

Secretary Haaland, it is good to see you here today. Your written testimony highlights the facts that the Department is the steward of 20 percent of America's land, and in that capacity serves critical roles for the nation, including generating jobs, supporting local economic growth, and managing important national and cultural resources.

As a business owner myself, I like to think of your budget kind of like as a Bible. I think it speaks volumes about your values, the good, the bad, and even the ugly. And while it may not always be pretty to look at how we prioritize our spending, I do think it says a lot about who we are. And in any budget, just like in any business, there will be things that we agree on and things that we don't, and that is OK.

But frankly, as part of my job here, both in traveling across my district and across this country as part of this Committee, I get the privilege, much like you, of listening to people and hearing what is working, what they like, and a lot more times what they don't like. In your budget, I am also seeing some things that are concerning.

Your written testimony also devotes a significant amount of space to promoting equity, diversity, and inclusion. And this is both for underserved communities and employees at the Department as part of its ongoing Equity Action Plan. The Department's budget calls for a number of program budget increases among various bureaus to achieve its goal related to the Equity Action Plan, which in my understanding was just recently updated.

To start, Madam Secretary, I would like to clarify. Just a simple yes or no would be good. The Department does require its employees to abide by all Federal laws regarding equal employment, civil rights, and anti-discrimination practices. Correct?

Secretary HAALAND. Yes. We follow all the laws, Congressman.

Mr. COLLINS. OK, good. We got that straight.

So, the mission of the Department is to protect and manage the nation's natural resources and cultural heritage, provide scientific and other information about these resources, and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, Native Hawaiians, and affiliated island communities. I don't see anything in the mission statement about DEI or even environmental justice, which I know you are going to tell me is a direct order from President Biden because of his Executive Order.

But let's get back to the budget, because, to me, that is where the rubber meets the road. We need to be talking about priorities here. At the same time, you are endorsing a budget that asks for millions of dollars to require staff to do more DEI training, you will also sign off on a blanket lease to house migrants on park land in

New York City, and not worry about the impact that it could have on the park employees there. Am I correct with that?

Secretary HAALAND. Congressman, you are correct that there is a contract between—

Mr. COLLINS. Thank you. And just for the record, the community surrounding the Floyd Bennett Field area, using CEQ's own screening tool, has a number of both environmental and social justice issues, none of which seem to be a concern for the Department in practice when it came to waiving environmental standards and signing a lease.

Instead of increasing programing for DEI classes for staff while at the same time complaining that you need more money to hire staff, there are times in life when we need to figure out how to prioritize. And Madam Secretary, I say that because of this: We are in high inflation right now. As a matter of fact, we are going to stagflation. And your Department is directly responsible for not issuing leases for offshore drilling right now. And that could provide 15 percent of the oil that is needed.

You are also dragging your feet on LNG permits to the point where the DOE had to pause LNG. So, you are not only harming Americans, you are harming our allies, and you are also emboldening Russia, who is our enemy, who is going to be selling that LNG to Europe. And you are also emboldening Iran, which was held to 300,000, 400,000 barrels a day, and now they are producing over 3 million barrels a day to sell it where we should be doing that and have our own energy independence.

With that, I don't think I have time to yield to you, Mr., I will yield 30 seconds.

Mr. STAUBER. Thank you.

Madam Secretary, what percentage of the Biden administration's policies are responsible for the record gas and oil development that you mentioned earlier?

Secretary HAALAND. I am not sure I understand the exact question, Congressman.

Mr. STAUBER. How many oil and gas leases will be held in the Gulf of Mexico Fiscal Year 2024–2025?

Secretary HAALAND. There will be three.

Mr. STAUBER. Three. Do you think that is adequate?

Secretary HAALAND. Congressman, we are following the law. And I will just say we are following the law and we are having three.

Mr. COLLINS. Would the gentleman yield?

Mr. STAUBER. I yield back.

Mr. COLLINS. You didn't issue any. You are not planning on issuing any this year.

Mr. HUFFMAN. Point of order, Mr. Chairman. There is no time to yield. Who are we yielding? What is going on here?

The CHAIRMAN. I have been gracious with people's time. I will keep that in mind when you go, Mr. Huffman.

Mr. HUFFMAN. I counted 56 extra seconds.

Mr. COLLINS. You are being sued because you didn't issue leases now. And we had a hearing here earlier to where somebody representing you said that they weren't going to issue any leases this year, and probably not next year, as well.

The CHAIRMAN. The gentleman's time has expired.

Mr. COLLINS. With that, I yield back, Mr. Chairman.

The CHAIRMAN. That question can hopefully be answered for the record.

The Chair now recognizes the gentlelady from California, Ms. Porter, for 5 minutes.

Ms. PORTER. Secretary Haaland, my colleagues across the aisle have leveled some strong accusations against the Department of the Interior today. I am an avid national park visitor. I have been to, I think, 43 and counting, including about 12 since I have served on this Committee. These accusations against the National Park Service and your management of it are really concerning. I can't in good conscience drive my minivan with its oversight license plate onto these national parks unless we dissect these allegations.

First, Republicans on this Committee have accused the National Park Service of providing inaccurate and unreliable backlog figures when accounting for deferred maintenance. They have cited mismanagement, waste, and fraud. What methodology are you using to determine cost estimates for the national parks' maintenance backlog, and is it in line with standards used across the government?

Secretary HAALAND. Congresswoman, thank you so much for the question.

In Fiscal Year 2021, the Department transitioned away from estimating deferred maintenance cost estimates based on work orders. We revised our methodology, and are now consistently estimating deferred maintenance across the bureaus. We are using accepted industry standard approaches to generate our current estimates.

Ms. PORTER. Are there any uncontrollable factors that the Department accounts for when determining the remaining costs of deferred maintenance?

Secretary HAALAND. As you noted, we have national parks all over the country. Many of those are old. They have historical buildings and historical inventories on those. Sometimes, yes, it takes a lot more work to find the carpenters and workers that can work on these historical inventories such as the ones that we have across the country.

Ms. PORTER. And, of course, many of these deferred maintenance projects are also in remote locations.

Secretary HAALAND. Indeed.

Ms. PORTER. The maintenance work requires things that have been impacted by supply chain problems. Extreme weather like a fire or a flood, I know, cannot only create new maintenance issues that can also halt the plan for planned maintenance.

So, it seems to me like you are using accurate, consistent calculations that are widely accepted across the government.

I want to go to the second claim that I heard my colleagues make. They said that the Department of the Interior lacks strategic planning and coordination, and they have cited in the past a September 2023 Office of Inspector General report that did identify numerous weaknesses in the National Park Service deferred maintenance process going back as far as 1999. So, these were pretty long-term problems.

Secretary Haaland, that report, that September 2023 Inspector General report, included several recommendations for the National Park Service to address and improve its deferred maintenance process. Has the National Park Service addressed or begun to address those recommendations?

Secretary HAALAND. Yes, of course, and I want to assure you, Congresswoman, that the NPS maintenance program is very strong.

We had a very complex portfolio of 75,000 assets, from Yosemite's Ahwahnee Hotel, to Mount Rushmore, to the Washington Monument. There is never a one-size-fits-all for any of these, as I mentioned earlier. And estimates now comply with DOI policy and require less time for field staff to develop. So, we are working on all of those issues to make sure that we can do it in—

Ms. PORTER. In fact, in January 2024, the GAO also released a new report on the Department's deferred maintenance backlog. What did that report find?

Secretary HAALAND. The GAO found that the Department was managing the deferred maintenance backlog and selecting projects for LRF funding appropriately.

Ms. PORTER. So, we have seen huge improvement. There was a problem, the Department of the Interior addressed it, and they addressed it promptly. We see a lot of recommendations that go unaddressed for years. In this case, the agency acted quickly, and the GAO has already told us that there is progress being made.

I want to move to the final claim, which is that the Department, and this is so ironic, as you have been sitting here for hours with your very competent staff, that the Department is somehow not engaging with Congress for us to conduct oversight of this deferred maintenance. What do you say to that allegation?

Secretary HAALAND. I want to say that our door is open. And, in fact, if any Member of Congress requests a phone call from any one of us, we work hard to meet that request in a timely manner.

Ms. PORTER. I think your Department has also held some staff briefings. I mean, it seems to me that the Republicans are focused on the wrong problems.

Secretary Haaland, I just want to close by asking, did Congress increase or cut the National Park Service's budget in 2024?

Secretary HAALAND. Congress cut the National Park Service's budget in Fiscal Year 2024.

Ms. PORTER. And did that help the National Park Service deal with its deferred maintenance backlog?

Secretary HAALAND. Budget cuts never help us.

Ms. PORTER. So, the real problem here are budget cuts. The Department has the right system. They have the right accounting. But we can't do those projects if they don't have the resources.

Thank you, I yield back.

The CHAIRMAN. The gentlelady's time has expired. The Chair now recognizes the gentlelady from Colorado, Ms. Boebert, for 5 minutes.

Ms. BOEBERT. Thank you, Mr. Chairman.

Secretary Haaland, is it the Department's practice to use, my time is still here—

The CHAIRMAN. Gentlelady, suspend.

Ms. BOEBERT. We are going to reset the clock.

The CHAIRMAN. And please reset the clock.

Ms. BOEBERT. We will have fun later, Jared.

Secretary Haaland, is it the Department's practice to use the best available science in rulemaking? Science, data, facts?

Secretary HAALAND. Thank you, Congresswoman. Yes, we always work to use the best—

Ms. BOEBERT. Will you commit to using the best available science, meaning the 2016 USGS study, when finalizing the Colorado River Field Office and Grand Junction Field Office RMP?

Secretary HAALAND. We always work to use the best science available, Congresswoman.

Ms. BOEBERT. I would disagree. But last summer, the Department issued a Draft Resource Management Plan to lock up 1.6 million acres from responsible oil and gas production in Colorado and in my district. Unfortunately, the analysis in the draft RMP relies on an outdated USGS study from 2002 instead of a more up-to-date analysis conducted in 2016.

Secretary Haaland, how is locking up 1.6 million acres out of 1.9 million acres from oil and gas production, how is this going to ensure lands are managed for multiple use and sustained yield?

Secretary HAALAND. Congresswoman, I am not quite sure specifically which acres you are referring to.

Ms. BOEBERT. One point six million acres in western Colorado. And it sounds like this is just another strategy the Department is employing to lock up more lands across the West and undermine American energy dominance.

Now, are you not familiar with the monument designation that is being proposed?

Secretary HAALAND. Are you talking of—

Ms. BOEBERT. I am talking about 1.6 million acres, and it is kind of—

Secretary HAALAND. Are you speaking of the Thompson Divide area?

Ms. BOEBERT. I am not. Secretary Haaland, I strongly oppose this misguided effort by extremists to designate this national monument in the Dolores River corridor and its surrounding areas in southwest Colorado. And it is very concerning that you are not familiar with what is going on. The Senators have had press conferences there. There has been public comment. I have constituents like Sean Pond who are talking about this each and every day and reaching out to your offices without a response, trying to protect these lands for multiple use. And they are being absolutely ignored on this.

And I have a letter here for you. And typically, when I do send letters I get some sort of half response from staff. So, I would like to hand this to you directly today.

Secretary HAALAND. Thank you, Congresswoman.

Ms. BOEBERT. Thank you, Secretary Haaland. And with this letter there is more information about this monument. And I want to just iterate here that Senator Bennet and I, we have a bipartisan, community-led bill to protect the Dolores River corridor without a national monument designation. And I need you to commit to Coloradans to working with us on this particular bill, and oppose

this unilateral land grab that will cause harm to the people who live there.

And I just want to say, disregarding the agreements that have been achieved on a bipartisan basis and the much time that has been invested in this Dolores NCA, this would be a complete insult to Southwest Colorado. And it would contradict the DOI's direct description of the Antiquities Act, which I have quoted there in my letter.

Secretary Haaland, the Department is asking for an additional \$2.8 million. You know what? I am not even going to go into this right now. I mean, this is just more DOI and civil rights issues, but I really want to stay focused on the land here.

But I need to know that you are looking into this issue, are familiar with the 1.6 million-acre land grab that is being proposed, and will have conversations and responses to actually working on this bipartisan Dolores NCA that the Senators of Colorado and I have been diligently working on with stakeholders who are local and familiar with this area to prevent this national monument land grab, this designation.

Secretary HAALAND. Congresswoman, thank you so much for the letter. I will read it when I get back to my office.

I also am happy to know that you are working with your Senators. As you know, I have been to Colorado many, many times. We care about your state, and I appreciate your work—

Ms. BOEBERT. Well, we care about our state, and we care about the multiple uses that take place on our public lands. This is the people's land. And at every turn, the Federal Government is trying to lock up more and prevent this multiple use, prevent the mineral resources from being produced, prevent recreation. And this designation is going to further harm western Colorado.

And just while I have you in my last few seconds, you have made multiple references to the 30x30 land and water grab in your testimony. How much taxpayer money does your Department plan to spend or waste this Fiscal Year in pandering to the enviros in this pursuit of this radical initiative?

Secretary HAALAND. Thank you, Congresswoman. The America the Beautiful initiative is just that. It is an initiative. It is not a line item in our budget whatsoever. But we feel that the work that we are doing essentially moves the initiative forward.

The CHAIRMAN. The gentlelady's time has expired.

Ms. BOEBERT. America the Beautiful, locking up land and water from sea to shining sea.

The CHAIRMAN. The gentlelady's time has expired. The Chair recognizes the gentlelady from California, Ms. Kamlager-Dove, for 5 minutes.

Ms. KAMLAGER-DOVE. Thank you, Mr. Chair.

And thank you, Secretary. I just have to commend you on your grace and your temperament. I am sure that your ancestors are proud. They are probably meditating, hoping that you get out of here soon.

I have some clarifying questions for you. So, 90 percent of fentanyl is coming through ports of entry. Does the Department of the Interior have jurisdiction over ports of entry?

Secretary HAALAND. No, Congresswoman. No, Vice Chair.

Ms. KAMLAGER-DOVE. Thank you. I didn't think so.

OK, so tell me this. Does DOI have jurisdiction over the containment and/or the enforcement of controlled substances?

Secretary HAALAND. No, we do not.

Ms. KAMLAGER-DOVE. OK, I didn't think so. Is your Department also responsible for bussing in and transporting these migrants into New York and all over the country?

Secretary HAALAND. No, that is not under our mission.

Ms. KAMLAGER-DOVE. OK, I didn't think so.

Is DOI responsible for sending troops overseas? There had been some articulation earlier in this Committee that somehow you are responsible for sending troops to Iran.

Secretary HAALAND. No.

Ms. KAMLAGER-DOVE. OK, I didn't think so. My colleagues have also been adamant about you taking over Mayorkas' job. I know that women often do so much more than men. That is true. But I don't think you want that job. Can you remind us for the record the mission of your Department?

And can you also share with us where you have traveled across this country?

Secretary HAALAND. Thank you very much, Vice Chairwoman. And, yes, the mission of the Department is to manage our public lands, to protect our cultural resources and cultural heritage for every American. Also to uphold the trust and treaty obligations of our nation's 574 federally recognized tribes.

Ms. KAMLAGER-DOVE. Thank you. Are you also actively preventing recreation from happening across this great country?

Secretary HAALAND. Not at all. And in fact, I feel confident that our outdoor recreation industry has grown since President Biden has been in office.

Ms. KAMLAGER-DOVE. Amen. OK, so my Republican colleagues have continuously been complaining about the dwindling oil production that is happening on public lands in this country. Is there legitimacy to these complaints?

Secretary HAALAND. Vice Chairwoman, it is undeniable that U.S. oil production on public lands and waters is at an all-time high, and that is verifiable information on a website.

Ms. KAMLAGER-DOVE. I love facts, I do love science and data. Thankfully, so do you.

Madam Secretary, a lot has been said about your leasing policies. Can you confirm the amount of leased acres and permits that have been approved but are not being used?

Secretary HAALAND. Thank you very much for the question.

I will say that there are millions of acres of leased, non-producing Federal lands, and there are thousands of approved permits to drill that the industry is letting sit unused. We would be happy to work out a specific number for you, if you would like that.

Ms. KAMLAGER-DOVE. Thank you.

Secretary HAALAND. For the record.

Ms. KAMLAGER-DOVE. Because I don't want you saying anything from the hip.

Is it true that the Department of the Interior has recently finalized a number of important rules that will both promote clean

energy and also ensure stronger protections for our public lands and waters while holding fossil fuel industry accountable?

Secretary HAALAND. That is correct.

Ms. KAMLAGER-DOVE. OK, thank you. And in my last remaining moments, I have to say I have been getting Killers of the Flower Moon vibes up here in this Committee today when it comes to some of the tribal interrogatory questions that have been asked of you. Incredibly offensive. Foul.

You did say, I would like you to reiterate, that you have been hearing from tribal communities, and that they are not a monolithic group. Is this true?

Secretary HAALAND. Yes.

Ms. KAMLAGER-DOVE. And can you just share, why is the Federal Indian Boarding School initiative so important to the tribal community?

Secretary HAALAND. Well, first of all, I believe very strongly that it helps tribes to heal. This was a horrific era of our country's history. It is a history that every single American shares, and that every single American should know about.

We, on our road to healing, we were able to essentially find out the priorities of tribes and how they want to move forward with this issue. And as I mentioned earlier, Native language revitalization is one of those areas. And we are very proud to support that in tribes in the way they want to move their Native language revitalization forward.

Ms. KAMLAGER-DOVE. Thank you, Madam Secretary.

Secretary HAALAND. Thank you.

Ms. KAMLAGER-DOVE. Mr. Chair, I yield back.

The CHAIRMAN. The gentlelady's time has expired. The Chair recognizes the gentleman from—

Ms. STANSBURY. Mr. Chairman, I would like to ask for unanimous consent. Mr. Chairman, I would like to ask unanimous consent to enter into the record an article that is titled, "Tribes Worry About Police Staffing, Not Cartels." It is from Indian Country Today, and it is an appropriate item to introduce after the Vice Chair's questions, because it is really about the hearing that we had a few weeks ago in which tribal leaders talked to us about their public safety concerns, not border issues.

The other thing I want to just note is that the Department of the Interior has had unprecedented consultation with tribes during this Administration, and consults with tribes daily on every possible issue you can imagine. So, the accusations that we have heard today are just absolutely false.

The CHAIRMAN. Without objection.

[The information follows:]

Tribes worry about police staffing, not cartels

The comments came during a meeting with South Dakota Republican US Rep. Dusty Johnson about the Yankton Sioux Tribe's law enforcement

ICT News, April 5, 2024 by Joshua Haiar—South Dakota Searchlight

<https://ictnews.org/news/tribe-worries-about-police-staffing-not-cartels>

WAGNER, S.D.—Yankton Sioux Tribe officials said Wednesday they know where the drugs on their tribal lands are coming from.

“Not the cartels,” said Justin Song Hawk, a former tribal police officer.

Other citizens of the Ihanktonwan Oyate—as the tribe is called in the Dakota language—chuckled in response. The comment was a reference to Gov. Kristi Noem, who's alleged repeatedly in recent months that Mexican cartels are bringing drugs to tribal reservations, and has accused tribal leaders of benefiting from the activity.

Song Hawk's comments came during a meeting with South Dakota Republican U.S. Rep. Dusty Johnson about the tribe's law enforcement needs. The tribe, headquartered in southeast South Dakota, is one of nine tribes in the state.

Tribal Chief of Police Edwin Young said drugs are coming from cities including Sioux Falls, and the primary drug is methamphetamine. He also told Johnson about several problems his department faces.

Young said he has one day off per month and has been working that schedule since December. He said there are only three officers, and the tribe needs about 12.

“About 80 percent of my time is spent patrolling,” he said. “The other tribes are the same way.”

He said one of the causes for short staffing is that tribal law enforcement officers have to train in New Mexico for months at a Bureau of Indian Affairs officer school.

Johnson said that's a problem. He suggested allowing prospective tribal officers to train at the South Dakota Law Enforcement Training Center in Pierre.

“I can't imagine anything but good coming from tribal law enforcement training alongside the state's law enforcement,” Johnson said.

Young said another problem is that non-tribal, local law enforcement cannot help enforce tribal law on tribal land. He said more agreements allowing for that could be beneficial. That's something Noem has also called for.

The federal government has treaty responsibilities to fund public safety work for tribes. Johnson said the U.S. Attorney's Office and the FBI don't have time for lower-level offenses. He said that creates an enforcement gap.

“You're stuck with this big doughnut hole, where the tribes don't have the authority to fill that gap, and the federal government doesn't have the capacity to fill that gap,” Johnson said.

Young also said low bond amounts—which arrested people post to avoid jail time—are another problem. Johnson agreed.

“You get a lot of people bonded out on a \$20 bond,” Johnson said, “for something where if you did that in Mitchell, you'd be doing six months in jail.”

Ms. BOEBERT. Mr. Chairman?

The CHAIRMAN. The Chair recognizes the gentlelady from Colorado.

Ms. BOEBERT. I ask unanimous consent to submit the letter that was handed to Secretary Deb Haaland into the record, and I won't go through and make a speech with my request.

The CHAIRMAN. Without objection, so ordered.

The Chair recognizes the gentleman from Virginia, Mr. Wittman, for 5 minutes.

Dr. WITTMAN. Well, thank you, Mr. Chairman. I would like to thank our witnesses for joining us today.

Secretary Haaland, can you tell me who owns our lands under the jurisdiction of the Department of the Interior?

Secretary HAALAND. The American people.

Dr. WITTMAN. Thank you. Can you tell me the mission of the Department of the Interior as it relates to these natural resources and to the scientific information that you put out?

Secretary HAALAND. Yes. It is to manage those public lands and, essentially, make sure that the cultural heritage and all of that is there for the American people.

Dr. WITTMAN. Specifically, the mission says to conserve and manage the nation's natural resources and cultural heritage for the benefit and enjoyment of the American people. It doesn't say, "for some," it says, "for the American people" to provide scientific and other information about natural resources and natural hazards, to address societal changes, and create opportunities for the American people. It doesn't say, "for some."

Let me ask you, when you look at how you regulate, is it in the interest of all American people, or is it in interest groups that happen to be louder than other aspects?

And do the policies that specifically limit access to the owners of these lands that you manage and that, in your mission statement, say for the American people, not some, when you limit access there, does that take into account all the American people?

Secretary HAALAND. Congressman, I wake up every single day, as does my really amazing team and staff of nearly 70,000 career staff, they wake up every day to do their jobs for all Americans.

Dr. WITTMAN. OK. So, when you make these decisions, the mission says you are about getting science and other information out, but also, I am assuming, using that in your decisions.

Can you tell me, when you make a decision to ban lead in ammunition and in fishing sinkers on a large number of refuges, can you cite the science that you use for how there are specific impacts on these properties and the resources on those properties? Because there is nothing that I have seen that has been published or anything out there that has been part of that decision making.

Secretary HAALAND. Thank you for the question, Congressman. And the best available science shows that lead ammunition and tackle have negative impacts on wildlife and human health, notably for species like eagles—

Dr. WITTMAN. What specific studies? That is a generic answer, Madam Secretary. What specific studies? Can you name the studies and the authors of the studies, the journals that they are published in to show the risk that is shown scientifically?

Secretary HAALAND. I would be more than happy to answer that for the record, Congressman, to make sure that you have those studies.

Dr. WITTMAN. So, you are not aware of the studies, but you will put those together after the fact.

Secretary HAALAND. Well, I can't cite them at the moment, but we would be happy to give you the scientific approach to all of this, if you would like.

Dr. WITTMAN. Are there other criteria that you use in making decisions about management of Department of the Interior properties?

Secretary HAALAND. We talk to a lot of people. We make sure that local communities and people that use the land, hunters, anglers, fishers, people who use those lands have opportunities to speak with us. And we actually do hold a lot of roundtable discussions with people around the country.

Dr. WITTMAN. So, if a group comes to you and says, "Madam Secretary, we just don't want these people to use the land. We don't like hunters and fishermen. We are anti-hunting or anti-fishing," do you take their ideas into account in how you develop a management strategy?

Secretary HAALAND. I can't say that I know of anyone in this country who would say they don't like hunters or fishers, but—

Dr. WITTMAN. Oh, Madam Secretary, I will give you a whole list of people that do not like hunters and fishermen.

Secretary HAALAND. Well, hunters and fishers, hunters, anglers, outdoor recreation folks, really, we want them to be happy on our public lands, and we take their conversations very seriously.

And, quite frankly, you know that the Fish and Wildlife Service, that is really their job, is to make sure that we have those resources on our public lands.

Dr. WITTMAN. So, if one of these groups just says, hey, listen, Madam Secretary, we just don't like these anglers and hunters, we don't want them on the lands, you are saying that none of that goes into any of the decision making that you look at how these lands are supposed to be managed for the folks that go there to enjoy them?

And the folks that said, "we don't want those people there," you are saying that those either don't get considered or they do get considered?

Secretary HAALAND. On the contrary, we are working to make sure that everybody has access to our public lands.

Dr. WITTMAN. OK.

Secretary HAALAND. Every single American should and must have access to our public lands. That goes for accessibility issues all over our public lands. And the Fish and Wildlife Service is actually expanding hunting and fishing on various refuges. We would be happy to make sure that you have a status update on that, as well.

Dr. WITTMAN. But when you ban particular types of uses, when you say you can't use lead for hunting and fishing, and all of a sudden you make it unattainable for many people that are on limited incomes that have to deal with high gas prices today and the failure of Bidenomics, the failure there of grocery prices, you are saying it is not a problem to get them to suffer a little bit more and make sure there are additional costs for them to access the lands that they own.

Mr. Chairman, with that, I yield back.

The CHAIRMAN. The gentleman's time has expired.

Ms. KAMLAGER-DOVE. Mr. Chair?

The CHAIRMAN. Ms. Kamlager-Dove, you are recognized.

Ms. KAMLAGER-DOVE. Thank you. I ask unanimous consent to enter into the record Appendix B from the Congressional Research Services report, “National Monuments and the Antiquities Act,” which shows the historical use of the monument authority since 1906. All but three presidents have used this Act to declare at least one monument.

Thank you, Mr. Chair.

The CHAIRMAN. Without objection, so ordered.

[The information follows:]



National Monuments and the Antiquities Act

Carol Hardy Vincent
Specialist in Natural Resources Policy

Updated January 2, 2024

Congressional Research Service
7-5700
www.crs.gov
R41330

CRS REPORT
Prepared for Members and
Committees of Congress

The full document is available for viewing at:
<https://sgp.fas.org/crs/misc/R41330.pdf>

The CHAIRMAN. While we are asking unanimous consent, I would like to remind the Secretary that the Department owes this Committee responses to over 20 letter requests. And I am asking unanimous consent to submit each of these outstanding requests for the record.

And I would also ask the Secretary to commit to responding to the outstanding document requests.

Without objection.

[The information follows:]

**List of Oversight Letters and Overdue Production Requests to the
Department of the Interior**

1. January 31, 2023 letter to DOI IG Mark Greenblatt re DEO Audit, BLM ethics pledge, and Nada Culver ethics concerns.
2. February 8, 2023 letter to DOI Secretary Deb Haaland and USFS Chief Randy Moore re “Endangered and Threatened Wildlife and Plants; Regulations for Interagency Cooperation” rulemaking and resolution of the Cottonwood decision precedent.
3. March 3, 2023 letter to NPS on Korean War Remembrance Wall errors. NPS was invited to multiple meetings, but has refused to participate with DOD, to our knowledge. Briefing and update on current situation requested.
4. March 14, 2023 letter to FWS Director Martha Williams re ecogrief training sessions. Note: This had a partial response, with a briefing with staff. However, additional information is due to the Committee (tied to follow up 05/19 letter request).
5. March 24, 2023 letter to DOI Secretary Deb Haaland following up on January 2022 letter re onshore leases for mining and oil & gas production. Partial response provided, additional information/production due to Committee.
6. March 28, 2023 letter to DOI Land and Minerals Management Principal Deputy Assistant Secretary Laura Daniel-Davis re obstruction of domestic energy production. Note: DOI has provided several productions, but the Committee is continuing to seek additional documents.
7. May 19, 2023 Letter to FWS Director Martha Williams re outside consultants for social change initiatives. Note: DOI provided initial production, Committee seeks additional documentation.
8. June 5, 2023 letter to DOI Secretary Deb Haaland re ethics compliance and conflicts of interest. Note: DOI provided initial production, Committee seeks additional documentation based on letter requests.
9. July 27, 2023 letter to NPS Director Charles F. Sams III re Capital Concerts, Inc.
10. August 8, 2023 letter to President Joe Biden, DOI Secretary Deb Haaland, BLM Director Tracy Stone-Manning, and USFS Chief Randy Moore re creation of a Baaj Nwaavjo I’tah Kukveni Grand Canyon National Monument.
 - a. Follow-up sent on October 2, 2023. Note: initial production provided, Committee seeks additional documents.
11. September 15, 2023 letter to DOI Secretary Deb Haaland and NPS Director Charles F. Sams III re Floyd Bennett Field.
12. September 27, 2023 letter to DOI IG Mark Greenblatt re Liz Klein Report.
13. September 28, 2023 letter to DOI IG Mark Greenblatt re BSEE Servicing Report.
14. October 23, 2023 letter to DOI Secretary Haaland and DOI DEO Director Heather Gottry re Secretary Haaland’s impartiality and misuse of office. (follow up from June 5 letter.)
15. November 20, 2023 letter to DOI Secretary Haaland and BLM Director Tracy Stone-Manning re Twin Metals and the withdrawal of two decades-old mineral leases in the Superior National Forest.

16. December 20, 2023 letter to ONRR Director Cantor regarding oversight into methodology royalties from energy production on Federal Lands.
17. February 1, 2024 letter FWS Director Williams regarding Gray wolf being delisted in the lower 48 states.
18. March 25, 2024 letter NPS Director Sams regarding safety concerns at Floyd Bennett Field.

**Outstanding 2023 QFR Responses from the Department of the Interior
as of May 1, 2024**

Subcommittee on Energy and Mineral Resources hearings:

1. **Date of Hearing:** 11.29.23
Hearing Title: Legislative Hearing on H.R. 6285
Witness Name and Title: Dr. Steven Feldgus, Deputy Assistant Secretary for Land and Mineral Management
Agency/Bureau: Department of the Interior
2. **Date of Hearing:** 12.12.23
Hearing Title: Legislative Hearing on 3 bills: H.R. 5482, H.R. 6474, and H.R. 6481
Witness Name and Title: The Hon. Deb Haaland, Secretary [Invited]*
Agency/Bureau: Department of the Interior
 *Agency did not provide a witness, but BLM did provide a statement for the record

Subcommittee on Indian and Insular Affairs hearing:

3. **Date of Hearing:** 12.05.23
Title of Hearing: Legislative Hearing on 4 bills: H.R. 4524, H.R. 4748, H.R. 6368, and H.R. 6443
Witness Name and Title: Mr. Jason Freihage, Deputy Assistant Secretary for Management
Agency/Bureau: Department of the Interior

Subcommittee on Oversight and Investigations hearing:

4. **Date of Hearing:** 12.05.23
Title of Hearing: “Limiting Access and Damaging Gateway Economies: Examining the National Parks Air Tour Management Program”
Witness Name and Title: Mr. Ray Sauvajot, Associate Director of Natural Resource Stewardship and Science
Agency/Bureau: National Park Service

Subcommittee on Water, Wildlife and Fisheries hearing:

5. **Date of Hearing:** 10.25.23
Hearing Title: Legislative Hearing on 7 bills: H.R. 520, H.R. 2990, H.R. 5103, H.R. 5504, H.R. 5509, H.R. 5874, and a Discussion Draft To prohibit the implementation of certain documents until the Assistant Administrator for Fisheries of the National Marine Fisheries Service issues documents relating to the Rice’s whale.
Witness Name and Title: Mr. Gary Frazer, Assistant Director for Ecological Services
Agency/Bureau: Fish and Wildlife Service

The CHAIRMAN. The Chair now recognizes the gentleman from California.

Mr. Huffman, you are recognized for 5 minutes.

Mr. HUFFMAN. Thank you, Mr. Chairman.

And thanks again, Madam Secretary. I think we are almost done here. We have just a little bit of cleanup that I would like to do on this issue of tribal consultation. You were asked a couple times about a group, Voice of the Iñupiat, and whether there was consultation with this particular group. Let me just clarify a few things with you, if I could.

That particular group is a non-profit advocacy group, not a tribal government. Correct?

Secretary HAALAND. That is my understanding, Congressman.

Mr. HUFFMAN. Yes, and does the legal requirement to engage in tribal consultation extend to every advocacy group, or is it for tribal, government-to-government consultation?

Secretary HAALAND. They are government-to-government tribal consultation, and we do send out letters to the actual tribe, and they respond if they are interested in consulting with us.

Mr. HUFFMAN. Right. You have said, and others have said, that tribes are not a monolith, which is certainly true. But it seems like across the aisle they are a monolith because the only tribal voices they talk to are the ones that want to develop oil and gas, or want to support a mining project.

But when they are simply part of an advocacy group or maybe some individual member of a tribe, do you personally have an obligation to meet with them and call that tribal consultation, or is there some confusion, perhaps, about what tribal consultation even is?

Secretary HAALAND. Tribal consultation is government-to-government consultation with federally recognized tribes.

Mr. HUFFMAN. And you have been criticized for not personally meeting with this particular advocacy group, as well. When the Department of the Interior does tribal consultation, are you personally involved in every one of those meetings, or do you sometimes involve other leaders within the Department?

For example, if BLM is engaged in a rulemaking, would you personally take all the tribal meetings, or is it expected that maybe someone from BLM would take care of that?

Secretary HAALAND. Yes, that is correct. Generally, depending upon the issue that is being consulted about, the Assistant Secretary or bureau leader will meet with the respective tribe and make sure that they are consulting with them on that basis.

Mr. HUFFMAN. All right, thank you. And since my colleagues across the aisle apparently have some short-term memory problems, they have suggested that tribes actually were better consulted under the Trump administration.

I do have a unanimous consent request, Mr. Chairman. It is to enter into the record an article from Native News Online entitled, "Trump's Tribal Record: The Destructive Era," and it explains that during the Trump administration tribal leaders saw, and I quote, "how fast the doors of access were closed to tribes," and "the failure to reconvene the White House Tribal Nations Summit" was pointed out in this article, and the fact that meaningful tribal consultation was "nearly non-existent" during the Trump administration.

So, I would ask that we enter that into the record.

The CHAIRMAN. Without objection, so ordered.

[The information follows:]

Trump's Tribal Record: The Destructive Era*Native News Online*, August 22, 2023 by Amber Torres<https://nativenewsonline.net/opinion/trump-s-tribal-record-the-destructive-era>

Guest Opinion. As a nation and global society, we are still recovering from two life altering events: a pandemic and the Trump presidency. While the memories of these events seem to fade with time, as a former tribal leader, I am here with a stark warning: We cannot forget Donald Trump's record, especially on tribal matters, or that of his supporters and enablers.

Many Americans are unaware of the government to government relationship between the federal government and tribal nations. It is a relationship recorded in the U.S. Constitution and initially practiced through the negotiation of treaties. However, the history largely ignores the treatment of tribes, which has been full of turmoil and shame as the nation broke its promises time and time again. Tribal leaders have traveled to Washington year after year advocating for meaningful forms of engagement, like tribal consultation. It is a method that I have seen Democrats embrace wholeheartedly through their efforts to optimize in practice.

During the Trump administration, I saw firsthand how fast the doors of access were closed to tribes. He unleashed an era where Native people endured a constant assault on our spiritual health and wellness. Trump failed to reconvene the White House Tribal Nations Summit, an annual meeting that provides the administration and Tribal leaders with time to discuss ways to strengthen nation-to-nation relationships through federal investment and ensure that progress in Indian Country will endure for future generations.

In addition to that failure, meaningful Tribal consultation was nearly nonexistent, and without these vital meetings, detrimental projects were approved near our tribal communities. For example, Trump immediately reduced the Bears Ears National Monument, home to thousands of sacred sites, by 85 percent, and his administration approved the advancement of the border wall that led to the destruction of Tohono O'odham Nation's cultural and burial sites.

Trump drained funds from the very programs created to fulfill the federal government's trust and treaty responsibilities to Tribes. Year after year, tribal leaders had to fight against his proposals to cut funding for Native education and health programs. It is crucial to remember that he submitted budget requests to Congress every year that could have zeroed out funding for Bureau of Indian Education facilities and the only existing CDC Tribal budget item.

At times, Trump was outright transparent about his thoughts and feelings about the Native peoples. When asked about issuing a proclamation for Indigenous Peoples' Day, he outright proclaimed, "Not as long as I'm president." He appalled the nation when he could not even hold back expressing his racism during a White House event planned in honor of our national heroes, the Navajo Code Talkers.

President Joe Biden ran on the promise to "restore the soul of the nation" and to rebuild the backbone of America, and since he took office, he has taken active steps towards healing the relationships his predecessor hurt. President Biden reconvened the White House Tribal Nations Summit and issued the Memorandum on Uniform Standards for Tribal Consultation to every executive department and agency head. Tribes have seen progress for our communities because we have a seat and voice at the table.

Bidenomics includes Indian Country with historic levels of funding specifically for Tribal communities and Native people, including \$32 billion in the American Rescue Plan, \$13 billion in the Bipartisan Infrastructure Law, and \$700 million in the Inflation Reduction Act.

President Biden became the first president to accomplish many positive firsts for tribal communities, including issuing a proclamation to designate Indigenous Peoples' Day, appointing Native Americans, including Deb Haaland (Laguna Pueblo) as secretary of the Interior and Marilyn "Lynn" Malerba (Mohegan Tribe) as the of the United States, and securing advance appropriations for the Indian Health Service.

Dignity and humility are two valued qualities in Native cultures. Importantly, these are two qualities that President Biden exemplifies, and this has had a positive

impact on revitalizing tribal relations. He cares about people and their wellbeing, which is why he has dedicated resources and has supported Tribal courts in exercising special criminal jurisdiction to address the missing and murdered Indigenous peoples crisis.

With all the progress that we have made under the Biden administration to uphold the government's responsibility to tribal nations, why do we want to reopen the gates to power for people whose hearts are full of xenophobia and lies?

This election matters. The presidency matters. The actions of a president matter.

Mr. HUFFMAN. And then, lastly, because I find it, frankly, just remarkable that my colleagues across the aisle would even deign to ask you any questions about tribal consultation or tribal sovereignty or tribal rights in any regard, I have been in Congress for 12 years, and I have not seen a single time when tribal interests conflicted with oil and gas development, a pipeline, a mining project, a dam, anything else, where my Republican colleagues did not summarily throw tribes under the bus in favor of those industrial interests.

And I want to challenge my colleagues if they can find a single case where I am wrong about that. I want to know. I want to know a single time that any of them have ever voted against the interests of a dam or an oil and gas development, or a pipeline, or a mine, or anything else where tribes were opposed to it, because my experience is they threw the tribes under the bus every single time.

I yield back.

The CHAIRMAN. The gentleman yields back. The Chair recognizes the gentleman from Texas, Mr. Hunt, for 5 minutes.

Mr. HUNT. Thank you, Mr. Chairman.

First of all, Secretary Haaland, thank you so much for being here. And I want to thank you and your team for your support of my bill last week, H.R. 7377, the Royalty Resiliency Act. Thank you so much for helping us with that. Thank you so much for supporting us in that. I know we don't get to talk about very much bipartisan stuff these days, but again, greatly I appreciate it. This legislation will provide a common-sense solution to implementing communitization agreements and how royalties are paid to the Office of Natural Resources Revenue. So, again, I greatly appreciate your support for that.

While I do support this issue, I do have some concerns that I would like to address today. I have said it before and I will say it again: American offshore oil and gas operations produce the world's cleanest barrel of oil and gas in the Gulf of Mexico and the entire world. We do it safer and better than anywhere else. But since Day 1 this Administration, and during your tenure, ma'am, have had obstacles placed in the way of American excellence, in my opinion.

The American people have repeatedly seen this Administration cave to extreme environmental activists, and this Administration has placed Federal Government's thumb on the scale against American oil and gas. And, again, we as a country must unleash American energy not just for us, but for the entire world. I do not want to empower Iran. I do not want to empower Venezuela. I do not want to empower rogue nations.

I am a combat veteran that fought against these extreme, rogue nations, and I want to make sure that the world is powered by our

clean, abundant resources that we have sitting right here in this country in our grasp. And that is kind of what I want to fight for every single day.

My first question for you, ma'am, is why has this Administration included only three offshore oil and gas lease sales in the past 5 years, in the past 5-year plan, if you don't mind answering that one?

Secretary HAALAND. Thank you so much, Congressman, for the question.

BOEM held 11 lease sales under the 2017 to 2022 National OCS Leasing Program. We had 2 lease sales in the Gulf of Mexico last year, which generated nearly \$623 million. And in those sales, we leased approximately 3.3 million acres.

Mr. HUNT. OK. My next question is, are you familiar with the Copperhead to Loving pipeline project with BLM?

Secretary HAALAND. Are you familiar with it?

Ms. DANIEL-DAVIS. No.

Secretary HAALAND. I apologize. We will find out about it, and we will be happy to contact you after the—

Mr. HUNT. I would really appreciate that. If you don't mind taking a look at that, and in good faith getting back to us, we would greatly appreciate that. This has been sitting at BLM for almost a year. It is an essential project for this country's domestic supply of oil and gas. If you don't mind, I would really appreciate if you got back to me on that.

Secretary HAALAND. Yes, we will be in touch with your staff soon.

Mr. HUNT. Thank you. And then, lastly, provisions to the IJJA granted DOI the ability to pursue CCUS in the Gulf of Mexico. It has been 3 years, and the DOI still has not provided guidance. Could you please explain why there has been such a delay in issuing this guidance?

Secretary HAALAND. I apologize for that, as well. If we could answer that for the record, Congressman, we would be more than happy to.

Mr. HUNT. I greatly, greatly would appreciate it.

Secretary HAALAND. We will have somebody reach out to your staff, and we will have a conversation about it.

Mr. HUNT. Yes, of course, ma'am, and I want to thank you so much for being here. Thank you for your time. Thank you for your help on my bill.

Secretary HAALAND. Yes.

Mr. HUNT. Again, I really want to make sure that we don't regulate this industry to oblivion. So, whatever we could do to get projects moved forward and get them going, we greatly appreciate it.

Secretary HAALAND. Thank you, Congressman. And as I have said several times during this hearing, production is at an all-time high.

Mr. HUNT. Well, it could be—

Secretary HAALAND. And the staff, they are working on the leases, they are working on the permits. This is an ongoing thing since the President has been in office.

Mr. HUNT. An all-time high is great, but again, it needs to be higher. We are not trying to compare ourselves to where we were in the past. I want to absolutely have the maximum amount of energy produced in this country to fuel the world for American excellence, not comparing ourselves to the past, but comparing ourselves to what our capacity can be.

Thank you so much for being here.

I yield back the rest of my time.

The CHAIRMAN. The gentleman yields back.

Ms. KAMLAGER-DOVE. Mr. Chair, I ask unanimous consent to enter into the record a memo from the Senate Committee on Indian Affairs entitled, "Fact Checking the Trump Administration's Attempt to Rewrite its Native American Record: False Promises to Tribes." Thank you.

The CHAIRMAN. Without objection.

[The information follows:]

MEMO: Fact Checking the Trump Administration's Attempt to Re-write its Native American Record, False Promises to Tribes

https://www.indian.senate.gov, October 23, 2020, Contact: Ned Adriance

https://www.indian.senate.gov/newsroom/press-release/democratic/memo-fact-checking-trump-administration-s-attempt-re-write-its-native-american/

FROM: U.S. Senate Committee on Indian Affairs, Office of the Vice Chairman, Senator Tom Udall

TO: Interested Parties

The Trump White House's newly-released "Putting America's First Peoples First Forgotten No More!" document attempts to re-write its record on Native American issues in numerous misleading ways. The Trump administration claims credit for work primarily achieved by Senate and House Democrats to advance Indian Country priorities and ignores the damage the administration has wrought across Indian Country.

"It's unfortunate, but hardly surprising, that the Trump White House is now making highly misleading claims that the president is 'fighting for Indian Country,' on the eve of an election, when this administration's record is one of repeated failures for Native communities," Udall said. "Indian Country knows better. Instead of putting 'first peoples first,' the Trump administration fought to exclude Tribes from the CARES Act and has dragged its feet getting critical resources out the door to Tribal communities. The administration is too busy working to revoke Tribal reservations, resisting Tribal access to COVID-19 relief, desecrating sacred lands like Chaco Canyon and Bears Ears at the behest of oil and mining corporations, and destroying Tribal sacred sites to build his ridiculous border wall.

"The truth is the White House is actively undermining Tribal sovereignty across the country and mishandling a once-in-a-century pandemic that is disproportionately hurting Native communities," Udall continued. "As vice chairman of the Senate Committee on Indian Affairs, representing 23 Tribes in New Mexico, I deeply respect Tribal leaders and Native communities and cannot stand idly by when the Trump administration tries to rewrite President Trump's abysmal record with misleading propaganda."

TRUMP CLAIM: "Respecting Tribal Sovereignty and Self-Determination: The Trump administration is committed to respecting Tribal sovereignty and will continue to empower Native American communities with the resources they need to promote self-determination."

FACT: The Trump administration has expressed views that challenge the unique legal status of Tribes and has attempted to remove Tribal lands from federal trust, while consistently desecrating sacred Tribal land on behalf of corporate polluters.

—The Trump administration has made multiple statements expressing views that reject the well-established legal status of Tribes and imply programs and regulatory considerations for Tribes are “race based,” including in one of the president’s first signing statements in 2017 and a letter to Tribal leaders from the Centers for Medicaid and Medicare Services in 2018.

—The Trump administration failed to reestablish President Obama’s White House Council on Native American Affairs for the first three years of the president’s term despite repeated requests from Indian Country. It has never convened a White House Tribal Leaders Conference.

—Udall worked to pass the PROGRESS Act, a bipartisan bill that will strengthen local control for federally administered Tribal programs. While the president signed the bill, he issued a signing statement citing concerns with the Act and implying he would prioritize his own Executive Orders over Tribal self-determination.

—On March 27, just as the COVID-19 pandemic set in, the Trump Bureau of Indian Affairs (BIA) informed the Mashpee Wampanoag Tribe that its reservation will be disestablished and its lands taken out of trust. Not since the shameful Termination Era has any Tribe had their homelands removed from federal trust.

—The Trump administration has made it more difficult for Tribes to rebuild their homelands. When Trump’s Interior Department issued new guidance complicating the process of taking land into trust under Section 5 of the Indian Reorganization Act of 1934, U.S. District Court Judge Paul Friedman described it as “one of the worst-written documents I’ve ever read from any government agency.” Judge Friedman further noted, “I don’t know how anyone could take that as guidance, because it’s incomprehensible and so convoluted that it couldn’t guide any lawyer in the field.”

—Against the fierce protests of the Tohono O’odham Nation, the Trump administration has destroyed sacred and burial sites on Tribal ancestral homelands to build the president’s ineffective border wall, in violation of the federal trust responsibility. And on Indigenous Peoples’ Day, the Trump administration even resorted to using tear gas and rubber bullets on peaceful protestors at these locations.

TRUMP CLAIM: “Promoting Safe Communities: President Trump is committed to increasing public safety in Indian Country—particularly by continuing to find solutions to long-standing challenges like missing and murdered Native Americans and the opioid and meth crises.”

FACT: The Trump administration and Senate Republicans have refused to reauthorize the Violence Against Women Act (VAWA), which would restore Tribes’ authority to bring violent offenders to justice, give Tribal public safety systems more tools, and keep Native communities safe. By contrast, Senate Democrats have been instrumental in recent legislative victories that will help protect public safety for Native American women and girls.

—The Trump administration has repeatedly proposed cutting Tribal public safety, substance abuse, and victim services budgets.

—The Senate has led the way on federal action to address the Missing and Murdered Indigenous Women (MMIW) crisis, but the Trump administration is attempting to take credit for that work. For example, a bipartisan group of senators have filed resolutions to designate May 5th as a national day for MMIW awareness since 2016, but President Trump did not declare a similar designation until his third year in office. Similarly, a bipartisan group of senators have fought to enact the Not Invisible Act and Savanna’s Act, two bills that improve MMIW coordination between federal agencies and law enforcement agencies, since 2017 and 2018, respectively. President Trump did not exercise his authorities to convene federal stakeholders to address MMIW until 2019.

TRUMP CLAIM: “Building a Thriving Economy with Improved Infrastructure: President Trump will support improved business opportunities and infrastructure in Indian Country so that all Americans benefit from the country’s historic economic prosperity.”

FACT: The Trump administration excluded many Tribal businesses from emergency coronavirus relief funds, and has failed to put forward any substantive plans or proposals to improve economic opportunity in Tribal communities.

—The Trump Small Business Administration practically excluded Tribal small businesses from the first round of applications for Paycheck Protection Program (PPP) loans, throwing up regulatory barriers that resulted in denying Tribal businesses

and governments the revenue needed to stay afloat during the intense coronavirus shutdown.

—The Trump administration has repeatedly proposed eliminating the Indian loan guarantee program at the Department of the Interior. This program is vital to securing private investments in Indian Country.

—In contrast, the Senate has advanced concrete proposals to support economic growth in Native communities—including the newly enacted Native American Business Incubators Program Act led by Udall and U.S. Representative Deb Haaland (D-N.M.). This new law creates a competitive grant program within the Department of the Interior to establish and fund business incubators that will assist in cultivating Native American-owned small businesses.

TRUMP CLAIM: “Honoring Native American Heritage and Improving Education: Working with Tribal leaders, President Trump will continue to ensure respect for Native American heritage and will provide children with access to high-quality education options that are consistent with Tribal traditions, languages, and culture.”

FACT: The Trump administration has put the interests of corporate polluters over Tribal concerns, attempting to open sacred lands to resource exploitation. The administration has further attempted to cut funding for Tribal schools and education.

—Just this month, President Trump disavowed recognition of Indigenous Peoples’ Day. When discussing whether he would support recognition of the day meant to honor the heritage and contributions of Native peoples to the U.S., he said, “Not as long as I’m president.”

—The Trump administration attempted to rip away protections for Bears Ears and Grand Staircase Escalante National Monuments, public lands that contain countless antiquities and sites sacred to many Tribes. Udall has led the fight in Congress and in the courts to defend these sacred places from encroachment.

—The Trump administration is currently attempting to open land surrounding world heritage site and ancestral home to Southwest Tribes at Chaco Canyon to oil and natural gas exploration. Alongside Native communities, Udall and the New Mexico delegation have fought the administration’s attempts, and secured a \$1 million ethnographic study to be led by Tribes to guide land management agencies at Chaco Canyon. But the administration is moving forward on development plans without this study and against the wishes of the Tribes.

—The Trump administration has repeatedly proposed cutting funding for Native education programs—including a budget request that would zero out funding for Bureau of Indian Education facilities.

—The Trump administration has made no requests to increase investments in Native languages. In contrast, the Senate has provided increased funding to support Native languages for the past several years, and ushered through Udall’s legislation to reauthorize the Esther Martinez Native American Languages Programs, now law.

—Udall is also leading the PROTECT resolution and partnering on the STOP Act with Senator Martin Heinrich (D-N.M.) in the Senate to protect and repatriate Tribal cultural items.

TRUMP CLAIM: “Delivering Better Health: President Trump will prioritize long-unresolved healthcare challenges in Indian Country that have prevented better health for Native Americans.”

FACT: The Trump administration presents one of the clearest threats to the health of Native communities across the country. Its policies have attempted to gut funding for Native health systems, strip health care access from millions of Native families, and leave Tribes without the tools they need to respond to the COVID-19 pandemic.

—Despite acknowledging that Affordable Care Act provisions are critical for Native health, including Native veterans’ health care access, the Trump administration is on a mission to destroy the Affordable Care Act (ACA). Tribal leaders have repeatedly made clear the ACA is a critical lifeline for Native communities to access health care.

—The Trump administration and Senate Republican leaders ignored Tribes during initial negotiations on COVID-19 relief-requesting \$0 for Tribes that are bearing some of the worst consequences of the pandemic. Udall and Senate Democrats

fought to secure over \$10 billion in targeted funding for Tribal governments in the CARES Act to address pandemic needs.

—The Trump administration has repeatedly proposed cutting funding for the Indian Health Service and zeroing out the only existing Tribal budget item at the Centers for Disease Control.

—The Trump administration has sought to divert money from the IHS community health representative program and remove the mandatory status of Special Diabetes Program for Indians funding.

The CHAIRMAN. Madam Secretary, I want to thank you for your valuable testimony and to the Members for their questions today.

The members of this Committee may have some additional questions for you, and we will ask you to respond to those in writing. Under Committee Rule 3, members of the Committee must submit questions to the Committee Clerk by 5 p.m. on Monday, May 6. The hearing record will be open for business 10 days for these responses.

If there is no further business, without objection, the Committee stands adjourned.

[Whereupon, at 1:29 p.m., the Committee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

Submission for the Record by Rep. Stauber**United States Senate**

May 2, 2024

Hon. Deb Haaland, Secretary
U.S. Department of the Interior
1849 C Street N.W.
Washington, DC 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

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.

¹See 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/>.

²Pub. 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.*

⁵See Bureau of Land Management, et al., *Coastal Plain Oil and Gas Leasing Program Record of Decision* (Aug. 2020).

⁶See Bureau of Land Management, *2021 Coastal Plain Lease Sale Bid Recap* (Jan. 6, 2021).

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 canceling 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 (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 canceled, 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 canceling 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 Westerman asked if BLM would meet

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).

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/4ayIU45>.

¹⁴ *Id.*

the deadline to conduct the 2024 ANWR lease sale as required under the Tax Act. BLM responded: “Yes, we will follow the law.”¹⁵

But another document confirms my suspicions that the Biden Administration has no plans to conduct and complete the 2024 lease sale. A document prepared for Secretary Haaland’s trip to Ottawa in September 2023, for example, acknowledges this mandate, but clearly implies that the agency has intentions to restrict possible production in the 1002 Area to the point where the lease sale will be effectively cancelled. This is especially troubling, as the Biden Administration is privately suggesting to foreign audiences that it intends to cancel the 2024 lease sale while keeping Americans—and Alaskans—in the dark:

[A]lthough we are mandated by statute to hold a second lease sale before December 2024, we have begun a new, comprehensive analysis of potential environmental impacts from the proposed program. We are working on that analysis—in consultation with several Cooperating Agencies—with the goal of completing that analysis next year.¹⁶

To my knowledge, there are little-to-no public details from the Administration regarding how DOI has carried out the referenced “comprehensive analysis,” including taking into consideration and giving weight to the Alaska Native communities most impact by DOI’s decision. Indeed, while DOI recently announced that it plans to issue the final SEIS in July, cooperating agencies, including the village of Kaktovik, the only Alaska Native community located in ANWR have yet to review that draft, and the Biden Administration has *still* not revealed the legal or regulatory authority for its actions.

For these reasons, I request written answers to the following questions by June 2, 2024:

1. How does the cancellation of the 2021 lease sale, and likely cancellation of the 2024 lease sale, affect the President’s budget now and in the future?
 2. How is the cancellation of the 2021 lease sale, and likely cancellation of the 2024 lease sale, in compliance with the mandate from Congress to hold these lease sales? What federal statute does DOI believe gives it authority to not go forward with the lease sales?
 3. Did DOI estimate the revenue loss to local and state governments, Alaska Native corporations, and Native Villages of canceling the 2021 lease sale? What about if DOI cancels the 2024 lease sale?
 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?

¹⁵Letter from Bureau of Land Management to Chairman Pete Stauber of the House Natural Resources Subcommittee on Energy and Mineral Resources (Feb. 23, 2024).

¹⁶Email 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>.

7. Is there any scenario where DOI, BLM, and the FWS allow the 2024 ANWR lease sale to complete and result in oil and gas development within the Coastal Plain? What factors would have to be met?

Thank you for your attention to this matter. DOI, FWS, and BLM should reverse course, follow the law, honor the 2021 lease sale, and faithfully conduct the 2024 lease sale. I look forward to your timely response.

Sincerely,

DAN SULLIVAN,
United States Senator

