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U.S. DEPARTMENT OF THE INTERIOR BUDGET AND POLICY PRIORITIES FOR FISCAL YEAR 2020

OVERSIGHT HEARING

BEFORE THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

Wednesday, May 15, 2019

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OVERSIGHT HEARING ON U.S. DEPARTMENT OF THE INTERIOR BUDGET AND POLICY PRIORITIES FOR FISCAL YEAR 2020

Wednesday, May 15, 2019
U.S. House of Representatives
Committee on Natural Resources
Washington, DC

The Committee met, pursuant to notice, at 10:04 a.m., in room 1324, Longworth House Office Building, Hon. Raúl M. Grijalva [Chairman of the Committee] presiding.

Present: Representatives Grijalva, Napolitano, Costa, Sablan, Huffman, Lowenthal, Gallego, Cox, Neguse, Levin, Haaland, Van Drew, Cunningham, Velázquez, DeGette, Clay, Brown, Soto, Case, Horsford, San Nicolas, Cartwright; Bishop, Gohmert, Lamborn, McClintock, Gosar, Westerman, Graves, Radewagen, Webster, Cheney, González-Colón, Curtis, Hern, and Fulcher.

The CHAIRMAN. Thank you. The Committee on Natural Resources will now come to order. The Committee is meeting today to hear testimony on the U.S. Department of the Interior's budget and policy priorities for Fiscal Year 2020. Under Committee Rule 4(f) any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member. Therefore, I will ask unanimous consent that all other Members' opening statements be made part of the record of this hearing if they are submitted to the Clerk by 5 p.m. today.

Hearing no objection, so ordered.

Thank you, Mr. Secretary, for being here today. Let me recognize myself, Mr. Secretary, for my opening statements.

STATEMENT OF THE HON. RAÚL M. GRIJALVA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

The CHAIRMAN. Welcome again, and thank you for the opportunity that we had to personally meet, as you did with other individual members of the Committee. It is very much appreciated. I think the need for civility and professionalism in our communications and our interactions is a shared attitude by Members and yourself. I appreciated the conversation. It was necessary and frank, and I respect that.

I think, Mr. Secretary, our differences are rooted in a very profound concern—on the direction of the Interior Department—a concern that is shared by the majority on this Committee. And that concern, and the direction, is rooted in the rationale and the motivation behind this direction, and the decision making that is at the Department of the Interior. And, I might add, the determination of this Committee to exercise its constitutional prerogatives to find out.

[The prepared statement of Mr. Grijalva follows:]

PREPARED STATEMENT OF THE HON. RAÚL M. GRIJALVA, CHAIR, COMMITTEE ON NATURAL RESOURCES

The Natural Resources Committee meets today to hear testimony from Interior Secretary David Bernhardt. This is the Secretary's first appearance before this Committee as Secretary and we thank him for making time to join us today.

This hearing comes at a difficult time in the relationship between Congress and the executive branch. President Trump has repeatedly, and wrongly, asserted that his Administration is under no obligation to cooperate with congressional oversight. The term "Constitutional Crisis" should not be used lightly, but if we are not in one, we are dangerously close.

Secretary Bernhardt testifies today as a cabinet official representing a reckless, destructive, and unethical administration. Policy, ethics, and legal requirements which have guided every modern administration, have been discarded.

Secretary Bernhardt is not President Trump, nor is he Ryan Zinke. He has sought personal meetings with me and many members of this Committee and he is here today in response to an invitation, and we very much appreciate his cooperation.

There are troubling signs, however, that Secretary Bernhardt is not as distinct from his predecessor, or the President, as he should be. On the policy front, an administration set on sacrificing Federal lands and waters on the altar of corporate profits—as the Trump administration proudly seeks to do—faces a significant challenge.

In passing the Wilderness Act, Endangered Species Act, NEPA, National Parks Organic Act, and dozens of other bedrock, environmental laws, previous Congresses and Presidents put in place a level of protection and conservation that is difficult for this Administration, and their corporate beneficiaries, to get around. So, they try to cheat. They try to cut corners, suppress scientific data, silence experts, ignore local residents, and hope that the industry's political muscle can help the Administration get around the law.

Former-Secretary Zinke and President Trump were allies in that process. We are meeting today to discover if they have an ally in Secretary Bernhardt. And there are troubling signs that the Secretary is not as distinct from President Trump as he should be in meeting ethical standards as well.

Like the President, Secretary Bernhardt had an extensive, private-sector career prior to his public service, during which the very same corporate interests paid him handsomely as a lobbyist. And now we are witnessing a troubling lack of transparency regarding what role his *former* clients are playing in Secretary Bernhardt's *current* decision making.

Secrecy and influence-peddling are the hallmarks of the Trump administration. We are here today to determine if they are the hallmarks of the Interior Department as well.

Once again, let me extend my thanks to the Secretary for joining us today and let me express my sincere hope that the Interior Department will turn out to be the Bernhardt exception to the Trump rule.

The CHAIRMAN. With that, let me submit for the record the remainder of the content of my opening statement, so that we can expedite the opportunity for Members to interact and ask questions of the Secretary today.

If there is no objection with that, let me turn to and recognize Ranking Member Bishop for his opening statements.

Mr. Bishop.

STATEMENT OF THE HON. ROB BISHOP, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH

Mr. BISHOP. Thank you. We actually have to drag this out, so you can get more Members here.

Today, I am happy to be here. I want you to know, Mr. Chairman, I have brought my own Dr. Pepper, so this time when you spill coffee on me, I can come back. I have some place to respond.

[Laughter.]

Mr. BISHOP. Mr. Secretary, thank you for being here. I am very happy to have you here as the 53rd Secretary of the Interior Department. Thank you also for being in Utah for the Golden Spike anniversary, 150th anniversary there. Your words were most profound, I appreciate that. I appreciate you actually being there. That was a significant commemoration of a significant date that changed America. I appreciate you doing that.

I realize that a lot of people in your position have been appointed there for political reasons, or to pay off some special interest group. I think you are a different Secretary of the Interior; you know what you are talking about, and that is extremely positive. You have been in—confirmed for 35 days. In those 35 days, we have been in session only 18 of those, and this Committee has been doing business for 9 of those 18. So, I appreciate you having spent as much time as you have up here in the House.

I realize you have already talked to the House appropriators, for which you have our deepest sympathy, and you will be going to the Senate soon, for which you have a whole lot of empathy going over there. But thank you for being here with us.

I also realize that you have been spending your time talking to individual Members. I think that is a wise approach to do this. That is very unprecedented. That is very cool. I also realize that you have been talking to more Democrats than Republicans, so I am going to castigate you now and say I want equal time and equal treatment. Although, if you look at this Committee, there are only two of our Committee members that are new to it. They need a lot more help, so I appreciate that. But be with us.

I think, as we started this session, and we passed the backlog—the S.B. 47, whatever we called that thing, it showed that we can actually be productive in a bipartisan and bicameral manner. And I think, as we go forward, there are lots of things in which we want to engage with you and the Department to continue that process. There is a backlog issue that needs to be done in a bipartisan and bicameral way.

There is a forest fire issue that needs to be done in a bicameral and bipartisan way. And even though you don't have charge of the Forest Service, many of the things that we are talking about here that the Forest Service wants can apply to BLM to mitigate the wildfires in that particular area, as well.

I appreciate the amount of information that you have sent up here. I want Mr. Grijalva to note that, even though he doesn't believe this, I have a great deal of empathy for the situation he is in and some of the frustrations. In the 4 years I was working with Doc Hastings when he was Chairman, and my first 2 years as Chairman, we had an administration, an Interior Department, that was of a different political party. That was a frustrating situation. I realized I asked for a lot of materials, and we didn't get that.

What I am telling you right now is I think you have been unprecedented in the amount of information that you have been sharing and giving. And I want Mr. Grijalva to know that I understand what it was like in his position with this situation. I do have empathy for that. But I have appreciated the open approach that you have taken in that. And let me just say that what we were getting from a prior administration was not nearly as comprehensive as

what you have been sharing with this Committee. But I also understand the situation Mr. Grijalva is in. I can appreciate it, because I felt the same way at different times. I just think I was more justified in it.

With that, I am happy to have you here. This is tentatively to talk about budget issues, even though the Democrats say they are not going to have a budget. But other than that, I am sure there is going to be a wide variety of questions that are going to be given to you. Thank you for your willingness in this very short period time since your confirmation to be up here and to be with us. And I appreciate your efforts so far.

And once again, I am very grateful for what you did at Golden Spike.

With that, Mr. Chairman, let me yield back and we can get on with this.

[The prepared statement of Mr. Bishop follows:]

PREPARED STATEMENT OF THE HON. ROB BISHOP, RANKING MEMBER, COMMITTEE ON NATURAL RESOURCES

Mr. Secretary, thank you for being here. I am very happy to have you here as the 53rd Secretary of the Interior Department. Thank you also for being in Utah for the Golden Spike anniversary, 150th anniversary there. Your words were most profound, I appreciate that. I appreciate you actually being there. That was a significant commemoration of a significant date that changed America. So, I appreciate you doing that.

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With that, I am happy to have you here. We are going to be talking about a lot of—this is tentatively to talk about budget issues, even though the Democrats say they are not going to have a budget. But other than that, I am sure there is going to be a wide variety of questions that are going to be given to you. Thank you for your willingness in this very short period time since your confirmation to be up here and to be with us. And I appreciate your efforts so far.

And once again, I am very grateful for what you did at Golden Spike.

The CHAIRMAN. Thank you. Thank you very much, Mr. Bishop. And we are gushing with a lot of empathy today. That is good.

[Laughter.]

Mr. BISHOP. It won't last long. Take it while you get it.

The CHAIRMAN. Our witness today is the Secretary of the Department of the Interior, Mr. David Bernhardt.

I want to thank you very much for taking the time to be here and, as I stated earlier, for taking the time to meet with individual Members, as well. That is appreciated.

Under our Committee Rules, our statements are limited to 5 minutes. Your entire statement will appear in the hearing record.

The lights in front will turn yellow when there is 1 minute left, and red when time is expired.

After Mr. Bernhardt testifies, Members will be given the opportunity to ask questions.

And with that, Secretary Bernhardt, you are recognized for your testimony. Thank you.

STATEMENT OF DAVID L. BERNHARDT, SECRETARY, U.S. DEPARTMENT OF THE INTERIOR

Secretary BERNHARDT. Chairman Grijalva, Ranking Member Bishop, and members of the Committee, good morning.

I do request that my written statement be inserted in the record at the appropriate place.

This is my first time appearing before the Full Committee. I am appearing at the Chairman's request to discuss the Department's budget and policy priorities for Fiscal Year 2020.

I began my career 26 years ago in probably the lowest seat on this side of the bench, I believe. Maybe it was the other side of the bench, but it was basically over here. And when I came in here, there was a big picture of Wayne Aspinall—the person who had been Chairman between, I think, 1959 and 1973. And I thought this was a magnificent room, and it is an honor to be here today.

The President's Fiscal Year 2020 budget was transmitted to Congress on March 11. On March 27, the Principal Deputy for Policy, Management, and Budget, Scott Cameron, appeared before the Committee and provided the Department's perspective on the budget. In addition, a number of the Department's bureaus have testified before their respective subcommittees on both the budget and policy.

On April 3, Dan Smith, the Deputy Director of the National Park Service, testified on the National Parks, Forests, and Public Lands Subcommittee on the Park Service's budget request.

And on April 10, Brian Steed, the Deputy Director of the Bureau of Land Management, testified before that Subcommittee on BLM's request.

Other subcommittee hearings on bureau budgets are scheduled in the near future. I think Mr. Huffman has a hearing with Reclamation, maybe tomorrow, even.

Several of our bureaus have also appeared before the Energy and Mineral Resources Subcommittee in early March to discuss departmental policies and priorities under their programs, including, on March 6, Walter Cruickshank, our Acting Director of the Bureau of Ocean Energy Management, and Doug Morris, the Chief of Offshore Regulatory Programs for the Bureau of Safety and Environmental Enforcement.

And then Mike Nedd, our Deputy Director of BLM Management, testified on March 12.

In these hearings, the Committee has heard and discussed the specific details of the Department's Fiscal Year 2020 submission, and the Department's bureau policy priorities. As part of my written statement, I have included their testimonies so that it can refresh your recollection.

The President has been clear in his direction to and priorities for the Department. With the over-reaching goal of continued economic growth and prosperity, he has expressed his vision to the Department through a series of Executive Orders, which are detailed in my written statement. Those documents have served as a foundation for the Department's policy objectives.

As Secretary, I will work hard to meet the President's vision and to strike a right balance of protection and sustainable use of resources in a way that will provide conservation stewardship, enhance the safety of our communities, increase energy security, and allow America to prosper. At the same time I will strive to meet the Administration's broader economic objective of managing Federal spending with restraint.

In terms of my specific areas of focus, we intend to proceed with the Department's reorganization, including efforts to relocate some operations out West, closer to where the assets and the acres are located, particularly for the Bureau of Land Management.

We are working hard to address workplace harassment across the Department. We have established the clear anti-harassment policy, which was unprecedented in the Department. We directed each bureau to develop an action plan to address its harassment-related issues, and I am tracking the progress in their implementing those plans.

We launched an internal workplace culture transformation advisory council to look at common issues raised in the Federal Employee Viewpoint Survey, ways to improve employee engagement. And we are trying to build career paths that cross bureau silos.

We have taken significant action to combat workplace misconduct, but there is more to be done, and more that must be done.

The Department has also grappled for many years to address deteriorating infrastructure across our bureaus, and the maintenance backlog in our national parks, national wildlife refuges, the Bureau of Indian Education schools, and even some of our water facilities.

Mr. Chairman, as we discussed when we met, I am committed to working with Congress to develop a legislative solution to address these important infrastructure needs. We have put a proposal in our budget, and I am sure there are other ways to address it. But I think that is an area we can find some common ground.

It is also my hope that we can find some common ground to address range and hazardous fuels management to allow us to minimize the likelihood of catastrophic fire on the lands that we manage. We have proposed some ideas. I know that Representative Huffman has proposed a bill to address some ideas. I don't think these ideas are completely mutually exclusive. I would like to find some common ground. We have proposed six specific provisions in our budget, and I would like to use them as a point to talk forward, and go forward on.

With that, I will conclude my testimony and prepare for your questions.

[The prepared statement of Secretary Bernhardt follows:]

PREPARED STATEMENT OF DAVID L. BERNHARDT, SECRETARY, U.S. DEPARTMENT OF THE INTERIOR

Chairman Grijalva, Ranking Member Bishop, and members of the Committee, I am here today in my role as the Secretary of the Interior to discuss the Department's budget and policy priorities for FY 2020.

The President's Fiscal Year 2020 Budget was transmitted to Congress on March 11, 2019. On March 27, 2019, the Department's Principal Deputy for Policy, Management and Budget, Scott Cameron appeared before the Committee and provided the Departmental perspective on the budget.

Since the President's budget was proposed, a number of the Department's bureaus have testified before their respective subcommittees of jurisdiction on both budget and policy. On April 3, 2019, Dan Smith, Deputy Director of the National Park Service, testified before the National Parks, Forests, and Public Lands subcommittee on the NPS' FY 2020 budget request and on April 10, 2019, Brian Steed, Deputy Director of the Bureau of Land Management, testified before that subcommittee on the BLM's FY 2020 budget request. Other subcommittee hearings on the FY 2020 request are scheduled for the near future.

Several of our bureaus have also appeared before the Energy and Minerals subcommittee in early March to discuss Departmental policies and priorities under their programs. For example, on March 6, 2019, Walter Cruickshank, Acting Director of the Bureau of Ocean Energy Management and Doug Morris, Chief of Offshore Regulatory Programs, Bureau of Safety and Environmental Enforcement. And on March 12, 2019, Mike Nedd, Deputy Director of the Bureau of Land Management testified on behalf of the BLM.

In those hearings, the Committee and its subcommittees heard and discussed the specific details of the Department's FY 2020 budget submission and Departmental and bureau priorities. As part of my written statement, I am including copies of the testimonies submitted by the Department's representatives at those hearings.

The President has been clear in his direction to and priorities for the Department. With the overarching goal to support continued economic growth and prosperity, he has expressed his vision to the Department through a series of Executive Orders and Presidential Memoranda, including:

- E.O. 13781 Comprehensive Plan for Reorganizing the Executive Branch;
- E.O. 13783 Promoting Energy Independence and Economic Growth;
- E.O. 13792 Review of Designations Under the Antiquities Act;
- E.O. 13795 Implementing an America-First Offshore Energy Strategy;

- E.O. 13807 Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects;
- E.O. 13817 A Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals;
- E.O. 13840 Ocean Policy to Advance the Economic, Security, and Environmental Interests of the United States;
- E.O. 13855 Promoting Active Management of America's Forests, Rangelands, and other Federal Lands to Improve Conditions and Reduce Wildfire Risk; and

These documents are the foundation of the Department's policy objectives since the early days of this Administration.

As Secretary, I will work hard to effectuate the President's vision and to strike the right balance of protection and sustainable use of resources in a way that will provide conservation stewardship, enhance the safety of our communities, increase energy security, and allow America to prosper. At the same time, I will strive to meet the Administration's broader economic objective to manage Federal spending with restraint.

We will proceed with the Department's reorganization, including efforts to relocate some operations out West, closer to where assets, acres, and customers are located.

Transformation of the Department's ethics program will remain a key priority for me as Secretary. Since the beginning of this Administration, we have hired a total of 42 career, professional ethics advisors, and by the end of FY 2019 we will have doubled the number of career ethics officials that the previous administration hired in 8 years. I have also directed the Department's Designated Agency Ethics Official to begin the process of consolidating the disparate ethics programs within the Department into one comprehensive Departmental program to create a better functioning and more robust program.

We are working hard to address workplace harassment at the Department of the Interior. We have established a clear anti-harassment policy. We directed each bureau to develop an action plan to address its harassment-related issues, and are tracking their progress in implementing these plans. We launched an internal Workplace Culture Transformation Advisory Council to look at common issues raised in the Federal Employee Viewpoint Survey; ways to improve employee engagement; and building career paths that cross bureau silos. We have taken significant action to combat workplace misconduct, but there is more to be done.

The Department has grappled for many years to address deteriorating infrastructure across our bureaus and maintenance backlogs at our national parks, national wildlife refuges, and Bureau of Indian Education schools, and even at our major dams. I am committed to working with Congress to develop a legislative solution to address these important infrastructure needs.

Mr. Chairman, Ranking Member Bishop, this concludes my Statement. I will respond to any questions that you may have.

*****

ATTACHMENTS

STATEMENT OF SCOTT CAMERON, PRINCIPAL DEPUTY ASSISTANT SECRETARY FOR POLICY, MANAGEMENT, AND BUDGET FOR THE DEPARTMENT OF THE INTERIOR BEFORE THE HOUSE NATURAL RESOURCES COMMITTEE ON THE PRESIDENT'S 2020 BUDGET REQUEST

MARCH 27, 2019

Chairman Grijalva, Ranking Member Bishop, and Members of the Committee, I am pleased to appear before you today to discuss the President's 2020 Budget Request for the Department of the Interior. Interior's 2020 budget totals $12.6 billion. The 2020 request reflects the Administration's strong support for Interior's important missions and is $926.2 million above the President's 2019 request for Interior. In fiscal year 2020 Interior will have access to additional funding in the event of a severe wildland fire season, through disaster cap authority.

2020 BUDGET PRIORITIES

Interior's 2020 budget reflects the Administration's commitment to strike the right balance of protection and sustainable use of resources in a way that provides proper conservation stewardship of our land and resources, enhances the safety of our communities, increases energy security, and allows America to prosper. Our budget invests to grow jobs and prosperity, promote safe and secure communities, strengthen America's energy security, meet Interior's Trust responsibilities, and continue to reorganize the Department of the Interior.

At the same time, this budget meets the Administration's broader economic objective to manage Federal spending with restraint. The request prioritizes delivery of Interior's core operating missions—the things the American public relies on us to do. We've focused our resources to take care of the assets we have, expand public access to our lands, and invest where Interior can make a significant contribution to national objectives.

Complementing our funding request, the President's 2020 budget request features two significant legislative proposals to address wildfire risk through forest management reforms, and to rebuild America's public lands infrastructure.

PROMOTING JOBS AND ECONOMIC GROWTH

The Trump Administration is committed to economic growth and prosperity. Our 2020 budget supports working lands, good-paying American jobs, common sense regulatory reform, expanded opportunities for the outdoor recreation economy, and increased revenue to States, Tribes, and local communities. Interior balances access for Americans to enjoy their public lands, managing these special places and natural resources for generations to come and the development needed to serve the public and fuel local economies.

Of Interior's $12.6 billion 2020 budget request, $4.9 billion supports the land management activities of the Bureau of Land Management (BLM), the National Park Service (NPS), and the Fish and Wildlife Service (FWS). These operating funds support the primary activities to meet the unique resource mission of each bureau. This funding supports resource development, day-to-day operations, and conservation stewardship activities for Interior's great places; and fulfills the Department's Federal wildlife responsibilities.

America's Federal lands and waters contain tremendous job-creating assets, supporting more than 1.8 million jobs in energy, recreation, grazing, conservation, and hospitality. Dedicated stewardship of these resources and partnerships with communities bordering the public lands drive job opportunities and economic growth.

Interior's resource management programs directly support important jobs across America. The budget invests $92.0 million in the BLM Rangeland Management program, which supports western ranching families, by managing nearly 18,000 livestock grazing permits and leases on the public lands. The BLM public domain forestry and Oregon and California grant lands programs support jobs and local economies through timber and timber product sales. The 2020 budget includes $107.2 million for these programs to support timber sales and forest management projects. Consistent with the targets established under Executive Order 13855, the request supports an estimated 280 million board feet in timber sales in 2021, continuing annual increases from the 2018 production level of226 million board feet.

The 2020 budget includes $12.3 million for BLM's Other Mineral Resources Management program which manages development of leasable minerals. Funding in 2020 will be used to streamline program activities, expedite processing of applications, and facilitate more timely inspection and enforcement actions.

The U.S. Geological Survey's (USGS) mineral resources program works to understand the fundamental science and identify supplies of mineral resources to support land use decisions across the United States. This program directly supports the Administration's efforts to strengthen America's energy and critical minerals security as outlined in Executive Order 13817. The program is working to identify domestic supplies of 35 critical minerals needed for manufacturing and technology innovation. The 2020 budget for the USGS includes $30.3 million for critical minerals work. This investment will provide the advanced topographic, geologic, and geophysical data needed to locate U.S. critical mineral resources to inform management of private-sector domestic development, reduce dependence on foreign sources, and support job creation and technological innovation.

To increase U.S. economic strength, the Administration has challenged Federal agencies to reduce the regulatory burden on Americans. We are working to ensure our regulations reflect advances in science and technology and foster innovation and economic growth. We have also established standard parameters to reduce page length and review times, internal processes, and applied project management

practices to improve Interior's National Environmental Policy Act review and clearance activities. As part of this effort, we are also working to revise outdated processes and leverage technology to deliver better service. The 2020 budget invests in improvements to make it easier to do business with Interior, including more timely processing of coal, oil and gas, grazing management, communications infrastructure, and surface mining reclamation plan reviews.

Our efforts to improve Interior's review and permitting activities directly contribute to a stronger infrastructure in the United States. Interior reviews and approves permits for Federal and private sector uses of Interior lands, including energy and minerals development, pipelines, and transmission infrastructure. The 2020 budget requests $107.5 million for planning and consultation, which includes support for the FWS to perform reviews required under Section 7 of the Endangered Species Act and thereby avoid unnecessary delays in Federal infrastructure projects.

Investment in Interior's infrastructure also benefits local economies. Interior's infrastructure crisscrosses the country in roughly 2,400 locations. In many communities our operations are a major economic driver. Interior owns approximately 43,000 buildings, 106,000 miles of road, and 77,000 structures—including dams, schools, laboratories, employee housing, and irrigation and power infrastructure. Many of these assets are deteriorating. In 2018, Interior's deferred maintenance backlog was over $18 billion, of which nearly $12 billion is associated with NPS assets. The 2020 budget invests $1.5 billion across Interior for infrastructure maintenance and construction to care for our assets. This includes $639.8 million for NPS construction and maintenance. Complementing the request is proposed legislation to establish a Public Lands Infrastructure Fund, setting aside up to $1.3 billion a year, $6.5 billion over 5 years, from 50 percent of energy development revenue that would otherwise be credited or deposited as miscellaneous receipts to the Treasury. Within Interior, the Fund would be available for infrastructure needs in NPS, FWS, the Bureau of Indian Education (BIE), and BLM.

According to the U.S. Commerce Department, in 2016, America's outdoor economy accounted for $412 billion of the U.S. GDP. Interior plays a major role in supporting America's outdoor economy through access to our public lands. Every year, hundreds of millions of visits are made to our national parks, national wildlife refuges, and BLM public lands to do everything from rock climb, kayak and camp to snorkel, hunt, and fish. Recreation visits to BLM and NPS lands alone support more than 350,000 jobs.

Increasing recreational opportunities for more Americans through our public lands and waters also brings more economic opportunity for our neighboring gateway communities. Increased public access to America's lands is among our highest priorities. The budget for our primary land management bureaus includes roughly $970.9 million for recreation and public access programs to increase the public's enjoyment of Interior's unique resources. In FWS, this request supports safe and reliable access to outdoor recreation for over 55 million visitors to the national wildlife refuges. The refuge system has more than 377 units that offer high-quality hunting opportunities and 312 units that are open to fishing. These activities, along with special events and outdoor education programs, annually generate $2.4 billion in economic activity and support more than 35,000 jobs. The 2020 budget includes $9.1 million for FWS to improve trails, open new areas to hunting, fishing and other recreation, increase awareness through updated websites and recreation maps, and deliver engaging environmental education programs at the refuges.

In 2018, the 418 units of the national park system hosted over 318 million visitors. The 2020 request for NPS includes $237.1 million for Visitor Services to support informative programming, concession management, and other activities to enhance the visitor experience. The budget invests $10.0 million to expand outdoor recreation opportunities including fishing programs for youth and other novice anglers, improve recreational related infrastructure and resources, and coordinate with State, local, business, and nonprofit stakeholders to increase access to outdoor recreation.

Responsible stewardship also means being a good neighbor. The 2020 budget maintains the Administration's continuing support for the Payments in Lieu of Taxes program, recognizing the inability of local communities to collect property taxes on certain Federal lands in their jurisdiction. In 2018, Interior made payments to over 1,900 local governments across the United States. Communities traditionally use these payments to help deliver vital services such as firefighting and police protection, construction of public schools and roads, and search-and-rescue operations. The 2020 budget includes $465.0 million in direct appropriations to support these payments.

COLLABORATIVE CONSERVATION OF WILDLIFE, HABITAT AND CULTURAL RESOURCES

Conservation stewardship is a key component of Interior's overall mission and is shared across all bureaus. Whether implementing resource conservation projects, providing grants, scientific expertise, or educational programs to support land, water, and wildlife conservation, Interior is a leader in protecting and managing America's resources for current and future generations to enjoy. The Department's conservation efforts would not be possible without our partners across America.

Our partners include the sportsmen and sportswomen who live America's conservation ethic. They volunteer and frequently provide private and partnership resources to care for wildlife habitat, species management, and collaborative conservation. Through the Pittman-Robertson and Dingell-Johnson Act programs, sportsmen and sportswomen contribute over a billion dollars each year to wildlife and habitat conservation and outdoor recreation projects. Every time a firearm, fishing rod, hook, bullet, motor boat or boat fuel is sold, part of that cost goes to fund conservation.

Increased access to hunting and fishing on public lands not only supports the outdoor economy but it actively supports conservation of these lands. Sportsmen and sportswomen also help to leverage roughly two to one the Federal contribution for Interior's North American Wetlands Conservation Act Grants. The 2020 budget includes $40 million for these grants, which support projects to improve the health of wetlands, support migratory birds, and enhance nearby water quality. The 2020 budget also includes $31.3 million for State and Tribal Wildlife Grants supporting State and Tribal projects to benefit local wildlife and their habitats through planning and restoration.

The 2020 budget prioritizes partnerships, species recovery, and proactive wildlife and habitat conservation to avoid species from becoming endangered. The budget includes $95.0 million to recover listed species, and $26.4 million for a range of proactive species and habitat specific conservation and restoration programs to avoid the need to list species. The $67.8 million request for FWS Habitat Conservation features $54.4 million for the Partners for Fish and Wildlife Program, which leverages the Federal investment for conservation projects with local non-Federal partners all across the country.

BLM's multiple use mission enables work, such as grazing, to continue on the public lands, but also ensures conservation of many species and their habitats—safeguarding the Nation's public lands as well as peoples' livelihoods. BLM manages more wildlife habitat acreage than any other Federal agency—supporting conservation efforts for 3,000 species and preserving and restoring essential habitat for 430 threatened or endangered species. The 2020 BLM budget includes $118.4 million for Wildlife and Habitat Management. Management activities benefit native prairie, wildlife, and livestock, and help stabilize soils, maintain and improve water quality, reduce surface runoff and control flooding, improve ecological site conditions, and enhance overall environmental well-being.

Habitat corridors are a feature of many of the vast tracts of land managed by BLM and are crucial for migrating wildlife. The Department is working with States to research and protect the migration corridors of some of North America's most iconic big-game species by protecting the range of moose, mule deer, elk, pronghorn antelope, bighorn sheep, and other species who share the ecosystem benefit. The 2020 budget invests $18.4 million across Interior to continue to support and expand migration corridor partnerships and conservation opportunities.

America relies on the NPS to protect and maintain the natural beauty of the parks' iconic landscapes as well as the artifacts and structures which help tell America's history. The $2.4 billion request for national park operations includes $321.6 million for natural and cultural resource stewardship across the parks. The FWS mission focuses on the conservation, protection, and enhancement of wildlife and their habitats. The 2020 FWS budget includes $234.4 million for Wildlife and Habitat Management in the national refuge system.

USGS provides science, consistent monitoring, observation and mapping to support the Department's conservation mission. USGS research provides insight into changes in the natural world—our water, lands, geology, wildlife—and how they may affect our communities. The 2020 budget includes $141.0 million for scientific work related to ecosystems, supporting investigations related to specific ecosystems, such as Florida's Everglades; or biological threats to species, including White Nose Syndrome in bats.

Water is vitally important to the health and well-being of Americans and our lands and wildlife. The USGS works with partners to manage water monitoring networks across the country which are relied upon by land managers, industry, and communities concerned about the availability of water or risk of flooding. USGS also

addresses water quality issues, such as the prevalence of harmful algal blooms, which pose risks to natural resources reliant on water but also people. The 2020 budget includes $179.9 million for USGS Water Resources programs to monitor, understand, and inform water challenges for the benefit of land and wildlife conservation, and communities across the country.

ACTIVE MANAGEMENT FOR HEALTHY FORESTS

Dense undergrowth has amassed on Federal lands, providing fuel for catastrophic wildfires and worsening insect infestation, and spread of invasive species and disease. These conditions are banning the Nation's forests, rangelands, and watersheds, and placing people, their homes, and their communities at risk. These conditions also make it more dangerous for wildland firefighters to fight the fires. Active fuels management is a necessary and important tool to combat these threats, save lives, and protect property.

In tandem with the budget, the Administration proposes a package of forest management legislative reforms to help address this serious risk. By providing the Department with the tools necessary to expedite timber salvage operations in response to wildfires, insect and disease infestations, and other disturbances, the Department can more effectively reduce the risk of wildfire, utilize forest materials damaged as a result of those events, and better allocate resources to support restoration activities. Interior's 2020 budget includes $194.0 million in Wildland Fire Management to support aggressive fuels reduction work and pre-suppression activities to help mitigate the incidence of catastrophic wildfires. The budget also includes $161.8 million for timber management programs in the BLM and the Bureau of Indian Affairs (BIA), to prioritize planning and preparation activities affecting timber sales volumes and forest health. In addition, the BLM budget includes $92.0 million to support healthy rangelands through weed reduction, vegetation treatments, and permitted grazing operations. The NPS budget includes $4.0 million specifically to improve active forest and vegetation management in the national parks.

Complementing this initiative, Interior continues to work closely with partners to improve the sage-steppe working landscapes of the West which are vitally impacted by wildland fires. The 2020 budget includes $55.5 million to implement sage-grouse management plans and continue cooperation with Western States on greater sage-grouse conservation. This funding will be used to remove conifers, create fire breaks, remove fire-prone invasive plants, and protect and restore habitat for all sagebrush dependent wildlife. At the end of 2018, nearly 1.5 million acres had been treated. The 2020 budget also includes $75.7 million to continue management of Wild Horses and Burros on America's rangelands.

More active forest management like expedited timber salvage can reduce the risk to firefighters and revegetation crews, speeding the recovery of lands. The expedited recovery of wood products also provides an economic benefit. In turn, the fire risk to people, communities, recreation facilities, and infrastructure is reduced.

SAFE AND SECURE COMMUNITIES

The Department of the Interior is the proud home of 4,000 federal law enforcement officers with duties as varied as the bureaus' missions. Interior has highly specialized units in three major cities, drug enforcement teams in Indian Country, urban search-and-rescue units that provide hurricane response, and backcountry units that operate in the wilderness for days at a time. The 2020 budget includes a total of $930.3 million for law enforcement programs, continues successful border enforcement and drug enforcement programs, and supports a new initiative to address the epidemic of violence and missing persons in Indian Country.

Interior's law enforcement officers help to secure Interior lands on the southern border. Over 12.5 million acres under Interior jurisdiction are within 50 miles of the United States-Mexico border. More than 655 miles of land along the border are managed by Interior's bureaus. Interior works closely with the Department of Homeland Security to increase security on the southwest border, including 75 border miles on Tribal lands, primarily managed by the Tohono O'odham Nation in Arizona. Currently, about 300 miles, or less than half, of Interior's border lands have a vehicle barrier, pedestrian fence, or wall.

Fulfilling the President's commitment to end the opioid crisis in America is another top priority of the Department. This budget includes $10.0 million including an increase of $2.5 million, to continue support for the fight against opioids in Indian Country. BIA drug enforcement agents are part of the Federal Opioid Reduction Task Force addressing the increase in drug-related activities through interdiction programs to reduce drug use, distribution, and drug-related crime to

help communities in Indian Country battle the opioid crisis. In the first year of operation, the Task Force conducted 8 undercover operations leading to more than 180 arrests and seizure of more than 1,000 pounds of narcotics worth more than $9.0 million that were intended for sale in Indian Country.

Interior's wildland fire suppression operations are part of a vitally important partnership across all levels of government to fight wildfires on public lands and minimize risk to nearby communities. In fiscal year 2018, Interior spent more than $528 million on wildfire suppression efforts alone. The 2020 budget includes $383.7 million for wildfire suppression, pursuant to the requirements under the Consolidated Appropriations Act, 2018. Consistent with the Act, 2020 is the first year resources are also available through a wildfire budget cap adjustment to meet U.S. Forest Service and Department of the Interior fire suppression needs. The 2020 budget assumes a preliminary split of $300 million of the authorized cap adjustment resources for Interior requirements, with the remainder allocated to the U.S. Forest Service. The Administration will reallocate resources between agencies as necessary to meet actual wildfire suppression needs.

Employees from across Interior also serve as part of Federal emergency response efforts. In the event of a natural disaster, our employees work to protect and rebuild Interior's assets, but are also part of the community working to help recovery. USGS scientists play an important role preparing for and addressing the aftermath of natural hazard events. USGS provides important scientific and monitoring information to emergency responders, policy makers, and the public to reduce the risk of losses from a wide range of natural hazards, including earthquakes, floods, hurricanes, landslides, tsunamis, volcanic eruptions, wildfires, geomagnetic storms, and drought. The 2020 budget includes $145.0 million for the USGS Natural Hazards programs. This funding maintains important nationwide monitoring networks that are vitally important to emergency managers.

AN ERA OF ENERGY PROSPERITY

By advancing policies that embrace domestic energy development, the Trump Administration is putting America on a path toward greater energy security and prosperity. Under the Trump Administration, crude oil and natural gas production has hit all-time highs, U.S. net energy imports have fallen to their lowest levels since 1982, with the U.S. becoming a net exporter of natural gas in 2017 and expected to become a net exporter of energy overall, including petroleum and other liquids, by 2020.

Interior manages a good portion of the natural resources on America's public lands and waters, including oil, gas, coal, hydropower, minerals and renewable energy sources. The Department plays a critical role in the Nation's future energy security and our overall economic well-being. Altogether, Interior's energy and mineral portfolio contributed an economic output of over $150 billion and supported an estimated 740,000 jobs nationwide. The same year, Interior shattered prior records in onshore oil and gas and offshore wind energy lease sales, and disbursed $8.9 billion in revenues to States, Tribes, local communities, and the U.S. Treasury, an increase of $1.8 billion from 2017.

The 2020 budget requests $777.0 million in discretionary resources for energy-related programs across the Department. Together with permit fees and other mandatory funding, Interior's 2020 energy programs total $830.1 million. A large portion of these energy development activities occur on the Outer Continental Shelf. The 2020 request includes a total of $393.9 million to support responsible exploration and development of America's offshore energy resources, which remains a pillar of the Administration's energy strategy. Within this request is $193.4 million for the Bureau of Ocean Energy Management's (BOEM) oil, gas, and renewable energy leasing and exploration activities. The 2020 budget continues to support preparation of the Nation's next 5-year Outer Continental Shelf Oil and Gas Leasing program. Interior is analyzing more than 2 million submitted public comments in response to the 2019–2024 National OCS Oil and Gas Leasing Draft Proposed Program and will use this information to prepare a Proposed Leasing Program.

The continued efforts of the Bureau of Safety and Environmental Enforcement (BSEE) are integral to a strong offshore energy program. The budget includes $200.5 million for BSEE's work to ensure safe and environmentally sustainable energy exploration and production. BSEE is committed to the continual advancement of the effectiveness of its inspection program, enhancing its permitting processes around greater quality assurance and consistency, reforming overly burdensome regulations, ensuring high levels of preparedness in the event of oil spills, and expanding the renewables program.

The 2020 budget includes $190.4 million in current and permanent funding for BLM's onshore oil and gas activities, of which $137.3 million is requested in direct appropriations. Funding will expand areas available for leasing, expedite permitting, and improve program management. The 2020 budget advances activities in Alaska and New Mexico, and continues work to streamline leasing processes and speed the review of Applications for Permits to Drill. Interior has already reduced wait times for these permits by 57 days (from 120 days to 63 days). The budget will also help to expedite the processing of rights-of-way permits needed to move energy to consumers.

The 2020 BLM budget includes $29.1 million for renewable energy activities. This funding will support the review and siting of geothermal resources, wind and solar energy projects on public lands, and rights-of-way applications to connect these projects to transmission lines. The 2020 budget includes $19.8 million for the BLM coal management program focused on reducing permit processing times, simplifying the lease application process, and improving the timeliness to complete lease sale fair market value determinations. BLM's Federal coal leasing program supplies more than 40 percent of the coal produced in the United States.

The 2020 budget for BIA includes $25.5 million for energy and mineral development programs in Tribal communities. Income from energy and mineral production is the largest source of revenue from natural resources on trust lands. In 2018, more than $1 billion in revenue from oil, gas and mineral activities was disbursed to Tribes and individual Indian mineral rights owners. Tribes use this revenue to develop infrastructure, provide healthcare and education, and support other critical community development programs.

An important component of Interior's natural resource programs is the collection and disbursement of billions of dollars in receipts from development. The 2020 budget includes $147.3 million for the Office of Natural Resources Revenue (ONRR) to ensure Americans receive an accurate return for their public resources. In 2020, ONRR will continue to implement a critical new Minerals Revenue Management Support System to update and improve management and accountability of Interior's significant revenue collections.

FULFILLING OUR TRUST AND INSULAR RESPONSIBILITIES

The Department of the Interior is responsible for fostering the government-to-government relationship with Indian Tribes and Alaska Native Villages and overseeing relations with U.S. territories and insular areas.

The United States has an important relationship with the affiliated insular areas including the territories of American Samoa, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands. With China's escalating influence in the Pacific region, Interior's insular responsibilities and obligations contribute meaningfully to broader Administration policy objectives in the region. In 2020, the Office of Insular Affairs will implement activities to bolster healthcare capacity, strengthen island economies, and fulfill U.S. Compact obligations. The Office will also participate in foreign policy and defense matters concerning the U.S. territories and the freely associated states. The 2020 budget includes a total of $610.7 million in current and permanent authority, with $84.1 million in current appropriations.

Interior provides services directly, or through contracts, grants, or compacts, to 573 federally recognized Tribes with a combined service population of nearly 2 million American Indians and Alaska Natives. The Department is committed to Tribal prosperity and working together with Tribes to address challenges in economic development, education, and law enforcement. Interior supports Indian self-determination to ensure Tribes have a strong voice in shaping Federal policies directly impacting their ability to govern and provide for the safety, education, and economic security of their citizens. Interior's Tribal programs deliver community services, restore Tribal homelands, fulfill commitments related to water and other resource rights, execute fiduciary trust responsibilities, support the stewardship of energy and other natural resources, create economic opportunity, and provide access to education.

The 2020 budget for Indian Affairs prioritizes programs that serve the broadest service population and addresses Federal responsibilities and Tribal needs related to education, social services, infrastructure, law enforcement, and stewardship of land, water, and other natural resources. The 2020 budget includes $1.9 billion for BIA, and $936.3 million for BIE. Within this is $367.4 million to fully fund the estimated Contract and Tribal Grant Support Costs Tribes incur from managing Federal Indian programs.

The 2020 budget takes action to improve the quality and efficiency of the BIE schools. In 2020, for the first time, we request funding for BIA and BIE separately,

as part of an effort to improve overall transparency, accountability, and autonomy for the effective delivery of BIE school services. This step is consistent with direction from Congress and GAO recommendations, urging the Department to consolidate all responsibilities related to Indian education under BIE. The changes in the 2020 budget respond to your direction and other longstanding criticism that the lines of authority for BIE services were not clear, it was too difficult to determine who had final accountability for delivering services, and BIE did not have sufficient independence to ensure school needs were met.

The 2020 budget is the result of a detailed review within Indian Affairs, looking at the services provided to the BIE schools and the different roles of BIA, the Office of the Assistant Secretary for Indian Affairs, and BIE. The review considered where it made sense to decouple overlapping functions and where it made sense to continue cross-servicing to BIE with clearer agreements in place. The 2020 request reflects this review and strengthens BIE's ability to deliver materials and services, carry out needed health and safety inspections, and ensure repairs are made. The BIE budget includes $867.4 million to continue core Indian education elementary, secondary and post-secondary programs. It also includes $68.9 million to support facility construction, repairs, deferred maintenance, and capital improvements.

The 2020 BIA budget requests $1.5 billion for Operation of Indian Programs. This includes $409.2 million for the Public Safety and Justice programs providing law enforcement, corrections, and court services to Indian communities. The 2020 budget also includes $326.0 million for Tribal Government programs with $178.9 million for Self Governance Compacts.

The 2020 BIA budget includes $184.1 million for Natural Resources Management supporting resource conservation, economic use, recreation, and protection of Tribal resource rights. Within this amount is $54.8 million for Tribal forestry programs which complement of the Administration's forest management legislative reforms. The budget also includes $11.2 million for the Tribal Management/Development Program which supports Tribal management of fish and game programs on Indian reservations. These programs ensure the protection of millions of acres of habitat necessary for the conservation of fish, wildlife, and plant resources and significantly contribute to the economic development of Tribal communities and the growing national demand for outdoor recreation and tourism.

The budget maintains a strong commitment to meet Tribal settlement agreements and includes $45.6 million for BIA Water Rights Settlements. At this funding level, BIA remains on track to meet current water settlement commitments within the legislated timeframes. Across Interior, the budget includes $178.6 million for Indian Settlement commitments.

GOVERNMENT REFORM

President Trump challenged Federal agencies to modernize and reform the executive branch and Interior is leading the way to better serve the American people. The absolute first step is fostering a culture of ethics and respect amongst colleagues. There is zero tolerance for any type of workplace harassment at Interior. The Department is instilling a culture change through clear management accountability, swift personnel actions, reporting procedures for harassment conduct, improved training, and substantive action plans. In the area of anti-harassment efforts, each bureau and office has made significant headway to put a diverse set of measures in place to prevent and address unacceptable conduct.

We have also launched an internal Workplace Culture Transformation Advisory Council across the Department to keep a focus on Interior's workplace environment. The Council will look at common issues raised in the Federal Employee Viewpoint Survey, ways to improve employee engagement, and building career paths that cross bureau silos; all with the goal to transform Interior's workplace culture for future generations.

Another management priority is creating a strong ethical culture to ensure Interior employees honor the public's trust to manage funds responsibly and avoid conflicts of interest. The expectations for appropriate employee conduct have been made clear, and the Department has set goals and expectations for qualified ethics officials sufficient to ensure our operations are conducted ethically.

Over many decades, the Department of the Interior experienced new bureaus becoming established on an ad hoc basis with their own unique regional organizations. This ultimately resulted in a complicated series of 49 regional boundaries among 8 bureaus. This complexity led to the situation where bureau regional leadership was focused on different geographic areas, did not have adequate and shared understanding of the needs and perspectives of regional stakeholders, and opportunities to share administrative capacity across bureaus were difficult to recognize and

implement. Members of the public were often frustrated by problems in inter-bureau decision making where uncoordinated timelines and processes could lead to unnecessarily long delays in reaching a decision. In 2018, Interior began a reorganization effort focused on making improvements across each of these areas.

Interior's reorganization is driven by the need to improve our delivery of service to the public. The Department developed a reorganization strategy that relies on unified regions across Interior, moves some staff west to be closer to the resources and customers they support, improves coordination and collaboration among Interior's bureaus, and reviews standard administrative processes across Interior to find smarter ways to conduct business operations.

Last year, Interior took the first step in the reorganization. After working closely with stakeholders across the country on options to consolidate Interior's 49 different regions into common regions, Interior adopted 12 unified regions for a subset of the bureaus. As a result of Tribal consultation, BIA, BIE, and the Office of the Special Trustee for American Indians will not realign their regional field structure.

The unified regions will simplify how Interior is organized. Establishing unified regional boundaries across bureaus is the cornerstone of reforms to improve Interior's service delivery to the public. Within each shared region, bureaus will focus work on the same resources and constituents and improve coordination across the Department. For the public, fewer regions will make it easier to do business with Interior, particularly when the public interacts with several bureaus or jurisdictions. For Interior's business, the move will strengthen inter-bureau coordination and understanding, joint problem-solving, and mutual assistance.

Bureaus and offices have begun to work across organizational lines to identify ways to maximize the benefits of the new regions. In 2019, we are analyzing options to relocate more operations out West, where the preponderance of bureau assets and acres are located, to better serve our customers. As part of the planning, we are considering relative cost, accessibility, and the specific functions where it makes sense to be closer to field assets. We are also reexamining some of the Department's common business operations to leverage consistent best practices across Interior. In 2020, the budget requests $27.6 million to continue implementing the reorganization with three areas of focus: Implementation of the Unified Regions ($12.1 million), Relocation and Regional Stand Up ($10.5 million), and Modernizing Interior's Business ($5.0 million).

LEGISLATIVE PROPOSALS

Forest Health—The Administration proposes a comprehensive package of legislative reforms to proactively reduce the risk of wildfires through better management of Federal forests and rangelands. The proposed legislation would provide categorical exclusions on Interior lands for active forest management, including the ability to harvest dead, dying, or damaged trees and proactive fuels management including the use of fuel breaks. These changes are much needed to help reduce fire risk, improve forest health, minimize after fire impacts, prevent re-burn of fire impacted areas, and improve safety for wildland firefighters.

Public Lands Infrastructure Fund—The budget proposes $6.5 billion over 5 years for a Public Lands Infrastructure Fund to address deferred maintenance needs in the Departments of Interior and Agriculture. Within Interior, the Fund will support infrastructure improvements through an allocation of 70 percent for national parks, 10 percent for national forests, 10 percent for wildlife refuges, 5 percent for BIE schools, and 5 percent for lands managed by the BLM. The Fund will be supported by the deposit of 50 percent of all Federal energy development revenue that would otherwise be credited or deposited as miscellaneous receipts to the Treasury over the 2020–2024 period, subject to an annual limit of $1.3 billion. Interior and Agriculture would prioritize projects, monitor implementation, and measure results.

Recreation Fee Program—The budget proposes to reauthorize the Federal Lands Recreation Enhancement Act, which expires in September 2020. As a precaution, the budget also proposes appropriations language to provide a 2-year extension of FLREA through September 2022.

Cancel Southern Nevada Public Land Management Act Account Balances—The budget proposes to cancel $230.0 million in unobligated balances from the Southern Nevada Public Land Management Act (SNPLMA) program over a 3-year period.

EPAct Geothermal Payments to Counties—The budget proposes to restore the disposition of Federal geothermal leasing revenues to the historical formula of 50 percent to the States and 50 percent to the U.S. Treasury by repealing Section

224(b) of the Energy Policy Act of 2005. That section changed the distribution to direct 50 percent to States, 25 percent to counties, and 25 percent to the Federal government.

CONCLUSION

Thank you for the opportunity to testify on the President's 2020 Budget Request for the Department of the Interior.

In closing, this is a responsible budget that prioritizes core functions important to the American people. This budget invests in American jobs and prosperity by supporting working lands, implementing regulatory reform, expanding access to grow the outdoor economy, and rebuilding infrastructure. Complementing this funding request is legislation to provide up to $6.5 billion over 5 years to address the deferred maintenance backlog on our public lands.

This budget advances collaborative conservation with investments in the America's natural and cultural resources, support for conservation stewardship partnerships, a focus on species recovery and proactive conservation activities to avoid the need for listing, and reforms to improve the health of our forest and rangelands and reduce risk from severe wildfires.

The 2020 budget supports safe and secure communities by helping to reduce wildfire risk, fight illegal drugs, and secure the southern border. The budget sustains America's era of energy prosperity, maintaining a diverse portfolio of energy sources, ensuring safe development, and keeping the U.S. on course to become a net exporter of energy in 2020.

This budget meets the Nation's trust responsibilities to insular areas and Indian Country and takes action to address a longstanding need to improve the quality of service to students attending BIE schools.

Lastly, this budget invests in Interior's longevity and the continued success of our mission by implementing reorganization reforms.

I look forward to working with you to support the President's 2020 budget request. I am happy to take your questions at this time.

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STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR EXERCISING THE AUTHORITY OF THE DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, EXAMINING THE SPENDING PRIORITIES AND MISSION OF THE NATIONAL PARK SERVICE

APRIL 3, 2019

Chairwoman Haaland, Ranking Member Young, and members of the Subcommittee, thank you for the opportunity to appear before you today at this hearing on spending priorities and mission of the National Park Service (NPS) as reflected in the Fiscal Year (FY) 2020 President's budget request.

FY 2020 INTRODUCTION AND BUDGET SUMMARY

The FY 2020 President's budget request proposes total discretionary appropriations of $2.7 billion for the NPS. The request continues delivery of mission critical activities and advances Administration priorities. These priorities include ensuring the American public continues to have an enriching national park experience, improving public access for outdoor recreation, and investing in park infrastructure. The request also includes an estimated $733.4 million in mandatory appropriations. In total, the request includes budget authority of $3.5 billion.

The FY 2020 budget supports continued stewardship of resources of national significance and provision of enriching experiences and enjoyment for visitors. The President's budget ensures that national parks continue to serve visitors who come every year to relax and recreate in America's great outdoors and learn about the people and places that make up America's story.

The budget includes $321.6 million for natural and cultural resource stewardship. National parks are critical venues for the conservation of natural resources and play a unique role as places to apply adaptive management strategies. The budget supports the conservation of natural resources by funding projects and programs that promote or control native and invasive species, combat disease to preserve species and ecosystems, mitigate impacts to resources through conservation restoration and

research, restore native lands, and control wildfire fuels through vegetation management.

The budget also emphasizes the importance of and commitment to addressing the deferred maintenance backlog faced by nearly every park across the country. The FY 2020 budget includes $796.8 million for facility operations and maintenance, including $132.0 million for Repair and Rehabilitation projects and $134.1 million for Cyclic Maintenance projects. The 2020 budget also includes a proposal to establish a multi-agency Public Lands Infrastructure Fund to address the backlog of deferred maintenance on public lands, including NPS lands.

In 2018, for the fourth consecutive year visitation to America's national parks exceeded 300 million, totaling 318 million visitors. The 2020 budget supports ongoing efforts to offer a rewarding national park experience and provide affordable and accessible recreational opportunities. Communities surrounding national parks benefit from sustained high visitation by way of increased economic activity generated by visitor and employee spending, both directly (e.g. hotels, restaurants, gas stations, etc.) and indirectly (e.g. hotel and restaurant suppliers, etc.). In 2017, the most recent data available, visitors spent an estimated $18.0 billion in local gateway regions, supporting more than 306,000 jobs, with $35.8 billion in economic output to the national economy.

National parks provide recreational opportunities for hunters and anglers as well as campers and hikers. To assist in these efforts, the 2020 budget includes $10.0 million to support and enhance recreational opportunities at parks, including $1.5 million to support veteran employment programs through Veteran Fire Corps conducting active forest management work; $1.0 million for a traditional trades apprenticeship program for veterans teaching historic preservation; $2.0 million to invest in a Service and Conservation Corps to improve recreation-related infrastructure; $1.2 million to increase accessible hunting and fishing opportunities through a series of fishing events that would engage volunteers, including veterans, to teach junior anglers how to fish; $1.0 million to build and/or retrofit accessible hunting blinds and fishing piers; and $300,000 to support Alaska Native subsistence programs. The recreational access proposal also includes $3.0 million to promote lesser known park sites within the tourism industry and build partnerships to market the recreation opportunities available at all national park units.

The request includes $6.3 million to support parks with rising visitation enhance the visitor experience and ensure visitor safety. Funding will expand capacity in the areas of interpretation and education, park protection, and facility operations and maintenance, where demands on capacity within parks in terms of staffing and facility upkeep are most pressing. Parks experiencing the most significant increase in visitation include Great Smoky Mountains, Grand Canyon, Glacier, and Acadia National Parks.

The 2020 budget also requests $4.0 million for on-the-ground active forest management necessary to reduce the wildfire risk to NPS infrastructure and resources and increase safety for firefighters and the public. Parks with the highest priority needs include Great Smoky Mountains, Crater Lake, Sequoia and Kings Canyon, and Yellowstone National Parks.

Addressing deferred maintenance in our national parks is critical to the NPS core mission and is a top priority of the Administration. The NPS 2018 deferred maintenance asset inventory summary report estimates there is $11.9 billion in deferred maintenance needs in the parks including buildings, roads, trails, and other assets under NPS care. The 2020 budget continues to prioritize maintenance fund sources for infrastructure projects that address deferred maintenance, health and safety concerns, and resource preservation that are financially sustainable.

The FY 2020 budget includes $4.0 million for new parks including Camp Nelson National Monument; Ste. Genevieve National Historical Park; and the Birmingham Civil Rights, Freedom Riders, and Reconstruction Era National Monuments. Funding would also support increased security at Independence National Historical Park and Cesar E. Chavez National Monument, and provide for a newly implemented locality pay adjustment in three areas of the country.

OPERATION OF THE NATIONAL PARK SYSTEM

The Operation of the National Park System (ONPS) appropriation funds the operations of our 419 parks and related programs. The 2020 budget proposes ONPS funding at $2.4 billion. The request for operations includes several notable proposals. These include the $10.0 million for recreational access opportunities, $6.3 million to support parks with rising visitation, $4.0 million for active forest management, and $4.0 million for new park responsibilities, as described above. In addition to these, the budget requests $5.7 million for the reorganization of the Department

of the Interior to implement the 12 unified regions and modernize Interior's administrative services. The budget also requests $5.0 million to be provided for the National Park Foundation to promote public-private partnerships for the benefit of the national park system. The budget proposes $2.3 million in law enforcement and health and safety increases to support the U.S. Public Health Service commissioned officers to ensure the safety of food, water, and wastewater systems provided in our national parks; to increase tactical support for fire suppression through the use of drones; and allow for additional law enforcement rangers to attend basic training—a step toward reducing the backlog of 200 rangers waiting to enter the training program. The budget also requests $1.2 million in recurring funding for the timely replacement of the U.S. Park Police helicopter fleet. The budget also includes $5.5 million for the increase to the D.C. water and sewer bill and $5.9 million in net increases to External Administrative Costs including space rental, unemployment compensation, telecommunications and postage, and other departmental program changes.

CENTENNIAL CHALLENGE

The National Park Service Centennial Act (P.L. 114–289), enacted in 2016, established a permanent National Park Centennial Challenge Fund. Amounts exceeding $10.0 million from the sale of age-discounted Federal Recreational Lands Passes, commonly known as Senior Passes, are deposited into this Fund as offsetting collections to be used as the Federal match for projects or programs that enhance the visitor experience. The budget estimates deposits into this Fund will be $1.4 million in FY 2020. As all Federal funds must be matched on at least a 50:50 basis, private donations will leverage the Federal funds for a total of at least $2.8 million.

NATIONAL RECREATION AND PRESERVATION

The National Recreation and Preservation appropriation funds programs that support local and community efforts to preserve natural and cultural resources. The FY 2020 budget includes $32.3 million.

The budget provides $11.2 million for Natural Programs, including $9.1 million for Rivers, Trails, and Conservations Assistance (RTCA) programs. RTCA will continue to enhance outdoor recreation access and provide technical assistance for projects in more than 800 communities. Other programs within this appropriation will provide support for managers of National Natural Landmarks, ensure recreation and conservation enhancements where possible in developing new hydropower, and assist in the transfer of unneeded/surplus Federal property to States and communities for public parks and recreation. National Register Programs are funded at $15.7 million and will conduct approximately 1,300 new National Register actions and other activities such as digitizing National Register records. Funding for the National Center for Preservation Technology and Training, proposed at $1.7 million, will provide technical information, research, best-practices, and technology training to preservation professionals nationwide.

HISTORIC PRESERVATION FUND

The Historic Preservation Fund appropriation supports Historic Preservation Offices in States, territories, and tribal lands for the preservation of historically and culturally significant sites and to carry out other responsibilities under the National Historic Preservation Act. The FY 2020 budget requests $32.7 million.

CONSTRUCTION

The budget proposes $246.3 million for Construction. Line Item Construction is funded at $160.7 million, which includes $4.0 million for demolition and disposal projects, $4.0 million to mitigate dangers in and around abandoned mineral lands sites, and $152.7 million for line item projects that help tackle the NPS's $11.9 billion deferred maintenance backlog and address important safety, visitor experience, and resource preservation issues at parks. Some project examples include rehabilitating the breakwater at Fort Sumter and Fort Moultrie National Historical Park, and rebuilding the Nauset Light Beach Bathhouse at Cape Cod National Seashore.

The request funds Construction Program Management and Operations at $41.9 million. Construction Planning is funded at $17.9 million to ensure future projects are ready for execution and reduce uncertainties often uncovered during initial planning of construction work that can necessitate changes in materials, time, compliance, or other factors that could increase the cost of a project.

Funding for Special Programs is proposed at $15.7 million. These programs work with parks to decrease the potential of and increase preparedness for dam accidents, upgrade the condition of employee housing, and provide for emergency projects.

The budget proposes to fund Management Planning activities of the Park Service at $10.2 million. The program will continue special resource studies and reconnaissance surveys currently underway or in the transmittal process.

LAND ACQUISITION AND STATE ASSISTANCE

Within the Federal Land Acquisition appropriation, American Battlefield Protection Program (ABPP) Acquisition Grants and Recreational Access Grants are funded at $5.0 million and $1.0 million, respectively. ABPP grant funding will allow for 12–15 grants per year and will continue protection of significant historic battlefield lands associated with wars on American soil. Recreational Access grants will allow NPS to continue to work with landowners adjacent to NPS properties to purchase properties that would enhance recreational opportunities.

MANDATORY PROPOSALS

Due to sustained increases in visitation, as well as increases in fee pricing implemented in June 2018, revenues collected by NPS under the authority established in the Federal Lands Recreation Enhancement Act (FLREA) have increased 65% from FY 2014 to FY 2018. These revenues are used primarily at the park where they were collected, with a portion used at non-collecting parks, to implement projects and programs that enhance the visitor experience and improve visitor facilities. The FY 2020 budget estimates $312.5 million in FLREA revenues and plans to obligate $192.8 million on deferred maintenance, capital improvement, and routine maintenance.

The budget also supports the Visitor Experience Improvements Fund (VEIF), as authorized through the Visitor Experience Improvement Authority (VEIA) under the National Park Service Centennial Act (P.L. 114–289). The budget estimates $21.2 million in the revolving account to enhance the visitor experience through management, improvement, enhancement, operation, construction, and maintenance of commercial visitor services facilities.

PUBLIC LANDS INFRASTRUCTURE FUND

The Departments of the Interior and Agriculture manage an infrastructure asset portfolio with over $18 billion in deferred maintenance, which includes structures, trails, roads, utility systems, and Bureau of Indian Education (BIE) schools. To address these needs, the budget includes $6.5 billion over 5 years for a Public Lands Infrastructure Fund. The Fund will support infrastructure improvements through an allocation of 70 percent for national parks, 10 percent for national forests, 10 percent for wildlife refuges, 5 percent for BIE schools, and 5 percent for lands managed by the Bureau of Land Management. The Fund will be supported by the deposit of 50 percent of all Federal energy development revenue that would otherwise be credited or deposited as miscellaneous receipts to the Treasury over the 2020–2024 period, subject to an annual limit of $1.3 billion. Interior and Agriculture would prioritize projects, monitor implementation, and measure results. This investment will significantly improve many of America's most visible, visited, and treasured places.

Thank you for your continued support of the NPS and consideration of our FY 2020 Budget Request.

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STATEMENT OF BRIAN STEED, DEPUTY DIRECTOR FOR POLICY & PROGRAMS, BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, HOUSE COMMITTEE ON NATURAL RESOURCES, SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, HEARING ON THE 2020 PRESIDENT'S BUDGET REQUEST

APRIL 10, 2019

Madam Chair and Members of the Subcommittee, I am pleased to be here today to discuss the Bureau of Land Management (BLM) Fiscal Year (FY) 2020 Budget Request. Given the Subcommittee's jurisdiction, this testimony focuses on the BLM's land, recreation, and natural resource management programs.

INTRODUCTION

The BLM manages approximately 245 million acres of surface land and over 700 million acres of subsurface mineral estate on behalf of the American people.

The Federal Land Policy and Management Act of 1976 (FLPMA) sets forth the BLM's multiple-use and sustained yield mission, directing that public lands be managed for a variety of uses, ranging from conventional and renewable energy development, livestock grazing, conservation, mining, watershed protection, hunting, fishing, and other forms of recreation. The BLM manages lands with some of the most advanced energy development in the world and some of North America's most wild, historic, and scenic landscapes. Because of this, Federal lands support the production of goods and services that create jobs and promote economic development in communities across the Nation. Revenues generated from the public lands make the BLM one of the top revenue generating Federal agencies. States and counties use these important funds to support the building and maintenance of roads, schools, and other community needs. The BLM's multiple use mission advances the President's priorities of energy security, shared conservation stewardship, safe borders, and putting Americans back to work, while also emphasizing the interconnection between people, the public lands, and the economy.

Collaboration and cooperation are hallmarks of the BLM's multiple use management approach. The Bureau engages a wide range of stakeholders and communities to inform its land management decisions. These efforts are essential in order for the Federal government to be a good neighbor to and steward for local communities.

FY 2020 BUDGET OVERVIEW

The Bureau's 2020 budget requests $1.2 billion, including $1.08 billion for the Management of Lands and Resources (MLR) appropriation and $107.0 million for the Oregon and California Grant Lands (O&C) appropriation—the BLM's two main operating accounts.

The FY 2020 budget supports opportunities for outdoor recreation, sustainable timber harvesting, grazing, and promotes responsible energy and mineral development. In tandem with the budget, the Administration proposes a package of forest management legislative reforms to provide the Department with tools to reduce the threat of catastrophic wildfires.

The BLM FY 2020 budget request reflects and strengthens the Administration's commitment in the following areas:

- Restoring Trust and Being a Good Neighbor
- Conserving Our Land and Water Resources
- Expanding Outdoor Recreation
- Sustainable Energy Development and Natural Resource Protection

ACTIVE FOREST MANAGEMENT AND BEING A GOOD NEIGHBOR

The budget request reflects the Administration's priority of restoring regulatory balance, expanding access to public lands, and enhancing public trust and being a good neighbor in the communities that are home to BLM lands. On the heels of one of the Nation's most devastating wildland fire seasons, the Budget supports the important objectives laid out in President Trump's Executive Order (E.O.) 13855, *Promoting Active Management of America's Forests, Rangeland, and Other Federal Lands to Improve Conditions and Reduce Wildfire Risk*. The BLM budget prioritizes active forest management as necessary to achieve the targets set forth in the E.O. and invests $10.2 million in 2020 for forest management on public domain lands. The 2020 BLM budget also requests $107.0 million in the Oregon and California Grant Lands appropriation, much of which will lay the groundwork to increase the amount of timber offered for sale there to 280 million board feet (MMBF) in 2021, reflecting the BLM's commitment to advance timber production and forest health. Approximately 226 MMBF were sold in 2018.

In tandem with the Budget, the Administration is proposing a package of forest management legislative reforms, which includes categorical exclusions for fuels management work. These authorities will promote shared stewardship across ownership boundaries and improve the ability to treat additional acres more efficiently and effectively, thereby reducing fire risk and making meaningful progress toward resilient landscapes and fire-adapted communities. This will provide the Bureau with the necessary tools to help protect firefighters and communities from wildfire by emphasizing forest management strategies that significantly increase resilience to wildfire, insects, disease, and drought, as well as support timber harvests and biomass utilization.

CONSERVING OUR LAND AND WATER RESOURCES

The BLM continues to focus on high priority work across the Land Resources, Wildlife and Aquatics, Recreation Management, and Resource Protection and Maintenance activities. These activities support many of the Department's high priority goals, including energy independence, expanded recreation, and shared conservation.

Balancing habitat conservation and responsible development of public land resources ensures the best outcome for the people and wildlife that rely on these lands. The BLM's 2020 budget request builds on the results of ongoing efforts including implementing "outcome based grazing" and sage-grouse management plan amendments, which better align Federal habitat conservation efforts with State wildlife management plans.

The BLM will invest $7.0 million in habitat identification and habitat restoration efforts across multiple programs, which will help implement Secretarial Order 3362, *Improving Habitat in Western Big-Game and Migration Corridors*. This funding will be used in coordination with States to support big game as well as evaluation and implementation of habitat restoration.

In addition, the 2020 budget request provides $92.0 million for the Rangeland Management program. To better leverage resources and focus funding on more complex gazing permit processing requirements, the BLM will continue to use the authority provided under section 402(c) of the FLPMA. The BLM administers about 18,000 grazing permits and leases within almost 22,000 grazing allotments on approximately 155 million acres of public land. Grazing permits are generally issued for 10 years, which means that renewing grazing permits is a cyclical process and not a one-time event. The BLM will continue efforts to improve and streamline grazing permit processing to achieve greater efficiencies and service to permittees while striving to meet land condition objectives. The BLM plans to continue or expand recent demonstration projects using Outcome Based Grazing Authorizations.

Finally, the budget seeks $75.7 million for the BLM's Wild Horse and Burro program, which in 2020 will continue to identify innovative ways to address the burden that growing wild horse and burro populations put on fragile rangeland resources and taxpayer resources. The program will seek to increase public/private partnerships to place more animals into private care while also working with organizations to create public/private partnerships on pasture lands. The program will also work with academia and Federal partners to enhance existing sterilization methods and fertility control vaccines, develop new population controls through research projects, and continue to pursue adoptions and sales, including incentivizing adoptions.

EXPANDING OUTDOOR RECREATION

The BLM is committed to the Administration's priority of expanding access for the American public to the vast recreation resources on BLM-managed public lands, including enhancing opportunities for hunting, fishing, and many other uses.

In 2018, DOI records indicate that visitor recreation exceeded 67 million visitors on public lands, and it is estimated that the BLM will exceed over 70 million visitors in 2020. Visitors to these lands enjoy countless types of outdoor adventure—participating in activities as widely varied as camping, hunting, fishing, hiking, horseback riding, boating, whitewater rafting, hang-gliding, off-highway vehicle driving, mountain biking, wildlife viewing, photography, climbing, many types of winter sports, and visiting remarkable natural and cultural sites.

Currently, the BLM manages over 3,600 developed recreation sites and areas; administers over 4,500 permits for commercial, competitive, and organized group activities; and provides the public with thousands of miles of motorized and nonmotorized trails. Recreational experiences are especially important in the growing West and contribute to local economies.

The FY 2020 budget request promotes a holistic approach to managing our recreational lands and cultural resources, which will be implemented through more streamlined recreational and cultural resources management. The budget proposes $54.8 million for Recreation Resources Management to meet growing public demand and will focus on areas in need of visitor services at the highest visitation sites.

The budget also includes $37.1 million for the National Monuments and National Conservation Areas program to manage designated historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest on the public lands, and to support outstanding recreational opportunities and public access.

The Cultural Resources Management program, which supports the inventory, protection, and stabilization of BLM cultural sites, will receive $15.6 million in

FY 2020. The program will continue to provide support and guidance on consultation with Tribes and to other BLM programs.

MODERNIZING THE BLM

In 2018, the Department announced the designation of Interior's 12 new unified regional boundaries. Establishing unified regional boundaries across Interior bureaus will improve Interior's service delivery to the public across Interior bureaus. Within each shared region, bureaus will focus work on the same resources and constituents and improve coordination across the Department. For the public, fewer regions make it easier to do business with Interior, particularly when it involves several bureaus or jurisdictions. The FY 2020 budget request includes an increase of $7.7 million to support implementation of the Department's reorganization.

IMPLEMENTING PUBLIC LAW 116–9, THE JOHN D. DINGELL, JR. CONSERVATION, MANAGEMENT, AND RECREATION ACT

On March 28, 2019, Acting Secretary Bernhardt signed Secretarial Order 3374 to facilitate and prioritize implementation of Public Law 116–9, which is sweeping public lands legislation with provisions affecting all 50 States. This Act establishes many conservation and recreation special management designations, provides for a number of significant land sales, transfers, and exchanges, and resolves many longstanding and complicated land tenure issues on lands managed by the Department. Secretarial Order 3374 will also ensure consistency among all offices and bureaus within the Department. While all of the Department's bureaus are affected by the new law, over 30 of the individual sections apply to public lands managed by the BLM. As directed by Secretarial Order 3374, the BLM is working expeditiously to implement the sections of the new law.

CONCLUSION

The President's FY 2020 budget request for the BLM provides sustainable benefits across the West and for the Nation. The BLM takes pride in its collaborative efforts to manage the public lands in a way that helps to create and sustain jobs, increase access and enhance outdoor recreation opportunities nationwide, and to maintain productive working landscapes for grazing and timber. I look forward to working with the Subcommittee to provide the BLM with the tools and resources necessary to achieve these important Administration objectives. Thank you for the opportunity to present this testimony.

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STATEMENT OF WALTER CRUICKSHANK, ACTING DIRECTOR, BUREAU OF OCEAN ENERGY MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE COMMITTEE ON NATURAL RESOURCES, SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES

MARCH 6, 2019

Chairman Lowenthal, Ranking Member Gosar and members of the Subcommittee, thank you for inviting me to appear before you today to discuss the mission of the Bureau of Ocean Energy Management (BOEM). I am pleased to appear here today with my counterpart from the Bureau of Safety and Environmental Enforcement (BSEE). BOEM coordinates and collaborates with BSEE in a variety of ways on a daily basis to ensure effective management of offshore energy activities. Through the sharing of data and collaboration on cross-cutting topics, BOEM and BSEE work efficiently to ensure that offshore energy and mineral resources belonging to the American public are managed in a safe and responsible manner that brings maximum benefit to the United States taxpayer.

The Administration's America First Offshore Energy Strategy calls for boosting domestic energy production to stimulate the Nation's economy and to ensure national security, while providing for responsible stewardship of the environment. Implementation of these goals aligns with BOEM's statutory mission. BOEM is responsible for managing the development of our Nation's offshore energy and mineral resources in an economically and environmentally responsible manner. BOEM accomplishes this mission through oil and gas leasing, renewable energy development, and marine mineral leasing, all of which are guided by rigorous, science-based environmental review and analysis. BOEM helps support the Administration's goal to increase domestic energy production by providing access to Outer Continental Shelf (OCS) resources through programs that enable exploration and production of

offshore oil and gas resources and facilitate renewable energy development. As a result, BOEM plays an important role in advancing the Administration's comprehensive approach to expanding responsible domestic energy resource development as part of a broader effort to secure the Nation's energy future, benefit the economy, and create jobs.

BOEM manages access to, and, as required by statute, ensures fair market value or fair return for, OCS energy and mineral resources to help meet the Nation's energy demands and mineral needs, while also balancing such access with the protection of human, marine, and coastal environments. As the Nation's offshore energy and mineral resource manager, BOEM administers comprehensive analyses to inform decisions about where, when, and whether offshore energy and mineral development can or should occur.

OIL AND NATURAL GAS

As of February 2019, BOEM administers more than 2,600 active oil and gas leases on nearly 14 million OCS acres. In 2018, OCS leases generated more than $5.2 billion in revenue for the Federal Treasury, Land and Water Conservation Fund, Historic Preservation Fund, and state governments. The overall level of activity on the OCS—including current production, drilling, and the development of new projects—is estimated to support approximately 300,000 direct, indirect, and induced jobs. In FY 2017, OCS leases provided more than 621 million barrels of oil and 1.11 trillion cubic feet of natural gas to energy markets, accounting for approximately 18 percent of domestic oil production and 4 percent of domestic natural gas production, almost all of which was produced in the Gulf of Mexico.

In FY 2017, BOEM initiated efforts to develop a new National OCS Oil and Gas Leasing Program (National OCS Program), pursuant to Executive Order 13795, *Implementing an America-First Offshore Energy Strategy*, and Secretarial Order 3350, *America-First Offshore Energy Strategy*. Due to the extensive coordination and public outreach required, the entire program development process typically takes two to three years. BOEM initiated the public process on July 3, 2017, with a Request for Information, on which it received more than 800,000 comments. BOEM gave these comments careful consideration when developing its Draft Proposed Program. On January 4, 2018, the Department announced the 2019–2024 National OCS Oil and Gas Leasing Draft Proposed Program (DPP), which proposes 47 potential lease sales for consideration in 25 of the 26 OCS planning areas—the largest number of lease sales ever proposed for the National OCS Program's five-year lease schedule. This DPP would make more than 98 percent of undiscovered technically recoverable OCS oil and gas resources available for oil and gas leasing consideration. It is also the first time in 35 years that virtually the entire OCS has been analyzed under the provisions of the OCS Lands Act and the National Environmental Policy Act at this stage in the program development process, providing the Secretary the most comprehensive and up-to-date information on which to base decisions. The publication of the DPP initiated a 60-day public comment period during which BOEM received more than 2 million comments. BOEM has again taken these comments into careful consideration and will release the Proposed Program in the coming weeks.

BOEM will continue implementation of the current 2017–2022 National OCS Program until the new National OCS Program takes effect. BOEM has conducted three Gulf of Mexico-wide lease sales under the current program, resulting in the issuance of 361 leases totaling more than $402 million in bonus revenue. The next Gulf-wide lease sale is scheduled for March 20, 2019.

BOEM is continuing efforts to facilitate the acquisition, and evaluation, of updated resource information in the Atlantic, including updated geological and geophysical (G&G) data. The last seismic data for the Mid- and South Atlantic OCS were gathered more than 35 years ago. During FY 2014, BOEM developed a framework for the acquisition and management of G&G data within the Mid- and South Atlantic Planning Areas using current technologies. Data acquired from the permit applicants can be used to help advance fundamental scientific knowledge and identify potential offshore oil and gas resources, as well as determine the fair market value of such resources. This data can also assist BOEM in identifying sand to be used for restoration of our Nation's beaches and barrier islands following severe weather events and to protect coasts and wetlands from erosion.

In 2014, BOEM issued a Record of Decision for the Programmatic Environmental Impact Statement for Atlantic G&G activities that established stringent mitigation measures while allowing for potential G&G survey activities off the Mid-Atlantic and South Atlantic coast. There are currently nine permit applications pending for G&G activities related to oil and gas in the Atlantic, ranging from aerial magnetic

and gravity surveys to deep penetration seismic surveys. NOAA Fisheries issued Incidental Harassment Authorizations (IHAs) to five permit applicants pursuant to the Marine Mammal Protection Act on November 30, 2018. BOEM currently is completing its review of four permit applications. Any decision to approve G&G activities does not authorize leasing for oil and gas in any area of the Atlantic. Leasing decisions will be addressed through the National OCS Program and the decision to lease a particular area would be done at the lease sale stage, which comes after approval of the National OCS Program.

Executive Order 13795 called for a reconsideration of BOEM's Notice to Lessees No. 2016–N01, which addressed financial assurance, to reduce unnecessary regulatory burdens while ensuring operator compliance with lease terms. One of BOEM's priorities with respect to regulatory reform is to better align requirements with the realities of aging offshore infrastructure. BOEM's goals are to ensure that lease obligations (such as decommissioning) are borne by the lessees and not by the taxpayers. BOEM is proactively implementing a comprehensive Risk Management and Financial Assurance Program to modernize its regulatory regime. BOEM's Risk Management Program will develop risk governance structures, including revised bonding and financial assurance regulations, as well as general and project-specific risk management strategies and procedures. Finally, the program will monitor and track the financial strength of offshore lessees to ensure that BOEM is requiring the proper level of bonding or other acceptable financial risk mitigation measures to protect taxpayers.

RENEWABLE ENERGY DEVELOPMENT

In recognition of the role renewable energy can play in securing U.S. energy independence and supporting national economic growth, BOEM will continue to examine the development of renewable energy. BOEM identifies potential wind energy areas using a coordinated approach that includes extensive environmental analysis, public review, and large-scale planning. BOEM has issued 15 active commercial offshore wind energy leases, including three recently awarded following a competitive auction offshore Massachusetts that garnered $405 million in winning bids. To date, competitive wind energy lease sales have generated more than $473 million in bonus bids for nearly 2 million acres in the OCS. If fully developed, these leases could generate enough energy to power over 5.5 million homes. BOEM is currently engaged in renewable energy planning efforts for areas offshore California, Hawaii, New York/New Jersey, and North/South Carolina. BOEM is also making progress on siting demonstration and technology testing projects for wind and marine hydrokinetic energy offshore on both the Atlantic and Pacific coasts.

Two construction and operations plans—for the Vineyard Wind Project and South Fork Wind Farm—were submitted to BOEM in FY 2018, and BOEM has initiated development of environmental impact statements for both projects. Current lessees have told BOEM to anticipate receiving up to five more construction and operations plans through 2019. Reviews of all these projects will be conducted consistent with statutory and regulatory authorities, as well as with EO 13807 (*Establishing Discipline and Accountability in Environmental Review and Permitting Process for Infrastructure Projects*) and SO 3355 (*Streamlining National Environmental Policy Act Reviews and Implementation of Executive Order 13807*).

Offshore wind has the potential to play an integral role in our future energy portfolio. BOEM will continue to work closely with other Federal agencies, states, and other key stakeholders to ensure the responsible development of this technology.

MARINE MINERALS

In carrying out its mission to manage the responsible development of offshore resources, BOEM considers resources other than conventional or renewable energy. Pursuant to the OCS Lands Act, BOEM is the steward of OCS sand, gravel, and shell resources. Through its Marine Minerals Program, BOEM manages the responsible use of these resources, which are critical for the long-term success and cost-effectiveness of many shore protection, beach nourishment, and wetlands restoration projects along the Atlantic and Gulf of Mexico coasts. Since 1995, BOEM (and its predecessors) has leased almost 150 million cubic yards of sediment resources for 55 projects in eight states and helped to restore more than 300 miles of coastline along the Atlantic and Gulf coasts.

BOEM continues to see an increasing trend in the number of requests for OCS sediment, as well as a commensurate increase in the volume of OCS of sediment allocated per year. These trends are driven by diminishing resources in state waters and a high frequency of recent storms along the Atlantic and Gulf of Mexico coasts.

Critical minerals are a new focal area for BOEM's Marine Minerals Program. Pursuant to Executive Order 13817—*A Federal Strategy To Ensure Secure and Reliable Supplies of Critical Minerals*—and Secretarial Order 3359—*Critical Mineral Independence and Security*—BOEM is collaborating with the USGS to determine which critical minerals are located on the OCS.

ENVIRONMENTAL PROGRAMS

BOEM is responsible for assessing the impacts of, and providing effective environmental safeguards for, OCS energy and mineral resources exploration and development. BOEM develops, funds, and manages scientific research to inform these assessments and provide the foundation for sound, science-based policy decisions that help BOEM manage the Nation's offshore energy and mineral resources in an environmentally and economically responsible manner.

BOEM's environmental programs, including its Environmental Studies Program, provide information about the potential environmental impacts of OCS energy and mineral resource development and offer measures to prevent, mitigate, and monitor these impacts. This information supports and guides decision-making not just within BOEM, but also by BSEE and other governmental authorities.

Because of the quality, scale, and duration of studies performed under its auspices, BOEM's Environmental Studies Program is a leading contributor to the growing body of scientific knowledge about the Nation's marine and coastal environment. Through its applied research program, BOEM has leveraged partnerships with academic institutions and other Federal agencies to produce top-tier scientific work.

BOEM's management of the Nation's OCS oil and gas, marine minerals, and renewable energy resources will continue to be informed through the environmental assessments, studies and partnerships conducted under its Environmental Programs. These efforts are vital to ensuring that the impacts of OCS activities on the environment are understood and effective protective measures are put in place.

CONCLUSION

Moving forward, BOEM's oil and gas, renewable energy, marine mineral, and environmental programs will continue to meet the high standards set by the Administration, Congress, and the public through appropriate planning, development, and protection of the Nation's offshore resources in response to the Nation's energy and coastal resilience needs.

Thank you once again for the opportunity to testify here today. I would be happy to answer any questions you may have.

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STATEMENT OF DOUGLAS MORRIS, CHIEF, OFFICE OF OFFSHORE REGULATORY PROGRAMS, BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT, UNITED STATES DEPARTMENT OF THE INTERIOR, BEFORE THE COMMITTEE ON NATURAL RESOURCES, SUBCOMMITEE ON ENERGY AND MINERAL RESOURCES, U.S. HOUSE OF REPRESENTATIVES

HEARING ON "EXAMINING THE POLICIES AND PRIORITIES OF THE BUREAU OF OCEAN ENERGY MANAGEMENT, THE BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT, AND THE U.S. GEOLOGICAL SURVEY"

MARCH 6, 2019

Chairman Lowenthal, Ranking Member Gosar, and Members of the Subcommittee, I am pleased to join you today to discuss the policies and priorities of the Bureau of Safety and Environmental Enforcement (BSEE), a bureau of the Department of the Interior. We welcome the Subcommittee's interest in our efforts to promote offshore safety and environmental protection. It is our firm belief that our Nation's demand for the energy resources it needs today should be met by a supply that is developed safely, sustainably, and domestically.

The Outer Continental Shelf (OCS) is a vital component of our nation's energy economy. In 2018, oil production from the Federal OCS exceeded 644 million barrels and natural gas production topped 986 billion cubic feet.[1] It accounts for approximately 18% of domestic oil production, 4% of domestic natural gas production, billions of dollars in annual revenue for the Treasury, states, and conservation

[1] https://www.data.bsee.gov/Production/OCSProduction/Default.aspx.

programs, and supports an estimated 300,000 jobs. As the agency charged with the mission of ensuring that the offshore oil and gas industry extracts these resources in a safe and environmentally sustainable manner, I believe that we have made significant progress toward reducing the risks of offshore oil and gas exploration and production so that we may continue to realize these important national benefits.

BACKGROUND

BSEE has jurisdiction over offshore energy development on the OCS, with operations permitted in three regions—the Gulf of Mexico, Pacific, and the Alaskan OCS. The Bureau was established to protect life, property, and the environment by ensuring the safe and responsible exploration, development, and production of offshore energy resources. Currently, areas within our jurisdiction are home to approximately 40 active drilling rigs and almost 2,000 offshore facilities steadily pumping hundreds of millions of barrels of oil through more than 25,000 miles of pipelines, predominantly in the Gulf of Mexico.

BSEE actively works to promote the efficient and responsible production of offshore energy resources through a comprehensive program of permitting, regulations, compliance monitoring and enforcement, technical assessments, inspections, preparedness activities, and incident investigations. As a steward of our nation's natural resources, resource conservation is also central to BSEE's mission: the Bureau protects federal royalty interests by ensuring that offshore oil and gas are conserved and leaseholders maximize recovery from OCS reservoirs. To carry out its diverse array of policies and programs, the Bureau employs highly skilled engineers, geoscientists, geologists, environmental specialists, inspectors, and preparedness analysts. Our people have the breadth of expertise and experience needed to oversee offshore energy projects from the planning of exploratory drilling operations through the decommissioning of offshore production platforms.

The Administration's work to improve our oversight of oil and natural gas development on the OCS reflects a careful balance among resource development, production goals, worker safety, and environmental protection. In overseeing an industry with such complex and expansive operations, BSEE is continually looking for opportunities to strengthen environmental safeguards and to take a smarter, more strategic approach to safety.

OFFSHORE SAFETY INNOVATION AND IMPROVEMENT

In recent years America has seen ever increasing levels of production offshore, with production levels reaching 10-year highs in 2018.[2] Over that same year, BSEE inspected every platform, drilling rig, and non-rig unit on the OCS, which, in 2018, represented a six percent increase in inspections from 2016. In doing so, BSEE satisfied its statutory inspection obligation and played a critical role in ensuring that the record-level of offshore production in 2018 was carried out safely. While production levels have increased over the past two years, the number of injuries and incidents, such as fires, have shown steady decreases when normalized to levels of activity.

Beginning in 2017, the Bureau engaged in an effort to determine how it might carry out its mission in a more efficient and more effective manner. Subsequently, BSEE developed initiatives focused on creating an organization that has strong, smart programs and processes moving forward. These initiatives are aimed toward improving and streamlining processes; ensuring the efficient use of bureau resources; developing an accountable, competent, and engaged work force; and integrating effective stakeholder engagement. Among these initiatives are efforts to implement risk-based inspections as a part of our overall inspection strategy; use offshore near-miss data to identify incident precursors; and increase physical inspection time on offshore facilities by using technology to increase inspection efficiency.

Risk-Based Inspections

BSEE has launched a risk-based inspection program to focus more oversight and resources on higher-risk offshore facilities. The Bureau is now using findings from the analysis of offshore safety data to focus inspections on operations and facilities whose characteristics and records of safety indicate a greater risk of a safety or environmental incident. Through this effort, we are able to stay ahead of potential issues. This program supplements our statutory responsibility to inspect every drilling rig, non-rig unit, and production facility on the OCS that is subject to any environmental or safety regulation promulgated pursuant to the Outer Continental

[2] https://www.data.bsee.gov/Production/OCSProduction/Default.aspx.

Shelf Lands Act at least once per year.[3] These more intense, targeted inspections focus on the highest-risk operations and equipment such as crane safety and operations involving fired vessels.

Offshore Near-Miss Reporting Program

Our bureau's mission of protecting offshore workers and the environment is strengthened by collaboration with industry to build data sets that can be used to identify the greatest risks to safety and the environment offshore and to draw insights from that data that can help minimize those risks. The collection and analysis of near-miss data are helping identify problems before they manifest into serious incidents. BSEE, in collaboration with the Bureau of Transportation Statistics, has developed an internet-based near-miss reporting system—called SafeOCS—through which offshore operators can report data that can be used to identify and address the causes of offshore incidents. This program places BSEE in a position to identify problems before they manifest as serious incidents. The program consists of two parts: mandatory and voluntary reporting. The mandatory reporting requirement for safety critical equipment went into effect in 2016, and reports are available to the public on the website at www.safeocs.gov. The broader voluntary program has been the focus since 2016. Initially, participants in the program represented only three percent of OCS production. Under this Administration, participation has dramatically increased, with current operator participation representing more than 80 percent of OCS production.

Making Inspection Operations More Efficient

BSEE has also undertaken a comprehensive review of our inspection program operations in an effort to improve efficiency and more efficiently deploy our limited resources. One way that the Bureau has sought to improve efficiency is by limiting the amount of time spent reviewing records on offshore facilities. By using technology to conduct records review remotely, our inspection staff is able to dedicate more of the time they spend offshore on physical inspections of equipment and facilities. Since implementing this initiative, the Bureau has increased physical inspection time by approximately 10 percent. BSEE inspectors now complete more inspections in fewer trips offshore. In 2016, 4,660 offshore inspection trips were required to conduct 8,508 inspections, for an average of 1.83 inspections per offshore trip. In 2018, 4,216 offshore inspection trips were required to conduct 10,282 inspections, for an average of 2.44 inspections per offshore trip. Reduction in flight time also decreases our inspector transportation costs and, more importantly, reduces the risk to our personnel who fly offshore.

Other Safety Initiatives

BSEE has launched a program to perform an annual, comprehensive review of regulations and standards related to safety critical equipment to ensure that the requirements contained in these documents reflect best practices and that these requirements are being used across all offshore operations. In addition, we have implemented an initiative to assess risks inherent in offshore development on an annual basis. This program will identify risks, especially those related to new technology needed to develop deepwater and High Pressure/High Temperature (HP/HT) resources. The goal of this effort is to address any gaps in regulations, standards, or data needed to mitigate those risks, and to verify that offshore operations are using appropriate mitigation measures. We believe that both of these initiatives will assist BSEE's oversight program in keeping pace with the rapidly evolving offshore energy industry, will contribute to reducing risk, and will foster continuous improvement in safety on the OCS.

SECRETARY'S ORDERS 3349 AND 3350 AND MAJOR REGULATORY ACTIONS

In addition to the implementation of advanced safety initiatives and efforts to increase operational efficiency, BSEE has also undertaken a series of regulatory reforms to maintain safety and environmental protection offshore while decreasing regulatory compliance burdens. Secretary's Order 3349, issued in May 2017, directs Interior agencies to conduct a thorough review of their regulations in accordance with Executive Order 13783, entitled "Promoting Energy Independence and Economic Growth."[4] As part of this process, the Department requested public input on how each of the Department's bureaus can improve implementation of regulatory

[3] 43 U.S.C. § 1348(c).

[4] E.O. 13783 of Mar. 28, 2017. 82 Fed. Reg. 16093 *et seq*. (Mar. 31, 2017). https://www.federalregister.gov/documents/2017/03/31/2017-06576/promoting-energy-independence-and-economic-growth.

reform initiatives and policies and identify regulations for repeal, replacement, or modification.

BSEE has also undertaken the process of instituting the reforms called for in Secretary's Order 3350, which implements Executive Order 13795 entitled "Implementing an America-First Offshore Energy Strategy."[5] With respect to BSEE, the Secretary issued Order 3350 to increase regulatory certainty for OCS activities; enhance conservation stewardship; and promote job creation, energy security, and revenue generation for the American people. As required by this order, BSEE reviewed and proposed revisions to the Blowout Preventer Systems and Well Control rule (the "Well Control rule"). In collaboration with the Bureau of Ocean Energy Management (BOEM), BSEE has begun the process of review of the Arctic Exploratory Drilling Rule (the "Arctic rule"). Additionally, BSEE finalized its revision of the Production Safety Systems rule, which clarifies and updates the regulations previously issued under Subpart H of BSEE's regulations.[6]

BSEE has made substantial efforts to engage stakeholders and solicit public input during consideration of each of its regulatory reforms. Based on feedback from stakeholders and the general public, BSEE has identified potential modifications to the regulations identified in the Executive and Secretary's Orders. Internal review of regulations for which BSEE has not yet issued a final rule are ongoing.

PREPARING FOR A NEW ROLE IN OFFSHORE RENEWABLE ENERGY

The Department is moving forward on all energy fronts—conventional and renewable—and that includes offshore wind. The high level of interest in offshore wind development evidenced by the record-breaking dollar amount of bids submitted during the BOEM offshore wind lease sale in December has prompted BSEE to consider its potential role in overseeing offshore wind farm safety and environmental compliance. We are currently contributing our experience and expertise in offshore safety and environmental protection by reviewing industry submissions. In 2018, BSEE reviewed 43 submissions, an increase of 187 percent from 2016. In anticipation of our larger role in the oversight of the development and operation of offshore wind facilities, BSEE has also initiated talks with the Occupational Safety and Health Administration to delineate responsibilities for offshore wind workplace safety.

CONCLUSION

America's offshore provides hydrocarbons that not only fuel our cars, trucks, and homes, but also enhance our ability to provide healthcare, national defense, and the general standard of living to which we have become accustomed today. American offshore energy resources also create hundreds of thousands of jobs and generate significant revenue that accrues to both the U.S. Treasury and the states. As important as these resources are to America's economy, federal and state governments, and our way of life, this Administration recognizes that it is equally important that the offshore oil and gas industry extract these resources in a safe and environmentally responsible manner.

Accordingly, BSEE is committed to driving performance, for both industry and the Bureau, in safety and environmental sustainability, and is committed to maximizing the benefits of our offshore energy resources for the nation through responsible development. Under this Administration, BSEE has maintained a safe and environmentally responsible operation of America's offshore oil and natural gas development across all metrics while production levels have reached record highs. BSEE is taking steps to ensure that this trend continues by focusing its resources on reducing the greatest risks to human life and the environment and finding new ways to strengthen the culture of safety industrywide through collaboration and innovation.

I thank the Chairman and Ranking Member for inviting me here today and would be happy to answer the Subcommittee's questions.

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[5] E.O. 13795 of Apr. 28, 2017. 82 Fed. Reg. 120815 *et seq*. (May 3, 2017). https://www.federalregister.gov/documents/2017/05/03/2017-09087/implementing-an-america-first-offshore-energy-strategy.

[6] 30 C.F.R. § 250.800 *et seq*. (2018).

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STATEMENT OF MICHAEL NEDD, DEPUTY DIRECTOR, OPERATIONS, BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, HOUSE COMMITTEE ON NATURAL RESOURCES, SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES, OVERSIGHT ON "EXAMINING THE POLICIES AND PRIORITIES OF THE BUREAU OF LAND MANAGEMENT, THE U.S. FOREST SERVICE, AND THE POWER MARKETING ADMINISTRATIONS"

MARCH 12, 2019

Chairman Lowenthal, Ranking Member Gosar, and Members of the Subcommittee, I am pleased to join you today to discuss the Bureau of Land Management (BLM)'s policies, priorities, and accomplishments related to our onshore energy and minerals program. We are proud to share the work we have accomplished to increase responsible access to public lands, streamline administrative processes, and provide savings to the American taxpayers without sacrificing environmental protections. Through these efforts we have advanced an "all of the above" domestic energy strategy to promote America's energy prosperity. Production of domestic energy keeps energy prices low for American families and businesses, reduces our dependence on foreign oil, creates American jobs, and generates billions of dollars in revenue to states and the Federal Treasury.

BLM'S MULTIPLE USE MISSION

The BLM manages approximately 245 million surface acres, located primarily in 12 western states, as well as 30 percent of the Nation's minerals across 700 million subsurface acres. Managing this vast portfolio is a tremendous honor for the employees of the BLM, and our work depends on close cooperative relationships with partners and local communities.

The Federal Land Policy and Management Act (FLPMA) sets forth the BLM's multiple-use and sustained yield mission, directing that public lands be managed for a variety of uses, ranging from conventional and renewable energy development, livestock grazing, conservation, mining, watershed protection, hunting, fishing, and other forms of recreation. Because of this, Federal lands support the production of goods and services that create jobs and promote economic development in communities across the Nation. This multiple use mission advances the President's priorities for energy security, shared conservation stewardship, safe borders, and putting Americans back to work. For the purposes of this hearing, I will focus on the Administration's priorities as they relate to an "all of the above" energy approach.

Under this Administration, the BLM has made it a priority to restore full collaboration and coordination with local communities, working with partners to promote multiple use on public lands, and making the Department a better neighbor. The BLM's partnerships are truly crosscutting, occurring at all levels of the agency and in key program areas. The BLM's great array of partners provides invaluable support, helping the agency deliver opportunities to engage the public in conserving, enjoying, and appropriately using the unique resources and services provided by BLM-managed lands. These partnerships have been particularly effective in efforts to restore ecosystems and landscapes, control the spread of invasive species, reduce wildfire risk, and enhance conservation and recreational opportunities. The BLM has also made it a top priority to review and streamline our business processes and information technology systems to serve our customers, as well as the public, better and faster.

AMERICA'S ENERGY AGENDA

The Administration has made environmentally responsible development of all domestic energy sources and minerals a priority. Executive Order (E.O.) 13783 (*Promoting Energy Independence and Economic Growth*) calls upon the Department, and other Federal agencies, to increase access to and reduce burdens on energy development on public lands. E.O. 13807 (*Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects*) prompted an Administration-wide assessment to determine how best to address inefficiencies in current infrastructure project decisions that delay investments, decrease job creation, and are costly to the American taxpayer.

In response to these Executive Orders, the Department and the BLM have improved environmental reviews and permitting authorizations for energy and infrastructure projects. One such example is Secretary's Order (S.O.) 3355 (*Streamlining*

National Environmental Policy Act Reviews and Implementation of Executive Order 13807), which provides a number of internal Departmental directives to increase efficiency of environmental reviews, including setting page and time limit goals on all National Environmental Policy Act (NEPA) analysis. In years past, BLM Environmental Impact Statements (EISs) had an average preparation time of approximately five years. The BLM has implemented S.O. 3355 by establishing a new 12-month approval process for EISs and their associated Federal Register notices. The BLM also coordinated with elected officials, engaged with Tribes, other Federal agencies, and the public, to identify additional opportunities to streamline planning and NEPA processes at the BLM. These efforts resulted in more than 100 specific streamlining recommendations, many of which have been or are currently being implemented.

The Department also issued four Secretarial Orders to reduce unnecessary and burdensome regulations while maintaining environmental protections. The most overarching order is S.O. 3349 (*American Energy Independence*), which directed bureaus to examine specific actions impacting oil and gas development, and any other actions affecting other energy development. S.O. 3354 (*Supporting and Improving the Federal Onshore Oil and Gas Leasing Program and Federal Solid Mineral Leasing Program*) directed the BLM to hold quarterly oil and gas lease sales, and to identify ways to promote the exploration and development of Federal onshore oil and gas and solid mineral resources.

In addition, on May 31, 2017, the Department issued S.O. 3352 (*National Petroleum Reserve—Alaska*) to jump-start energy production in the National Petroleum Reserve—Alaska (NPR-A) and update resource assessments for areas of the North Slope. As a result, on December 22, 2017, the Secretary released an updated resources assessment for the NPR-A, which estimates technically recoverable oil and gas resources to be 8.7 billion barrels of oil and 25 trillion cubic feet of natural gas. Since this report's release, the BLM has generated approximately $2.6 million in revenue. The BLM also continues planning efforts to lease tracts in the 1002 area of the Coastal Plain as authorized by the Tax Cuts and Jobs Act of 2017, Public Law 115–97. On December 20, 2018, the BLM published the Draft EIS. The BLM has since held several public meetings and the public comment period for the Draft EIS remains open until March 13, 2019.

In response to the Secretary's Orders, the BLM reviewed all regulations related to domestic oil and natural gas development on public lands, resulting in several rulemaking and policy changes. In December 2017, the BLM published a final rule to rescind the 2015 final rule on hydraulic fracturing after finding that all 32 states with Federal oil and gas leases had existing regulations that address hydraulic fracturing. Further, in January 2018, the BLM issued revised leasing reform policy that aims to streamline the leasing process and ensure quarterly oil and gas lease sales are held when lands are available for lease. Finally, after receiving significant public input, in September 2018, the BLM announced a final rule that revised the 2016 Waste Prevention Rule (commonly known as the Venting and Flaring Rule).

PUBLIC LANDS' CONTRIBUTION TO ENERGY SECURITY & ECONOMIC PROSPERITY

We are proud of the priorities established over the past two years, and the many policies we have implemented to promote sustainable and responsible energy and mineral development from the Nation's public lands. Highlighted below are specific examples of such efforts.

Oil & Natural Gas

The BLM's approach to oil and natural gas production on public lands has focused on being both better business partners and environmental stewards. Onshore oil and gas production on BLM-managed public lands is an essential contribution to the Nation's energy supply and plays a significant role in supporting hundreds of thousands of jobs for hard-working Americans. The BLM has approximately 26 million surface acres currently under lease for oil and gas development, including over 96,000 active wells on about 24,000 producing leases. The BLM oversees onshore oil and gas development on Federal lands and lands held in trust for the benefit of various tribes and for many individual allottees. Collectively, these lands contain world-class deposits of energy and mineral resources, which power millions of homes and businesses and support the broader economy. The U.S. Department of the Interior Economic Report FY 2017 estimates the Federal onshore oil and natural gas program alone provides approximately $59.6 billion in economic output and supported an estimated 284,000 jobs nationwide for Fiscal Year (FY) 2017.

The BLM is a key revenue producer for Federal and state governments by providing a significant non-tax source of funding to state and Federal treasuries, and is an important economic driver for local communities across the country. In 2018,

production from Federal lands generated in excess of $3 billion in Federal royalties, rental payments and bonus bids. Nearly half of this revenue was shared with the state where the oil and gas activity is occurring, while the rest went to the U.S. Treasury. States and counties utilize these important funds to support the building and maintaining of roads, schools, and other community needs.

Under the Department's commitment to responsible energy development, the BLM now consistently conducts quarterly lease sales, as required by the Mineral Leasing Act. In calendar year 2018, BLM state offices generated over $1.1 billion from oil and gas lease sales, an amount nearly equal to the BLM's budget for FY 2018. It also represented the highest-grossing year on record, nearly tripling what had been the agency's highest year ever in 2008. The 28 oil and gas lease sales held in calendar year 2018 resulted in 1,412 parcels leased, covering almost 1.5 million acres.

The BLM is also working diligently to improve its permitting process and our efforts are generating real results. In FY 2018, the BLM approved 3,991 Applications for Permit to Drill (APDs) on Federal and Indian lands. By prioritizing permitting, modernizing its databases, and shifting resources across the BLM offices, the average API) processing time for an administratively complete application continues to drop—now averaging 63 days spent with the BLM and 176 days overall. As recently as 2016, the average APD processing time was 257 days, of which 139 days were spent with the BLM. Additionally, the BLM has reduced APDs pending over three years by approximately 60 percent, from 556 APDs in March 2018 to 214 APDs in January 2019. The BLM maintains the goal of processing 90 percent of administratively complete APDs on BLM-managed surface within 90 days of receipt and processing 90 percent of administratively completed APDs on lands managed by other surface management agencies within 180 days of receipt.

Coal

The BLM is responsible for leasing the Federal coal mineral estate on approximately 570 million acres under the authority of the Mineral Leasing Act. In an effort to better serve the public and eliminate unnecessary burdens on energy production, the Department issued S.O. 3348, *Concerning the Federal Coal Moratorium*, which overturned the 2016 moratorium on Federal coal leases. As a result, Federal coal resources continue to be an important component of the Nation's energy mix. In FY 2018, coal was used to generate approximately 28 percent of the Nation's electricity and coal production on Federal lands provided nearly 40 percent of our Nation's coal.

The BLM has a responsibility to all Americans to ensure the coal resources it manages are administered in a responsible way to help meet our Nation's energy needs while ensuring taxpayers receive a fair return from the sale of their public resources. In FY 2018, coal lease sales and production from Federal lands resulted in the collection of approximately $570 million in Federal royalties, rental payments, and bonus bids. The U.S. Department of the Interior Economic Report FY 2017 estimates that coal contributed $11.8 billion in economic output and supported an estimated 39,000 jobs in FY 2017.

Renewable Energy

The BLM supports the America First Energy Plan, an "all of the above" plan which includes renewable energy. The BLM oversees development on public lands of three primary renewable energy sources: solar energy, wind energy, and geothermal energy. To date, the BLM has approved a total of 127 renewable energy projects with the potential to provide nearly 18,000 megawatts (MW) of generation capacity. Laws enacted in most western states require energy companies to supply a portion of their energy from renewable resources. As a result, the BLM anticipates a continued interest in public lands for renewable energy development.

The BLM manages more than 20 million acres of public lands with high solar potential in six states (California, Nevada, Arizona, New Mexico, Colorado, and Utah). The BLM has approved 37 solar projects totaling approximately 10,000 MW of installed capacity. In the last two years, the BLM has approved two solar projects—Sweetwater Solar (80 MW) in Wyoming and Palen Solar (500 MW) in California—on public lands. In FY 2019, the BLM anticipates approving an additional four projects generating approximately 1,400 MW of solar energy in California and Nevada.

The BLM also manages 20.6 million acres of public lands with wind potential in 11 western states. The BLM has approved 40 wind energy projects on public lands with 5,600 MW of total approved capacity, enough to power one million homes. One active project in Wyoming, the Chokecherry Sierra Madre Wind Energy Project, would include up to 1,000 wind turbines capable of generating up to 3,000 MW,

When fully operational, the project will be the largest onshore wind energy facility in North America. In FY 2019, the BLM anticipates approving an additional 100 MW of wind energy in New Mexico.

The BLM has the delegated authority to manage geothermal leasing on more than 240 million acres of public lands with geothermal potential in 11 western states and Alaska. The BLM currently manages more than 800 geothermal leases, with 72 leases in producing status generating over 2,000 MW of installed geothermal energy. This amounts to over 40 percent of the total U.S. geothermal energy capacity. Over the past two years, the BLM has approved one geothermal project—McGinness Hills Project (48 MW) in Nevada. In FY 2019, the BLM anticipates approving 96 MW of geothermal capacity.

Energy Transmission & Rights-of-Way

Facilitating energy transmission is a critical component of the BLM's mission to achieve energy independence. As the largest Federal land manager in the West, the BLM plays a leadership role in planning for critical energy corridors, as well as siting transmission facilities. In compliance with the Energy Policy Act of 2005, the BLM designated approximately 5,000 miles of Westwide energy corridors on public lands in the 11 contiguous western states through a 2009 Record of Decision that amended 92 land use plans. The corridors, referred to as "West-wide" or "Section 368" energy corridors, are intended for expedited permitting of electric transmission and distribution lines for oil, gas, and hydrogen pipelines. The BLM is currently leading a comprehensive, inter-agency review of this western Federal energy corridor network, which includes collaboration with state, tribal and local governments, the energy industry, non-governmental organizations, and local communities. This inter-agency effort will result in relevant corridor network updates and inter-agency process improvements. The BLM is on track to complete the inter-agency review of the energy corridor network by the end of 2019. The BLM continues work to improve the designation of existing and future energy corridors in land use plans and increase the efficiency of rights-of-way (ROW) administration.

The BLM manages a total of 118,000 ROW grants issued for a variety of uses, including electrical power generation, transmission and distribution systems, systems for the transmission and reception of electronic signals, broadband, highways, railroads, pipelines (other than oil and gas pipelines), and other facilities or systems which are in the public interest. For example, in 2019, the Department, under the direction of E.0. 13821, *Streamlining and Expediting Requests to Locate Broadband Facilities in Rural America*, and the "Presidential Memorandum on Supporting Broadband Tower Facilities in Rural America on Federal Properties Managed by the Department of the Interior," launched a new effort designed to increase broadband internet access on federally managed lands. The Department's broadband report and accompanying BLM website provide information on communications uses and existing assets that can be leveraged to expand services for rural and underserved communities throughout the United States. The BLM plans to prioritize ROW actions and cadastral services that support and advance the Administration's energy strategy, promote broadband access, economic development, provide for recovery of undiscovered or lost revenues, assist in national security, and promote public health and safety.

The BLM also seeks to modernize ROW administration by processing national ROW applications more efficiently. To this end, the BLM has implemented new guidance that streamlines certain vegetation management activities on and adjacent to powerline ROWs on public lands. This effort, which complies with Public Law 115–141, enhances reliability of the electrical grid and reduces the threat of catastrophic wildfires. The BLM is continuing to work closely with utility companies to offer predictability and efficiency in order to best serve communities, ensure grid reliability, and reduce wildfire risk.

Other Mineral Development

Non-energy mineral development on Federal lands is essential to the American economy. The BLM manages three major categories of non-energy minerals on Federal lands: locatable, saleable, and leasable. Locatable minerals are subject to the Mining Law of 1872 and typically include gold, silver, copper and other hardrock minerals. Saleable minerals, such as sand and gravel are subject to the Materials Act of 1947. Lastly, non-energy leasable minerals are typically subject to the Mineral Leasing Act and include minerals such as phosphate, sodium, potassium, and sulphur. In FY 2017, non-energy minerals produced from Federal land generated $13.4 billion to the economy and supported an estimated 48,000 jobs.

The Administration has also focused on reversing the trend of increasing American dependence on foreign imports of critical minerals that are essential to

American prosperity and national security by issuing E.O. 13817, *A Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals*. The Department issued S.O. 3359, *Critical Mineral Independence and Security*, which implements the President's Order. As part of S.O. 3359, the Department issued a final list of minerals deemed critical to the United States, on May 18, 2018. The final list includes: aluminum (bauxite), antimony, arsenic, barite, beryllium, bismuth, cesium, chromium, cobalt, fluorspar, gallium, germanium, graphite (natural), hafnium, helium, indium, lithium, magnesium, manganese, niobium, platinum group metals, potash, the rare earth elements group, rhenium, rubidium, scandium, strontium, tantalum, tellurium, tin, titanium, tungsten, uranium, vanadium, and zirconium. These minerals qualify as "critical minerals" because each has been identified as essential to the economic and national security of the United States, has a supply chain vulnerable to disruption, and serves an essential function in the manufacturing of a product, the absence of which would have significant consequences for the economy or national security. Notably, many of these critical minerals are found on BLM-managed lands.

CONCLUSION

The Department remains committed to promoting responsible energy production that helps create and sustain jobs, promotes a robust economy, and contributes to America's energy independence. Thank you for the opportunity to present this testimony. I will be glad to answer any questions.

QUESTIONS SUBMITTED FOR THE RECORD TO SECRETARY DAVID BERNHARDT, U.S. DEPARTMENT OF THE INTERIOR

Mr. Bernhardt did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.

Questions Submitted by Chairman Grijalva

Question 1. Mr. Bernhardt, you have refused to cooperate with a request for interviews from Chairman Cummings and me with four people at Interior with knowledge of your calendars.

1a. Are the four people refusing to come in for the interviews or are they being instructed not to come?

1b. Have you expressed to anyone at all that you do not want them to come in for the interview? Who?

Question 2. CQ Roll Call reported that "on some days, staff would print out [Secretary Bernhardt's] public calendar along with any relevant meeting request forms."

Faith Vander Voort, an Interior department spokesperson, said that "Meeting requests are a huge part of the puzzle that makes up [Secretary Bernhardt's] calendar. It shares what they want to meet about, who asked for the meeting. It's a puzzle piece that fits together, and when you have the public calendar and the daily card and the meeting request, if you put those things together, you could have a very good picture of what his day looks like."

2a. Given the importance of these meeting request forms to deciphering the "puzzle" that is your calendar, why have you not made those meeting requests public in response to FOIA requests?

Question 3. The New York Times reported in February that you received verbal approval from ethics officials before you rolled back protections for the Delta Smelt, an action that has long been sought by one of your biggest former clients, Westlands Water District.

3a. Given the obvious potential for conflicts of interest here, why would you get that guidance verbally rather than in writing?

3b. Who gave you that verbal guidance?

3c. Have you ever encouraged political appointees to get verbal ethics advice rather than written guidance?

Question 4. Invoices show you continued working with Westlands as late as April 2017—the same month President Trump nominated you to become Deputy Secretary,

and 6 months after you filed paperwork saying you would stop working as a lobbyist. An invoice from March 2017 specifically billed Westlands for "Federal Lobbying." However, you now say that was a mistake because you did not engage in "regulated lobbying on behalf of Westlands" during that time.

4a. What services were you billing them for between November 2016 and April 2017, if not regulated lobbying?

Question 5. I'm concerned the Awareness Review is delaying the release of documents under FOIA and is at least one of the reasons for such a large backlog.

On December 12, 2018, there was a memo from the National Park Service's Washington FOIA Office to the Park Service's Deputy Assistant Director in the Office of the Chief Information Officer. It said, "Delays resulting from the Awareness Review process, which prevent the NPS from responding to requests within the legally required 20-workday time frame are preventing the NPS from meeting its legal obligations under the FOIA."

5a. Is the Awareness Review slowing down FOIA productions?

Question 6. The Department has recently made several changes to how it handles FOIA requests, including proposing new regulations and putting a political appointee in charge of FOIA productions. The documents supporting these changes suggest they are justified because you are overwhelmed by the number and complexity of FOIA requests.

However, your own annual report suggests other problems, which are entirely controllable by decision makers at Interior. It cites a loss of staff because of your hiring freeze and budgeting, an increase in litigation that is a logical result of having a backlog, and FOIA officers not spending enough time on FOIA requests compared to their other duties.

6a. Is Interior proposing an increase in staff dedicated to processing FOIA requests? If so, how many?

6b. Has Interior lifted the hiring freeze on people working on FOIA requests that has been in place since the beginning of the Trump administration?

6c. This Committee has made a document request, co-signed by Chairman Cummings, regarding some of these questions. When will Interior be providing a substantive production for that request?

Question 7. The Secretary that proceeded you was riddled with major ethics challenges that continue past his tenure. You have a long list of clients you used to serve and whom you now regulate. You already have Inspector General investigations underway related to your conduct. If you are to earn the trust of the American people, your employees, and Congress, you need to take extraordinary steps. Will you commit to:

7a. Not taking any more meetings with former clients?

7b. Not working for any of the industries you currently regulate or have decision-making authority over when you are no longer Secretary?

Question 8. We have heard from multiple employees that work at Interior's Headquarters, where you also work, about a toxic work environment. They say morale is extremely low and that the stress is driving the most effective and efficient employees away from Interior.

8a. Under your leadership, what will the Department do to change that?

Question 9. Last year, two top scientists from the U.S. Geological Survey (USGS) resigned—Dr. Murray Hitzman, head of the Energy and Minerals Division at USGS, and Dr. Larry Meinert, his Deputy. In his resignation letter, Dr. Hitzman said it was due to the USGS providing the final results of the energy assessment for the National Petroleum Reserve to former Secretary Zinke several days in advance of the information's public release.

9a. Did former Secretary Zinke request to see the final results of that assessment before its public release? Did you also request to see those results before they were released?

USGS scientific integrity policy states that these assessments are not disclosed to anyone prior to release because they can move financial markets, resulting in unfair advantages or the perception of an unfair advantage.

9b. Do you believe that the Secretary is not covered by this scientific integrity policy?

9c. That change never happened. So clearly the USGS knew that they had to change their policy to allow for a briefing. So, who initiated this potential change and then who stopped it?

Question 10. The United Nations recently released a staggering report concluding that, without action, one million species of plants and animals will soon face extinction—and humanity itself hangs in the balance.

In responding to the U.N. report, the U.S. Fish and Wildlife Service touted itself as "a global leader in the effort to combat extinction." Yet, in the past 2 years, the U.S. Fish and Wildlife Service and NOAA Fisheries have listed a mere 17 species as threatened or endangered under the Endangered Species Act. This is a shockingly low number compared to any previous administrations (the George H.W. Bush and Reagan administrations oversaw an average of 58 and 32 listings annually), and especially considering the severity of the extinction crisis.

10a. Can you please explain how your agency can possibly be "a global leader in the effort to combat extinction," while slow-rolling protections for our most imperiled plants and animals?

Questions Submitted by Rep. Sablan

Question 1. I grow increasingly concerned about the waning influence of the United States in the Pacific and the rise of Chinese interests. America has long been the standard for leadership that countries in the Pacific look to for economic, political, and defense guidance. However, our allies in the region are increasingly engaging with China who has been more than willing to fill the void caused by our Nation's increasingly isolationist policies. The Department of the Interior has a role in international activities as part of its mission to advance U.S. foreign policy objectives.

1a. How could we bolster U.S. presence and influence in the Pacific region, remain actively engaged, and reassert ourselves as the global leader for stability and prosperity?

Question 2. The Northern Marianas and other insular areas all benefited from supplemental Medicaid funding included in the Affordable Care Act that expires this year. I understand the "Federal family" is also concerned about the potential harm to our health systems and is actively pursuing possible solutions. Congress will surely have a role to play in addressing the "Medicaid cliff" affecting the insular areas. But you can assist us greatly, Mr. Secretary. You know what the Federal family can do and what proposals the administration will support.

2a. If you could, please tell us how Congress may be able to help address this critical issue.

Question 3. Public Law 113–235 requires that Interior develop energy action plans for each insular area. Requirements of the 2014 law:

3a. Interior is supposed to create expert teams to help each insular area draw up a plan.

3b. The plans are supposed to set goals for reducing foreign energy and increasing domestic.

3c. The Secretary is supposed to approve the plan.

3d. Every year Congress is supposed to get a report from you on progress toward meeting specific benchmarks.

All with an eye on reducing electricity rates—rates that are still four times higher in the Marianas than the national average and have not changed in the years since the law was enacted. I received a letter from Assistant Secretary for Insular and International Affairs, Doug Domenech with information about energy strategies each insular area has and a record of energy grants that Interior has awarded. However, it all seemed a bit unfocused, and despite millions of dollars spent, electricity costs have not changed—at least not in the Northern Marianas. Also, mere mentions in the Department's annual budget justifications do not suffice as annual reports required by law. Please tell me what the Department is doing to start actually implementing energy action plans for the insular areas and complying with requirements of Public Law 113–235.

Questions Submitted by Rep. Huffman

Question 1. Mr. Secretary, during the hearing you committed to getting back to me with an answer on a question regarding the re-initiation of consultation for CVP operations, and I wanted to follow up on this issue.

1a. Have you directed the re-initiation of consultation for CVP operations to include Old and Middle River storm flexibility provisions like those in the WIIN Act? Have you given any direction in that regard? Can you please share with the Committee what directives you have provided on the re-initiation of consultation for CVP operations?

Question 2. Mr. Secretary, in September 2017, Interior's Inspector General found that the Federal Government improperly subsidized the planning process for the Bay Delta Conservation Plan—which benefited the Westlands Water District—and failed to disclose this to Congress and the public. On October 24, 2017, Chair Grijalva and I requested a GAO legal opinion on this accounting scheme. On April 10, 2019, Chair Grijalva and I wrote to you because we were told you were not providing information the GAO requested.

2a. At the hearing, you committed to checking with Ethics on this. Can you commit to directing Interior staff to cooperate with the GAO on this matter that would appear to benefit your former client?

Question 3. Mr. Secretary, in response to my question about the shutdown you responded that "We directed folks to report for renewable projects, certainly for one particular solar project I'm aware of we put people back to work right away." I have seen no evidence to support this claim.

You also expressed surprise that BOEM did not decide to bring back employees to work on offshore wind permit reviews and alluded to the reason being the cost of doing so.

To clarify your responses during the hearing, please respond in writing to the following questions:

3a. How many employees were brought back during the shutdown to work on wind (both onshore and offshore), solar, and geothermal projects? How many hours of work did these employees provide? Please provide this data separately for each energy resource.

3b. How many employees were brought back to work during the shutdown for onshore and offshore oil and gas activities? How many hours did these employees work?

3c. How much money did it cost to bring back these employees working on oil and gas activities?

3d. Who made the decision not to bring back employees to work on offshore wind projects and why? What was the estimated cost of bringing back employees to work on offshore wind?

Question Submitted by Rep. Lowenthal

Question 1. Will you commit to prioritizing and increasing funding for implementation of the John D. Dingell Conservation, Management, and Recreation Act in Utah? In particular, for law enforcement, wilderness management, and implementation of the Emery County Title of that legislation?

Questions Submitted by Rep. Cox

Question 1. Thank you for your Department's work on increasing the CVP allocations last month to 65 percent. It's great that we're having a wet water year and it's important to bank for the future, however I hope that Reclamation will revise that number up. In fact, in the days following your hearing between 8 and 15 inches of snow fell in the Sierra Nevada and the Central Valley received some welcome rainfall. Historically, in wet years like this, there has been a higher—even 100 percent—allocation for south of the Delta water users.

1a. What were the factors prohibiting the Bureau of Reclamation from setting a higher allocation and what steps is the Department taking to ensure future years like this result in the highest possible allocations?

Question 2. The final biological opinions for the CVP and California State Water Project are due out next month. What additional resources has your department made available to ensure the biops are adequately completed in time? Is there a

process in place between the agencies to resolve conflicting requirements that may come out of the draft biological opinions?

Question Submitted by Rep. Neguse

Question 1. The Department of the Interior's proposed reorganization would move Glen Canyon Dam, Lake Powell, and Lee Ferry from the current Upper Colorado Region to the new Lower Colorado Basin Region. This change would ignore the Colorado River Compact of 1922 which divided the Upper Basin from the Lower Basin at Lee Ferry. The four Upper Colorado River Basin states have expressed concern over this change given the crucial nature of Glen Canyon Dam and Lee Ferry—including the Paria River—to the administration of the Colorado River (September 19, 2018 letter from the Upper Colorado River Commissioners). The states have asked Interior to revise the proposed regional boundary, citing institutional knowledge within Upper Colorado region among other concerns.

1a. Does the Department of the Interior intend to revise the regional boundary so that Lee Ferry, Glen Canyon Dam, and Lake Powell will remain a part of the Upper Colorado region?

Questions Submitted by Rep. Van Drew

Question 1. Secretary Bernhardt, the Department of the Interior overturned decades of consistent interpretation of the Migratory Bird Treaty Act covering incidental take, and the effects of that decision are starting to come to light.

1a. Is the U.S. Fish and Wildlife Service able to still bring enforcement actions against companies that incidentally kill birds?

1b. What if another Deepwater Horizon-type disaster occurs, and thousands of birds are killed, would the company that caused the disaster be held liable under the MBTA?

Question 2. We hear that regulations are being developed to implement the new legal opinion. Will they provide an avenue for holding companies liable?

Question 3. Do you think that there is a pathway to a solution that both benefits bird conservation and provides industry with regulatory certainty without undermining the intent of the MBTA and our commitments under treaties with other countries to protect migratory birds?

Questions Submitted by Rep. DeGette

Question 1. Will you stop offering oil and gas leases in wildlife corridors and priority areas?

Question 2. What additional steps are you taking to ensure that the BLM's oil and gas leasing program aligns with your stated commitment to big game?

Question 3. Massive numbers of leases for energy development are being let under your administration. With the thousands of leases, already let, yet to be developed, what is the purpose in these sales? Does this not cheat the American tax payer of revenue?

Question 4. Gas and oil are a glut on the market. Should lease sales, at minimal prices, be your priority?

Question 5. Many of the leases being let are in priority habitats for conservation purposes. Is your purpose to establish valid existing rights on these lands, in order to complicate conservation under a future administration?

Question 6. You have systematically eliminated all of the factors that led to the "Not Warranted" finding on Greater sage-grouse. Is your purpose to challenge the Endangered Species Act, as you did in private practice with the American eel? What peer-reviewed scientific analysis did the Department rely on when deciding that it was necessary to reopen the 2015 conservation plans? What assurances can you give that these changes won't make an ESA listing more likely?

Question 7. Without the certainty of these reliable, effective actions, there will no longer be a basis for the "not warranted" decision, leading to action by FWS and/or courts to protect the species and its habitat.

Question 8. Can you explain how recent decisions of the department, including allowing widespread oil and gas leasing in sage-grouse habitat, creating broad loopholes that allow increased drilling, and eliminating compensatory mitigation requirements on Federal lands, will help ensure that sage-grouse remain as not listed under the ESA?

Question 9. There is, underway, a systematic failure to evaluate performance on grazing leases as they reach term. Biologists, Range Cons etc. are not being engaged in those evaluations. Instead, these leases are being reissued through Categorical Exclusion. What is your purpose in avoiding these much needed evaluations?

Question 10. You have arbitrarily removed BLM from its responsibility for mitigation of damages to the lands that they manage and passed that responsibility to the states. What statutory underpinning is there that allows states to enforce mitigation on Federal Lands?

Question 11. Your mandate is "multiple use management with sustainable yield. Does this allow the devaluation of all other resources, in order to prioritize fossil fuels?

Question 12. Why are damages done to Federal Lands, through development, not a cost of doing business for the proponent?

Question 13. You maintain an expert staff for the management of wildlife and their habitats. Why are you combining the budgets for "wildlife" and "T&E Species" into one "Habitat" budget?

Question 14. Why is BLM shirking it's duty, under FLPMA, to prioritize ACECs in current ongoing planning processes? For example, in the Bering Sea Western Interior plan, one of only two draft RMPs BLM has released in the last 2 years BLM proposed in its preferred alternative to not only eliminate 1.8 million acres of existing ACECs, but proposes the creation of zero acres across the 13.5 million acre planning area despite tribal communities nominating 7 million acres for ACEC protection.

Question 15. Through continuous efforts, you have shown a determination to allow less public input on the management of their public lands. Why would you deny the landowners their role in those lands?

Question 16. With your expert staff on leave during the shutdown, how were you able to process such a vast array of APD, authorizing drilling on public lands without those expert opinions?

Question Submitted by Rep. Case

Question 1. As isolated islands in the middle of the Pacific Ocean, Hawai'i has one of the highest numbers and rates of endemic species in the world. The introduction of exotic species over the last few centuries, diseases, overdevelopment and now the real effects of climate change have taken a devastating toll on native flora and fauna. More than 70 percent of bird species have gone extinct and more than 30 various species are endangered or threatened.

Successful protection and recovery of our remaining species depends greatly on full implementation of the Endangered Species Act by the Department of Interior and state, local and private partners, using the best available science and maximizing and aligning resources to the greatest needs.

A primary source of federal assistance under the ESA is the Traditional Conservation Grant Funds Program. However, in reviewing the distribution of such funds nationally, it is clear that Hawai'i receives an allocation which is disproportionately small compared to the great number of endangered species in Hawai'i as against other states.

Can you please address this disconnect, to include:

1a. Please explain the laws, regulations and other factors the Department takes into account when allocating the Traditional Conservation Grant Funds Program.

1b. Please explain why Hawai'i receives a disproportionately smaller allocation than other states.

1c. Is the Department considering a more proportional distribution of funding that recognizes the number of endangered and endemic species in Hawai'i?

Questions Submitted by Rep. Bishop

Question 1. It is evident that due to a combination of factors, wildfires have increased in frequency, and in intensity. The past successive wildfire seasons across the country continue to grow in size and cost, year after year. Last year alone Federal spending topped $3.1 billion, the largest amount ever. The Administration, in concert with Congress, acted last year to positively address the issue of the escalating wildfire funding problem by enacting the bipartisan Wildfire and Disaster Funding Adjustment provision. This fix gave the U.S. Department of Agriculture (USDA) and the U.S. Department of the Interior (DOI) the flexibly to ensure that land management agencies can fight wildfires—even during extraordinary seasons—without depleting much-needed funding from other parts of their budgets.

I note that the Administration's overall FY 2020 budget request for wildfire management is down from FY 2019 enacted levels, especially after Congress gave the agency the aforementioned flexibility. This overall reduction seems counter intuitive to implementing aggressive fuels reduction work and pre-suppression activities to help mitigate the incidence of catastrophic wildfires.

Could you tell the Committee how much money the Agency is proposing to allocate toward proactive measures, such as data on wildfire potential and watershed conditions to reduce the frequency and severity of wildfire events to high-risk, geographic regions?

Question 2. In addition, more citizens are moving to "natural" areas. As a result, development has occurred to accommodate the influx which has resulted in fire departments combating fires along the wildland urban interface (WUI). WUI are defined as areas where homes are built near or among lands prone to wildfires. For clarification, WUI is not an actual place, but a set of conditions that can exist in nearly every community in the country. Under this backdrop, will the Agency dedicate resources to develop fire mitigation plans that require that the construction of new homes within the WUI must include requirements to install the proper water infrastructure to support firefighting resources commensurate with the risk?

Questions Submitted by Rep. González-Colón

Question 1. The U.S. Department of the Interior has an important presence in Puerto Rico. The National Park Service administers the San Juan National Historic Site, a world heritage site that includes important 16th century fortifications from the Spanish colonial era, including Forts San Cristóbal, San Felipe del Morro, and San Juan de la Cruz, in addition to three-quarters of the city walls surrounding Old San Juan.

San Juan National Historic Site is vital to Puerto Rico's economy. In 2016 alone, more than 1.4 million people visited the park, spurring more than $85 million in revenue. As Puerto Rico's sole representative in Congress, I am committed to ensuring the Department and the National Park Service have the necessary resources to protect and conserve this cultural treasure.

An important part of this effort must be addressing the park's deferred maintenance backlog, which in FY 2018 totaled over $40.1 million. This figure represents an increase of over $12.2 million from FY 2017.

1a. What actions has the Department taken to date to address the deferred maintenance backlog in the San Juan National Historic Site? How does the FY 2020 budget request seek to alleviate or solve this issue across this and other National Park Service units?

Question 2. During the Natural Resources Full Committee hearing, you mentioned that you would be signing an order to allow the use of recreational fees to address certain employees, including the masons at the San Juan National Historic Site.

2a. Could you elaborate on this proposal? How would it specifically impact the masonry program at the San Juan National Historic Site?

Question 3. The Department of the Interior's presence in Puerto Rico is also seen through the U.S. Fish and Wildlife Service, which administers five National Wildlife Refuges on the Island: the Desecheo, Laguna Cartagena, Cabo Rojo, Culebra, and Vieques National Wildlife Refuges.

3a. Could your office provide this Committee a detailed breakdown of the total cost of deferred maintenance projects across the five National Wildlife Refuges in Puerto Rico and how the Department intends to address the backlog in each of them?

Question 4. Addressing the National Wildlife Refuge System's deferred maintenance backlog is particularly important to the island municipalities of Vieques and Culebra, where two of Puerto Rico's National Wildlife Refuges are located.

The Vieques National Wildlife Refuge is a former U.S. Navy Weapons Training Base that was actively used for more than 60 years. When the U.S. Navy left the island of Vieques in the early 2000s, thousands of unexploded ordinance (UXO), munition related debris, and several dump sites were left behind. The Navy has been conducting environmental cleanup efforts ever since. Although much progress has been made, a major portion of the eastern refuge is still closed due to the danger of unexploded ordnance and the cleanup process occurring in that area.

In a December 2018 report to Congress, the U.S. Department of the Navy stated that land and water cleanup efforts in Vieques would be completed between 2031 and 2032, respectively.

4a. What actions does the Department of the Interior intend to take to help the Department of Defense and local authorities expedite the cleanup process in Vieques and Culebra, where applicable? What efforts are currently being pursued to ensure the National Wildlife Refuges contribute to the island's local economies?

Question 5. In 2009, Congress authorized the Department of the Interior to conduct a special resource study to determine whether Fort San Geronimo, which is on the eastern side of Old San Juan, should be added to the San Juan National Historic Site.

5a. Could you provide an update on the status of this study and when the Department, and specifically the National Park Service, expects to finalize and publish its findings? I note that it has been 10 years since Congress authorized this study and it is urgent that we explore every avenue to protect this fortification.

Question 6. Many of the Department of the Interior's facilities in Puerto Rico were severely impacted by Hurricanes Irma and Maria in 2017. What is the status of the rebuilding process across the Department's units on the Island? What efforts have been pursued, to date, to address the damage? What challenges, if any, has the Department encountered throughout the process and how can Congress assist in addressing them?

The CHAIRMAN. Thank you, Mr. Secretary. Let me recognize myself for an initial question.

Mr. Secretary, I think it is important to start by addressing one of the big elephants in the room. And that is—President Trump told the *Washington Post* last month that he opposes the current and former White House aides and personnel testifying to Congress. He said, "There is no reason to go any further, and especially in a Congress where it is very partisan."

The lack of transparency and accountability concerns this Committee a great deal. Since the beginning of the year we have sent 17 documented requests to the Interior Department and only got substantive partial responses to two of them.

I want to be clear that answering congressional inquiries is not a matter of the President's—or, for that matter, a Secretary's—personal discretion. We have legal justification for that kind of request, and no legal justification for not responding to those requests.

It is also, I think, important to note that the Administration's lack of accountability has gone well beyond the Mueller Report. The White House has gone so far as to ignore legally unambiguous access to the President's tax returns. President Trump has made it clear he is not interested in cooperating with legitimate congressional inquiries of any kind, for that matter. His attitude seems to be, Mr. Secretary, that Democrats are just out to get him, and so

his administration is not going to respond to our questions or our concerns.

I am concerned that this stonewalling will escalate to a constitutional collision, from crisis to collision. It seems to be an inevitability, if the attitude continues. If the President continues to ignore legitimate questions, whether it suits him—whenever it suits him, and tells his appointees to do the same, Congress will have the duty to defend and enforce their constitutional rights.

Since Secretary Zinke's abrupt departure, your transition from Acting Secretary to confirmed head of the Department, we have been doing our due diligence on this Committee to fulfill our oversight responsibility. And in doing so we have made inquiries, from Subcommittees to Full Committee. And I might add, we have been very judicious about compelling the agency to respond to these questions.

But we need to know. I think the Committee needs to know, and I pose this question: We need to know what kind of relationship we are going to have with you, as an equal branch of government, from now on. I would like to hear from you whether you feel the same way the President does, in terms of his attitude toward Committee oversight, inquiry, legitimate questions, and legal initiatives to try to acquire and have that information. And can we expect a healthier relationship with the Interior Department?

That is the question, because I really believe that, as I said earlier, as we try to deal with the rationale and the motivation behind a given Interior Department decision, a policy change, a regulatory move, essential to us being able to perform our job and be responsive to the American people is information, information that will deal with those two questions about rationale and motivation.

So, with that, the question is a general question, Mr. Secretary. But I think it is one that the cloud that is being created right now by the Trump administration, in terms of non-responsiveness to the Majority in this House, I think is escalating.

And my question is what is the relationship between this Committee, its Majority, and your office, and the Department of the Interior?

Secretary BERNHARDT. I respect the role of Congress to conduct oversight, and I believe that the Department needs to be responsive.

At the same time, that interest is tempered by an interest that I have to also ensure that I am appropriately protective of the legitimate issue interests of the Department and the executive branch.

My experience over the last 26 years has been that almost every item that Congress has an interest in, the two branches of government in good faith can find a way to come up with a reasonable accommodation that satisfies both protecting the Department's interests and protecting yours. And I asked for a comparison of the requests that had come in from you all and our responsiveness to them to the last time there was a different administration. And when I run the numbers, we have already provided over 66,000 pages of documentation and 10,000 documents.

And one of the things I was thinking as I came up here is, to the extent that there is frustration, maybe one of the ways to do

it is to sit down and have a discussion about developing a production schedule that you find mutually agreeable.

There is some documentation—when you ask for things that are in deliberative process, there are some long-standing interests there that we want to maintain, but there may be ways to work with—I am sorry to go over time——

The CHAIRMAN. No, no, I think that is the crux of the point. And I think that there is quantitative response to the request and then there is qualitative response to the request. And a qualitative response to the request is our point, that while we have reams of paper, we don't have content that leads us to look at rationale and motivation.

But with that, let me turn to the Ranking Member for his time.

Mr. Bishop.

Mr. BISHOP. Thank you. I realize, Secretary, that you have had 17 requests for documents, and so far you have responded to 16 of them with something. I walked into our office back there with what has—actually, you have consumed our office right now with what you have sent up here, not only in substantive, but also qualitative.

I will ask you later on about the relationship you actually have with the White House, simply because in past administrations the Interior Department was oftentimes over-ruled or told what to do by the White House. I will give you a chance to think about that while I ask some other kinds of situations, though.

There have been some vague and sometimes repeated accusations that your Department is censoring science in favor of certain industries. If you recall under the Obama administration, there were several scandals that undermined the scientific integrity of the Department, including a long-standing problem with the USGS that went unaddressed by that administration.

What is the current situation with science in the Department? Are studies being tossed into the shredder as soon as they are printed out, as some people have implied?

Secretary BERNHARDT. No.

Mr. BISHOP. All right. Your answer has to be at least as long as the question that I gave you.

[Laughter.]

Secretary BERNHARDT. Let me say something about that. First off, the answer is no. I actually think that claims of scientific integrity misconduct are actually down over the last 2 years, compared to the prior years. That is according to our scientific integrity team.

Second, one of the first things I did as Acting was I asked Bill Werkheiser, who is a career scientist who was the head of scientific integrity in the Department, to come into my office and serve as my science advisor. I did that for a couple of reasons: I want to ensure that the information and advice I get is good, but it was also to ensure that we have a representative from my office that is liaisoning with all of the other bureaus' science shops to ensure that they have a degree of comfort that issues are being addressed.

My view is we take the science as we find it. Generally, the science or fact is one of a couple of elements that go into a decision. Generally, a decision, at least from my perspective, typically is one that there is a legal framework for. There is a factual basis that you need to have. And in certain decisions—not all, but in certain

decisions there is also an element of policy. Some decisions are pure science. Some decisions are pure law. But in general, there is some intersection of all three of those. Generally, on more significant decisions——

Mr. BISHOP. OK, I appreciate you doing that. Let me tell you three areas I would like to talk about. Obviously, we won't get to it in the minute and 50 seconds I have remaining.

But there is a cumulative effect of the regulatory reform that has been going on. What would that actually mean to the American people?

You have done, in your Department, some creative things with fees, and what you want to do with fees in the future, as well as you talked about reorganization.

There are still some areas we need to explore about why that reorganization takes place.

And I would like to know about the relationship that you have with the White House and the Interior Department. Do you have really a free hand with the White House telling you what to do with Interior? That did not happen in the last administration.

Which one of those do you want to hit first? You can probably get one or two——

Secretary BERNHARDT. Let me take the White House one, as somebody who spent about 10 years in the Department, in the Interior. And one thing I did not appreciate until I was made Acting is the role a cabinet Secretary plays in interacting with the President. I guess I had not given that a lot of thought. But I can tell you that the role is very direct, and I think that that is a great thing for the Department.

The reality is the President is responsive when you call him, and he wants you to be responsive when he calls you. And it is really a positive thing that I was a little taken aback by. My first meeting with the President as Acting, he asked me for my card. And I said, "Why would you need my card?" And he said, "Because I might need to call you." And we talked about it, and he has. He has called me regularly. And I think he is very hands-on, he is very decisive when you give him pros and cons. He has been very good to work with, and I feel very comfortable that I can go into his office.

Mr. BISHOP. OK, we are out of time, but thank you. Sorry. Hopefully we will get to some of those other issues later.

Secretary BERNHARDT. I will get to them.

Mr. BISHOP. OK.

The CHAIRMAN. Mr. Sablan.

Mr. SABLAN. Thank you very much, Mr. Chairman. Mr. Secretary, welcome and thank you very much for taking the time to visit the congressional office.

In looking at your testimony and all the attachments, a paragraph was dedicated to the insular areas and the other compact nations, and I read that in 2020, the Office of Insular Affairs will implement activities to bolster healthcare quality.

Mr. Secretary, the Northern Marianas and other insular areas all benefited from the supplemental Medicaid funding included in the ACA/BPA that expires on September 30 of this year. We expect to hold a hearing soon in this Committee on the impending

Medicaid funding crisis, and I understand the Federal family is also concerned about the potential harm to our health systems.

Congress will surely have a role to play in addressing the Medicaid cliff affecting dangerous areas. But you, sir, can assist us greatly, Mr. Secretary. You know what the Federal family can do, and what proposals the Administration will support. If you could, please tell us how Congress may be able to really help address this truly critical health issue.

Secretary BERNHARDT. So, Assistant Secretary Domenech I know is on top of that issue, and we would be happy to sit down with you and discuss a pathway forward.

Medicare is sort of something that is not in my sweet spot of expertise. I don't have a——

Mr. SABLAN. I understand, but the Federal family may be——

Secretary BERNHARDT. We are happy to be—we are a pretty good voice, internally, for the insular areas. And I can tell you that if we get ourselves pointed in the right direction, we can help.

Mr. SABLAN. Thank you, because this is really an issue of life and death.

Secretary BERNHARDT. I appreciate that.

Mr. SABLAN. Thank you. So, Mr. Secretary, you mentioned that you would probably get Assistant Secretary Domenech to talk to us on this Medicaid crisis and see where we could help each other address this issue for our mutual constituents in the insular areas.

I am wondering maybe if this would—because we discussed this also in your visit. I want to ask you whether you have talked to Assistant Secretary Domenech about the energy action plans required by Federal law for each insular area. In our meeting earlier, we talked about the requirements of the 2014 law. Your Department is supposed to create expert teams to help each insular area draw up a plan. The plan is supposed to set goals for reducing foreign energy and increasing domestic energy, sir. The Secretary—you, sir—are supposed to approve the plan. And every year Congress is supposed to get a report from you on the progress toward meeting specific benchmarks.

So, all with an eye on reducing electricity rates for my constituents, rates that are still four times higher in the Marianas than the national average, and have not changed in the years since the law was enacted, I did get a letter from Mr. Domenech with information about energy strategies. Each insular area has energy grants that Interior has awarded, and we thank you for that. But it all seemed a bit unfocused. And, as I say, despite millions of dollars spent, Mr. Secretary, electricity cost has not changed, at least not in the Northern Marianas.

So, were you able to have that talk with Mr. Domenech about implementing the law, Public Law 113–235? What can you tell us about this, Mr. Secretary?

Secretary BERNHARDT. Secretary Domenech is looking very carefully to see if he is complying, and he will be.

Mr. SABLAN. If he is complying with the law?

Secretary BERNHARDT. Absolutely. If we are late on those reports, he is going to be working on those——

Mr. SABLAN. Respectfully, Mr. Secretary, has the Department of the Interior sent at least one report to——

Secretary BERNHARDT. I told him we are going to be in compliance.

Mr. SABLAN. It is 2014, 2015, 2016, 2017, 2018—5 years.

Secretary BERNHARDT. We are going to be in compliance.

Mr. SABLAN. All right. I don't have too much time. I may have to submit.

But, yes, I appreciate, Mr. Secretary, that in that one paragraph your Department has brought up the concern about the waning influence of the United States in the Pacific, and the rise of Chinese interests. I appreciate that the United States has provided leadership that countries in the Pacific look to for economic, political, and defense guidance. However, our allies in the region are increasingly engaging with China, that has been more than willing to fill the void caused by our Nation's increasing isolationist policy.

But I appreciate that your Department is going to look into that. I appreciate that the states are going to be visiting soon. And thank you very much, Mr. Secretary, for today.

Secretary BERNHARDT. We are spending a significant amount of time with other larger agencies, discussing the need for us to be very smart in the insular areas across the board. And I think that there is tremendous interest in making sure that we are represented in the United States.

Mr. SABLAN. Thank you. What is——

The CHAIRMAN. Your time is way up, sir.

Mr. SABLAN. Let me just ask——

The CHAIRMAN. Mr. Sablan, I think we are done with the time, thank you.

Mr. Lamborn.

Mr. LAMBORN. Thank you, Mr. Chairman. And Mr. Bernhardt, I am glad that you are here. You are uniquely qualified to be a Secretary of the Interior. You have been a chief of staff to the Secretary, you have been a Director of Congressional and Legislative Affairs in the Department, and you were a Senate-confirmed Solicitor under President Bush. So, you have background in the policy, managerial, intergovernmental, and oversight roles that any Secretary needs to master. I think the people of the country are well served to have you in this position. I appreciate that.

And you are a native of Colorado, so you understand the West, and Colorado in particular, and I appreciate that, also.

Let me ask you about reorganization of the Department. There has been a push from some of the Colorado Representatives, and I think others in the West, to bring some of the Washington, DC offices west of the Mississippi so they are closer to where the policies are actually enacted, and it is easier to get around and see firsthand what effect the policies have on the land itself.

I think it makes a lot of sense to reorganize and bring some offices to the West. And some of the places that we are pushing for and would suggest for your consideration are Grand Junction, which is in Scott Tipton's district; Colorado Springs, which is in my district; and the Denver Metro Area, which has five Representatives, including Joe Neguse and Diana DeGette, who are on this Committee.

So, what can you tell us about an upcoming timeline to announce anything that might happen with reorganization?

Secretary BERNHARDT. Secretary Zinke had a very ambitious reorganization proposal that really, from my perspective, included three parts.

The first part was a unified regional boundary structure for our bureaus, an internal management device. And we worked with Congress, and in August of last year structured the boundaries to be the same for regional boundaries for all of the bureaus, except for the Bureau of Indian Affairs and the Bureau of Indian Education. And that means that we came up here and asked for a reprogramming, and that is locked in. Those boundaries are made, and they just need to be implemented.

We now have the other two pieces of the Secretary's vision to deal with. The second one was moving some of the headquarters West, and I am very committed to working to achieve that. Certainly, some of the communities you mentioned are logical places. Other Members have slightly different views, but I would expect that, certainly by this summer, we are setting up a reprogramming request regarding a potential move of some of the folks in the Bureau of Land Management, and potentially the U.S. Geological Survey.

And that is something that has long—I mean I have seen Committee transcripts back to 1936, where they were talking about the need for senior management to be farther West. So, that is going to happen, I think.

Mr. LAMBORN. Excellent, excellent.

Secretary BERNHARDT. The third piece was a piece that Secretary Zinke had, which was to create a kind of a regional commander in each of these regions, and create a relatively large bureaucracy. And I am not sold on that piece of it, so we are tweaking that.

Mr. LAMBORN. OK, thank you.

Secretary BERNHARDT. So, that is where we are.

Mr. LAMBORN. Excellent.

Secretary BERNHARDT. All of those communities you mentioned are in the running.

Mr. LAMBORN. OK, excellent. And, changing gears, I want to ask about the Department of Ethics Office, and what are you doing to transform the ethics program to make it even more robust? I know that you have some career Federal ethics officials that you consult with regularly, including Vice President Joe Biden's senior ethics official, Scott de la Vega. So, what are you doing in the Ethics Office there at Interior?

Secretary BERNHARDT. Our ethics program, over a long period of time, has been subject to significant criticism. Both the Ethics Office and the Department—the Inspector General's office at different times in the prior administration requested additional money for Ethics, and that money didn't arrive. And I think, frankly, the state of that office did not help Secretary Zinke when he arrived.

So, the steps that we have taken so far, we have elevated the reporting structure of the designated agency ethics official, who is the top person in Ethics. We brought in additional people overall at the Department. I think we have hired 42 additional ethics counselors. We are going through a second phase of modifying the reporting

structure to ensure that they are all reporting to the career ethics officials.

I think it is an unprecedented effort to ensure that we have a culture of compliance within the Department. So, we have done a lot there.

Mr. LAMBORN. Mr. Chairman, I am going to yield back.

Thank you for your answer.

I would like to ask for unanimous consent to introduce a letter dated March 25 of this year from the Interior to Senators Warren and Blumenthal on an ethics issue that I think is of concern. I would just like to have it introduced to the record by unanimous consent.

The CHAIRMAN. Without objection, so ordered.

Mr. Huffman.

Mr. HUFFMAN. Thank you. Mr. Secretary, I hope we agree that public service is a public trust, especially with an office like yours, which is entrusted with overseeing vast public resources for the American people. So, let's start with a basic question.

Do you agree that our ethics rules exist not just to avoid actual conflicts of interests, but to avoid the appearance of a conflict so that the public can have trust and confidence in our government?

Secretary BERNHARDT. Well, I would say that 2635 CFR 502——

Mr. HUFFMAN. It is a yes-or-no question, Mr. Secretary.

Secretary BERNHARDT. Yes, it addresses impartiality.

Mr. HUFFMAN. Thank you. And I know that same standard is reflected in your own recusal letter.

Mr. Secretary, before you joined the Administration you were a lobbyist and a lawyer for the Westlands Water District, and your work for that client included lobbying on the WIIN Act signed into law in late 2016, correct?

Secretary BERNHARDT. I certainly worked at different times on provisions that were included within the WIIN Act, yes.

Mr. HUFFMAN. Right. Now, Mr. Secretary, the WIIN Act was a huge water bill. It had lots of sections, it had WRDA, all of these Corps of Engineers provisions, had some money for Flint, Michigan water needs, recycling, desalination, some tribal water rights settlements. You didn't lobby on any of those sections. You were lobbying for Westlands, focused on efforts to increase Central Valley Project pumping from the Delta. Specifically, sections 4001 and 4003 of subtitle J of the WIIN Act, correct?

Secretary BERNHARDT. I think it was more focused on 4002.

Mr. HUFFMAN. OK, the specific sessions involving Delta operations that affected Westlands, correct?

Secretary BERNHARDT. I certainly would say 4002 falls into that category. And I am not sure I would say that it affects Westlands, necessarily, but it is certainly——

Mr. HUFFMAN. Well, Mr. Secretary, with all due respect, those two specific sections involving Delta operations were a giant thumb on the scale against endangered fish in the Delta and in favor of the Westlands Water District. It was your thumb when you helped write those sections. And, by the way, you had been advocating for these things for several years on behalf of Westlands. And it is your thumb now, as the person in charge of interpreting these laws and implementing them.

But your lobbying work for Westlands on these things didn't count, you would argue, it didn't even count toward your 2-year recusal under the Trump ethics pledge, correct?

Secretary BERNHARDT. Before I was even seriously considering coming into the Department as Deputy, I told Secretary Zinke that——

Mr. HUFFMAN. Mr. Secretary, I don't have time for a narrative. The question is did your lobbying for Westlands on these specific sections of the WIIN Act count toward your 2-year recusal under the Trump ethics pledge?

Secretary BERNHARDT. Those specific activities regarding Public Law 114–322, which is the WIIN Act, those activities were viewed to not constitute lobbying on a particular matter——

Mr. HUFFMAN. Right, and that is significant——

Secretary BERNHARDT [continuing]. Which is a specific——

Mr. HUFFMAN. Reclaiming my time, that is a specific term—this is my time, Mr. Secretary. It is important that you use that specific term of art. Because even though there were specific sections benefiting your client, if you can say that they didn't constitute a particular matter, you have a 5-month head start working on those things on behalf of Westlands as Secretary of the Interior. You have 5 months in which your recusal didn't apply. Correct?

Secretary BERNHARDT. It is not my view. What I did is I went to the career ethics officials——

Mr. HUFFMAN. And you convinced him that didn't constitute a particular matter.

Do you think, Mr. Secretary, by parsing in that way, do you think you are upholding the standard of ethics we talked about at the beginning of my question?

Secretary BERNHARDT. I absolutely do, because 502, impartiality, goes to particular matters involving specific parties. And my action is completely consistent with OGE guidance, from my ethics officials, and I have followed their guidance to a T, and that has been reaffirmed in multiple——

Mr. HUFFMAN. Mr. Secretary, Westlands was by no means your only client. You also represented the Independent Petroleum Association of America. I am sure you are aware of how your former clients in the oil and gas industry have boasted about their special access to you at a 2017 meeting.

Dan Naatz, the Director of the IPAA, boasted about how well he knew you, saying, "We have direct access to him, conversations about issues ranging from Federal land access to the ESA." This was during your recusal. Was he just confused about who he thought he was talking to during this period?

Secretary BERNHARDT. Well, I can say emphatically I haven't talked to Dan Naatz since I walked into the Department. Probably——

Mr. HUFFMAN. So, he was just wrong when he told a room full of oil and gas executives that he was having these conversations?

Secretary BERNHARDT. He certainly didn't have any conversations with me when I got to Interior a day after, or any day after that.

Mr. HUFFMAN. OK.

The CHAIRMAN. Thank you, sir.

Mr. McClintock.

Mr. MCCLINTOCK. Thank you, Mr. Secretary. Just a follow-up on this, just to be very clear. You have DOI career ethics officials, and they have determined that your recusal is not required? Am I correct?

Secretary BERNHARDT. That is right. That is exactly right.

Mr. MCCLINTOCK. And there is a memo to Scott de la Vega, who is the Director of the Ethics Office of the DOI from Heather Gottry and Edward McConnoll, a very lengthy document, but it concludes that both the draft EISNOI and the 2009 BA are matters defined in the memorandum. As such, DOI employees are not required to recuse from participation in either the draft EISNOI or the 2019 BA.

Secretary BERNHARDT. That is correct.

Mr. MCCLINTOCK. Great. In fact, Mr. Chairman, I would like to ask unanimous consent to submit that for the record.

Mr. Chairman? Unanimous consent?

The CHAIRMAN. Yes.

Mr. MCCLINTOCK. Mr. Bernhardt, first and foremost—and I have mentioned this before, but I want to thank you again for your exemplary leadership as Acting Secretary during the shutdown this past winter. It was a stark contrast to how the Obama administration administered the shutdown in 2013.

As you know, I have Yosemite Valley and Yosemite National Park in my district, as well as Sequoia and Kings Canyon, critically important to tourism and to the economies. In 2013, during the shutdown, the Obama administration deliberately closed and locked the gates. They forced every business conducting business to shut down, just because they were on a national park property. They went so far as to barricade the turnouts on the highway overlooking the valley, so people couldn't stop, get out of their cars, and even get a glimpse of the valley.

When you took over as Acting Secretary, we had a shutdown. You went to extraordinary lengths to keep the park open. Businesses continued to operate, reservations continued to be honored, the park gates were open, and you did exemplary service in keeping the parks clean, safe, and open for business through the shutdown.

And again, on behalf of all of the visitors of Yosemite Valley and the gateway communities, I want to thank you again for your service in that regard. And again, the contrast with the Obama administration was just stunning.

Secretary BERNHARDT. Thank you.

Mr. MCCLINTOCK. You are familiar with the California State Water Resource Control Board unimpaired flow rule. We have had record rainfall. That unimpaired rule is going to require the early draining of our reservoirs. Central Valley farmers are only getting a fraction of the water that they are entitled to.

What can we do to mitigate this ridiculous rule from the State Water Resources Control Board?

Secretary BERNHARDT. Well, Brenda Burman is really on point as the Commissioner of Reclamation. We have, obviously, participated in the Board activities, and probably will end up participating in litigation, depending on what they—we actually have a very good

dialogue right now with the Governor's office. I think his head of natural resources was in the Department yesterday or the day before.

So, I am optimistic that we can find a good pathway forward that is not irresponsible for everyone.

Mr. MCCLINTOCK. The Shasta raise, the 18½-foot addition to the Shasta Dam would add about 600,000 acre-feet of water yield to the water available to California. And yet it is not included in the appropriations bill for this year. Would you consider that a shovel-ready project?

Secretary BERNHARDT. Well, when Representative Calvert asked us to look at all of our projects, it was the one that Reclamation thought had the shortest window. There are a variety of projects in California. People have a variety of views on them. But obviously, it is up there.

Mr. MCCLINTOCK. Could you give us a quick assessment of the risk of catastrophic wildfire on Interior lands, and what needs to be done to give you the tools to address that threat?

Secretary BERNHARDT. Well, what we have asked for in our budget—well, first off, we are doing a lot. The President issued an Executive Order late last winter. Secretary Zinke issued a Secretarial Order to follow on that, and we have had a little slow-down with the shutdown. But I think we are really on top of things pretty well this year.

That said, we have asked for additional tools as part of our budget. We have proposed six different categorical exclusions we would like to see. And we would like to work with Congress to try to get those codified.

Mr. MCCLINTOCK. Great. Well, I would be very interested in your elaborating on that in the future. Thank you.

The CHAIRMAN. Thank you.

Mr. Lowenthal.

Dr. LOWENTHAL. Thank you, Mr. Chairman.

Secretary Bernhardt, I appreciate your having taken the time to meet with me just a few weeks ago. When you were in my office, we discussed a number of letters that Chairman Grijalva and I have sent to the Department of the Interior that we have not received a response on.

One of those letters I would like to go into greater detail on is the one regarding the renewal of two mining leases right next to the Boundary Waters Wilderness in Minnesota. These were two leases that the Obama administration had canceled, and it just so happens that are owned by a mining company run by Jared Kushner and Ivana Trump's landlord here in DC.

In early February 2017, Interior employees were circulating two documents through e-mail. One was a briefing memo on this topic, and the other one was a document on withdrawal options.

On March 12, the Chairman and I sent a very specific request for these documents, including their file names, with a March 15 response deadline. But as of today I have not seen the briefing memo or the withdrawal options document.

Will your Department fulfill this very specific request by the end of this week, these two specific documents?

Secretary BERNHARDT. I am not familiar with exactly the contents of those two documents, but I will promise you this. I will leave here today, I will go look at them, and if I think that there is anything we can share I will do one of two things. I will either share them with you, or I will tell you that you are welcome to come over and look at them.

Dr. LOWENTHAL. Well, let's talk about what you have shared. This past Friday—and thank you for that—we received our first response to another letter that we sent to you on the topic of the mining leases near the Boundary Waters Wilderness, received our first response on this topic.

We sent this letter on March 1 requesting information on the mining leases.

We got thousands of documents, well, thousands of files. Let me tell you. These files, as of Friday, which were received at 5 p.m.——

Secretary BERNHARDT. Is this still on the Boundary Waters?

Dr. LOWENTHAL. Yes, this is on the Boundary Waters. We received 3,884 pages of documents. As you can see on this slide, 19 percent were duplicates. The vast majority of the others were already public documents, which we went through, 59 percent. There is total redaction of some pages, but—it included unredacted phone numbers next to it, but everything else was redacted. Several pages of code. Can we see the next slide?

[Slide.]

Dr. LOWENTHAL. See this? I call this the gibberish slide. We have no idea what this is. But you sent it on.

[Slide.]

Dr. LOWENTHAL. Then, if we look at the next slide, it says "Briefing." That is what we asked for in the other one. The briefing memo, it is not really clear exactly what is in the briefing memo. Is this the briefing memo that you were supposed to send us? If you look at the slide, is this our briefing memo?

Secretary BERNHARDT. I will say this. I have spent years in civil litigation, so I have seen a lot of documents that look like this. And the reality is that——

Dr. LOWENTHAL. I am sure you were as curious as we were about what this is.

Secretary BERNHARDT. And it is my experience in dealing with that, that if there is a particular document that you are worried about being over-redacted, we have a conversation on that and try to figure it out.

Dr. LOWENTHAL. OK.

Secretary BERNHARDT. I think the——

Dr. LOWENTHAL. Let's get back. You said that you would review and find out about the briefing memo and the withdrawal options of these slides, and you will get back to us.

[Slide.]

Dr. LOWENTHAL. Also, if you look at the next slide—yes. You recently sent on to us slides that labeled—the FOIA exemption, stating that the FOIA exemption was pre-decisional.

As you understand, and I am sure you have—that was on this slide—Congress is not subject to the FOIA. So, I expect you to provide the actual——

Secretary BERNHARDT. I learned that lesson very early in my career at Interior. I made the mistake of applying——

Dr. LOWENTHAL. OK, I am going to yield back, and I hope that we——

Secretary BERNHARDT. I got in a lot of trouble. I have learned that one well.

Dr. LOWENTHAL. Thank you.

The CHAIRMAN. Mr. Westerman.

Mr. WESTERMAN. Thank you, Chairman Grijalva. Secretary Bernhardt, thank you for coming today, for your testimony, and for the work that you are doing and that the Administration is getting done at the Department of the Interior.

I would say welcome to the home of the big bun. Some people may not understand the reference, but from my childhood days in the 1980s there was a famous TV commercial about hamburgers, and these ladies were at the home of the big bun, and they were looking for the beef, and they always ask, "Where is the beef?"

And as we look at the subject of the hearing today, looking at the Administration's budget, I think that is a good question, where is the beef? And that is not the question to the Administration, but that would be a question to Congress. Because, as we know—and we have talked about some constitutional issues in here—article 1 says that budgeting is the responsibility of the Congress, and the Congress has no budget. There is not a budget that has been passed out of the Budget Committee. There is not a budget that has been presented on the Floor. And by the process that Congress is supposed to follow to write appropriation bills, I am not sure how that process can ever work, since we don't even have a budget to start with.

So, I commend the Administration for at least putting a budget suggestion together. And again, that is all it is, is a suggestion, because, again, it is Congress' role to provide a budget. And you have prepared the Administration's budget, saying this is our suggestion on how we could actually operate the Department.

We talk a lot about things that I am not sure are doing a lot of good for the country, and we fail to look at the good things that have been done, for the work that you all are getting done. And one issue that is very important to me—and I think it is important to all members of this Committee, regardless of party—is the devastating wildfires that we have seen.

I know that the President signed Executive Order 13855 that was to promote active management of our Nation's forest, and to reduce wildfire risk, and he got criticized in the press for that Executive Order. But I would also like to note that this is a bipartisan issue. Governor Newsom in California also had an executive order. And I want to read a quote from Governor Newsom when he issued the executive order, which was to accelerate forest management in California to reduce the risk of wildfire. He said, and I quote, "The increasing wildfire risks we face as a state mean we simply can't wait until a fire starts in order to start deploying emergency resources. California needs sustained focus and immediate action in order to better protect our communities."

I wholeheartedly agree with that. I believe it is not just California, it is many states that need that. It is many states that the Department of the Interior operates in.

So, my first question to you is what is the Interior Department doing to implement the President's Executive Order on Federal lands to make our communities safer?

Secretary BERNHARDT. The first thing that we did is Secretary Zinke issued a Secretarial Order shortly after the President issued his. I think the President issued his Executive Order on December 21, or thereabouts. I think Secretary Zinke issued his Secretarial Order on—well, obviously before, January 2. And that order set out some clear direction to our bureaus. And then each of the bureaus have moved forward in executing on that.

We think we are going to meet the President's objectives. In our budget, we have also asked for some additional legislative language to potentially make things easier, in terms of categorical exclusions. And we would like to work with Congress on finding some clear legislative solutions. But in the interim we are moving forward. We have a number of plans that we are going to announce in terms of vegetation management plans that will also be going through an EIS process.

So, I think we are on top of things this year. But we hope that the fire season is not extraordinary.

Mr. WESTERMAN. Yes, and then I just want to go back to the Minnesota mine issue, just to address that issue.

I want to ask you would it be more accurate to say that the Obama-era withdrawal, which was officially noticed January 19, 2017, the day before President Trump's inauguration, was that the unusual action, particularly considering the bipartisan support the leases enjoyed from Minnesota's congressional delegation?

Secretary BERNHARDT. Well, I am not going to opine on last-minute decisions. I will say this, that I think by noon today there will be an announcement on Twin Metals, on the two leases that the Congressman referenced regarding BLM's action on those two leases. I would expect that would come sometime—maybe now, maybe in an hour.

The CHAIRMAN. Thank you.

Mr. WESTERMAN. Thank you.

The CHAIRMAN. Mr. Gallego.

Mr. GALLEGO. Thank you, Mr. Chair.

Mr. Secretary, earlier this year Congress has passed a public lands bill by a huge bipartisan margin that permanently reauthorized the Land and Water Conservation Fund. That is why I was so disturbed by the fact that your Department's budget plans to nearly eliminate the fund. Despite your Department's lack of interest, Congress is strongly committed to funding this popular and effective program. Will you commit to dispersing LWCF funding in a timely manner when appropriated by Congress?

Secretary BERNHARDT. Yes. If Congress gives us the money, I promise that we will appropriate it promptly.

Mr. GALLEGO. Great. Mr. Secretary, as I am sure you are aware, a week ago today the President tweeted out his opposition to H.R. 312, the Mashpee Wampanoag Tribe Reservation Reaffirmation Act, as it was about to come to the House Floor. He wrote,

"Republicans shouldn't vote for H.R. 312, a special interest casino build backed by Elizabeth Pocahontas Warren. It is unfair and doesn't treat Native Americans equally."

For now, I will ignore the racist slur in his tweet, and, in general, the lies. I want to focus on the President's bizarre opposition to a small, bipartisan bill that is broadly supported by dozens of tribes, tribal organizations, and state and local governments.

Secretary Bernhardt, yes or no, are you familiar with the bill in question?

Secretary BERNHARDT. I am not familiar with the specific contents of the bill.

Mr. GALLEGO. OK, this bill would reaffirm the Mashpee Tribe's homeland and help save them from bankruptcy.

Did the President consult with you about this issue before sending out that tweet? Yes or no?

Secretary BERNHARDT. He may have consulted with the Department, but he didn't consult with me, specifically.

Mr. GALLEGO. To your knowledge, did the President consult with the Mashpee Tribe before sending out that tweet?

Secretary BERNHARDT. I have no idea.

Mr. GALLEGO. To your knowledge, did the President consult with the National Congress of American Indians before sending out that tweet?

Secretary BERNHARDT. I have no idea.

Mr. GALLEGO. Do you know if the President talked to any tribes or tribal organizations about this issue before he tweeted?

Secretary BERNHARDT. I have no idea.

Mr. GALLEGO. OK. So, the President did not confer with you, his highest-ranking official at the Department of the Interior, or, to your knowledge, any tribes or organizations before——

Secretary BERNHARDT. The President doesn't need to——

Mr. GALLEGO. Say again.

Secretary BERNHARDT. The President doesn't need to consult with me on any tweet he wants to send.

Mr. GALLEGO. OK, good to go. Good to know. We will continue.

Any tribes, he didn't talk to you, he didn't talk to you before making this decision, didn't talk to any of the tribal organizations, and clearly doesn't respect your Department.

Secretary BERNHARDT. I think the President——

Mr. GALLEGO. If the recommendation for this tweet didn't come from you, it makes me wonder where it did come from.

Secretary BERNHARDT. The President——

Mr. GALLEGO. I am taking my time. This is my time.

Mr. Secretary, do you know who Matt Schlapp of Cove Strategies is?

Secretary BERNHARDT. Do I know who Matt Schlapp is?

Mr. GALLEGO. Of Cove Strategies.

Secretary BERNHARDT. I know who Matt Schlapp is. I am not sure what the name of the company is. I didn't hear that, but——

Mr. GALLEGO. So, for those who don't know—I am glad you do know—Matt Schlapp is the lobbyist for Twin River Casino, which opposes granting Mashpee its ancestral homeland because they are worried about a potential tribal casino will hurt their business.

Matt Schlapp is a Republican donor. He has close ties to the White House, CPAC, and the President has called him a fantastic friend and supporter. He also happens to be married to the President's Director of Strategic Communications.

Have you or, to the best of your knowledge, anyone at Interior ever spoken to Matt Schlapp or Cove Strategies regarding the Mashpee bill or this issue in general?

Secretary BERNHARDT. Not to my knowledge.

Mr. GALLEGO. Not to your knowledge, OK. Mr. Secretary, are you aware of any communication that the President has had with Matt Schlapp or Cove Strategies regarding the Mashpee bill?

Secretary BERNHARDT. No.

Mr. GALLEGO. I have a lobbying report right here from Cove Strategies that says that Matt Schlapp lobbied the executive office of the President earlier this year on behalf of Twin River Casino. Twin River has paid three separate lobbying firms so far this year. The other two have only lobbied the House and the Senate.

Matt Schlapp, with his close ties to the White House, is the only one who lobbied the executive office of the President. So, the President may not have consulted with you, the Mashpee, or any other tribal organizations or anyone within your Department before sending out his tweet and influencing the outcome of the legislation, but it seems pretty clear to me that who he was listening to was a high-powered special interest lobbyist with deep pockets and political connections allowing lobbyists and special interests to——

Secretary BERNHARDT. I don't think that is necessarily true. President——

Mr. GALLEGO. Well, it has certainly been proven true so far. Allowing lobbyists and special interests to drive this Administration's policy toward sovereign tribes is disturbing. Despite the President's interference on this bill, which recognizes a homeland that the Mashpee have lived on for thousands of years before they were greeted by the pilgrims, we will be passing H.R. 312 out of the House on the Floor today.

As the Secretary of the Interior, I think you should let the President know that it is our Federal trust responsibility to enter into government-to-government consultations with tribes for making decisions that impact them, not to launch racist, unilateral attacks on a tribe's sovereignty on Twitter.

I yield back my time.

The CHAIRMAN. Mrs. Radewagen.

Mrs. RADEWAGEN. Thank you, Chairman Grijalva and Ranking Member Bishop, for holding this hearing. And thank you and welcome, Secretary Bernhardt, for coming today to discuss DOI's policy priorities.

Mr. Secretary, what is your opinion on former Secretary Zinke's monument review, specifically regarding his recommendations for the marine monuments?

And what is DOI's current status on the issue of fishing access in and around the Rose Atoll and Pacific Islands National Monuments?

And will you be making your own recommendations to the President?

Secretary BERNHARDT. The President directed Secretary Zinke to review the monuments and create a report. And Secretary Zinke did that, and that report was submitted to the President. And the President will decide whether he wants to act on any or—he needs to, obviously, act on some of the provisions. He may act on other recommendations. And I would expect that he might.

He hasn't asked me for a second report. So, our position is they have the report, and it is in the President's hands right now, and he will make some decisions, I expect.

Obviously, in terms of access, public access is a centerpiece of our interest at the Department. So, access is important to us.

Mrs. RADEWAGEN. OK. The next question is—and you may have partially answered it already, but you could spend all day responding to this question, so please instead only take a couple of sentences, if possible.

What is the Department doing to enhance public land access and recreational use for the average American?

Secretary BERNHARDT. I actually think this is going to end up being a major milestone of the President's tenure.

First off, we are committed to public access, we are committed to increasing hunting, fishing, angling, and recreational opportunities. And I frankly think that the bill you all worked together to pass in such a bipartisan fashion gives us a number of things to even carry that farther forward.

My expectation is we will be announcing soon over 1 million acres of additional public access, just on refuge areas. We are excited about it.

Mrs. RADEWAGEN. Thank you, Mr. Chairman. I yield back.

The CHAIRMAN. Mr. Cox.

Mr. COX. Yes, thank you. And thanks for being here, Secretary Bernhardt.

I do want to touch on the reauthorization of the Land and Water Conservation Fund. It passed 92 to 8 in the Senate, 363 to 62 in the House. And I think everybody on this Committee voted for that. It is certainly a victory for conservation, showing the strong bipartisan support of protecting access to our public lands. And, certainly, in my district it has helped fund Shafer Park in Selma, Hanford Sports Park, and the national parks Sequoia and Kings Canyon, just east of my district.

So, this is one of the most successful conservation programs that we have. And I think all of us here were very concerned when the Interior's budget included a 95 percent reduction in funding for the fund.

And as you testified earlier, your role is to "work hard, effectuate the President's vision," which is the elimination of this fund. Can you explain why these cuts were proposed from the Interior Department? And, as you testified, if the funds are appropriated, you will expend those funds. But that would seem to be a direct contravention of the President's vision. So, how do you reconcile that?

Secretary BERNHARDT. Well, to your last question, it is my understanding the President proposes and the Congress disposes when it comes to appropriations, and that is the way our Constitution works.

In terms of LWCF, I would say this, that we are thrilled that you created the permanent authorization. It is my experience that, since LWCF has been enacted, there have been 2 years that it has been fully funded. And I actually think that the fact that it is reauthorized permanently gives me an opportunity in the next budget to push harder in our internal budget debates about it.

But if you look at our budget overall, and you compare our budget to EPA and DOE and other similarly situated agencies, I think we did pretty good in the internal process. But we will spend money that Congress gives us for LWCF, and the question was really, I think, can we get it out quickly, and the answer is yes. We appreciate that you reauthorized it.

Mr. COX. No, the question was more—the President's vision, as enacted by his budget request, which came from Interior, I am assuming, was to terminate the program, to reduce it by 95 percent.

Secretary BERNHARDT. It was to——

Mr. COX. And although that money may be appropriated, it is still against the President's vision, which you said you are working to enact, and not spend the money.

Secretary BERNHARDT. I don't think that is the case. I think the President said this year this is what we would like. You all take that and you decide what you like, and then we implement whatever you like. And the President is not going to say, if you appropriate it, "We can't spend it."

Mr. COX. What if the President would say, "I don't want you to spend it on parks, I want you to spend it on a border wall"?

Secretary BERNHARDT. I probably don't want to get into a legal argument about the President's authority, but I don't know if that would be a——

Mr. COX. It was certainly a question that was raised earlier, and we know how everyone voted on that. But no, thanks very much with regard to that, because I know you are a strong supporter of public lands, and access to public lands. But I do see that conflict between yourself, the Interior Department, and the Administration.

The other question I would like to ask is about climate change, and I am particularly interested in the threat that climate change poses to water infrastructure and water security in California, notwithstanding the other states. And we are expecting longer, more frequent droughts, higher temperatures, earlier spring runoffs.

And I want to know more about how the Department is incorporating climate change into your infrastructure management.

Secretary BERNHARDT. Well, I think everybody recognizes that the climate is changing. Where we go in terms of thinking through these issues is a place that the fourth assessment and the USGS scientists all agree on, and that is that the largest uncertainty in projecting future climate conditions is the level of GHG, going forward.

And what our scientists tell us are the best practices to use in thinking through these issues is that we recognize that there is not one particular model that is going to be the probabilistic answer. You need to look at all of the models, and a full range of models, and then look within that range. And they have said they use multiple models, use multiple representative concentration pathways.

And that is what we are trying to do with our decisions, to ensure that we have the full range of modeling, and then utilize it as appropriate.

And if you look at our written decisions, you see that that is the case.

Mr. COX. Great, thank you.

The CHAIRMAN. Miss González-Colón.

Miss GONZÁLEZ-COLÓN. Thank you, Mr. Chairman. Good morning and congratulations on your recent confirmation, Mr. Secretary. I do have many questions, but I will try to focus just on one.

The first is that I do understand that the Administration held a significant offshore wind lease in December of last year for Massachusetts totaling $405 million in revenue. And I do understand this will mean significant growth for the industry and Americans that are living on the mainland.

I don't know if you are aware, but we introduced with a group of members in this Committee a bill that will promote the same kind of opportunities of offshore wind for the territories, as well. It was passed unanimously for this Committee and is going to the Floor.

Is your Department supporting this kind of bill?

Secretary BERNHARDT. I am not familiar with that specific legislation and whether we took a particular approach to it. But I would say that, as a concept, we would absolutely be supportive of providing opportunities for the insular areas to develop their resources in a responsible way, of course.

Miss GONZÁLEZ-COLÓN. I do understand that the Royalty Policy Committee recommended pursuing the change, and the Bureau of Ocean Energy Management supported similar draft legislation that passed this House of Representatives last year and during the last Congress, so——

Secretary BERNHARDT. You are more familiar with it than I am. We are not going to change our position, I can promise you that.

Miss GONZÁLEZ-COLÓN. That was what I wanted to hear. Thank you for letting me know that.

As you may know, the Department of the Interior got important certifications from the island and jurisdiction of many sites like the San Juan National Historic Park, which includes important 16th century fortifications from the Spanish colonial era, among many other sites.

One of the questions that we did have during the last budget, last year, it was about letters coming from the loss of 40 masons for the Department of the Interior——

Secretary BERNHARDT. Well, let me tell you. I can answer that right now. I don't know if it will be 40, it may be less than that, but I am issuing an order today that will allow recreational fee dollars to be used for permanent employees for certain situations, and one of those would be, in my opinion, the masons or some of the masons in—I think it is the fort at San Juan.

So, I think we are about to take care of that. And what I can do is have somebody call you this afternoon with the specific details.

Miss GONZÁLEZ-COLÓN. I really appreciate that. They submitted a——

Secretary BERNHARDT. But it is a problem, and I think we have figured out a solution for you.

Miss GONZÁLEZ-COLÓN. I am glad to hear that. I do know that we have 88 full-time employees at that fort. But those 40 masons are doing a great job implementing——

Secretary BERNHARDT. I have been there, I have seen their work. And it is really unprecedented.

Miss GONZÁLEZ-COLÓN. And another—members of this Committee, we traveled to Puerto Rico a few weeks ago, and we visited El Yunque, which is the only national rainforest in the United States. And the visitor center was hit directly——

Secretary BERNHARDT. With the hurricane?

Miss GONZÁLEZ-COLÓN. With the hurricane. Although the funds are being allocated to the island, allocated to the Department of the Interior to do the repairs in that area, it has been a year and a half and we haven't seen anything being done yet. Do you have any information on that?

Secretary BERNHARDT. The Fish and Wildlife Service has actually done a pretty good job of trying to obligate money. One of the challenges in those situations is there is such a demand for contractors that it is challenging.

I will look into that specifically, but I know we are having some difficulties in that regard.

Miss GONZÁLEZ-COLÓN. And I do know the Department of the Interior presence is also seen through the—of course, the Fish and Wildlife, as you just mentioned. And we do have five national wildlife refuges in five islands: Desecheo, Cartagena, Culebra, Vieques. And I am pleased to hear that the President's budget request for a national wildlife system is $509 million, an increase of $23 million from this last fiscal year. Where is that money going to be used?

Secretary BERNHARDT. I am not 100 percent sure about that. I will have to get back to you on that one, specifically.

Miss GONZÁLEZ-COLÓN. So, in your view, that provision of $23 million will help strengthen the national wildlife refuges across the Nation, including those in Puerto Rico?

Secretary BERNHARDT. Well, that would be our hope, yes. We had better do better, right?

Miss GONZÁLEZ-COLÓN. If you can later on provide a detail or the breakdown of the total cost of the deferred maintenance projects across the five national wildlife refuges in Puerto Rico, I would really——

Secretary BERNHARDT. OK.

Miss GONZÁLEZ-COLÓN. And I will submit the rest of the questions for the record.

Secretary BERNHARDT. We will do that.

Miss GONZÁLEZ-COLÓN. I yield back.

The CHAIRMAN. Mr. Neguse.

Mr. NEGUSE. Good morning, Mr. Secretary. Thank you for coming today, and for your testimony.

I want to start with reference and great respect to my colleague, Mr. Westerman, who posed the question of "Where is the beef"—

and I think it is an appropriate question. I would say the title of this hearing is the budget priorities of the Department of the Interior—the policy priorities of the Department of the Interior. So, certainly, that is where my questions will be focused.

And to that end, I think it can get lost in some of the exchanges, just how much the Department's proposed budget, which I understand is a proposal, and that, obviously, Congress and our appropriators will be doing the bulk of the work in preparing a final budget, but nonetheless, just how much the budget decimates some really important programs.

A decrease of $18.6 million for national park visitor services. As you know, Mr. Secretary, or as you may know, I represent the 2nd District in Colorado, which includes Rocky Mountain National Park.

Secretary BERNHARDT. My wife and I were married in Estes, right outside of Rocky——

Mr. NEGUSE. I proposed to my wife in Estes.

Secretary BERNHARDT. Oh, did you? That is great.

Mr. NEGUSE. I am glad that we have that in common. But nonetheless, the $18.6 million decrease in park services for the millions of visitors that will be visiting my district in the coming months is cause for great concern.

A decrease of $12.9 million for resource stewardship, $11 million to implement the Endangered Species Act, and a $11.6 million decrease for fish and aquatic conservation, the elimination of the national wildlife refuge fund, the elimination of science support programs, juxtaposed against a 66.4 percent increase in coal management programs, and a $1.4 million increase to expedite permitting for oil and gas.

So, Mr. Secretary, I would just say I agree with Mr. Cox and other colleagues of mine, that a budget fundamentally reflects our values. And I don't agree with the budget priorities as the Department of the Interior has laid them out.

I want to focus in particular on the LWCF program. And if you could, kind of just help us, Mr. Secretary, understand the reasoning behind the Department's decision to really decimate that program and cut it by 105 percent. Because, I mean, I understand—we looked back, and I have a tweet—not my tweet, your tweet—that we can enter into the record from February 15 of this year that says, from Secretary David Bernhardt, @SecBernhardt, "There is a lot to agree on in the public lands package from the Senate. The Trump administration fully supports reauthorizing LWCF, and we included it in our budget last year."

And yet, 1 month later, we have a budget from the Department of the Interior that cuts by 105 percent that very same program.

Secretary BERNHARDT. That tweet was in reference to reauthorization. But, you know, in our budget, I think, is something that we can all agree on, and I would love, given your passion for the parks, to have us all work on, and that is creating an infrastructure fund to deal with our maintenance backlog issues, which are extreme. They are extreme in Rocky Mountain, they are extreme in Acadia, they are extreme everywhere. And that is not an insignificant thing to get through the budget. I mean I think it

is about a $6.5 billion proposal. And it is a major commitment to parks and infrastructure——

Mr. NEGUSE. I appreciate that, Mr. Secretary.

Secretary BERNHARDT. And I——

Mr. NEGUSE. I am going to reclaim my time.

Secretary BERNHARDT. I do appreciate that——

Mr. NEGUSE. Because I have limited time—I appreciate that.

Secretary BERNHARDT. OK.

Mr. NEGUSE. I am certainly appreciative of that commitment. I would just say I would hope that it would be mirrored in the fundamental program around land acquisition for the LWCF. But I think you understand my point.

I will move on to just one other topic. I believe you are probably aware of a woman by the name of Maria Caffrey, who was a researcher at CU Boulder in my district. Dr. Caffrey was contracted with the National Park Service to lead a report on the effects of sea level rise and storm surge on national parks.

Before the final version of the report was published she was repeatedly pressured to remove any references to the human causes of climate change from the report. Dr. Caffrey believed that the science of the report required a discussion on the human impact of climate change, and ultimately adamantly refused.

Fortunately, after the incident was publicized in an investigative report, major backlash ensued. The report was released with its original language.

My understanding—this was before I came to Congress—was, thanks to the Chairman's leadership and the leadership of several other members of this Committee, a request was made of the Department of the Interior's Inspector General to look into this issue. The unfortunate aspect of this is that the IG subsequently, after the report was released without the edits, closed that investigation.

I would hope that you would support the Inspector General taking another look, particularly given what I understand to be recent reports in the news around the fact that the doctor's contract was recently expired and not renewed in February of this year, and that there is some controversy around that aspect of it.

Secretary BERNHARDT. So, I will say this. I haven't looked at what the Inspector General said specifically, but my understanding—and I can go back and check this when I get back to the office and give you a call if this is wrong—but my understanding is what the Inspector General actually did is said, "Hey, this looks like a matter of scientific integrity," and so it was sent to the scientific integrity team, and that they looked at it and decided there wasn't an issue.

But I will go back and double-check that for you. But that is my understanding. It is not that the IG just said, "We are not doing anything," it was—they said, "Hey, this is probably better for this group," and they looked at it. But I will go back and double-check.

Mr. NEGUSE. I would just say, Mr. Chairman—thank you, Mr. Secretary—with respect to that particular issue, to the extent that the IG did not essentially hold their investigation in abeyance, or close it because the issue was rendered moot, if that is not the case, then I would appreciate your support——

Secretary BERNHARDT. I will double-check, I don't know. I will ask Mary.

Mr. NEGUSE. Thank you.

The CHAIRMAN. Thank you.

Mr. Curtis.

Mr. CURTIS. Thank you, Mr. Chairman and Mr. Ranking Member.

Secretary, congratulations on your confirmation. Thank you for being here with us today, and staying with us so long.

Due to a great bipartisan effort, we passed a major public lands package the beginning of this year. One of the largest bills in there was also due to some great bipartisan work, the Emery County Public Lands bill. Over a million acres in my district—in rare form we were actually able to agree on what to do with public lands.

Inside that is a lot of work. And in some cases, the work has just started: the SITLA exchange, the San Rafael Swell Recreation Area Management Plan, Jurassic National Monument Management Plan. Given your shortage of resources and the many things that you have to do, can you see a path forward to put the resources into these management plans and the SITLA exchanges?

Secretary BERNHARDT. Let me tell you what I have done there.

Shortly after the bill was signed into law, I sent an order to all of our bureau directors, demanding the following: that we go through the statute, look at those provisions that were in it, identify those provisions that needed some sort of implementation. And they gave me the overall list a while ago.

And then I asked them to go back and develop an implementation plan for each of those priority items. I think that had a deadline of day 60, which would probably be the 22nd of this month.

What I can do is come talk to you or visit with you after I get that on the 22nd. Because I think we will have a plan, and we will get it done.

Mr. CURTIS. Thank you, I appreciate that. SITLA alone represents millions of dollars in these exchanges for our schools in Utah, and is just really critical. Thank you for your——

Secretary BERNHARDT. I know how important it is.

Mr. CURTIS. Yes, thank you for your special attention to that.

We have kind of a really unique situation in Carbon County. The Bureau of Reclamation—8 years ago there were some homes built on the wrong spot on their property, some private cabins. And the bureau has been doing quiet title to take these back. And with the Ranking Member and Senator Romney, we sent a letter to thank you for your response to that letter. This may be down too much into the weeds for you, but I would love your help and attention on trying to resolve this in a way that doesn't destroy these cabins, if there is an answer in there that works both for the Federal Government and——

Secretary BERNHARDT. I will talk to Brenda about it.

Mr. CURTIS. Thank you, I appreciate that. And also, a big thanks to you and Superintendent Kate Cannon and the Arches for a very, very difficult issue, the way that has been handled. I think it is very important that the residents of that town feel listened to.

Thank you for that, and for the many people in your organization that made that possible.

Also, just kind of a plug to keep that forward-most in our mind, how this is resolved. The public buy-in will have a lot to do with how thorough they feel that we have vetted the different options.

Secretary BERNHARDT. We respect that, and are very sensitive to blow-ups on that.

Mr. CURTIS. Thank you. And finally, I am going to let this be at your discretion. The moment may have passed. There have been a couple of things that you would have liked to have responded to in this hearing, and you were not given that opportunity. If the moment has passed, that is fine, but I did want to give you that.

Thank you, Mr. Chairman, I yield my time.

The CHAIRMAN. Thank you very much.

Mr. Levin.

Mr. LEVIN. Thank you, Chair Grijalva.

Secretary Bernhardt, I appreciated the chance to meet you in my office earlier this month. I am pleased you joined the Committee for a public hearing.

During our meeting, we discussed a number of issues, from offshore drilling to renewable energy on public lands to climate science. We discussed the myriad of actions this Administration has taken that impact our land and water. I came into our meeting, as I think you know, troubled by some of your Department's handling of important environmental issues. And our discussion, while it was productive, didn't fully alleviate those concerns.

After our meeting, I sent you a letter outlining several remaining questions that I had from our conversation, and again, urging you to remove California from future offshore drilling plans. I requested a response to my inquiry by this past Monday. But unfortunately, you have not yet responded.

Mr. Chairman, without objection, I would like to enter this letter, the letter that I sent Mr. Bernhardt, into the record, and request a written response from the Secretary.

The CHAIRMAN. Without objection, so ordered.

Mr. LEVIN. With that I will turn to my questions.

Mr. Secretary, in our meeting you seemed to indicate that you don't believe Congress has directed you to address the impacts of climate change. But Federal courts have held on numerous occasions that the Department must take consideration of future impacts into account, especially those related to climate change under the National Environmental Policy Act and the Endangered Species Act, among many others.

This means that courts interpreting and relying on existing law say that you must consider climate change, and decisions made on the basis of the very real threat of climate change are valid.

I would also argue that a plain reading of the existing laws enacted by Congress squarely require you to manage for climate change in the natural resource planning process.

Mr. Secretary, I would appreciate a yes-or-no answer to the following questions.

First, does the Federal Land Policy and Management Act require you to take, and I quote, "into account the long-term needs of

future generations" and "take any action necessary to prevent unnecessary or undue degradation of those lands"?

Secretary BERNHARDT. I think that is in the policy statement of the Act.

Mr. LEVIN. So, that would be a yes?

Secretary BERNHARDT. Sure.

Mr. LEVIN. Again, yes or no, when it comes to the national wildlife refuge system, are you required by law to "ensure that the biological integrity, diversity, and environmental health" of the refuge system "are maintained for the benefit of present and future generations of Americans"?

Secretary BERNHARDT. I think that is pretty consistent with the way it reads, without looking at it.

Mr. LEVIN. So, that is a yes.

Third, yes or no, are you required by law to ensure that national parks are "unimpaired for the enjoyment of future generations"?

Secretary BERNHARDT. I believe that is what the Organic Act says.

Mr. LEVIN. Correct.

Fourth, yes or no, is it true that the SECURE Water Act of 2009 tasks the Secretary of the Interior with the responsibility "(a) to take the lead role in assessing risks to the water resources of the United States, including risks posed by global climate change; and (b) to develop strategies to mitigate the potential impacts of climate change"?

Secretary BERNHARDT. That Act is one of two acts I know that have affirmative obligations related to climate change for the Secretary of the——

Mr. LEVIN. So, four for four, I believe.

And finally, given these statements and law, yes or no, is there any doubt that you have a legal obligation to take into account the needs of future generations and manage the public lands to prevent unnecessary or undue degradation now and in the future?

Secretary BERNHARDT. We certainly have a need to take them into account. We are taking them into account.

Mr. LEVIN. Yet, when we met you claimed that Congress hasn't given you enough direction to address climate change.

Secretary BERNHARDT. What I specifically said is you haven't given me any direction to stop any particular activity. And if you want to stop it, you need to give us that direction.

The reality is we are compliant with NEPA, we are——

Mr. LEVIN. Mr. Bernhardt, Secretary, what type of direction would you want Congress to give you to make it any clearer?

Secretary BERNHARDT. Whatever you think you can do to stop it, if that is what you want to do. Go for it. But that should happen in this body. That is not something the Department of the Interior does with a magic wand.

Mr. LEVIN. Well, Secretary, I have just given you a number of examples where you do have to take climate change into account to do your work.

And we are talking about real people in communities here that are impacted in my district and districts all across the country. And we know, when you talk about a range, we know the range is from very bad to extremely bad. We are talking about long-term

economic consequences, environmental consequences. And you are at the forefront of that.

And we talk a lot about draining the swamp. It is the epitome of the swamp to have a handful of polluters dictate the environmental policies of this Administration. And you might wonder why there are people in swamp creature outfits behind you. The public has real concerns about your work, sir. And you have done very little to address those.

Secretary BERNHARDT. Well, I am here voluntarily——

Mr. LEVIN. And we are going to continue to hold you to account, Secretary.

Secretary BERNHARDT. I am here voluntarily——

Mr. LEVIN. And with that, I would be happy to yield back my time.

The CHAIRMAN. Mr. Fulcher.

Mr. FULCHER. Thank you, Mr. Chairman.

Mr. Secretary, thank you for being here. And I can tell by the comments that you have a lot on your plate. And I just want to go on record to say, for those of us in Idaho, we appreciate you.

We also want to take some of that stuff off of your plate. We would be happy to take care of a little bit more of the things in our own backyard.

Secretary BERNHARDT. Well, our plan is to keep our public land and manage it, so——

Mr. FULCHER. Good, all right. Well, we would like to help you with that.

And to that end, you had some personal involvement with the sage-grouse plan in our state, with stakeholders there, with the state, and officials there, and collaborated nicely to work out a plan where we could deal with local threats. I want to thank you for that.

I am disappointed that it is being litigated now. And that actually leads to the question that I had. This was originally for budget discussions. Do you have any insight, do you have any idea, in terms of cost and/or time, that litigation adds to your typical budget?

Secretary BERNHARDT. Well, litigation is a constant at Interior. It is a part of our world, and people are entitled to litigate.

It is a significant amount of time to deal with litigation, but it is part of what we are responsible for, and we take it as it comes.

Mr. FULCHER. Stakeholders in my state tell me that that is one of the No. 1 obstacles to making progress in how lands are managed, and just a positive improvement there.

Secretary BERNHARDT. I think the real issue at times is that it just adds uncertainty after a policy decision is made. And that uncertainty then affects planning.

And I will say that for sage-grouse, I think what has happened over the last 10 years has been really pretty amazing. When you look at—all of these states have gotten together, they have come up with their own plans. The Federal Government is largely in alignment with their plans. And it doesn't matter whether it is Kate Brown in Oregon or your governor or others, the governors are all on board.

And then you have a group that doesn't like it, and they sue. And they are entitled to do that. But the particular group here in this case, they sued on the prior plan, which was done in the Obama administration, and they just amended their complaint to the new one. And they will have their day in court.

But what it does do is maybe not give people a feeling of momentum to get on with the important work. And we have collectively, as a society, invested a great deal in the sage-grouse. The Ag. Department, we spend about $73 million a year within the Department of the Interior. And this has gone on for decades, and I think it has done some really good things for the sage-grouse. And it is an amazing commitment by the state governors on trying to be responsible for a particular species.

So, they have done a lot of work and then the bottle gets shook up. But that is just the nature of our world today.

Mr. FULCHER. Just to that end, I want to make a pitch for a piece of legislation that Mr. Westerman has had in the past, I am a sponsor of, as well, the Resilient Forests. It has a pilot provision in there for an arbitration process. And if someone does have a problem, then, OK, bring a solution to the table. And that is a fair request, I think. So, I am making a pitch for that.

Secretary BERNHARDT. That is an interesting idea. I will look at the bill.

Mr. FULCHER. Making a pitch for that.

Just to close things up, from my standpoint, thank you for a new director, John Roose, we are excited about that. And I appreciate anything else you can do to offer a little bit more flexibility within our state, and more collaborative efforts like that. That is much appreciated.

I understand you are an outdoorsman, and we would love to invite you to our state and show you some of the best hunting and fishing in the world.

Secretary BERNHARDT. Well, I would like to take you up on that.

Mr. FULCHER. All right. With that, I yield back my time.

The CHAIRMAN. Ms. Haaland.

Ms. HAALAND. Thank you, Chairman. And thank you, Mr. Secretary, for spending time with us this morning.

During the 5 months I have been in office I have met with over 300 Indian tribes and tribal organizations, and 90 percent of the time the issue they raise the most is the lack of tribal consultation prior to the Department of the Interior's reorganization, which caught many tribes by surprise. In the time since you have been sworn in, I have continued to hear about the lack of information provided to tribes on the reorganization's opt-out option.

Secretary Bernhardt, you lead the Federal agency with the most responsibility to Indian Country. What happened during the reorganization was a clear breach of the Interior's policy to consult with tribes.

I am a member of the Pueblo of Laguna, and I have worked with tribes my entire career. And I am going to read you a definition of tribal consultation, and that is "to ensure tribes have a strong voice in shaping Federal policies that directly impact their ability to govern themselves."

Do you agree with this definition?

Secretary BERNHARDT. I agree that that is potentially a definition.

Ms. HAALAND. Well, I hope you agree with it, because that is your Department's definition.

So, it seems that we are both in agreement that if the Interior makes a unilateral decision on a policy that impacts tribes in this country, then there has not been adequate tribal consultation.

Secretary BERNHARDT. Well, I think in reorganization in particular, tribes had an incredibly strong voice. They had such a strong voice that we decided that we would not include either the Bureau of Indian Affairs or the Bureau of Indian Education in the reorganization. That was exactly what they asked for.

Ms. HAALAND. That is interesting.

Secretary BERNHARDT. And that is exactly what they——

Ms. HAALAND. That is very interesting. So, perhaps the other 467 tribes that I haven't actually spoken to are the ones who agreed. Because the 300 that I have talked to absolutely did not.

This reorganization redraws the boundaries of departmental regions across the country. So, I think it is reasonable to conclude that it impacts their governance, and it doesn't sound like they have a strong voice to shape this policy, at least not from my vantage point.

I can confidently tell you that no tribal leader that I have talked to understands what the agency is doing. So, perhaps it is a matter of communication that needs to be addressed.

Due to this lack of clarity surrounding the details of the reorganization, and because you lead the Federal agency with the most responsibility to Indian Country, I would like to meet with you and your staff to discuss this issue to find some clarity for tribes. And I hope that you will——

Secretary BERNHARDT. That would be great.

Ms. HAALAND. Thank you very much. Thank you.

In your role as Secretary, you were charged to uphold the Department's trust responsibility to foster a government-to-government relationship with tribes for this Administration. As lead of the Federal agency with the most responsibility to Indian Country, what is your responsibility to carry out this duty when the head of the executive branch of government says—and I quote—and it seems like a day for tweets, so this is a tweet sent out by the President: "If Elizabeth Warren, often referred to by me as Pocahontas, did this commercial from Bighorn or Wounded Knee, instead of her kitchen with her husband, dressed in full Indian garb, it would have been a smash"?

So, essentially, I am curious as to what your duty is when the head of your Department seeks to not only alienate tribes, but essentially discount our history, make mockery of mass graves in our country. Because we know that this country is founded on genocide of Indians.

What is your duty with respect to all of that?

Secretary BERNHARDT. I have a great regard for the culture and history of Native Americans and Alaskans throughout our country. I applaud their service in our services. And I have spent many years working on issues with Indian Country in various capacities.

And even during my Senate confirmation, tribes submitted letters of support. I will carry out my duties faithfully.

Ms. HAALAND. Thank you. It looks as though I am out of time and I yield back, Chairman.

The CHAIRMAN. Mr. Gosar.

Dr. GOSAR. Thank you, Mr. Chairman. First of all, I would like to commend Mr. Secretary for doing a wonderful job.

During your tenure at DOI, you have worked diligently to increase hunting and fishing access to ensure clean water for future generations, and to empower local decision makers. That is a remarkable accomplishment so far.

I have often told people I wish other agencies were running as smoothly as yours. Now, just imagine what we could have gotten done if my colleagues on the other side would have cooperated, instead of degrading?

I would also like to apologize for what you are being put under, instead of looking at the budget.

Once again, the Democrats on the Committee, as well as my other Committee, aren't being transparent about their real agenda today. Once again, the Democrats on the Committee failed to produce a public hearing notice memo, in violation of their own Committee Rules, so the media and the American people know what is supposed to occur today.

Once again, Democrats want to talk about anything other than the point of the hearing, which is supposed to be about the excellent budget that you have proposed. I have always said, and I have been very consistent about this, whether it has been this Administration—my side of the aisle, their side of the aisle—good process builds good policy, builds good politics. It is that simple.

This hearing should really be called the "See How We Can Tear Down a Good Man." With that, I start my questions.

Myself and numerous members of the Committee support the Administration's proposed reorganization in moving some operations out West. I have an appropriations submission letter here, signed by 16 Members, my colleagues, that supports the DOI's reorganization.

Mr. Chairman, I ask permission for this to be submitted to the record.

The CHAIRMAN. With no objection.

Dr. GOSAR. The only thing I would actually say is that, with the reorganization of Arizona with California, let's make the center Arizona. Make California come to Arizona. That would be a nice—maybe even Prescott.

Mr. Secretary, government closest to the people works best. Can you quickly elaborate and why the Department's organization is so important?

Secretary BERNHARDT. I think the restructuring of the regional boundaries was a very significant thing because it will facilitate the Department's senior executive service level regional managers, collaborating and working together in a much more coordinated fashion.

I think the fact that we had 49 different regional parameters for folks made the senior executives working together a little less jointed. And I really fundamentally believe that we have great senior

managers. And with them working together with kind of a collective understanding of priorities, we will really minimize cross-jurisdictional conflict. And the folks that deal with Interior, when they come in, the last thing they need is one agency wanting to go one way and one agency wanting to go the other, and no one really understanding where things are going to go. So, I think the reorganization will really help with that, from a boundary adjustment.

I do believe, fundamentally, that moving some more of our folks West has a very big benefit.

First off, I think it is great for them, for how far a dollar goes in the West, versus how far a dollar goes here.

Second, I think it will save us substantial time and money, in terms of travel costs. It will also save us substantial time and money in terms of real estate costs.

And, more importantly, in my opinion, having them near the lands that they manage has a meaningful benefit. If you are able to see what is going on, and have a sense of it, I think that that overall is a good perspective.

And this isn't a new thought. In 1936, in the hearing where the Secretary was begging for the creation of a Deputy Secretary, the Committee said, "Well, we will think about giving you an Undersecretary," which is what they called the Deputy at that time, "but we want to know whether you guys are going to spend over half of your time in the West."

So, there needs to be a core component here in DC, but there is no reason why folks can't be moved West.

I am excited about both of those things occurring. I am excited about us implementing the regional boundaries that have been delineated in a way that creates kind of a one decision at Interior. And I am interested in the transfer of authority to the West.

Dr. GOSAR. I thank the gentleman. And for a letter in support of that forestry package, I ask for submission.

The CHAIRMAN. Without objection, so ordered.

Dr. GOSAR. By the way, a real quick question. Are more of your holdings in the East or in the West for the Department?

Secretary BERNHARDT. Oh, far, far more in the West.

Dr. GOSAR. It makes more sense. Thank you.

The CHAIRMAN. Thank you.

Mrs. Napolitano.

Mrs. NAPOLITANO. Thank you, Mr. Chair. Mr. Secretary, thank you for meeting with me a couple weeks ago, where we discussed several of the issues. And most important to me was the proposed budget, the overall WaterSMART project cut by 30 percent, Title 16 by 95 percent.

As you are well aware, the West is facing a lot of drought, still not over in California. But while these cuts impact farms and cities in vulnerable communities, there are 464 million authorized projects and 513 backlog for eligible recycling projects. How can the Administration justify?

I am asking for $500 million to be able to help the West prepare for drought.

Then the Title 16 program limits Federal funding of a project to 20 percent. The program is then aligned with the 2018 Trump

infrastructure plan, as it incentivizes overwhelming state and local participation. But why is the Administration infrastructure plan advocating for expanding Federal incentive program, while drastically cutting incentive programs of Title 16?

Secretary BERNHARDT. I couldn't hear the question, and I apologize for that.

Mrs. NAPOLITANO. Well, why is the Administration cutting 95 percent of my budget on Title 16, when we know we have a problem?

Secretary BERNHARDT. We have to make tough choices with the budget. And we certainly recognize there is a value to Title 16 funding.

I think the Reclamation was primarily focused on its operational side of the house, and so they did make some tough choices.

Mrs. NAPOLITANO. Well, it is surprising that they don't understand these are also economic choices. And I would like to be sure that we voice a very strong opposition to the budget cuts.

I yield the further of my time to Mr. Huffman.

Secretary BERNHARDT. I think they are doing energy and water today, so——

Mr. HUFFMAN. I thank the gentlelady for yielding.

Mr. Secretary, have you directed the re-initiation of consultation for CVP operations to include old and middle river storm flexibility provisions, like those in the WIIN Act?

Secretary BERNHARDT. I am not sure that is part of the long-term operations or not. I honestly would have to go back and look.

Mr. HUFFMAN. All right.

Secretary BERNHARDT. Honestly, I am happy to answer it, I just don't——

Mr. HUFFMAN. Well, please do provide us with whatever you have on any direction you have given in that regard. And I am hearing you commit to do that, is that correct?

Secretary BERNHARDT. I certainly will get back to you with an answer——

Mr. HUFFMAN. Thank you. Mr. Secretary, there was some unusual accounting that the IG criticized, where the Federal Government picked up the tab for studies that benefited the Westlands Water District, cost Federal taxpayers improperly, and the GAO is now investigating this accounting scheme. I am sure you are familiar with it.

Chairman Grijalva and I wrote to you a couple of months ago, because we were told you were not providing information that GAO requested. Can you commit to directing Interior staff to cooperate with the GAO on this matter that would appear to redound to the benefit of your former client?

Secretary BERNHARDT. Well——

Mr. HUFFMAN. That is a yes or no. Will you commit to——

Secretary BERNHARDT. Actually, Congressman, it is not a yes or no. I will check with ethics, and I will decide if I can make that direction, give that direction or not.

Mr. HUFFMAN. All right, very good.

Secretary BERNHARDT. I honestly don't know——

Mr. HUFFMAN. Mr. Secretary, I wish I had more time to go into your calendars. We know your public calendars are either missing

information about meetings, or they refer generically to internal meetings or briefings where, when we piece the details together from e-mails we receive, we see they actually involved parties and subjects that directly implicate former clients of yours, some——

Secretary BERNHARDT. I don't think that is accurate at all.

Mr. HUFFMAN. It is absolutely accurate. But here is the point. I want to give you a chance in the remaining time we have to assure the American people that you are not just doing the bidding of your former clients.

So, give us some examples where one of your former clients from the oil and gas industry, or Westlands, or another former client has asked for something specific and you have had to say no, because it just wasn't in the public interest. This is your chance to show the public that you are not just doing the bidding of your former clients. You have the balance of my time.

Secretary BERNHARDT. Let me be very, very clear. My former clients aren't meeting with me. I haven't met with my former clients, except potentially in a very large group——

Mr. HUFFMAN. Can you give us any examples where you have said no——

Secretary BERNHARDT. We have said no significantly to requests from energy entities, we have said no to——

Mr. HUFFMAN. Specific examples?

Secretary BERNHARDT [continuing]. Requests for water allocations. We have said no to numerous, numerous——

Mr. HUFFMAN. Water allocations are formula-driven. I would like to know a specific policy request of a former client where you said no because it wasn't in the public interest. And I am not hearing any examples.

Secretary BERNHARDT. That is completely inflammatory and wrong.

Mr. HUFFMAN. It is a pretty important subject.

Secretary BERNHARDT. Significant requests were made in the well control rule. There are numerous places where we didn't agree with the industry's recommendation.

Mr. HUFFMAN. Thank you, Mr. Chairman.

[Pause.]

Mr. HUFFMAN [presiding]. In the absence of the Chairman, I am told that I should recognize Mr. Gohmert for the next round of questioning.

Mr. GOHMERT. Well, thank you, Mr. Acting Chairman.

[Laughter.]

Mr. GOHMERT. Secretary, you reacted with respect to the characterization of your calendar. Is there something else you would like to say about your calendar?

Secretary BERNHARDT. Yes. The reality is, if you go on to our DOI website, you can see every single pocket card I have ever had, you can see my calendar, you can see my private calendar. It is all available.

And on top of that, since I have been—at least for the last several months I have published every single meeting I have had with an external third party. So, those are published on a regular basis, separately. You can see my calendar, you can see my pocket cards,

you can request my briefing book, you can request the meeting requests that people send.

You have 26,000 pages of material related to my calendar in this Committee.

Mr. GOHMERT. Thank you. And I know you didn't start out 2 years ago in the position you are currently acting, but experiences I have had here in Washington, different groups that got permits for the mall and other areas, let me just tell you. If it is a Christian group, they have met with a great deal of hostility, last-minute changes, charges anywhere from $10,000 to $50,000 at the last moment.

And on one occasion it was a huge crowd, probably 200,000 or so, the last minute—well, they made them put fencing around that area of the mall. They, at the last minute, restricted them to one entrance, which meant people were going to stand in a line in the summer for hours. So, the Park Service officials—and I spent a great deal of time talking to them, and in the command module—the people I was dealing with had not made the decisions, but it was clear to me that there was a great deal of harassment in setting up events for failure, actions by the officials of the National Park Service which caused heat frustration that didn't need to be, forced them to line up in areas where there was no shade.

Anyway, I just alert you to that, and ask you to keep a watch on it. I know you have already had discussions about—and we do appreciate that you didn't spend government money to shut down open-air, or public sidewalks, like World War II. I was brokenhearted for the people at Martin Luther King Memorial. I mean that is a really moving memorial, the way his statue is there, coming out of the rock. And yet people were around the barricades wondering—this is our trip, and the Park Service decided to make it difficult.

On one good note, though, after I cut the tape and moved the barricade at the World War II Memorial—got the help of Steve Palazzo—and we got the veterans in there—because they weren't supposed to spend money to close a facility that didn't cost anything to keep open—three of us decided to go check the Iwo Jima Memorial. That is under the Park Service, isn't it?

Secretary BERNHARDT. Yes.

Mr. GOHMERT. And when we got up there, sure enough there had been a barricade put up there, but there were, like, three buses up at the memorial. One of them had a bus of mainly people that fought at Iwo Jima. And when I went up there, I said, "I was impressed, you guys just ran over the barricade," and these elderly gentlemen said, "We told the bus driver we didn't let the enemy keep us from the top of Suribachi, and we weren't going to let some little wooden stick keep us from getting up here to our memorial."

So, there are people out there that appreciate that you keep those things accessible.

But one of my big concerns—there are stories here, 4,000 percent up for illegal immigration arrests on Federal property. And I know Brian Terry was killed on Organ Pipe Park. Are you able to do anything? I know your budget is limited, but at least you have a budget, unlike Congress. So, what are you able to do with what you have?

Secretary BERNHARDT. So, this week is Police Week, and one of the things that we do during Police Week is we have a memorial service for fallen officers of the Department of the Interior. And yesterday, one of the parents that I met with, their son was killed down on the boundary. He was a park ranger. He was killed in 2002. And their request to me was to make sure that we do not for a minute let up on our investment in training, survival training, and preparing the folks that we put down there.

And I think that that is—we certainly will not let up, but that is a real thing, that when we put people down there, we have to make sure they are well trained.

Mr. GOHMERT. Thank you, Secretary. And it was Chris Eagle.

Secretary BERNHARDT. Yes, that was Chris Eagle. That is right.

Mr. GOHMERT. OK, thank you, Mr. Secretary.

Mr. HUFFMAN. I thank the gentleman. The Chair now recognizes Mr. Brown for 5 minutes.

Mr. BROWN. Thank you, Mr. Chairman. And Mr. Secretary, thank you for being here today, and your testimony.

The National Park Service owns and maintains a number of parkways that are part of the National Register of Historic Places, four of them in the National Capital Region. You are probably familiar with Rock Creek and Potomac Parkway, George Washington Memorial Parkway. There are two in my district. One is Suitland Parkway and the other is the Baltimore-Washington Parkway. Many of them—and certainly the B-W Parkway—serves as a very important regional artery, 120,000 commuters a day—many from my district, others from around the region—rely on it to commute back and forth to work, school, et cetera.

Unfortunately, years of the Department's neglect has made the B-W Parkway one of the most dangerous and congested parkways in the region. In fact, according to the Volpe Center at the U.S. Department of Transportation, no capacity improvements have been made to the B-W Parkway since its construction in 1954.

At the beginning of March of this year, in lieu of a meaningful maintenance work and rehabilitation, the National Park Service simply lowered the speed limit by 15 miles per hour, which doesn't address the maintenance issues, but certainly raises the aggravation level for commuters. And only after sustained pressure from the Maryland congressional delegation did some patchwork maintenance get done, about 60 tons of asphalt.

So, my question, Mr. Secretary, does the Park Service have sufficient funds to maintain the B-W Parkway and the other parkways on this National Register of Historic Places?

Secretary BERNHARDT. Well, I think if you look at our maintenance backlog budget, almost half of it is road maintenance. And we have challenges on the B-W Parkway, and we have challenges on Suitland.

I mean, to be very honest, those areas have been, that maintenance has been deferred a very long time, and it creates——

Mr. BROWN. Do you know whether it is in the President's budget to increase funding for those parkways?

Secretary BERNHARDT. Well, I think we are trying to work on that through the infrastructure—we have an infrastructure

improvement plan as part of our budget to deal with that. That was the way we tried to deal with that.

Mr. BROWN. And let me just suggest this. I don't think it is a question of ownership. I know there have been conversations with the governor of Maryland whether to convey that to the state of Maryland. I don't think it is a question of ownership. I think it is a question of whoever does own it should fulfill the responsibility to maintain it, particularly in a safe condition.

And I would suggest that if ownership transfer is contemplated, then certainly address issues like the impact on the environment, whether tolling that road makes sense for commuters on that roadway. And I would hope that the National Park Service retain that property.

Secretary BERNHARDT. I would think that it would largely have to come back to your Committee here.

Mr. BROWN. Yes.

Secretary BERNHARDT. So, you would get to weigh in on all those things.

Mr. BROWN. Well, let me ask you, though, what are your thoughts about transferring these difficult and expensive parkways?

Secretary BERNHARDT. We generally take the position, as in restoration, that we are not terribly interested in transferring public lands out of the public estate. So, that would be a big discussion for us.

Mr. BROWN. And as you probably also know, Oxon Cove, 400-plus-acre land in the shadows of the Nation's Capital in Maryland, in my district, your predecessor had signed an MOU with Governor Hogan to transfer that.

Secretary BERNHARDT. I think they are looking at exploring—I think it is more of, like, a letter of intent, looking at exploring different ideas.

Mr. BROWN. And now that you are the Secretary, and given what you just said, would that be your intent——

Secretary BERNHARDT. I would have to look at it and make a decision. I would have to get back to you on that.

Mr. BROWN. Since your predecessor left, has your office had conversations with Governor Hogan's team?

Secretary BERNHARDT. Not to my knowledge, but——

Mr. BROWN. OK. And again, I would suggest there are very few acres. I envy my colleagues in this Committee that talk about tens of thousands of acres of undeveloped land that is used for the public use and enjoyment. We don't have a whole lot in Maryland, but we do have about 400, 500 at Oxon Cove. It is the home to bald eagles, there are a lot of environmentally sensitive areas.

So, I would hope that your comment here today, that you are not a fan—and I am paraphrasing—of transferring public lands for private-sector development—I just added that piece—I hope that holds true for Oxon Cove, as well.

I yield back, Mr. Chairman.

The CHAIRMAN [presiding]. Thank you very much.

A stop-certain time of 1:30 p.m., if I am not mistaken, Mr. Secretary?

Secretary BERNHARDT. Whatever we agreed to.

The CHAIRMAN. OK. And votes are going to be called at 1:15 p.m. So, my urgentness to get to the questions, and we will go from there and try to make sure that everybody that is present has an opportunity to ask.

Mr. San Nicolas.

Mr. SAN NICOLAS. Thank you, Mr. Chairman.

Good afternoon, Mr. Secretary. Thank you so much for being here with us. And thank you also for making time to visit me in my office and have a dialogue about some of the concerns we are facing on Guam. I thought it was very constructive, and I think that we shared some good ideas. I wanted to speak specifically about a budgetary concern that I think is something that relates to the conversation that we had when you met with me in my office, and this is in respect to the compacts of free association, and more specifically the compact-impact funding that is provided as a result of the compact of free association.

Recently, the Department of the Interior published the recent counts of compact migrants, and I am going to reference those numbers with respect to Guam's count and with respect to Hawaii's counts. And I am going to reference the amount provided relative to those counts, and have a discussion about how those figures correlate. But more specifically, how there are certain elements that I think are not being properly accounted for.

On Guam, the most recent count of compact migrants was about 18,874, based on the report. The funding levels that were provided as a result of the compact impact was $16,835,958, for an average per-migrant amount of $892 per migrant.

For Hawaii, the compact migrant count was 16,680. The dollar figure provided was $14,880,034, and that was also for an average migrant amount of $892.

Guam and Hawaii are both receiving the same amount of compact impact in order to assist the local governments in handling the costs associated with hosting compact migrants as a result of the treaty—the Compact of Free Association.

However, there is one very distinct difference between Hawaii and Guam with respect to compact migrant costs, and that is the earned income tax credit. The earned income tax credit in Hawaii is actually funded by the U.S. Treasury. So, any compact migrant who qualifies for the earned income tax credit in their income tax filing, that is actually money that comes into Hawaii from the U.S. Treasury.

On Guam, Guam has been absorbing their earned income tax credit liability since 2008. So, any migrant worker as a result of the treaty that is receiving the earned income tax credit is actually drawing those funds down from the Guam coffers.

So, the $892 that is provided per migrant for Guam and for Hawaii, I am assuming, is formulaically based, as determined by the Department. But if that formula is also factoring in the economic contribution of the migrant worker, then the earned income tax credit liability of those migrant workers also needs to be factored in. And I don't think that that is something that this government has really paid attention to.

When I brought this issue to the attention of your colleague, Mr. Mnuchin, during some questions I was asking him in my role in

the Financial Services Committee, he was also taken by surprise with respect to that.

So, the question that I have for you, Mr. Secretary, is are you aware of whether or not the earned income tax credit liabilities are being factored into the formula for the determination of compact impact?

Secretary BERNHARDT. You raised this issue with me last week, or the week before. And I don't have a good answer for you. But I am more than willing to either figure out if it should appropriately be factored in, or if we need to work with Treasury on it.

I don't want to get into a question about the allocation of funds between two representatives, but it seems like an anomaly that maybe has just not been thought of.

Mr. SAN NICOLAS. Right.

Secretary BERNHARDT. But we will look into it and get to the bottom of that.

Mr. SAN NICOLAS. Thank you, Mr. Secretary. Formula notwithstanding, I think that my colleague from Hawaii will also agree with me that those formulas need to be reconsidered. Even just the cost of educating an individual, at least in my district, is $6,500 per pupil, and the $892 per migrant is just very grossly insufficient.

As a matter of fact, based on a per capita basis, 18,874 migrants represents over 10 percent of the population of Guam, and yet the compact impact that is provided is less than 2 percent. So, there is a gross disparity with respect to that, and I think those formulas need to be revisited.

But formulas notwithstanding, I would like to specifically request for your assistance in setting up meetings with Secretary Mnuchin, so that we can get to the bottom of this EITC question, because it is a serious liability for the people of Guam, and we really need to resolve that.

Secretary BERNHARDT. Well, I will promise that we will work with you and work with Treasury. I can't promise that we will get the Secretary of the Treasury, but we will get somebody.

Mr. SAN NICOLAS. All right.

Secretary BERNHARDT. That is a commitment I will make you.

Mr. SAN NICOLAS. Thank you, Mr. Secretary.

I yield back.

The CHAIRMAN. Mr. Graves.

Mr. GRAVES. Thank you, Mr. Chairman, for acknowledging my existence.

Mr. Bernhardt, thank you for being here, and I appreciate your testimony. I apologize, I was in another hearing and I missed some of the opening here. But you may be surprised I am actually going to heap on to what Mr. Huffman has largely been doing for this whole hearing. I am also very frustrated by the lack of responsiveness from the Department of the Interior.

I have contacted the Secretary. I asked directly for our office to be provided the analysis from the Government Performance Results Modernization Act in regard to offshore energy revenue sharing so we can restore our coasts and our wetlands in Louisiana. Because in the budget justification documents it explicitly said that that was why those funds were cut or rescinded. I asked for that, got nothing back. I asked for a phone call, I got

nothing back. I asked for a meeting with the Director of BSEE. The entire Louisiana delegation asked for a meeting with the Director of BSEE, and we got nothing back. Nothing. And it is really frustrating, because it is very difficult for us to do our job when that happens.

Oh, but wait, let me make note that all happened during the Obama administration. Those requests were made nearly 4 years ago, or 4 years ago for the Government Performance Results Modernization Act. We still got nothing back.

Mr. Secretary and everybody here, everybody knows what this is. This is the silliness that goes on with the parties, where people make unreasonable requests and then they bang desks and gavels and other things when they don't get answers back.

Except for in our case, I actually think we asked for pretty reasonable stuff. They specifically cited in budget justification documents why they were cutting a program that they had rated—they supposedly had rated it—r-a-t-e-d—rated it, and found that it had poor outcomes. The only problem is that the program hadn't actually started yet, so I am not real sure what they were rating. And I think that is why we never got anything back.

In regard to Director Salerno, we asked for a meeting to talk about the well control rule. He refused to have a meeting, he refused to meet with the entire delegation. It was ridiculous, the lack of accessibility.

Let me ask you a question about the well control rule. Being from the state that represents more offshore energy production than any other state—in fact, more than all of the other states combined—and in my old job of helping to restore our coasts and sustain our wetlands, I care very much about that. Let me ask you a question.

In regard to the revisions for a well control rule, is there a single change in there that is now out of compliance with the recommendations that were made by the various independent boards that informed the changes?

Secretary BERNHARDT. Not a single one.

Mr. GRAVES. Thank you. Mr. Secretary, let me ask you another question. Variances or alternative compliance is an issue that has come up here, meaning a company requesting alternative compliance with the regulations. Has this Administration or has the previous administration granted more variances or alternative compliance? Are you aware of those numbers?

Secretary BERNHARDT. It is my understanding that the numbers—that the prior administration was actually higher.

Mr. GRAVES. I believe that is my understanding, as well. Thank you.

In regard to the number of seismic testing in the offshore, do you know if it is this Administration or the Obama administration that granted more permits or approvals to do the 3D seismic?

Secretary BERNHARDT. I suspect it is the prior administration.

Mr. GRAVES. And I believe that, based on my evaluation, it was, as well.

Mr. Secretary, I am not sure if you are aware, there was an Inspector General report from the Department of the Interior that found that an Interior official had effectively awarded about

$325,000 to a wildlife program that a family member was the independent contractor on that program. Really, really looks awful, and that type of behavior cannot be tolerated.

Are you aware of anyone on the other side of the aisle that has expressed concern to you about that?

Secretary BERNHARDT. Not with that specific issue, no.

Mr. GRAVES. And that happened during this Administration or the previous one?

Secretary BERNHARDT. Both. We have things happening every day. We had a——

Mr. GRAVES. This one specifically in the Inspector General report was——

Secretary BERNHARDT. The prior administration.

Mr. GRAVES. An Obama administration official, yes.

So, Mr. Secretary, I am just making note of the silliness of what happens in this Committee sometimes.

The last thing is, sitting behind you—I am sure no one has noticed yet, but there is actually someone wearing a mask. Actually, there are a couple of you. Hey, look at that. Welcome.

It is ironic, because they are saying fund LWCF, Land and Water Conservation Fund, when the reality is you are swamp creatures and the Land and Water Conservation Fund can't be used for swamps. We have actually been working to restore our swamps in Louisiana, because that is where the money comes from. Every penny of it comes from the coast of Louisiana and the other producing states, but we are prohibited from using it for that purpose. So, there is some irony in the friends back there behind you. But thank you all very much for being here.

Mr. Secretary, thank you for your testimony.

The CHAIRMAN. Just for the record, I think——

Mr. GRAVES. They are not swamps?

The CHAIRMAN. I think you guys are speaking about two entirely different swamps.

[Laughter.]

The CHAIRMAN. Ms. Velázquez.

Ms. VELÁZQUEZ. Thank you, Mr. Chairman.

Secretary Bernhardt, I would like to discuss some recent decisions the Interior made regarding dangerous pesticides, including Chlorpyrifos. The Fish and Wildlife Service has been working on a risk assessment of Chlorpyrifos, along with other toxic pesticides and their adverse impacts on endangered species for several years.

Before your appointment, this Biological Opinion was nearly completed, and would have been released for public comment in 2017. According to Interior Department documents, however, you personally convened a series of meetings that changed the opinion. The *New York Times* reported that, as a result of your intervention, the opinion will be delayed for 2 years, and will use a new standard that benefits the chemical industry.

So, I have three questions, sir. Were you aware of industry opposition to the release of the Biological Opinion when you made your decision?

Secretary BERNHARDT. The industry views did not factor in at all to the decision I made. The decision I made is I read the document and I said who started——

Ms. VELÁZQUEZ. No, just tell me, answer my question. Did you or your staff discuss your decision with anyone in the White House?

Secretary BERNHARDT. I don't recall doing that.

Ms. VELÁZQUEZ. You don't recall.

Will you release the draft Biological Opinions that the Committee has requested?

Secretary BERNHARDT. We will work with the Committee to see what kind of reasonable accommodation we can find.

Ms. VELÁZQUEZ. So, you are open to release?

Secretary BERNHARDT. Well, deliberative documents, there is a long history between these Committees and deliberative documents.

Ms. VELÁZQUEZ. So, sir, do you understand how cynical people are about decisions made under your leadership, given your previous lobbying work for Dow, the maker of these pesticides, and who opposed the ban that Interior reversed?

Secretary BERNHARDT. I never represented Dow in any way, shape, or form.

Ms. VELÁZQUEZ. You didn't? I guess the *New York Times* and other people are wrong.

But also there is this cynicism because President Trump received a $1 million contribution from Dow Agriscience, a company that opposed this pesticide, that was against the ban.

Secretary BERNHARDT. Well, I can assure you that I read the documents and no one else did.

Ms. VELÁZQUEZ. There is a lot of skepticism and cynicism regarding decisions that are made because of your lobbying work, so I encourage you to release the documents so the Committee can fulfill our constitutional responsibility of determining whether or not it was a rational decision that was made without any type of motivation.

Mr. Bernhardt, in August 2018, the Trump administration reversed a 2014 ban on the use of neonicotinoids on national wildlife refuges. This decision contradicts scientific research that has linked this class of pesticides to harmful effects on migratory birds, bees, and other pollinators. Over the duration of your tenure at the Interior, your agency has consistently made decision after decision that benefits your former clients, while showing little to no transparency.

Is it realistic for the American people to believe the decisions you make in the dark with no oversight—because you are not providing the information and the documents that we are requesting—that benefits corporations you previously worked for is coincidental?

Secretary BERNHARDT. I think we have provided 66,000 pages.

Ms. VELÁZQUEZ. Well, we saw the kind of documents that you provided. Some were duplicates, and other papers didn't have any type of information.

I just would like to share with you that I introduced legislation to ban Chlorpyrifos. It is H.R. 230. It has 105 co-sponsors, more than 10 committee chairmen are supporting my legislation, and over 130 organizations nationwide are in support of such legislation.

And, by the way, next week I will be introducing legislation to reinstate this ban on neonicotinoid pesticides on national wildlife refuges. And I am pleased that Chairman Grijalva and Subcommittee Chairman Huffman are co-sponsors of my bill. It will be a bipartisan bill, because Republican Member Radewagen is in support of such legislation. We have seen actions in New York, Hawaii, and California State Legislatures to reinstate the ban in those states. I guess that they know something that you don't, in terms of how harmful it is.

The CHAIRMAN. Thank you.

Mr. Van Drew.

Mr. VAN DREW. Thank you, Mr. Chairman. And Mr. Secretary, welcome to our hearing. I know we kept trying to get together, and you had a meeting and then I had a meeting, but I would still look forward to doing that, and having a good conversation with you.

Secretary BERNHARDT. That would be great.

Mr. VAN DREW. And I appreciate you being here today.

Let me just say I represent southern New Jersey, and specifically the 2nd Congressional District. It encompasses more than——

Secretary BERNHARDT. Do you have Cape May?

Mr. VAN DREW. Yes, I do.

Secretary BERNHARDT. I love Cape May.

Mr. VAN DREW. Cape May is a beautiful place. I spend a good amount of my time here trying to convince people to go there. People have a preconceived notion of New Jersey, and I don't think they have any idea what it really is about. It is a beautiful, beautiful area. And I am glad you have been there. It encompasses my district, because it is rural and shore—40 percent of the state, more than 60 percent, actually, of coastline. And I am going to keep my questions focused on one topic, which is the Coastal Barrier Resource Act, also known as COBRA.

And before I begin I just want to ask unanimous consent to enter a letter that I wrote to the Fish and Wildlife Service Acting Director into the record.

The CHAIRMAN. So ordered.

Mr. VAN DREW. OK. Thank you, Chairman.

I also want to note—and maybe you could just check up on that—that I haven't received a response yet, and that was about 2 months ago. So, maybe it got lost. If you could, look. And it was purely based on a factual issue that we are really having in Stone Harbor, North Wildwood, in that area.

Secretary BERNHARDT. We will find out.

Mr. VAN DREW. Thank you very much.

As you know, COBRA was enacted in the early 1980s to prohibit Federal financial assistance for development on coastal barriers. The goals of COBRA are to minimize the loss of life and property, reduce wasteful expenditures, and protect our natural resources. And I think we all agree that these are worthy goals.

In my district, we have a flood and coastal storm damage reduction project that was authorized by the Water Resources Development Act of 1999, called Townsend's Inlet to Cape May Inlet Shore Protection Project, which includes beach nourishment and the boroughs Avalon and Stone Harbor in Cape May County. And the project known as the Stone Harbor Project has used sand

from a Hereford Inlet borrow area south of Stone Harbor that falls inside Coastal Barrier Resources System unit number New Jersey 9. And if you want any of this information again, we——

Secretary BERNHARDT. I think I had better——

Mr. VAN DREW. We will certainly—I know, it is very technical.

On three separate occasions, because of an exception, it was granted from Fish and Wildlife, so we were able to borrow from that area, use that sand for beach replenishment.

In 2016, however, the Service, under the previous administration—this, again, was the previous administration—inexplicably reversed this exception and concluded that sand from Hereford Inlet could no longer be used for beach nourishment at Stone Harbor.

The Service's objection to the use of the Hereford Inlet borrow site resulted in the sediment being taken from a more remote inlet called Townsend's Inlet, and transported at an additional price tag of $6.5 million, which the municipalities had to bear.

Sediment surveys have all shown that there is simply not enough sand from Townsend's Inlet to nourish both the Avalon and the Stone Harbor portions of the project. In a perverse way, COBRA has the potential to have the opposite effect of its goal in this case.

Secretary, do you agree that Fish and Wildlife granted an exception for the Stone Harbor project to use the Hereford Inlet borrow area with unit New Jersey No. 9 for beach nourishment outside of the unit?

The answer is yes. You know.

Secretary BERNHARDT. I honestly don't know.

Mr. VAN DREW. OK. I know. This is technical, but they have. And it is a very big, important issue down by us. COBRA prohibits all Federal expenditures on units of the coastal barrier resource system, except for a few clearly defined exceptions, which are found in section 6 of the statute.

I have a letter dated December 24, 1996, from the Fish and Wildlife Service Regional Director, Ronald Lambertson, to Lieutenant Colonel Robert Kaiser of the U.S. Army Corps, which states that it is the Service's conclusion that this proposed action does constitute an exception under section 6 of COBRA, provided that the following conditions are incorporated into the project design.

During the planning phase of this project, the U.S. Army Corps coordinated with the Service and received additional approval. The project met those conditions. And without this project, Stone Harbor Point may not have existed today because it was experiencing severe erosion and habitat loss, due to the lack of littoral drift, which essentially recycles sand back to the unit.

The Army Corps never placed sand directly on Stone Harbor Point. That habitat grew through natural processes of sand renourishing Stone Harbor's beach down south through the area.

I have another letter that I ask unanimous consent to put into the record. And that was that last record, Mr. Chairman.

And I will ask you the previous question. Do you agree that Fish and Wildlife Service granted an exception? And when you do research you will find that they did.

So, I guess the whole point of this is that they had granted research—I mean an exception in the past to do this. We are doing no environmental harm. In fact, it is environmental good. But we seem to be hitting a stone because Fish and Wildlife Service—we really need your help, and would like our office directly to interact with yours, because we are causing more harm by what we are doing now.

Secretary BERNHARDT. We will work with you on that. We will absolutely work with you on it.

Mr. VAN DREW. Thank you very much.

The CHAIRMAN. Mr. Cunningham.

Mr. CUNNINGHAM. Thank you, Mr. Chairman. And thank you, Mr. Secretary, for being here today and for meeting with our office a few weeks ago. Thanks for putting some time aside.

Secretary BERNHARDT. I think we got you some follow-up information on that.

Mr. CUNNINGHAM. We got that yesterday. We still have a few more questions, though.

Secretary BERNHARDT. Sure.

Mr. CUNNINGHAM. Before I begin, I would like to submit a letter for the record, I ask for unanimous consent. This is a letter from Governor Henry McMaster essentially stating his opposition to seismic airgun blasting and offshore drilling off the coast of South Carolina. And I submit that for the record.

The CHAIRMAN. Without objection, so ordered.

Mr. CUNNINGHAM. I assume, Mr. Secretary, that your office would take that into consideration when producing the next leasing plan, correct?

Secretary BERNHARDT. The letter?

Mr. CUNNINGHAM. The Governor's support of banning offshore drilling——

Secretary BERNHARDT. Absolutely. It is a factor.

Mr. CUNNINGHAM. All right. And you all would take into consideration local mayors, as well?

Secretary BERNHARDT. We have talked about that, absolutely.

Mr. CUNNINGHAM. OK, that is good to know, then.

And in late March, a district court found that President Trump's attempt to undo offshore drilling protections in the Arctic and portions of the Atlantic was illegal.

And then recently, you put the new 2019 to 2024 leasing plan, the one that included the entire Atlantic Coast, on hold.

Last week, I believe, you said you were weighing your options, that you could proceed as if the case was decided incorrectly, or as if it didn't exist.

So, I just want to be clear here today. There is no legal impediment to stop your office from developing the leasing plan. Correct?

Secretary BERNHARDT. Well, I think there is no legal impediment to developing a leasing plan. There is a question about what the scope of that particular plan could be, and what it could contain when you got to the point of finalization. So, that is really the answer.

Mr. CUNNINGHAM. So, there is no legal impediment to developing that plan. Is there a political one?

Secretary BERNHARDT. Well, there is not a political one from a politics point of view. Where we are with this plan is—the draft proposed program was developed. It went out for public comment, as you know. It got a lot of comment. BOEM had been working on it. We have this decision. And my looking at the decision is asking the following things: one, does it make sense to move forward now, or wait and see how——

Mr. CUNNINGHAM. OK, Mr. Secretary, I apologize, I don't mean to interrupt you, but I don't have a lot of time.

So, my understanding, there is not a legal impediment to moving forward right now, that is what you testified to.

Secretary BERNHARDT. Well, there is a legal impediment to moving forward in a particular way that leads to a particular outcome. There is. I mean the district court has laid out a paradigm that I fully suspect the Department of Justice will want to challenge. And I will be trying to develop a plan while that is going on. And then the court will ultimately rule, and then I would have to deal with that. And if I guessed wrong—so I am not sure what I am going to do——

Mr. CUNNINGHAM. So, you don't want to have to go back and recorrect the leasing plan if the court finds it in violation. Is that correct?

Secretary BERNHARDT. I think that that might not be a wise use of resources.

Mr. CUNNINGHAM. OK. All right. And you were Solicitor of the Department of the Interior at the end of the Bush administration, correct?

Secretary BERNHARDT. Correct.

Mr. CUNNINGHAM. And just before leaving office, the Department put out a proposed 2010 to 2015 plan that includes sales in the eastern Gulf of Mexico, even though that area was blocked off by statute. Correct?

Secretary BERNHARDT. That was a proposed plan, a draft proposed program.

Mr. CUNNINGHAM. OK, so that was a proposed plan in violation of that statute. But in this case it is different, correct?

Secretary BERNHARDT. What is different is I have until 2022 to get a new plan in place. I have some time. So, I am going to figure out what I am going to do, and then I will do it.

Mr. CUNNINGHAM. And you have had direct communications with the President and the White House about this, whether or not to move forward with the leasing plan or wait?

Secretary BERNHARDT. Well, I certainly have informed the White House that I am in pause. And I am consulting with the Department of Justice.

Mr. CUNNINGHAM. And what has been the President's response to that?

Secretary BERNHARDT. Well, I have not been told that I had to go in a different direction.

Mr. CUNNINGHAM. OK. And moving to seismic, you mentioned when we spoke that there is no connection legally between the leasing plan and the seismic airgun blasting.

Secretary BERNHARDT. I think that is right, as a matter of law.

Mr. CUNNINGHAM. OK. And your office is still processing seismic permits for the Atlantic Ocean right now, correct?

Secretary BERNHARDT. Well, actually, I think BOEM is processing——

Mr. CUNNINGHAM. Right.

Secretary BERNHARDT. I think we gave you some documentation that shows that I think we have up to nine permits in various stages of processing.

Mr. CUNNINGHAM. And while you are saying they are independent of each other, I believe your Assistant Secretary, Joe Balash, said to an industry gathering, "I will tell you we wouldn't work really hard to get the seismic permits out if it was an area that wasn't going to be available." So, it sounds to me like they are directly involved.

Secretary BERNHARDT. Let me be very clear about that. I have a lot of respect for Joe Balash, but this is my decision.

Mr. CUNNINGHAM. All right, so you disagree with him there. That is good to know.

And here is what I am worried about. You have the next step of the plan, which has South Carolina and Florida directly in its crosshairs. And I think that this Administration and your office recognizes it is electoral poison to put those on the map before the 2020 election.

And the court case in the Arctic is a convenient excuse to wait until that election passes, but the people of South Carolina aren't going to be fooled by this. It is clear you have your marching orders. I have mine from the constituents in South Carolina, and that is why we have introduced H.R. 1941 to ban offshore drilling off the Atlantic and off the Pacific Coasts, to make sure there are never any oil spills off our coastline. And that is what our intention is to do.

I would yield back.

The CHAIRMAN. Mr. Cartwright.

Mr. CARTWRIGHT. Thank you, Mr. Chairman. And welcome, Secretary Bernhardt.

I wanted to ask you off the bat about working with my office to maximize the potential for increasing permits for renewables on public lands, and seeing how we can facilitate more renewable energy projects. Will you work with my office on that?

Secretary BERNHARDT. Sure. I think for BLM the last 2 years we had 15 applications for renewable projects.

Mr. CARTWRIGHT. I can't hear you.

Secretary BERNHARDT. Yes, sir. I am happy to work with you.

Mr. CARTWRIGHT. All right, good. I was reading the newspaper this week and it hit the headlines 2 days ago that carbon dioxide levels hit 415 parts per million, which is the highest in human history, the highest in 800,000 years. Did you happen to see that, Secretary?

Secretary BERNHARDT. I didn't see that particular factor——

Mr. CARTWRIGHT. That was on the front page of *USA Today*. And I will ask unanimous consent that the article titled, "Carbon Dioxide Levels Hit Landmark at 415 Parts Per Million, Highest in Human History," be made part of the record.

The CHAIRMAN. So ordered.

Mr. CARTWRIGHT. And that was, of course—there were no humans the last time it hit that kind of level. So, my question for you is, on a scale—and this is a number question. I am looking for a number, Secretary—on a scale of 1 to 10, how concerned are you about that?

Secretary BERNHARDT. Well, what I will say is I believe that the United States has the No. 1——

Mr. CARTWRIGHT. Ten being the most concerned and one being the least concerned, what is your number, Secretary?

Secretary BERNHARDT. I believe the United States is No. 1, in terms of decreasing CO_2——

Mr. CARTWRIGHT. Did you hear me all right, Secretary? I am asking you. What is your number of your level of concern about that, on a scale of 1 to 10, 10 being the most concerned? What is your number for how concerned you are about us hitting 415 parts per million of carbon dioxide?

Secretary BERNHARDT. I haven't lost any sleep over it.

Mr. CARTWRIGHT. OK, so you are a zero or a one, is that it?

Well, let me ask you this. One of your clients——

Secretary BERNHARDT. We are No. 1 in terms of reductions amongst developing countries in CO_2 emissions.

Mr. CARTWRIGHT. Well, one of your clients used to be the Independent Petroleum Association of America. Am I correct in that?

Secretary BERNHARDT. They were a client at one time.

Mr. CARTWRIGHT. OK, and one of your clients used to be Halliburton Company, which is a very significant player in oil and gas, correct?

Secretary BERNHARDT. I have represented Halliburton.

Mr. CARTWRIGHT. Do you know what their level of concern, on a scale of 1 to 10, would be about the carbon dioxide levels hitting the highest in human history?

Secretary BERNHARDT. I have no idea.

Mr. CARTWRIGHT. No idea? OK. Well, I want to talk about coal for a second.

Secretary Bernhardt, the Administration claims to support an all-of-the-above energy strategy, but there really seems to be a preference for coal over renewables.

In southern Nevada, the BLM terminated its resource management plan revision, which was supposed to be a way to designate more solar leasing areas.

In Utah, the BLM has yet to hold an auction in a designated solar leasing area that was originally planned for September.

At the national level, the agency dissolved the Renewable Energy Coordination Office. As a result, progress on wind and solar on public lands has nearly come to a halt. The proposed budget for renewable energy at the BLM is essentially flat. But despite decreasing demand for coal-fired power generation, you are requesting a 66 percent increase in funding for the coal program.

Why is the Administration proposing to spend more of our scarce taxpayer resources on an energy source for which demand is declining?

Secretary BERNHARDT. Well, I think that when I look at our budget and renewable numbers, here is what I see. Right now BLM

has about 127 renewable projects ongoing. Over the last 2 years, we have gotten 15 applications. Two of those, two solar projects, have been approved. We are using about 122 staff on those various projects and applications.

And in our oil and gas operations we get about 4,000 APDs a year. We have 96,000 wells. We have about 850——

Mr. CARTWRIGHT. I don't mean to interrupt you, but on that train of thought, we learned in an April 30 hearing held by this Committee that investors are reluctant to apply for new renewable projects on public lands, due to the lengthy and complicated permitting processes.

The question there is what are you doing to address the barriers to siting new renewable projects on public lands? For example, what are you doing to facilitate programmatic reviews of renewable projects, instead of time-consuming, one-by-one permitting currently used?

Secretary BERNHARDT. We have actually reduced our review time in DC from, on average, 199 days for BLM projects to 29.

Mr. CARTWRIGHT. I yield back.

The CHAIRMAN. Mr. Costa.

Mr. COSTA. Thank you very much, Mr. Chairman and Ranking Member, for this important hearing.

Mr. Secretary, I want to talk about three areas. I would like to get to wildfires. I probably won't have time to.

But the topic dealing with Central Valley Project water allocations, methods of predicting water availability, and reasons for the challenges of meeting contractual obligations, to the importance of water infrastructure and using all the water tools in our water toolbox, to include storage, conveyance, conservation, and innovation, and our national parks and the deferred maintenance, which is a real problem, I think, and all of this in light of climate change and sea level rising and a very complex water system in the West, especially in California, as you know, between the partnership of the state and Federal water projects.

Let's begin on the water allocations here. We have 176 percent snowpack this year. I mean it is either feast or famine. We have been blessed with a good snowpack and rainfall. As a matter of fact, they are even talking about snow this weekend in the high country. Yet, while large portions of the Federal contractors have 100 percent allocation, the San Luis water unit is still stuck at 65 percent.

In a year like this, if we can't increase—I mean, we understand on average or below and all the constraints on the system, but with the existing Biological Opinions do you have any thoughts on this?

Secretary BERNHARDT. I know that Ernest, Brenda, and Tim are working hard on those issues.

Mr. COSTA. So, you think I should focus that question to her tomorrow?

Secretary BERNHARDT. Well, actually, it would be a better question focused to her. She is the one directly involved.

Mr. COSTA. OK.

Secretary BERNHARDT. I am not.

Mr. COSTA. Let me ask a broader question as it relates to storage and infrastructure. You and I have been involved in trying to solve

water problems in the West and in California, particularly, for more years than I care to count. But for me, it is 39 years. What do you think is achievable in the next 2 years?

I had a good conversation with folks in Sacramento last week. You talked about your meeting with the governor. What do you think is possible?

Secretary BERNHARDT. So, to be candid, I think we have had very, very good conversations with the governor and his team. And, at some point, we all have to make measurable progress here. Some folks——

Mr. COSTA. And get past the politics of water, and the finger-pointing and the blame game, which just frustrates the hell out of me.

Secretary BERNHARDT. I know it does. And, look, we are prepared to engage with the state. We are prepared to engage with you all and move the ball forward.

And it is not always the case that you have interests line up across administrations, and I would like to see if we can get something done here.

Mr. COSTA. Well, I want to urge you to continue to work with the folks in California, because I think there are efforts that Senator Feinstein and I and others have been engaged in. I think there are bipartisan opportunities here, if we get past the politics and the finger-pointing, and trying to paint people as villains.

Whether it be the San Joaquin Valley and agriculture, or whether it be environmentalists, the fact of the matter is the climate is changing, sea levels are rising, and we have to determine how much agricultural land we want to keep in production in California, and how much we can deal with species that are being threatened from numerous sources. And that is the reality.

Let's shift over—my time is quickly going.

National parks, deferred maintenance. How, realistically, are we going to provide—not just Yosemite and Kings Canyon, but throughout the country?

Secretary BERNHARDT. Well, our view, really, is to work with you all, collectively, to get behind some sort of maintenance backlog infrastructure fund. And we have proposed a proposal. We would like to work with you on that, or something like that.

Mr. COSTA. What do you think the primary source of funding mechanism should be?

Secretary BERNHARDT. Our proposal is based on energy revenue, not only oil and gas revenue, but alternative energy revenue and its prospective growth.

There are probably a variety of ways to do it, but the reality is if we don't get something done—the maintenance backlog today is much worse than it was when we thought it was out of control when I left Interior the first time.

Mr. COSTA. Mr. Chairman, I know my time has expired, but I would like you to provide a list for the Committee's purposes of what Interior is doing to prioritize how you tackle that deferred maintenance——

Secretary BERNHARDT. We can do that, Congressman.

Mr. COSTA. Thank you.

Mr. BISHOP. He did say it was a dam good bill, right?

Secretary BERNHARDT. A dam good bill, d-a-m.

Mr. COSTA. There you go.

The CHAIRMAN. Mr. Case.

Mr. CASE. Good afternoon, Mr. Secretary. I join my colleagues on the Committee in thanking you for appearing here personally. I thank you for the time you spent in my office.

We discussed a number of issues in my office to include tour helicopters overflying our national parks and destroying their ambience, and full implementation of the national parks air tour management plan.

We talked about the USS Arizona, a sacred site in Pearl Harbor, which has been closed for repairs, and we talked about accelerating those repairs.

We talked about the Japanese-American confinement site program in general, and the Honouliuli confinement site, national monument now, I should say, in Hawaii that needs advancing.

We talked about endangered species funding and disproportionate funding that does not fully recognize Hawaii's status as the endangered species capital of the world.

We appreciate all of those.

I do want to follow up on one issue we discussed, and which my colleague from Guam, Mr. San Nicolas, talked about, which is the compact of free association and compact impact aid.

The first thing I would say is I completely agree and sympathize with his plight, in terms of the earned income tax credit and the insufficiency of compact impact aid to compensate Guam fully for the actual economic consequence of the compact country residents.

I certainly have a similar concern, where, essentially, the healthcare funding goes through the roof because many, many of the compact country folks come to Hawaii. Their healthcare needs are taken care of through our State Medicare program. These include folks from Guam, because Hawaii is really the healthcare capital of the Pacific.

And just as he views the compact aid as completely insufficient, so do I. We have calculated our healthcare costs alone at somewhere in the range of $100 million. And then, if I follow his formula in terms of the cost of education, if you take the distribution per capita that he had mentioned and apply it to our own cost of education per pupil, which is roughly double that of Guam, you come up with another $200 million.

So, pretty soon you are talking about some real money that is paid for by Hawaii, $300 million plus, for which we get somewhere in the range of $14 million of compact impact aid.

We welcome the folks from the compact countries coming to Hawaii. They have been an incredible contribution to our community, to our ohana, as we say, to our economy. And we look forward to that continuing. But we cannot absorb that level of economic consequence and continue to support the compact, overall.

The compact is a very, very strong initiative by our country, fulfilling historical trust obligations from the trust territories. And increasingly, as you and I discussed, it is a critical part of our overall national defense strategy, because certainly many other countries would like to basically get more involved with those countries, primarily China.

Let me ask you this. It seems to me that fitting the compact issues into the Department of the Interior—to include compact impact aid—and to treat it as a continuing obligation, from a trust perspective, is trying to fit the shoes into the wrong box. And it seems to me that, as we take a look at the big picture—and we are starting the renegotiations on the compact right now with two of those three countries—we should be looking increasingly to our defense obligations, as opposed to the Department of the Interior.

And I just wanted to ask for your thoughts on that. Do you think that is a productive approach for us to start to take? I just see no way that Interior can be responsible, or that the Interior budget, for that matter, can support a consequence on compact impact aid which has really been good for our country, but not so good for Guam and Hawaii.

Secretary BERNHARDT. I appreciate that question a lot. I don't have the authority to say where it should be in the budget, but I will tell you this—those areas mean a lot to our country in a variety of ways, including our national security interests.

And I do think that we are paying more and more attention than maybe was paid to those issues historically, because of that. Certainly, we paid a lot of attention after World War II, but I think there may have been some variation of the intensity. And I think we have a better perspective.

So, I think it merits thinking about this outside of the box, compared to a small office within the Department of the Interior.

Mr. CASE. Thank you very much, Mr. Secretary. I just think that, as we go into this next round of negotiations and the related discussions on compact impact aid, Guam and Hawaii simply cannot afford to continue down the status quo.

Secretary BERNHARDT. I appreciate that.

The CHAIRMAN. Mr. Soto.

Mr. SOTO. Thank you, Mr. Chairman, and thank you, Mr. Secretary, for being here. It is always great to see a GW Colonial like myself. And thanks for visiting me at my office. We talked a little bit about the national offshore drilling plan. And, as you know, there is unanimous bipartisan opposition to that happening in Florida.

Can we expect to see offshore drilling off of Florida any time soon?

Secretary BERNHARDT. I think it is a while before we figure out our plan. And even in the most active scenario, the soonest for a development plan would be years from now.

Mr. SOTO. And is the Administration going to consider the fact that we have united bipartisan opposition in determining whether we would be in the plan?

Secretary BERNHARDT. I have been very clear with every Member I have met with that it is my view that the states' input is a very important component of any final plan.

Mr. SOTO. As you know, the Department of the Interior has primary oversight over Everglades restoration. We had the Herbert Hoover Dike around Lake Okeechobee where we were restoring the southern reservoir. Again, these are major bipartisan supported issues.

Last year, we got $139 million into the budget. In the 2020 budget, we saw an initial 31 percent cut, but now we are seeing there may be support for the $200 million we are requesting.

Secretary BERNHARDT. I think the President actually submitted a budget amendment the night before last on that. And, obviously, the Appropriations Committee is meeting today.

Mr. SOTO. So, you could expect we have a much better shot at that now?

Secretary BERNHARDT. Well, I know that they made the request.

Mr. SOTO. OK.

Secretary BERNHARDT. It is in the Corps' budget, I believe.

Mr. SOTO. Sure. A lot of this is really important, as you know, because red tide could be exacerbated by coming out of Lake Okeechobee through St. Lucie and the Caloosahatchee River. So, it is important for me that we have a commitment that the Department of the Interior understands that that load could exacerbate red tide, and that we need to continue to work——

Secretary BERNHARDT. Well, I can assure you that that fishery in the south is phenomenal. We have done a lot collectively, as a society, on the Everglades, and there shouldn't be backsliding in any way, shape, or form.

We do have significant issues with invasives, as you know, so we have to be aggressive with——

Mr. SOTO. And we are going to get into that in a moment.

Secretary BERNHARDT. OK.

Mr. SOTO. A bill that I worked on in the past, in a bipartisan manner last year, was to make the Kissimee River a wild and scenic river. Restoring the rest of that river is already in the new budget that President Trump put forward. Can we expect support from the Department of the Interior to do a good faith study, should the bill pass, and potentially make it a wild and scenic river, since we spent a billion dollars restoring it?

Secretary BERNHARDT. You gave me a draft of that language, and we will work with you on that.

Mr. SOTO. The other issue we are working on developing is in a bipartisan way with Senator Rubio on re-instituting a Reef Protection Act. The Florida Reef has been devastated over the years. We have a lot of pollution and population, and this would go at that and re-propagation.

If we could get a bipartisan bill together, would this be something that the Department of the Interior would work with us on?

Secretary BERNHARDT. Yes, I think that is something we would be very interested in working with you on.

Mr. SOTO. With regard to species, obviously first, the ones that are endangered. We saw a downlisting of the manatee, which is iconic in Florida, from endangered to threatened. With 804 deaths last year, that was a record. The population wildly shifts. We won't see any reduction from threatened any time soon, would we, with regard to the manatee's status?

Secretary BERNHARDT. I have no knowledge of a petition or something floating around. I would think that is incredibly unlikely.

Mr. SOTO. OK. And then with the Florida panther, that is an endangered species that we have seen people try to say it is not

entitled to protection because it is not a subspecies, even though there have been overwhelming studies on it. There are no attempts right now to downgrade the Florida panther, are there?

Secretary BERNHARDT. I am not aware of any.

Mr. SOTO. OK.

Secretary BERNHARDT. I think we just did a recovery program.

Mr. SOTO. Yes. And last, what are some of the things that you all are working on to address the invasive species in Florida?

Secretary BERNHARDT. I think we have been very aggressive on pythons, and I think there is some interest in being more aggressive on that. We are working very closely with the state wildlife agency, and I think the governor is interested in that, as well. And we have had some novel techniques that have made news, in terms of attracting larger female pythons to particular areas. So, that is certainly a big issue for us.

Mr. SOTO. Thanks, I yield back.

The CHAIRMAN. Mr. Horsford.

Mr. HORSFORD. Thank you, Mr. Chairman, for organizing today's hearing on the Department of the Interior and its policy priorities for Fiscal Year 2020.

I also want to thank Secretary Bernhardt for taking the time to testify. It is good to see you again.

Today's oversight hearing is of the utmost importance. Prior to voting on the Interior environment appropriations bill, Members of Congress must have assurance that Federal funding will be spent in the best possible way, according to the intentions of Congress.

Currently, the Department of the Interior is reorganizing its structure in an effort to streamline the efficiency and effectiveness of its respective agencies. While the Trump administration has often claimed it wants to streamline efficiency and increase effectiveness, these statements have, in several cases, translated to decreases in consultation, elimination of important programs, streamlining of environmental reviews, and Federal employee hiring freezes.

I hope, however, that under the Department of the Interior's new leadership we can work with you, Secretary Bernhardt, and ensure that the DOI keeps its promise to the American people, and works to improve its services. As I shared with you when we met, my home state of Nevada, where we have more than 85 percent of land that is managed by the Federal Government, our dependence is really on our Federal partnership.

Mr. Bernhardt, as the threats from climate change increase in number and severity, Nevadans need assurance from the Department that our state will continue to get the resources it needs, something the prior Secretary failed to provide.

As park visitation increases in our state, the Administration has continued to propose full-time employee staff reductions.

Deferred maintenance backlogs for the National Park Service now exceed $250 million in Nevada, and more than $11 billion nationwide.

The Tule Springs National Monument, which I helped designate in Congress more than 5 years ago with the support of the Ranking Member, still lacks a visitor center.

I hope we can work collaboratively to find solutions to these shortcomings, and that the DOI will make a promise to the American people that it will manage our lands according to the best interests of all Americans.

So, Secretary, can you assure Nevadans and all Americans that you will respond to the needs of our constituents and promote scientifically-backed management efforts?

Secretary BERNHARDT. Yes. I don't believe there is a hiring freeze at all. I will have to go back and look at that.

In addition to that, I am signing an order today that will allow superintendents to use FLREA dollars for permanent staff under certain conditions. So, if we have a real hiring problem out there, we will get to the bottom of that. I am just not aware of it.

Mr. HORSFORD. Thank you for looking into that. The national park visitation increased by 14 percent, while staffing, according to our——

Secretary BERNHARDT. That is a very legitimate point, and it is my perspective that the Park Service spent a lot of time planning for a centennial, which was great, and they got folks to really show up, which was great. But they didn't spend a lot of time thinking operationally about that, so we certainly have seen some challenges.

I have a new Director of Operations, David Vela, who is working on that, but I think it is a legitimate point.

Mr. HORSFORD. The recreation economy on Nevada's land alone supports $4 billion in wages and salaries, and 87,000 direct jobs.

In the 2019 Conservation In the West poll, 81 percent of Nevadans surveyed believe that the recreation economy is important for the future of Nevada, and half of all respondents said that the ability to live and recreate on public lands is significant reason we live in the West.

So, again, Secretary, what can you say to our constituents in Nevada's 4th to give us the confidence that you and the Department, under your leadership, recognize climate impacts on public lands and have a plan to account for these changes to protect our recreational economy.

Secretary BERNHARDT. Well, we certainly feel strongly about the recreational opportunities on public land. I have issued an order that says that no land can be transferred, exchanged, or acquired without thinking through its benefits or loss of recreational access.

We are committed to managing to ensure that recreationists have plentiful access to public land.

Mr. HORSFORD. Thank you. And finally, what steps are you taking to help create additional clean, green jobs, and reduce carbon pollution by expanding renewable energy development?

Secretary BERNHARDT. So, despite the comments today, my view is that we are processing renewable applications when they come in, and I think that my data would support that understanding.

There is no interest at all of prioritizing traditional energy over renewable. That is simply not something I am proposing.

The CHAIRMAN. Thank you.

Mr. HORSFORD. Thank you, Mr. Secretary, I yield back.

The CHAIRMAN. Ms. DeGette.

Ms. DEGETTE. Thank you so much, Mr. Chairman.

Welcome, Mr. Secretary. I am sorry I have been in and out, but as you know, we have multiple hearings going on at once.

Secretary BERNHARDT. I know you are busy.

Ms. DEGETTE. Your Department makes land management decisions every day over the land that you supervise. Is that correct?

Secretary BERNHARDT. Certainly.

Ms. DEGETTE. Yes. And, in fact, you have the discretion to issue oil and gas leases on Federal lands. Is that correct? When people apply for oil and gas leases, you can decide whether to grant them or not?

Secretary BERNHARDT. They go through a process——

Ms. DEGETTE. Right, and you also decide the appropriate circumstances under which those leases should be granted, and you have the ability to decide how the drilling is going to proceed. Is that right?

Secretary BERNHARDT. Within the parameters of the law.

Ms. DEGETTE. Right, so that answer is yes?

Secretary BERNHARDT. Well, the answer is——

Ms. DEGETTE. Yes, it is a pretty easy question. I am not tricking you with that one.

Secretary BERNHARDT. OK.

Ms. DEGETTE. OK. So, as Mr. Levin discussed with you, many hours ago it seems now——

Secretary BERNHARDT. It certainly feels——

Ms. DEGETTE. There are certain laws that require the Department to take climate change into account when it is managing its land. Correct?

Secretary BERNHARDT. Certainly. NEPA would be one of those laws.

Ms. DEGETTE. Right, NEPA would be one of them. So, Interior would have the ability to make choices that would be consistent with those goals. Is that correct?

Secretary BERNHARDT. Well, not to the exclusion of other——

Ms. DEGETTE. Well, no. But when you are deciding land management, that is one of the criteria you take into account. Is that right?

Secretary BERNHARDT. Of course.

Ms. DEGETTE. So, I was a little bit perplexed when you said that to make land management decisions, with climate change taken into account, that you needed direction from Congress. What direction, exactly, is it you think you need from Congress?

Secretary BERNHARDT. The direction, I think, is if you all have a view on climate change that says don't develop energy on Federal lands, that is fine. You have to go through a process of codifying and providing that direction. And if you provide it, we will certainly faithfully execute it.

Ms. DEGETTE. I understand that. But when you are——

Secretary BERNHARDT. And the consequence of that——

Ms. DEGETTE. Are you saying you don't have the authority to take that into account?

Secretary BERNHARDT. Just to say—today? From today forward, David Bernhardt says no development on Federal lands? I absolutely do not have that authority. You have that authority.

Ms. DEGETTE. Mr. Secretary, nobody is asking you to do that. We are asking you——

Secretary BERNHARDT. Well, that is exactly what we are talking about.

Ms. DEGETTE. No, it is not. What we are asking you to do is to take climate change into effect when deciding these leases.

Let me just give you a specific——

Secretary BERNHARDT. We already do.

Ms. DEGETTE. Excuse me. Let me just give you a specific example, and that is methane gas. You have the ability to determine what kind of methane gas should be allowed from these oil and gas developments on Federal lands. Is that correct?

Secretary BERNHARDT. Within certain boundaries, that is correct.

Ms. DEGETTE. OK, and would you agree that when methane gas is released into the atmosphere it is a powerful global warming pollutant, which is 80 times more potent than carbon dioxide in the short run?

Secretary BERNHARDT. I have heard that statistic.

Ms. DEGETTE. OK, and are you aware this is scientifically settled, that statistic?

Secretary BERNHARDT. I don't know, but I am not disputing the fact.

Ms. DEGETTE. Oh, OK, you are not disputing it. And one of the reasons why your Department repealed the BLM methane waste prevention rule was you said that states are doing enough to reduce methane waste. Is that right?

Secretary BERNHARDT. Well, certainly in your state. Your state is a leader——

Ms. DEGETTE. Our state?

Secretary BERNHARDT [continuing]. In methane. My state. Colorado has been a leader, and——

Ms. DEGETTE. But are the other states——

Secretary BERNHARDT. I am familiar with that, and——

Ms. DEGETTE. Sir, are the other states doing that, too?

Secretary BERNHARDT. Certainly the top 10 energy-producing states are.

Ms. DEGETTE. OK. Are the state methane waste regulations as strong or stronger than the requirements of the 2016 BLM rule?

Secretary BERNHARDT. I don't know that for sure.

Ms. DEGETTE. You don't know. And, in fact, not all states, where oil and gas development occurs on public land, are as protective. It might be news to you most states have much weaker rules that allow companies to vent and flare a higher percentage of gas, and require less frequent leak detections and repairs.

Do you think a billion cubic feet per day is a large amount of natural gas?

Secretary BERNHARDT. I honestly don't know.

Ms. DEGETTE. You don't know. Well, a billion cubic feet——

Secretary BERNHARDT. A billion cubic feet a day of natural gas?

Ms. DEGETTE. Yes.

Secretary BERNHARDT. It is significant, yes.

Ms. DEGETTE. Yes, OK. Because it is enough to power over 24,000 homes, so that seems like a lot.

If we would regulate that, if we would tax that, we could get a lot of money back into our coffers, wouldn't you agree?

Secretary BERNHARDT. It certainly would have a financial component.

Ms. DEGETTE. Thank you. I yield back, Mr. Chairman.

The CHAIRMAN. If any Member wishes to ask additional questions—Mr. Huffman?

Mr. HUFFMAN. Thank you, Mr. Chair.

Mr. Secretary, a moment ago I believe I heard you testify that there was no effort to give preference to traditional or fossil fuel energy development over renewables. Did I hear you correctly?

Secretary BERNHARDT. That is certainly my view, that the effort should be to do both.

Mr. HUFFMAN. I was confused by that, because during the government shutdown we were told that work on renewable projects ground to a halt. We have the evidence of at least one specific project, where BOEM basically shut it down, canceled public meetings, announced that it would not reschedule them until the shutdown ended. But we know that, for fossil fuel projects, you designated essential personnel and mandated that that work continue without interruption. Do you not regard that as a double standard?

Secretary BERNHARDT. Well, I can tell you specifically that we also directed folks to report for renewable projects. Certainly for one particular solar project I am aware of, we put people back to work right away.

Mr. HUFFMAN. It certainly didn't appear to be with that wind project. There didn't appear to be essential personnel.

Secretary BERNHARDT. I think the issue is—I asked BOEM about that, because it came up in some of my interviews and I was surprised by that. Their view was the dollar amount associated there, in terms of putting people back to work, was low. My view at the time——

Mr. HUFFMAN. If I could reclaim my time, Mr. Secretary——

Secretary BERNHARDT. With all due respect, I would like to finish.

Mr. HUFFMAN. I would love more information on that, but I have two more questions and very little time.

I also note that BLM's budget request for renewable energy for 2020 is essentially flat, while the budget proposal for the BLM coal program is an increase of 60 percent. That doesn't exactly look like even-handed preference for these different energy sources.

But back to a conversation we were having, where I asked you for some examples where some of your former clients in the oil and gas industry had made specific policy requests, and you had to tell them no because it wasn't in the public interest. And you brought up the well control rule as an example.

I am confused by that, because that wasn't telling industry no by any stretch.

Secretary BERNHARDT. Actually, that is not accurate.

Mr. HUFFMAN. The petroleum industry, if you will pardon the pun, was gushing with praise for your Administration when you released this rule.

Secretary BERNHARDT. That is not——

Mr. HUFFMAN. It is going to save big oil, $980 million over 10 years.

Secretary BERNHARDT. They wanted—I believe——

Mr. HUFFMAN. It references private copyrighted standards of the oil industry that, for the public to even see the standards referenced in your rule, they have to sign up with the API website and pay a fee of $70.

Really? Is that an example of you pushing back on big oil?

Secretary BERNHARDT. I want to be clear here. I think, if you look at the comments fairly, I think you will see that they wanted more than what that rule gave. We rejected a number of——

Mr. HUFFMAN. You didn't give them everything they wanted, but you saved them $980 million over 10 years, and they were lavishing you with praise in their characterization of the rule.

I want to give you the rest of my time, though. Let's find a real example where one of your former clients asked a specific policy request, and you had to say no.

Secretary BERNHARDT. That is a real example.

Mr. HUFFMAN. Because the other one you mentioned, the water allocations, we know that is formula-driven. And earlier in your testimony you said Brenda Burman makes that call anyway. So, I am still waiting.

And I will give you the balance of my time to reassure the American people that you are capable of even-handed policy making, and pushing back on your former clients.

Secretary BERNHARDT. Congressman, I have absolutely no problem telling people no.

Mr. HUFFMAN. Let's hear some examples.

Secretary BERNHARDT. I have done it. I just provided them to you—one to you.

Mr. HUFFMAN. The $980 million windfall to your former——

Secretary BERNHARDT. That is an unfair characterization. They asked for more; they got less.

Mr. HUFFMAN. Clearly, we are not going to get any examples.

So, you testified when you were asked about your level of concern that this planet has hit 415 parts per million on carbon dioxide concentrations, the highest level since humans evolved, and you said you are not losing any sleep over that. Well, an overwhelming consensus of the world's climate scientists are losing sleep. It is a hair-on-fire crisis for them.

Secretary BERNHARDT. Let me be very clear. We have the No. 1——

Mr. HUFFMAN. And I want to give you a chance to revise your statement because a lot of people are watching, and I think it is one of those clips of testimony that will reverberate. People will look back on what you said. So, I want to just give you this chance to assure people that you actually get it on climate change.

Secretary BERNHARDT. I appreciate that gracious gesture. The reality is that America has the No. 1 reduction in CO_2 amongst developing countries. We are No. 1——

Mr. HUFFMAN. You keep bringing it back to our reduction. The question was do you care about the concentration——

Secretary BERNHARDT. I absolutely care. I absolutely care that our climate is changing——

Mr. HUFFMAN. You are just not losing any sleep.

Secretary BERNHARDT [continuing]. And that we need to factor that into our thinking. I absolutely believe that, and I have said that over and over and over. That is the reality.

Mr. HUFFMAN. Thank you, I yield back.

The CHAIRMAN. Thank you.

Mr. Bishop.

Mr. BISHOP. Yes, thank you. We are calling for votes now, so this may be the last chance we have to abuse you for this morning. But I am certain we will have other opportunities in the near future.

This is supposed to be about Interior budget policy priorities. Can you just briefly go through some of the lines that you have increased in your budget lines that you have put priorities on for an increase?

Secretary BERNHARDT. Our biggest priority right now, sir, is trying to address the maintenance backlog. We would love help in doing that.

Mr. BISHOP. I appreciate that one. Let's go into that. We have talked about LWCF. For someone like me, who is concerned about increasing our maintenance responsibilities by adding to it, how would you respond to me as to what we can do to look at that maintenance backlog best?

Secretary BERNHARDT. Well, my thinking is that we really need to start with our facilities and trying to get them up to snuff.

Mr. BISHOP. How is LWCF funded?

Secretary BERNHARDT. It is funded, in theory, by Congress appropriating money to it. And that funding comes from offshore oil and gas revenue, actually.

Mr. BISHOP. And if we were doing a maintenance backlog as we have proposed it so far in both the House and the Senate, it would be all forms of energy development——

Secretary BERNHARDT. All forms of energy. And there is a great growth, we think—for example, we had an offshore lease sale of $400 million.

Mr. BISHOP. So, what amount of revenue do solar and wind proposals generate in relationship to oil and gas for both funding LWCF and potential for maintenance?

Secretary BERNHARDT. Oh, it could be very significant.

Mr. BISHOP. OK. What are you doing to implement S.B. 47? That is one of the last things we actually did in a bipartisan, bicameral way.

Secretary BERNHARDT. I feel great about that. We have put a team together. We gave the Assistant Secretary 60 days to come to us with an implementation plan. And I think that, by the end of this month, we will be implementing pretty much all the major provisions of that Act in a very aggressive way.

And one of those events was the one we went to last week.

Mr. BISHOP. And once again, I appreciate that. And your presence was there, as well.

Last thing, and we will get through this very quickly, so people can get to vote. Fees are something I care about. FLREA I care about. Everyone else's eyes glaze over, but I care about it.

You were very creative and legal in how you used fees during the shutdown, or how the Department used fees during the shutdown.

What kind of standards do you have in looking at how fees can be implemented, how we handle, how we deal with the maintenance, how we deal with the backlog, as well.

Secretary BERNHARDT. I think we have areas where we can think through and improve the utilization of fees.

For me, the reality is that using those fees to enhance the visitor's experience, ensuring that we have safe areas and amenities is really important, because that is where I think the future of funding for enhanced services comes from. I think the reality is Congress is only going to give us so much money, and so we really need to think about appropriate partnerships, we need to think about appropriate fee structures. And that is the future of the Park Service, and maybe even BLM.

Mr. BISHOP. Are you still looking to Interior's commitment, though, to have the fees going back to the areas in which——

Secretary BERNHARDT. Absolutely. That is right, that the majority, the vast majority, of that money stays in the park, where that fee was collected.

We have some superparks, but if it doesn't stay there, it completely undermines the purpose.

Mr. BISHOP. And I will still lobby you for a 90/10 split, rather than 80/20, if we can do that.

Secretary BERNHARDT. Fair enough.

The CHAIRMAN. Mr. Lowenthal.

Dr. LOWENTHAL. Thank you. And I want to thank you, Mr. Secretary, for spending all this time. I will try to really be brief.

I just got your news release that said that the Department of the Interior has renewed the two Twin Metals projects in Minnesota.

Secretary BERNHARDT. I don't think it is my news release, but it is a BLM release, probably.

Dr. LOWENTHAL. Yes, under the Department of the Interior, though, BLM, so I assume that you OK'ed this.

In it, it says, "To prevent public lands from being indefinitely encumbered by these leases with no benefit to the public, the terms placed upon the renewed leases include new diligent development requirements whereby the lessee is obligated to submit a complete proposed mine plan of operation, obtain all necessary permits, and meet certain project milestones for mine construction within the 10-year period, or these leases will be terminated."

Pretty clear that they got 10 years, and that is really where you are.

The reason we got into this was that the Solicitor General, in 2017, Mr. Jorjani, said the Obama administration had no right to cancel the Boundary Water leases. He said the historical record of the 1966 lease implications shows that production was not made a condition of renewal. That was real. They are 50 years old, those leases, but never entered into production.

The thing that is so strange is—and I would like to enter into the record the last news release that I have from Interior from 1966, which says that if this property is not brought into production within the initial 20-year term, it is terminated.

I feel like this is a bait and switch. This is a con job. You are saying, hey, we are not going to follow what happened before. Those leases should have been terminated. But we are going to put

the same conditions in the new leases. This is very confusing. I don't understand this. Maybe you can kind of clarify how the leases weren't terminated after waiting 50 years, and yet now you put into it if they are not done in 10 years they will be terminated, when they are both conditions of the lease.

Secretary BERNHARDT. So, I think this is, obviously, the third version of this lease. And I think that what you will see is—and I am happy to make sure they are appropriately provided—that they have real diligence provisions.

We are not in the business of saying you can just sit on it and do nothing. So, we came up with some appropriate terms, I believe, that will ensure that they——

Dr. LOWENTHAL. I understand that, I just have no time left. So, you stand by Jorjani's, the Solicitor's, opinion that production was never part of the earlier lease?

Secretary BERNHARDT. Well, I certainly stand by the legality of the Solicitor's opinion. And I think you will find that this lease is legal, as well.

Dr. LOWENTHAL. Well, I think the decisions were made, you just wanted to do it there. You put this into it, that it is going to be done in 10 years, by ignoring what had happened before. So, I am just going to end.

Now that you have begun this process of turning out a news release and putting forth that the leases will be renewed, was the White House part of this decision making?

Secretary BERNHARDT. You mean in terms of the decision itself?

Dr. LOWENTHAL. Yes. Now you have just started this. You are renewing leases.

Secretary BERNHARDT. This is a department in the Interior——

Dr. LOWENTHAL. So, the White House was not involved?

Secretary BERNHARDT. No.

Dr. LOWENTHAL. Thank you, and I yield back.

The CHAIRMAN. Thank you very much.

And Mr. Secretary, thank you for your indulgence, thank you for being here, and part of the meeting.

There are consequential issues that this Committee has in its jurisdiction, consequential. And as I said earlier in my comments, the differences that we have have to do with direction and policy that you are carrying out within that Department. I think that was obvious in some particular areas.

We have a responsibility to do our due diligence to try to convince you or the American public that we should be going in a different direction. And there are areas that are special in this country that should be left alone and not extracted from. And that is just one example.

As we go forward, I hope that the candor and the frankness that we had at our meeting and that you shared with this Committee today continues, because differences in direction require this Committee and the Majority to seek as assertively as we can the motivation behind policy changes and direction and, more importantly, for the oversight function and our constitutional responsibility, the rationale.

So, going forward, thank you again. The meeting is adjourned.

[Whereupon, at 1:24 p.m., the Committee was adjourned.]

[LIST OF DOCUMENTS SUBMITTED FOR THE RECORD RETAINED IN THE COMMITTEE'S OFFICIAL FILES]

Submission for the Record by Rep. Cartwright

— USA Today article: "Carbon dioxide levels hit landmark at 415 ppm, highest in human history," by R.W. Miller and D. Rice, May 14, 2019.

Submission for the Record by Rep. Cunningham

— Letter from the Henry McMaster, Governor of South Carolina, to David Bernhardt, Secretary of the Interior, dated May 15, 2019.

Submission for the Record by Rep. Grijalva

— Letter from the U.S. Fish and Wildlife Service New Jersey Field Office to Peter R. Blum, U.S. Army Corps of Engineers, dated August 9, 2016.

Submission for the Record by Rep. Levin

— Letter from Rep. Levin to DOI Secretary Bernhardt with additional questions, dated May 7, 2019.

Submissions for the Record by Rep. Lowenthal

— DOI News Release: "Government Grants Leases for Nickel and Copper Mining," dated June 14, 1966.

— Chart on DOI Responsiveness to Boundary Water Document Requests.

Submission for the Record by Rep. McClintock

— U.S. Department of the Interior Memo from Heather Gottry and Edward McDonnell to Scott de la Vega, Director, Ethics Office, dated February 19, 2019.

Submission for the Record by Rep. Neguse

— Letter from the Upper Colorado River Commission to Secretary of the Interior Ryan Zinke, dated September 19, 2018.

Submissions for the Record by Rep. Van Drew

— Letter from the U.S. Fish and Wildlife to Lt. Colonel Robert B. Keyser of the U.S. Army Corps of Engineers, dated December 24, 1996.

— Letter from Rep. Van Drew to Aurelia Skipwith, Acting Director of the U.S. Fish and Wildlife Service, dated March 14, 2019.

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