

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR 2023

HEARINGS BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED SEVENTEENTH CONGRESS SECOND SESSION

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

TUESDAY, APRIL 5, 2022.

NATIONAL TRIBAL ORGANIZATIONS PUBLIC WITNESS DAY

WITNESSES

FAWN SHARP, PRESIDENT, NATIONAL CONGRESS OF AMERICAN INDIANS

JASON DROPIK, PRESIDENT, NATIONAL INDIAN EDUCATION ASSOCIATION

WILLIAM SMITH, PRESIDENT, NATIONAL INDIAN HEALTH BOARD

SONYA M. TETNOWSKI, PRESIDENT-ELECT, NATIONAL COUNCIL OF URBAN INDIAN HEALTH

Ms. PINGREE. So I am very pleased to be the first to welcome everyone to the return of public witness hearings on tribal programs under the jurisdiction of the Interior and Environment Appropriations Subcommittee. Due to the ongoing pandemic, we are still not back to normal for public witness hearings. Prior to the pandemic, we were able to hold 2 days of hearings to receive testimony from individual tribes and tribal organizations. Last year, we were unable to hold any public witness hearings, but we received written testimony from tribes.

While we are still not to pre-pandemic activities, I am pleased that this year we are having two virtual hearings, starting with today's hearing, to receive testimony from tribal organizations on national issues affecting Indian Country. This testimony will inform with the fiscal year 2023 annual appropriation. Our second hearing, which will take place tomorrow afternoon, will focus on regional Indian Country issues. As we did last year, we also solicited written testimony from individual tribes to focus on specific tribal priorities. That testimony was received last month.

A lot has happened since we last met. The world was shut down by a pandemic, resulting in over 900,000 deaths in the U.S. alone, with devastating impacts in Indian Country. While the pandemic continues with vaccines and therapies, we are truly getting back to normal. We also have a new President in the White House focusing on addressing the pandemic, dealing with climate change, and honoring the Nation's treaty and trust responsibility to Native America by requesting investment in Indian Country. For fiscal year 2023, President Biden proposes \$2.8 billion for the Bureau of Indian Affairs, \$583 million above fiscal year 2022 enacted level. This in-

cludes much-needed increases of an additional \$38 million for public safety and justice programs and construction projects.

With over 55 million acres of land held in trust for tribes, Indian Country is poised to be a major player in the clean energy industry. The fiscal year 2023 budget proposes an additional \$104 million for natural resources management programs to continue investments to address climate change and help Indian Country lead the way as we pivot to cleaner energy. Further, the budget proposes to reclassify contract support costs and payments for tribal leases as mandatory. For the Bureau of Indian Education, the President requests \$4.5 billion, which is \$294 million above the fiscal year 2022 enacted level.

The President proposes to make substantial investment in education construction with a requested increase of \$156 million. The pandemic showcased the failures of current BIE education facilities. I recently met with leaders from the National Indian Education Association where we discussed the need for additional infrastructure investment. This requested increase will go towards addressing these needs. For the Indian Health Service, the President proposes to reclassify the entire budget as mandatory. This proposal is not within the subcommittee's jurisdiction. Although no discretionary funds were requested, I look forward to today's testimony on priority areas for Indian health.

I am pleased to welcome back national tribal organizations to discuss the needs and challenges facing Indian Country. I am eager to learn more about Native Americans' national priorities, and I look forward to our discussions on these issues because I believe it will help to inform us as we begin to develop the 2023 appropriations bill.

Each witness' full written statement will be introduced into the record, so please do not feel pressured to cover everything orally. After we hear the testimony of each witness on the panel, members will have an opportunity to ask questions.

And with that, I am happy to yield to my friend, Mr. Joyce, for his remarks.

Mr. JOYCE. Thank you, Madam Chair, and thank you for continuing these important hearings to get input from our tribal leaders on a wide array of programs under this subcommittee's jurisdiction. I would like to extend a warm welcome to the distinguished tribal leaders testifying today. All of you have the difficult job of representing a diverse array of interests from hundreds of sovereign nations across the country.

I represent the Northeast corner of Ohio, which once was the land of the Miami, Seneca and others. I am humbled to be joining you in my capacity as ranking member on the House Appropriations Subcommittee on Interior, Environment, and Related Agencies, and perhaps now more than ever with Indian Country recently losing a true leader on Capitol Hill with the passing of Congressman Don Young. Though not an official member of this subcommittee, he always looked forward to these annual tribal hearings and would occasionally join us at the hearing table. We will miss him, and as likely he would have wanted, we will endeavor to carry on his work on behalf of all American Indians and Alaska Natives.

Like Don Young and many others in Congress, I recognize that upholding the tribal trust obligation is a responsibility shared by all members of Congress, regardless of congressional district. I also fully recognize that the Federal Government has a long way to go before fully meeting its trust and treaty obligations. That is why my position on the Appropriations Committee is a great honor, but it is also a heavy responsibility. Fortunately, I have a friend and partner in Chairwoman Pingree, and it is my sincere hope that, together, we will continue the hard work of our predecessors for more than a decade to increase the Federal commitment to meeting those trust and treaty obligations.

So, I look forward to listening and learning from the testimony today and working with my chair and the rest of my colleagues in the days and weeks ahead to do what we can to help in the next fiscal year. I yield back.

Ms. PINGREE. Thank you, Mr. Joyce, and thank you so much for remembering our colleague, Don Young. He truly was a champion of Indian Country, and we will miss him, absolutely.

Do any other members wish to make an opening statement?

[No response.]

Ms. PINGREE. Okay. If not, we will turn to our witnesses.

So we will begin with Ms. Fawn Sharp, president of the National Congress of American Indians. Thank you for joining us today. You are recognized for 5 minutes.

Ms. SHARP. [Speaking native language.] Good morning, Chairwoman Pingree, Ranking Member Joyce, and members of the House Subcommittee. I am Fawn Sharp, vice president of the Quinault Indian Nation and president of the National Congress of American Indians. Thank you for the invitation to testify this morning.

This subcommittee's jurisdiction includes some of the most critical funding for Indian Country. As detailed in the 2018 "Broken Promises" report, chronically underfunded and inefficiently-structured Federal programs have left some of the most basic obligations of the United States to tribal nations unmet for centuries. We call on this subcommittee and Congress to get behind the vision of tribal leaders for righting these wrongs by providing mandatory, full, and adequate funding for Indian Country.

The President's fiscal year 2023 budget request is a historic shift in the paradigm of nation-to-nation relationships, one that seeks to restore the promises made to our ancestors. It includes mandatory funding for Indian Health Service, contract support costs, and Section 105(l) leases. Providing mandatory funding to these programs promotes the opportunity for a tribal-nation-driven approach to serving our communities and citizens.

Under the current discretionary spending model at IHS, the per-patient investment is about 56 percent less than the national health spending per capita. At an average age of 37 years old, IHS hospitals are nearly 4 times the age of hospital facilities nationwide. It would take nearly 400 years to replace and update these facilities with the funding currently provided.

We see the same staggering issues for education. The weighted student unit for the Bureau of Indian Education School System is approximately half that of public schools. Further, DOI recently

rated 86 schools in poor condition with an estimated cost of \$5.1 billion for replacement. Last month, the NCAI board toured the Casa Blanca Community School, a BIE school built by the Gila River Indian Community using the Section 105 lease program. This state-of-the-art school was built in record time with input from the entire community. As soon as the children step off the bus, they are grounded and surrounded by their culture, their language, and their stories, and it fully includes their educational environment. Mandatory funding for the 105(l) lease program means empowering tribal nations to build the bright future we all see for Indian Country.

Turning to law and justice, the safety of our communities is in crisis and of the utmost importance. The 2019 “Tribal Law and Order Act” report to Congress estimates the need for BIA public safety and justice programs at \$2.73 billion, 5 times the amount of funding provided in 2022. With tribal nations’ criminal jurisdiction being further restored in the recent reauthorization of the Violence Against Women Act and beyond, Indian Country must be provided the necessary funding to protect our communities.

Finally, with the long history of Federal Indian policies, many tribal lands have been placed in the hands of the Federal Government with the trust responsibility to conserve and protect them. However, tribal nations’ voices have been heard, and we are now assuming greater roles of stewardship and co-management of public lands. These opportunities demonstrate creative management solutions through tribal-Federal partnerships. This subcommittee must continue to increase resources provided for tribal co-management of Federal land. It is essential for tribal nations to bring our solutions, our traditional ecological knowledge to the table with Federal partners to combat the climate change crisis.

From what we have seen over the last few years and what we have known all along, when tribal nations are provided the parity and deference to provide programs and services, we see substantial, positive changes within our communities. NCAI urges the subcommittee to work with the Budget Committee to fund mandatory obligations through mandatory Federal spending, and provide funding for programs commensurate to those obligations and not just the status quo.

Tribal nations are resilient, and we have demonstrated our resolve and dedication since time immemorial. We expect to continue to be treated as sovereign nations and with government parity and equity. When we work together, we have proven we can achieve more than we thought possible. We must now continue down the path of nation-to-Nation growth, and only then will all of our people truly be able to flourish.

[Speaking native language.] Thank you for your time, and I am happy to answer any questions.

[The statement of Ms. Sharp follows:]



NATIONAL CONGRESS OF AMERICAN INDIANS

**Written Testimony of Fawn Sharp
President of the National Congress of American Indians
For the House Committee on Appropriations,
Subcommittee on Interior, Environment, and Related Agencies
April 5, 2022**

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On behalf of the National Congress of American Indians (NCAI), thank you for this opportunity to provide testimony on FY 2023 funding for the Department of the Interior (DOI), the Indian Health Service (IHS), the Environmental Protection Agency (EPA), and the U.S. Forest Service, involving our recommendation of \$55.54 billion in funding. The spending within this subcommittee's jurisdiction include some of the most critical funding for Indian Country. Unfortunately, chronically underfunded and sometimes inefficiently structured federal programs have left many basic obligations of the United States to Tribal Nations and their people unmet for centuries, which contribute to the inequities observed in Native American communities.

The President's FY 2023 Budget Request to Congress calls for a historic shift in the paradigm of Nation-to-Nation relations that seeks to restore the promises made between our ancestors and the United States in several key programs. It includes requesting mandatory funding for: IHS, DOI Contract Support Costs, and Section 105(l) Tribal Leases; along with a myriad of investments in Indian healthcare, education, public safety, natural resource management, and infrastructure. The Biden-Harris proposal represents the most revolutionary presidential budget and policy proposals for tribal programs, which tribal leaders have long advocated for, are long overdue, and are prepaid for by our ancestors.

After the COVID-19 pandemic struck, the federal government listened to Tribal Nations' collective voice and provided the largest single infusion of federal funding for Native Americans in U.S. history.¹ Funding from the American Rescue Plan Act embodied a simple and effective strategy to maximize the investment: empowering Tribal Nations to design their own solutions. While this funding is historic, necessary, and essential, Tribal Nations began the pandemic on unequal footing compared to state and local governments. This historic inclusion in federal spending for Indian Country must be the norm, and not the exception.

The Subcommittee can do this by: working with the Budget Committee to account for mandatory obligations as mandatory spending; providing funding for programs that far outpaces the appropriations status quo that has left tribal communities less safe, less prosperous, and inhibits economic potential; empowering Tribal Nations to address climate change and restore their homelands, including funding for taking land into trust and a *Carcieri fix*,² providing resources to further DOI's commitment to improve the protection of, and tribal access to, Indigenous sacred sites; and by providing advance

¹ Eric C. Henso et. al, "Assessing the U.S. Treasury Department's Allocations of Funding for Tribal Governments under the American Rescue Plan Act of 2021", Harvard Project on American Indian Economic Development & Native Nations Institute, Policy Brief No. 7 (November 3, 2021), available at:

² See NCAI Resolutions RAP-10-058c, MSP-15-044, and DEN-18-055.

appropriations until such time that all trust and treaty obligations to Tribal Nations are accounted for and provided as mandatory spending.

U.S. Department of the Interior

The government-to-government relationship between the United States and Tribal Nations extends to all agencies of the federal government and is not singularly housed within tribal affairs bureaus or offices. The long history of federal Indian policies of removal, assimilation, reorganization, and termination have placed many tribal lands in the hands of federal land management agencies with the duty to conserve and protect them. Tribal Nations are assuming greater roles of stewardship and co-management of public lands, waters, and wildlife that demonstrate the creative management solutions that tribal/federal partnerships bring to federal land management. Additionally, Tribal Nations play a unique role in the mitigation of wildland fires, a joint responsibility of federal land management agencies and Tribal Nations over more than 535 million acres.

Tribal Nations are fighting battles to protect and retain access to their homelands, ensuring their freedom to continue practicing their religious and cultural customs. Every week, it seems, NCAI hears a new story of our sacred lands under threat, either from nonconsensual development, environmental harm, or restriction of treaty guaranteed access for the original stewards of these places. Infringements on Native American cultural and religious rights and protections are not limited to federal lands. Private landowners continue to till some of the last natural habitats for Peyote in the United States, affecting biodiversity in the ecosystem and destroying religious practices that have existed for millennia. The U.S. Fish and Wildlife Service, Partners for Fish and Wildlife program allows for partnerships with Tribal Nations and private landowners for the conservation and protection of working landscapes such as forests, farms, and ranches. This subcommittee must leverage these and other existing authorities to provide grants to Tribal Nations and Tribal organizations for partnerships with private landowners for the conservation and protection of Peyote.

In November 2021, the Secretaries of the Interior and Agriculture signed a joint secretarial order to facilitate agreements with Tribes to collaborate in the co-stewardship of federal lands and waters.³ This subcommittee must provide and direct resources into the protection and tribal co-management of federal lands for the conservation and protection of natural resources, historical and sacred areas, and subsistence rights for all Tribal Nations.

Indian Affairs

NCAI recommends \$5.36 billion for Indian Affairs programs in FY 2023, consistent with the official FY 2023 recommendation of the Tribal/Interior Budget Council (TIBC).⁴ Within TIBC's FY 2023 recommendations are robust increases for all base-funded programs, and additional funding to address public safety and justice in tribal communities; the economic and social wellbeing of our citizens and all those who visit or do business there; the backlog of school, community, and government infrastructure construction and maintenance; taking land into trust; and addressing climate resiliency in tribal communities and on Indian and federal lands.

³ Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters, Order No. 3403, accessed at: <https://www.doi.gov/sites/doi.gov/files/elips/documents/so-3403-joint-secretarial-order-on-fulfilling-the-trust-responsibility-to-indian-tribes-in-the-stewardship-of-federal-lands-and-waters.pdf>.

⁴ TIBC Tribal Representatives' FY 2023 Budget Submission to the Department of the Interior, June 14, 2021, accessed at: https://res.cloudinary.com/ncai/image/upload/v1632171603/tibc/documents/FY_2023_Tribal_Budget_Submission_qs1dgw.pdf.

NCAI supports the TIBC recommendation for an additional \$15 million for the expansion of the Tiwahe Initiative to, at least, ten new pilot sites. The Tiwahe Initiative promotes a comprehensive and integrated approach to supporting family stability and strengthening tribal communities by addressing interrelated issues associated with child welfare, domestic violence, substance abuse, poverty, and incarceration. Lasting and efficient community solutions lie in addressing the interrelated problems of poverty, violence, and substance abuse through a comprehensive, culturally appropriate approach to help improve the lives and opportunities of Indian families.

NCAI also recommends funding for the establishment of an Economic Development Pilot Initiative, similar to the Tiwahe Initiative, that provides base funding increases directly to Tribal governments to develop and operate comprehensive and integrated economic and community development. Tribal Nations are diverse in their geographic and cultural representation, making targeted and limited Indian Affairs funding opportunities for economic and community development too restrictive, too costly, and less efficient. The June 2021 TIBC meeting discussed diverse community needs from tourism, to farming/ranching, to advancing tribal timber industries (e.g., saw mills), to fish hatcheries; but this conversation was not new to the TIBC discussion or limited to these topics. The common theme between them is that they are each unique but their development must be integrated, which underscores the value of policy solutions that empower Tribal governments to develop solutions specifically tailored to their communities. This Economic Development Pilot Initiative should include, at least, funding for: the development of tribal government codes to promote economic development (e.g., tourism, timber, zoning, and building codes, etc.); business infrastructure development; feasibility studies; and investment capacity.

NCAI strongly supports accounting for Contract Support Costs and Payments for Tribal Leases as mandatory spending. This shift in scorekeeping can occur by an agreement between Appropriators, the Office of Management and Budget, and the Budget Committees. This Subcommittee has consistently published report language citing the mandatory nature of these obligations, which are typically addressed through mandatory spending. NCAI urges this Subcommittee to work with the House Budget Committee to achieve this goal.

Indian Health Service

NCAI recommends \$49.83 billion for the Indian Health Service (IHS) in FY 2023, consistent with the official FY 2023 recommendation of the IHS National Tribal Budget Formulation Workgroup.⁵ NCAI also strongly urges you to ensure IHS funding is provided as mandatory spending, with a mechanism to automatically adjust spending to keep pace with population growth, inflation, and healthcare costs. This will ensure that the funding Congress provides for Indian healthcare can be used efficiently and strategically, without leaving IHS wondering if, or when, funding will halt.

Mandatory spending for IHS is a simple promise. A promise that the United States honors and upholds its treaty and trust obligations. A promise that Congress will enact solutions that cease the undue and unnecessary suffering of our people. A promise of certainty and security for our communities and most vulnerable populations. We urge you to help fulfill this promise made to our ancestors, by your ancestors, for our shared future.

⁵ IHS National Tribal Budget Formulation Workgroup FY 2023 Budget, May 2021, accessed at: <https://www.nihb.org/docs/02072022/FY%202023%20Tribal%20Budget%20Formulation%20Workgroup%20Recommendations%20Vol%201.pdf>.

Environmental Protection Agency

As place-based peoples, Tribal Nations have sacred histories and maintain cultural practices that tie them to their current land bases and ancestral territories. As a result, tribal peoples directly, and often disproportionately, suffer from the impacts of environmental degradation. Federal funding to support environmental protection for tribal lands was not forthcoming until more than 20 years after the passage of the Clean Water and Clean Air Acts.⁶ Almost 40 years after the passage of the Clean Water Act, only 46 of 77 eligible Tribal Nations have Environmental Protection Agency (EPA)-approved water quality standards,⁷ which are a cornerstone of the Clean Water Act. Given the disparate access of tribal communities to safe and clean water, NCAI recommends a 5 percent tribal set-aside for each the National Safe Drinking Water State Revolving Fund (DWSRF) and the National Clean Water Act State Revolving Fund (SRF), with \$71.97 million to be appropriated to the DWSRF and \$99.1 million to be appropriated to the SRF.

Additionally, NCAI recommends \$100 million be appropriated for the EPA Tribal General Assistance Program, \$30 million for the Tribal Air Quality Management Program, and \$46.8 million for EPA's Land and Emergency Management programs for the benefit of Tribal Nations.

U.S. Forest Service

Tribal Nations that engage in timber harvesting are working to expand their participation in the management of neighboring at-risk federal forest through accelerated implementation of the Tribal Forest Protection Act (TFPA). TFPA authorizes the Secretary of Agriculture and the Secretary of the Interior to enter into contracts or agreements with Tribal Nations to carry out tribally proposed projects on Forest Service or Bureau of Land Management-managed lands. Additionally, the 2018 Farm Bill contains an important expansion of the P.L. 93-638 contracting authority to the U.S. Forest Service, allowing the Secretary of the Interior and the Secretary of Agriculture to enter into agreements whereby Tribal Nations or tribal organizations may perform administrative, management, and other functions of TFPA programs through P.L. 93-638 contracts. The President's FY 2023 Budget Request includes a request for \$11 million to expand the time-tested principles of self-determination and self-governance and empower Tribal Nations to reclaim what they have known for millennia – how to manage and conserve the landscape for sustainable economies and cultural practices.

Conclusion

Tribal Nations are resilient and have demonstrated their resolve and dedication since time immemorial. However, Tribal Nations are uniquely reliant on the federal government to fulfill the promises made in exchange for the land that created the foundation of the bounty and wealth of the United States. Our people have paid for every penny obligated to Indian Country hundreds of times over by providing this nation with our land. In order to uphold this Nation's promises to its people, it must first uphold its promise to this land's First People. We expect to continue to be treated as sovereign nations and with governmental parity. When we work together we can achieve so much. We must now continue down that path of Nation-to-Nation growth, and only then will all of our people be able to fully flourish.

⁶ United States Federal Register, *Indian Tribes: Air Quality Planning and Management*, 63 Fed. Reg. 7254, 1998, <https://www.govinfo.gov/content/pkg/FR-1998-02-12/pdf/98-3451.pdf>.

⁷ Environmental Protection Agency, *EPA Actions on Tribal Water Quality Standards and Contacts*, <https://www.epa.gov/wqs-tech/epa-actions-tribal-water-quality-standards-and-contacts>.

Ms. PINGREE. Thank you so much for your testimony.

Next, we will hear from Mr. Jason Dropik, president of the National Indian Education Association. Thank you so much for joining us today.

Mr. DROPIK. Chair Pingree, Ranking Member Joyce, and members of the subcommittee. [Speaking native language.] Thank you for this opportunity to provide testimony on behalf of the National Indian Education Association.

[Speaking native language.] Good morning. My name is [Speaking native language], Jason Dropik, serving as president of the National Indian Education Association, but I get the unique opportunity to also serve as head of the Indian Community School in Franklin, Wisconsin, right outside of Milwaukee, serving indigenous youth and getting to see the impact of what a cultural-based education can do for students and their futures.

NIEA is the most inclusive national native organization advocating for culture-based educational opportunities for American Indians, Alaska Natives, and Native Hawaiians. Each day, our organization equips tribal leaders, educators, and advocates to prepare the over 700,000 native students across the Nation for success in the classroom and beyond. Native education is a bipartisan effort, rooted in the Federal trust responsibility to tribal nations and their citizens. NIEA thanks the subcommittee for its ongoing commitment to fulfilling this constitutional responsibility by advancing native education programs and services in fiscal year 2023. In particular, we appreciate the subcommittee's oversight of Bureau of Indian Education programs and services to native students.

Since the beginning of the COVID-19 pandemic, the national education landscape has shifted dramatically. The spread of COVID-19 throughout tribal communities shined a spotlight and exacerbated existing educational inequities for native students. Tribal nations acted quickly to save lives and continued educating our youth, often without the structures, resources, and means to do so. Fully funding native education within the Bureau of Indian Education in fiscal year 2023 is essential to ensuring that native students have access to resources to recover and thrive after the pandemic and into their futures.

Fiscal year 2023 recommendations we have. As the subcommittee considers funding levels for the coming fiscal year, NIEA urges Congress to consider the full scope of need for education programs in the Department of Interior through the Bureau of Indian Education and Bureau of Indian Affairs. Congress must continue to invest in and oversee education programs central to the cultural and academic progress of native students. Such measures are critical to ensure that native students have access to these resources. Those resources are necessary for their survival. From competitive salaries for highly-effective, culturally-competent educators, through the Indian School's Equalization Program, to the infrastructure of a modern classroom, to native language and culture-based programs, Federal appropriations are vital to ensuring equity for the only students to which the Federal Government has a direct responsibility: native students.

At this time, I would like to highlight just several of NIEA's key appropriation priorities for fiscal year 2023.

Bureau-funded schools must be appropriated at least \$440 million for urgent school construction and repair. NIEA appreciates recent steps to address immediate infrastructure, especially in light of more than the 2-year pandemic. However, funding continues to fall far short of the total need. In 2016, the Office of the Inspector General at the Department of Interior found that it would cost \$430 million to address immediate facility repairs in BIE. Those are immediate repairs. Our request is modest when taking into account inflation since 2016. The President's budget request for fiscal year 2023 is only \$420 million, far short of what is critically needed.

The Indian School Equalization Program—ISEP—should be fully funded at \$500.7 million for the fiscal year 2023 Presidential budget request. ISEP funds the core budget account for BIE elementary and secondary schools. Through this program, schools receive funding to pay teachers and other personnel salaries. While ISEP is funded at approximately \$2 million per school, each public school across the country receives, on average, \$6 million for salaries, wages, and employee benefits. Each year, schools are forced to stretch limited ISEP funds further to fulfill regulations that require educators to be paid salaries comparable to those in only the Federal school system.

The Department of Defense Education Activity: this requirement is meant to support parity and access. However, Federal corporations have failed to account for increases in competitive salaries at DODEA, and in States where BIE schools are located, increased investment is required to ensure access to high-qualified, culturally-competent educators at all schools. When funding is cut in other areas of the BIE budget, ISEP funds are often used to make up the difference. A flood, broken heater, or leaky roof can force a BIE school to lay off a special education teacher, a student counsel, or school security officer halfway through the school year. Congress must ensure that ISEP is allocated adequate funding to fulfill all program needs.

In conclusion, healthy education systems are vital to thriving tribal nations and communities. Though tribal leaders and legislators juggle several priorities, education cannot be forgotten. Appropriations have the potential to promote equity and ensure access to excellent education options which prepare native students to thrive in the classroom and beyond. NIEA urges Congress to uphold the Federal trust responsibility for all native students by fully funding critical programs that support effective and culturally-appropriate native education. Our students, including the students in Bureau-funded schools, deserve nothing less.

[Speaking native language.] Thank you so much for your time.
[The statement of Mr. Dropik follows:]



Oral Testimony of the National Indian Education Association

Before the United States House of Representatives

Committee on Appropriations

Subcommittee on Interior, Environment, and Related Agencies

April 5, 2022

INTRODUCTION

Chair Pingree, Ranking Member Joyce, and members of the Subcommittee thank you for this opportunity to provide testimony on behalf of the National Indian Education Association. My name is Jason Dropik and I am the President of NIEA.

NIEA is the most inclusive national Native organization advocating for culture-based educational opportunities for American Indians, Alaska Natives, and Native Hawaiians. Each day, our organization equips tribal leaders, educators, and advocates to prepare the over 700,000 Native students across the nation for success in the classroom and beyond.

Native education is a bipartisan effort rooted in the federal trust responsibility to tribal nations and their citizens. NIEA thanks the Subcommittee for its ongoing commitment to fulfilling this constitutional responsibility by advancing Native education programs and services in the Fiscal Year 2023. In particular, we appreciate the Subcommittee's oversight of Bureau of Indian Education programs and services to Native students.

Since the beginning of the COVID-19 pandemic, the national education landscape has shifted dramatically. The spread of COVID-19 throughout tribal communities highlighted and exacerbated existing education inequities for Native students. Tribal nations acted quickly to save lives, shuttering school buildings to limit community transmission.

Fully funding Native education within the Bureau of Indian Education in Fiscal Year 2023 is essential to ensuring that Native students have access to resources to recover and thrive after the pandemic.

FISCAL YEAR 2023 RECOMMENDATIONS

As the Subcommittee considers funding levels for the coming fiscal year, NIEA urges Congress to consider the full scope of need for education programs in the Department of Interior through the Bureau of Indian Education and Bureau of Indian Affairs. Congress must continue to invest in and oversee education programs central to the cultural and academic progress of Native students. Such measures are critical to ensure that Native students have access to the resources necessary to thrive. From competitive salaries for highly effective, culturally competent educators through the Indian Schools Equalization Program to the infrastructure of a modern classroom to Native language and culture-based programs, federal appropriations are vital to ensuring equity for the only students to which the federal government has a direct responsibility - Native students.

At this time, I would like to highlight several of NIEA's key appropriations priorities for the Fiscal Year 2023:

- **Bureau-funded schools must be appropriated at least \$440 million for urgent school construction and repair.** NIEA appreciates recent steps to address immediate infrastructure, especially in light of the more than two-year pandemic. However, funding continues to fall far short of the total need. In 2016, the Office of the Inspector General at the Department of Interior found that it would cost \$430 million to address immediate facilities repairs in the BIE. Our request is modest when taking into account inflation since 2016. The President's Budget Request for FY 2023 is only \$420 million, far short of what is critically needed.
- **The Indian School Equalization Program (ISEP) should be fully funded at \$500.7 million for Fiscal Year 2023, per the FY 2023 President's Budget Request.** ISEP funds the core budget account for BIE elementary and secondary schools. Through this program, schools receive funding to pay teachers and other personnel salaries. While ISEP is funded at approximately \$2 million per school, each public school across the country receives, on average, \$6 million for salaries, wages, and employee benefits.

Each year, schools are forced to stretch limited ISEP funds further to fulfill regulations that require educators to be paid salaries comparable to those at the only other federal school system – the Department of Defense Education Activity (DODEA). This requirement is meant to support parity in access. However, federal appropriations have failed to account for increases in competitive salaries at DODEA and in states where BIE schools are located. Increased investment is required to ensure access to highly qualified, culturally competent educators at all schools.

When funding is cut in other areas of the BIE budget, ISEP funds are often used to make up the difference. A flood, broken heater, or leaky roof can force a BIE school to lay off a special education teacher, student counselor, or school security officer halfway through the school year. Congress must ensure that ISEP is allocated adequate funding to fulfill all program needs.

In addition, NIEA supports requests to fully fund and support Tribal Colleges and Universities through Fiscal Year 2023 recommendations provided by the American Indian Higher Education Consortium.

CONCLUSION

Healthy education systems are vital to thriving tribal nations and communities. Though tribal leaders and legislators juggle several priorities, education cannot be forgotten. Appropriations have the potential to promote equity and ensure access to excellent education options which prepare Native students to thrive in the classroom and beyond. NIEA urges Congress to uphold the federal trust responsibility for all Native students by fully funding critical programs that support effective and culturally appropriate Native education. Our students, including the 48,000 students in Bureau-funded schools, deserve nothing less. Thank you.

Ms. PINGREE. Thank you so much for your testimony.

Next, we will hear from Mr. William Smith, the president of the National Indian Health Board. Thank you so much for being with us today.

Mr. SMITH. Good morning, Madam Chair Pingree, Ranking Member Joyce, and members of the subcommittee. On behalf of the 574 federally-recognized tribal nations and member organizations that the NIHB serves, thank you for this opportunity to testify for the fiscal year 2023 funding for the Indian Health Service. My name is William Smith. I am the chairman and the Alaska area representative of the National Indian Health Board. As a Vietnam War veteran and a retired Army sergeant, I am proud to have served my country and to continue the public service by serving the tribal nations through the National Indian Health Board.

For the fiscal year 2023 and beyond, robust investments are necessary to fill the Federal trust responsibilities, and treaty obligations, and improve the health of all Alaska Natives and American Indians. This funding must also empower tribes to prevent and prepare for public health emergencies. To that end, we are pleased that the President's fiscal year 2023 budget requests mandatory funding for the IHS at \$9.1 billion, which increases over the following 10 years. It is a bold vision and an end to a chronic funding inadequacy in building a comprehensive Indian healthcare system. We urge Congress to support the request and work together with administration and the tribes to see that it is passed into law.

My written testimony discusses this proposal and other key priorities in more detail. Today, I want to focus on mental and behavioral health facilities and, finally, full funding.

In his December 2021 advisory, the U.S. Surgeon General found that native youth were at higher risk for mental and behavioral health challenges during the pandemic. While the advisory focused on youth, these findings could also apply to our adults and other health challenges. Before the pandemic, tribal communities were at a behavioral health crisis, according to the National Center for Health Statistics. American Indians and Alaska Native women experienced a higher increase in suicide rate from 139 percent from 1999 to 2017. The men between the ages of 15 and 44 experienced the highest rate of suicide of all races and ethnic groups. The overall death of the adults from suicide is about 20 percent higher compared to the non-Hispanic white populations. Suicide has skyrocketed for native veterans from 19.1 to 47 in 100,000 people, but most shocking, for those ages 18 to 39, it was 66 in 100,000 persons.

The pandemic devastated our communities. It highlighted the consequences of chronic underfunding. For example, according to the Substance Abuse and Mental Health Services Administration, 13 percent of the native populations need substance abuse treatment, but only 3.5 percent receives any treatment. Congress must tackle these issues head on with aggressive funding for prevention and treatment measures for tribes. Facilities are also necessary to make an impact on these problems. In 2010, Congress authorized the construction of inpatient behavior health and other specialty care, such as long-term care and dialysis. While suicide and other health problems have accelerated, construction has yet to be fund-

ed. In fact, Congress has not funded or completed a series of healthcare facilities still on the 1993 waiting list.

The Indian Health Service has indicated that the construction cost loan is now up to \$22 billion, yet Congress funded the entire Indian Health Service system at \$6.6 billion for fiscal year 2023. As a result, tribal leaders and health policy experts determined that full funding for the IHS at \$49.8 is requested to make a difference. This figure takes into account mental, medical, and non-medical information, complications with the costly Federal mandates, and other emerging needs. It is also a more accurate per user benchmark based on the national health experience.

Achieving full funding will be difficult given the restrictions spending cap in the subcommittee's allotments, but aggressive solutions are needed to make a difference. The President appears willing to move the bar. Indian Country challenges Congress to also make a difference and move in the right direction. The National Indian Health Board and the tribal nations stand ready to join in this fight for the healthcare of American Indians and Alaska Natives.

[Speaking native language], and thank you very much for listening to us. And I will respond to any questions.

[The statement of Mr. Smith follows:]

**STATEMENT OF WILLIAM SMITH
CHAIRMAN OF THE NATIONAL INDIAN HEALTH BOARD
INTERIOR, ENVIRONMENT, AND RELATED AGENCIES, NATIONAL TRIBAL
ORGANIZATIONS PUBLIC WITNESS HEARING FOR FY23**

On behalf of the 574 federally-recognized Tribal nations and the member organizations the National Indian Health Board serves, thank you for the opportunity to testify on the Fiscal Year (FY) 2023 Appropriations for the Indian Health Service. My name is William F. Smith, Jr. and I am the Chairman of the NIHB and the Alaska Area Representative to the NIHB. I also serve as the Vice-President of the Valdez Native Tribe in Alaska. As a Vietnam war veteran and retired Army Sergeant, I am proud to have served my country and to continue in public service by serving Tribal nations through the NIHB.

Our testimony reflects NIHB's concurrence with the Indian Health Service (IHS) Tribal Budget Formulation Workgroup (the Workgroup) recommendations for FY 2023. Comprised of Tribal leaders, technicians, and researchers, the Workgroup develops Indian Country's priorities relative to IHS each year. The full slate of funding and policy recommendations can be found in the publication "[Building Health Equity with Tribal Nations](#)". We urge Congress to implement these recommendations by fully funding the IHS.

Background

The U.S. Constitution recognized the political and government-to-government relationship between the U.S. and Tribal nations. As sovereign nations, the U.S. and Tribal governments entered treaties - which exist in perpetuity - in which the Tribes exchanged millions of acres of land for the federal obligations and responsibilities, including the obligation for the provision of comprehensive health care from the federal government.

The U.S. Supreme Court decisions acknowledged this relationship while also recognizing a trust relationship and obligation to Tribes existed to honor these agreements, among other duties. This trust and treaty obligation extends and applies throughout the federal government, including all agencies. These responsibilities are carried out, in part, by the primary agency, IHS, within the Department of Health and Human Services (HHS). This agency provides **both** direct care and resources for health care services to AI/AN people. Among all federal health care-related agencies, the IHS and the Indian health care delivery system are unique in this regard.

The IHS provides health care services either directly to AI/AN people, or through contracts or compacts with Tribal nations which provide the services. The IHS may also enter contracts with urban Indian organizations to provide health care services to AI/AN people in certain urban locations.

Principled Funding Approaches

Mandatory Funding. Because health care for Tribal nations is a trust obligation of the federal government, Tribes have proposed that Indian health care be secured through mandatory federal funding, rather than through the discretionary, annual appropriations process. The budgetary instability which arises from Continuing Resolutions or shutdowns and budgetary authority limitations diminish the ability of the Indian health care system to reduce health disparities. The

President recognized this problem and proposed in his FY 2023 Budget Request a shift in Indian health care funding from discretionary to mandatory in the amount of \$9.1 Billion in the first year, with automatic increases to \$36.7 Billion in FY 2032. We look forward to working with Congress to see this shift occur.

Direct Funding. Providing funding through grants to Tribes is inconsistent with the federal trust obligations. Grants provide only short-term funding for a few Tribes and generally impose cumbersome administrative burdens. These limitations prevent continuity of care and long-term services necessary to reverse decades of health disparities of AI/AN people. For these reasons, Tribes recommend the grants¹ in agency funding be available for *Indian Self-Determination and Education Assistance Act* contracts and compacts.

Full Funding. Tribes have recommended full funding of the Indian health care system at \$49.8 Billion beginning in FY 2023. The fundamental responsibilities of IHS to deliver excellent health care cannot happen without the appropriate support and resources from Congress. The Indian health system is underfunded by nearly 50% of levels necessary to address the existing health care disparities. In FY 2020, the national health expenditure was \$12,530 per capita which was also accounted for COVID-19 relief spending. In FY 2019, the national health expenditure was \$11,582 per capita. In FY 2019, based on the latest information provided by the IHS, the IHS expenditure was only \$4,078 per user population. As funding gaps grow and the IHS funding increases cannot close those gaps, the AI/AN people suffer.

The persistent chronic underfunding of the IHS, historical trauma, and other social and economic conditions contribute to the unacceptable health conditions. The AI/AN people often face the most significant health disparities among all populations in the United States, including diabetes, suicides, behavioral health challenges, and COVID-19 infections, hospitalizations, and deaths.

According to the Office of Minority Health, in 2019, suicide was the second leading cause of death for AI/ANs between the ages of 10 and 34.² “Likewise, the U.S Surgeon General report found [...] [t]he effects of the COVID-19 pandemic can further compound the effects of historical trauma and disparities that are linked to higher rates of suicides of AI/AN youth and adults.”³ For AI/AN adults, the overall death rate from suicide is about 20% higher as compared to the non-Hispanic white population.⁴

Every year, the IHS funding increases by roughly 2-3%. Most of the increases are directed toward binding obligations, current services, and fully funding the contract support costs and Section 105(l) leases. Court decisions mandate full funding of contract support costs and more Tribes enter these leases, so costs increase. These are essential costs which support the administration of health

¹ Some of these programs are 1) Substance Abuse and Suicide Prevention, 2) Opioid Prevention, Treatment and Recovery Services, 3) Domestic Violence Prevention, 4) Zero Suicide Initiative, 5) Aftercare Pilot Programs at Youth Regional Treatment Centers, 6) modernization costs of the Electronic Health Record system, and 7) to improve collections from public and private insurance.

² Office of Minority Health. Minority Population Profiles, American Indian and Alaska Natives. <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=4&lvlid=39>. Accessed on March 21, 2018.

³ Office of the Surgeon General. (2021). The Surgeon General’s Call to Action to Implement the National Strategy for Suicide Prevention.

⁴ Office of Minority Health. Minority Population Profiles, American Indian and Alaska Natives. <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=4&lvlid=39>. Accessed on March 21, 2018.

care for Tribal nations and are statutory and legal obligations to Tribal nations. Without fully funding the IHS, these mandatory obligations may displace these incremental “increases that could be provided to medical services, facilities, sanitation, and other needs.”⁵

Partial incremental funding is not working. Critical investments are necessary to achieve health equity and reverse these problems. Since 2003, Tribal leaders have been working on solutions and national healthcare priorities enabling them to develop a fully funding for the IHS. After assessment and evaluation, the Tribal leaders, through the Workgroup, determined the full funding figure of \$49.8 Billion would more “comprehensively account” for the services and facility construction, including those authorized by the IHCIA.⁶ Tribal leaders recommend that moving toward full and mandatory funding are necessary actions to moving the Indian health care system to health equity.

Recommended Investments

We highlight the following key programs Tribes have recommended for increases and program expansion include 1) Hospitals and Clinics, 2) Purchased Referred Care, 3) Health Care Facilities Construction and other Authorized Facility Construction, 4) Mental Health, and 5) Alcohol and Substance Abuse.

Hospitals and Clinics. For FY 2023, Tribes recommend \$13.03 Billion for Hospitals and Clinics (H&C) which is \$10.63 Billion over the FY 2022 enacted level. The top priority, the H&C account funds the 650 hospitals, clinics, and health programs operating on Indian reservations, primarily in rural and frontier settings. This is the core funding for direct medical care services and other medically necessary support services, such as laboratory, pharmacy, digital imaging, information technology, medical records and other ancillary services. In addition, H&C funds provide the greatest flexibility to support the required range of services needed.

Purchased Referred Care. For FY 2023, Tribes recommend \$7.27 billion for the Purchased Referred Care (PRC) program, \$6.289 Billion above the FY 2022 enacted level. The PRC budget supports essential health care services from non-IHS or non-Tribal providers. In FY 2015, PRC denied over \$423.6 million in services – that is 92,354 needed health care services that AI/ANs were denied. The shortage of PRC funds directly contributes to the greater health crises in Tribal communities. The deferral of care due to funding and workforce shortages has denied Tribal members specialty care they need, making their conditions worse.

Health Care and Other Authorized Facility Construction. For FY 2023, Tribes recommend \$4.41 Billion for health care and other authorized facility construction,⁷ an increase of \$4.16 Billion over the FY 2022 enacted amount. The IHS has estimated a total need of up to approximately \$22 Billion.⁸ These facilities include hospitals, clinics, joint ventures, small ambulatory clinics, staff

⁵ “Building Health Equity With Tribal Nations.” The National Budget Formulation Workgroup’s Recommendations on the Indian Health Service Fiscal Year 2023 Budget. At 19. (May, 2021).

⁶ See Id.

⁷ 25 U.S.C. §1631(f).

⁸ See The 2016 Indian Health Service and Tribal Health Care Facilities’ Needs Assessment Report to Congress. Indian Health Service, 2016.

https://www.ihs.gov/sites/newsroom/themes/responsive2017/display_objects/documents/RepCong_2016/IHSRTC_on_Facilities_NeedsAssessmentReport.pdf

quarters, inpatient and outpatient behavioral health facilities, dialysis centers, and long-term care facilities.

The IHS hospitals average 40 years of age, 4 times more than other U.S. hospitals. A 40-year-old facility is nearly 26% more expensive to maintain than a 10-year-old facility. Current health care facilities are grossly undersized—about 52%—for patient populations, creating crowded, even unsafe, conditions among staff, patients, and visitors. If a new facility was built today, it would not be replaced for **400 years**. The absence of adequate facilities frequently results in no treatment, worsening symptoms, and much higher health care costs for the patient.

Mental Health. For FY 2023, Tribes recommend \$3.95 Billion, an increase of \$3.82 Billion over the FY 2022 enacted amount. This increase is critical to address mental health challenges compounded by the COVID-19 pandemic.⁹ It would also enhance the capacity of Tribal communities to develop innovative and culturally relevant prevention programs that are greatly needed in Tribal communities. Research has shown that AI/ANs do not prefer to seek mental health services that rely solely upon Western models of care,¹⁰ suggesting that AI/ANs are not receiving the services they need. The geographic remoteness of most Tribal communities demands unique and innovative treatment options to address comprehensive mental health, and psychiatric services.

Alcohol and Substance Abuse. For FY 2023, Tribes recommend \$3.1 Billion for the Alcohol and Substance Abuse account, \$2.84 Billion above the FY 2022 enacted level. Of the challenges facing AI/AN people, no challenge is more far reaching than the epidemic of alcohol and other substance abuse. Inadequate funding for alcohol and substance abuse services overloads other services by burdening outpatient clinics, urgent care and emergency departments with visits that may have been prevented.

Unfunded IHCIA authorities. For FY 2023, Tribes recommend at least \$100 million for “those new authorities and provisions of the *Indian Health Care Improvement Act* (IHCIA) which have not yet been implemented and funded.”¹¹ Permanently reauthorized in 2010, the IHCIA establishes new authorities for a wide-range of programs and services. These new authorities have not been funded adequately, or at all. Most notably, those programs include Comprehensive Behavioral Health Prevention and Treatment Programs, Fetal Alcohol Spectrum Disorders, Child Sexual Abuse and Prevention Treatment Programs, Behavioral Health Research, and Indian Youth Tele-Mental Health Demonstration Project. Moreover, these programs relate to securing the mental well-being of Native children. Investing in these programs are an opportunity to enhance and fulfill the trust responsibility by protecting and securing the future of Tribal nations.

⁹ For example, the U.S. Surgeon General reported, for Native youth, an increase in mental health challenges compounded by the COVID-19 pandemic. [cite]

¹⁰ Beals, J., et al. (2005). Prevalence of mental disorders and utilization of mental health services in two American Indian reservation populations. *American Journal of Psychiatry*, 162, 1723-1732.

Walls, M. L., Johnson, K. D., Whibeck, L. B., & Hoyt, D. R. (2006). Mental health and substance abuse services preferences among American Indian people of the northern Midwest. *Community Mental Health Journal*, 42, 521-535.

¹¹ “Building Health Equity With Tribal Nations.” The National Budget Formulation Workgroup’s Recommendations on the Indian Health Service Fiscal Year 2023 Budget. (May, 2021).

Ms. PINGREE. Thank you so much for being with us today.

And our fourth witness will be Ms. Sonya Tetnowski, the president-elect of the National Council of Urban Indian Health. Thank you for joining us, and we look forward to hearing from you.

Ms. TETNOWSKI. Good morning. My name is Sonya Tetnowski, Makah tribal member, and I currently serve as the president-elect of the National Council of Urban Indian Health, which represents 41 urban Indian healthcare organizations across the Nation who provide high-quality, culturally-competent care. I am also the CEO of the Indian Health Center, Santa Clara Valley, a UIO that provides comprehensive healthcare care to over 22,000 patients.

Let me start by saying thank you to Chairman Pingree, Ranking Member Joyce, and members of the subcommittee for the opportunity to testify today.

I testify today to request the Tribal Budget Formulation Work Group's recommended amounts of \$50 billion for IHS and \$950 million for urban Indian health for fiscal year 2023, supporting the President's proposal for mandatory funding for IHS, as well as advanced appropriations for IHS. We also ask that UIOs are protected from unrelated budgetary disputes and have access to the available opioid funding.

UIOs provide a range of services and are primarily funded by a single line item in the annual Indian health budget, which is only 1 percent of the annual budget for fiscal year 2022 for the over 70 percent of native people living in urban areas. Despite historically low levels of funding, UIOs have continuously provided services in the hardest-hit areas throughout this health crisis. In fact, the county where my UIO is located was the first in the country to initiate shelter-in-place measures as we were considered a hotspot by the CDC. I am proud to say that IHCSCU has been fighting diligently from day one of this pandemic to do whatever it could to protect the community. Our UIOs have played a critical role in natives having some of the highest vaccination rates in the U.S.

However, in order to match the pace of other clinics, we need a consistent baseline of funding, as costs for providing care continues to increase with a growing shortage of healthcare providers. As native people had some of the highest infection rates, increased funding is needed to address the long-term impacts that COVID has had on our members. I share these insights to highlight the need for continued increases in Indian health funding and stress the importance of honoring the trust responsibility. The Federal trust obligation to provide healthcare to natives is not optional and must be provided, no matter where they reside. Continuing to fund IHS at its current pace is what has led to irreparable health disparities, which is why we are fighting for full funding. Funding for Indian health must be significantly increased if the Federal Government is to finally and faithfully fulfill its trust responsibility.

We want to thank the committee for the report language to allow us to finally use our 1-percent line item for facilities. Your report was instrumental in its final inclusion in the bipartisan infrastructure package. However, because UIOs do not receive designated facilities funding, unlike the rest of the IHS system, it is critical that the committee increase the funding for the urban Indian health line item. Additionally, any authorizing language that is specified

for tribal organizations does not include urban Indian organizations, so we ask that the Urban Indian Organization be included in all future legislation so that we can work together to close the health equity gap that exists today.

We urge you to please reach out to IHS and NCUIH to ensure funding designated to help native communities has the proper language to ensure we are included. Another priority is advanced appropriations, which, for IHS, is a long-overdue request from tribal and urban leaders alike. Advanced appropriations is imperative to provide certainty to the Indian healthcare delivery system until such time that all trust and treaty obligations to all AI/AN are accounted for and provided as mandatory spending. Again, the risk is too great and the price is too high to continue funding the way that it is now. I urge the subcommittee to consider these requests and prioritize urban Indian health, thereby enabling UIOs to continue providing high-quality, culturally-competent care to native people, regardless of where they live.

Thank you for the opportunity to speak today. I have provided written testimony to the committee, and I am happy to answer any questions.

[The statement of Ms. Tetnowski follows:]

National Council of Urban Indian Health – Sonya Tetnowski, (Makah Tribe), President-Elect

My name is Sonya Tetnowski, I am an enrolled member of the Makah Tribe and currently serve as the President-Elect of the National Council of Urban Indian Health (NCUIH) and CEO of the Indian Health Center of Santa Clara Valley. On behalf of NCUIH, the national advocate for health care for the over 70% of American Indians and Alaska Natives (AI/ANs) living off-reservation and the 41 Urban Indian Organizations (UIOs) that serve these populations, I would like to thank Chairwoman Pingree, Ranking Member Joyce, and Members of the Subcommittee for your leadership to improve health outcomes for urban Indians, especially in the COVID-19 response. We respectfully request the following:

- \$49.8 billion for the Indian Health Service and \$949.9 million for Urban Indian Health for FY23 (as requested by the Tribal Budget Formulation Workgroup)
- Advance appropriations for the Indian Health Service (IHS)
- Support of the President's proposal for mandatory funding for IHS
- UIOs be insulated from unrelated budgetary disputes through a spend faster anomaly so that critical funding is not halted

Current Status of COVID-19 in Indian Country

UIOs provide a range of services and are primarily funded by a single line item in the annual Indian health budget, which constituted less than 1% of the total IHS annual budget prior to FY 2020. There have been vast improvements from where we were two years ago with regards to the availability of supplies, tests, and vaccines, but despite improvements, the situation facing Natives has not relented. AI/ANs are 3.2 times more likely to be hospitalized for COVID-19 and 2.2 times more likely to die from the virus.¹ Due to the disproportionate impacts of the pandemic, we are asking Congress to prioritize Indian Country and for the government to truly honor its trust obligation through the full funding of IHS and UIOs.

With the funding and resources from Congress, UIOs have been extremely successful at their vaccine rollouts. As of February 2022, AI/ANs have some of the highest vaccination administration rates in the U.S with 70.6% of AI/ANs having received at least one dose of the COVID-19 vaccine, according to CDC Vaccine Administration Data.² UIOs have played a critical role in achieving these high vaccination rates, however, in order to fully provide health care for the over 70% of AI/ANs residing in urban areas, UIOs need a consistent baseline of regular funding.

With COVID relief funding, UIOs have also been able to purchase PPE and medical supplies, hire behavioral health staff, upgrade electronic health records to accurately and effectively enter vaccine and testing data, install a new HVAC system, provide new training for staff, purchase a new building, lease mobile units to expand their services, and expand behavioral health and victim services. With increased funding, UIOs will be better equipped to immediately respond to future pandemics.

¹ <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-race-ethnicity.html>

² <https://covid.cdc.gov/covid-data-tracker/#vaccination-demographics-trends>

Request: \$49.8 billion for the Indian Health Service and \$949.9 million for urban Indian health. While your leadership was instrumental in providing the greatest investments ever for Indian health and urban Indian health, it is important that we continue in this direction to build on our successes. The national average for health care spending is around \$12,000 per person, however, Tribal and IHS facilities receive only around \$4,000 per patient. Furthermore, UIOs receive just \$672 per IHS patient – that is only 6 percent of the per capita amount of the national average. That's what our organizations must work with to provide health care for urban Indian patients.

The federal trust obligation to provide health care to Natives is not optional, and we thus request Congress honor the Tribal Budget Formulation Workgroup (TBFWG) FY23 recommendations of \$49.8 billion for IHS and \$949.9 million for urban Indian health. That number is much greater than the FY21 enacted amount of \$63.7 million, which truly demonstrates how far we have to go to reach the level of need for urban Indian health. At an IHS Area Report meeting where Tribal leaders presented their budget requests, one Oklahoma Tribal leader stated that “There are inadequate levels of funding to address the rising urban Indian population.” Congress must do more to fully fund the IHS in order to improve health outcomes for all Native populations at the amount requested.

In 2018 the Government Accountability Office (GAO-19-74R) reported that from 2013 to 2017, IHS annual spending increased by roughly 18% overall, and roughly 12% per capita. In comparison, annual spending at the Veterans Health Administration (VHA), which has a similar charge to IHS, increased by 32% overall, with a 25% per capita increase during the same period. Similarly, spending under Medicare and Medicaid increased by 22% and 31% respectively. In fact, even though the VHA service population is only three times that of IHS, their annual appropriations are roughly thirteen times higher.

Currently, the entire Eastern seaboard is without any full-ambulatory UIOs due to lack of funding. The IHS has deemed the two remaining UIOs on the East Coast to be outreach and referral only, with a combined less than two-million-dollar budget. Unfortunately, the pandemic has shown that two outreach and referral UIOs to serve all urban Indians on the entire East Coast of the country is a failure to uphold the federal trust obligation. It is evident the UIO line item is insufficient to allow IHS to authorize our East Coast UIOs to open fully operational clinics. Native American Lifelines is actually two programs run in both Boston and Baltimore with an annual budget for both cities of \$1.6 million. During the height of the pandemic, that meant Native people living in urban areas on the East Coast had to go back to reservations to get their vaccine to take advantage of the IHS authority that would give them the vaccine early and hopefully not become a mortality statistic.

The federal government owes a trust responsibility to tribes and AI/ANs that is not restricted to the borders of reservations. Funding for Indian health must be significantly increased if the federal government is, to finally, and faithfully, fulfill its trust responsibility.

Update on Allowability of Urban Indian Health Funds for Facilities

Last year, the Committee included report language to allow the use of UIO funding for facilities – to enable UIOs to make long needed upgrades to address gaps that have been exacerbated by COVID-19. With the help of your leadership, the Bipartisan Infrastructure Framework (BIF) included the Padilla–Moran–Lankford Amendment to allow UIOs to utilize their existing contracts to upgrade their aging facilities. We want to thank the committee for your support to allow UIOs to utilize their funding to upgrade their facilities.

However, because UIOs do not receive facilities funding, unlike the rest of the IHS system, and must use their line item for this purpose, it is critical that the committee increase the funding for the urban Indian health line item. In a recent IHS Area Report meeting, the Phoenix Area prioritized urban Indian health in the IHS budget while highlighting the need for increased funding for urban Indian health facility renovation. UIOs report needing at least \$200 million to fund construction and renovation projects.³ This further supports the need to increase the UIO line item budget to the requested amount of \$949.9 million.

Request: Advance Appropriations

The Indian health system, including IHS, Tribal facilities and UIOs, is the only major federal provider of health care that is funded through annual appropriations. For example, the VHA at the Department of Veterans Affairs receives most of its funding through advance appropriations. If IHS were to receive advance appropriations, it would not be subject to government shutdowns, automatic sequestration cuts, and continuing resolutions (CRs) as its funding for the next year would already be in place. According to the Congressional Research Service, since FY1997, IHS has only once (in FY2006) received full-year appropriations by the start of the fiscal year.

The lack of consistent and clear funding creates significant barriers on the already underfunded Indian health system. Three CRs have been enacted by Congress to maintain the FY2021 budget, which costs time and resources from IHS that could have been spent on pandemic response. When funding occurs during a CR, the IHS can only expend funds for the duration of a CR, which prohibits longer-term, potentially cost-saving purchases. In addition, as most of the Indian health services provided by Indian tribes and UIOs are under contracts with the federal government, there must be a new contract re-issued by IHS for every CR. IHS was forced to allocate resources to contract logistics twice in the height of the pandemic when the resources could have been better spent equipping the Indian health system for pandemic response. In addition, lapses in federal funding quite literally put lives at risk. During the most recent 35-day government shutdown at the start of FY 2019 – the Indian health system was the only federal healthcare entity that shut down. UIOs are so chronically underfunded that several UIOs had to reduce services, lose staff, or close their doors entirely, forcing them to leave their patients without adequate care. In a UIO shutdown survey, 5 out of 13 UIOs indicated that they could only maintain normal operations for 30 days without funding. Advance appropriations is imperative to provide certainty to the IHS system and ensure unrelated budget disagreements do not put lives at stake. For instance, Native American Lifelines of Baltimore is a small clinic that received seven overdose patients during the last shutdown, five of which were fatal.

Request: Spend-Faster Anomaly to Ensure UIOs Receive Funding

The decades of chronic underfunding I have mentioned to you today have not only left UIOs especially vulnerable to the current pandemic, but it also leads to dire consequences when funding is not available. Because UIOs must rely on every dollar of limited federal funding they receive (in FY 2021, \$62.7 M to fund components of IHS OUIHP and 77 UIO facilities) to provide critical patient services, any disruption in these dollars has significant and immediate consequences. The pandemic has forced UIOs to stretch these funds even further and a lapse in funding during this crisis would have devastating impacts on urban Indian communities. The 2018-2019 government shutdown

³ https://ncuih.org/wp-content/uploads/UIO-Facilities-Needs-2021_NCUIH_D169_V3-FINAL.pdf

caused three UIOs to entirely shut their doors until the government re-opened. These impacts were felt absent additional resource constraints and health service needs due to the pandemic.

Put simply, we cannot allow critical health services to go unfunded – especially in the present public health crisis. In 2019 and 2020, IHS secured an exception apportionment to enable tribal facilities to receive a full year's appropriation in the event of a shutdown – but this did not apply to the IHS or UIO components of the IHS system. NCUIH has exhausted efforts with the agency in requesting that IHS seek an exception apportionment for the entire Indian health system this year – even more essential in light of the heightened need. However, these requests have seemingly fallen on deaf ears – with a January 2020 FOIA request still unanswered to date. Other healthcare facilities are already insulated from government shutdowns and there is no reason the IHS system, and the AI/AN people that depend on it, should face closures due to unrelated budget lapses. We therefore urge Congress to include a spend-faster anomaly in any budget packages to ensure funds will continue to be available to provide critical health services to AI/AN people at a time when they are needed most.

Conclusion

These requests are essential to ensure that urban Indians are properly cared for, both during this crisis and in the critical times following. It is the obligation of the United States government to provide these resources for AI/AN people residing in urban areas. This obligation does not disappear in the midst of a pandemic, instead it should be strengthened, as the need in Indian Country is greater than ever. We urge Congress to take this obligation seriously and provide UIOs with all the resources necessary to protect the lives of the entirety of the AI/AN population, regardless of where they live.

Ms. PINGREE. Thank you all for your presentations and your very thorough written testimony. We really appreciate your taking the time to be with us today.

We will now begin the questions. I'll start with a couple of questions from myself. Let's see. So I am going to start with National Indian Education Association. Mr. Dropik, I want to talk a little bit more about the construction, and I really appreciate your reminding us of the importance of expanding those construction funds and how far behind we are. Certainly during the pandemic, we were reminded of how inadequate the facilities are everywhere.

A few years ago, the Bureau of Indian Education developed a new methodology for determining school replacement and repair needs and priorities. While this new methodology seems promising, GAO and some tribal schools have questioned the accuracy of the data used to determine the needs and priorities. So has your organization engaged with BIE to ensure adequate funding and training to provide technical assistance to schools to ensure the data is input accurately and timely?

Mr. DROPIK. Thank you so much for that. That is a great observation. I would just make two points. One is that NIEA is always standing ready to help support whenever we are asked or called upon or invited to the table, so to speak. We would love that opportunity to share more. I would say that often sometimes those decisions seem to be made in isolation, not always with consultation with not only NIEA or even BIE at times, but also tribal communities that they serve. We really feel that that communication has to improve. It does not take place in the way that it should.

The other just real quick point is that also, you know, funding in terms of structures isn't just a BIE issue. Our structures and functions in public schools and the gap that we see with over 93 percent of our native students attending public schools, those gaps are huge and continue to further separate. And so though we specifically make those asks as it relates to BIE funding, obviously from oversight perspectives, there is much that needs to be done on infrastructure and resources across all schools where students are. And lifting up those predominantly native schools lifts up all students in those communities, so it really should be a win for all communities.

Ms. PINGREE. Yeah. Thank you for your answers and also for reminding us that all of our public schools need upgrading. Coming from New England where so many of our school buildings are old, we are acutely aware of that issue.

Ms. Sharp, I wanted to just ask you a quick question about climate change. So we all know that Indian tribes are facing the enormous challenge of confronting the threat of climate change and the impacts on air, water, land, communities, human health, species, and habitats. So the fiscal year 2023 President's budget includes an additional \$29 million over the 2022-enacted level for climate adaption and tribal relocation. Could you describe to me some of the challenges that tribes are experiencing and how climate resilience funds would be used to adapt to climate change?

Ms. SHARP. Yes, excellent question. Thank you. I really appreciate that. We are on the front lines of climate change. We recently convened an NCAI board meeting, and we go through what is going

on in Indian Country, and every region reported climate-related impacts. So all of Indian Country is directly impacted, and I could speak specifically to my tribe. We are currently under four states of emergency. We face a massive king tide. A landslide threatens to take out the only access road to our village, and so we really appreciate any funding and attention. And the dollars that we would use would not only help relocate our villages, but we are also facing the collapse of our fisheries in the Pacific Northwest. These are issues that are key and central to our identity as native people.

The visuals from last summer when we had temperatures of 111 degrees, there is video footage of salmon being cooked alive in the Columbia River, heat lesions, and clam resources when the tide went out or just baked them in the open sand. So we are on the front lines. We are threatened, and these dollars will be able to help fuel and fund our ability to adapt and mitigate these direct impacts of climate change.

I really appreciate the question. Thank you.

Ms. PINGREE. Yes, thank you. I think since there are \$8 million specifically for tribal relocation, and you, you know, graphically described how it affects your tribe, I think we have to, you know, dig in deeper onto that and understand the number of tribes that need that level of assistance, and really just how big the impact is going to be over the coming years.

I have used up most of my time, but I'll get a chance again later to ask you more questions. So I will yield back and then see if Mr. Joyce has some questions he would like to ask.

Mr. JOYCE. Thank you, and I will continue to follow up with Ms. Sharp, if you don't mind. President Sharp, of all the proposals in the President's budget that touch on this subcommittee's jurisdiction, is it fair to say that mandatory funding for IHS is the most consequential?

Ms. SHARP. I would say yes. Coming out of a global pandemic, the "Broken Promises" report detailed the level of funding. There is a data point in that report that says, per capita, the average investment through IHS for individual tribal citizens is just over \$2,000. The national average is over \$9,000. That chronic underfunding is what led to our vulnerability, and so coming out of the pandemic, it is absolutely essential that we have mandatory resources as we plan to not only recalibrate the mental health crisis that is not even known at this point, but we know it is there. It is absolutely essential that we can have funding that we can rely on, that is mandatory for planning purposes, and to redefine a healthcare system that is responsive to our citizens.

Mr. JOYCE. The mandatory funding proposals for the IHS, contract support costs and 105(l) payments for tribal leases technically fall under the jurisdiction of the House Energy and Commerce Committee and the House Natural Resources Committee and not the Appropriations Committee. What is the NCAI doing to help move these proposals through the authorizing committees?

Ms. SHARP. Yes. We are working diligently as a congress, but we are also working through our regional organizations that you are going to hear from tomorrow. So we know that we have to hold the United States accountable to its trust responsibility and that, as I pointed out in my testimony, these are chronic, longstanding un-

derfunded programs. And so we have to work at every level with every region and do the fact finding that we have been doing for nearly half a century at NCAI, and be able to provide that technical support to our regions, to our individual tribes so we can aggressively work to insist that these are mandatory. These should not be discretionary dollars. Our basic health should be a mandatory expenditure of the United States Government.

Mr. JOYCE. Great. Madam Chair, I know we have some other members on here. I'll stick around with you for round two and let them ask the questions that they may have.

Ms. PINGREE. Great. Thank you so much. I think the next member up is Mr. Kilmer.

Mr. KILMER. Thank you, Madam Chair, and thanks to all of our witnesses for being with us. I wanted to start by directing a couple questions to my friend, President Sharp, who has been just such an extraordinary leader in our neck of the woods and nationally with the National Congress of American Indians.

You know, the chairwoman in her question touched on the impact of climate change, the impact of rising sea levels, and you already spoke eloquently about what that has meant for the Quinault Nation. You know, if anyone goes online and Googles "Taholah," which is their lower village, and flooding, you can actually see a photograph of someone rowing a canoe through the streets of their village because we have seen storm surges and flooding. You know, unfortunately in the district I represent, we have four coastal tribes that are in the process of trying to move to higher ground.

In the omnibus bill, there was some funding for the Hoh Tribe, and the Quileute Tribe, and the Quinault Nation to support some of that relocation process. We are working on some other stuff. The Natural Resources Committee favorably reported out the Tribal Coastal Resiliency Act, which they introduced to try to provide some dedicated resources to coastal tribes to support their efforts to mitigate threats caused by climate change.

But I think it is worth just pointing out that these are significant costs. I mean, we are literally talking about trying to relocate, in some instances, entire communities. You know, if you go out and visit the Quileute Tribe, their school, any one of us could stand at the doorstep of their current school and throw a rock and land it in the Pacific Ocean right now. And, you know, if you think about the threat of tsunami, that is horrifying, and, you know, so building a school is not a cheap ticket, and then you multiply that by all of the communities that are undertaking this.

So, President Sharp, I was hoping you could say a bit more about how BIA and any other funding advancing climate resiliency would help in these relocation efforts, and what you think Congress had to do on this front because my sense is that the need is far more significant than the funding has been.

Ms. SHARP. Yes, absolutely. Thank you. When we did look at the budget that was released, the infrastructure bill, for example, there is \$150 million for relocation for tribal nations. Our one project at Quinault is about \$180 million. So the national appropriation for relocating tribal villages that is targeted for tribal nations, my one nation would consume that entire budget, so the need is tremendous. And if we consider the report that was released just yester-

day by the United Nations, our reality today is only going to intensify the climate crisis with respect to sea level rise, mega fires.

And so the public treasury right now, from our perspective, is paying for the mere symptoms of climate change. We are not even getting to the infrastructure to actually move these villages to higher ground. We are not getting to adaptation and mitigation strategies. So my recommendation going forward would be to make targeted investments to make a difference, but also to recognize the scale of this crisis is beyond the public treasury. We have to be creative in public/private partnerships with the private sector and also with philanthropy. There is a global community waiting to enlist resources and deploy those to tribal nations, and I think the United States could be a tremendous partner and ally with tribal nations.

In other parts of the world, indigenous peoples don't have political structure. We do, and so I think there is an opportunity to meet the needs here domestically but also to be a leader globally on these issues with respect to indigenous peoples.

Mr. KILMER. I am going to try to squeeze in the minute I have, you mentioned the "Broken Promises" report, which really details, as you pointed out, chronic underfunding in infrastructure, in housing, in education, in healthcare, in economic development for tribes, and, in many cases, failing to fully recognize the sovereign status of tribal governments. I am working with Senator Warren on some legislation to address some of the recommendations outlined in that report. But, President Sharp, can you just comment on the importance of actually taking action in response to the "Broken Promises" report?

Ms. SHARP. Yes, thank you, and I appreciate that question. I will try to answer it in 20 seconds. It is critically important that we consider this as a foundational document. There is a lot of fact finding. It determines not one Federal agency is living up to its trust responsibility, so we need to partner. To the extent Congress cannot fully fund the services, you need to get behind our vision in building our economy, including tax parity and our resources to, as Sovereign Nations, raise the revenue and advance profitability of our enterprises. [Speaking native language.] Thank you.

Mr. KILMER. Thank you. Thank you, Madam Chair.

Ms. PINGREE. Very well done. Thank you. Mr. Simpson, you are recognized for 5 minutes.

Mr. SIMPSON. Thank you, Madam Chairman, and thank you all for being here to testify today. Obviously, Indian health and -

[No response.]

Ms. PINGREE. We lost you for a minute. I think maybe you got muted.

Mr. SIMPSON. Can you hear me now?

Ms. PINGREE. Yeah. Yeah.

Mr. SIMPSON. Okay. We are back again, but anyway, thank you all for being here today. Indian issues and Indian Country has always been a bipartisan issue on this committee. We work together and try to do the best we can. I noticed almost all of you recommended that we do mandatory funding for Indian Health Services. It was also mentioned that we do advanced appropriations now. If you had mandatory funding, do you need advanced appropriations? I guess I'll ask whoever wants to answer that.

Ms. SHARP. I would be happy to.

Mr. SIMPSON. Okay. [Laughter.]

Ms. SHARP. Yes, both are critically important. "Mandatory" means the United States is signaling to tribal nations that treaty obligations and the trust responsibility is non-negotiable.

Mr. SIMPSON. Right.

Ms. SHARP. That is mandatory. Advanced appropriations is also vitally important to tribal nations so that we can plan. It is hard to plan for things when we don't know, and there is such a level of uncertainty all across Indian Country, and specifically to the health sector. When you look at every single metric of public health for tribal nations, our citizens are off the chart. So we need these resources, and we need them in advance so that we could plan effectively.

Mr. SIMPSON. Well, I appreciate what you are saying, and I agree with you. The Indian Health Service has been underfunded for years, and we have tried to increase it and so forth. If it was mandatory, you would pretty much know what it is going to be the next year. So, I mean, it seems to me, and maybe I am wrong. I don't know. It seems to me like if it was mandatory, you would have had that certainty rather than through the advanced appropriation. But that is a discussion we can have later on how best to do that because I understand where you are coming from, and I agree with you.

Let me ask you, if mandatory funding were in place today, say it had been passed a couple of years ago, would the \$9.1 billion in mandatory funding for IHS be sufficient to cover those costs today, or would that level be higher today?

Ms. SHARP. Yes, it would be sufficient. As I pointed out in one of the previous questions, the disparity is so wide, the gap is so significant, it is going to take us years just to get to a basic level of healthcare. And when you look at our healthcare delivery systems in IHS, we have the resources to fund doctors, pharmacists, but do we have a comprehensive healthcare system that includes oversight, that includes quality of care, that includes access to care? A lot of these basic features of a comprehensive public healthcare system does not exist in Indian Country. So for us to achieve a basic level of parity with citizens in the United States, we need far more than what is currently appropriated.

Mr. SIMPSON. I understand what you are saying. Believe me, Representative Cole has made me aware of this over the years and the need to increase funding for Indian Health Services. It seems like if the authorizing committee passed mandatory funding, that the idea behind that is that brings that level up to where it ought to be because it is mandatory, and it does it right away. From what I understand in this proposal, it is \$9.1 billion in mandatory funding that will increase based on healthcare costs and population growth to \$36.7 billion by 2032. I am trying to figure out mandatory at what level, and how do we anticipate those costs.

And the reason I ask this question is, as you know, a little over 70 percent of the Federal budget is mandatory funding. Every agency in the world would love to have mandatory funding and not have to deal with the Appropriations Committee. Believe me, I fully understand that, and it might be the only way we can get In-

dian health up to where it ought to be and the funding for where it ought to be. And I don't have a problem with that if that is what is necessary in order to get it to get it to that level. And I guess I have been trying to figure out at what level would it jump right away and how soon would we be at full funding under mandatory funding.

Ms. SHARP. Yes, I really appreciate where you are going with that question, Congressman. I really appreciate thinking about not only meeting the immediate need but the long term, and how do we get to a level of parity, and I would welcome, as I am sure all of our partners and colleagues who do some significant fact finding. We are coming up to an era of understanding the boarding school deaths within our community and the murder of our children. There are significant mental health crises facing Indian Country. At this point, we don't even have the resources to fully understand the scale of the healthcare crises facing Indian Country.

And to answer your question, we should spend the time, in partnership with Congress, to really delve in to understand the significant right-now health impacts to Indian Country, and then, from there, build out. So I really appreciate the question. Thank you.

Mr. SIMPSON. Yeah, I appreciate your answer, and I am more than willing, and I know members of this committee are also, to figure out how we get to the level that we ought to be at so that there is not disparity between Indian Health Services and other health services delivered by the Federal Government stuff. And as you said, we have a treaty responsibility with these tribes, one that I am painfully aware of, that is necessary that we try and meet.

One other question. I can't see a clock, Chairwoman, so this is a briefer question.

Ms. PINGREE. Go ahead. Sure.

Mr. SIMPSON. When it comes to Indian education, and it is broader than just that, one of the problems that as I talk to like the Shoshone Tribe in Idaho, they have some difficulties hiring teachers. And it is not just teachers, but it is also law enforcement officers. We just had an earmark for a \$7 million fire station in Fort Hall because they needed a fire station. The one thing they told me is they have a hard time keeping the firemen on the job. They got like 20 or 30 firemen, but they are the training ground for the communities around that can pay these people much more. So in Indian education, law enforcement, other first responders, they do all the education. As soon as they get educated, a lot of them will move to other communities.

How do we create a situation where they can pay these people to stay on the jobs that they have been trained for on the reservation?

Mr. DROPIK. You can go ahead, President Sharp, if you would like. Otherwise, I can. Either way.

Ms. SHARP. Yes, I can address at law enforcement if you want to address education. With respect to law enforcement, you see that all across Indian Country. The one suggestion I would make as we try to achieve parity with State and local government, we need parity not only in the number of officers but in pay scales. And I have often thought wouldn't it be nice to take the Federal pay scale and include those in our self-governance compacts. We have in our fish

hatchery somebody who has been there for 30 years, and they are still not at a level that is even at the lower end of the Federal scale. When someone from college comes right out to our Federal hatchery, they are making about \$30,000 more. And you are right, you could go to every sector. And so if we could achieve parity, take Federal pay scales, plug those in, we would be able to see a sustained effort to be able to deliver public health safety, education, welfare for all of our workforce. It is so important.

Mr. DROPIK. And just following up on education, you are absolutely right. And education and having teachers in the classroom isn't going to be an issue that is solely in native communities, but it definitely is going to be, once again, a huge spotlight and exacerbated by when you have poor conditions, you have people wearing multiple hats because of funding deficits, that creates the need for people to serve in many different roles as opposed to their other community peers where they don't have to serve in three to four different roles in their communities. You know, those are some of the challenges that come in.

So, you know, there are many different ways that you can help to support that through funding, obviously, those core structures which helps to create opportunities, and for personnel where there are huge gaps that we talked about in our testimony that exist between personnel deficits. But then also, we can get creative. There is programming, and it might not be specific from appropriations, but really being able to pass some meaningful ways in which tribal members can be able to get their degrees without a huge burden of debt over their head as they go into their communities and they work and to pay it back.

I graduated from a Federal program that created Urban American Indian Teachers, and I was able to get part of my schooling paid for to serve in urban American Indian settings. And those programs are so few and far between and poorly funded that they just definitely would help provide some impact into our tribal communities. But it is structural. It is personnel. It is creating those, and it does start with funding as well as creating those conditions for people to stay.

Mr. SIMPSON. Thank you for that, and let's work on that. I am more than willing to work with you. Thank you, Chairwoman Pingree.

Ms. PINGREE. Thank you. Thank you, Mr. Simpson. I let you go a little bit over, but you got the rest of Mr. Joyce's time. [Laughter.]

Ms. PINGREE. So we will make it up to everybody else. Representative Lee, you are next.

Mrs. LEE. Thank you, Chair Pingree, and Ranking Member Joyce, and all the panelists for being here today. I represent Nevada, and over 80 percent of our land is federally controlled, which means that tribal collaboration and participation in Federal lands management is such an important issue in my State. I personally have been pleased to see the Biden administration's commitments on this front with the Tribal Homelands Initiative and Secretary Haaland's new Tribal Advisory Committee. Those are all a great start, but as we heard from testimony today, much more work remains.

I have a pair of questions for Ms. Sharp on this front. President Sharp, my district is home to Avi Kwa Ame, which is the Mojave name for Spirit Mountain, the center of creation for 10 human-speaking tribes. Right now, a coalition of tribes, the local communities, the Nevada legislature, conservation groups, recreation interests, and others are working to establish Spirit Mountain and the area that surrounds it as a national monument, and earlier this year, I sent the Secretary a letter supporting such a move.

You spoke in your testimony about creative management solutions to the tribal Federal partnerships when it comes to Federal land management. We already know that there are four sites in the National Park Service as well as 80 additional formalized relationships. From your perspective, are there successful models of formal Federal and tribal cooperation that could be or should be considered when creating new monuments such as the Avi Kwa Ame?

Ms. SHARP. Yes, absolutely, and before I answer that specific question, I think it is important just to point out that while tribal nations ceded millions of Acres of lands across this country through treaty, we have never relinquished our spiritual connection to this landscape, and that is what we bring to the table. When we bring our co-management, we bring our perspective. We bring our teachings. We bring our songs and ceremonies that remain, that have been there since time immemorial. So, yes, there are examples all across Indian Country where we are able to not only be at the table but to bring that wealth, that brain trust, and that heart and that spiritual connection to the landscape.

And you'll find in those instances, the management, it is just better. It is an added layer that connects present-day management to the beginning of time and our vision to the end of time, because we do manage for seven generations, so we bring that very broad perspective. I really appreciate that question. Thank you.

Mrs. LEE. Thank you. Are there any specific characteristics that you believe would be essential to ensuring a productive co-stewardship of tribal lands?

Ms. SHARP. Yes. One of the key features I would strongly advance is the ability in co-management, for tribal nations that have a decisive say over our land, territories, resources, and people, to have what is known as a universal international standard of free, prior, and informed consent. When we have the ability to have a decisive say over our lands, territories, and resources without another sovereign taking unilateral action, that is when you are going to find that the relationship between tribal nations and the United States is not only respected, but advanced in a way that is honorable and that is worthy of things that are in the future that we can achieve together in a good, positive way.

Mrs. LEE. Thank you. You know, I did want to comment about your previous answer. I had the pleasure of touring Spirit Mountain with the local Fort Mojave Tribe and witnessing their dance and their ceremony, and it was really quite moving.

So, you know, the Biden administration has the Tribal Homelands Initiative, and this is a historic commitment to upholding and enhancing the Federal Government's partnership and nation-to-Nation relationships. As this effort continues to get under-way,

what elements should Congress prioritize in the near term that will best position this initiative for success in the long term?

Ms. SHARP. Yes. I think a lot of the issues that we have touched on have been related to funding, to co-management, to having a decisive say. I think it is important to spend time to really understand the tribal nations' perspective. I think oftentimes when there are new initiatives and innovative ideas, a lot of people think they have an idea of what would work for us or what is best for us, and that has been the long story of Federal-tribal relations. But to the extent there is some early engagement to really understand issues from our perspective that little investment of time is going to be proved to be valuable for years to come.

Mrs. LEE. Great. Thank you, Ms. Sharp, for that insight, and with that, I yield.

Ms. PINGREE. Thank you very much. Mr. Amodei, are you interested in asking questions? I am not sure if I see you on there.

[No response.]

Ms. PINGREE. Okay. I hear back from Mr. Amodei. If he wants to ask questions later, we will put him back in the line. So we'll go to Mr. Cartwright.

Mr. CARTWRIGHT. Thank you, Madam Chair, and thank you for our distinguished panel for testifying today.

I want to talk about broadband internet. We are all talking a lot about that, but we have to talk about it in context with this hearing. Ms. Sharpe, I want to start with you. In January, one of your NCAI colleagues, Mr. Rantaren told the Senate Committee on Indian Affairs that half of the tribes did not apply for broadband funding, in part because they were unaware of the funding opportunity due to the lack of connectivity. In other words, they weren't online so they didn't get the notice. Well, as we begin to build up better broadband access with the IIJA funds, how do we ensure that these tribes and communities, who clearly need the funding, are aware of the opportunities available to them?

Ms. SHARP. Yes, thank you, and I am just looking at my screen here. I don't know if my face is coming up as red as it looks on my screen or if my blood is literally boiling. I am not sure. But to answer your question, the one thing that I would recommend, for us to really put our broadband programs together, we have to go to multiple sources. If we could create a one-stop place so that we aren't band-aiding the approach to establish broadband, and then also deploy resources to help build capacity. Another reason so many tribes didn't apply, we don't even have the capacity to be able to begin the planning process. And so early dollars for planning one-stop-shopping to be able to combine all of the Federal deployment of resources targeted to Indian Country in a convenient place, I think that would go a long way.

Mr. CARTWRIGHT. Well, thank you, and I want to include Mr. Dropik in this discussion. Mr. Dropik, as you noted in your testimony, native students often face significant hurdles, educational disparities. Can you describe the impact that limited broadband access has had on exacerbating these disparities, especially during the COVID-19 pandemic, and how, if allocated appropriately, the broadband funding in the bipartisan infrastructure bill—the IIJA—can help reduce these disparities?

Mr. DROPIK. [Speaking native language.] Thank you for that opportunity, and you are absolutely correct. So with about 68 percent of our tribal communities being in rural settings, I can speak firsthand. When we had to pivot to remote learning within our own school, we had students who had to move back to their tribal communities because that is where they had families that could take care of them, so they were out of their city centers with their parents or went with an aunt or an uncle or a grandparent. And there was zero cellphone signal let alone broadband access, so we couldn't even give them a hotspot that they could use.

And so infrastructure, parts of it in terms of increasing access in rural communities, and we know that in the Southwest, the distance and the geographical challenges that exist there for making sure that people have adequate access. What that does is just there was already a gap. We have seen gaps in communities where that isn't an issue, where they are able to access online, whether it is our suburban community or urban centers. And then also what we did, though, seeing our tribal communities, so that gap further spread as students that didn't have those same issues were able to engage in some connections with other people with meaningful learning experiences that were met.

So it is that communication. We got to let them know, but even if they knew, some of our families wouldn't have been able to access that because there is just zero capability in their community, and it is because there have been no investment dollars. If I need a classroom or if I have an opportunity to get some high-speed internet, I need a classroom renovation so I don't have a ceiling tile falling on my head. And so those are our priorities.

You know, when we make those priorities and we cut funds, and infrastructure, and the resources, it takes away from other opportunities to grow and to create that access. So I think, to President Sharp's point, that collaboration about really researching where do we need to have those priorities made so that we can make sure that they have access, then we can start getting the tools in people's hands, and the communication can go out. So that infrastructure part, getting to rural communities is huge, our tribal communities, which is where many of the lands are, is something that has to be addressed as well.

Mr. CARTWRIGHT. Well, that is well said, and thank you both for your testimony. And, Chair Pingree, I yield back.

Ms. PINGREE. Thank you very much. I think we might have a couple of members who want a second question. So I'll try one more time. If Mr. Amodei wants to ask a question, just let me know. Otherwise, I will go back and we'll go with a couple more questions, and I'll start with myself.

I wanted to ask Ms. Tetnowski, in your testimony, I thought it was interesting that there are only two urban Indian health facilities for the entire East Coast. Is that because of lack of funding, or are there other urban facilities provided or interested in providing health services but that are not able to do so because of the funding, and what would be the process or what is needed to expand Indian healthcare on the East Coast?

Ms. TETNOWSKI. Thank you so much for that question. Yes, it does have to do with our ability to get additional funding to in-

crease our service areas. Many of our existing programs were created many years ago, most of which are 40-plus years old as far as organization goes. And so with a 1-percent line item out of the entire IHS budget, the ability for us to expand into new areas or to create new facilities in new locations is just not possible. We just don't have the bandwidth or the resources to be able to sustain them.

One thing I wanted to follow up on what Representative Simpson said about the ability to have advanced appropriations versus mandatory funding, advanced appropriation would ensure that we weren't shut down during any type of government closure. IHS is currently the only healthcare organization in the Federal Government that does not have advanced appropriations at this time, again, leading to our inability to expand programs and plan. Like President Sharp shared earlier, planning is critical for those services to expand.

Ms. PINGREE. Yeah, thank you for that answer and for your thoughts on the mandatory and advanced funding. Mr. Smith, I want to ask a question of you. In the fiscal year 2022 budget, the Indian Health Service for the first time identified over \$50 million the Service pays to the Department of Health and Human Services for assessments. The subcommittee urged IHS to fund these costs from the direct operations line rather than hospitals and healthcare care, which is used to provide actual service. Has the Service consulted with the tribes about moving these costs, and does NIHB have a position on where these costs should be funded?

Mr. SMITH. Thank you for that question. As it is going, I would have to refer back to my technical support to get you the proper answer for what you need. But on another note, when we are talking about advanced appropriations, mandatory advanced appropriations would give us the stopgap until we can decide, and talk together, and work together on the mandatory appropriations so we would know the full cost of everything it is doing. So like I stated before, we already suffered during the government shutdown. Then when you talk about people leaving the jobs, we had health persons leaving our Indian Health Services jobs because they weren't getting paid and going over to the paid section, and we are trying now to get qualified healthcare workers back into our system.

So advanced appropriations would be the solution to figuring out what mandatory would be because when you are saying "mandatory appropriations," we don't know what that would be. But if we had that, just like the VA, it kept going during the shutdown, but the Indian Health Service, we suffered dearly. So I'll get back to you with your first question—

Ms. PINGREE. Great. That is fine. You can let us know, and thank you for that.

Ms. PINGREE. I know those of us in government like to think we are never going to shut down again, but it does seem to happen, so I understand your concerns.

One last question, Ms. Sharp. In your written testimony, you proposed investments in an economic development pilot program. Could you give me some more details on how the program would work and how it would differ from BIA's existing economic development programs?

Ms. SHARP. Yes. One of the central points of distinction, we know and recognize that healthy tribal economic systems and economy is so much more than tribally-owned business. It is attracting companies that locate within Indian Country. It is also supporting a private sector economy, our individual tribal citizens. So what we are after is a comprehensive economic development strategy for Indian Country that not only assists us in increasing profits, not necessarily governmental revenues. That is a system of taxation, and that is a whole nother area where Congress needs to support our ability to raise revenues. But in the profit sector, tribal nations can compete. We can support intertribal trade. We can gain access to international commerce and trade. We can also build a private sector economy.

And so we have to look at economic development within Indian Country through that comprehensive lens to know and understand we are a sovereign tribal nation. We could attract companies. We could tax them. We could raise revenues, and we can also create strategies to increase our profitability through commercial ventures and enterprises. That is what we are after.

Ms. PINGREE. Great. Thank you. That is a really helpful explanation. Mr. Joyce, would you like to ask some further questions?

Mr. JOYCE. No, my questions were addressed by the relevant questions asked by other members. I certainly appreciate you thinking of me.

Ms. PINGREE. Great. Well, our colleagues have asked some good questions. How about you, Mr. Simpson? Any more questions from you?

Mr. SIMPSON. Yeah, Chairwoman. I appreciate it. It is not really a question, and I am certain that when this is all over, I am going to have some staff member—Darren, I am talking to you—come over to my office and explain to me where I am wrong or whatever on this. But the question of advanced and mandatory, I still find that fascinating because you know that most mandatory spending, it is completely out of our hands, just like Medicare, Medicaid, Social Security. We don't appropriate money for any of those things. Once it goes to mandatory, it is mandatory, and that means that, as an example, with Social Security, if you get a Social Security check, you will get that check regardless of whether the Federal Government has any money or not. If we have to borrow the money, you qualify for that as long as you qualified for that. That is what "mandatory spending" means.

And when and when you say, "advanced appropriation," I am sitting here going advanced appropriation of what? If it is out of our hands, what are we advancing the appropriation for if it is mandatory spending? So we need to work this out so that we are all on the same page because I am on your side on what you are trying to do here. We certainly need to get the Indian Health Services where Indians are receiving the same type of medical care that other Americans are. And I think that is something that this committee has been working on, but it is a huge task, as you know. So let's work together and see if we can solve this.

And also, I am very interested, having come from a city council of a town of 10,000 where we had 25 miles away on each side, a city of 50,000. We trained all the police officers for those commu-

nities, and now we are seeing the same type of thing happening with tribes where they are training the educators and everything else, and then they are going to where they can get better pay, and we need to solve that problem, frankly. So I appreciate all the work that you all do and for being here to testify before this committee today. We want to work with you to make sure we get to a good place where we ought to be.

Thank you, Chairwoman. I appreciate it.

Ms. PINGREE. Yeah, thank you, Mr. Simpson. I really appreciate your points, and I think we have got some sorting out to do on those questions and appreciate your insights. And to all of our witnesses today, thank you so much. You have been really helpful to the committee in thinking about what we need to be doing in fiscal year 2023, and we will look forward to staying in touch as we work through this process. And, again, thank you for your work for your organizations and for providing your insights to us.

So with that, I will call this committee adjourned.

WEDNESDAY, APRIL 6, 2022.

REGIONAL TRIBAL ORGANIZATIONS PUBLIC WITNESS DAY

WITNESSES

**KIRK FRANCIS, PRESIDENT, UNITED SOUTH AND EASTERN TRIBES
JULIE KITKA, PRESIDENT, ALASKA FEDERATION OF NATIVES
SERRELL SMOKEY, PRESIDENT, INTER-TRIBAL COUNCIL OF NEVADA,
INC.
HAROLD FRAZIER, CHAIRMAN, GREAT PLAINS TRIBAL CHAIRMEN'S
ASSOCIATION
MELVIN SHELDON, JR., FIRST VICE PRESIDENT, AFFILIATED TRIBES
OF NORTHWEST INDIANS**

Ms. PINGREE. So good morning, everyone, and welcome to the second public witness hearing on tribal programs under the jurisdiction of the Interior and Environment Appropriations Subcommittee.

Due to the ongoing pandemic, we are still not back to normal for public witness hearings. However, this year, we are having two hearings. Yesterday, we heard about national Indian Country priorities to inform the fiscal year 2023 annual appropriation. Today, we will focus on regional Indian Country priorities. As in 2022, we have also solicited testimony from individual tribes to focus on specific tribal priorities. That testimony was received last month.

A lot has happened since we last met. Indian Country is struggling with the effects of a pandemic that has resulted in loss of lives, including many tribal elders and fluent native-language speakers, shut down tribal governments, and shuttered schools. The pandemic's mental health impacts on Native Americans are devastating and will need long-term assistance to address. I am very grateful that President Biden is honoring the Nation's treaty and trust responsibility to address these issues. I also look forward to his focus on the climate crisis and the need to transition to clean energy that is impacting not only the Nation but the world. Like the pandemic, Native America is on the front lines of the climate change crisis and has an important role to play in leading the way to a cleaner, healthier future.

For fiscal year 2023, President Biden proposes \$2.8 billion for the Bureau of Indian Affairs, \$583 million above the fiscal year 2022-enacted level. This includes much-needed increases of an additional \$38 million for public safety and justice programs and construction projects, plus an additional \$104 million for natural resources management to continue investments to address climate change and pivot to cleaner energy. Further, the budget proposes to reclassify contract support costs and payment for tribal leases as mandatory.

For the Bureau of Indian Education, the President requests \$4.5 billion, which is \$294 million above the fiscal year 2022-enacted

level. The President proposes to make a substantial investment in education construction with a requested increase of \$156 million. I recently met with leaders from the National Indian Education Association where we discussed the need for additional infrastructure investment. This requested increase is much needed.

For the Indian Health Service, the President proposes to reclassify the entire budget as mandatory. The proposal is not within the subcommittee's jurisdiction. Since no discretionary funds were requested, I look forward to today's testimony on priority areas in the event Congress has not reclassified the service accounts before we pass the annual discretionary appropriation bill.

I am pleased to welcome tribal organization to discuss regional needs and challenges facing Indian Country. I am eager to learn more about your issues and priorities, and I look forward to our discussions on these issues because I believe it will help to inform us as we begin to develop the 2023 appropriations bill. Each witness' full written statement will be introduced into the record, so please do not feel pressured to cover everything orally. After we hear the testimony of each witness on the panel, members will have the opportunity to ask questions.

And with that, I am happy to yield to my friend, Mr. Joyce, for his remarks.

Mr. JOYCE. Thank you, Madam Chair, and thank you for continuing these important hearings to get input from tribal leaders on a wide array of programs under this subcommittee's jurisdiction. I would like to extend a warm welcome to the distinguished tribal leaders testifying today. This is day two of the subcommittee's traditional 2-day annual listening sessions with tribal leaders. I know we all look forward to the day when we can return to full-day sessions and visit with tribal leaders from around our Nation.

Our witnesses today have the difficult job of representing a diverse array of interests from hundreds of sovereign nations across the country. I represent the Northeast corner of Ohio, which was once the land of the Miami, Seneca and others. I am humbled to be joining you today in my capacity as ranking member on the Interior, Environment, and Related Agencies Subcommittee, perhaps now more than ever. As I said yesterday, Indian Country recently lost a true leader on Capitol Hill with the passing of my fellow Native American Caucus vice chair and Alaska's sole voice in the House for nearly 5 decades, Congressman Don Young. Though not an official member of this subcommittee, he always looked forward to these annual tribal meetings.

Like Don Young and many others in Congress, I recognize that upholding the tribal trust obligation is a responsibility shared by all members of Congress regardless of the congressional district. I also realize the Federal Government still has a long way to go before fully meeting its trust and treaty obligations. I suspect we will hear about the important work that remains to be done from our distinguished witnesses this afternoon.

That is why my position on the Appropriations Committee is a great honor, but it is also a heavy responsibility. Fortunately, I have a friend and partner in Chairwoman Pingree. And it is my sincere hope that together we can continue the hard work of our predecessors for more than a decade to increase the Federal com-

mitment to meeting those trust and treaty obligations. So, I look forward to listening and learning from the testimony today and working with my chair and the rest of my colleagues in the days and weeks ahead to help you in this next fiscal year.

I yield back, Madam Chair.

Ms. PINGREE. Thank you so much, Mr. Joyce, and thank you for your kind words. I look forward to working on this with you, and I am also pleased you mentioned our departed colleague, Don Young. We are all going to miss him very much and his important commitment to Indian Country.

Do any other members wish to make an opening statement?

[No response.]

Ms. PINGREE. Okay. Seeing none, we will begin to hear the testimony from our witnesses, and thank you all so much for taking your time to be with us today. We are really looking forward to having a conversation with you.

I will begin by recognizing Mr. Kirk Francis, the president of the United South and Eastern Tribes, and I feel very fortunate to have Chief Francis as a chief of an important Penobscot Tribe in our State. So it is a pleasure to have you with us today, and it is always good to hear your voice. So thank you so much for joining us, and please go ahead with your remarks.

Mr. FRANCIS. Thank you, Congresswoman, and it is great to see you as well. And so, Congresswoman Pingree, Ranking Member Joyce, members of the subcommittee, thank you for the opportunity to allow me to provide testimony. My name is Kirk Francis. I serve as president of the United South and Eastern Tribes Sovereignty Protection Fund. I am also proudly serving as chief of the Penobscot Indian Nation in the Great State of Maine.

We are here today to both celebrate historic proposals in the President's budget request and to also once again remind you all that the Federal Government continues to fail to deliver upon its obligations to tribal nations and native people. This failure has persisted regardless of changes in administration or Congress. Despite reports, investigations, recommendations, and consistent advocacy from Indian Country, it has been evident in the 2003 "Quiet Crisis" report, the 2018 "Broken Promises" report, and the way the COVID-19 has ravaged our Nation's people and communities.

Deep and chronic failures require bold, systematic changes.

I am sorry, Congresswoman. Am I not on camera?

Ms. PINGREE. No, you are not. It is a tribal symbol, not you.

Mr. FRANCIS. I just got a notice from your staff. Is that better?

Ms. PINGREE. It is. Technology is jinxed today, so we are just going to expect this to happen.

Mr. FRANCIS. Deep and chronic failures require bold, systematic changes, some of which now have been proposed by the President. This is not a question about addressing poverty and needs across Indian Country. Our relationship with the United States is ultimately about honor, fulfilling commitments and promises. The solutions that we offer involve a fundamental shift in Federal Indian policy and funding. They will allow Indian Country to realize its great potential and create lasting, positive change for tribal nations and our people.

It is critical that the administration propose and Congress demand budgets that contain full funding for all Federal Indian agencies and programs. Given our history and unique relationship, this funding can no longer be subject to the instability of discretionary spending. We must achieve full and mandatory funding for all Federal Indian agencies and programs, and the President's unprecedented request for IHS, though not entirely reflective of the tribal estimate for full funding, is an excellent start.

The process under which OMB develops budgets and policy that impact us require reform also. We believe a strong tribal affairs office should be created at OMB. In concert with the office, OMB must be required to produce full, detailed accountings of the Federal funding distributed to Indian Country, including only what tribal nations access, not funds which we are technically eligible for. While we are appreciative of the inclusion of funding for tribal nations in the Infrastructure Investment and Jobs Act, this level of funding is insufficient to address centuries of unmet infrastructure obligations. A much greater Federal investment is necessary to rebuild tribal nation infrastructure and economies. Similar to the U.S. investment in the rebuilding of post-World War II Europe via Marshall Plan, the legislative and executive branches should commit to the same investment to rebuild tribal nations.

As we await further details on the President's request for fiscal year 2023, we celebrate the historic nature of the administration's proposal to move IHS and other funding to the mandatory side of the budget as well as a plan to begin to close gaps in IHS funding. We are pleased to see the proposed \$1.1 billion increase to programs within DOI Indian Affairs. However, we also note the historic and continued unmet funding obligation with regards to BIA's diverse line items. The recent DOI report cites the full funding obligation of just public safety and justice lines at \$3 billion.

While we firmly believe all Indian Country funding should be fully funded today, including the IHS, we recognize that the Biden administration has taken a positive step forward in its proposal to move us closer to that reality. We now call upon Congress, and this subcommittee in particular, to work with tribal nations and the administration to fulfill the government's responsibilities and to ensure that these proposals are enacted. While each member of Congress shares equally in trust and treaty obligations, you have a unique understanding of these obligations, including unmet funding obligations, and, more importantly, an opportunity to drive historic change.

You know how the chronic underfunding of IHS has contributed to the lack of access to care, health disparities, and preventable death in Indian Country, especially during the COVID crisis. We ask that you join us in supporting the administration's proposal for IHS as well as CSC and 105(l), and use this knowledge in conversations with colleagues. We know that it will take tribal leaders an advocates, the administration, and congressional appropriators working together to enact these.

In closing, we implore you to lead the change within Congress that is necessary to improve how the United States views, honors, and fulfills its promises to Indian Country. The Federal budget is a reflection of this commitment. We recognize that there are many

issues that this body considers. However, we ask that you always remember this Nation's first promise to its first people, the promise that resulted in an exchange responsible for the vast wealth, power, and influence of this great country.

Thank you for the opportunity to testify, and I am happy to answer any questions.

[The statement of Mr. Francis follows:]



**Testimony of President Kirk Francis, United South and Eastern Tribes Sovereignty Protection Fund
House Appropriations Subcommittee on Interior, Environment, and Related Agencies
FY 2023 Tribal Public Witness Hearings, April 6, 2022**

Chairwoman Pingree, Ranking Member Joyce, and members of the Subcommittee, thank you for opportunity to provide testimony regarding our funding priorities and the President's Budget Request for Fiscal Year (FY) 2023. My name is Kirk Francis. I serve as the President of United South and Eastern Tribes Sovereignty Protection Fund (USET SPF). I am also the Chief of the Penobscot Indian Nation, located at Indian Island, Maine. My testimony will focus on funding for federal Indian programs at the Department of the Interior (DOI), the Indian Health Service (IHS), and beyond. As we await additional details on the President's FY 2023 Request via congressional justifications, we celebrate the historic nature of the Administration's proposals that have been released—namely, the proposal to substantially increase IHS funding and shift it to the mandatory side of the budget. This proposal represents a pivotal change in the way the U.S. meets its trust and treaty obligations, and an opportunity to more fully honor the federal government's sacred promises to Tribal Nations. As these promises have yet to be fulfilled, we urge this Congress demonstrate its desire to honor these solemn agreements by making these proposals a reality as a first step to expanding them to all agencies and programs serving Tribal Nations. We appreciate this Subcommittee's continued commitment to holding Tribal Public Witness hearings and look forward to working together to ensure these bold proposals are enacted.

USET SPF is a non-profit, inter-tribal organization advocating on behalf of thirty-three (33) federally recognized Tribal Nations from the Northeastern Woodlands to the Everglades and across the Gulf of Mexico. USET SPF member Tribal Nations are within the Eastern Region and Southern Plains Region of the Bureau of Indian Affairs and the Nashville Area of the Indian Health Service, covering a large expanse of land compared to other regions. Due to this large geographic area, USET SPF Tribal Nations have great diversity in cultural traditions, land holdings, and resources.

As the Subcommittee is well aware, Native people have endured many injustices as a result of federal policy, including federal actions that sought to terminate Tribal Nations, assimilate Native people, and to erode Tribal territories, learning, and cultures. This story involves the cession of vast land holdings and natural resources, oftentimes by force, to the United States out of which grew an obligation to provide benefits and services—promises made to Tribal Nations that exist in perpetuity. These resources are the very foundation of this nation and have allowed the United States to become the wealthiest and strongest world power in history. Federal appropriations and services to Tribal Nations and Native people are simply a repayment on this perpetual debt. USET SPF has consistently called upon the United States to deliver and fulfill its sacred promises to Tribal Nations and to act with honor and honesty in its dealings with Indian Country. The time is long overdue for a comprehensive overhaul of the trust relationship and obligations, one that results in the United States finally keeping the promises made to us as sovereign nations in accordance with our special and unique diplomatic relationship.

Over the course of our centuries-long relationship, at no point has the United States honored these sacred promises; including its historic and ongoing failure to prioritize funding for Indian country. The chronic underfunding of federal Indian programs continues to have disastrous impacts upon Tribal governments and Native people. As the United States continues to break its promises to us, despite its own prosperity, Native people experience some of the greatest disparities among all populations in this country and have for generations. It is no surprise, then, that the failures of the federal government have come into sharper focus due to the global pandemic. Decades of broken promises, neglect, underfunding, and inaction on behalf of the federal government left Indian Country severely under-resourced and at extreme risk during the COVID-19 crisis.

In December 2018, the U.S. Commission on Civil Rights issued the *Broken Promises* Report, following years of advocacy from Tribal Nations and organizations seeking an update to the 2003 *Quiet Crisis* Report. The Commission concluded that the funding of the federal trust responsibility and obligations remains "grossly inadequate" and a "barely perceptible and decreasing percentage of agency budgets." The report confirms what we in Indian Country already know—with the exception of some minor improvements, the U.S. continues to

neglect to meet its “most basic” obligations to Tribal Nations. Though these chronic failures have persisted throughout changes in Administration and Congress, it is time that both the legislative and executive branches confront and correct them.

Mandatory Funding for the Indian Health Service and Binding Obligations. Above all, the COVID-19 crisis has highlighted the urgent need to provide full and guaranteed federal funding to Tribal Nations in fulfillment of the trust obligation. Because of our history and unique relationship with the United States, the trust obligation of the federal government to Native peoples, as reflected in the federal budget, is fundamentally different from ordinary discretionary spending and should be considered mandatory in nature. Payments on debt to Indian Country should not be vulnerable to year to year “discretionary” decisions by appropriators. Honoring the first promises made by this country, in pursuing the establishment of its great principled democratic experiment, should not be a discretionary decision.

For the very first time, the Request proposes a shift in funding for the Indian Health Service (IHS) from the discretionary to the mandatory side of the federal budget, a move that stabilizes the agency and is more representative of perpetual trust and treaty obligations. Further, a substantial request of \$9.1 billion for IHS in FY 2023 includes a 10-year plan to close funding gaps, increasing IHS funding to \$36.7 billion in FY 2032—a 296% increase over this period—and exempting agency funds from sequestration. This change makes meaningful inroads in the chronic underfunding of the IHS, while responding to the dangerous instability the Indian Health System faces during continuing resolutions and government shutdowns. Year after year, USET SPF has urged multiple Administrations and Congresses to request and enact budgets that honor the unique, Nation-to-Nation relationship between Tribal Nations and the United States, including providing full and mandatory funding. While we firmly believe all Indian Country funding should be fully funded today, including the IHS, we recognize that the Biden Administration has taken an unprecedented and positive step forward in its proposal to move us closer to that reality.

In addition to doing so as a part of the IHS proposal, the Request proposes mandatory funding for Contract Support Costs and 105(l) leases—binding obligations—at BIA and the Bureau of Indian Education. While we contend that all federal Indian agencies and programs should be subject to mandatory funding, in recognition of perpetual trust and treaty obligations, we support the immediate transfer of these lines to the mandatory side of the federal budget. This will ensure that funding increases are able to be allocated to service delivery, as opposed to the federal government’s legal obligations.

These proposals represent a dramatic shift in federal Indian policy and the delivery of trust and treaty obligations—for which USET SPF has consistently and passionately advocated. Never before has an Administration issued a Budget Request that calls for mandatory funding, as well as a plan to substantially increase funding for an agency charged with fulfilling sacred promises to Tribal Nations. We now call upon Congress, and this Subcommittee in particular, to work with Tribal Nations and the Administration fulfill its responsibilities and work to ensure that these proposals are included in any final FY 2023 appropriations legislation.

While USET SPF takes a firm position that all members of Congress have an obligation to Tribal Nations, the members of this Subcommittee have a greater role in understanding and working toward fulfillment of trust and treaty obligations. As leaders who have consistently demonstrated a greater understanding of this commitment and obligation, we implore you to lead the change within Congress that is necessary to improve how the United States views, honors, and fulfills its promises to Indian Country, including through the enactment of these proposals. The federal budget is a reflection of this commitment. We recognize that there are many causes and issues that this body considers. However, we ask that you always remember this nation’s first promise to its First People—the promise that resulted in an exchange responsible for the vast wealth, power, and influence of this country.

Reforming the Office of Management and Budget. The Office of Management and Budget (OMB) asserts that over \$28 billion in federal dollars is appropriated to Indian Country annually. From the perspective of Tribal advocates, this number seems to be widely inflated, with far less actually reaching Tribal Nations and Tribal citizens. We suspect that OMB arrives at this figure by tallying the amount for which Tribal Nations and entities are “eligible”, regardless of whether these dollars actually reach Indian Country. Regardless, this represents less than 1/10 of 1% of the annual value that the U.S. enjoys from lands and the natural resources which once belonged to Tribal Nations and which stand as the source of the exchange between our two sovereigns that resulted in the obligations we are discussing today. Yet, despite the fraction of a percent that the figure represents, Indian Country once again finds itself here asking the U.S. to honor its promises. Both USET SPF and the Tribal Interior Budget Council (TIBC) have asked OMB for a full, detailed accounting of federal funding distributed to Indian Country. While OMB is working to refine its Native American Crosscut, we have not yet seen the level of detail we are seeking. This information is essential to the measurement of the federal government’s own success in meeting its obligations and the work of Tribal Nations. Congress must hold OMB accountable and require the agency to provide the necessary detail to support this funding claim on an annual basis, while demanding budgets containing full funding figures from federal agencies. In the long-term, we are seeking reforms to OMB that would include a consultation requirement, a dedicated Tribal Affairs department, and a Tribal advisory committee.

Invest in and Rebuild Tribal Infrastructure—A Marshall Plan for Tribal Nations. For generations, the federal government – despite abiding trust and treaty obligations – has substantially under-invested in Indian Country’s infrastructure. While the United States faces crumbling infrastructure nationally, there are many in Indian Country who lack even basic infrastructure. Following insufficient levels of funding for Tribal Nations in the Infrastructure Investment and Jobs Act, the United States must commit to supporting the rebuilding and restoration of the sovereign Tribal Nations that exist within its domestic borders. Much like the U.S. investment in the rebuilding European nations following World War II via the Marshall Plan, the legislative and executive branches should commit to the same level of responsibility to assisting in the rebuilding of Tribal Nations, as our current circumstances are, in large part, directly attributable to the shameful acts and policies of the United States. In the same way the Marshall Plan acknowledged America’s debt to European sovereigns and was utilized to strengthen our relationships and security abroad, the United States should make this strategic investment domestically. Strong Tribal Nations will result in a strengthened United States. At the same time, any infrastructure build-out, in Indian Country and beyond, must not occur at the expense of Tribal consultation, sovereignty, sacred sites, or public health.

Promote Self-Governance through Interagency Transfer Authority. USET SPF is working toward a future in which all federal dollars are eligible to be contracted or compacted under the Indian Self-Determination and Education Assistance Act (ISDEAA). In the meantime, we urge the Appropriations Committee to ensure all federal Indian funding can be transferred between federal agencies, so that it may be received through contracts and compacts. We cite the unnecessary delays and barriers to the receipt of urgently needed COVID-19 relief funding as an example of why this authority must be confirmed.

Department of the Interior (DOI). We are pleased to note that President Biden’s topline request for Indian Affairs within DOI is \$4.5 billion, which is a \$1.1 billion increase over the FY 2022 enacted level. This includes \$2.8 billion for BIA and \$1.6 billion for BIE. We support the targeted investments the proposal makes in public safety and justice, including funds to address the crisis of Missing and Murdered Indigenous People, social services, and Tribal climate resilience. We also note the historic and continued unmet funding obligations with regard BIA’s diverse line items and remain encouraged by the nearly across-the-board increases provided under the FY 2023 request. After years of budget requests proposing deep cuts to BIA, we urge Congress to work with the Biden Administration to enact substantial increases across the agency.

Working in partnership with Indian Affairs, the yearly budget formulation process now offers a much more comprehensive look at the priorities of Tribal Nations across the many lines and accounts found within the BIA and BIE budgets. However, we remain focused on the addition of a component or calculation of BIA's unfunded obligations in order to measure how well the U.S. is honoring its promises, on which Indian Affairs Leadership recently agreed to collaborate. This body should want to know the full extent of DOI's unmet funding obligations to Indian Country. We cite a recent report to Congress from DOI conveying placing a full funding total for just Public Safety & Justice programs at \$3 billion as the type of data we are seeking across the agency. We offer the Eastern Region's top priority in eight different strategic funding categories, all of which have received increases, many substantial, under the President's FY 2023 proposal. We urge Congress to maintain or exceed these increases:

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| <ol style="list-style-type: none"> 1. <u>Strengthening Tribal Communities: Social Services (TPA)</u> 2. <u>Trust-Natural Resources Management: Natural Resources (TPA)</u> 3. <u>Trust-Land & Water Rights Management: Real Estate Services Program (TPA)</u> 4. <u>Public Safety & Justice: Tribal Courts (TPA)</u> | <ol style="list-style-type: none"> 5. <u>Economic Development: Economic Development (TPA)</u> 6. <u>Education: Scholarships & Adult Education (TPA)</u> 7. <u>Construction: Education Facilities Improvement and Repair</u> 8. <u>Resource Management Construction: Federal Power Compliance [FERC]</u> |
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Indian Health Service (IHS). While USET SPF lauds the Administration's high-level proposals for IHS funding, we are unable to comment on the President's FY 2023 Budget Request for IHS in greater detail, as proposed FY 2023 funding by line item is not yet available. We are pleased to see the proposed funding amount of \$9.1 billion, a substantial increase of \$2.5 billion over FY 2022 enacted. While we have consistently advocated for full funding¹ for IHS, as this is the only way to truly uphold fiduciary obligations to Tribal Nations, we greatly appreciate the Administration's commitment to increasing IHS resources and look forward to additional consultation on a full funding number. In addition to supporting a robust funding stream for current operations that reflects medical inflation, Nashville Area Tribal Nations identified the following top 10 priority line items for increases in FY 2023:

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| <ol style="list-style-type: none"> 1. <u>Hospitals & Health Clinics</u> 2. <u>Purchased/Referred Care</u> 3. <u>Alcohol & Substance Abuse</u> 4. <u>Mental Health</u> 5. <u>Electronic Health Record System</u> | <ol style="list-style-type: none"> 6. <u>Dental Health</u> 7. <u>Community Health Representatives</u> 8. <u>Maintenance and Improvement</u> 9. <u>Health Education</u> 10. <u>Self-Governance</u> |
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Nashville Area priorities and hot issues also include funding for Health Care Facilities Construction and the specific implementation of an Area Distribution Fund, Facilities and Environmental Health, continued support for newly federally recognized Tribal Nations, Hepatitis C prevention and treatment, funding for telehealth resources, Health Education, impacts of COVID-19 on user pop and workload data, constitutionality challenges, increases in SDPI funding, modernizing health IT, and parity in group payor authorities when sponsoring patients on insurance plans.

Other Selected Lines and Programs. Though not an exhaustive list, USET SPF strongly supports the continued funding and urges increases for the following lines and programs, with a goal of reaching full and mandatory funding for each: Good Health and Wellness in Indian Country (CDC), Rural Community Facilities (ACF), Tribal Opioid Response Grants (SAMHSA), Community Development Financial Institutions Fund grants, the Indian Community Development Block Grant, USDA Rural Business Development grants, EPA state and Tribal assistance grants, BIA Tribal Climate Science Centers, Tribal Historic Preservation funding, the 5% Tribal set aside from the Crime Victims Fund, and Native American Housing Block Grants.

¹ Current estimates put full funding for IHS at approximately \$48 billion.

Ms. PINGREE. Thank you very much, Chief Francis.

Next, we will hear from Ms. Julie Kitka, the president of the Alaska Federation of Natives.

Ms. KITKA. Thank you, Madam Chairwoman, and Ranking Member, and members of the committee. It is my honor to testify today. I serve as the president of the Alaska Federation of Natives, the long-term president.

I want to first thank you for recognizing our long-term congressman who passed away on March 18. He was in his 25th term, 49 years in that distinguished body. I don't think that we have ever really remembered anybody else serving in that position on that, and so I want to thank you for allowing him to lie in the Statutory Hall with the respect that was given. And we are working with our governor on some possible naming opportunities to be appropriately respectful of his contributions to rebuilding our State on that, but thank you for all the courtesies. And he was a character. We know that there were many things that people liked and a little controversies, but he had a kind heart, and he really, truly, deeply loved the native people of Alaska and across the country and did his best.

I also want to thank you for the Congress' support in the CARES funding, and the American Rescue, and the Infrastructure on that. These are historic levels of funding and effort directed in our communities on that, and they really are making a difference. When we first were assessing models on the COVID, the medical models of how that would impact our population, we were scared to death. The worst-case model had projections of deaths of 14,000 of our people just in Anchorage and Mat-Su within 3 months. Fortunately, through the interventions of the health system and everybody's effort, and just the trajectory of the virus itself, we didn't have that level of death. I believe we have had about 250,000 cases in our State, and the death rate has been hovering, I believe, about a little under 2,000 on that.

But, again, we threw everything into supporting our tribal health system. Everybody threw everything into working cooperatively with the State. For the first time ever, we had our governor request a unified command from the Secretary of Defense, and so we had a very streamlined response working with the Federal, and State, and FEMA, and everybody. And I really, truly believe it was everybody working together with a good deal of luck that we survived what we did. But we are putting those resources to good use. We are repairing and replenishing our health system and building back up our capabilities.

For the record, I would like my written comments to be considered on some of the regional priorities up here. I reiterate the need for further funding for public safety, and bring to your attention we have over 60 of our remote rural communities that have no on-the-ground public safety presence at all. And in this security climate that we are dealing with just across our border, a very aggressive Russia, and seeing what is happening in Ukraine, and the additional national security challenges up here, it is totally unacceptable not have public safety and domain awareness all around our vast land. So I really want to urge you to support increasing the

public safety and making sure it gets to where it is needed, but also communications, supporting and expanding communications.

Historic levels of funding have been put out into expansion of broadband, and we just need to see that is deployed wisely. One need that we see on that is the need for coordinating mechanisms between tribal funding and funding that goes to the State on that. There are also historical levels going into State governments. We want to make sure there are no gaps, and so a focus on setting up coordinating mechanisms of Federal, State, tribal is really, really much needed both on broadband as well as infrastructure spending on that. Again, we know these are historic levels, and we don't want to waste a dollar. We want to stretch them as far as we can, but unless we are coordinating all together on that, the risk of things falling through the cracks are high.

Again, in prioritizing resiliency, climate change is hitting our communities. We see high levels of erosion. We have multiple forums that we have had on the damages to erosion both to our airports, and to our hospitals, and our clinics, and our military's erosion concerns, housing, community buildings, the erosion, the melting of the permafrost, the release of methane gas, lots of challenges and the climate change that need to be addressed. And, again, the resiliency and adaptation to change is going to be critical.

Another one I want to bring to your attention is the need on food security. We recently had 15 of our hunters that were stranded as they didn't get the fish in their communities and went further afield to hunt for beluga whales and seals and got stranded because of the freeze on the rivers on that, and they were needing to fill their home freezers and food sources for their community. So the climate change also impacts greatly food security and the ability for people to continue their way of life, so I want to bring that to your attention. I also want to encourage you to support public/private partnerships. That is the way that we are going to make our leap forward on economic development and economic recovery. We can't do it all on government funding. We need to be able to reach out and build these partnerships, both tribal partnerships with government, but also bringing in other private sectors in that.

So with that, I want to leave you with one thought. One of the most effective Federal models for moving Federal resources to our communities is the compacting model. I want to urge you to expand the legal ability for compacting to occur in other departments, such as Department of Justice, dealing with public safety, but also Department of Education. We have asked for a solicitor's opinion on using the Department of Interior's compacting authority to flow other resources into compacting from other departments and are awaiting that. We are in the process—

Ms. PINGREE. Can I get you to wrap up? I am sorry to interrupt.

Ms. KITKA. My final comment is urge you to support Federal-State tribal compacting. We have just gotten an education compacting demonstration model out of our State Senate on that, and it will be among the first Federal-State tribal compacts. And we really do think that there is some coordination and some innovation that can occur in that.

So with that, thank you very much for the opportunity to speak with you this morning.

[The statement of Ms. Kitka follows:]

**Testimony of Julie Kitka, President, Alaska Federation of Natives
FY2023 Regional Tribal Organizations Public Witness Day
April 6, 2022**

Thank you for this opportunity to testify. Formed almost 55 years ago to achieve a fair and just settlement of Alaska Native aboriginal land claims, AFN is the oldest and largest statewide Native membership organization in Alaska. Our membership includes 158 sovereign Alaska Native tribes, 141 for-profit village Native corporations, 10 for-profit regional Native corporations established pursuant to the Alaska Native Claims Settlement Act, and 12 regional nonprofit tribal consortia that contract and compact to administer federal programs under the Indian Self-Determination and Education Assistance Act. The mission of AFN, among other things, is to advance and enhance the political voice of Alaska Natives on issues of mutual concern.

Today, we represent more than 120,000 Alaska Natives through our members, which we interface with year-round and each October during our three-day Annual Convention to set the Alaska Native community's federal, state, local, and tribal priorities for the coming year.

AFN would like to offer testimony today on the need to create equity among indigenous peoples, federal agencies, policies, and programs in the FY23 budget. More specifically, the Department of the Interior FY 23 budget. AFN was pleased to see President Biden's historic investments in programs and activities benefiting Tribal Nations, organizations, communities, and Native American individuals. This investment comes at a critical time for our Native communities as we recover from the Covid-19 pandemic.

First, I would like to offer an overview of Alaska's unique form of Tribal Self-Governance and Native Self-Determination. Alaska is different. The state and its people, as observed by the U.S. Supreme Court in *Sturgeon v. Frost*, are often the exception, not the rule. This is especially true for Alaska Natives as compared to American Indians. While both Alaska Natives and American Indians are distinct sovereign entities that predate the formation of the United States, they differ in the way they govern their lands and members. American Indians generally operate through a single entity—their respective tribe—which exercises both inherent self-governance powers and self-determination rights over the tribe's lands and members. Alaska Natives, on the other hand, generally operate through three distinct but interrelated entities—the respective tribe, corporation (regional and village), and tribal nonprofit organization—which share self-governance and self-determination responsibilities for Alaska Native lands and peoples. Under Alaska's unique form of tribal self-governance and Native self-determination, Alaska Native tribes retain the inherent sovereign authority to govern their members. ANCs and tribal organizations do not possess self-governance powers. Rather, ANCs manage (and own) Alaska Native lands, and tribal organizations provide social services to Alaska Natives in their respective 'service population' and 'service delivery area,' and through this join Alaska Native tribes in furthering the self-determination of Alaska Natives.

For this reason, it is critical to ensure that Alaska Native Corporations are included in the FY 23 budget where appropriate. Excluding our organizations does a disservice to our Alaska Native Communities and organizations. As such, I ask this committee to use AFN and our Alaska Congressional delegation as a resource when deciding what organizations should be included in programs. AFN fully supports the definition of “tribe” in the Indian Self-Determination and Education Assistance Act as a holistic approach to ensure that all Alaska Native organizations are included in public policies and programs.

Public Safety

AFN appreciates President Biden's \$1.1 billion increase above the 2021 enacted level for the Department of the Interior to support public safety and justice, social services, climate resilience, and educational needs to uphold Federal trust and treaty responsibilities and advance equity for Native communities. The additional \$632 million in Tribal Public Safety and Justice funding at the Department of the Interior is also a welcome addition to the FY 23 budget request.

Many Alaska Native villages have no local law enforcement or police of any kind. For example, in May of 2019, 98 tribal communities in Alaska had no state-funded law enforcement, and about 70 of those communities had no local police of any kind. Jurisdictional and geographic barriers consistently prove too high a burden for traditional law enforcement, and health systems to overcome, resulting in disproportionate rates of health, physical and sexual violence. According to the Indian Law Resource Center, nearly half of all Native women have experienced sexual violence. Alaska Native women continue to suffer the highest rate of forcible sexual assault and have reported rates of domestic violence up to 10 times higher than in the rest of the United States. A new approach with more tribal input, authority, and control is needed to address the inequities in our public safety system.

The public safety crisis in rural Alaska was elevated, on June 28, 2019, when former U.S. Attorney General William Barr took a significant step to remedy the public safety plight of hundreds of thousands of Alaskans, the majority of which are Alaska Natives, by declaring a federal law enforcement emergency in rural Alaska. The historic declaration made more than \$10 million dollars in U.S. Department of Justice (DOJ) funds immediately available to Alaska Native tribes and tribal organizations to address short-term critical law enforcement needs in the state's more than 200 rural Native villages and identified almost \$175 million more than tribes and tribal organizations could utilize to support long-term public safety efforts.

Following former U.S. Attorney General William Barr emergency declaration, U.S. Senator Lisa Murkowski introduced S. 2616, The Alaska Tribal Public Safety Empowerment Act. S. 2612, alongside Congressman Young's pilot program, was received favorably by the Alaska Native community as an innovative step to address the public safety crisis in our Alaska Native communities. The legislation, which builds on the pilot program U.S. Congressman Don Young inserted into the House-passed version of the Violence Against Women Act of 2013, would allow five federally recognized Alaska Native tribes to prosecute individuals who commit certain

offenses within their villages on a pilot basis regardless of tribal citizenship. S. 2616 authorizes the pilot tribes and inter-tribal organizations to exercise civil jurisdiction over all persons in their villages for all civil crimes; and authorizes the tribes and tribal organizations to exercise special criminal jurisdiction over all persons—including non-Natives—for crimes involving domestic violence; dating violence; sexual violence; violation of a protective order; stalking; sex trafficking; obstruction of justice; assault of a law enforcement or corrections officers; any crime against a child; and any crime involving the illegal possession, transportation, or sale of alcohol or drugs. AFN strongly encourages the Senate Committee on Indian Affairs to support the passage of the Alaska Tribal Public Safety Empowerment Act or similar language in the 117th Congress.¹

AFN does not believe a tribal public safety network can be funded through short term grants, this is not an equitable solution. AFN urges the House Interior, Environment, and Related Agencies Appropriations Subcommittee to support the expansion of compacting and contracting authority for Department of Justice programs and other funds in the Department of the Interior to tribes to ensure a stable funding source as opposed to grants. More specifically, such as fully supporting and expanding the \$632 million in Tribal Public Safety and Justice funding at the Department of the Interior.

Recovering from the Covid-19 pandemic

The COVID-19 pandemic has underscored the faultiness in Alaska's government services and the weaknesses of Alaska's rural economy, hitting Alaska Natives especially hard. Persistent poverty and severe economic hardship have plagued our communities for generations. In Alaska 23.8 percent of American Indian or Alaska Natives lived in poverty in 2017.² As it is nationally, the percentage of American Indian or Alaska Natives is higher than any other group. As of today, I am happy to report that Alaska and specifically, the Alaska Tribal Health system leads the nation in vaccination rates. While this is great news and trend, it does not diminish the damage and trauma that this pandemic has caused.

Alaska tribes, along with their tribal health organizations, corporations, and nonprofits, are playing a critical role in responding to Alaska's novel coronavirus challenges, working diligently to stop the spread of, and promote recovery from, the COVID-19 pandemic. Alaska Native communities have historically been disproportionately impacted by pandemics. Because of the health conditions that the Centers for Disease Control and Prevention (CDC) notes increase the risk for a more serious COVID-19 illness, including respiratory illnesses, diabetes, and other health conditions, we are extremely concerned. As a result, Alaska tribes are currently providing essential services to their communities and dedicating resources to the unique circumstances of COVID-19 response that would otherwise be used on economic development opportunities.

¹ AFN Convention Resolution 20-10

² Date from the 2017 U.S. Census Bureau American Community Survey

AFN is confident that Alaska Natives have the track record, capabilities, and knowledge to help get Alaska back on track. The Biden Administration with oversight and input from the Senate Committee on Indian Affairs can partner with Alaska tribes to identify effective economic stimulus programs that can be tailored to the unique circumstances in our Native communities including Alaska's unique system of self-determination and tribal governance. U.S. financial and tax incentives can increase both local and expanded investment in their villages — which can lead to stronger and more responsive economic performance levels and desperately needed jobs — and overcome the challenges posed by low population and lack of economies of scale.

With the support of AFN, the Alaska and Hawaiian Congressional Delegation introduced legislation to create a domestic version of the Millennium Challenge Corporation (MCC) in the 116th Congress. MCC is an independent federal agency established in January 2004 to deliver foreign aid in an innovative way. It provides time-limited grants to developing countries that meet certain standards of governance. The aid is designed to promote economic growth, reduce poverty, and strengthen institutions. MCC's focus areas include health, education, energy and power, and transportation infrastructure. The legislation introduced in the 116th Congress directs the Secretary of the Interior to establish demonstration projects like the MCC to assist remote Alaska Native and Native Hawaiian communities with economic development and poverty reduction in a manner that promotes self-determination and self-sufficiency and authorizes \$8 million in funding for fiscal years 2020 through 2025. Neither the House nor Senate bill was heard in Committee and as such, AFN urges Congress to consider this option as an innovative solution to help our Native communities recover from the Covid-19 pandemic and as an option to implement the Infrastructure Bill and FY 23 budget.

Conclusion

AFN deeply appreciates the opportunity to present our communities priorities for the FY 23 budget. We look forward to working with this Committee and its members during the rest of the 117th Congress to advance the interests, and priorities, and redress inequities in the policies and programs that serve as barriers to equal opportunities for American Indian, Alaska Natives, and Native Hawaiians.

Quyana, Gunalchéesh, Haw'aa, Baasee, Thank you.

Ms. PINGREE. Sure. Thank you so much for your time.

Next, we have Mr. Serrell Smokey, the president of Inter-Tribal Council of Nevada. Please go ahead with your remarks. Thank you.

Mr. SMOKEY. [Speaking native language.] My name is Serrell Smokey. I am the chairman of the Washoe Tribe of Nevada in California, also the president of the Inter-Tribal Council of Nevada. Today, I am speaking on behalf of the 27 tribes in the State of Nevada, and thank you for your time. I am going to start off with environmental issues, funding for environmental.

Nevada is a huge mining State. Along with mining comes a lot of environmental issues, air and water quality standards. Our Superfund sites have been set back by decades from the previous administration removing EPA and putting in a public relations specialist. So now we are trying to reestablish all work that was previously done and get back to a solid base so we can move forward. General assistance programs, State and tribal assistance grants funding has remained stagnant for decades, close to 20 years now, without giving anything more back to the tribes. They give us the bare minimum to even maintain operations with environmental areas within our tribe.

Living in the desert, water is a rare commodity. It always has been. Nevada has a lot of desert. With that, I am going to bring up climate change. Whether you believe in climate change or not, in the State of Nevada, we are seeing the serious effects of it, mainly for the dryness, the lack of water, the lack of snow that we get every year. Wildfires are huge. Tribal lands have lost thousands of acres this year, more than in a long, long time, so we are seeing the effects. Along with that comes the loss of cultural plants, medicines, and these things weren't only just wiped out from the fires. They were being wiped out before that because we are not getting the weather that we used to, and unless we take action, they are just going to die off naturally. They will not grow back. Action needs to be taken. Funding needs to be provided for that, for restoration. All we have is the hopes that our future generations will be able to know what these cultural traditional plants and medicines were instead of them being in history books. So we need to take action now.

I will give you a specific example. First, the Washoe people are concerned as the pine nuts and the pine nut trees are half wiped out by the fire, the other half drying out because of bug infestations because we don't get the snowpacks that Nevada used to get. Now, along with that, there is also a program for cultural language historical preservation. Many of the tribes in the State of Nevada are very small and very rural, so we are spread out all across these land bases. And when program funding comes down as competitive grants, we don't qualify for them or we don't have the capacity to fulfill the needs that the grant is expected to. So funding needs to be provided to make changes in those policies so that it will also fall under Department of Interior because that is where most of the tribal monies usually come from.

Law enforcement, public safety, emergency services. Within the State of Nevada, we have a huge setback, especially for those tribes that don't have their own law enforcement or their own court systems. We have wait times, delays of up to 45 minutes response

times. That would be fires, life or death situations, including homicides that have happened that have taken over 40 minutes to get a response from a tribal law enforcement officer. So there is a huge deficiency there.

Along with everybody else, within the State of Nevada, we don't have an IHS facility. Being under the Phoenix region, the closest IHS facility is in Phoenix, which is an average of 12 hours away from Northern Nevada tribes, which is where the majority of the Nevada tribes are located. Behavioral health is a huge issue affecting every community in every reservation. I know there was a discussion even yesterday about the advanced appropriations, mandatory appropriations, including the word "mandatory funding." That all needs to be clearly defined for tribes so that we know exactly what we are getting and so we know what we can expect on a year-to-year basis. In 2019, we had the longest shutdown, and we had clinics within the State of Nevada that we are shutting down that could not service our people.

In closing, I would just like to say that I hope these hearings, consultations are all taken seriously. I really appreciate the work that is all being done by the committees and subcommittees. And I want to remind everybody that we as tribes, we are here because of the trust responsibility of the government. We did not choose this. We were told that this is the route that we had to go. And as long as we are not allowed to be true sovereign nations, as is under the definition of trust responsibilities, then we want to uphold and make sure that the government is doing what is best for our tribal nations and taking everybody's comments seriously. And I look forward to working with everybody. I look forward to future collaborations, and I hope we can all come together and do the right thing for native people and Indian Country.

Thank you.

[The statement of Mr. Smokey follows:]



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To Whom it May Concern,

This body, the **House Interior Appropriations Subcommittee**, is responsible for appropriating funding for Interior, Environment, and Related Agencies. You all have one of the broadest jurisdictions of any committee in Congress, and with that comes great responsibility.

In the Biden-Harris Administrations Year One Report on America the Beautiful (December 2021), it states that this administration will “Honor Tribal Sovereignty and Support Priorities of Tribal Nations.” Further in that report, it states that this Administration has strengthened Tribal Consultation, Tribal Co-Stewardship of Public Lands and Waters, committed to Protecting Tribal Treaty Rights, committed to improving the Protection of, and Access to, Indigenous Sacred Sites, empowered the Bureau of Indian Affairs (BIA) ability to Review and Approve Applications to Place Land Into Trust, elevating the importance of Indigenous Traditional Ecological Knowledge (ITEK), replace Derogatory Names, Advance Place-based Priorities, and committed to providing Grants and Funding for Native American Tribes.

These priorities of the Biden-Harris administration, require collaboration with federally recognized Tribes and Native American groups, in order to see the desired results. Implementation of these priorities require federal agency representatives to meet with tribal leaders and tribal employees, to work on plans, schedules, projects, and the administrative work needed to get to those tangible results.

You are the people who appropriate the money for this work, and it is vital that you understand that Nevada Tribes simply don’t have the money to meet our end of this collaboration.

Out of the 27 federally constituent Tribes of ITCN, only 1 Tribe owns a small casino in Nevada, and another owns some gambling machines in their truck stop. Some of our Tribes have small businesses like gas stations, auto shops, tourist stores near beautiful locations, and now we are seeing growth of cannabis dispensaries. But our Tribes don’t have the capital to employee the technical experts and tribal personnel needed to do the essential work needed to protect the environment, and so we rely on government grant funding.

Nevada is a mining state. We have gold, silver, copper, and now we have lithium, and other rare earth mineral mining needed to extract minerals to

support green technology. Tribes are told to respond to requests for comment within 30 days, to read and comment on large Environmental Impact Statements (EIS), to walk areas with federal land management agencies and identify locations and to tell these federal agency representatives what our priorities are, and what we think you need to protect and preserve.

We simply do not have the money to pay staff to do this work, and if we do secure funding through grants, they are underfunded and restrictive on what we can or can't do. If we accept help from non-profit environmental groups, we become beholden to their agendas that may conflict with our positions.

ITCN understands the importance of new technology to lower carbon emissions, we also appreciate the importance of jobs for Nevada citizens, and that Nevada is a mining state. When there is lack of capacity on the tribal side, it delays projects. We want to meet with you and get the work done, and we don't want to revisit you later through media and litigation if we don't have to do that. But we need regular funding to employ our staffs.

You may have heard all of this before, or maybe have not, and the Inter-Tribal Council of Nevada is not here to complain and whine, we come to you with appropriations solutions.

In 1991, Senator John McCain, from the great state of Arizona, led the charge to direct the Administrator of the Environmental Protection Agency (EPA) to establish an Indian Environmental General Assistance Program (GAP) to provide grants to eligible Indian tribal governments or intertribal consortia for planning, developing, and establishing environmental protection programs on Indian lands. This is a great program and the funding foundation for almost all Nevada tribal environmental programs. It allows Tribes to get someone in an environmental office to write basic work plans, write budgets, write robust environmental plans, to grow a program and gather new funding to grow the tribal programmatic capacity needed to pull off our end of the collaboration, and to provide our tribal leadership the technical experts to help our elected leaders to make wise and prudent decisions related to protection of our air, water, and earth.

It's a great program and essential to Tribes. Why then do you cut funding almost every year for the program? Why have funding levels been about the same for almost 20 years? The GAP funding comes into regions under State and Tribal Assistance Grant (STAG) funding. This committee needs to increase the EPA budget with the understanding that increase goes to STAG to help Tribes and states.

The US Department of Agriculture (USDA) has their Rural Development Water and Environmental Programs, and these programs are dynamic and essential for small rural communities and Nevada Tribes, yet they are historically under-funded. Under these programs they have their Individual Water & Wastewater Grants, and few people not in the environmental field discuss wastewater yet we all create that type of waste. As we grow as a nation, and as water quantity is impacted by the rise in ambient temperature, we need to fund wastewater sustainability to avoid future health disasters.

The Committee needs to increase funding to USDA, specifically USDA rural programs. These are the people in the field doing the hard work collecting soil and water samples and coordinating environmental projects with the Army Corp of Engineers, US Forest Service, Bureau of Land Management, State departments, EPA, other agencies, and Tribes.

Directly related to these environmental priorities laid out by the Biden-Harris administration, are their four racial equity memos. Environmental Justice is tied to racial equity and has become a priority and ITCN fully supports Environmental Justice for the humans, animals, and plants. Everything is connected.

Each of the federal agencies under your purview have or will have environmental justice programs, and those programs should be adequately funded to assist Nevada Tribes that are overly burdened with environmental challenges coupled with Tribes and their low economic, educational, administrative, and programmatic capacities.

Do you know that out of the 27 federally recognized Tribes in Nevada, only two have full-time grant writers? ITCN does not have a paid grant writer. This is an environmental justice issue. In response to the pandemic, the federal government made available to Tribes an assortment of grant opportunities, but Nevada Tribes have only two grant writers on staff and many of the grants were competitive. How do you think that turned out for our Tribes? ITCN feels that funding should be made available under environmental justice funding to support grant writers, and technical experts to read and comment on environmental documents. Please increase funding to each agency for EJ activities.

Finally, the Department of Interior has many agencies under it. Nevada Tribes work directly with the US Forest Service (USFS) and Bureau of Land Management (BLM) because in Nevada the federal government owns approximately 85% percent of the land.

Both land agencies have large wildfire mitigation projects to respond to the increase in temperature and the impact on trees and bushes, and the erosion and other cascading environmental issues caused by large wildfires. More funds need to be appropriated to the agencies for them to effectively mitigate and recover from wildfire disasters.

More than any other agency, the problems at DOI are indicative of the problems all federal agencies have related to working effectively with Tribes. No agency adequately funds for staff that must work with Tribes. Often federal agencies are adding work to employees with other existing job duties. In practice, Tribes are to be worked with, but in reality we view federal agencies looking at Tribes as discretionary. This is because there is no true consequence or reward for agencies that make decisions based on feedback from Tribes.

ITCN understands that this is not a policy committee, but this body can appropriate money to employ full-time staff at each of the agencies to support staff that must work with Tribes. If the funds are made available to pay for the staff, ITCN feels that Tribes will be taken more seriously.

Thank you for your time, and if you have any questions, please contact me or ITCN Executive Director, Deserea Quintana at (775) 355-0600.

Respectfully,

Serrell Smokey,
President, Inter-Tribal Council of Nevada, Inc.

Ms. PINGREE. Thank you so much for your comments, and, yes, we do put a very high value on your comments and your testimony today. So thank you for participating.

Next, we are going to hear from Mr. Harold Frazier, the chairman of the Great Plains Tribal Chairmen's Association. Please go ahead.

Mr. FRAZIER. Good morning, and thank you for the opportunity to testify before your committee. My name is Harold Frazier, chairman of the Cheyenne River Sioux Tribe as well as the chairman of the Great Plains Tribal Chairmen's Association.

One of the things that really been a big issue for us is roads and billions of dollars that come out for infrastructure. However, Congress has developed a formula, and this formula does not benefit large, land-based tribes. I will give you an example. We have a 3.1 million-acre reservation, and we only get \$2.2 million, and there is just not enough money, so we are constantly doing a lot of patch-work here and there. One of the initiatives that we believe in is that Congress needs to develop an Indian reservation road program where this funding is just for Indian reservations that have roads, and I really believe that. There had been a program years ago, but it has been faded out into transportation facilities, which really does not benefit a lot of not only the Cheyenne River Sioux Indian Reservation, but a lot of Great Plains tribes.

Another big issue, however, that really assists us is road maintenance funding, and right now, I am understanding that area has been cut, so we really hope that could be restored. Another other thing we are hoping for, and I am glad you mentioned that President Biden is going to increase school construction. That is something that is highly needed here on our reservation, and we are in discussion with the BIA for a new school and a new campus. Another impact that we want to discuss is Head Start. Here on Cheyenne River Sioux Indian Reservation, we have nine centers. They are scattered across our reservation, which is over 3.1 million acres. Right now, we get funding of \$2.7 million, and that is our entire budget, and of that, \$1.7 million is in salaries. So 62 percent of our funding is in salaries, but our Head Start teachers and teachers' aides are severely under paid. I will give you a couple quick examples.

Here on the Cheyenne River, a lot of teachers that work for the BIA, they get started out at \$30 an hour, and our head Start teachers get \$20 dollars an hour. And the teachers' aides at our BIE schools here are paid between \$15 and \$20 an hour, and the tribal Head Starts are only paid \$9 an hour. And I bring these up because I think it is high time that this Head Start program is really looked at. They are the first to start educating our babies, so I think that this needs to be one of the high priorities.

Another thing that is really impacting our reservation and throughout Great Plains is meth, and something that we need help in is treatment. Right now there is no funding available for meth treatment centers or even programs. I mean, IHS, we have been there numerous times to try to get, if not funding, some assistance on developing good, successful programs to get our, you know, people off the drug and back to the way they should be.

Another impact is drought. That is something that we are faced with is drought, and one of the things that is the driving force of our reservation is agriculture. But when we talk about drought, you know, we need programs that will really benefit native ranchers, and, you know, things get changed. A lot of regs get changed at the State and the county levels, and I think it is high time that this funding for agriculture is sent directly to tribes. So that is something that we believe in.

And I want to say, you know, thank you guys for infrastructure dollars. However, very disappointed when it comes to the infrastructure. A lot of trust responsibilities of the government was left out. I will give you a quick example. There was no big dollars, no dollars I seen, for law enforcement, for education, and for roads. A lot of it was to close all mines and things like that, and we kind of looked at that infrastructure bill was that it appeared to be that the government was paying and cleaning up old debts instead of really helping us progress, because IHS was fortunate. They received billions of dollars for water and sewer infrastructure. But one of the things that really is not very helpful is that we need to change some language so that these funds can be used for development. Right now we are being told that these monies are only for existing systems that are not deficient anymore. So it really stunts our development and the growth of a lot of our tribes.

So, again, I want to say thank you for allowing me to testify, and I wish you guys all good day, unless there are any questions.

[The statement of Mr. Frazier follows:]



GREAT PLAINS TRIBAL CHAIRMEN'S ASSOCIATION, INC.

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**Testimony of Chairman Harold C. Frazier
 Great Plains Tribal Chairmen's Association, Inc.
 Before the House Committee on Appropriations,
 Subcommittee on Interior, Environment and Related Agencies
 April 6, 2022**

Good Afternoon Madam Chair and Members of the Committee

I am Harold C. Frazier, Chairman of the Cheyenne River Sioux Tribe and the Great Plains Tribal Chairmen's Association, with our 16 Indian nations and tribes in North Dakota, South Dakota and Nebraska. The Cheyenne River Sioux Tribe has more than 25,000 tribal members and a reservation the size of Connecticut. Our Indian nations and tribes in the Great Plains are treaty tribes, with reserved rights to our inherent sovereignty, self-determination and self-government, treaty health care and education, and protection of our reservations as permanent homelands.

Pandemic: CARES Funding; American Rescue Plan Funding

According to the CDC, American Indians suffered COVID-19 hospitalization, serious injury and death at the highest rate of any group in America—a rate 2.5x higher than White Americans. Because our Great Plains Indian nations and tribes live in America's poorest counties, as measured by per capita income, Tribal Governments provided basic relief, such as food, utilities, heating, home repair, and other household assistance. Federal funding for Tribal Governments was essential to address the Pandemic. COVID-19 is not over in Indian country, our Indian nations and tribes see continuing impacts. Our Tribal Governments, small businesses, and agriculture were devastated by the Pandemic, and we need more help in the FY 2023 Appropriations Act. We believe the proper reference for Indian nations and tribes is the Federally Recognized List Act.

Bureau of Indian Affairs

GPTCA recommends \$7.36 billion for Indian Affairs programs in FY 2023, \$2 Billion more than with the official FY 2023 recommendation of the Tribal/Interior Budget Council (TIBC). Within TIBC's FY 2023 recommendations are increases for all base-funded programs, and additional funding to address public safety and justice in tribal communities; the economic and social wellbeing of our citizens and all those who visit or

do business there; the backlog of school, community, and government infrastructure construction and maintenance; taking land into trust; and addressing climate resiliency in tribal communities and on Indian and federal lands.

Great Plains Indian nations and tribes need \$1 Billion increase for the BIA Road Maintenance Program, with an emphasis on Safe School Bus Routes and Elimination of Road Hazards for Economically Disadvantaged Indian nations and tribes in the Great Plains.

Great Plains Indian nations and tribes need an additional increase of \$500 Million for Tribal Law Enforcement, Detention, and Justice Systems. Native Americans suffer violent crime at rates 5x higher than the general public and our Native American mortality from drug and alcohol fatalities is more than 5x higher than the general public.

Great Plains Indian nations and tribes need an increase of \$500 Million for Human Services and General Assistance for our unemployed tribal members suffering economic disadvantage. The Great Plains Indian nations and tribes are among the largest Indian nations with the largest land base.

Bureau of Indian Education

In the Great Plains Region, Indian education is a treaty right for our students, yet in our area, our schools often cannot get the teachers that we need for the most basic subjects. Given the background of the endemic economic disadvantage and America's illegal taken of our most valuable lands and natural resources, we must secure an Equal Educational Opportunity for our children or generations more of our Native American people will be left behind.

Education sovereignty, including funding, is critical to ensuring the future vitality of Native communities. Many Native-serving schools have faced limited resources for decades or longer. Due to limited access to state and local taxes, Native-serving schools cannot collect taxes and are therefore reliant on federal programs. And Native communities are often located in rural regions where economic growth is difficult unless Congress honors federal, constitutionally based funding obligations.

The majority of Native students do not have access to high-quality education options that are rooted in their language or culture – the core of their identity. Equity in education for Native students requires culture-based education options that provide opportunities for Native students to flourish in the classroom and beyond.

To fully fund BIE Indian Education at a level of Equal Education Opportunity, Congress must fund Indian education at \$10,000 per Student to provide for teachers, instructions, and operations. Without an increase in ISEP Student Funding to \$10,000, we cannot attract even the most basic core subject teachers for school instruction, such as English, Math and Science, and our internet access is challenging. We don't have funds for career and technical education, which is the wave of the future in non-Indian communities.

Education Facilities

BIE Indian Schools need and deserve an additional \$5 Billion in construction funding over 5 years. Indian School Construction, GAO 17-447 (2017) (54 Schools in need of replacement). Indian schools in the Great Plains are past their useful life and our tribal student population is growing exponentially. We need full replacement of our deficient tribal schools, and the new campuses awarded construction grants must be fully functional, with adequate space for kindergarten, elementary schools, middle schools, high schools, adequate entry points for safety and security, extreme weather school bus garages, athletic facilities—pools courts, track and field houses, and computer learning centers.

Indian Health Service

GPTCA joins NCAI in recommending \$49.83 billion for the Indian Health Service (IHS) in FY 2023, consistent with the official FY 2023 recommendation of the IHS National Tribal Budget Formulation Workgroup. GPTCA strongly urges you to ensure IHS funding is mandatory spending, with a mechanism to automatically adjust spending to keep pace with population growth, inflation, and healthcare costs. This will ensure that the funding Congress provides for Indian healthcare can be used efficiently and strategically, without endangering lives due to funding lapses.

Mandatory spending for IHS is required by our treaties. In *Rosebud Sioux Tribe v. U.S.*, the 8th Circuit Federal Court of Appeals ruled that our 1868 Sioux Nation Treaty requires that the United States of America, acting through the Indian Health Service, provide competent physician led health care. With due respect, we call upon Congress to fulfill United States' treaty pledges to our Indian nations, and fully fund the President's budget request for Indian Health Care, and provide additional funding as needed to build, maintain and staff our Hospitals, Health Clinics, Diabetes Centers, In Patient Alcohol and Substance Use Disorder Treatment Centers, and related facilities for youth and elders.

On March 28, 2022, President Biden issued the FY 2023 Budget Request, including \$9.3 billion for I.H.S. in FY 2023 – a \$2.5 billion or 37 percent increase above the FY 2022 level. Because the funding would be mandatory, and tied to the medical rate of inflation, salary growth and population growth and be safe from shutdowns – ensuring that funding would grow to \$36.7 billion by FY 2032, an increase of 296% across the budget window.

From the Great Plains, we promote full funding for the Indian Health Service at the \$49 Billion level required to raise the health status of Indian tribes to the level of American health care provided to the general public. At a minimum, it is critical for Congress to fully fund the President's budget request of \$9.3 Billion, and make it mandatory spending in accordance with our treaties.

Hospitals, Health Care, Diabetes, Alcohol and Drug Abuse Disorder, Treatment.

The Indian Health Care Improvement Act, part of the Affordable Care Act, directs that the Indian Health Service should fully fund the construction of facilities on its 1993 List

before funding other IHS or Tribal facilities, yet Congress for decades has failed to fund the construction of I.H.S. Facilities. There remains a \$4+ Billion backlog in 1993 List facilities and the FY 2022 Appropriations Act only fund new I.H.S. Health Care facility construction at \$260 Million. At that rate, it will be decades more before the 1993 List is retired. This must change. Native Americans suffer the poorest health status in America, and among Native Americans, our Great Plains Indian nations typically suffer poor health care and poor health status at the lowest level. Congress must provide the appropriations necessary to fund Indian hospitals and health care facilities at \$22 Billion annually. I.H.S. testified to this urgent level of need.

Bureau of Land Management and National Forest Lands

Tribal Forest Protection Act authorizes the Secretary of Agriculture and the Secretary of the Interior to enter into contracts or agreements with Tribal Nations to carry out tribally proposed projects on Forest Service (surface) or Bureau of Land Management (mineral) managed lands. The 2018 Farm Bill contains an important expansion of the P.L. 93-638 contracting authority to the U.S. Forest Service, allowing the Secretary of the Interior and the Secretary of Agriculture to enter into agreements whereby Tribal Nations or tribal organizations may perform administrative, management, and other functions of TFPAs programs through P.L. 93-638 contracts. The President's FY 2023 Budget Request includes a request for \$11 million to expand the time-tested principles of self-determination and self-governance and empower Tribal Nations to reclaim what they have known for millennia – how to manage and conserve the landscape for sustainable economies and cultural practices. The United States of America does not own the title to the Black Hills National Forest, so Interior and USDA should work on intergovernmental agreements to transition management and ownership to the Great Sioux Nation.

Environmental Protection Agency

Almost 40 years after the passage of the Clean Water Act, only 46 of 77 eligible Tribal Nations have Environmental Protection Agency (EPA)-approved water quality standards, which are a cornerstone of the Clean Water Act. Given the disparate access of tribal communities to safe and clean water, NCAI recommends a 5 percent tribal set-aside for each the National Safe Drinking Water State Revolving Fund (DWSRF) and the National Clean Water Act State Revolving Fund (SRF), with \$71.97 million to be appropriated to the DWSRF and \$99.1 million to be appropriated to the SRF.

GPTCA recommends \$100 million be appropriated for the EPA Tribal General Assistance Program, \$30 million for the Tribal Air Quality Management Program, and \$46.8 million for EPA's Land and Emergency Management programs for the benefit of Native Nations. Among our Great Plains Indian nations and tribes, we have suffered many EPA Superfund sites, with pollution of our lands and waters, and EPA should act to redress this environmental discrimination against Indian nations.

Please enact funding necessary to meet America's treaty and trust obligations to our Indian nations and tribes. Thank you.

Ms. PINGREE. Thank you so much. Well, we will look forward to having a conversation with you, and thank you for your remarks.

So last we have Mr. Melvin Sheldon, who is the First Vice President of Affiliated Tribes of Northwest Indians. Thank you so much for being with us here today.

Mr. SHELDON. Good morning, or, I should say, good afternoon to all of you. Chairwoman Pingree, Ranking Member Joyce, and members of the House Interior Environment and Related Agencies Subcommittee, thank you, thank you [Speaking native language] for this opportunity to testify, especially on the upcoming fiscal year budget.

Mel Sheldon. I have served on the Tulalip Tribes for going on my 23rd year in council, and I have been on ATNI for 12 years, and currently the Pacific Northwest delegate at NCAI. ATNI has been run since 1953, and we represent 57 tribal governments from Oregon, Idaho, Washington, Southeast Alaska, Northern California, Western Montana, and Nevada. And probably today's testimony will be more of a higher view, trying to bring out all of our issues that may be in common with all of our tribes that we work with. So also, I would like to say thank you to the tribal leaders, chairs, and delegates who spoke before me so eloquent in sharing the important issues that they represent in their geographic areas. My hand is up to all of you.

First of all, I would like to thank you again for this last year, 2022, the amount of money that was in in the Consolidated Appropriations Act. This increased funding made a big difference for a lot of tribes. Of course, you know, we can always use more money as our populations are growing, the challenges are growing, things like that. Also, thanking the President for this upcoming 2023 \$4.5 billion potential and for you all's time to decide to and hear from them where it might be best put, the money for our needs.

So please stop at me at 4:45 into it. I tested this. This was 9-minutes long what they wrote for me.

Okay. So strengthening tribal communities. Funding under the age of tribal government is vital to a ATNI's member tribes. Tribes have an ability to utilize these funds through Indian self-determination contracts to focus the funding to provide numerous tribal government services and functions. This funding provides tribal governments with necessary funds for the different programs and will ensure, under proper care, the stability and operations of tribal governments. However, funding is underfunded, leaving tribes without the additional tools necessary to offer core tribal government services. ATNI is requesting the subcommittee increase aid to tribal governments by \$25 million for a total funding of \$53.5 million.

One of the issues that is so important to all of us is ECWA, Indian Child Welfare Act. This is so important for all of our communities, which was enacted and established. ECWA also is about custody of our kids and also a competitive grant funding for tribes to operate child welfare services. This grant funding is routinely used to ensure proper placement of native children in foster or adoptive homes, sustained tribal services to intervene in court proceedings, strengthen tribal families, and increase native foster homes. So funding is so important for ECWA, and we strongly urge putting

\$17 million into ECWA programming and for the total amount of \$36 million.

As mentioned earlier, natural resources management challenges all of the tribes whether they are a land-based tribe or a small tribal base, like Tulalip. We are only 22,000 acres, but management of our resources—the timber, the water, the rivers—are so important to all of the tribes that ATNI represents. Myself being a fisherman for or most of my life, the salmon is dwindling, disappearing. How can we ensure that the salmon survives along with the orca whale out here in the Northwest, symbols of our culture, of who we are? And any type of monies that goes for natural resources management will help out greatly certainly.

And then when you think about the poorest, our land commissioner has a very interesting program for carbon funding, the land commissioner, Hilary Franz, and she has got a great program. I sure hope it succeeds in carbonization of our forests.

Ms. PINGREE. I am going to get you wrap up if you can.

Mr. SHELDON. Okay, we are there. Okay. Good. You have my written comments submitted for the record. Also, being a Vietnam veteran, I want to urge funding for all Native-American veterans across the country. Currently, I am 100-percent disability as Agent-Orange-related cancer. It will be a fight until the end for me, but for all veterans, if you all see any money to go for our veterans, I raise my hands to you and say [Speaking native language.] Thank you, thank you, thank you.

[The statement of Mr. Sheldon follows:]

**Testimony of the Affiliated Tribes of Northwest Indians
House Appropriations Committee
Subcommittee on Interior, Environment, & Related Agencies
Hearing on FY2023 Regional Tribal Organizations
Public Witness Day
April 6, 2022**

Introduction & ATNI Overview

Chairwoman Pingree, Ranking Member Joyce, and Members of House Interior, Environment, and Related Agencies Subcommittee, thank you for the opportunity to testify at today's hearing on the Fiscal Year 2023 Budget. My name is Melvin Sheldon Jr. and I have the honor of serving as the First Vice President of the Affiliated Tribes of Northwest Indians.

Founded in 1953, the Affiliated Tribes of Northwest Indians ("ATNI") is a nonprofit organization representing 57 Northwest tribal governments from Oregon, Idaho, Washington, southeast Alaska, northern California and western Montana. The primary goals and objectives of ATNI are to advocate for health, safety, welfare, education, economic, employment opportunities, and preservation of cultural and natural resources.

Carrying out our mission often begins with advocating for the federal government to live up to its obligations by providing the necessary funding for tribal programs. That is why I am grateful for the opportunity to share some of ATNI's priorities for Fiscal Year 2023.

Fiscal Year 2022 Tribal Funding

I would like to begin my testimony by thanking the Subcommittee for the substantial increases in tribal funding for Fiscal Year 2022 that were included in the Consolidated Appropriations Act of 2022 ("Act"). The Act increased funding for the Bureau of Indian Affairs, including increases to Tribal Government, Natural Resources Management, and Public Safety and Justice programs.

President Biden's Fiscal Year 2023 Budget Request

ATNI is pleased that President Biden's Fiscal Year 2023 Budget Request builds on the gains Indian Country made in Fiscal Year 2022. The President's request calls for \$4.5 billion for the Department of the Interior's Tribal programs, which would be the largest annual investment in Tribal Nations in history. It includes the continued prioritization of many programs that are particularly important to ATNI, including programming to strengthen tribal communities, improve natural resource management, advance trust management, and address public safety.

Strengthening Tribal Communities

Aid to Tribal Government (TPA)

Funding under the Aid to Tribal Government program is vital to ATNI's member tribes. Tribes have the ability to utilize these funds through Indian self-determination contracts to focus the

funding to provide numerous tribal government services and functions. This funding provides tribal governments with the necessary funds to ensure tribal programming is stable and operational.

However, funding for Aid to Tribal Government programming is underfunded leaving tribes without the tools necessary to offer core tribal government services. ATNI requests that the Subcommittee increase funding for Aid to Tribal Government programming by \$25,639,080 for a total funding level of \$53,451,080.

Indian Child Welfare Act (TPA)

The health and well-being of our Native children is a top priority for ATNI. The Indian Child Welfare Act (“ICWA”) was enacted to protect Native children in state custody proceedings. ICWA also established a competitive grant funding for Tribes to operate child welfare services. This grant funding is routinely used to ensure proper placement of Native children in foster or adoptive homes; sustain tribal services to intervene in court proceedings; strengthen tribal families; and increase Native foster homes.

Funding for this grant has not met the need of tribal programming. ATNI strongly urges an increase of \$17,343,160.00 for the ICWA programming for a total funding amount of \$36,156,160.00.

Trust – Natural Resources Management

Tribal natural resources are at the core of our way of life and culture. The member tribes of ATNI are dedicated to the protection and management of our natural resources and environment. ATNI’s Natural Resource/Land Committee was created support the efforts of our ATNI member tribes in environmental protection and restoration efforts in Oregon, Washington, Idaho, and Montana.

Natural Resources (TPA)

The Natural Resources program provides much needed funding for tribal management, protection, and development of Indian land and natural resources. ATNI supports a \$9,650,540 increase to this program for a total funding level of \$27,900,540.

Forestry Program (TPA)

The Forestry Program provides important funding for forest land management activities on Indian land to develop, maintain, and enhance forest resources. ATNI encourages an increase of \$14,839,100, which would provide for a total of \$42,901,100 for this program.

Tribal Climate Resilience

Many member tribes of ATNI are on the front lines of the impacts of climate change on their communities and natural resources. The Tribal Climate Resilience program funding aids tribal

governments with planning and preparedness, monitoring, training, and project development. ATNI urges the Subcommittee to increase funding for this program by at least \$19,721,790 for a total of \$80,692,790.

Trust – Land/Water Rights Management

The federal government has a trust responsibility to advance and maintain Indian trust ownership and trust-related activities. This trust obligation is important to ATNI member tribes as it touches on land ownership, ownership rights, probate, mortgages, leasing, and real estate transactions. Ensuring that these programs are properly funded will in turn provide tribes and individual tribal members with needed services to protect, develop, and utilize Indian trust properties.

Real Estate Services (RES) (TPA)

The Real Estate Services Program provides funding for activities related to the management and administration of land held in trust for individual tribal members and tribes. Activities include proper land ownership record-keeping, land use planning, addressing highly fractionated ownerships, and real property management. ATNI supports an increase of \$23,797,540, which would provide for a total of \$60,731,540 for this program.

Real Estate Services (RES) Projects

The Real Estate Services Projects is vital to the determination of legal boundaries of trust lands. Ensuring boundary lines and information are correct is important to many facets of trust land management, including fire management, right of ways, building construction, and law enforcement. ATNI supports an increase of \$1,230,050, which would provide for a total of \$4,032,050 for this program.

Trust Services (TPA)

The Trust Services program provides funding for important operations of trust management including probate, real estate services, approval of rights-of-way, processing mortgage and lease documents, and the review and approval of mineral contracts. ATNI encourages an increase of \$6,123,030, which would provide for a total of \$15,626,030 for this program.

Public Safety & Justice

Missing and Murdered Indigenous People

ATNI applauds President Biden's request to increase support to address the Missing and Murdered Indigenous People ("MMIP") epidemic by providing \$632 million in Tribal Public Safety and Justice funding at the Department of the Interior. Collaboration is key to address the MMIP crisis, therefore ATNI encourages continued and improved collaboration between the Department of the Interior and the Department of Justice. In addition to addressing the MMIP epidemic, Public Safety and Justice funding is also crucial in helping ATNI member tribes fund law enforcement activities that help maintain safe Tribal communities.

Criminal Investigations & Police Services

ATNI applauds the Subcommittee's efforts that led to major increases, +\$76.6 million, for the Criminal Investigations & Police Services account for FY2022. ATNI encourages the Subcommittee to continue to prioritize this account.

Tribal Courts (TPA)

Tribal Court funding is essential to maintain the operations and maintenance of the nearly 200 Tribal courts under Pub. L. 93-638 contracts and self-governance compacts. ATNI is encouraged by the recent increases in funding for Tribal Courts and encourages the Subcommittee to continue to increase this vital funding.

Bureau of Trust Funds Administration

As the Committee is aware, ATNI has opposed the Department of the Interior's ongoing attempts to formalize the so-called "Bureau of Trust Funds Administration" (BTFA) to house the existing Office of the Special Trustee functions in the appropriations process. The FY 2023 budget request again seeks to formalize the BTFA into the Department's budget structure despite the explicit rejection of this proposal and multiple admonitions from your Committee.

ATNI appreciate the Committee directing the Government Accountability Office (GAO) to prepare a report that examines, among other things, whether BTFA functions are duplicative, overlap, or result in fragmentation with duties, activities, or functions performed by Indian Affairs. The explanatory statement also directed GAO to provide a report that summarizes and examines tribal perspectives on these issues. ATNI and its member tribes have engaged with the GAO in two separate meetings this year and both were very productive.

ATNI remains concerned that the creation of a new BTFA will administratively memorialize duplicative and redundant OST functions and make it more difficult, if not impossible, for those functions to be transferred to other Indian programs where those resources can be better utilized by Indian country, such as Bureau of Indian Affairs Trust Service programs. At its 2022 Winter Conference, ATNI passed resolution #2022-09, which reaffirmed ATNI's position that any discussion of the BTFA is premature until (a) the Department finalizes all reports Congress has ordered it to provide; and (b) the Department meaningfully consults with Indian country on duplicative and unnecessary OST FTEs and provides a plan to implement Indian country recommendations for transferring those FTEs to the appropriate Indian Affairs programs where those positions would be better utilized for Indian country.

ATNI appreciates the Committee's continued attention to this issue and again asks that the Committee reject the proposed establishment of the BTFA in the FY 2023 request when it drafts its spending bill.

Ms. PINGREE. Thank you so much for your testimony, and we wish you all the best with your health challenges. I just came off of a VA subcommittee myself, and we want to do everything we can to support our veterans, so thank you for your service and for mentioning that.

Mr. SHELDON. Thank you.

Ms. PINGREE. Okay. Now we will go into the question portion, and I will begin with a couple of questions for Chief Francis.

In your written testimony, you are supporting increased funding for the tribal courts. I know that is an important issue, too. The fiscal year 2023 President's budget includes an additional \$9.5 million over the 2022-enacted level for tribal courts. Can you describe some of the challenges that the USET tribes face with insufficient tribal court funding, and just tell me if all of the USET tribes receive some tribal court funding?

Mr. FRANCIS. Thank you, Congresswoman, for the question. You know, the institutions of tribal courts within sovereign governments are extremely important. USET, like all regions, has a tremendous amount of diversity amongst its memberships, from law-trained courts like ours at Penobscot, to various types of traditional base courts, et cetera. But ultimately, the funding for tribal courts is so extremely important when you are dealing with, you know, holistic, wraparound approaches in various ways within the court. I use the Violence Against Women Act provisions, for example, that were so very important that this Congress passed recently. Enhancing those jurisdictional capabilities requires funding and an opportunity to really strengthen those services, to provide real opportunities to address real conditions.

So the funding of tribal courts is not simply about funding a program. It is really about an important institution within any sovereign government that creates not only justice for our people in a culturally-sensitive kind of way with, you know, restorative justice programs and a whole host of other things, but it is extremely important for the success of any government to have a competent, enhanced judicial system. So we appreciate the enhancements to the funding for tribal courts, and we look forward. And, again, thank you and our delegation for supporting the main tribes being included in the VAWA reauthorization, and recognizing the importance of that institution to the success of our communities.

Ms. PINGREE. Well, thank you for that, and, as you know, we are very supportive of the bill. It means we wouldn't have to specifically include the main tribes into every piece of legislation, but I am glad we were able to do that.

Ms. Kitka, you mentioned a little bit about the real challenges that tribes in Alaska are facing because of climate change, and I know some of the tribes have already had to begin relocating or thinking about that. I have just a couple of minutes, but could you just elaborate some more on the challenges that tribes are facing, and particularly around relocation?

Ms. KITKA. Madam Chair and members of the committee, thank you for the question. Some of the challenges the tribes have is accessing resources to move buildings. We have been doing some really creative things to help the tribes on that. For example, moving health clinics, we have a health clinic model. We have a movable

model, so we have been looking at other ones. What would be really helpful for some of our communities is support behind project managers that can piece together different resources in order to meet the high costs on that. We have seen success in one community, in particular, that continually got denied resources for their relocation, but once they got a project manager that was able to communicate in the same way with the different funding agencies, they were able to streamline; the ability to use surplus heavy equipment both for stand and defend operations for people who don't want to relocate. They just want to build up barriers in order to protect themselves from the storms.

The ultimate problem is the high cost in relocation and getting suitable land close by to do it, and then it is the physical relocation on that. We have seven communities that are one major storm away from being wiped out, and so it is real. People are being really flexible trying to figure out the best ways to do that. I think that we have good ideas, but, like I said, the project managers to support piecing the things together and appoint Federal agencies that are in charge. During the Obama Administration, they designated the Denali Commission as the Federal point agency for village relocation. They a relocation program that they operate that is federally funded. Plussing up their resources on that would go a long way. Thank you.

Ms. PINGREE. Yeah, thank you so much for your response. I hope we can be helpful in that huge challenge you are facing.

Now I am going to recognize Mr. Joyce for any questions he may have.

Mr. JOYCE. Thank you, Madam Chair. I just wanted to talk to President Smokey. The question I have, sir, is your testimony mentioned the growth of cannabis dispensaries, and I want to ask you about the law enforcement problems that have been in the news. In particular, last year, BIA law enforcement officers raided a home on the land of the Picuris Pueblo in New Mexico, and they seized a man's legal supply of medical cannabis, despite the fact that the Pueblo passed laws legalizing its use. This discriminatory double standard concerns me greatly. I am wondering if tribes in Nevada have similar concerns and what we can do to keep the BIA focused on more pressing public safety and justice needs, including missing and murdered indigenous women and human trafficking.

Mr. SMOKEY. Yes, thank you. I have not received any word of that type of incidents happening with the tribes that do have legal cannabis and dispensaries in Nevada, but it might be hard to do when you only have two BIA officers for the whole entire State. And thank you for bringing that up because that is actually where the real issue lies is the lack of law enforcement within the BIA to be able to patrol tribal lands for all the tribes in the State of Nevada. But that type of incident specifically, I have not been aware of. Every tribe has been doing fairly well.

Mr. JOYCE. Well, I can't overemphasize the importance of tribal sovereignty. Tribes existed before the States, and tribes have just as much of a right to continue to govern themselves. It is unconscionable the Federal Government would take a hands-off approach with the States but enforce its will upon the tribes. It is discriminatory, it is not right, and it needs to stop.

Your testimony, President Smokey, discusses the importance of the Environmental Protection Agency's Indian Environmental General Assistance Program, known as GAP. As you may be aware, yesterday EPA announced proposed changes to GAP program guidance and allocations. Can you take a moment to describe the impact GAP has had on tribes and program change you might suggest, that could help improve the program's ability to assist tribes in making environmental decisions to better protect their air, land, and waters?

Mr. SMOKEY. Yes. So the GAP Program has actually been really good to tribes, but as I mentioned even earlier in testimony, it provides the bare minimum. Tribes are forced to really compete with other tribes and other organizations for outside funding in order to really meet the needs that they have. Tribes do what they can. We are going to do what we can for our people and for our land with whatever we get. But that is what our request was, was for more funding towards those programs because when they remain stagnant, then we don't have any additional support, and we are stuck with the programs that we have, and we are not able to move forward while everything else is happening around us. As we talked about the issues with, you know, the different changes in climate, we can't address those without additional funding.

Mr. JOYCE. I realize others are on, Madam Chair, so I will yield back, and if there is a second round, I will have some time.

Ms. PINGREE. All right. We will absolutely have more time. So it looks like, Mr. Kilmer, we can take you next. We were looking at the order, but please go next.

Mr. KILMER. Thanks, Madam Chair, and thanks for holding this important hearing. First, I want to just thank all the witnesses for coming and providing such powerful testimony. I have the honor of representing 12 tribes in Washington 6th Congressional District. I am honored to have First Vice President Sheldon from ATNI with us today.

As you know, Congress has taken, I think, some much-needed and long-needed steps to invest in historically-underfunded and under-resourced minority-serving institutions in recent years. These institutions provide access to education and opportunities to traditionally underrepresented and low-income students. I have heard, though, from tribal members about their desire to see additional investments in our tribal colleges and universities, too. Most of our tribal colleges, like the Northwest Indian College in Washington State, which serves over 1,200 students annually from more than 75 different tribes, do not have endowments to support their educational site and their goals. Endowments help institutions admit students who struggle to afford the cost of attendance, and conduct research, and access new technology, and expand and offer academic programs and more.

So my question is for Vice President Sheldon or any of other witnesses who wish. Could you just comment on how additional funding under the Department of Interior's BIE endowment could help tribal colleges and universities carry out their missions?

Mr. SHELDON. Thank you, Congressman. Good to see you, and thank you for your kind words. You know, I am well aware of Northwest Indian College, and they are doing a great job, and get-

ting our kids to attend higher education is a challenge because the funding issues. And, you know, a lot of times, too, kids are not ready to go to a college that has 40,000 kids there. And by staying more local, it offers them the time to familiarize themselves with academia, with the time to socialize with other tribal kids and build that foundation so they can be a success in the future, that they will have the tools as they put more and more tools in.

And certainly, like Northwest Indian College and other colleges in Montana that are directed towards Native-American kids, funding is a challenge. Not all tribes have the monies to send their kids to school. There are not scholarships everywhere, so if a kid doesn't have the grades, the athletic prowess to get a tuition paid that way, they are kind of out of luck. So the type of funding that we could make available, whether it be through Federal funding or programs, would be greatly appreciated. I worked my way through college 20 to 40 hours a week, and that had its own way of educating me as well as getting my degree at the University of Washington. So, you know, I think anything we can do greatly helps. Thank you for the question.

Mr. KILMER. You bet. Let me direct one more to you. Many tribes in the Northwest and elsewhere have tribal historic preservation officers, or THPOS, who are responsible for consulting with Federal agencies and others to protect, and preserve, and revitalize places of significant historical and cultural importance to tribes. The number of tribes, though, with historic preservation officers has steadily increased over the last 20 years as well as requests for tribal consultations. So my question to you, Vice President Sheldon or any other witnesses, if you wish, can you expand on the importance of tribal historic preservation officers just when it comes to protecting important cultural and historic sites, and comment on how the BIA could ensure appropriate tribal consultation.

Mr. SMOKEY. Thank you very much. Yes, very, very important, that preservation officer. As we work with different agencies, whether it be a city, county, and/or State, the opportunity to share the cultural richness that they may not be aware of is so important. And we are seeing more and more different groups sitting across the table than before, but we still got a long ways to go. For an example, Langley, a small town, they took down their story poles because they were not made by Native-American artists, in respect to tribes. And so we will meet with their city council, thank them, and then hopefully we will donate a tribal story pole for them in a good way. So a lot of good things happening in that respect.

It does make a difference having a preservation officer sharing the culture of who we are and how it affects the non-tribals out there. A lot of times, non-tribal people don't know the history of us, our time living on the land since time immemorial, and so a good education and sharing is always important.

Mr. KILMER. Thanks so much. Thank you, my friend, and thank you, Madam Chair, and I yield back.

Ms. PINGREE. Thank you very much, Mr. Kilmer.

Mr. Stewart, do you have questions you would like to ask?

Mr. STEWART. Yeah, Madam Chair. Thanks for holding the hearing. And to all the witnesses, thanks for not only being here today,

but for representing your constituents and your tribal interests, and it is very important that you have this interaction with Congress. I mean, if we don't have a chance to talk to you, we are unaware sometimes of the challenges that you face. Maybe we are unaware of the intensity of the challenges, and this is valuable for us to have this interaction with you. So thank you for doing that.

I am going to be very brief. It is a question that is particularly interesting to my, or I should say, important to my district and the tribes that I represent in Utah. But I am wondering if it may be broader than that as well, and particularly, Ms. Kitka, you may have some influence or some background in this. And that is, in these very remote areas where many of the Native Americans live now on tribal lands and other remote parts of the West, emergency air evacuation is a real challenge, and, in fact, it has gotten, in some places, to be nearly impossible. And some of these families live in areas that are, you know, a great distance from not only hospitals, but infrastructure, transportation, just a road that is drivable, say, in the winter or after heavy rains, for example. And the only way to evacuate people in a medical emergency is with air evacuation assets that are diminishing. And we had a real problem in Southern Utah, for example, where the primary contractor there just wasn't able to provide the service because they weren't being reimbursed for it, and it is an issue that we have been trying to work with for more than 2 years now.

I am wondering are any of you aware of other places that have the same challenge? And, again, I imagine Alaska would be a good example because of the remoteness of some of the tribal lands in Alaska. And if you have any insights that would maybe help us as we try to fix this problem.

Ms. KITKA. Madam Chair, would you like me to respond through the chair? Yes. No, those challenges, many of those challenges were exacerbated with COVID, too, trying to Medevac critically-ill people from really remote communities that had COVID on that. You had a lot of carriers that weren't able to transport people, so that remains for Alaska, our remote communities, a vital transportation station. In most of our communities, we are not connected to a road system, and air traffic, both in healthcare, getting our hospitals a feeder system. So we only have a few hospitals in the State that feeds from clinics to regional clinics, to a regional hospital, to our main hospital on that. And air transport, both in the medical field, but for any kind of participation, is extremely vital.

I know that there are programs that support it, and they could use additional resources, but especially looking at impacts of COVID and how that put carriers out of business, or they lost a lot of money during this pandemic. The economic recovery, they need to be shored up.

Mr. STEWART. So, Julie, let me pursue that just a little bit. I understand the challenges of COVID, and, again, those other things we went through in the last couple years. But putting that aside, did you see the same problem where you have companies that would be willing and could provide this emergency medical transportation, but it is nearly impossible for them, again, because they are just not being reimbursed at a fair rate. Have you seen that in Alaska, or is that not the same problem there?

Ms. KITKA. I would have to contact our Alaska Tribal Health Consortium to get you a written answer on that, and I would be glad to do that to give you a few examples on that.

Mr. STEWART. Yeah.

Ms. KITKA. I am sure that we have had that situation, but I can't give you the specifics, but I will get it to you in writing.

Mr. STEWART. Okay. I appreciate that. And so, Julie, if you would follow up because if you are having a problem there, it would help us as we are trying to fix this broadly, or if any other of the tribal leaders are aware of that, if you would reach out to my office and let us know. Again, we want to represent all of you, and if many of you are experiencing the same challenge, again, if we know about that, it helps us to address it. So thank you.

And with that, Madam Chair, I will yield back.

Ms. PINGREE. Thank you, Mr. Stewart.

We are going to just stick with Nevada here. I think Mrs. Lee.

Mrs. LEE. Thank you, Madam Chair, and I want to thank Ranking Member Joyce as well as all of today's witnesses for being here. President Smokey, it is truly an honor to have you here representing the Inter-Tribal Council of Nevada. Also, thank you for your service to our country both as a member of the Army and the National Guard. You are a true public servant in every sense of the word, and I give you a warm Nevada welcome.

I want to ask you a couple questions about issues that are particularly important to us in Nevada and throughout the West, and you did touch on it in your testimony: the alarming study that we just found that basically says that the U.S. West is experiencing the worst drought in 12 centuries. Secretary of Interior Haaland has emphasized, and I quote, "In this time of climate change bearing down on us, indigenous knowledge about our natural world will be extremely valuable and important to all of us." She added that, "Tribes have been on this continent for millennia, for tens of thousands of years, and they know how to take care of our land."

President Smokey, you touched on how the drought is impacting your communities in Nevada and across the West. Could you talk about some lessons that the Federal Government could draw on for how these communities have been responding both to the current crisis and climate change at large?

Mr. SMOKEY. Yes, thank you. So I will give you an example of what we are doing here at the Washoe Tribe around Lake Tahoe. We have groups of tribal members going around actually giving speeches and presenting on how the Washoe Tribe used to use controlled burns around Lake Tahoe area, knowing that it would grow back for three or four generations to come to sustain our people. So adding that traditional culture and history to modern-day practices is what we are trying to do because we have been here for a long time. Our people haven't just made it this far for no reason. You know, we adapt. We know the area. We know what needs to be done, and we have that through our history.

So, of course, you have to take into account everything, modern day, what is going on, but when I go back to the wildfires, this was the issue in the first place was all of these old practices were not being done. And every time there is a fire, we want to just put it right out right away because there are houses, residential, and ev-

erything like that, which makes it difficult. But at the same time, we could still be using the old practices to at least mitigate, you know, things that have happened, especially recently in Nevada with the Tamarack fire. It was huge, especially impacting the Washoe Tribe, but there are others all around the State as well, and they are they are suffering from the same issues.

We are all suffering from the same issues: lack of water, drying out, trees dying, cultural foods, medicines. You know, all those things are happening all across, and each tribe has their specific practices that they have used for their specific areas. So it would really be helpful if the government would listen and government agencies would listen to those tribes for their specific areas to understand how they have maintained those areas since their existence.

Ms. KITKA. Madam Chair could I address the drought?

Mrs. LEE. Yes.

Ms. KITKA. Alaska had the longest duration of drought that lasted for 79 weeks beginning in 2018, so the idea of drought being only in one part of the country, the climate change is also impacting us here in Alaska. So further attention to dealing with that, we really support that. Thank you.

Mrs. LEE. Thank you. Madam Chair, I am going to run out of time before I can ask my second question, so I will yield. Thank you.

Mrs. LEE. Thanks very much. Chair McCollum, do you have some questions you would like to ask?

Ms. MCCOLLUM. Yes. First off, thank you, Chair Pingree, for holding this hearing today, and I want to thank all the leaders from the tribal organizations for sharing their testimony for what we can do to work together in a better partnership for Indian Country. I also want to add for the record my thanks to all national tribal organizations who testified yesterday. I was chairing another appropriations hearing at the same time. I was unable to hear the testimony in person, but Rebecca Taylor from my office, of course, was on that call.

One of the topics that has come up a lot, it has to do with the President's budget, and it has been getting a lot of attention from tribal leaders, and it is a proposal to move certain accounts to mandatory spending. Contract support costs, payments for tribal leases are proposed to be moved to become mandatory for the Indian Health Service, the Bureau of Indian Affairs, and the Bureau of Indian Education. As for the IHS, the funding is proposed to shift from mandatory, and that would exempt it from any sequestration in the future, and we need to also protect it for any possible government shutdown in the future.

So this is a topic that many of us on this subcommittee have been discussing with tribal leaders, such as yourself, for a long time, and I am so excited to see the Biden administration join in on the conversation. There is no question that our treaty trust responsibilities are not getting the investments that they are obligated to get to through the discretionary appropriations process. And that is not due to lack of effort for those of us on this committee and for those of us on both sides of the aisle who work with Indian Country.

But I would like to take a second just to focus in on an issue that Chief Francis raised, something I have been working on for 20 years since I got here, and that is the lack of detail from the Office of Budget and Management and the funding that reaches Indian Country. Now, OMB, under its new leadership under Ms. Young, I know understands this problem and will be a person that we can work with. And as appropriators, we have tried to do our level best to increase funding for Indian Country, but it is a challenge for even us here, as close to OMB as we are, to really watch the investments across the various subcommittees. Ms. Pingree and I serve on the Agricultural Subcommittee together, and I know we do our level best to make sure, where we can help Indian Country in that committee, we do.

So, Chief Francis, could you please, you know, take 2 minutes plus and tell us what a difference it would make if OMB, you know, had an account so that, annually, tribes could see what is really being distributed to all of Indian Country. And I am going to hold up a piece of paper and one spreadsheet.

Mr. FRANCIS. Thank you, Congresswoman, for the question, and I appreciate seeing you today. This is a very important subject. A tribal office within OMB would be extremely important to deal with this level of detail that should be accounted for. You know, the OMB crosscut, as you know, mentions well over \$20 billion of resources that are available to Indian Country. We in Indian Country really feel like that is a grossly inflated number. We believe that that includes a lot of money going to States that many times tribes wouldn't have the internal resources or even the understanding that those funds may be available within State governments that tribes could access. It is also important for Congress to be able to understand what the true, real starting line is here in terms of the unmet need within Indian Country and within tribal communities.

So getting that tribal office in a very dedicated way to detail, not what is potentially available, but what is actually in reach in Indian Country when we talk about these issues of unmet needs. And I appreciate you raising, you know, the mandatory spending. That is an extremely important issue as well, and they are all tied together in terms of really trying to understand how to meet the trust and treaty obligations to Indian tribes. So when we talk about the historic nature of this budget, for example, and I know we are preaching to the choir here, but when we talk about the historic nature of this budget, it is not really about a numbers-driven thing. It is really about how do we create a new paradigm that really says Indian Country is not only important. The nation-to-Nation relationship is not only important. We mandatorily now have to seek solutions to these issues that face Indian Country.

And I think an office at OMB that would detail these reports, not only for Indian country, but for the success of Congress in being able to truly measure how we are addressing the disparities in funding in Indian Country.

Ms. MCCOLLUM. Thank you. [Speaking native language] to all the testifiers, and thank you, Chair Pingree, for holding this important hearing.

Ms. PINGREE. Sure. Thank you, Madam Chair.

Mr. Joyce, did you have some other questions you would like to ask?

Mr. JOYCE. No thank you, Madam Chair. They have been addressed through some of the other fine questions that have been asked by our other members.

Ms. PINGREE. Great. Yeah, people have been asking some wonderful questions. I will ask one more, and I think maybe Representative Lee will come back on.

Let's see. I this is for Mr. Frazier, yeah. Mr. Frazier, are you available to answer a question?

Mr. FRAZIER. Yes.

Ms. PINGREE. Great. Great. I didn't see you. Okay. Great. So the committee provides funding to the Bureau of Indian education for tribal education departments so tribes can have more control of the curricula for native students. This seems important. In addition, the committee provides native language immersion funds to BIE and BIA for students who do not attend BIE-funded schools. So do you find that funding for tribal education departments in native language immersion at BIE and BIA is helping to incorporate native language and culture into elementary and secondary curricular, but do you have any ideas about how to increase or improve the use of these funds? I just want to make sure they are really getting where they need to be and are being effective.

Mr. FRAZIER. Yeah, thank you. I think one of the things that has really been a challenge for a lot of our Lakota language teachers is to be treated equal as a teacher that teaches math, et cetera. What we have locally at our BIE and our contract schools is many a times, particular with a BIE school, they are, you know, definitely paid a lot less. There is not enough time in the day to teach our language and culture. We feel that there needs to be more staffing, you know, because what I see is, like, one person, they are forced to teach many areas, such as the culture, the language, the music, and things like that, versus I think there should be teachers for each area, you know, for fine arts, et cetera.

And when you talk about curriculum, I feel it is high time the Bureau of Indian Affairs comes up with standards where we could teach our children. Right now they don't have any standards, so we rely on the State wherever we are located, and here in South Dakota, that is something in the area of social studies. Our governor was trying to eliminate a lot of Native-American culture and teachings in the State curriculum, so it is ongoing battle with that effort.

But I really think that if we could get more bodies on the ground in particular different areas, I think we will be a lot more effective. And earlier, I heard a comment, and it is unfortunate that through COVID, we lost a lot of our elders, too many of our elders with the language and the culture, forever gone. But I thank you for that question.

Ms. PINGREE. Sure. Thank you. I don't know if any of our other members have questions. I know it is a busy day, and we are getting ready to take votes, so a lot of people have had to leave our Zoom. So unless I see any other hands out there, which I don't, I am just going to thank all of you. I really appreciate the time you took, and not only did you all do a great job with the conversation today, but your written testimony is just full of a lot of rich infor-

mation that I think will be really important as we put together the fiscal year 2023 appropriations bill. So feel free to stay in touch.

If I don't see any other members raising their hands, I am going to declare this committee adjourned, and thank you very much for your time.

THURSDAY, APRIL 7, 2022.

MEMBERS' DAY

Ms. PINGREE. Good morning, and welcome to the members of Congress witness hearing for the Interior and Environment Appropriations Subcommittee.

So today we will hear from members of Congress on pressing issues, including air quality and monitoring, forest management, remediation of abandoned mine lands, and the importance of supporting insular areas. The members testifying today represent the interests of both Republicans and Democrats from cities and rural areas all over the country facing a broad range of challenges.

We have 4 members testifying today. Each witness will have 5 minutes to present testimony, and we will be using a timer to keep us on track. After we hear each testimony, members will have an opportunity to ask questions.

With that, I would like to turn to my friend, Mr. Joyce, to see if he has opening remarks.

Mr. JOYCE. Thank you for yielding, Chair Pingree, and I promise to be brief, and thank you for holding today's hearing to receive testimony from our colleagues. I look forward to hearing more about the projects and programs in the Interior and Environment bill that are important to each of your districts and to communities across our country. Your input will be critical as we work to fund the agencies under this subcommittee's jurisdiction including: the Department of the Interior, the EPA, the U.S. Forest Service, the Indian Health Service, and several others. Under Chair Pingree's leadership, we will work to accommodate these priorities as best we can in the fiscal year 2023 appropriations process as it moves forward.

Thank you again to each of our colleagues for taking the time out of your busy schedules to speak with us today. We thank you for bringing your ideas to our attention. Thank you, Chair Pingree. I yield back.

Ms. PINGREE. Thank you. Well, we will go ahead and begin, and, Representative Griffith, would you like to start us off?

THURSDAY, APRIL 7, 2022.

HON. H. MORGAN GRIFFITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

Mr. GRIFFITH. Yes, thank you very much. I appreciate it, and you have got all my materials. But I want to thank you, Chairwoman Pingree and Ranking Member Joyce, for what you have done in the Abandoned Mine Land Economic Revitalization, now known as the AMLER Program. It used to be known as the AML Pilot Project.

It started off with 3 States, and then we were able to get three additional States added, including Virginia.

In my little corner of Virginia that has coal mines and a lot of abandoned coal mine areas that date back decades, this program has brought new hope to a lot of communities. We have taken down high walls to create industrial development areas. We have cleaned up a coal finds pit. That is where the coal was too small, and they just dumped it into a lagoon for decades. That is just about cleaned up. That will become an economic development site of about 200 acres with rail. All this stuff, it has got rail, it has got electric, it has got natural gas, it has got water, and it is going to be a really great opportunity for the community to take an area that was just a blight.

We have done some ecotourism. We have got a solar farm. We have helped close off portals for the ecotourism stuff. It is just doing some amazing things. And so I just wanted to basically say thank you all for what has already been done, and to let you know there is still a lot to be done because for over 100 years, mining was done before we got the modern laws that changed some of the rules. And there are still a lot of mine portals, and some high walls, and some other things that we can deal with, and then convert it into things that can be economic development. The program applies to all, but I can only speak to my district. It allows us an opportunity to at least begin the process to change our economic fortunes, which, as you all know, have not been good over the last couple of decades with the diminution in coal production.

With that being said, again, I appreciate it. I am happy to answer any questions, and I yield back.

Ms. PINGREE. Great. Well, thank you so much. I appreciate your taking the time to let us know how beneficial that program has been and how it has really impacted you and your constituents, so that is wonderful to hear. And kudos to your own district for taking advantage of those opportunities. It just seems like a great way to reclaim abandoned mines, so your firsthand knowledge of that, I think, is really helpful to us.

Mr. Joyce, anything you want to mention?

Mr. JOYCE. No, thank you.

Ms. PINGREE. Great. Well, thank you so much. I appreciate you taking the time to fill us in, and we will look forward to working with you on that program in the future.

[The prepared statement follows:]

H. MORGAN GRIFFITH

9TH DISTRICT, VIRGINIA

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April 7, 2022

The Honorable Chellie Pingree
 Chairwoman
 Interior and Environment
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 2007 Rayburn House Office Building
 Washington, DC 20515

The Honorable David Joyce
 Ranking Member
 Interior and Environment
 Appropriations Subcommittee
 2007 Rayburn House Office Building
 Washington, DC 20515

Dear Chairwoman Pingree and Ranking Member Joyce:

Thank you for allowing me the opportunity to highlight a matter of great importance to my district as you move forward in the appropriations process.

A top priority of mine is to address the need for adequate funding for coal communities in Virginia, and throughout much of Appalachia, to reclaim abandoned mine lands in a way that supports economic development and transitions our economy that has been built on coal. The Abandoned Mine Land Economic Revitalization (AMLER) Program has proven to be a valuable tool in this effort and I'm here to today to share an update with you on the progress we have made in my part of Appalachia with these funds.

Since I first advocated for the expansion of the then-called AML Pilot Program back in 2015 and Virginia received its first round of funding in 2017, this program has spurred economic development in the heart of coal country where it is greatly needed.

We have already seen some amazing projects come forward as a result of this program. Some examples of economic development in Virginia on former mining lands include: a solar farm; hemp farming to remove heavy metals, oils, and other toxins from the soil; other sustainable community farming; the creation of new industrial parks; removing a highwall; ecotourism projects; and cultural centers such as a year-round music venue.

One of the pillars of a strong economy is adaptability. In my part of Virginia, we are taking land that is no longer usable for its former purpose of coal production and transitioning it to future

uses. The reclamation work itself creates jobs, and the uses the land is put to, whether industrial or tourism, supports jobs and economic growth as well.

This funding is needed to really get in and continue to help these Appalachian coal communities that have been economically devastated, while at the same time helping reduce the environmental impact of un-reclaimed mine lands.

I hope that you will join me in advocating for coal communities in Appalachia and maintain robust funding for the AMLER Program in the FY23 appropriations bill this subcommittee will write.

I appreciate your consideration of this request.

Sincerely,



H. MORGAN GRIFFITH
Member of Congress

Representative Schrier, are you on with us? Do you want to—
Ms. SCHRIER. I sure am.

Ms. PINGREE. Great. We would love to hear from you. Thank you so much.

THURSDAY, APRIL 7, 2022.

HON. KIM SCHRIER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON

Ms. SCHRIER. Excellent. Well, thank you, Chairwoman Pingree and Ranking Member Joyce, and it is great to see you, Mr. Griffith. I am here today to discuss a few issues of great importance to me and my district, specifically funding for State and Volunteer Fire Assistance, the Legacy Roads and Trails Program, and the Collaborative Forest Landscape Restoration Program.

The first program I want to speak about is the State and Volunteer Fire Capacity Programs, previously known as the State Volunteer Fire Assistance Programs. Wildfires across my district and the country have become bigger and more intense in recent years. In fact, in 2021, roughly 59,000 wildland fires burned more than 7 million acres and resulted in more than \$4.4 dollars in State and Federal suppression expenditures. These programs are essential for keeping communities in my district and across the country safe. The State Fire Capacity Program helps State and local fire departments respond to wildlife and fires and conduct land management activities that mitigate fire risk on non-Federal lands. It funds training for State and local responders, who are often the first to arrive at a wildland fire, as well as equip them with the tools they need to put wildland fires out efficiently and safely.

The Volunteer Fire Capacity Program provides support to volunteer fire departments, protecting communities with populations of 10,000 or fewer residents. Fire departments protecting these smaller communities often lack the necessary resources and rely on more volunteer staffing compared to departments protecting communities with larger populations. So increasing funding and capacity for volunteer fire departments is paramount because they are the first responders to more than 80 percent of wildland fires, whether on State, Federal, or private lands. I am leading a bipartisan letter on this program with Congressman Mike Bost and respectfully ask the committee to fund the State Fire Capacity Program at \$79 million and the Volunteer Fire Capacity Program at \$21 million for fiscal year 2023.

Next, I would like to speak about a program that is near and dear to my heart called the Legacy Roads and Trails Program. And this program leverages public and private funding to address water quality issues and access for threatened and endangered species, like Chinook salmon, bull trout, and steelhead. It was created in 2008 because the general Forest Service road maintenance budget was unable to address the sheer volume of blocked culverts, landslides, and washouts which were impacting water quality and access for threatened and endangered species. The need for funding remains great today. The Forest Service has identified a backlog of over \$3.5 billion in deferred maintenance for over 370,000 miles of

roads, hundreds of culvert projects, and over \$600 million for priority watershed restoration.

I also want to comment on some troubling information that I heard recently that a significant portion of the funding for Legacy Roads and Trails may be redirected to wildfire-related work. And let me be clear: as you just heard, you will not find a bigger champion for wildfire funding than me, but it is critical that funding for this program, which addresses critical clean water and aquatic habitat work, is protected. The language I have pushed for clearly outlines that Legacy Roads and Trails' purpose is to protect or improve water quality and drinking water and restore habitat for threatened or endangered species. Few programs deliver the recreational, environmental, and economic benefits as this program, and I respectfully request \$100 million for this program in 2023.

Finally, and I can't see my time, I want to speak about the Forest Service's Collaborative Forest Landscape Restoration Program, which funds science-based ecosystem restoration of priority forest landscapes, particularly in Western fire-prone States, like my home State. It leverages national, local, and private resources to fund these community-based forest management programs, and these programs also support rural communities. My district contains many areas identified most at risk for catastrophic wildfire, and this program is incredibly important. I urge you to support this vital program by providing full funding for CFLRP in fiscal year 2023.

And I sincerely thank you for this opportunity and ask for that support. Thank you.

Ms. PINGREE. Yeah, thank you so much for your thoughts and your remarks, and for the brilliance of doing that in exactly 5 minutes without seeing the clock. You are exactly on time, so clearly you have been in Congress long enough to master the 5-minute set of remarks.

So just a couple things I wanted to say. Well, I know from having the privilege of serving with you on the Agriculture Committee and both of us coming from States that are heavily forested, we share a lot of the same concerns, and so I appreciate your speaking up about the things that you are observing. And I was really pleased to see that on the Collaborative Forest Landscape Restorations Program, we were able to secure a significant investment in that and, I think, actually doubled the funding for that program. So we are going to continue to focus on that, and it is really helpful to hear your sense of how important it is.

I just wanted to mention one thing on the Legacy Roads and Trails and the Cooperative Fire Assistance programs. I think it is helpful to hear kind of what you are hearing out there. You know, when the committee did what we called the fire fix, the aim was to reduce fire spendings' impact on the rest of the Forest Service budget because, as you mentioned, this is just a growing problem, and it often eats up a lot of the Forest Service budget. So we also in 2022 reinstated the Legacy Roads and Trails line item as a separate program aligned to better assist tracking of those dollars.

So we can talk further about this, but I would love to hear more about, you know, sort of your insights into how that money is not getting to where it needs to be because we consider it an important

program. We are trying to make sure that the money goes where it needs to go. It is there for a critical purpose, and we fully understand that it is very hard to fund wildfires at the rate that it is going now. But as I said, that was what sort of the quote “fire fix” was all about. So we can follow up with you on that, but I really appreciate you bringing it to our attention, and really thank you for taking the time to come before our committee today.

Mr. Joyce, do you want to add anything else or are you good?

Ms. PINGREE. Okay. Good. All right. Well, we will keep moving on. Thank you, Representative Schrier.

[The prepared statement follows:]

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Congress of the United States

House of Representatives
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April 7, 2022

The Honorable Chellie Pingree
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Subcommittee on Interior, Environment and
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The Honorable David Joyce
Ranking Member
Committee on Appropriations
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Dear Chairwoman Pingree and Ranking Member Joyce,

Thank you for allowing me the opportunity to testify to your Committee about a few issues of great importance to me. Specifically, I want to address funding for State and Volunteer Fire assistance, the Legacy Roads and Trails program, and the Collaborative Forest Landscape Restoration Program.

The first programs I want to speak about are the **State and Volunteer Fire Capacity Programs**, previously known as the State and Volunteer Fire Assistance Programs. Wildfires across my district and the country have become bigger and more intense in recent years. In 2021, roughly 59,000 wildland fires burned more than 7 million acres and resulted in more than \$4.4 billion in state and federal suppression expenditures. These programs are essential for keeping communities in my district and across the country safe.

The State Fire Capacity program helps state and local fire departments respond to wildland fires and with conducting land management activities that mitigate fire risk on non-federal lands. It funds training for state and local responders who are often first to arrive at a wildland fire, as well as equip them with the tools they need to put wildland fires out efficiently and safely.

The Volunteer Fire Capacity program provides support to volunteer fire departments protecting communities with populations of 10,000 or fewer residents. Fire departments protecting smaller communities often lack the necessary resources and rely more on volunteer staffing compared to departments protecting communities with larger populations.

Increasing funding and capacity for volunteer fire departments is paramount because they are the first responders to more than 80% of wildland fires – whether on state, federal or private lands.

I am leading a bipartisan letter on these programs with Congressman Mike Bost and respectfully ask the Committee to fund the State Fire Capacity program at \$79 million and the Volunteer Fire Capacity program at \$21 million for FY23.

Next, I want to speak about a program that is near and dear to my heart, the US Forest Service's **Legacy Roads and Trails** program. This program leverages public and private funding to address water quality and access for threatened and endangered species like the Chinook salmon, bull trout, and steelhead.

It was created in 2008 because the general Forest Service road maintenance budget was unable to address the sheer volume of blocked culverts, landslides and washouts which were impacting water quality and access for threatened and endangered species. The need for funding remains great today. The Forest Service has identified a backlog of over \$3.5 billion in deferred maintenance for its network of over 370,000 miles of roads, hundreds of high priority culvert projects, and over \$600 million for priority watershed restoration projects in need of restoration.

I also want to comment on some troubling information I received that suggested a significant portion of funding for Legacy Roads and Trails may be redirected to wildfire-related work. Let me be clear, you will NOT find a bigger champion for wildfire funding than me, but it is critical that funding for this program - which addresses critical clean water/aquatic habitat work - is protected. The language I have pushed for clearly outlines LRT's purpose is to "protect or improve water quality in drinking water source areas, restore habitat of threatened or endangered fish or wildlife". There are times when that overlaps with wildfire prevention goals, but the core tenets of the program must be upheld.

Few programs deliver the trifecta of environmental, recreational, and economic benefits like Legacy Roads and Trails, so I respectfully request that the Committee provide \$100 million for this program.

Finally, I want to speak about the Forest Service's **Collaborative Forest Landscape Restoration Program** (CFLRP), which funds science-based ecosystem restoration of priority forest landscapes, particularly in Western fire prone states, such as my home state. CFLRP leverages national, local, and private resources to fund collaborative, community-based forest management that restores National Forest System lands. It improves forest health, builds wildfire resilience, reduces management costs, and achieves ecological and watershed health goals. These programs also support rural communities by encouraging the utilization of forest restoration by-products to offset treatment costs, benefit local rural economies, support forest sector jobs and improve forest health.

My district contains many areas identified as the most at-risk from catastrophic wildfire in the nation. In North Central Washington, CFLRP funds could be utilized to implement strategic fuels treatments and ecosystem restoration and resilience projects to reduce the risk of wildfire and other disturbances to help protect lives, communities, ecosystems, assets and working

forests. With sufficient funding, programs like CFLRP, which have a diverse range of benefits, including - wildfire reduction, reforestation, job creation, and wildlife habitat restoration - can serve as models for the restoration of forest landscapes.

I urge you to support this vital program by providing full funding for CFLRP in Fiscal Year 2023.

I sincerely thank the Committee for the opportunity to testify today on a few issues of critical importance to my constituents. Thank you.

Sincerely,



Kim Schrier, M.D.
Member of Congress

Ms. PINGREE. Representative Garcia, thank you so much for being with us today. We would love to hear from you if you are able.

THURSDAY, APRIL 7, 2022.

HON. SYLVIA R. GARCIA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Ms. GARCIA. Yes, ma'am. Well, first of all, thank you so much, Chairwoman Pingree, for inviting me today, and Ranking Member Joyce, I hope you are comfortable over there. And to any of the committee members that may be listening in, I am pleased to share with you my fiscal year 2023 appropriations priorities.

I am proud to represent the Texas 29th Congressional District that includes part of Houston, South Houston, Pasadena, Jacinto City, and Galena Park. Most of those cities are in and around the Houston Ship Channel in our industrial complex. My district is about 78 percent Latino. The average household income is about \$48,000, and about one-third of my district is uninsured. In fact, just last week when the ACS Survey was announced, it was also announced that my district now has the highest number of people that are uninsured of any district in the country, so it is an area where we are really very concerned about health risks.

So for my district, environmental issues are not just health issues but also social justice issues. There are racial justice issues. In the last decade, a slew of chemical and natural disasters have impacted the air quality of the Greater Houston Region. Additionally, the region has struggled with air quality control and air monitoring due high amounts of ozone pollution and smog. For example, air monitors uncovered unusually high levels of a cancer-causing chemical, formaldehyde, in Houston in 2021. My community has taken great strides to monitor air quality more closely and more equitably through local communities, State, Federal, and private initiatives.

I remember well when I was county commissioner that we worked real hard to try to get more monitoring in and around our Houston Ship Channel, but that is not enough. Increasing the number of air monitors is one step in the right direction so that we can ensure that communities of color are not disproportionately impacted by poor air quality, and we can hold bad actors accountable, but certainly more needs to be done.

That is why I am proud to champion a request this year, among my colleagues, for strong, robust funding for fiscal year 2023 Clear Air programs. Specifically, I am asking the committee and my colleagues to robustly fund the Environmental Protection Agency's State and Tribal Assistance Grants Program. The EPA State and Tribal Grants Program offers a variety of Clean Water and Clean Air Initiatives. My letter asked for strong funding for this program, specifically for air monitoring and pollution abatement programs. This funding would greatly help communities like mine across the country that have long been underserved.

Everyone deserves the right to breathe clean air. These monitors can mitigate the harmful pollution that leads to poor health outcomes, higher healthcare costs, and potential long-term disabilities

and illnesses that prevent people from working. I am proud to see that the committee prioritized strong funding last time, and I encourage us to continue that funding and make it a little bit more robust. We already have a handful of co-signers in our current letter, and, again, our priorities for funding is critical, and it is one that can benefit everyone: lower/middle income and racially and ethnically diverse. Those communities have been the victims of environmental injustice for decades, and we can do better.

Thank you for the consideration to my request. I sincerely appreciate the time and hard work that the committee and you have spent on making sure that the work of your committee reflects the needs and priorities of the districts. So, again, I am happy to answer any questions, and thank you so much for your time.

I yield back. I yield back the balance of my time.

[The prepared statement follows:]

Congresswoman Sylvia R. Garcia Remarks
Interior Subcommittee on Appropriations

Good afternoon, everyone. Thank you Chairwoman Pingree, Ranking Member Joyce, and committee members for having me here today to share my Fiscal Year 2023 Appropriations priorities. I am proud to represent Texas' 29th Congressional District, which includes Houston, South Houston, Pasadena, Jacinto City, and Galena Park. My district is about 78% Latino. The average yearly household income is about \$48,000. And about 1/3 of my district is uninsured. For my district, environmental issues are social justice issues. They are racial justice issues. In the last decade, a slew of chemical and natural disasters have impacted the air quality of the Greater Houston area. Additionally, Harris County residents struggle with air quality control and air monitoring due to high amounts of ozone pollution and smog. For example, air monitors uncovered usually high levels of a cancer-causing chemical, formaldehyde, in Houston in 2021. My community has made great strides to monitor air quality more closely and more equitably--through local community, state, federal, and private initiatives. Increasing the number of air monitors is one step in the right direction, so that we can ensure communities of color are not disproportionately impacted by poor air quality and we can hold bad actors accountable. But more needs to be done. That is why I am proud to champion a request this year among my colleagues for strong, robust funding for FY23 Clean Air programs. Specifically, I am asking the committee, and my colleagues, to robustly fund the **Environmental Protection Agency's (EPA) State and Tribal Assistance Grants Programs**. The EPA State and Tribal Grants program offers a variety of clean water and clean air initiatives. My letter asks for strong funding for this program, specifically for air monitoring and pollution abatement programs. This funding would greatly help communities like mine, across the country, that have long been underserved. Everyone deserves the right to breathe clean air. These monitors can mitigate the harmful pollution that leads to poor health outcomes, higher healthcare costs, and potential long-term disabilities and illness that prevent people from working. I am proud to see that the committee prioritized strong funding for this program last year, after I sent a solo request letter about this. This year, my Congressional colleagues are joining me in the request. We already have a handful of cosigners, and I sincerely hope the committee once again prioritizes funding for this critical program that benefits everyone, but in particular, communities like mine—low or middle income and racially and ethnically diverse. These communities have been the victims of environmental injustice for decades, and we must do better. Thank you for consideration of these requests. I sincerely appreciate the time and the hard work of the Committee as you consider Member priorities while drafting the FY23 Appropriations bills. I am happy to answer any questions you might have, and I yield any remaining time.

Ms. PINGREE. Great, and you had 40 seconds left, so you had plenty to yield back. Thank you so much. We really appreciate your taking the time to come before us and talk a little bit about the impact in your community, and I think having the lens of environmental justice is so important as we really think how our programs are funded and implemented. And actually, I just want you to know that your leadership has been very helpful in securing increased funding for this program, so it does make a big difference that you have chosen to advocate for this.

I know we are going to be working towards robust funding in the fiscal year 2023 bill, but I just wonder if you have any suggestions about other ways that EPA could strengthen these programs to ensure that they are being as effective as possible in your district.

Ms. GARCIA. Well, if there is any way to make sure that if the dollars go through our State, that they are guardrails to make sure that they do go for this purpose. As you know, I come from a State that has a governor that sometimes holds the dollars at the capitol and sometimes uses those dollars for purposes that the Congress doesn't intend. So finding a way to quickly get the money on the ground because I can tell you that it seems like Houston has an incident almost, you know, sometimes once a month, you know. Some are really bad and some are not, but there is something always going on because, you know, we are the energy capital of the world. My district is home to almost the entire petrochemical complex except for Exxon, you know. I am right in the heart of the Houston Ship Channel. It is all there, but my workers need to be protected. We need more air monitoring, and we need more programs for mitigation.

Ms. PINGREE. Great. Well, that is very helpful to hear. Again, I really appreciate your advocating for this. It is extremely important, and your district is a good example of that. Anything you want to add, Mr. Joyce?

Mr. JOYCE. No. Thank you, Chair Pingree.

Ms. PINGREE. That is quite all right.

Mr. GARCIA. [Inaudible.]

Ms. PINGREE. We are just glad to have your presence, so thank you for that.

And, yes, do we have one more witness? And we are so happy to hear from American Samoa, and, Representative Radewagen, please tell me if I am mispronouncing your name. And go ahead, and we would love to hear from you.

THURSDAY, APRIL 7, 2022.

HON. AUMUA AMATA COLEMAN RADEWAGEN, A REPRESENTATIVE IN CONGRESS FROM THE AMERICAN SAMOA

Mrs. RADEWAGEN. Perfect. Thank you, Chair Pingree and Ranking Member Joyce, for the opportunity to testify on behalf of an increase for the American Samoa operations account at the Department of Interior Office of Insular Affairs for fiscal year 2023.

While the worst is behind most States on Mainland USA, almost 10,000 miles away in the Pacific, Omicron rages. American Samoa is at its worst state since the pandemic outbreak with over 4,000 new cases just in the past few weeks. The governor has imple-

mented a Code Red lockdown which will last for the foreseeable future. The Federal Government has responded quickly and forcefully. I accompanied a FEMA response team to American Samoa a few weeks ago, and we in American Samoa appreciate their support as our healthcare system has been overwhelmed. FEMA had to contract 40 healthcare professionals, doctors, nurses, and technicians just to help us out at our hospital, which the Army Corps of Engineers has reported to Congress is in a state of "abject failure."

Adding to the difficulties, over 1,000 of my constituents were stranded away from home for more than 1 year when our borders were closed as a protective measure against the pandemic. I myself could not get back to my own home district for almost 2 years. Can you imagine that? Even when I had the opportunity to travel home with the FEMA team, it was for short times. I was called back to Washington.

I humbly ask this committee to help us get a functioning hospital, which is a primary charge of the DOI, OIA, ASP Account. Additional funding will be needed from other agencies, such as DOD, VA, HHS, and the local government, but it is this committee's help that is crucial as Interior is the lead. I hope that this committee can work with other agencies to find comprehensive funding consistent with the Army Corps' findings reported to Congress almost 3 years ago.

Inflation and COVID have taken their toll physically and economically in American Samoa. Our tourism is mostly eco- and adventure tourism to the American Samoa National Park with family run-ins and bed and breakfasts, family businesses that were hit especially hard. We were last to receive unemployment relief. Months after the rest of the country was getting their last checks, we were just getting our first because it took that long for the Labor Department to implement the program. Similarly, we were shut out of the initial rounds of PPP and EIDL Small Business funds. Adjustments were made in the American Rescue plan, and other COVID relief measures have been a significant aid the past 2 years. Inflation is exacerbated in marine-based island economies where food and fuel must be shipped in, and local fishermen's fuel costs have skyrocketed while the Chinese continue to fish illegally around our EEC and marine monuments, seizing even more market share while we play fairly by the international rules that restrict our fishing days.

So I ask you, Chair Pingree and Ranking Member Joyce, to please look at the well-documented record of the Army Corps of Engineers' findings for the need for hospital funding and proffered options that range in the hundreds of millions of dollars. I am most appreciative of the subcommittee's past work to provide increases. I hope that the committee can agree that those needs remain and have only increased. Some offset of these recent inflationary pressures is needed, and the Army Corps report spells out the replacement needs. These funds are dedicated to the health and education of our local community, which continues to lead the Nation in per capita recruitment to the United States Army from our high school ranks. We are a proud people always ready to serve our country.

Thank you both for your time and consideration of the people of American Samoa. Madam Chair, I yield back my time.

[The prepared statement follows:]

Rep. Aumua Amata Coleman Radewagen (American Samoa- AT LARGE)
Member Day Testimony for FY 23 to the
Appropriations Interior Subcommittee

Thank you Chair Pingree and Ranking Member Joyce for the opportunity to testify on behalf of an increase for the American Samoa operations account at the Department of Interior Office of Insular Affairs for Fiscal Year 2023.

While the worst is behind most states on the mainland USA, 7000 miles away in the Pacific Omicron rages. American Samoa is at its worst state since the pandemic outbreak, with over 4000 new cases in the past few weeks. The Governor has implemented a code red lockdown which will last for the foreseeable future.

The Federal Government has responded quickly and forcefully. I accompanied a FEMA response team to American Samoa a few weeks ago, and we in American Samoa appreciate their support as our health care system has been overwhelmed.

FEMA had to contract 40 healthcare professionals: doctors, nurses and technicians just to help us out at our hospital, which the Army Corps has reported to Congress is in a state of “abject failure.”

Adding to the difficulties, over 1000 of my constituents were stranded away from home for more than one year when our borders were closed as a protective measure against the pandemic.

I, myself, could not get back to my own district for 16 months-can you imagine that? Even when I had the opportunity to travel home with the FEMA team, it was for a short time as I was called back to Washington.

I humbly ask this Committee to help us get a functioning hospital which is a primary charge of the DOI/OIA/ASG account. Additional funding will be needed from other agencies such as DOD, VA, HHS, and the local government.

But it this committee's help that is crucial as Interior is the lead. I hope that this Committee can work with other agencies to find comprehensive funding consistent with the ARMY Corps findings reported to Congress almost 3 years ago.

Inflation and Covid have taken their toll physically and economically in American Samoa.

Our tourism is mostly eco-and adventure tourism to the American Samoan national park with family run inns and bed and breakfasts, family businesses that were hit especially hard.

We were last to receive unemployment relief --months after the rest of country was getting their last checks we were getting our first-- because it took that long for the labor department to implement the program. Similarly, we were shut out of the initial rounds of PPP and EIDL small business funds.

Adjustments were made and the American Rescue Plan and other Covid relief measures have been a significant aid the past 2 years, inflation is exacerbated in marine based island economies where food and fuel must be shipped in.

And local fishermen's fuel costs have skyrocketed while the Chinese continue to illegally fish around our EEZ and marine monuments, seizing even more market share while we play fairly by the international rules that restrict our fishing days.

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These funds are dedicated to the health and education of our local community which continues to lead the nation in per capita recruitment to the United States Army from our high school ranks.

We are a proud people always ready to serve our country.

Thank you both for your time and consideration of the people of American Samoa.

Ms. PINGREE. Well, thank you very much. Thank you for your excellent work in representing the people of American Samoa, and we are really appreciative that you came before us today. My deepest sympathy to the people back home given the COVID challenges that they are dealing with right now. You know, it is easy for some of us when things seem to be slowing down to forget that there are all kinds of places that are in different stages of dealing with this horrific illness. So I hope for the best, and I hope we can support you in any way.

And I am just so sorry to hear that you and so many others have been restricted from even going home. I can't imagine how challenging that must be, but, you know, we want to be able to support you in any way possible. I know that the committee put \$2.5 million in the fiscal year 2022 bill for some of the initial planning and design work for the hospital replacement. And while it might take multiple sources to get the full funding, I certainly pledge, you know, our support to doing all that we can to getting that done and, again, to support you in any way.

You know, it is not on the same scale, but I come from a State, Maine, where tourism is our largest industry, and so in 2020, when we were hardest hit by the pandemic, we greatly benefited from having PPP and so many other programs. So I can't imagine how difficult it has been for all of you not having access to that program or having the delays. That really had to be extremely difficult. So we will look forward to continuing to work with you and working with you on the fiscal year 2023 budget, and, again, just thank you so much for the work you do and for being before us today.

Anything, Mr. Joyce that you want to add?

Mr. JOYCE. I second your comments, Madam Chair.

Ms. PINGREE. There we go. Well, with that, I think we have heard from all of the members who are interested in testifying today, and if there are no other members to come before us. I don't have any closing remarks, and I don't think Mr. Joyce does either, so we will just call this meeting of our committee adjourned. So thank you again, everyone, for being with us today.

WEDNESDAY, APRIL 27, 2022.

U.S. FOREST SERVICE

WITNESSES

RANDY MOORE, CHIEF, U.S. FOREST SERVICE, ACCCOMPANIED BY ANDRIA WEEKS, ACTING DIRECTOR FOR STRATEGIC PLANNING, BUDGET, AND ACCOUNTABILITY, U.S. FOREST SERVICE

Ms. PINGREE. Good afternoon. This hearing will now come to order.

I would like to welcome to the subcommittee the 20th chief of the USDA Forest Service, Randy Moore. We are so pleased to have the chance to talk with you today and hear your thoughts on the fiscal year 2023 budget request for the Forest Service. Joining the chief today is Andria Weeks, acting director of strategic planning, budget, and accountability.

Our hearing today will address the President's 2023 budget request for the USDA Forest Service. I am pleased to see investments included for climate science and the promotion of healthy forests. The budget request includes items, such as \$320 million for hazardous fuel projects, an increase of \$134 million over the 2022 enacted level; \$2.18 billion for the National Forest System, an increase of \$314 million over the 2022 enacted level; and \$76 million for research and development programs, an increase of \$26 million over enacted.

These investments will build upon the fiscal year 2022 investments this subcommittee secured, including a significant increase for wildland fire management funding to allow for the implementation of the new Federal \$15-per-hour minimum wage for firefighters. Also included, a historic investment of \$28 million in the Collaborative Forest Landscape Restoration Program, doubling the funding for this program to promote collaboration and foster local investment in our forest communities across the country; an increase of \$35 million for forest and rangeland research, both to fuel essential research that underpins all the Service's work, and for staff for inventory and analysis work, which provides the framework necessary for carbon accounting on the national forest land; and the reinstatement of the legacy roads and trails line item to emphasize the importance of roads and trail remediation work that helps threatened species and improves water quality.

From creating economic development in rural communities to reducing extreme heat in urban areas, healthy forests are essential to our Nation. Moreover, forests across the country are a crucial part of our fight against climate change. One of the largest obstacles to healthy forests and long-term carbon sequestration is the increase of high-intensity wildfires, which are affecting our landscapes. I am concerned to see that this year looks like it will be another severe year for wildfires. The committee has provided sig-

nificant investments to prevent, combat, and recover from these wildfires in recent years. While the Infrastructure Investment and Jobs Act has further provided supplementary funding for these activities, I know more needs to be done. I look forward to discussing the impact these investments will have and where any gaps in our response may still remain.

I would now like to yield to our ranking member, Mr. Joyce, for his opening remarks.

Mr. JOYCE. Thank you for yielding, Chair Pingree, and for holding today's hearing. I look forward to partnering with you and our colleagues on the subcommittee as we begin our work on the fiscal year 2023 budget. I am pleased we are joined today by the 20th chief of the U.S. Forest Service, Randy Moore, and Ms. Weeks. Chief Moore, congratulations on your appointment, and welcome to your first hearing before the subcommittee. We are a tough crowd.

I have no doubt that your long career at the Forest Service will serve the Nation and our forests and grasslands well. You bring a unique perspective to the chief role since you previously served as a Regional Forester in both the Pacific Southwest Region and the Eastern Region. I look forward to hearing your perspective on the Forest Service's planned investments and goals for the upcoming fiscal year, and how these reasonably build on the funding Congress provided in fiscal year 2022.

For fiscal year 2023, the request asks for an additional \$1.04 billion in base Forest Service funding, nearly a 20-percent increase over the enacted level. While was proud of the key investments Congress provided for the Forest Service in fiscal year 2022 to protect and manage our Nation's forests and support our wild and firefighters, I have serious concerns about the scale of increases proposed in the President's request this year. As the Nation faces record inflation, we must be extremely cognizant of the financial decisions we are making and do not saddle our future generations with unnecessary economic burdens and debt.

Like all Americans, the Federal Government must live within its means, and doing so will require us to make difficult choices and discern wants from actual needs. While it will be financially difficult to provide the Forest Service's full request, I look forward to working with you, Chair Pingree, and our colleagues to ensure the Agency has the resources it needs to carry out its important mission.

I was pleased to see that wildland fire management continues to be a top priority for the Agency in fiscal year 2023. The request includes significant funding to support our wildland firefighters, aviation resources, and high priority hazardous fuels and forest resilience projects. While fire investments are critical, we cannot forget that we must also provide the resources and flexibilities for the Forest Service to actively manage and treat our Nation's forests. Proactive forest management is key to improving wildlife habitat, making our forests more resilient to diseases and invasive species, and mitigating the risk and skyrocketing costs of catastrophic wildfires.

Perhaps now more than ever, forest management is a critical tool to protecting the long-term vitality of one of our Nation's most valued domestic natural resources and ensuring we do not need to rely

on foreign countries for wood products. Chief Moore, given your time as Regional Forester for the Eastern Region, it probably comes as no surprise to you that I am also interested in discussing how the fiscal year 2023 request supports State and Private Forestry programs. The Urban and Community Forestry, Forest Health Management, and Forest Stewardship programs are critical in my home State of Ohio and other States across the Eastern Region, where a large percentage of forest land is privately owned, and urban forests are prevalent. While I noticed some slight reductions to these programs, I look forward to working with my colleagues to ensure that they receive the attention and the resources they deserve. State and Private Forestry funds are crucial to keeping our State and private forests protected and healthy and our forest canopies robust so they can continue to provide communities with clean air and water, recreational opportunities, mineral and energy resources, and jobs.

Today, we are also interested in hearing about the Forest Service's ongoing work related to the Great American Outdoors Act. As the Agency prepares for a third year of GAOA funding, it would be good to understand how these investments have helped the Forest Service make strides in conserving public lands, tackling maintenance backlogs, and increasing visitor access and recreational opportunities, and where potential roadblocks might exist. Finally, it would be good to discuss the Forest Service's plans for implementing the Infrastructure Investment and Jobs Act, which provided billions of dollars in advance appropriations for the Forest Service. Over the coming years, we intend to engage in active oversight of the spending of those funds to ensure there is a value for the taxpayer and our natural resources without waste, fraud, and abuse.

Chief Moore, thank you again for joining us this afternoon. Your stewardship of the Forest Service is important to our environment and communities across the U.S., and we wish you all the best in this role. I look forward to our discussion and working with you.

Thank you, again, Chair Pingree. I yield back.

Ms. PINGREE. Thank you, Mr. Joyce, very much for your statement, and, Chief Moore, you can see we are very excited to have you at our committee today, and we would love to hear your opening remarks.

Mr. MOORE. So, Chair Pingree, Ranking Member Joyce, and members of the subcommittee, thank you for inviting me to testify before you today. You know, as I close in on my first year as chief, I appreciate the opportunity to provide an overview of the benefits that the Forest Service delivers to the American people and the outcomes we plan to achieve with the resources provided in this proposed fiscal year 2023 budget.

The bottom line for the Forest Service is in our motto: "Caring for the Land and Serving People." It's really what we are about. Our job is to sustain healthy, resilient landscapes for current and future generations. The national forests and grasslands cover about 193 million acres in 43 different States, including Puerto Rico. They are the source of drinking water for more than 60 million people living in 3,400 communities across 36 States. In 2020, the Na-

tional Forest System supported more than 370,000 jobs and contributed more than \$35 billion to the GDP.

But the benefits that Americans get from their forests and grasslands are now at risk. The risks include wildfire crisis facing the Nation and the impacts of our changing climate. The Forest Service is squarely facing these risks. Improving the conditions that we are seeing will require sound science, sustained resources, the use of all the tools in our toolbox, a robust workforce, hard work, and collaboration with our partners. I appreciate the confidence that Congress has demonstrated in the Forest Service with the Infrastructure Investment and Jobs Act. These funds, coupled with the fiscal year 2023 budget request, will help restore the long-term health and resilience of the Nation's forests and grasslands.

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

The wildfire crisis has been building for decades, as you know, but we now have the science and tools to implement projects that will truly make a difference. The budget, as you indicated, dedicates about \$321 million for hazardous fuels. This will support about 308 million acres of hazard fuels reduction treatment projects. This investment supports the Agency's 10-year strategy to confront the Nation's wildfire crisis. At the same time, we are preparing for another long and arduous fire year, made worse by a continuing severe drought across the West. Our priority is to protect the health, safety, and well-being of the fire management community and the public we serve.

The budget dedicates \$1 billion to wildland fire management salaries and expenses. This investment will enable us to pay all firefighters at least \$15 an hour, fund more than 300 additional firefighters and support personnel, and support resilient and mental health programs. But we need to find a permanent solution to increase our firefighters' pay and make other system changes to ensure firefighting is a career that others will pursue in the future, and I want to work with you on that.

Climate change is altering ecosystems nationwide. It has amplified impacts of fire, disease, insects, and invasive species, and it is shrinking our habitat for our native plants and wildlife. The fiscal year 2023 budget builds on the climate change investments contained in the fiscal year 2022 budget. Our fiscal year 2023 budget request of \$318 million of forest and rangeland research will continue our work in addressing climate change and other critical research needs.

Our infrastructure needs are pressing as are our economic needs of Americans. The fiscal year 2023 budget request stimulates construction and maintenance activities in national, regional, and local economies. We are grateful for the Great Outdoors American Act funds. That helped stabilize our \$6.3 billion maintenance backlog.

The National forests and grasslands belong to every American. They encompass ancestral lands and tribal territories. Every per-

son should feel the personal invitation and connection to these lands. The Forest Service is addressing inequity by ensuring that historically-underserved groups can more fully access and participate in Agency programs and services. We have taken significant steps to improve policies, accountability, and training to ensure a work environment that is equitable, respectful, and free from harassments of any kind.

So, in closing, we know what is at stake if we do not address the wildfire crisis: the health of our communities, the clean water, the camping trips, the wood products, jobs that Americans depend on for the national forests and grasslands to provide. The risks facing these lands are significant and growing. That is why we need to act now. We need to act together and act with dedication to meet the challenges before us with sound science as our guide. So we are all in. We are ready to serve, and we have been here since 1905. Again, thank you, and we are grateful to you all for your interest and support, and I look forward to any questions that you may have.

Ms. PINGREE. Thank you so much, Chief Moore, for your testimony. We really appreciate the years of experience you bring to this job and looking forward to working with you going into the future.

I will start the questioning with my own questions, and I am going to jump right into some of the issues related to wood innovation. It is an important topic in my home State of Maine and certainly in many others as we look forward to new and innovative wood products. We held a hearing on this topic last year and discussed the work of the Forest Products Laboratory as well as programs, such as wood innovation grants. In the subsequent House bill and fiscal year 2022 enacted bill, we included milestone investments in programs that promote the use of small diameter timber and innovative wood products that utilize sustainable forestry. The fiscal year 2022 bill included \$12 million for the Community Wood Energy Program and \$20 million for wood innovation grants and language regarding mass timber and other promising wood topics.

So I would love to hear you talk about this a little bit, and it would be great if you can cover a little bit about how these investments will be implemented and the on-the-ground effects of these investments that the public will see in rural communities, including economic development. And I would also love it if you could include what progress has been made in the last year to expand the market and potentially uses for low-value and hazardous fuels type of timber, and what other challenges do you see existing as we move forward.

Mr. MOORE. So, Chairwoman, you know, that is really a great question, and I just had conversations just last week up in Skamania with industry talking about helping the Forest Service shift gears and us working together with our environmental community on what is needed based on the type of material that we have out on the national forests and, really, on those landscapes to remove. You know, it is not just about sell-offs anymore. It is really about low-value, small-diameter wood. That is what we have. That is what we have an abundance on our forests, and that is what is

serving as ladder fuels and kindling for these fires that we are seeing across the landscape.

So the question really is, is there a different way to look at utilizing material that we have to remove while we create jobs in these small rural communities where most of this is located, and can we look at wood innovation as a way to help us do that. So we are asking industry to work with us, and we are asking the environmental community to work with us. Now, the Forest Service really provides leadership on innovative wood products, and, you know, we feel that this potential is critical to the future of sustainable forest management. The market for innovative wood, really, we are looking at incentivizing forest stewardship to help keep forests as forests.

So in our research and development, it is really supporting some of the largest forest management and wood research innovation in the world. And our Forest Products Lab there in Madison, Wisconsin, is really serving as a hub for basic and applied research where we coordinate the work of numerous academic, governmental, industrial, and nonprofit groups to kick off and accelerate the development of innovative forest products that will provide some economic and environmental benefits to the Nation. So we are moving rapidly and looking at some of these bio-char, cross-laminated timber as some of those things, looking at nanotechnology, advanced composites, and advanced structural material working with the architectural industry.

So we are rapidly working with the different groups to really help us make a shift from where we are to where we need to be, and actually I am pretty excited about the reception that we are getting, looking at different uses of this material that is really serving as kindling for these large catastrophic wildfires.

Ms. PINGREE. Great. Well, thank you. Thank you for the work that you are doing and the Lab is doing, and I think we have a lot of exciting things to talk about going into the future. So I will yield back my own time and go to the ranking member for his questions.

Mr. JOYCE. Thank you, Madam Chair. I recently hosted a round-table in my district with Interior Secretary Deb Haaland and local conservancy folks to discuss, among other issues, the benefits of turning abandoned properties into green spaces and the positive impact these areas and urban reforestation efforts can have on hard-hit communities, like those on the East side of Cleveland. Chief Moore, having previously served as a Regional Forester overseeing the Eastern Region, which has the largest number of urban areas of all nine Forest Service regions, could you take a moment to discuss the positive impacts urban reforestation has on children and their communities to public health and the environment?

Mr. MOORE. Ranking Member, thank you for that question as well. Let me start by saying when I was in the Eastern Region, I created the Urban Connections Program, and there was a need, just like you have described, to really get into a lot of the large urban areas to not only just learn how to bring people in urban areas out to the forest, but how do we create the green space within these urban areas, and how do we take parts of a city and turn it into green space? And so we partnered with some of our partners

in some ways to create what we call pocket parks and green alley-ways. And so when I was in the Eastern Region, we had some initial starts. We started in Boston, Detroit, Minneapolis, and New York. And so that is where we started putting employees there to have education opportunities to talk about urban populations.

You know, one of the things that we recognize is that urban forests are about 20 percent of all forests in the U.S., and they provide really an important opportunity to increase carbon sequestration and really look at trying to mitigate the effects of climate change. And, you know, we have seen areas in large cities where there are no trees, and we know the value of trees in some of these areas cutting down on utility bills. We also know the value of urban trees bringing birds into the neighborhood. We know that there is a lot of peace, and just serenity in just being able to sit out under trees. We also have been working with doctors who write a prescription for a walk in the woods.

And so I think it is demonstrated that there is a lot of value in this, and so the question for us, I believe, is that how do we do more of this kind of work to reach more people, to create that stewardship ethic within as well as outside these urban areas. And so we would love to work with you going forward on some ideas that you may have, but here, again, we are all in on this ideal, and we have began to put a lot of positions into these areas so that we can learn from our public in these urban areas what is it that they are looking for. What is it that they would like to have? So we will continue to seek opportunities to increase reforestation in urban areas and on State, and tribal, and private lands across the country.

Mr. JOYCE. And it would appear that Chair McCollum has the perfect backdrop there with all those green trees in her background. As you well know, Ohio and other Eastern Region states rely heavily on the State and Private Forestry programs, especially Urban and Community Forestry. Unfortunately, compared to the enacted level, the President's fiscal year 2023 budget proposes cutting Urban and Community Forest funding. What impact would this potential funding cut have on the Forest Service's ability to build on prior year Urban and Community Forestry efforts, address threats to urban forest health and resilience, and promote urban reforestation like we have seen working in Cleveland?

Mr. MOORE. Well, I think we have some opportunities within the budgets that we have, and even though we may have a certain amount set aside for certain things, I think when we look at landscape perspectives, and we look at our partners, and we look at how do we bring all of our community to the table, and how do we look at how we work together to do more. And so even if and even when our budget may be reduced in one program area, one budget area, the challenge is really to bring that greater community to help leverage what we might want to do and what we might not be able to do in order to get this work done. You know, there is a rural-to-urban gradient, and when you look at landscape-level treatments, I think we have to be inclusive. We have to look at having equity in our disadvantaged communities. We have to look across the whole spectrum and not necessarily be guided by what is in a particular budget when you look at the direction and the

guidelines in the budget, I think in some cases we have more flexibility than what we might think that we do.

And I certainly think that working with partners leverage our ability to do more of this kind of work because it is, as you indicated, it is important.

Mr. JOYCE. Thank you, sir. I have exceeded my time, Madam Chair. I yield back what little time I have left.

Ms. PINGREE. Well, thank you very much, Mr. Joyce, and next we go to Chairwoman McCollum. Thank you very much for bringing some trees to our hearing today, and we will let you proceed with your questions.

Ms. McCOLLUM. Well, thank you, Chairwoman Pingree, for having today's hearing. And first and foremost, congratulations, Chief Moore, the 24th Forest Service chief. Congratulations to you. And I am singing Mr. Joyce's song here. I am up at tree level, and the urban birds really do want your attention, so I will be working with Mr. Joyce on that.

I would like to take just a moment to talk about the Office of International Programs on the work that you do partnering overseas to support sustainability, forest management, and the conservation of biodiversity. I had the opportunity to travel internationally to see some of your projects in the countries you work in, the best soft power we have. You work on climate change, illegal logging, associated trade disaster assistance, to stop illegal timber harvest, and undercutting the wood production here in the U.S. So all the same time you are doing global conservation, saving our planet. So hats off to the work you do there.

I want to talk about watersheds. We don't put the right value on water because water is life sustaining. And, you know, as you pointed out, out 53 percent of the total of certain forests, modern U.S. forests, right? So the Forest Service has a special responsibility to protect those watersheds, including the priceless watershed and the water in Minnesota, our Boundary Waters National Canoe Wilderness Area. So I am grateful for the Biden administration for restarting the study on the mineral withdrawals in the watershed. I look forward to seeing that as soon as possible. There have been a couple delays, but we are hopeful that we will have it in the next month or two.

So I know you can't comment on any further than that. The study is the study, right? But could you maybe talk a little more about what the [inaudible] role that you play on that, and then [inaudible] role and sometimes how you are in conflict. You are on the surface, and the BLM has the subsurface. So just talk about your role in protecting our water.

Mr. MOORE. Okay. So, Congresswoman McCollum, I think I heard most of what you were saying. I don't know if it is my system or yours, but you were coming in and out. So let me start with where you originally started talking in terms of working internationally across boundaries of the different countries. And, you know, we have participated in the past looking at going over and providing technical assistance to other countries, and we still do. What is interesting, though, is that that even though we go over to provide technical assistance, we learn so much. Ecosystem services is one of those things that we have learned from other coun-

tries that we know has a place here in the U.S. And I know that wasn't your question, and we can talk about that later, but that is one of the new frontiers I think we have to explore.

The other piece is really around water, and I think you would agree that water is the most important natural resources that flows from the forest. And one of the things I found out just this past year is that the Forest Service manages the largest single source of water in the U.S., which is about 18 percent of the water that flows off through national forest managed lands. That is a significant amount of water, and if you had to put a value on that water, it is in the hundreds of billions of dollars.

So, first of all, thank you for increased funding for vegetation and watershed management in fiscal year 2022 compared to fiscal year 2021. And, you know, I would just make a note that in fiscal year 2023, the budget requests a significant increase for that program which I think will help us really look at supporting healthy, resilient watersheds and sustain that production of clean water that I just talked about, the 18 percent of the total water flowing through and off national forests.

I think in fiscal year 2023, our goal is to look at improving 16 watersheds in Condition Class 1. That is the highest level of a watershed function. So we go in and we do an assessment. We look at the existing condition of a Watershed Condition Class 3, 2, 1, 1 being the best. And so the question, and it is rhetorical, but the question that I would lay out there is, at some point we should pursue looking at outcomes versus outputs. And the Watershed Condition Class is a great example of how to look at outcomes of doing the work in a watershed rather than the outputs of acres treated, as an example. So rather than acres treated, did we move that Watershed Condition Class from 3 to 2 or from 2 to 1, and what does it take to do that? So I think it is just a different way of looking at how can we be responsible to Congress, and how can we be responsible to the American people. And I think we need to pursue looking at outcomes a bit more.

Ms. PINGREE. Chief Moore?

Mr. MOORE. Yes?

Ms. PINGREE. I have to cut you off. Chair McCollum, do you want me to try to get the last question? It was a little hard to hear you on the question about BLM and the watershed, so I am not sure that you have got your full question. Maybe we could put it into the second round? Yeah. I am just going to move on because she has a tough connection.

So next we are going to go to Mr. Stewart for your 5 minutes.

Mr. STEWART. Chairwoman, thank you. Chief, thanks for being with us. Thanks for your leadership on a lot of these tough issues. I think, as I recall, you were working in my neck of the woods up in the Cashew International Forest at some point. Is that true, Chief?

Mr. MOORE. That is correct.

Mr. STEWART. Well, I am sure you miss it. We miss you. It was one of the most beautiful forests in the country, a beautiful area. Thanks for your service there, and as I look at your bio, really all around the country you have a diverse background, and we know you will be able to apply much of that knowledge because your

problems aren't just in the West. The forest has concerns, you know, across the country as you have indicated here today.

Hey, could I hit a couple things quickly, and I think we really can do it quickly. One of them is just to tell you thank you. My former chief of staff here in Washington, D.C., is now the director of natural resources for the State of Utah, and he wanted me to convey to you the shared stewardship and the success you have had we feel like we have had with you and that it really has been a great partnership. And because we feel like it has worked so well, we hope you and the Forest Service agree and that you will continue and a commitment to work together on that in solving some of these resource problems. So, again, thank you, and we hope that you will continue to work with Utah and with directors.

A concern I have, and I will bet you do, too, as well, Chief, is that, as you indicated fire management is, of course, one of the primary things we want to talk about. As Ms. Pingree noted, it is likely this year is not going to be better than last year. In fact, it is probably going to be worse based on the drought conditions in the West. And so we have appropriated more money, but you know, Chief, a 10-year plan, half of that money, 5 years of it is supplemented through the infrastructure bill. And it worries me that we get your 5, and now we have a 50-percent reduction. And I wondered if you could comment on that and how you think the best way to address it.

Mr. MOORE. So, Congressman, you know, we have a 10-year strategy that we developed, and we are looking at a 5-year plan. And we are so grateful for Congress passing the infrastructure bill because it has given us more hope than we have had in a very long time in this Agency. I also want to point out, though, that as welcome as that amount of money is, we want everyone to understand this is only a downpayment to try to really get at addressing a problem that we see ourselves facing in this country. And when you look at the 66 or so million acres of National Forest System lands alone, not to mention the other 100 or so million acres of other private, Federal, and tribal lands, you would understand that it just is not nearly enough to really get at the problem, but it is a good downpayment.

I think, you know, when you look at the accountability of what Congress has done for the American people and for the Forest Service, it is up to us now to work with our partners on the accountability end. We want to demonstrate to Congress and the American people that here is what we are doing with what we have. If we had more, we would do more. But we feel like we owe it to you to demonstrate that we can be effective and successful in trying to address this problem that we have out here, particularly on our Western landscapes, but not only the Western landscapes. You know, we have disease and insects, hurricanes in the East and the South, and so we have problems all across the country.

Mr. STEWART. Yeah.

Mr. MOORE. And we want to demonstrate to you what we are going to do with what we have.

Mr. STEWART. Well, Chief, I appreciate that, and if I could just make one suggestion. And then, again, I know that you have considered this many times. But that supplemental appropriations for

forest fire, which, again, we know is going to be a challenge, but we hope you will consider as well the forest management side of that, that, you know, rather than, you know, having fires and just appropriating money to fight the fires, to be, as I know you are, lean into that, be progressive and to be aggressive in how do we manage our forests to mitigate fires or, you know, to actually decrease the likelihood of that fires spread. And, again, I know you have had that conversation.

Could I mention one other thing? So now, two things, and, Chief, keeping track for us, shared stewardship. I hope you will work with us on that, forest management plans to minimize the actual number of fires. And then finally, and I didn't know that I would be talking to you about this. It is kind of an unusual subject, but it has been brought to my attention that we have a bit of a bee controversy in Utah in the sense that we have got bee owners, and I grew up farming, and we had hives on my father's farm. And we got free honey for that. That was great deal, but we have some beehive owners and others who would love to, you know, put some of their hives on Federal lands. And we feel like there is some real benefit of that and the colonization that they would provide. But then we have some who oppose that. They say that it crowds out the natural pollinators.

I mean, I didn't know that there was bee crowding on our Federal lands. In fact, I think a lot of us are fearful that, you know, our honeybees and others, there is a diminishing population. But I wonder if you could comment on that or if that is something that, you know, we could work with you as well to maybe make that opportunity available for private bee owners who would like to, again, put hives on public lands.

Ms. PINGREE. I am sorry to say, Mr. Stewart, but you have gone over your time. So, Mr. Moore, if you could just either answer it in writing or we will save it for the second round.

Mr. STEWART. Yeah, Chief, if you would, maybe we will just talk to you writing. I am sorry, Ms. Pingree. We don't have a timer, so I have a tendency to lose track, but thank you.

Ms. PINGREE. They were all, you know, excellent remarks, so we appreciate your comments.

Mr. STEWART. Thank you.

Ms. PINGREE. Mr. Kilmer, to you.

Mr. KILMER. Thank you, Madam Chair, and, Chief, thanks for being with us today. I am really grateful for the work that the Forest Service does all over our country, but I want to focus on my first and top priority, which is the Olympic National Forest. That is an ecological and economic backbone for the region that I represent. First, I want to just extend a standing invitation to you to come to our neck of the woods to see some of the challenges and some of the opportunities that we are having on the Olympic.

The issues surrounding timber and the Olympic peninsula are very personal to me. I grew up in Port Angeles. I was in high school right around the time that the timber industry took it on the chin. I saw a lot of my friends' parents lose their jobs, a lot of my neighbors lose their jobs, and I am tired of watching our rural economies that depend on Federal timber harvest struggle and folks lose their jobs, and we need your help. You know, for the past

few years, at every Forest Service budget hearing, the concern I have expressed is that the Olympic National Forest has persistently failed to produce the meaningful harvest levels that are needed, not just to support timber-dependent communities, but to improve forest health and to deal with critical salmon spawning habitats as well.

We have really good and really dedicated people working in our forest and in our region, but the outcomes just have not been acceptable. I have consistently asked the Forest Service what can I do, what can this committee do to address the acute challenges at the Olympic National Forest. I know that resource limitations have impacted operations service-wide, and that is something our committee has been working to address. But we are experiencing some acute challenges on the Olympic that I could really use your help on. I honestly cannot remember the last time the ONF met its annual harvest target. We have got to do better.

The timber target in fiscal year 2021 was 20 million board feet. The actual was 6. We visited the leadership at the forest and we were just told recently that the goal for ONF would be down the next couple of years, too. So there are real concerns that we are not going to provide adequate predictable harvest. So that brings me to the opportunities.

We have got the Olympic Forest Collaborative that has actually united folks from the environmental community and the timber industry around a common goal of responsibly increasing harvest levels on the ONF. And I am proud to say that we have actually executed a few pilot projects that would help the ONF produce a couple million additional board feet of timber, also accomplishing some important restoration tools. These projects have demonstrated the power of collaborative forest planning for meeting the goals of our region, but we need to scale up, and we really need your help to achieve these benefits, especially as rural communities throughout my district continue to take it on the chin.

So I want to be really clear. I am grateful for the partnership with the regional forester, Glenn Casamassa, and the ONF supervisor, Kelly Lawrence, and her team. Both share my commitment to supporting the work of the collaborative, but there is only so much we can accomplish without dedicated support and resources. So here are the questions I want to ask. One, how do you plan to support our region's efforts to increase harvest levels and forest restoration projects on the Olympic National Forest? Two, what do you need from me and from this committee to support that effort because we need your help. And three, what resources does the Forest Service need to help support forest collaboratives like the Olympic Forest Collaborative that don't qualify for the Collaborative Forest Landscape Restoration dollars?

Mr. MOORE. So, Congressman Kilmer, first of all, I have to compliment you on how well informed you are about what is going on that forest in your congressional district. So unlike in the past where, you are correct, the Olympic National Forest only provides about 6 million board feet out of a 20 million board feet target, this year I will have you know that the Olympic National Forest is on track to sell approximately 18 million board feet of timber in this

fiscal year. And that is a really a mix of Good Neighbor Authority and other Forest Service sales.

Now, the Good Neighbor Authority is one of those tools that we have been pretty proud of, and we are getting a lot of mileage out of that, particularly with our partners. And so last year, they did sell about 6 million board feet out of a 20-million board feet target. My conversation with the regional forester is that they have looked at creating a plan, a 3-year plan, and it is not going to take him 3 years to do it. They are going to get it done this year. But it is a 3-year plan where they can build a pipeline of timber so that when things happen, whether there are fires, or disease and insects, or some of those things then, you know, the industry doesn't suffer because we really need industry if we are going to work our way out of this problem that we have in this country. And so it is in everyone's best interest that the industry continues to survive in this country because it is one of the primary tools that we need to help us with this situation that we are in.

So we are monitoring the Olympic. The regional forester there is well aware of your concerns, and I think that you have already had more effect than what you may realize because they have really turned it around this year, and we are working with them to sustain this level.

Ms. PINGREE. Sorry I have to cut you off, but if you want to continue that, we can do so in another round. And I am going to move on to Mr. Cartwright.

Mr. CARTWRIGHT. Thank you, Chair Pingree, and thank you, Chief Moore, for being with us this afternoon.

As you know, my district in Northeastern Pennsylvania, is the home of the first head of the National Forest Service, and that was Gifford Pinchot, who was also the 28th governor of Pennsylvania. But maybe more importantly, my district is home to a lot of forest land, including two State forests, Delaware State Forest and the Pinchot State Forest, which are important components of the economy and the lifestyle of the region. We also have thousands of acres of privately-owned forests used for recreation, forest products, natural resource conservation.

I want to talk about riparian buffers for a moment. As you know, my district is in the Chesapeake Bay watershed, which is the largest estuary in the United States. Unfortunately, for decades, the Chesapeake Bay has been polluted by toxic contaminants, like pesticides, pharmaceuticals, metals, and the effort to restore the Bay has disproportionately fallen on the shoulders of people in my district, people who are already struggling just to get by. Now, since joining this committee, I have fought hard to secure as much Federal money as possible to help offset this local burden by helping townships in my district improve their stormwater management systems. These investments have been really important for my district but.

But improving stormwater infrastructure is just one of the many strategies that can be used to improve water quality in the Chesapeake Bay watershed. As you know, another way we can manage pollution in the Chesapeake Bay watershed is by restoring riparian forest buffers, which are, essentially, just the forests alongside a body of water. These buffers mitigate the impacts of water pollu-

tion by trapping and filtering sediment and pollutants carried by stormwater before it flows into the Bay. So the question is, how do resources for riparian forest buffers requested in your fiscal year 2023 budget help Chesapeake Bay watershed States, like Pennsylvania, meet their EPA pollution reduction mandates?

Mr. MOORE. So, Congressman, thank you. So we work through our State and private programs on part of the Forest Service, and the Forest Service is spearheading a riparian forest buffer initiative this spring, and it is things like webinars, reports, roundtables. And it is really culminating today with a high-level workshop that is being held, and this is for State partners to reveal their strategic action plan for riparian buffer zones. So we play a supporting role in EPA's watershed implementation plans, and this is things like helping with funding communications, reporting, coordination on all of their forestry-related goals.

We have also been working with Farm Service Agency to provide grants for 12 riparian foresters in the watershed to provide additional outreach and technical assistance for these riparian buffer zones. So the riparian buffer is largely an agriculture practice for the Chesapeake Bay Program, and forestry is providing the technical expertise on the forestry section of that. But we are engaged, in some cases, as a supporting role. For other cases, we provide the technical institute. In other cases, we provide funding to bring on the needed skills that others may need. And so we are actively engaged, sir.

Mr. CARTWRIGHT. Well, I thank you for that, Chief, and, Madam Chair, I yield back.

Ms. PINGREE. Thank you for your question. Mr. Harder, harder do you have questions today?

Mr. HARDER. I do. Thank you so much, Madam Chair, for holding this hearing, and, Chief, thank you so much for attending and for your incredible work.

As you know, wildfires are an existential issue for communities like mine in California's Central Valley. Last year, we experienced 60 smoke days due to these wildfires, 2 months out of the year where the air was so filled with smoke that it was unsafe for kids to play outside. I grew up with childhood asthma. I know how bad it gets out here, and these wildfires are only making the air quality situation a lot worse. And as you know, I am a huge supporter of the incredible work our firefighters are doing to prevent and to fight these fires, and I am concerned about the continued shortages. I know this budget request is intended to address some of those shortages, those labor shortages that we are seeing across California and the West.

You have requested about a billion dollars to fund hiring additional firefighters. Can you talk about what it will take to get the Forest Service fully staffed for the fire years that we are seeing right now, and what more might be necessary based on the budget request that you are seeing now?

Mr. MOORE. Yeah, thank you. So, Congressman Harder, I know all too well about these wildfires, particularly in California, after just coming from there. You know, it is getting tougher: 99 days last year, which is a record of planning Level 4 and 5. This is pretty darn significant, and so we have to do something about that.

The 10-year strategy takes on a piece of that, and I think it is the main piece of how we try to get at this problem. Now, to be more specific on the question that you asked, we had planned to hire about 11,400 firefighters this year. We have brought on about 90 percent of that already. There is a lot of competition out there for firefighters, and so we feel like we are ready. We can make up for that 10 percent. We are going to do a number of things to make up for that, and we say that because we find ourselves in a situation in New Mexico and Arizona as we speak in terms of wildfires taking place there and the staffing level. Are we ready?

New Mexico is into an activity level that normally happens about 4 to 6 weeks from now. It is that much earlier this year there, and the winds are compounding that. We have the ability to hire private contract firefighters. We have the ability to hire more of what we call ADs. That is administratively determined employees. We are also looking to having some additional rounds of hiring of seasonal and permanent firefighters. And so we going to continue to do all these things all the way up and through the year.

So we are prepared at 90 percent. We know how to make up that 10 percent. And so we feel like we are a long ways toward where we wanted to be, and we will get there at 100 percent shortly, and we do have that ability internally. I mentioned 11,400 firefighters, but we also have just a firefighting community, whether that is with other Department of Interior firefighters, State firefighters, local firefighters, and private firefighters. So we have a pretty large workforce of firefighters to call upon.

Mr. HARDER. Thank you, Chief. That is very helpful. Is 11,400 the right number because I am concerned that that is only a 10-percent increase on the forestry personnel that we have seen historically. These wildfires aren't getting 10 percent worse. They are getting 10 times worse. Are you confident that that is going to be enough to really keep our community safe?

Mr. MOORE. Well, let me tell you, I don't know if we will ever have enough, Congressman, unless we do something differently than what is taking place now. We have to address the vegetation situation out there on the forest because most of these fire-adaptive ecosystems, where you had ponderosa pine mixed conifer. I don't want to get too detailed, but I want to just explain that most of these ecosystems that we are talking about was fire dependent. And what has happened, though, like a ponderosa pine mixed conifer, per acre, they used to have about 40 to 60 trees per acre. Now that same veg type has anywhere from 600 to 1,000 trees per acre.

And so while we are talking about having enough firefighters to suppress the fires, we really need to be talking about how do we manage the vegetation out there so that when these fires do happen, it does its natural thing, and it is not really destructive like it is now. And so that is a very important piece. That is what the 10-year strategy is for, but you are right. We have to put the fires out that are taking place now.

And just to give you some context of the Forest Service, even though we talk about 11,400 professional full-time firefighters, the Forest Service also has a number of other firefighters that do other duties, like timber, like recreation, special uses, those sorts of things, and we can call on them from anywhere across the country.

Last year, we had 29,000 firefighters fighting fires primarily in the West, and it still wasn't enough. And so that is why we can have discussions about do we have enough, and that is a valid question to ask, but we have to be really aggressive and forthright in trying to reduce the conditions that are the root cause of these fires out there.

Mr. HARDER. Thank you.

Ms. PINGREE. Okay. Thank you so much for your question and your answers. I don't know how many members want to ask a second question, but I think a couple do, so I am just going to start a second round. And I will start with one topic.

I am interested in this question around the forest industry inventory. I didn't mean to say "industry." Forest inventory and old-growth forests. The committee included a strong investment in forest inventory work in the fiscal year 2022 bill, including \$22 million in the program line and \$216 million in forest and rangeland research salaries and expenses. And I know last week on Earth Day, the administration made a joint announcement about a plan to better catalog old-growth forests. So I just want to hear you talk a little bit about how you are going to move forward on that, how you will work with the Department of Interior to implement the executive order. What funding will be utilized for the work? Do you kind of have a roadmap for how you are going about doing it? And just any other information you can share about the scope of the initiative and also the topic of how you will define mature and old growth forests in this context?

Mr. MOORE. Well, thank you, Madam Chair. So we are still reviewing the language and what it means for the Forest Service. Now, you know, we want to have a full understanding of the direction, and we want to ensure that our understanding is shared with the Department of Interior and vice versa. We believe that the executive order really outlines a science-based approach. We will be working with DOI, again, here trying to define and conduct an inventory that can be easily shared with the public.

So it is framed within the context of wildfire risk, so it is critically important that we can implement the landscape scale treatments that reduce the risk to these communities, but also reduce the risk to infrastructure and also the natural resources, but at the same time conserve our old and mature forests, which is really our important components of climate mitigation. And so we have to keep that. I think that executive order really addresses that.

I think the wood products industry is also another important partner in trying to achieve this wildfire risk reduction goal, and the executive order speaks to the need for sustainable wood products industries but using a science-based approach to active forest management. So we are looking forward to working with all of the stakeholders moving forward on how we might implement that executive order to really get at the bottom line, which is to create healthy, resilient forests.

Ms. PINGREE. Thank you, and we will be anxious to just continue to have this conversation as you move forward.

I will turn to Mr. Joyce. Did you have any other questions you would like to ask?

Mr. JOYCE. I certainly do. Thank you. Chief Moore, I would like to discuss a newer issue that we have been tracking, beech leaf disease. Does it ring a bell?

Mr. MOORE. Yes. I am sorry.

Mr. JOYCE. The potential destructive impact it could have on trees in Ohio, Pennsylvania, New York, and New England States. In Northeast Ohio, maple beech forests make up about 25 percent of the woodland, so the disease could be extremely problematic for the forest canopy, the wildlife, and the ecosystem. I am proud that groups in my district are working diligently to learn more about the disease, how it spreads, and how to potentially breed resistant trees. But as we have learned through our experience with the emerald ash borer, controlling beech leaf disease will require comprehensive work at the local, State, and Federal levels. Can you discuss the work the Forest Service is currently carrying out related to the beech leaf disease, and how does the fiscal year 2023 request support research and research partnerships on newer diseases like the beech leaf disease?

Mr. MOORE. So thank you, Congressman. So this beech leaf disease, you know, we call it BLB, and, you know, it is an emerging disease that is affecting the American beech. And it has reached across about 10 States in as many years. So it was first detected, of course, in Ohio, and it appears to be caused by what we call the phytopathogenic nematode, and it likely came from somewhere in Asia. We are currently conducting surveys across the range of this disease, as we understand it now, to try to track and understand how it is moving across the country. Like I said, 10 states in 10 years, that is pretty aggressive, in our opinion.

So we are also working with State partners to help us to determine the scale of this. I mean, are we missing things? Has it occurred somewhere else? So our Forest Health Protection Program has provided a number of grants to support State surveys, including Ohio, New York, and many other States. And so we are working with the States to really do some aggressive surveying to really get the extent of this problem so that we can map it.

Now, we have partnered also with the Cleveland Parks and Recreation in Ohio to develop and implement what we call a reporting app, which any citizen or a citizen scientist. You know, we have different things. But any citizen scientists can really log in and delineate where they see, you know, the beech tree and just see where we are seeing some of this. And so we think that that app is going to do a really good job of helping us to identify and really help us to map out the extent of this. But we are dialed in on this issue. We have our scientists working with other science partners across particularly the East trying to get a handle on this problem. But we feel like it is a pretty significant disease that is beginning to spread at what I would consider a rapid rate.

Mr. JOYCE. Well, thank you, and one last quick one. The Infrastructure Investment and Jobs Act provided significant funding and new authorities to help mitigate catastrophic wildfires. Chief, can you provide an update on what the Forest Service is doing to expedite that funding and directives to help combat wildfires in the West?

Mr. MOORE. So, yes, and I don't know if we will run out of time, but I can certainly give it to you in writing. But in short, we have developed a strategy. We call it a 10-year strategy. It is a wildfire risk reduction strategy. We have also announced the 10 landscapes that we are going to begin the work in. We are going to focus on high-priority fire sheds, protecting communities and resources. We are actually funding about \$130 million this year on projects that are ready to go. And so we looked at the 10 landscapes across 8 States, and we are beginning work this year on trying to reduce the fire hazard potential in these different fire sheds.

So this is one of the most aggressive approaches that we have taken in a very long time. And so we have gone from developing a strategy, implementing a strategy in less than 7 months, and that is almost a record for us in terms of how quickly we have moved. But we understand the urgency of this problem. We have been doing this with our partners, and I have got to give a lot of credit to our partners. We are all in this together. We seem to be working seamlessly across many different perspectives and spectrums. And so I am really excited about how the community of leaders and partners are coming together to address this significant issue.

Mr. JOYCE. While IIJA is a down payment on the work that needs to be done, how much funding does the Forest Service realistically need to make a sizable dent in the backlog of forest management work?

Mr. MOORE. Well, we figure, you know, there is another \$20 billion to really get at the heart of this problem. And while that is a lot of money, when you look at the amount of money we are spending on suppression, and you look at the amount of money that we are spending on communities that have been destroyed, lives that have been turned upside down, it is really not a sufficient amount compared to the damage of not doing that and what it is causing to the American people.

Mr. JOYCE. Thank you. I yield back, Madam Chair. Thank you.

Ms. PINGREE. Thank you, Mr. Joyce. Mr. Kilmer, do you have another question you would like to discuss?

Mr. KILMER. I do. Thanks, Madam Chair. In the first round, I asked about harvest levels in the near term. I think there is an understanding that probably the most significant impact in terms of long term is the forest plan. So I wanted to ask about forest plan updates. The Northwest Forest Plan was, as you know, Chief, created at a time of crisis. It wasn't intended to be extended in perpetuity. It was meant to be revised over time. I think there is a sense that we have learned more over time about what works for species, and what works for forest health, and what is manageable from the standpoint of both economic and environmental sustainability.

When I got to Congress, I asked about the plan to update the Northwest Forest Plan. I was told at that time that there would be an update in the next 5 years. That was 2013. In the fiscal year 2022 bill that the President recently signed, the committee requested the Service to create a report on the current list of forest management plans requiring revision or completion, a proposed course of action, and a timeline for compliance. I guess my question

is, when can we expect to receive save that report? And if you have any information on the plan to update the Northwest Forest Plan, I would sure love to hear that, or I am happy to wait for the report back from the language that we put in requesting an update.

Mr. MOORE. So the fiscal year 2023 budget does allow us to really address that issue, Congressman. Now, I will tell you, when I was in California, I worked with my counterpart, Glenn Casamassa, there, and we were looking at really being really aggressive to update the Northwest Forest Plan Area. And so we had begun conversations with the environmental community, industry, and a lot of other partners about, you know, looking at just the scientific literature that is out in those areas. But as you know probably better than me, support for forest plan revision, it ebbs and flows. And so whether we are able to do that or not depends really on how that support ebbs and flows in terms of getting that work done. But we are pulling together a report of all the plans that are currently outdated. There are a significant number of them.

We also are looking at finalizing our plan for how we would really go about that, and I think that once we do that, Congressman, we would love to have a conversation with Congress about what we see, what we think it will take, and get some support and perspectives from you and others as we look at trying to finalize that with the administration.

Mr. KILMER. I appreciate that, and, again, would just once again extend an invitation to you. We would love to have you come out to our neck of the woods. I think folks in the Olympic would love to talk to you about some of these short-term issues and some of the long-term challenges and how we might get through them together, so would happily host you. Thank you, Madam Chair.

Mr. MOORE. I would love to visit.

Ms. PINGREE. Thank you very much. Mr. Cartwright do you have another question you would like to ask?

Mr. CARTWRIGHT. I do. Thank you, Chair Pingree. Chief Moore, I am happy to see you have specifically added language concerning providing technical and financial assistance for invasive plants into this State and private forest budgeting line in this year's request. You and I both know that invasive plant species can have devastating impacts. The National Recreation Area in my district, which is the Delaware Water Gap National Recreation Area, is constantly dealing with the decline in native plants and the problem of invasive species. In fact, plants like the Japanese knotweed, very difficult to eradicate, and they are all over the place. Last year, I introduced the bipartisan Native Plant Species Pilot Program Act, and it combats invasive species by establishing a pilot program to promote and increase the use of native plants within the National Park Service. Would a similar or analogous program be beneficial to the Forest Service?

Mr. MOORE. So, Congressman, there is no question that non-native invasive species are really confounding climate adaptation plans in forest management, and conservation, in general. You know, for forests to be resilient to climate change and invasive species, native tree diversity and vigor must be maintained and enhanced to the greatest extent possible. Now, our native plant material policy, which was developed back in 2008, promotes the use of

genetically—now let me get that right—genetically-appropriate, climate-resilient native plant materials for use in revegetation, restoration, and rehabilitation of native ecosystems. And so when you look at the amount of work that we need to do in terms of revegetating or reforesting these landscapes where we need to really go in and do some work, that is going to be a really critical piece of how we do that.

Now, I will just be up front with you. I was once asked by scientists and, you know, he asked me he said so, you know, the fact that you don't want to introduce non-native species into an area doesn't mean that all non-natives are bad. Well, you know, that is a matter of perspective, right? I think the point that we are trying to make, though, is that, in many cases, a lot of non-native invasive species is really creating a problem for us from a climate perspective, from a forest management perspective, and really from a perspective of trying to look at conservation.

And so we are happy to review your legislation that you are looking at. We are happy to work with your staff to provide some comments and applicability to Forest Service lands. But I do think it is a vital and critical thing that we need to pay attention to, and, again, we would be happy to look at your legislation, sir.

Mr. KILMER. I appreciate your attention to that and your offer to work with us on it, Chief Moore. Thanks very much, and thanks for your presence here today. I yield back.

Ms. PINGREE. Thank you, Mr. Cartwright. Mr. Harder, would you like to ask another question?

Mr. HARDER. Absolutely. Thank you so much, Chair Pingree, and thank you again, Chief, for being here. I wanted to ask about the hazardous fuel management money that was allocated in the infrastructure bill. I believe there was about \$2½ billion that was allocated then. We are looking for another \$650 in this budget request to consider. When you look at the \$2.5 billion that was allocated last year, how do you think about the risk reduction that has happened because of that? How do you explain the value of where we would be if that money hadn't actually gone out, and where do you think the remaining \$650 million that we are looking for in this budget request will get us?

Mr. MOORE. Yeah. Congressman Harder, let's look at your State as an example, and I think it is pretty typical of many other States. Our approach has really been trying to take the dollars that we have and give everyone a little bit to try and get some work done in their areas. The problem with that, and it has happened over time. It didn't happen right away, but the problem with that is that the scale of these fires has far exceeded our current method for trying to provide restoration and resilience on these landscapes. And let me stick with California for a minute, but we have many other examples. If I look at the Caldor fire that happened last year in California, that fire started down on the Eldorado National Forest, and that fire started in an area where we had a lot of small restoration-type projects around that area. We call those random acts of restoration, but we had a lot of support for the funding.

What happened when the Caldor fire started, it burned right through that type of a treatment, and until they got to Lake Tahoe Basin, it did not slow down. It slowed down there for a number of

reasons. One of the biggest reasons is that we had restoration treatment over time at scale. And that is further verified by looking at the fire boundary and how consistent it was with that landscape level of treatment, the large-scale treatments.

And so I think a part of solution going forward is not necessarily doing a lot of those small projects again, but how do we bring the community of people together to really get at making the scale of work on the ground match the scale of fires that we are seeing. And that is why we need a lot of other entities, like the industry as an example, wood innovation, which Madam Chairwoman talked about. There are a number of things that need to take place, and I think we are having an opportunity through the Collaborative to bring in the environmental community, industry, and everything in between to talk about how do we move forward at that landscape scale so that we get the social license to do what we think needs to happen on the ground to stop—

Mr. HARDER. Thank you, Chief. That is helpful. Just so I understand, how much of the \$2½ billion that was allocated last year has been spent, and are we on track to hit the Forest Service goals in terms of the number of acres on which the hazardous fuels have been reduced?

Mr. MOORE. Yeah, and I probably didn't do a good job. So last year, our goal was to treat about 3.2 million acres with that money. Because of the fire situation and other things, we treated about 2.9 million acres, but those 2.9 million acres or the 3.2 million acres is what I am talking about. They are small, random areas of how we treat it. The difference this year, we are looking at the additional increases to increase those small plots where we were working to large landscape-type treatments because we know that that is what is going to stop how that fire behaves as it moves across the landscape. And so the answer is we got 2.9 million of the 3.2 we planned to. We also are looking at about 3.8 million acres in addition to what we are doing based on the infrastructure dollars. We will implement that differently than what we have been doing in the past.

Mr. HARDER. I guess my only question, and I know I am running out of time, is, you know, if we were able to hit 2.9 million acres with \$2½ billion, is an additional \$650 million enough to get us where we need to be, because that is what this budget request is, and it gives me a little bit of pause because it seems like we might need even more support in order to make sure that we are protecting as many acres as are needed. Is that right?

Mr. MOORE. Yeah, that is right, and not all acres are the same. There are some acres we can treat fairly reasonable. There are some areas that is going to be really expensive to treat. The closer you get into communities, the more expensive it is to treat those areas. And so, you know, I feel pretty optimistic about it. I am happy to have a further conversation with you and others on these specific plans for how we are planning to approach the additional dollars and the work that we are doing. We will also look at unit costs, you know, per-acre costs to put these treatments on the ground. And so we are happy to share that with you, and sit down with you, and answer any detailed questions you might have, Congressman.

Mr. HARDER. Thank you so much, Chief. Thank you.

Ms. PINGREE. Thank you very much for your questions. Well, we really appreciate, Chief Moore and Ms. Weeks, that you spent the time with us today, and we had a chance to have this conversation with you. And I know we will continue to have many more as we work through the budget process. So I appreciate your time, your testimony.

And if there are no other questions, this hearing is now adjourned.

Mr. MOORE. Thank you, Madam Chair.

Ms. PINGREE. Thanks. Thanks, everybody.

[Answers to submitted questions follow:]

U.S. House of Representatives
Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
The U.S. Forest Service's FY 2023 Budget Request Hearing
April 27, 2022

Questions from Chair Pingree

Forest Inventory and Old Growth Forests

I appreciate the answer Chief Moore gave during the hearing regarding the implementation and opportunities provided by the Earth Day announcement by the administration about a plan to better catalogue old growth forests. As the Forest Service continues to develop its plans to implement the executive order, please provide an update on the following topics we addressed in the hearing.

Pingree Q1: How will the Service work with the Department of the Interior to implement this executive order?

Response: We have begun to discuss coordination with the Bureau of Land Management on the inventory of old-growth and plan to work with them as the process unfolds.

Pingree Q2: What funding will be utilized for this work and does the Service have a roadmap for future funding necessary to follow through on these efforts?

Response: Currently, appropriated funding is being used for this effort. Future funding needs are uncertain at this point given the early stages of these efforts. The Forest Service, however, is prioritizing this work and is developing a workplan that will allow us to meet the goals of Executive Order 14072 and Secretarial Memorandum 1077-004.

Pingree Q3: What further information can you share about the scope of this initiative and how the Service will develop the definition of “mature or old growth” forests in this context?

Response: We recognized the importance of stewarding, conserving, and protecting old-growth forests and have a long history of working with many interested stakeholders on old-growth conservation that has been incorporated into a majority of the National Forest Land Management Plans. Those Plans recognize regional differences for ecologically based classification of old-growth forests. We will continue to work with partners and the science community to inform definitions for old-growth forests that recognize regional differences, forest types, and local conditions.

Considering the important values provided by forest with old-growth conditions, such as wildlife habitat and carbon sequestration, leveraging the powerful data gathered nationally by the Forest Service's Forest Inventory and Analysis team along with the existing regional definitions of old-growth will provide an improved picture for land managers to guide sound, science-informed decision-making.

Pingree Q4: Finally, how do you envision this work providing a framework for greater conservation work moving forward with the intent to combat the climate crisis?

Response: We envision ongoing consultation with state, local, tribal, and territorial governments, nonprofit organizations, and the science community to coordinate and develop science-informed policies that address climate-smart old-growth forest management, reforestation, and conservation.

Wildfire Workforce

The Fiscal Year 2022 appropriations bill provided funding to implement the shift to a \$15 an hour federal firefighter minimum wage in addition to a general increase in Wildland Fire Management Salaries and Expenses.

Pingree Q5: What is the status of the transition from a part-time to a full-time firefighting workforce and are there any challenges the Service has encountered?

Response: Between fiscal years 2020 and 2022, the Forest Service converted 616 firefighters from temporary to permanent positions. Additionally, we are implementing the new wildland firefighter series and pay provisions outlined in the Bipartisan Infrastructure Law (BIL). We are in the initial stage of exploring how we can coordinate with Interior to convert at least 1,000 temporary firefighters to permanent full-time positions that are required to reduce hazardous fuels on federal land for at least 800 hours per year (a requirement for these conversions in the BIL) in addition to wildfire suppression duties. While we are confident that we can accomplish the conversion of 1,000 firefighters, we foresee potential challenges with ensuring that each employee performs 800 hours of annual hazardous fuel work if they are needed to suppress wildfires, particularly during high fire years.

Pingree Q6: What is the overall timeline for the other workforce changes the Service is making to ensure competitive pay and career opportunities for Federal firefighters, including the Service's planned workforce analysis?

Response: The Office of Personnel Management, in collaboration with the Forest Service and the Department of the Interior, has completed the new wildland firefighter job series. As announced on June 21, over the coming summer months, the Administration is implementing a new set of temporary pay increases that will put retroactive pay (from October 1, 2021) into wildland firefighter pockets increasing their bi-weekly pay, up to the lesser of \$20,000 or 50% of their annual base salary through September 2023. The Federal agencies have begun processing these payments, with additional payments to occur throughout July and into August. The \$600 million in the Bipartisan Infrastructure Law serves as a bridge for two years as the Administration works with Congress on longer-term pay solution.

We are working with the Department of the Interior and the Office of Personnel Management on next steps. The Forest Service is in contract negotiations with a vendor to perform a comprehensive workforce assessment of the Fire and Aviation Management

program similar to the analysis the Department of the Interior currently has underway. Based on our statement of work, the vendor has indicated that they anticipate the assessment will take over a year to complete. The vendor is still evaluating an actual timeline and identifying tasks and completion periods.

Greater Sage Grouse

In fiscal year 2022 the House report highlighted the plummeting sage grouse population numbers and the need for enhanced conservation to ensure the viability of the species.

Pingree Q7: How is the Forest Service working with the Bureau of Land Management, Fish and Wildlife Service, States, and other partners to enhance species survival?

Response:

The Forest Service has been working closely with the Bureau of Land Management, U.S. Fish and Wildlife Service, Stats, and other partners in the process of amending and updating our land and resource management plans for greater sage-grouse species and habitat preservation since 2017.

Since 2015, the Forest Service has implemented 477 projects that benefited greater sage-grouse habitat, enhancing 693,263 acres. There are several types of enhancing treatments that are used to improve sage grouse habitat. One of the primary treatment types is the removal of exotic annual grasses, such as cheat grass, and then reseeding the area with native grasses and forbs. Another is the removal of juniper trees that have encroached into the sage steppe over the last century. In these efforts, the Forest Service partnered with the USDA Natural Resources Conservation Service on 8 projects (19,705 acres), the Bureau of Land Management, U.S. Fish and Wildlife Service, and the National Park Service on 14 projects (14,124 acres), state agency collaborators on 134 projects (159,791 acres), and with private, non-governmental organizations or others on 159 projects (212,197 acres). In addition, the Forest Service collaborated on 631 projects (2,548,861 acres) led by other partners. The Forest Service also participates in annual reviews of the adaptive management triggers established in the 2015 plans with the Bureau of Land Management and state wildlife agencies. In areas where population declines or loss of habitat have occurred, the Forest Service has participated in efforts to investigate local causes for the declines.

Pingree Q8: Does the Forest Service plan to reexamine and revise any land management plans to enhance protections for sage grouse?

Response: The Forest Service has been in the process of amending our land and resource management plans for greater sage-grouse habitat since 2017. The purpose of these amendments is to incorporate new information, improve clarity, and gain better alignment across all land management agencies, specifically with state partners.

In February 2021, the U.S. District Court of Idaho ordered the Bureau of Land Management to re-initiate the National Environmental Protection Act (NEPA) compliance analysis process associated with consideration of a mineral withdrawal for Sagebrush Focal Areas. To remain aligned with the Bureau of Land Management, the

Forest Service is participating as a cooperating agency in this effort. While this has delayed finalization of the revised Forest Service management plans, it will allow for new information and changed circumstances to be considered and a greater alignment among the Federal land management agencies. Until the new amendments are completed, the 2015 sage-grouse management plans will continue to direct activities on National Forest System lands.

Recreation Funding

The FY23 budget requests a large increase for Recreation, Heritage, and Wilderness- \$110 million or \$72 million over enacted.

Pingree Q9: What current recreation needs are underfunded?

Response: Recreational use of National Forest System (NFS) lands is continuously increasing and placing greater demand on recreational facilities and lands. There are a wide range of recreation-related needs, including the following:

- Building capacity for critical recreation operations, planning, services, and improvements needed to create welcoming, sustainable, and equitable recreation opportunities for all Americans with a focus towards underserved and tribal communities.
- Reforming the recreational permitting process, including accelerating and simplifying the permitting process for outfitters and guides and development and maintenance of collaborations with partners and volunteer groups to increase capacity to meet visitor needs.
- Identifying and implementing innovative ways to serve the needs of the increasing number of new and returning visitors who want to recreate year-round on NFS lands while managing the associated social and environmental impacts, particularly in more dispersed recreation settings.
- Capacity to manage the National Wilderness Preservation System and National Wild and Scenic Rivers System on NFS lands for the benefit of present and future generations, including enhanced wilderness and Wild and Scenic River planning, promotion of wilderness stewardship, and monitoring of wilderness character.
- Funding levels associated with basic program delivery including costs associated with operation and maintenance of recreation facilities, sites, and general forest areas, are severely underfunded. The proposed increase in Recreation Funding would address increased visitation, resource impacts, and high use at agency sites.
- An increase in recreation funding is needed to offset a recent surge in congressional directives, which inadvertently impact funding sources traditionally used for program delivery.
- Forest Service heritage personnel provide support for all agency programs to ensure compliance with the National Historic Preservation Act and the National Environmental Policy Act. Increased funding for heritage staffing is needed to deliver a multitude of projects across the agency beyond those associated with

recreation, including the 10-year strategy to treat national forests and grasslands for wildfire prevention and resilience.

Pingree Q10: How would the budget request help close those gaps?

Response: An increase of \$68,661,000 will be used to address basic program management and operational needs (recreation planning; restroom cleaning; trash removal; managing and monitoring Wild & Scenic River and Wilderness areas; and supporting broader agency objectives in compliance with the National Historic Preservation Act.). There will be particular emphasis on creating welcoming, sustainable, and equitable recreation opportunities for all Americans with a focus towards historically underserved and tribal communities. If operational maintenance needs are not taken care of, it will only perpetuate the deferred maintenance backlog of our recreation site infrastructure and limit our ability to support cross agency work in other critical resource, health, and safety areas. The funding will also be used to accelerate and simplify the permitting process for outfitters and guides and maintain strong collaborations with partners and volunteer groups to increase the ability to meet visitor needs.

Further, this funding increase would support critical efforts to better understand climate-related impacts and threats to congressionally designated areas and to plan, adjust, and implement climate-resilient stewardship strategies that preserve wilderness character and protect and enhance river values, as required by the Wilderness Act and Wild and Scenic Rivers Act.

In addition, funds will be prioritized to build the recreation economy through partnerships and contracts commensurate to the necessary maintenance of existing infrastructure and new infrastructure the agency will acquire through the Great American Outdoors Act. This funding level will provide resources for managing and operating visitor services, visitor information centers, visitor interpretive programs, recreation improvements and enrichment opportunities, and public engagement programs that enhance customer experiences.

Of this increase, the agency will also fund a minimum of \$3,000,000 for the Climate Conservation Corps in support of the next generation of citizen stewards who will work in recreation or wilderness areas conducting educational and interpretive programs, monitor visitor use, pick-up trash along waterways or trails, and staff recreation areas.

Infrastructure Investments

The Service announced on April 11th an initial tranche of 10 projects utilizing \$131 million in infrastructure funding.

Pingree Q11: What lessons are you hoping to learn from these initial investments to guide the rest of the infrastructure funding over the coming years?

Response: Investments in these landscape projects in FY 2022 represent the initial long-term, sustained funding needed to achieve desired outcomes co-developed with our partners. Each of the initial ten landscapes will complete a Landscape Action Plan that

provides a consistent framework to describe outcomes, strategies, and funding needs across all landscapes. Alongside partners, the agency has worked to identify the investments needed to enable the conditions necessary to begin work on these additional landscapes in the coming years. Examples of investments, in addition to workforce capacity include planning and consultation, collaborative capacity and community engagement, transportation and utilization of woody material from treatments, and additional training.

Earth Day Executive Order

In addition to direction regarding old growth forests, the Earth Day executive order contained direction on establishing a 2030 goal for reforestation.

Pingree Q12: How will the Forest Service, in conjunction with other agencies, develop a plan to strategically use infrastructure funding and annual appropriations in an efficient manner to achieve the 2030 reforestation goal?

Response: The 2030 reforestation goal is in alignment with requirements laid out in the Repairing Existing Public Land by Adding Necessary Trees (REPLANT) Act to eliminate the backlog of lands in need of reforestation. The Forest Service is developing a National Reforestation Strategy that will guide reforestation efforts to eliminate the accumulated reforestation needs as required by REPLANT and support the goals of the Earth Day Executive Order. The Strategy calls for leading with science and technology, including climate-smart reforestation, and partnering to accelerate and amplify success. Effective partnerships across the federal government and with tribal, state, and local partners will be necessary to ensure capacity and resources and to scale up to meet the environmental challenges facing the Nation's forests.

The REPLANT Act (Section 70301-303 of the Infrastructure Investment and Jobs Act) also removes the \$30 million annual funding limits on the Reforestation Trust Fund, to provide funding to address current reforestation needs and eliminate the backlog.

Hazardous Fuels Management

In last year's hearing, Chief Christiansen gave an estimate that to bring severe wildfire under control, the Forest Service needs to treat an additional 20 million acres of National Forest System land in the next decade for hazardous fuels.

Pingree Q13: Given the additional investments provided in the last several annual appropriations bills, in conjunction with the Infrastructure Investment and Jobs Act, can you give us an update on the outlook for reaching this goal?

Response: We appreciate the additional investments in hazardous fuels funding through annual appropriations and the Bipartisan Infrastructure Law (BIL). This added funding provides a strong down payment toward the goals outlined in our 10-year Strategy. The Forest Service, like the rest of the country, is impacted by rising inflation and is experiencing a five-time increase in contract costs, as well as a shortage of available employees within the agency and the contracting industry. In five years, when BIL resources are exhausted, we expect funding to become a limiting factor as we increase

our staffing to complete environmental analyses and subsequent treatments on more landscapes. We are working closely with our partners to add capacity, work across boundaries, and leverage new opportunities, such as expanding our partnerships with tribes. However, we believe it will likely require additional resources to achieve an additional 20 million acres of National Forest System land treated in the next decade.

Pingree Q14: Is the Forest Service facing challenges in ramping up hazardous fuels management treatments to such a large degree?

Response: The Forest Service is applying all available tools to accelerate the pace and scale of hazardous fuels treatments, and we are making great progress. Key challenges facing the agency include:

- *Aging Infrastructure.* Fuels treatment work requires key infrastructure in place, such as roads and bridges. In many locations, the timber program shrunk in recent decades and roads have been maintained to minimum standards. The agency has historically received funding from timber companies to maintain some roads. These roads are not currently suitable to support fuels treatment work. In addition, advancements in transportation have increased the carrying capacity of logging equipment beyond the loadbearing capacity of many existing bridges.
- *Planning needs.* Treating an area to mitigate wildfire risk requires significant lead-time for planning and environmental analysis and multiple entries that include thinning and prescribed fire. While we are ramping up these processes, it will take a significant amount of time to realize increases in fully treated landscapes.
- *Smoke.* Another challenge to overcome is public concerns about smoke impacts from prescribed fire. We will need to treat and apply prescribed fire to 4 to 5 million acres annually to meet and maintain the 20 million acres identified within the 10-year Strategy, which will create a non-trivial amount of smoke. We believe this tradeoff provides a net benefit to the public when compared to smoke impacts from large fire events.

Pingree Q15: What other steps need to be taken to ensure a steady pipeline of treatments from initial planning, permitting, etc. leading up to the start of a project and to prevent bottlenecks in projects?

Response: Streamlining processes around projects is an important area of focus for the agency. For example, the Forest Service takes full advantage of categorical exclusions that do not have an acreage limitation, and on focused environmental impact assessments to streamline our NEPA processes to treat as many acres as possible. Additional steps that would help to support a steady pipeline of treatments include:

- *Updating land management plans.* Many of our land management plans are severely outdated, limiting our ability to use the best available science to treat landscapes and reduce the risk of large catastrophic wildfires. We are in the process of establishing a new Planning Service Organization that will address current plan revision challenges by providing expert, dedicated staff to support consistent planning processes and products nationwide. The Planning Service

Organization will be comprised of three inter-regional Planning Service Groups: Pacific (Regions 5, 6, and 10), Mountain (Regions 1, 2, 3, and 4), and Eastern (Regions 8 and 9), plus a national Planning Service Center that will support all three Planning Service Groups. We are in the process of hiring leadership positions in the new Planning Service Organization and expect to be providing limited plan revision services based on a new plan revision schedule early next fiscal year.

- *Heritage site evaluation.* Ensuring compliance with the National Historic Preservation Act and the National Environmental Policy Act (Heritage) often slows fuels treatment processes. There is now a national programmatic agreement that allows the Forest Service to complete NEPA on areas before all the heritage surveys are completed (i.e. staged Heritage surveys) which will greatly increase the ability to treat the land. Taking the time to evaluate these heritage sites and determine their final disposition would ensure that we could treat landscapes in a timely manner in the future and would not need to go back to “flag and avoid” every site. By determining up front the significance of our heritage sites at a larger scale up front, we could focus on those that need to be preserved as directed by the law and our tribal partners and move quicker on the landscape rather than protecting every site that has not been evaluated.
- *Endangered Species Act Consultation.* Consulting with the U.S. Fish and Wildlife Service and the NOAA Fisheries Service (“the Services”) on work that may impact threatened, endangered, and sensitive species is also a time-consuming step. To this end, we are processing the transfer of BIL funds to the Services to increase their capacity. The Forest Service would also benefit from the Services having more capacity for threatened, endangered, and sensitive species consultation.

Climate Hubs

The Fiscal Year 2022 Appropriations Bill provided \$6.36 million for the Forest Service’s portion of USDA Climate Hub funding.

Pingree Q16: Please tell us about the research this investment will enable.

Response: Increased funding for the USDA Climate Hubs is advancing the Forest Service’s capacity to leverage expertise from various disciplines to address climate change using cutting-edge thinking, tools, and technology. Through enhanced science and science delivery, the Hubs are extending the Forest Service’s reach to help build climate awareness and enhance the productivity and resilience of the National Forest System and other working lands across the nation. Increased funding is allowing the Hubs to help more land managers consider and adopt practices to optimize land management objectives in the face of drought, flooding, extreme storms, wildfire, and other climate-related threats. The investment is also allowing the Hubs to improve the translation of research into actionable information land managers can use to enhance carbon sequestration in forests, rangelands, and forest products or reduce greenhouse gas emissions.

Pingree Q17: What are some examples of how Climate Hub research informs the Service's forest management practices?

Response: The Climate Hubs synthesize and translate complex research findings into user-friendly forms accessible to managers. They help Forest Service managers understand potential effects of climate change, identify adaptation practices appropriate for land management objectives, and develop tools to help the agency integrate climate effects into its land management practices. The Climate Hubs work directly with national forests to develop vulnerability assessments and adaptation plans that can be incorporated into Forest Plans. Climate Hub tools are used to better incorporate carbon information into NEPA documents and select seeds for climate-smart forest restoration. The Climate Hubs have also provided advanced warning of climate-related stressors, such as bark beetle outbreaks, allowing the agency to take proactive measures to minimize forest damage.

We are seeing, yet again this year, drought's effects on landscapes and its impact on fire seasons. Climate change contributes to longer wildfire seasons, increased wildfire frequency, size, and total area burned, and greater wildfire severity, in part by increasing the drying potential of warmer air. The Climate Hubs direct users to fuel moisture and Fire Danger Rating forecasts produced by the National Interagency Coordination Center and the Forest Service Wildland Fire Assessment System, which help land managers identify potential for Very High and Extreme wildland fire across the US based on current and near-historical weather conditions.

Pingree Q18: How can increased funding help the Climate Hubs support additional land managers dealing with drought specifically?

Response: The increased funding allows the Climate Hubs to increase the number and scope of Drought Learning Networks that help land managers obtain and share information about drought and drought management practices. It also allows the Climate Hubs to further develop drought preparedness and response information, tools, and consultation services to provide to federal, state, private, and tribal land managers.

Environmental Justice

In the Forest Service's answers to last year's questions for the record, there was information on a variety of programs and initiatives that have been developed to forward environmental justice in the Forest Service's work. The Urban and Community Forestry program included a 2021 Challenge Grant program with this purpose in mind. Climate Hubs have been doing work to bring research and community input together on the ground level. Finally, the Urban Connections program bridges that gap between people living in cities and National Forests. These programs, among others, are a great step in the right direction of ensuring our forestry programs benefit all Americans.

Furthermore, in the FY22 House Bill, we included report language directing the Forest Service to prioritize minority and underserved communities for urban and community forestry funding and gave the program a general increase in funding.

Pingree Q19: Given all the new initiatives, long-term planning, workforce development and increases in funding over the last year, can you give us a general update on how the Service is incorporating environmental justice into both its State and Private Forestry work in communities across the country and in the National Forest System itself?

Response: In support of the Justice40 Initiative, the Forest Service identified 18 programs that would be covered by the Initiative across State and Private Forestry, the National Forest System, and Research and Development. The agency has developed benefit indicators, the number of projects to actions taken for a community, and is now in the process of developing implementation plans to modify these programs in order to accelerate the accrual economic, social, and ecological priority benefits to historically underserved communities. We are actively moving out on program modifications in fiscal years 2022 and 2023. Some specific ways Environmental Justice is being incorporated into a variety of programs include:

- In support of our Equity Action Plan, Justice40 Initiative, and our 10-Year Wildfire Crisis Strategy, the Forest Service is integrating focused consideration of socially vulnerable communities in our wildfire risk reduction work. The Community Wildfire Defense Grant program is being developed to assist communities at risk from wildfire. Priority will be given to those communities qualifying as low-income and a waiver of the cost-share match requirement will be provided if the community qualifies as underserved. The Forest Service, in cooperation with state forestry agencies, will conduct outreach to low-income and underserved communities to provide information on the program and offer support with financial assistance applications.
- In support of Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, we have embedded a focus on Environmental Justice throughout the agency's Climate Adaptation Plan.
- Following the Council on Environmental Quality's guidance and per Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, we seek to consistently engage and consider Environmental Justice communities during National Environmental Policy Act processes and identify potential disproportionate impacts on these communities resulting from proposed actions. We have developed internal agency guidance and hosted training sessions to support this type of analysis.
- The Landscape Scale Restoration (LSR) program is integrating equity considerations into the fiscal year 2023 competitive grant selection process. Applicants will utilize national data sources (e.g., the Social Vulnerability Index, EJ Screen, or the CEQ Draft Climate and Economic Justice tool) or provide local data and knowledge to describe the communities benefiting from landscape scale restoration projects. The LSR program is also issuing a fiscal year 2023 tribal request for project proposals to restore priority forest landscapes on tribal land.
- The Urban and Community Forestry (UCF) program is a Justice40 covered program and is responsible for expanding urban forestry benefits to historically underserved and socially disadvantaged communities under the USDA Equity Action Plan. All UCF notices of funding availability include language prioritizing the equitable delivery of program benefits with emphasis on environmental justice in vulnerable communities. The UCF program is also integrating urban forests and tree care with job training and job creation, energy savings, environmental equity, and public health

and well-being. The program has already engaged more than 600 participants in fiscal year 2022 during public-facing sessions on recidivism, faith-based institutions, Justice40 and landscape technology. The fiscal year 2022 UCF Challenge Cost Share Grant Program (\$1 million) is dedicated to establishing and launching the first national urban forestry communications and messaging strategy—inclusive of all voices and relevant to all communities.

Carbon Accounting

The budget states that the FY23 levels requested will provide for increased carbon accounting ability.

Pingree Q20: How is the forest service using its resources in the Forest Inventory and Analysis program, among others, to provide actionable data that has real effects on forest management practices?

Response: The Forest Inventory and Analysis (FIA) program has been conducting a statistically rigorous assessment of forest resources for decades. This assessment includes field surveys, remotely sensed information, and related surveys of forest products and landowner characteristics. Notably, FIA's repeated inventories of tree characteristics (e.g., tree sizes and species), stand conditions (e.g., ownership type and disturbance history), and attributed socioeconomic surveys (e.g., landowner management intent and local harvested wood product types) provide information to develop and evaluate innovative forest management practices that can be tiered to emerging opportunities in carbon and forest product markets. Virtually all forest investment decisions in the U.S., including those involving carbon, involve products that rely on FIA data. FIA has created tools to automate formatting of FIA data for use in models, such as the Forest Vegetation Simulator, that are recognized as providing authoritative information about forest management impacts on carbon. FIA data are the foundational basis for the information reported in the national carbon and greenhouse gas inventories, and Forest Service scientists and cooperators downscale that information to state and more local levels for consistent carbon accounting. The FIA program and partners are working to incorporate small-area estimation techniques and remote sensing into estimation processes to produce consistent landscape scale and even pixel level information to inform forest management operations and to deliver carbon maps online such as in BIGMAP. The FIA program is exploring additional partnerships to develop ways to use FIA data to document evidence of impacts of large-scale programs on carbon. FIA is providing leadership and data in the update to the USDA entity guidelines for greenhouse gas and carbon reporting, with FIA data being used in a prominent role in forest management guidance for carbon estimation. The FIA program is also working directly with the National Forest System on the Carbon Partnership Program, a developmental effort to explore opportunities to leverage external funds, through partnerships, for forest management activities that create carbon benefits on National Forest System lands. FIA has regional and national user group meetings annually, and a recent user meeting focused on carbon to hear from users and partners about how FIA can tailor its efforts to continue to produce actionable data for forest management, including for carbon accounting. The agency looks forward to continuing this essential work for forest management and carbon accounting in FY 2023.

Pingree Q21: Moving forward, will forest management plan updates be affected by the old growth forests executive order? Or will carbon storage implications be a priority in management plans more broadly?

Response: At this time, we do not anticipate that the direction in Executive Order (EO) 14072 creates a need to amend Land Management Plans (LMPs). Consistent with the EO, the agency is in early stages of developing a monitoring system for old growth using a combination of Forest Inventory and Analysis data, small area estimation techniques, and locally collected information that will allow us to track the amount of old growth in the National Forest System. This method will recognize the ecological variation in regional old growth definitions. We are also evaluating other methods that will provide information on the location of old forests and track the agency's success in conserving and restoring these valuable ecosystems.

Regarding carbon storage, LMPs do not themselves set management priorities but rather provide direction for subsequent activities that occur subject to those plans. At this time, we do not anticipate a need to modify LMP content to accommodate any increased focus on carbon storage.

Questions from Ranking Member Joyce

Urban Reforestation/Urban & Community Forestry

I recently hosted a roundtable in my district with Interior Secretary Deb Haaland and local conservancy folks to discuss, among other issues, the benefits of turning abandoned properties into green spaces and the positive impact these areas and urban reforestation efforts can have on hard hit communities, like those on the eastside of Cleveland.

Joyce Q1: Please describe the positive impacts urban reforestation has on children and their communities, public health, and the environment.

Response: Urban forests make up 20% of all forests in the United States and provide tremendous social, public health, economic, and environmental benefits to the public. For example, urban trees help people breathe by removing pollution from the air and reduce cooling costs for residents and businesses by shading city streets and neighborhoods; urban trees improve water quality by filtering rainwater and prevent flooding by slowing stormwater; urban trees also improve mental health by reducing city noise, lowering stress, and providing residents a sense of calm. Research has shown that high levels of childhood green space are associated with a lower risk of developing a range of mental health disorders. Additionally, urban reforestation provides an important opportunity to increase carbon sequestration and mitigate the effects of a changing climate, such as extreme heat.

The Forest Service provides funding and technical support to State forestry agencies and non-profit partners to maintain and protect about 12 billion urban trees. We work with

cooperators to leverage private funding to maintain tree canopy, resulting in about 1 million trees planted annually in American communities. We also support states in delivering technical and financial assistance for urban forestry to nearly 7,500 communities nationwide.

Joyce Q2: What impact would this potential funding cut have on the Forest Service's ability to build on prior year Urban and Community Forestry efforts, address threats to urban forest health and resilience, and promote urban reforestation – like we've seen working in Cleveland?

Response: The Urban and Community Forestry (UCF) Program request in the FY 2023 President's Budget is equal to the FY 2021 enacted amount and was formulated prior to an FY 2022 enacted budget. The Forest Service is grateful for the increased funding for the UCF Program in FY 2022 compared to FY 2021.

With a projected 90 percent of Americans living in urban areas by 2050, the UCF efforts are an investment in improving the health and livability of diverse communities. For example, with fiscal year 2022 funding, the UCF Program is delivering a \$4 million competitive grant program to state forestry agencies for urban reforestation in areas impacted by the emerald ash borer. UCF also increased base funding allocations in fiscal year 2022 by \$50,000 to state forestry agencies, allowing states to increase staff capacity, outreach, community engagement, and resource assistance. The UCF Program is guided by the National 10-Year Urban Forest Action Plan, with goals around planning, human health, resilience, maintenance, diversity, and public awareness.

Beech Leaf Disease

Beech leaf disease could potentially have a destructive impact on trees in Ohio, Pennsylvania, New York, and the New England States. In Northeast Ohio, maple-beech forests make up about 25 percent of the woodland, so the disease could be extremely problematic for our forest canopy, wildlife, and ecosystem.

I am proud that groups in my district are working diligently to learn more about the disease, how it spreads, and how to potentially breed resistant trees. But, as we have learned through our experience with Emerald Ash Borer, controlling beech leaf disease will require comprehensive work at the local, State, and Federal levels.

Joyce Q3: Please describe the work Forest Service is currently carrying out related to beech leaf disease.

Response: The Forest Service is currently conducting surveys and working with state partners to understand the movement and the extent of beech leaf disease. Our Forest Health Protection program has provided grants to support state surveys in multiple locations including Ohio and New York and has partnered with Cleveland Parks and Recreation in Ohio to develop and implement a mobile reporting application in which 'citizen scientists' can delineate beech trees experiencing the disease. The Forest Health

Protection program has also developed pamphlets and alerts to broaden public awareness of this disease.

The etiology, or progression, of beech leaf disease is still not completely understood, but damage is significant when found in beech stands over time. Given the importance of beech in eastern forests, work is ongoing to understand resistance to this disease and whether resistance in beech can be identified and expanded to protect beech resources. Genetic studies and trials are now being considered.

Joyce Q4: How does the fiscal year 2023 request support research and research partnerships on newer diseases like beech leaf disease?

Response: The Forest Service is committed to identifying the emergence and distribution of new diseases and mitigating their impacts on forest health. Under the FY 2023 request of over \$59 million for Forest Health Protection, the Forest Service would continue to dedicate funding to address new and emerging diseases, such as beech leaf disease. For example, in FY 2022, the Forest Health Protection program provided \$41,000 towards immediate and developing needs of beech leaf disease. Several projects were funded in the southeast and northeast that focus on early detection and diagnostics, surveys to determine the extent of the disease across the range of American beech, and investigations on whether potential resistance can be found to better manage American beech in the long term. In FY 2023, Forest Service scientists will continue to assist with interagency monitoring to investigate the extent and severity of beech leaf disease, as well as continuing to work with scientists from state agencies and universities to learn more about the disease and how to reduce the harm it may cause. Survey and monitoring are core components of understanding emerging diseases and will ultimately be useful for determining best practices for mitigation and management. In FY 2023, the agency will also continue to invest in active research programs on other new diseases, including laurel wilt, thousand canker disease, and brown spot needle blight. To address laurel wilt, Forest Service scientists and state cooperators are working together to assess the distribution of the disease, and to find effective management options. Forest Service scientists are also investigating causal agents and treatment effectiveness for thousand canker disease. With respect to brown spot needle blight, the agency is conducting research on rapid detection, diagnosis, and the influence of environmental conditions on its occurrence.

Joyce Q5: Is there funding in the fiscal year 2023 request for the Forest Service to provide outreach, expertise, and technical assistance on beech leaf disease management and treatments?

Response: Under the FY 2023 request, the Forest Service would continue to have dedicated funding to address new and emerging pests, such as beech leaf disease. In FY 2022, the Forest Health Protection Emerging Pest Program funded several projects related to beech leaf disease management and treatments that will continue work into the next fiscal year. These include:

- Necessary upgrades and repairs to the Tree Health Survey App, which is being used by multiple state agencies as the primary platform for conducting beech leaf disease surveys.
- Spatially mapping symptom occurrence and severity of beech leaf disease to document the location and severity of the disease at each site mapped.
- Partnerships with Davey Tree Institute and Bartlett Tree Company to treat 78 and 40 trees, respectively, for beech leaf disease.

Preventative Forest Management

The Infrastructure Investment and Jobs Act (IIJA) provided significant funding and new authorities to help mitigate against catastrophic wildfires.

Joyce Q6: Please provide an update on what the Forest Service is doing to expedite IIJA funding and directives to help combat wildfires in the West.

Response: The Bipartisan Infrastructure Law will let us build new capacity for working with partners to significantly increase fuels and forest health treatments, reduce severity of wildfires, protect communities, repair infrastructure, and improve the health and resiliency of America's Forests. In April, we announced 10 initial landscapes to receive \$131 million in BIL investment to begin implementation of the 10year Wildfire Crisis Strategy in FY22, including landscapes in Arizona, California, Colorado, Idaho, Montana, New Mexico, Oregon, and Washington.

High-risk firesheds represent areas with the most urgent need for hazardous fuels treatments. This work will begin to reduce wildfire exposure to communities, and we recognize that this work will also reduce impacts to other critical infrastructure, critical watersheds, socially vulnerable communities, and carbon stocks. Work accomplished with this investment will be in addition to the Forest Service's regular accomplishments in the active management arena. Many high-risk firesheds remain to be treated beyond those captured in this initial round landscape selection. Alongside partners, the agency will be working to identify additional landscapes in the coming years, as well as continuing to work collaboratively in areas at risk of catastrophic wildland fire within our normal program of work.

Last year, we saw some of the largest fires start during unusual circumstances – no wind, winter conditions, etc. – exemplifying that we must do more to deal with fuel load because of years of drought.

Joyce Q7: While IIJA made a down payment on this type of work, how much funding does the Forest Service realistically need to make a sizeable dent in the backlog of forest management work?

Response: The Wildfire Crisis Strategy calls on the Forest Service to treat up to 20 million additional acres of National Forest System lands over the coming decade, and work with partners to treat up to 30 million additional acres on adjoining lands of multiple land ownerships, while building a long-term maintenance plan. Based on a treatment cost of \$1,000 per acre, we estimate the total cost to implement the strategy to be \$50 billion. BIL funding is a down payment for this essential work.

Joyce Q8: Does the Forest Service have the funding needed to hire staff to implement IIJA objectives?

Response: Over the past decade, we have dramatically increased our total capacity through shared stewardship. With BIL, we will collaborate with additional state and local governments and NGOs to leverage capacity to accomplish more work. Currently, the Forest Service is assessing the workforce it will need to accomplish the BIL objectives alongside state, local, tribal, nongovernmental, and other partners. The agency will hire staff commensurate with BIL investment to accomplish BIL objectives. The agency is also actively adding capacity and is on the second phase of their national hiring events that are designed to target the agency's most critical capacity building occupations by hiring on a large-scale. The first wave of hiring was focused on building capacity in specific support occupations that provide the foundation for additional capacity building needs across the Agency (human resources, grants, and agreements, and contracting and procurement). The second and future phases are focused on occupations that increase capacity to conduct critical program-level projects and initiatives. Occupational targets in the second wave include civil engineering, foresters and forestry technicians, recreation management technicians and archaeologists. Planning has begun for the third phase of hiring focused on partnership and community engagement coordinators, lands and special uses specialists, and natural resource specialists. All planned hiring phases are foundational to further increase and sustain capacity to mitigate wildland fire risk over the next decade.

Joyce Q9: What is the Forest Service doing to coordinate with communities located in or near Forest Service lands to mitigate against the threat of catastrophic wildfires? Additionally, are there programs in place to help communities directly adjacent to forests that have already suffered great losses and are recovering from recent fires that started on or burned across Forest Service territory?

Response: The Forest Service works closely with our partners in efforts such as "Firewise," "Fire Adapted Communities," "Ready, Set, Go!" and "Fire Learning Networks" to support community wildfire mitigation. In addition, the Forest Service has several programs to promote development of community wildfire protection plans and reduce wildfire risk to communities before a fire starts. These include: the Joint Chiefs' Landscape Restoration Partnership, Collaborative Forest Landscape Restoration Program, the recently enacted Community Wildfire Defense Grants, and State Fire Capacity

Wildland Urban Interface (WUI) Mitigation grants. The WUI is the zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels. During full suppression fire activities, we actively and concurrently conduct suppression repair as areas of the fire reach containment. Post wildfire, the Burned Area Emergency Rehabilitation, or BAER program, is utilized to determine and implement emergency stabilization needs on National Forest System lands. In addition, BIL recently provided funds for the Forest Service to implement a Burned Area Rehabilitation, or BAR, program similar to the DOI's BAR program. BAR is used to repair minor infrastructure damaged by wildfires and start landscape recovery in areas where natural recovery is not anticipated. While these programs do not provide direct support to communities, they support social and economic recovery in communities that rely on National Forests to attract tourism or for other multiple uses. The Forest Service does not currently have a program in place to provide direct support to communities after a fire occurs. However, Forest Service leadership coordinates closely with local community representatives to understand community concerns and values that can be incorporated into suppression actions, BAER, and BAR plans within the constraints of federal policy and appropriations law, and we work with our partner agencies, like NRCS and FEMA, who have programs to assist private landowners.

Firefighting Technologies

In July of 2020, the Forest Service indicated through correspondence to my Congressional California colleagues that, “Currently, our current capabilities align very well with our requirements and modernization strategy. Thus, we are not seeking any additional capabilities, including containerized delivery systems.”

Joyce Q10: Does Forest Service still have sufficient resources considering the continuing and growing size and frequency of wildfires?

Response: Yes. The Forest Service primarily uses contracts to access a wide variety of helicopters, small fixed-wing aircraft, and large to very large airtankers to achieve the suppression mission. The variety and size of the commercial aircraft fleet currently at our disposal provides flexibility to employ aircraft that are appropriate for the geography, fire behavior, topography, and length of season.

Joyce Q11: As the wildfire season lengthens throughout the United States and fires become larger and more frequent, how does the Forest Service plan to limit Unable to Fill rates related to requests for aerial firefighting support?

Response: The Forest Service contracts for 23 Large and Very Large Airtankers, 6 water scoopers, and over 200 helicopters. We have access to eight National Guard C-130s equipped with Modular Airborne Firefighting Systems, known as MAFFS, as well as

international agreements with Australia and Canada that include additional aviation support when needed. The Department of the Interior also contracts for numerous Single Engine Air Tankers and helicopters which are available in the system along with all other federally contracted aircraft.

All large and very large air tankers and type 1 and 2 helicopters are considered national resources. When fire activity is at its peak, national aviation assets and other national ground resources such as Type 1 and Type 2 Incident Management Teams and Interagency Hotshot Crews, are prioritized by the National Multi-Agency Coordination group (NMAC) to ensure that these limited resources are assigned to the highest risk, most complex fires across the nation. Aircraft are reassigned daily as priorities shift and assignments continue to be re-evaluated throughout the day. At times, this can result in Unable to Fill (UTF) aircraft orders, however, it does not preclude an incident from receiving a requested air resource, they just may not get them as quickly as they want based on higher priorities. The resulting UTF is not an indicator of a lack of resources, it indicates resources are constrained forcing incidents to strategize accordingly, using the best available science, to ensure tactics deployed focus on the safety of firefighters and the public until an aviation resource can be reassigned to them. No strategy is designed, or tactic employed, relying on aviation support as a key to success.

The interagency community will still be challenged with UTF requests in the 2022 fire season, but through the adoption of data-informed prioritization analytics at the national scale, the NMAC will ensure that the highest value response resources are being assigned to the fires with the greatest potential for impacts to communities and other values at risk.

In prior years, the Forest Service has been slow to adopt technologies, such as Container Aerial Fire Fighting Systems, for combating wildfires, despite a growing need.

Joyce Q12: Does the Forest Service plan to consider creative solutions to fighting wildfires?

Response: Yes, the Forest Service is continually researching and implementing new technology and creative solutions to fighting wildfires. For example, we continue to research technology to improve the effectiveness and safety of aerial firefighting including but not limited to fire imaging, use of unmanned aircraft systems, modern aircraft, aerial firefighting simulators using virtual reality, and aerial delivered retardant and water. The agency employs the most advanced and capable equipment available to meet the interagency firefighting mission.

The Forest Service has not adopted Container Aerial Fire Fighting Systems because they do not meet retardant delivery standards for coverage level, consistent delivery, delivery time, ground firefighter safety or environmental impacts. The Forest Service evaluated the Container Aerial Delivery System and documented its observations in the San Dimas Technology and Development Center's Precision Container Air Delivery System (PCADS) Forest Service Report – 2011. Key findings from this evaluation included:

- Environmental impacts associated with the extensive debris that is scattered over a large area upon impact. A standard load of 16 containers would leave 1600 pounds of debris.
- Safety concerns for firefighters and the public in the wildland urban interface where we fight many of our fires.
- An inconsistent, non-continuous drop pattern which would allow fire to burn through fuels with thin or no retardant coverage.
- An estimated coverage level between 1 and 2, which is only effective in grass, leaf, and pine needle litter fuels. Conventional airtankers must be able to provide coverage level 1-8.
- Inconsistent deployment of individual containers. The containers are set to open at a prescribed height above ground level, but some containers opened at different altitudes, and some never opened.
- Personnel and time requirements to construct PCADS loads are not timely or efficient in an on-demand fire response environment. An experienced crew of five personnel consistently assembled and filled 32 containers (8000 gallons) in about four hours. A conventional 3,000-gallon airtanker can be filled in less than 10 minutes.

Urban and Community Forestry Program

Over the last several years, the Forest Service has made great strides in providing technical assistance and grants to States and communities for Emerald Ash Borer (EAB) activities such as developing EAB management plans, treating ash trees, and engaging citizens in early detection.

Joyce Q13: Does the Forest Service plan to maintain that same level of EAB work and assistance as we have seen in recent years at the proposed level of funding included in the budget request?

Response: Yes, we expect to maintain the same level of assistance through the Forest Health Protection program as in recent years. In addition, in fiscal year 2022, our Urban and Community Forestry (UCF) program is working with the National Association of State Foresters to implement a \$4 million grant program for State projects on EAB Urban Reforestation. This is an increase from the \$2.5 million grant program offered in fiscal year 2021. This \$1.5 million increase was not accounted for in the fiscal year 2023 budget request because it came as a congressional directive in the FY22 omnibus after submission of the 2023 request.

Joyce Q14: What other EAB work does the Forest Service plan to carry out using State and Private Forestry programs in fiscal year 2023?

Response: In fiscal year 2023, the Forest Service will continue ongoing work to address the needs of our state partners requesting assistance to treat EAB in urban and rural

forests. Our priorities are to provide outreach and education assistance to States along the leading edge of the EAB infestation, work with states to develop EAB and ash management plans, and to provide technical and financial assistance to implement those plans.

Great Lakes Forests

Over 50 percent of U.S. forestland is managed by more than 10 million private owners, and most of this land is owned by forest family landowners who own less than 25 acres. Private forest landowners, regardless of the number of acres they manage, provide an array of benefits including timber, wildlife habitat, watershed protection, and recreational opportunities.

My home state of Ohio is no different with over 85 percent of our forests being privately owned. Given these private landowners play a critical role in the management of our nation's forests, I was proud that in fiscal year 2022 Congress provided additional funds for the Forest Service and its partners to educate private woodland owners in the Great Lakes on effective land stewardship practices.

Joyce Q15: How does the Forest Service plan to build on the work done in fiscal year 2021 using the additional \$300,000?

Response: The agency will use our State and Private Forestry authorities to work with partners and educate natural resource professionals and private woodland owners on effective land stewardship practices in the lower Great Lakes native forests. In 2022, the Forest Service established a new partnership with the National Fish and Wildlife Foundation to offer competitive grants to support technical assistance for natural resource professionals and private woodland owners to accelerate the voluntary planning and implementation of effective land stewardship practices for woodlands and forests of 10 acres or more within the lower Great Lakes region. The program will award approximately \$700,000 in grants in 2022. Specifically, eligible projects will occur within the lower Great Lakes basin in Indiana, Michigan, Ohio, and New York. These states have large areas of non-industrial private forestland in the lower Great Lakes watershed that make administration of this program feasible and sustainable. In addition, the Forest Service will provide \$200,000 to State Forestry Agencies in Indiana, Michigan, Ohio, and New York to enhance technical assistance and education activities within the lower Great Lakes to engage private woodland owners in stewardship practices.

Joyce Q16: How does the fiscal year 2023 request support Great Lakes programs that enhance tree canopy, engage woodland owners, restore private working forest lands, and contribute to forest health and resilience of private forests?

Response: The fiscal year 2023 request for the Forest Stewardship program is \$17.9 million, a \$5.9 million increase over the fiscal year 2022 enacted budget. We estimate that \$5.5 million of the budget increase would be awarded to states through the Forest

Stewardship program's performance-based allocation formula, which rewards outcomes and weighs implementation of management plan recommendations within geographic priority areas determined by each state. Depending on each state's reported performance, individual states would receive increases of 12% to 99% compared with prior year funding amounts. The four states within the lower Great Lakes would receive an estimated increase in program support between 60 to 80%, based on their fiscal year 2021 reported data. Actual figures may vary because performance-based funding is based on annual state reporting and is variable from year to year.

The fiscal year 2023 request would also continue to provide \$900,000 in additional support for projects and technical assistance in partnership with National Fish and Wildlife Foundation in the states of Indiana, Michigan, Ohio, and New York.

10-year Wildfire Strategy

In January of 2022, the Forest Service Chief, along with Agriculture Secretary Tom Vilsack, announced a new 10-year strategy to confront the wildfire crisis. I was pleased to see that the strategy highlights the need to significantly increase fuels and forest health treatments, especially in the West, to curb catastrophic wildfires that threaten millions of acres and numerous communities across the nation.

Joyce Q17: How does this strategy seek to drive down annual fire suppression costs? What role does forest management play in the strategy?

Response: The Wildfire Crisis Strategy will not immediately drive down annual suppression costs. While we do anticipate that this work may reduce suppression costs over the next decade because our forested landscapes will be able to receive fire in a healthier way, the primary objective of this work is to protect communities, critical infrastructure, and watersheds while making our forests healthier for future generations. Mechanically treating timber stands and reintroducing fire into these landscapes will help to reduce fuel loads and assist us with suppression tactics as well as cost. Over time, as the Wildfire Crisis Strategy is implemented and risk reduction actions are embedded into Forest Service decision support tools, these investments will enable fire suppression strategies to be more targeted and effective in real time.

Joyce Q18: While I certainly recognize and wholeheartedly agree with the importance of focusing the 10-year strategy on high risk firesheds – like those in the West – please describe the strategy for addressing wildfires in the Eastern U.S. where, although fires are smaller, more ignitions occur.

Response: While the Eastern U.S. does experience many unplanned fires every year, the threat of wildland fires impacting communities and community infrastructure is generally lower than in the West, based in part on the extensive use of prescribed fire and active management. As such, The Wildfire Crisis Strategy focuses on the West in order to accelerate our work in a manner commensurate with the risk those communities are

experiencing. However, we recognize the need and will continue to invest in prescribed fire and active management in the East with our annual appropriations so that we continue reducing risk in the East and South.

Joyce Q19: The 10-year strategy relies heavily on Infrastructure funding. How does the Forest Service plan to accomplish all the goals laid out in the 10-year plan when the Infrastructure bill only provides five years of supplemental funding?

Response: The Bipartisan Infrastructure Law provided the Forest Service a down payment on the work the agency intends to accomplish under the Wildfire Crisis Strategy. Additional appropriations will be needed to accomplish the goals set forward in the strategy.

Wood Imports

Given the war in Ukraine, it is now more apparent than ever that we need to be ramping up – rather than limiting – development of our domestic natural resources. Instead of relying on imports from foreign adversaries, like Russia, we should promote an all-of-the-above strategy to support American industries and help secure our energy independence.

Joyce Q20: How does the fiscal year 2023 request support the ramping up of responsible American timber harvesting which not only makes our forests more resilient but also limits our reliance on imported wood products from countries like Russia?

Response: The fiscal year 2023 request would fund multiple Forest Service programs which support American timber harvesting among other complementary goals, such as support of local economies or fuels reduction. For example:

- The Forest Service is significantly increasing fuels and forest health treatments, adding up to 20 million acres of treatment on National Forest System lands and 30 million acres of other federal, tribal, state, and private lands over the next 10 years. A significant subset of this additional work will result in merchantable timber as a byproduct of fuels reduction.
- The Wood Innovations Program supports market development and utilization of wood products and wood energy through Wood Innovations grants, Community Wood grants, and investments in partners (e.g., WoodWorks).
- Approximately 40% of America's forests are owned by family forest landowners. These forests contain roughly 1.1 trillion board feet of timber, and 358 million cubic feet of biomass. The Forest Stewardship Program helps family forest landowners sustainably manage America's private forests by providing landowners with professional technical assistance and management plans. Forest landowners with management plans are 2.7 times more likely to meet management objectives including harvesting timber and 2.4 times more likely to reforest.

Joyce Q21: How is the Forest Service working with States and communities to create additional markets for wood, especially low-grade wood, to help ensure the health, management, and sustainability of American forests?

Response: Sustaining the wood and fiber industry is vitally important to effective forest management. The Forest Service supports market development and research for low grade wood and underutilized materials through our State and Private Forestry and Research and Development mission areas. Examples of this work include:

- Forest Service Wood Innovations grants and Community Wood grants to states, tribes, local communities, non-governmental organizations, and industry to support market development and utilization for wood products and wood energy markets.
- Investing in national partners (e.g., WoodWorks, the U.S. Biochar Initiative, P³Nano) to support new markets for wood and fiber materials, such as mass-timber, biochar, and cellulose nanomaterials.
- Partnering with the wood energy industry to support domestic production of renewable wood energy (e.g., the Biomass Power Association).
- Using key information such as fire risk data, spatial distribution of various insects and diseases, and other tools to identify priority areas where we might match supply with markets that are struggling.
- Leading or participating in international standards development in building code, nanotechnology, and pulp and paper, often with feedback from industry. Standards development fosters increased use of wood products and the application of new technologies.
- Investing in research to develop cellulose nanomaterials for concrete, oil drilling, light-weight automobile material and water filtration markets; carbon material for carbon fiber and building material; new technologies to convert wood to innovative products such as sustainable aviation fuel and high-value chemicals; and life cycle assessments of wood and fiber products. All these products can help open new markets for wood and wood fiber. Our scientists also provide technical expertise for a wide variety of federal government programs.
- Working with state and local governments to build the Moffit Creek bridge in Siskiyou County, CA with cellulose nanocrystal-enhanced concrete.

Wildland Fire Mitigation and Management Commission Act

The Wildland Fire Mitigation and Management Commission Act of 2021 was enacted as part of the Infrastructure Investment and Jobs Act late last year. A call from the Forest Service for commissioner applications ended on March 25, 2022.

Joyce Q22: Have any or all commissioners been selected and when will the first meeting of the commission take place?

Response: Yes, all selections have been made and the Commission membership is posted on the below site. The first Commission meeting is targeted for August 2022.
<https://www.usda.gov/topics/disaster-resource-center/wildlandfire/commission/members>.

Infrastructure Investment and Jobs Act – Staffing

The budget request includes a \$222 million increase over the enacted level for National Forest System salaries and expenses. Of this amount, a significant portion is intended to increase Forest Service capacity to implement the Infrastructure Investment and Jobs Act (IIJA).

Joyce Q23: Recognizing IIJA provides funding for five fiscal years, are these temporary hires? If not, has Forest Service estimated the impact that these additional staff and related pay increases and fixed costs could have on future discretionary budgets?

Response: We are preparing an agency-wide hiring strategy that balances temporary and permanent hires based on funding sources and attrition/retirement rates Forest Service-wide. Please see the response to your Q8 above for more details.

Joyce Q24: Will the focus on IIJA hiring efforts limit the Forest Service's ability to hire for other key positions across the agency, including critical wildland fire jobs?

Response: The Bipartisan Infrastructure Law has provided a tremendous opportunity to hire for a multitude of needs the Forest Service has in infrastructure improvement, ecosystem restoration, recreation, and fuels reduction; and in approaching this opportunity utilizing different hiring methods (such as collective hiring), we believe we are leveraging rather than adversely affecting hiring in other areas. There is a government-wide recognition and effort from the White House regarding sustaining our critically important firefighting workforce through increases in pay, classification changes, etc. The main challenges we face in hiring are the same as those in all employment sectors—low unemployment, wage competitiveness and, in some cases, affordable housing; and these challenges apply across all of our critical mission areas.

Buy American

President Biden has committed to strengthen “Buy American” requirements that prioritize government purchasing of materials made within the U.S. border. The Department of Defense responded by finalizing a rule in March of this year that establishes a framework to set an “enhanced price preference” for certain products and components “mined, produced, or manufactured in the United States and deemed critical to the U.S. supply chain.” And yet you responded differently. Your agency, along with the Department of the Interior, chose to revoke minerals leases in northeast Minnesota that have existed for more than 50 years. And you revoked those leases without even conducting the environmental review prescribed by law.

Joyce Q25: Doesn't a proposal to honor the President's directive, and provide invaluable access to copper, nickel, cobalt, and platinum group metals for our country, at least deserve to be evaluated through the established environmental review process?

Response: The President has outlined an approach to safeguard domestic mining and to ensure it is sustainable, accountable, and efficient in protecting the environment. We are ensuring that providing access to domestic mining is conducted in accordance with applicable existing laws in safeguarding the health of ecosystems and environments for the American public.

Question from Representative Kilmer

Conservation Workforce Development

Kilmer Q1: The U.S. Department of the Interior (DOI) and the U.S. Forest Service (USFS), in addition to performing essential work in the state of Washington and throughout the country, also play a key role in supporting workforce development in the field of conservation.

Specifically, DOI and USFS help to support youth workforce development in the field of conservation through national service driven programs, including the Service and Conservation Corps. What are the agency's plans for engaging with these programs and other efforts to support the development of future generations of conservation stewards?

Response: The Forest Service engages youth, young adults, emerging professionals, veterans, and others through various partnerships, including 21st Century Conservation Corps (21CSC), Youth Conservation Corps (YCC), Job Corps, and the Public Lands Corps (PLC) and Resource Assistants Program. The YCC, a summer youth employment program, exposes teenagers to natural resources work opportunities while also earning a minimum wage. The Job Corps, Resource Assistants Program and PLC authorized 21CSC programs provide pathways to Federal employment upon successful completion of program requirements.

Forest Service investments in workforce development partnerships are robust. We obligate tens of millions annually for PLC, 21CSC, Resource Assistants, Youth Conservation Corps, Civil Rights Student Programs, third-party internships and other workforce development partnerships and training experiences under various cooperative agreements. This work has grown exponentially in the past decade. Annual engagement estimates are about 5,000 – 6,000 participants who receive payment or other types of remuneration.

The Forest Service's Job Corps program trains the next generation of conservation stewards, in partnership with the Department of Labor. Job Corps students serve as firefighters, maintain trails, restore historic buildings, and improve fish and wildlife habitat while completing their trade training and education. We are rapidly expanding Job Corps offers in forest conservation, firefighting, and emergency dispatch trades to meet the needs of the conservation workforce.

The establishment of a Workforce Development Partnerships (WDP) Service Hub will consolidate programs with hiring authorities and others that contribute to the continuum of workforce development experiences through partnerships in a single office. The WDP

Service Hub will increase visibility of candidates eligible for hire, emphasize training, support and technical assistance to partners and staffs, streamline reporting systems, establish standards for high quality workforce development experiences for inclusion in agreement instruments, prioritize partnerships in urban and community forestry, and promote these opportunities with a wider set of partners.

In FY 2023 the Forest Service will launch a web browser-based portal designed to help the agency achieve a representative, inclusive and thriving workforce. It is a resource for partners and staffs that implement workforce development training and experiences on Forest lands and units to report participation, outcomes and accomplishments, and track individuals who may acquire special hiring eligibilities for conservation and natural resources management jobs in the Forest Service and the private sectors.

THURSDAY, APRIL 28, 2022.

DEPARTMENT OF THE INTERIOR

WITNESSES

**HON. DEB HAALAND, SECRETARY, DEPARTMENT OF THE INTERIOR
DENISE FLANAGAN, DIRECTOR OF BUDGET, DEPARTMENT OF THE INTERIOR**

Ms. PINGREE. So, good morning. This hearing will now come to order.

As this hearing is fully virtual, we must address a few house-keeping matters.

For today's meeting, the chair, or staff designated by the chair, may mute the participants' microphones when they are not under recognition for the purposes of eliminating inadvertent background noise. Members are responsible for muting and unmuting themselves.

If I notice that you have not unmuted yourself, I will ask you if you would like the staff to unmute you. If you indicate approval by nodding, staff will unmute your microphone.

I remind all members and witnesses that the 5-minute clock still applies. If there is a technology issue, we will move to the next member until the issue is resolved, and you will retain the balance of your time.

You will notice a clock on your screen that will show how much time is remaining. At 1 minute remaining, the clock will turn to yellow. At 30 seconds remaining, I will gently tap the gavel to remind members that their time is almost expired. When your time has expired, the clock will turn red, and I will begin to recognize the next member.

In terms of the speaking order, we will follow the order set forth in the House rules, beginning with the chair and ranking member. Then members present at the time the hearing is called to order will be recognized in order of seniority and, finally, members not present at the time the hearing is called to order.

Finally, House rules require me to remind you that we have set up an email address to which members can send anything they wish to submit in writing at any of our hearings or markups. That email address has been provided in advance to your staff.

Okay. Now we can officially start.

So, good morning, Secretary Haaland. We are so excited to have you with us today, and thank you for being here to discuss the fiscal year 2023 budget request for Department of the Interior. Joining the Secretary today is Denise Flanagan, the Director of the Budget.

Our focus for today's hearing is the President's \$16.1 billion request for the Department of the Interior, an increase of \$1.9 billion, 12 percent, over the fiscal year 2022 enacted level. Notable in-

creases include advancing science and conservation efforts, renewable energy, remediating and reclaiming orphan oil and gas wells and abandoned mine lands, upholding our treaty and trust obligations, as well as bolstering wildland fire management. We are very much looking forward to a robust discussion on these topics.

I am proud that our fiscal year 2022 bill continued to build upon the increases this subcommittee has provided since taking over the majority in fiscal year 2021 to address the needs of Native Americans and Alaska Natives, preserve the biodiversity and ecosystem services, and ensure the protection of our air, water, and natural and cultural resources for present and future generations.

To illustrate that point, since the last Obama budget, the subcommittee has provided a 31 percent increase for the U.S. Geological Survey. For fiscal year 2023, I look forward to expanding upon that work with significant and impactful funding that, in tandem with the resources provided in the Infrastructure Investment and Jobs Act, will enable us to focus on improving our Nation's economic prosperity while concurrently addressing the threats of climate change in our interconnected world.

Secretary Haaland, President Biden has again laid out an ambitious agenda for the fiscal year 2023. I know you have a big challenge ahead for the Department to rebuild staff capacity and morale, reestablish trust in the Department and its science, and address a myriad of programmatic issues such as Indian education, wild horses and burros, and clean energy development.

I hope our discussion today will allow us the opportunity to better understand your priorities, both short term and long term, as well as discuss how the subcommittee can advance the important work of the Department of the Interior and achieve our mutual goals and objectives.

I would now like to yield to our ranking member, Mr. Joyce, for his opening remarks.

Mr. JOYCE. Thank you, Madam Chair.

It is my honor to join you in welcoming back Secretary Deb Haaland and her Director of Budget, Ms. Denise Flanagan.

I also want to thank you, Madam Secretary, for coming to Cleveland, Ohio, and visiting northeastern Ohio last month. I appreciated talking with some of our constituents about our importance in urban reforestation and the habitat restoration in underserved communities in the Cleveland area and the significant role spending time outside played in our lives as children.

As we learned from these constituents, and as I mentioned in the hearing last year, conserving our Nation's natural resources, preserving our diverse cultural heritage, and upholding our trust responsibilities are goals we all share. And while we may disagree on many of the details, we remain united in pursuit of those goals.

To that end, the Department's fiscal year 2023 budget proposal before this subcommittee is over \$16 billion, a 14 percent increase over fiscal year 2022. This proposed increase comes on the heels of a nearly 6 percent increase for fiscal year 2022 and a \$20 billion supplemental appropriation in the Infrastructure Investment and Jobs Act.

Some are calling these investments a "once in a lifetime opportunity." I remain deeply concerned that the deficit spending is get-

ting worse, not better. It is imperative that the Federal Government finds a way to live within its means so that we do not saddle future generations with even more economic burden than what already awaits them.

Inflation is at a 40-year high, due in part to excessive Government spending. Interest rates are on the verge of climbing again, which would impact everything from borrowing for a new home to the cost of servicing this Nation's \$30 trillion national debt. Until the President's fiscal year 2023 budget proposal is coupled with credible offsets and bipartisan plans for long-term deficit reduction, I believe the proposal before us today for the Department of the Interior is excessive and unrealistic.

In addition to the spending, what concerns me most is that the proposal continues America's fall from energy independence under this administration. Last year, the administration announced a freeze on new Federal leases and canceled pipelines that would have fed U.S. refineries and yet lifted sanctions to allow Russia to profit from its own oil. This year, this administration is drawing down the Strategic Petroleum Reserve to dangerously low levels, is vilifying domestic producers for delayed use of existing leases that are slowed by environmental reviews and litigation, and begging Saudi Arabia and Venezuela to sell us more oil, and has finally come around to the realization that buying Russian oil isn't sound policy.

The Department's fiscal year 2023 budget makes no mention of meeting its mandate for a 5-year offshore leasing plan, which is set to expire on June 30 and is a prerequisite for any new offshore oil and gas lease sales. Further, the budget makes no mention of resuming mandated quarterly onshore lease sales.

Instead, the budget proposes new and increased fees to further disincentivize production. Just days ago, when the administration finally scheduled a handful of onshore lease sales, the Department highlighted that these sales constituted an 80 percent reduction in the onshore acreage nominated for leasing and increase in royalty rates.

Let me be clear. We share the same goal of clean, affordable, reliable energy, but we disagree on the speed and the approach for achieving it.

The U.S. and most of the world are dependent upon fossil energy for the foreseeable future, whether this administration likes it or not. As has become painfully apparent, shutting off our own supplies doesn't speed our transition to renewable energy. It only makes us more dependent on others.

Top-down policies that force hardships on Americans never works when the costs outweigh the benefits on their everyday lives. The price of a gallon of gasoline is more than \$4, and Americans are feeling the pain not only at the pump, but throughout the supply chain. A stunning recent poll by Consumer Energy Alliance found that a majority of Americans of every age, gender, race, ethnic, geographic, and political demographic support immediate domestic energy production over increased imports.

Madam Secretary, I once again urge you not to lock out America for the domestic energy and minerals it needs for a smooth transition to a cleaner energy future and work with us to help our con-

stituents mitigate climate risk in their everyday lives while we pursue realistic free market and innovative solutions to climate change and protect the interests of the American people, our communities, and our country's economic well-being.

Thank you again for being here today, Madam Secretary. I look forward to our discussion.

And thank you as always, Chair Pingree, for yielding time. I yield back.

Ms. PINGREE. Thank you so much, Mr. Joyce.

And Secretary Haaland, we are looking forward to hearing from you. Please go ahead.

Secretary HAALAND. Thank you so much, Madam Chair, Ranking Member Joyce, members of the subcommittee. It is an honor and privilege for me to be here on the ancestral homelands of the Anacostan and Piscataway people to speak with you today on behalf of the President's 2023 budget for the Department of the Interior.

Thank you for your support of Interior's programs in the 2022 omnibus appropriation. I appreciate your efforts to build capacity within the Department and to fully fund our fixed costs, which are must-pay bills.

I have had the honor of being the Secretary of the Interior for over a year now, and I recognize the importance of this moment for the future of the Department and for our country.

Through my travels and while working here in D.C., I have seen firsthand how every day in every corner of the country our employees go to work with a focus on results. They work with their local communities, States, tribal nations, and other partners to conserve and steward our Nation's natural resources and cultural heritage for the benefit of everyone. Interior's programs are helping generate jobs, grow the economy, and build resilience to the challenges of our changing climate.

I am grateful to have visited many of you in your home districts and meet the great people you represent. The work we do would not be possible without your leadership and support, and I look forward to our continued partnership.

Working together, we have the ability to make tangible differences in the lives of families across the country. With your support, we have already made great progress this year.

We took steps to accelerate the development of renewable energy on public lands and waters. We launched the first Federal Boarding School Initiative to address the intergenerational impact of Indian boarding schools, deployed resources to build resilience to address the drought crisis, pursued justice for missing and murdered indigenous people and worked to keep tribal communities safe, and helped communities prepare against the threat of wildland fire by strengthening our Federal firefighting workforce and the resilience of our lands.

We also began implementing the bipartisan infrastructure law, once in a generation investments that will help communities tackle the climate crisis while creating jobs, advancing environmental justice, and boosting local economies. This funding is already at work at Interior, kickstarting ongoing efforts to address intensifying drought, wildfires, flooding, and legacy pollution.

The President's 2023 budget request complements this with a request of \$18.1 billion for the Interior Department. Of this, \$16.6 billion is within the jurisdiction of this subcommittee. Our total request is a 12 percent increase from the 2022 enacted appropriation.

Specifically, the President's budget invests in our country with an unprecedented total of \$4.5 billion for Indian Affairs programs focused on tribal sovereignty and stronger tribal communities.

Up to \$1.5 billion for wildland fire management to increase fire-fighting capacity, continue the transformation to a more permanent and professional wildland fire workforce, and ensure Federal fire-fighters are paid at least \$15 an hour.

A total of \$4.9 billion across Interior to strengthen natural resource management and improve the resilience of tribal and Interior-managed lands.

\$125 million to advance the President's ambitious clean energy goals by increasing offshore wind energy power generation and permitting of onshore renewable energy technologies.

More than \$1.4 billion for research and development programs across the Department to ensure science continues to underpin Interior's core mission activities, and implementation of our Department-wide diversity, equity, inclusion, and accessibility initiative to proactively advance equity, civil rights, racial justice, and equal opportunity.

I have great ambitions for the Department of the Interior and what we can accomplish on behalf of the American people. Working together, we can do more to create good-paying union jobs, increase the resilience of our lands, expand our ability to fight wildland fires, and mitigate drought, strengthen Tribal Nations, and improve the lives of Americans everywhere. I look forward to continuing our strong partnership.

In conclusion, we are doing our part to advance priorities that build a better America. Thank you again for having me, and I am happy to answer any questions you may have.

Ms. PINGREE. Thank you very much, Madam Secretary. We are so pleased to have you with us this morning, and I know we are going to have a lively discussion with a lot of questions coming from the committee.

I wanted to start with a very specific issue that actually relates to the wonderful visit we had with you in the State of Maine, and that is regarding the Indian Boarding School Initiative.

In fiscal year 2022, Congress provided \$7 million for the Indian Boarding School Initiative, and I know this initiative is a personal priority for you. Last June, you and I had the wonderful experience, when you visited Acadia National Park, of joining with the Wabanaki and other tribal leaders in Maine to welcome the sun, which I think was around 4:00 in the morning—a very early start to our day—and take part in a talking circle with the tribal leaders. They shared their experiences with the devastating intergenerational trauma that has been caused by these Indian boarding schools.

Immediately after that visit, you signed a secretarial order requiring the Department to create a plan for the Indian Boarding School Initiative. I appreciate that you have done this. I want to

commend you for that. And I just want to hear a little more about the progress that has been made by the Department.

So can you talk about that to us, about the Department's work on this initiative that is so important? How are the funds we provided being used to support the initiative? I understand a report is being prepared, and I am curious to know when that will be finalized. So would love to hear from you on that.

Secretary HAALAND. Thank you very much, Chair Pingree.

And yes, thank you. The trip to your State was really a wonderful experience for me, and I appreciated your hosting us. So thank you very much.

And I appreciate your interest and the committee's interest in this issue. Some of you may have read my op-ed. I talked about my grandparents being taken away from their families when they were both 8 years old and sent to boarding school for 5 years, away from their mothers, away from their community. So it is important for me to make sure that people know we care about this issue, and that we are doing something about it, giving them a chance to heal from this intergenerational trauma.

We are working on the Boarding School Initiative. It should be out very soon. We are incredibly grateful for the \$7 million in the 2022 funding. Thank you very much for that. That will help us to continue to work on this issue.

Part of it is making sure that we are really connecting with tribes. Tribal consultation has been very important in this to make sure we are doing what various tribes would like us to do. Tribes have different customs, different traditions. Some may want to repatriate or bring back their children who have been buried away from their homeland. Others may not want to.

So it will depend on what each individual tribe wants to do, but I think the initial start in getting a full listing of exactly what Federal boarding schools were in this country, where burial sites are, what tribes were relegated to these various boarding schools, those are the important facts that we are working on now and will get out soon. And of course, we will update you when we have some news about the rollout of the first report.

Ms. PINGREE. Thank you. Thanks so much for that.

I will now turn over to Ranking Member Joyce to see if he has any questions.

Mr. JOYCE. Just a few. Thank you, Madam Chair.

As you know, Secretary Haaland, the President on day one issued an executive order temporarily banning new oil and gas leasing on the Federal estate and directed the Department to conduct a thorough review. The Department delivered its report last November. It has been almost 18 months since a lease sale has been signed on the Federal estate.

On April 18, the White House press secretary reiterated that the administration's policy is to ban additional oil and gas leasing on Federal lands. As you also know, the law requires quarterly lease sales. Can you please clarify the administration's position? And if the law requires the administration to conduct oil and gas leasing, how can it be the administration's policy to ban such leasing?

Secretary HAALAND. Ranking Member Joyce, thank you so much for the question.

And as you may know, the Department was required by Federal court injunction, which the Department is appealing, to move forward with onshore oil and gas leases. But knowing that we had to move forward, we made sure that the lease sales reflected the highest and best use of public lands.

I said many times that our public lands belong to every single American, and so we felt the need to include significant reforms that would benefit taxpayers. We want to make sure that we are consulting with tribes, and taking climate change into account because this is really the challenge of our time.

I will continue to implement the oil and gas program in a way that is consistent with the law and with my authority as Secretary. I am not able to make specific announcements right now, but please know that there are about 9,000 permits currently available to the oil companies that have not been drilled, as well as 11 million acres of land that has been leased.

So I feel that the industry is set, and we are continuing to work in the best way possible.

Mr. JOYCE. I hear that a lot. Unfortunately, if by regulation and design they can't exercise those leases and execute on those leases, the fact we have 9,000 leases doesn't make a lot of difference to our supply. But if this Department's recent announcement for limited onshore leasing is driven by a court order, then is it fair to say that the administration would still have a ban on new leasing if it weren't for the courts? And if so, then why does the ban continue even after the Department delivered its report, pursuant to the executive order?

Secretary HAALAND. With all due respect, Ranking Member Joyce, there is no ban on leasing right now. And the 9,000 permits, those have already been approved, and the industry is free to use those permits in the way they see fit. They just haven't acted on those.

Permitting actually continues on the land that has already been leased, and so, as I mentioned, I feel the industry is set. And in fact, production is essentially higher than it has been in a couple decades. So on the Federal lands, we are doing what we need to do, and we are following the law and making sure that we are moving those issues forward.

Mr. JOYCE. I beg to differ with you there, Madam Secretary, but I will yield back, Madam Chair, because I know other members of this fine committee all wanted to ask questions as well.

Ms. PINGREE. Thank you very much, Mr. Joyce.

Chair McCollum, do you have questions this morning?

Ms. MCCOLLUM. Yes, I do. And first, to my fellow committee members, I apologize for the shaky connection we had yesterday.

Secretary Haaland, we are so happy to have you back, and I am proud, very proud of the increases that this subcommittee provided under the leadership of Chair Pingree for 2022. Using the 2023 budget request as a base, I hope we can build on that success to deliver more resources to implement the Department's broad mission, including the conservation of our public lands and ecosystem, protecting biodiversity, endangered species, and addressing climate change with scientific research.

But I am going to focus on a part of the Interior's budget that funds our trust and treaty obligations to tribal nations, the Bureau of Indian Affairs and the Bureau of Indian Education. First, I want to applaud you and President Biden for listening to tribal leaders who have advocated for embracing and expanding the Tiwahe Initiative. Fiscal year 2023 budget request will not only sustain funding for existing Tiwahe sites, including the Red Lake Nation in Minnesota, but allow for additional tribal nations to participate in this holistic, culturally affirming approach to family and community.

The President's budget also includes significant increases for the Bureau of Indian Education construction. This committee, as you know, works in a very strong bipartisan—I say nonpartisan—fashion, and we have prioritized children because we believe no child should attend a school with exposed wires, cracked walls, insufficient heat or air conditioning, many of the problems that we see in BIE schools.

So the fiscal year 2022 funding that this subcommittee provided BIE replacement projects will fund the completion of three schools. The 2023 proposal would fund an additional six, but we know that there is still not enough funding to fill out the priority list.

Could you let us know how the Department is looking at issuing new priority replacement school lists to inform tribal leaders and this subcommittee which schools are next in line? And I want to make clear, I wished every single school was next in line, but I know you are faced with hard choices.

Secretary HAALAND. Thank you very much, Congresswoman, and I appreciate you caring so much about Indian Country in this way.

Yes, we wish we could replace every single school that needs to be replaced as well. But for the time being, there will be six replacement school projects to be started in 2023—the Cheyenne-Eagle Butte School in South Dakota, the Cottonwood Day School in Arizona, the Little Wound Day School in South Dakota, Standing Rock Community School in New Mexico, Pierre Indian Learning Center in South Dakota, and Santa Rosa Day School in Arizona.

There are many more. It will take us a couple decades at this funding level to get to the schools that need to be replaced as a priority. We will continue to work on that as we can but certainly recognize the need in Indian Country for children to attend schools that are safe and a place where they can truly learn.

Ms. MCCOLLUM. Serving on the authorization committee currently this year, as well as on the Appropriations Committee that oversees this, I hesitate to speak for Mr. Simpson, but we have traveled in Indian Country ourselves. So we have seen the condition of the schools and the roads. And whatever authority you need in order to hold contractors accountable and have better contract outcome is something that I know I would look forward to working with you on.

Mr. Calvert, when he was chair, we were just shocked at the condition at which some of the schools actually were built at, with not having the right kind of oversight on construction done by the Bureau. So if you need more authority with that or something different in the contracts, please let us know so we can be of help.

Thank you.

Secretary HAALAND. Thank you very much.

Ms. PINGREE. Thank you very much. Mr. Simpson, do you have questions this morning?

Mr. SIMPSON. Yes, thank you.

I agree with what Representative McCollum just said about the schools and the need to address those, and we can't wait two decades. That is somebody is born and they become an adult before we can improve their school, that is just too long. We have got to do something about this.

But let me, first of all, Secretary, thank you for your participation with CEQ and with other agencies in addressing a perplexing problem in the Pacific Northwest dealing with salmon and salmon recovery of the major species up there and the importance that that is to the tribes and, actually, to all of the Pacific Northwest. So I appreciate your participation in that collaboration that you are working on.

Let me ask a couple of questions first. With the 6 percent increase that we had last year and the 12 percent proposed this year, we are still facing a real challenge, and that is with finding employees. Everywhere I go, not just in Idaho, but across the country, BLM, other agencies—and this is not just an Interior problem. I also find it in the Department of Agriculture, with ARS or Forest Service or others. We are having trouble getting our job done because we can't get the employees or we are so behind on employees. What is the problem there? Are we having problems hiring people to do the jobs and stuff?

As an example, when we authorized the Great American Outdoors Act, there is an awful lot of programs in there that we wanted to see started and stuff, but they are telling me that the delays in getting the projects approved and stuff are because we don't have the employees to approve those projects and stuff. What is the problem there?

Secretary HAALAND. Thank you so much for the question, Congressman Simpson. And thank you for recognizing this issue.

As I am traveling across the country, everywhere I go, I make it a point to meet personally with DOI employees. We have some of the best employees, I think, in the Federal Government, who are very dedicated, dedicated to our mission. And I know it is a priority for me, working to build up our workforce capacity across the Department.

We have a special emphasis right now in certain areas. One is wildland fire, and you probably have seen the wildland fires across the Southwest right now, namely in my State of New Mexico. So the wildfire preparedness in the BLM is something that we are paying very close attention to and working to fulfill.

Being able to pay firefighters a little bit more money is helping us to recruit some folks there, and also with the land management bureaus, the national parks, the national wildlife refuges, you probably have seen there has been up to a 60 percent increase in visitation in some of these areas across the country, namely since COVID happened. People just find the need to get outdoors more than they have in the past.

So those are all priorities for us. We are going to focus on positions needed to break logjams in human resources and contracting. We are expanding access to qualified candidate lists across the bureaus, and in some cases, we are working with OPM to address competitive hiring markets.

So we will continue to pay attention to this. I appreciate your interest in it. We are always happy to make sure that we give you updates. Don't hesitate to reach out to us, and if we have anything else to add, we will absolutely keep you informed.

Mr. SIMPSON. Well, I appreciate that. But basically, we can put all the money into a program in the world. If we don't have the personnel to carry out the projects and so forth that is necessary, it doesn't really do any good. So those personnel and making sure that we have sufficient personnel in the right areas is something that is critical for us.

And along those same lines, you talked about paying firefighters. I went out to the Fort Hall Indian Reservation, where we did a community-financed project to help them rebuild their fire station out there that needed to get done, and what I found out from the policemen and the firemen out there, one of their biggest challenges is they are the training ground for local community fire stations in Blackfoot, Pocatello, Idaho Falls.

They train them in Fort Hall. As soon as they get trained, they get hired at a higher pay rate in Blackfoot or in Pocatello and leave. So how do we keep those?

And we will talk about this later because my time is running out, but we have got to find a way to keep these people on the reservation, be able to pay them enough so that they can stay with the organizations that have trained them. But we will talk about that later.

I yield back.

Ms. PINGREE. Thank you, Mr. Simpson. That is certainly an issue I have heard about. So I hope we will get a chance to discuss that. Next, Mr. Kilmer, do you have questions this morning?

Mr. KILMER. I do. Thanks, Madam Chair.

And thanks, Madam Secretary, for being with us and for your leadership and your commitment to ensuring the Federal Government fulfills its unmet treaty and trust responsibilities to Native American communities.

I am really grateful for your visit out to my neck of the woods last summer to tour the Quinault Indian Nation's Taholah Village Relocation Project, which is an effort to move that village to higher ground in response to increasing threats from climate change and rising sea levels and erosion and flooding and tsunami risk. Thank you for coming to see these challenges firsthand and meeting with tribal leaders from across the region I represent.

And as you will recall, it is not just the Quinault that face urgent and existential threats exacerbated by climate change, as you heard during your visit. The Quileute Tribal School in La Push is in the crosshairs of a rising ocean. The Hoh Indian Tribe is located in a tsunami flood zone, and the only developed road in and out of the reservation is regularly impassable as a result of heavy storms.

The Makah Indian Tribe urgently needs to relocate their health center, which is not only in a tsunami zone, but also a cell and Internet service shadow that impedes emergency communication. So climate change and coastal challenges are real threats, and they also threaten significant cultural landmarks and heritage.

Just earlier this week, I spoke with several tribal historic preservation officers who perform critical work protecting important cultural sites. They told me that increasing erosion caused by rising oceans have exposed ancestral remains and resting places. Unfortunately, they don't have the resources they need to monitor and mitigate that erosion risk.

So I share these details in part because I want to just emphasize the sheer need and the importance of urgent and bold action, and I know that you share that sense of urgency. And it is why I appreciate your commitment to addressing climate challenges and building resilient communities during your first year as Secretary, and in this year's budget proposal, I am glad you specifically highlighted the \$62 million for the Tribal Climate Resilience Program in this year's budget request, which is almost double the 2022 enacted level. I am also pleased that this committee passed nearly \$3.6 million in community project funding to help with the relocation efforts of three tribes in my neck of the woods that are trying to move to higher ground.

But I think we know that addressing these challenges fully will require significant investment above and beyond what we have done so far. As NCAI president and Quinault Vice President Fawn Sharp testified to our committee earlier this month, the cost of the Quinault relocation project alone is \$180 million. So we are talking about literally relocating entire communities. That is homes and schools and health clinics and justice centers and community centers and more.

So, one, I just want to hear your thoughts on how your agency and the Biden administration can work with Congress to develop and execute a more comprehensive and coordinated plan to help tribes that are facing imminent displacement from their ancestral homelands and their territory that they have occupied since immemorial due to climate change and coastal erosion. And secondly, what do you need from us? What does the administration need from this subcommittee so that we can be good partners to you in this effort?

Secretary HAALAND. Thank you very much, Congressman, and thank you for your dedication to Indian Country not only in your district, but across the country. It is very much appreciated, given the mission of the Department of the Interior.

Yes, everything you said I completely agree with, especially the part about me coming to your district. Thank you for being such a wonderful host and I thoroughly enjoyed the opportunity to be with the chair and the vice chair.

You know, funding is one thing. Yes, it is an expensive undertaking. There are tribes in Alaska as well that are falling victim to coastal erosion. A lot of those communities are on permafrost that is melting currently.

And all the funding in the world would really help these tribes when they need to relocate, but I think one of the most important

things that you spoke about and that we are committed to is tribal consultation. These tribes, that is their ancestral homeland. They don't know where to live anywhere else.

Often, tribes have been relocated at the behest of the Federal Government. But for certain tribes who have been in the same place since time immemorial, it is very difficult—it is emotional, and it is spiritual—it is a shock to their spiritual well-being when they have to move from a land that means a tremendous amount to them.

So absolutely putting tribal consultation as a priority is something that we feel very committed to. How does the tribe want to move? How do they want to plan, and where do they want to plan? These are all things that we have to take into consideration, and we do that.

Later this summer, BIA will announce bipartisan infrastructural allocations for community relocation demonstration pilot sites. Given the estimated \$5 billion cost to relocate communities, in Alaska and the Lower 48, we will need your help. So we would love to make sure we are staying in touch with you.

I also want to add that President Biden has charged us all with an "all of Government" approach to Indian Country. It is not just the Department of the Interior that is working on these issues. It is every other department. It is the Department of Education when schools need to move. It is the Environmental Protection Agency. It is the Department of Energy. It is Housing and Urban Development.

All of us are charged with ensuring that we are giving Indian Country what they need, and certainly, when a whole community is relocating, all of us will be responsible for making sure it is a successful move.

So, we are always here to discuss this with you further. Don't hesitate to reach out to us if we can answer any specific questions, and I appreciate the question.

Mr. KILMER. Thank you, Madam Secretary.

Thank you, Madam Chair, for giving us a little extra time on this subject. Thank you. I yield back.

Ms. PINGREE. An important topic, and I am looking forward to hearing more.

Mr. Stewart, do you have questions this morning?

Mr. STEWART. I do. Thanks, Chairwoman.

And Madam Secretary, thanks for joining with us, and thanks for the work that you do.

You will forgive me. I want to emphasize my agreement with Ranking Member Joyce and his concerns regarding energy and oil production in the West. I mean, one of the first things the administration did was we could argue over the numbers or whether they shut it down or just made it very, very restrictive, but oil and gas permitting in the West, ANWAR, offshore.

A greater concern is the demonization of the oil and gas industry, which is an industry that every American depends on, and the attempts to demonetize them, make it hard for them to get the financing that they need.

And the bottom line, Madam Secretary, is it leads to, as has been pointed out, nearly doubling in oil and gas prices and energy

prices. And if you are a working family, if you are the working poor, this is a real challenge for people. And so we hope we can work with you in the future as we try to take advantage of our own natural resources here, and so we don't have to go to Saudi Arabia and Venezuela and Iraq and ask them to increase their gas and oil production.

Two questions for you, if I could, Madam Secretary, and I think they are things that we can work together on, at least I hope we can. They are local issues, but very important to my constituents.

A good friend of mine, one of the great sheriffs that we have in my district—and I would argue in the entire State or country—is a friend of mine, Sheriff Perkins. Calf Creek Falls is a beautiful area in southern Utah. It is part of the Grand Escalante National Monument. It is such a beautiful place that it is an area that I have asked that we could designate as a national park.

Many, many visitors take the 3-hour hike to Calf Creek Falls. It is very, very remote, as you can imagine, and very difficult to provide for search and rescue and, many cases, the actual rescue.

It is so difficult that Sheriff Perkins can't get volunteers to go make these—carry people out who have been sick or injured. Three hours to get in, more than 3 hours to get out. Takes a 12-man team. And as I said, he just can't get people to do it. It is so difficult, so dangerous, so exhausting.

Here is a very simple solution. All we have to do is clear out some willows. We don't have to do any excavation. We don't have to build any structures, cut any trees. If we could just clear out some willows, we could provide a landing area for rescue helicopters, which could do this flight in about 20 minutes. And yet we have been unable to do that. It really is a life or death situation.

Madam Secretary, can we count on you to work with us to implement a solution that we know will save lives and make this area actually safer and more accessible to people?

Secretary HAALAND. Thank you very much, Congressman.

I appreciate knowing about this. Of course, we are always willing to talk with you. We are always willing to work with you. We feel very committed to the safety of any American who is out in an outdoor Federal space.

We will be more than happy to follow up with you on this issue.

Mr. STEWART. Yes.

Secretary HAALAND. There is probably a lot more to it than just thinking about all the things involved with an issue like that.

Mr. STEWART. Yes.

Secretary HAALAND. We would be more than happy to follow up with you on it.

Mr. STEWART. Okay. Thank you. And that is what I was hoping you would say, and of course, I suspected you wouldn't be aware of this issue. There is no way you could be. It was, as I say, a local issue.

And Madam Secretary, again, if we were asking for a great excavation or a change in the landscape or anything like that, I would understand the hesitancy of the administration, but it really is a simple solution. It is just some willows that we would be able to clear, and it would be—as I said, it really is a life or death situation now.

One other thing, if I could mention it really quickly in the 55 seconds that I have left—and again, this is something that we would look forward to working with you. And that is we have a bit of a conflict in Bryce Canyon National Park. We have the concessionaires, which we support, and I know that you do as well. They take these horse guides down the trails.

There is a bit of a conflict between the concessionaires and then a large number of private individuals who are doing the same thing. We think it has become a bit of a safety issue as well, and we would ask once again your commitment to work with us to try to find a solution that enhances the experience for people, but also leads to additional safety.

Secretary HAALAND. Absolutely. Very happy to follow up with you on this.

As you know, we are very proud that we now have onboard the National Park Service Director, Chuck Sams. He is top-notch. I will make sure that we are in touch with you about this issue.

Mr. STEWART. Thank you so much for your help. We look forward to working with you.

And thanks, Madam Chair.

Ms. PINGREE. Thank you so much. Mr. Harder, questions from you this morning?

Mr. HARDER. Absolutely. Thank you so much, Chair Pingree.

And Secretary Haaland, it is so good to see you. I smile every time I say “Secretary Haaland.” It is great to see you still in this position and to see your leadership of the Department.

I will join many of my colleagues in thanking you for your visit to my district. One of the things that we talked about when you came out was the impact that the Western drought is having. And since that visit, things have only gotten worse. You heard from a lot of the farmers in our area, and one of the things that has come up again and again in our discussions is people looking at this year, seeing the limited snow pack and fearing that we could be headed into an even tougher third year when our reservoirs are even lower than they have been.

I wanted to get a progress report on the investments in Western water infrastructure that were passed last year in the bipartisan infrastructure law. There was about \$1.7 billion that was allocated to Western water infrastructure in that. It is one thing to have it allocated. It is another thing to get it out the door and making sure that it is going to good projects that are putting shovels in the dirt.

Could you give us a progress report on how the Department has been using those funds and what projects we might be anticipating that being invested in?

Secretary HAALAND. Thank you so much, Congressman.

Yes, I fully understand the severity of the drought. We have staff here at the Department who work on that issue every single day. So I want you to know that it is a top priority for us, and our heart goes out to so many people who are feeling the negative effects of that drought.

The significant investment in drought and water infrastructure available through the Bipartisan Infrastructure bill and supplemental funding is much needed, and it is very much appreciated.

It is important that we leverage this once in a lifetime investment to get the most benefit for those communities being hit by drought.

Reclamation is taking this responsibility seriously. There is a robust program management plan in place. A team of leaders across Reclamation's regions and directorates addresses each program area funded through the bill. And detailed spending plans for 2022 and 2023 are publicly available. We will absolutely make sure that we get you a copy of that forwarded to your staff so that you have it on hand.

And of course, Reclamation is advancing various water storage and conveyance projects under the bill that will address water scarcity and enhance operational flexibility. Reclamation has and will also target projects that advance the statutory intent.

It is an issue that, as I said, we work on every single day, and we know how much you care about it. So we will continue to make sure that we are connecting with the local folks on the ground there and do our very best.

Mr. HARDER. Thank you. I really appreciate that.

And I would just underline here that I think implementation of this bill is actually more important than the dollars that were allocated to begin with. I think one of the things that we found again and again with water infrastructure is it can be one thing to get the dollars in a bank account. It can be another to actually make sure that they go out the door.

We passed a water bond in California a few years ago that was well-intentioned. And yet, even in the midst of a historic drought like the one we are seeing, a lot of that money has not actually gone toward projects that are desperately needed, and I want to make sure that we get this right here.

Do you have a sense of how much of that \$1.7 billion has actually been invested in projects so far, or can you give us some sort of a timeline of when you would expect that money to actually be fully invested?

Secretary HAALAND. Congressman, I appreciate the question. I really feel the need to make sure that Reclamation follows up with you directly. I don't want to misquote or misstate anything. But I will make sure that they get to you and answer your question specifically so that we can be on the same page.

Mr. HARDER. Perfect. That sounds great. That would be very helpful. It would just be great to get some sort of a timeline. I know it to be a lot to really work out these agreements with individual agencies. And obviously, there are a lot of projects in our neck of the woods that we have our eye on, and we want to make sure, especially in the drought that we are seeing right now, that that money is actually invested in the types of projects that we know are very much in need.

So thank you so much for your leadership, and I will yield back the remaining 4 seconds of my time.

Ms. PINGREE. That is a very generous yielding back there. So, Mr. Amodei, do you have questions this morning?

Mr. AMODEI. Thank you, Madam Chair. Yes, I do.

Good morning, Madam Secretary. It is good to see you.

And I am going to kind of take the same route that some other members have taken that there are some things we would like to

interact with your staff with, but we won't try to do it in the magic 5 minutes of this context. And I will give you a little heads-up on some of them.

Obviously, we want to talk about how the administration's more recent announcement in terms of supporting a green energy agenda, what they have announced that they are going to be doing through your Department, how that meshes with how it helps and arguably doesn't help or whatever. But that is a discussion that is better with staff.

But I want to put something on your radar screen because there has been an application in Nevada for a land withdrawal by a fellow administration agency, NASA. And so that is fine. You know, they have got a satellite GPS kind of station in Railroad Valley, Nevada, and they are concerned about that valley maybe being altered—although there is no present threat—altered by potential lithium exploration and stuff like that.

So, great. They have applied, Madam Secretary, and they are going through the NEPA process, all well and good. Story is fine so far. Until we get to the part where this agency in NEPA had a request from the county that has planning and zoning jurisdiction over Railroad Valley to be a cooperating agency.

Now you know, and everybody on this committee knows, the NEPA process well enough. It is like they just want to be made a cooperating agency so that they can provide their input directly since it is located in their county. And with all due respect to the folks at the National Aeronautics and Space Administration, they have said no.

Now, as a credit to your folks in the Bureau of Land Management, you know, your State people, the district managers, they are kind of like, hey, well, you know, whatever. And NASA's response is, oh, well, we will certainly take whatever they have to say into account. But—and these are my words, nobody else's—but we just have the impression that it is less complicated if we don't let them be a cooperating agency.

So let me touch rather quick. Ultimately, you will make the decision on that land withdrawal, and that is great. But I also think that we all have an obligation to respect the system. And so when somebody asks to be a cooperating agency who is the county in which the application is made, and your people have been told no, and BLM—by NASA.

You will get a kick out of this. So I said, okay, I want to be a cooperating agency as a Member of Congress with oversight authority and budget authority over you. Guess what? They basically turned the volume off on me. Now that won't be the last word, but I am sitting here going this is phenomenal procedural arrogance in the part of—and it is going to be your guys' stuff.

So the reason I told you all that is we are going to be asking to get on whoever the appropriate person at the Department of the Interior's calendar, along with the BLM person, to say, hey, as the agency who ultimately is going to make the decision because NASA had to apply at BLM, it is like can we please show a little respect for the NEPA process other than as the applicant?

Now I get if it was something where—but it is like, Jesus, if the county in which it is located is told no by an agency, I mean, what

does that say for our process? So, anyhow, I just wanted to give you a heads-up on that where it is like we would really like to work—it is like, listen, BLM and Interior will make whatever decision they want after taking all the evidence, which is fine. But to tell somebody they are not welcome to have a voice in the process formally? I just—it is like, well, how disrespectful to the whole NEPA process.

So we will look forward to talking to you about that, and like I said, there are a couple of other things. But I wanted to put that on your radar screen because I have never seen that in all the time, regardless of what you think about NEPA, where you are going, no, you are not welcome to come talk, even though it is in your county. Holy mackerel.

Thank you, Madam Chair.

Secretary HAALAND. Congressman, just very quickly, I will say that I believe very strongly that stakeholders deserve to be heard. I appreciate you going into detail about this, and I will make sure that our BLM Director follows up with you.

Mr. AMODEI. Great. Thank you. I look forward to speaking with you guys on it.

Madam Chair, I yield back.

Ms. PINGREE. Yes, thank you so much. Next we have Representative Lee.

Mrs. LEE. Thank you, Madam Chair and Ranking Member Joyce, for hosting today's hearing.

It is great to see you, Madam Secretary, and as mentioned here by many people, thank you for taking the time to come visit my district and our State. And as you know, no State south of Alaska has more Federal lands than the State of Nevada, most of which is overseen by the BLM. And as Member Simpson said here that the staffing shortage has been an issue across the West, and it has inhibited us from meeting some public lands challenges with the urgency they deserve.

In Clark County, in my district, which has fully funded parks and trails projects on BLM lands and already funded with local funds, it could currently take up to 2 years or more for BLM to sign off on the Recreation and Public Purposes Act leases that would allow these counties to move these projects forward and, more importantly, help the Department carry out the America the Beautiful Initiative.

Could you—other than staffing, could you speak to why this approval process takes so long and what we can be doing together to help expedite it?

Secretary HAALAND. Thank you so much for the question, Congresswoman, and I appreciate knowing how you feel about this.

Yes, we recognize that building capacity in the BLM is a priority for us, and we are working on ways to expedite hiring for positions that support operations such as contracting officers, engineers, and human resources. All those efforts are ongoing, and I want you to know that we are working on it, and we are happy to follow up with you in any way, shape, or form that we can. But please know that we recognize this is an issue, and we are doing our best to remedy it.

Mrs. LEE. Thank you. Yes, we will follow up on that.

Maybe there is a way where we can prioritize projects that have the funding, are sort of shovel ready, and get them out the door to ease up some of this backlog. And again, I completely understand the staffing issue and so have some sympathy on that as well, but I would love to see those projects move forward.

I want to turn now to renewable energy. And as we know, it is imperative to make this transition, and obviously, time is of the essence. And last week, the Department released its roadmap for achieving the 10 gigawatts of renewable energy on public lands by the end of next year, nearly doubling capacity.

But across the West, we have seen instances where late or insufficient community consultation has prevented some renewable projects from proceeding. And in fact, last week developers of what would have been southern Nevada's largest solar facility pulled their project amid pushback from local residents and some conservation groups.

And so as the Department continues to fast track renewable energy development, what are you doing to ensure this kind of proactive early concentration with relevant communities and stakeholders, let us work to prevent the spread of misinformation, protect key resources, and keep our projects moving forward in the right direction so that we can actually get them constructed. What are your plans to do that?

Secretary HAALAND. Thank you very much, Congresswoman.

And yes, I couldn't agree with you more. Proactively engaging States, counties, local communities, Indian tribes, other interested stakeholders are certainly important to moving a project forward. Thank you for that.

In early 2022, we established an agreement with five agencies—the USDA, the EPA, Energy, Defense, and us—to coordinate permitting. The BLM is establishing a renewable energy coordinating office to work with key partners. We think that might help to move the issue forward.

I have a few examples for you. We have had robust coordination in combining multiple projects under a single EIS. There are seven solar projects proposed near Tonopah, Nevada, that you likely know about. DOI, BLM, NPS were facilitating stakeholder engagement.

And stakeholder engagement is incredibly important to me. I feel like we have really tried to do that well and I will make sure that we are paying very close attention to that. Regarding stakeholder engagement on the Lava Ridge wind proposal in Idaho, that will address concerns on potential impact surrounding a national historic site there.

There is a BLM updated policy to rank wind and solar projects as high, medium, low priority. We are happy to share more about that with you. We want to focus our resources on most developed proposals with least anticipated natural and cultural resource conflict. They are not all easy, but getting the easy ones done first seems like a good plan to get these things moving.

We will continue to work on that. Thank you for your patience, and certainly, I will have my staff reach out to you so that we can answer any specific questions that you have.

Mrs. LEE. Thank you, Madam Secretary. Yes, this is obviously an important issue in our State, where we have many opportunities for this type of development. So, love to work with your team.

Thank you. And I yield.

Ms. PINGREE. Chair Kaptur, do you have questions this morning?

Ms. KAPTUR. Thank you very much, Madam Chair. Thank you so very much, and so glad you chair this subcommittee.

And I will just say, seeing Mr. Joyce from Ohio, it is a modern miracle that there are actually two Great Lakers. We both also co-chair the Great Lakes Task Force, and Madam Secretary, we are very grateful for your visit to Ohio in your early years of service at the Department of the Interior. That was a great honor for us.

And I want to go back to that visit and just discuss with you and with the staff that is over there at the Department, compared to some of our Western colleagues who are very connected to the Department of the Interior, in areas like ours east of the Mississippi River, we have some small—at least in Ohio—Department of the Interior assets. But the connectivity east of the Mississippi with the Department of the Interior is nothing like what exists west of the Mississippi. So your experience, your travels, your attitude gives us a moment to perhaps use some Department resources in ways we hadn't before.

For example, where you visited, the Ottawa Wildlife Refuge, actually came about many years ago from duck hunters, both that one and the Cedar Point Refuge. We have built what were very tiny assets that were held privately into major points of visitation largely without the help of the Department of the Interior, although the Fish and Wildlife Service, where you visited that one site, over the years, we have been able to work with them to increase holdings along Lake Erie, the most fragile of the Great Lakes. The shallowest, the most used by visitors.

We have millions of boaters, and we have lots of fish. And we have I think it is about a \$7 billion fishery, about a \$16 billion boating industry. So we are talking about a lot of money, all of it threatened by the Asian carp.

But what would help us, I think, is to have some type of effort working with the Department to bring some of your planning staff where we could bring our local stakeholders, the Fish and Wildlife Service from the Cleveland area, the National Park Service—because the Cuyahoga Valley National Park is one of the largest and most visited in the country. It is in the top 10. But there is no connectivity.

We have a Perry's Memorial that is probably the smallest Federal park that sits out by the lake memorializing what happened related to the war in 1812. But there is no connectivity. There is no common interpretation. There is no pathway that people move through Department of the Interior holdings. There is almost no co-operation between the National Park Service and the Fish and Wildlife Service. It is like two different creatures.

So with the funding in your bill, as well as the new funding in BIF that provides for such things as cross-lake interconnectivity and trail connectivity, it would be very valuable to us to have a discussion, working with our State park people. We have very few for-

ests up in our part of the State, but there are some down in the southern part of Ohio.

But the metro parks, the Toledo metro parks, for example, were number-one metro parks in the country last year—Toledo, Ohio. We are so proud of our community. And the Cuyahoga Valley park and some of the metro parks in the Cleveland, Greater Cleveland area just have historic visitation.

We are about to receive along the lake at our refuges hundreds of thousands of birders. We have built up birding into nature tourism as a major economic development sector for our region. But all of this is just dots on the map. There is no connectivity.

So I am just asking if you could consider some type of meeting that we could hold, a working meeting where we could bring together all these stakeholders that can make a difference, and then think about a future where the former Northwest Territory, which settled America after the 13 colonies, would have interpretation.

That does not exist in the mindset of the Department of the Interior. But with your leadership, I think maybe we can take a step in that direction. So I am just asking with my question, can you think about helping us connect the assets there with common interpretation, working our State and local stakeholders?

Secretary HAALAND. Thank you very much, Congresswoman.

And yes, I recall being at the wildlife refuge with you and you talking about this, and actually seeing it in real life. It was a beautiful place, and I am so grateful that I had the chance to be there with you.

We are absolutely happy to speak with you. I will make sure that my staff reaches out to your staff, and we would love to engage in a conversation about this. And thank you so much for caring about the area and really wanting, wanting that space for folks to truly enjoy.

So we will be in touch, and I appreciate the question.

Ms. KAPTUR. Thank you. And I will just say in terms of historical tourism, and I will end with this, if you think about the name of Lake Erie, many of the counties you were in—Cuyahoga, Erie, Ottawa—there is a Native American history there that has never been allowed to be brought up, as well as the fact that we were on the Underground Railroad, and that particular lake and its connectivity with Canada is an historic place. It is as though it never happened, but it did happen.

And so I feel a responsibility, and I think with your leadership, maybe for the first time in modern history we can do something that has been left out of America's history books.

Thank you so much.

Ms. PINGREE. Thank you, Chair Kaptur. Sounds like you have got [inaudible].

Chair Cartwright.

Mr. CARTWRIGHT. Thank you, Madam Chair.

And Secretary Haaland, what a delight it is for us to have you at the helm of Interior. You are carrying on a proud family legacy of public service, with your father a 30-year Marine Corps combat veteran, recipient of the Silver Star for Valor. Your mother, a Navy veteran, 25 years in the BIA herself. Thank you for doing this service and carrying on your proud family legacy.

It was a thrill to have you in my district. It seems like you have visited everybody's district on this whole subcommittee. What are you up to here?

And you were up in my district in the chill of winter. I know it gets cold in Albuquerque, too, but it was pretty cold in north-eastern Pennsylvania when you toured abandoned mine land sites with me. And thank you for all the work you are doing to implement the IIJA and its devotion to cleaning up abandoned mine lands and acid mine drainage, and we will be talking a lot about that.

I also was thrilled to have NPS Director Chuck Sams up in my district last week. On Friday, we were in the Delaware Water Gap National Recreation Area together. What a terrific guy. It was a thrill to meet him.

But I want to say, I want to talk about the MMIW, something that you brought to our attention in your time in the House. You were a leader in tackling the crisis of violence against Native Americans, in particular the crisis of missing and murdered indigenous women and persons in general. Under your leadership, our 116th Congress, we passed the Not Invisible Act of 2019, which directed the Department of the Interior and the Department of Justice to establish a joint commission to advise both departments on intergovernmental coordination and best practice, looking to hear from law enforcement, tribal leaders, survivors, and other important voices.

Now in October of last year, 2021, in response to a GAO recommendation, Interior said that it had created a timeline for that commission and was in the process of receiving and reviewing nominations for it. Madam Secretary, would you be able to update us on the status of that commission, its nominations, and the proposed timeline for action?

Secretary HAALAND. Thank you very much, Congressman.

Yes, it was wonderful, even though it was cold. It does get cold in Albuquerque. The thing is, winter only lasts about 2 weeks there. I am getting used to the cold weather fast. In fact, last week I was in the highest point in the United States in Utqiagvik, Alaska, and it was 4 degrees up there. And I survived.

But nonetheless, I appreciate the issue. You might remember that I worked hard on the Not Invisible Act when I was in Congress. I was very proud to get that passed and, of course, now I am proud to implement it.

We are working hard on that. We had a lot of interest from folks sending in their names. People, they want to participate, and that is really a good thing. I don't have an exact date for you right now, but we are working closely with the Department of Justice as we need to on this issue, and you can expect an announcement soon. And we will absolutely make sure that you know about it when we do.

Mr. CARTWRIGHT. Good. And as chair of the House Appropriations Commerce, Justice, and Science Subcommittee, I am particularly interested in the collaboration of Interior with Justice. Will you keep us posted on the collaboration and the extent of cooperation that is going on there?

Secretary HAALAND. Absolutely. We will absolutely keep you informed, yes.

Mr. CARTWRIGHT. Thanks so much. And Chair Pingree, I yield back.

Ms. PINGREE. Thanks very much for your important question.

Well, Secretary Haaland, with your indulgence, we will go to a second round of questions for any members who have things that they would like to discuss, and I will just start with a topic that I am interested in, these are the USGS Climate Adaptation Science Centers.

In fiscal year 2022, the bill provided an increase of \$10.6 million for the National and Regional Climate Adaption Science Centers, known as CASCs. This is a great partnership-driven program based out of host universities that goes ahead and analyzes the impact of climate change on ecosystems and natural resources and develops adaptations to protect natural places and local communities.

So I am curious to hear you talk about how the funding increase in 2022 will be allocated, what critical science needs it will be focused on, and in the 2023 budget, there is an increase of \$32.5 million for National and Regional Climate Adaptation Science Centers, and I would love to hear more about how this will further the ongoing work of supporting climate science needs.

So can you discuss that a little bit?

Secretary HAALAND. Thank you very much, Chairwoman.

I am really proud. We have the best team of scientists at the USGS, and they work hard every single day, and I have had a chance to visit with many of them.

The USGS Climate Science Center has partnerships with the universities, and they conduct climate research and strategies to minimize regional climate impacts. In the Southwest, we are partnering with the U.S. Forest Service and other public land managers to inform post fire forest recovery strategies, which we know in this day and age is extremely important, especially in light of climate change.

In your State, we are working with the Wabanaki Tribal Nations to mitigate climate impacts to critical tribal natural resources, building a regional tribal network for climate adaptation, and documenting culturally appropriate adaptive management tools and techniques for tribal leaders. We feel very committed to ensuring that tribes have opportunities to move on these issues as well.

And I want to mention here, Chairwoman, that tribal ecological knowledge is something that is extremely important to us. We feel very committed to and grateful, in fact, that we are able to learn from tribes who have stewarded these lands since time immemorial, for a lot longer than our country has been a country. So wherever it is possible, we are working with tribes in that area as well.

Ms. PINGREE. Yes, thank you for bringing that up, and I really appreciate your unique perspective on that. As you say, we have a lot to learn from the tribes and their long-term preservation of the land. So it is an important time to be melding those two things.

And also I am excited about this work at the USGS. I feel like that is one of our underrecognized and extremely important agencies of science, and given the fact that so much of our future focus is going to be on the science of weather, they are in such a good

position to do it. So I hope we can continue to support their work in any way possible.

And lastly, I would just like to say thank you so much for your strong support of science and bringing back science to the Department of the Interior and recognizing it as a critical role that you play. So we want to continue to support you with that.

And with that, I will recognize Mr. Joyce for any questions he has.

Mr. JOYCE. Thank you again, Madam Chair.

I hate to sound like a broken record, Madam Secretary, but the Outer Continental Shelf Lands Act requires the Department to prepare and maintain a 5-year offshore leasing program that best meets the national energy needs. The current 5-year plan expires on July 1 and authorizes three areas for lease sales on which the Department has not acted.

Question. Will the Department have a new offshore 5-year plan in place on July 1? And if not, does the Department intend to finalize the next 5-year plan in fiscal year 2023?

Further, does the Department intend to conduct further lease sales in fiscal years 2022 and 2023, and when does the Department anticipate resuming holding lease sales in the Gulf of Mexico that are already authorized in the current 5-year plan?

Secretary HAALAND. Thank you very much, Ranking Member Joyce. I will try to answer all of your questions. If I forget one, please remind me. I appreciate that.

So with respect to the new 5-year plan, you may know that the previous administration, had stopped all the work on a new 5-year plan in 2018. That was after their proposal received a lot of opposition for drilling in places where folks didn't want drilling.

The internal work at BOEM has been moving forward on a new 5-year plan. Our staff there has been working hard on this. There is significant amount of internal work that still needs to be done. You also know that there is a lot of varying and conflicting litigation that has been a complicating factor for our Department, and of course, we are always happy to update you on timing as our work continues in that area.

And were you asking about the status of remaining lease sales as well?

Mr. JOYCE. Yes.

Secretary HAALAND. Okay. So the current 2017 through 2022 National OCS Program that expires on June 30 has three scheduled lease sales remaining—258, 259, and 261. Recent court decisions have impacted work on remaining lease sales for that period of time, and BOEM's internal work remains ongoing. As I always say, we want to make sure we are following the law on these things.

No decisions have been made regarding the remaining lease sales for that period, 2017 to 2022, and so I don't have any updates today. But of course, we are always happy to be in touch with you and your office.

Mr. JOYCE. I certainly appreciate that and any updates that may follow.

I want to switch subjects to something else that is of interest. Last September at Picuris Pueblo in northern New Mexico, BIA law enforcement confiscated nine cannabis plants from a man who

was growing them in his house. He was enrolled in the State's medical marijuana program to ease post traumatic stress and anxiety, and these plants provided a full year of treatment.

Though not a tribal member, the gentleman lives on the pueblo, where the tribe, like the State, has decriminalized medical marijuana. The incident had sent a chill through Indian Country as tribes are unsure if the Federal Government will continue to enforce and prioritize Federal marijuana laws only on reservations.

Do you agree with BIA's law enforcement action in this case? And further, have you taken any or do you plan to take any steps to change policy from such actions occurring in the future where both the State and the tribes have legalized medicinal marijuana?

Secretary HAALAND. Thank you so much for that question, Ranking Member Joyce.

And of course, this question involves the authority and policy of the Department of Justice as well as the BIA, and therefore, I respect that we have to have a unified administration approach on this issue. Tribes have authority to make marijuana legal on their reservations under tribal law. Although I cannot change the Federal law, I understand the issue. I understand what tribes are saying, and I respect tribal laws. We want to work in partnership with tribes on any public safety issues and their priorities.

Here, this specific policy approach involves the Department of Justice, and what I can say is I am always happy to work with the Department of Justice on a variety of Indian Country issues. And I will be happy to continue to update you or speak more specifically about this issue. I understand and appreciate you caring about it.

Mr. JOYCE. Well, God bless you, Madam Secretary, and all your hard work. And I continue to look forward to working with you, together with Chair Pingree and the rest of this committee, moving forward.

Thank you. I yield what no time I have back. [Laughter.]

Ms. PINGREE. There was imaginary time you yielded back.

And thank you for bringing up that last topic. I think that is important, and I hope we can have a further conversation about it.

Chair McCollum, do you have a second question you would like to ask?

Ms. MCCOLLUM. Yes, I do. I am going to kind of go back to the budget in general. I think something that has been very frustrating for all of us in a nonpartisan fashion is as we want to move Indian Country forward, we find ourselves trapped in spending patterns that were developed by past administrations. We can go back hundreds of years on this for Indian Country.

So I am encouraged to see the administration trying to do the right thing in moving towards the way contract support costs are being held and payments for tribal leases are being held by changing that in a way to reclassify them as mandatory spending. Because they are obligations. They are not options. And when this committee is forced to treat them as options because Chair Pingree has EPA, Bureau of Land Management, and so many other responsibilities in here, to try to get the right thing done the right way becomes very hard.

So I would like you to talk a little more about how living up to our trust and treaty responsibilities by treating these as mandatory

will not only help right wrongs in Indian Country but will also help engage all the important work that you do side by side with this committee for all the other spending we need to do.

And if you have a comment, and maybe in lieu of taxes also I believe used to be mandatory, and then it was made nonmandatory by a previous Congress. That has also had a huge impact on our ability to do things right for the Department of the Interior. And that year alone, it has a 10 percent increase. And I am a recipient. My State is a recipient of payment in lieu of taxes. I think it is the right thing to do, but that also should be mandatory.

So I am going to give you 3 minutes to talk big picture about how we can right size this budget. Thank you.

Secretary HAALAND. Thank you very much, Congresswoman.

Generally, if tribes don't have to worry about certain parts of their budgets, then they are free to work on things that they know will help their communities. I think it is difficult for them sometimes to plan ahead when they don't know what they can expect. And of course, we appreciate everything that the Congress does and your committee does to ensure that we have the best support possible to give to tribes.

With respect to contract support costs and tribal lease payments, the budget proposes to reclassify funding for tribal contract support costs and tribal 105(l) lease payments from discretionary to mandatory in 2023. That would be a game-changer for tribes. And as I mentioned, they wouldn't have to fight for these funds every year or trade off or cuts to other tribal programs. If you recall when I first came into Congress, shortly before I was sworn in, the U.S. Commission on Civil Rights came out with the Broken Promises report and pretty much laid that out over decades and decades that tribes have been underfunded in so many ways.

So we recognize that. We think that the 105(l) lease funding would allow tribes to drive infrastructure investments, which we know is incredibly important to them. Sometimes folks just want to have running water, or they just want to be able to log on to the Internet, and their kids should be able to attend a school that isn't going to flood when they walk in.

These are all things that we know would be a tremendous help to Indian Country. This proposal, with respect to the 105(l) leases, would ensure that funds are available without reducing funding for other tribal priorities.

Everything is a priority in Indian Country, and so we will absolutely do our best to make sure that whatever we can do, we will do. And a lot of these priorities we learned because we feel that tribal consultation is a hallmark of this administration. It is President Biden's priority. It is our priority not just at the Department of the Interior, but across the Federal Government to consult with tribes. Those are the things they tell us, and we are very grateful that you are listening as well.

Ms. PINGREE. I think you are muted, Chair McCollum, if you were saying something else.

Ms. MCCOLLUM. I was just thanking you for being so gracious and such a fabulous chair. And thanking the Secretary.

Ms. PINGREE. Whoa, thank you. There is never enough thanking of the Secretary.

Representative Simpson, do you have a question you would like to ask?

Mr. SIMPSON. There we go. Okay. Yes, I would like to—first of all, I would like to thank you, Secretary, for being here today. And as you can tell, both Republicans and Democrats, whether it is under Chairman Pingree or McCollum or Ken Calvert or myself—even back to Norm Dicks or Jim Moran—when I served on this committee, in a bipartisan fashion, we have all been committed to keeping our treaty obligations and trust obligations with tribes.

And you have got a committee that will work with you to try to make sure we do that. So I appreciate that, and I appreciate the emphasis that the administration and you have placed on that. And we want to work with you on that.

Three things I do want to bring up. Two of them are just a little advice maybe, and the last one is a question.

So the first one is, as you know, I have been able to put language in the appropriation bill for several years preventing the listing of sage-grouse in the West. It is not because we don't care about sage-grouse. It is because when it was originally started under Secretary Salazar, he encouraged the States to get together and create sage-grouse plans with local communities and the Federal Government and then to enact those plans.

And States have worked very hard to do that. Idaho has worked very hard to do that. If we are going to save sage-grouse and the habitat for sage-grouse, it is going to take the local communities, it is going to take the States, and it's going to take the Federal Government.

When you list sage-grouse, all of a sudden, you eliminate the State and local input or the desire to participate in that. So I want you to keep track of that and remember we need to keep the States and local communities involved in that. That is the only reason we put that language in there so that we don't list them. It is not to prevent—that we don't care about sage-grouse going extinct. That is not the case at all.

So that is just a little piece of advice to look forward. The other one I want to get back to is the personnel in this Department. And coming from the West, you know that the reason that many of us live in the West is because we love our public lands and we want to have access to those public lands. Access is an issue.

The Great American Outdoors Act, it was supposed to increase the access to these public lands and stuff, but we are having a real difficult time in trying to enact some of those programs and some of the projects because we don't have the personnel to do that. So whatever we can do to help you get the personnel so that we can move on those in a quicker fashion and implement the intent of the Great American Outdoors Act, as well as other programs, let us know because that is critical.

As I said, you can have the best—you can put a lot of money into these programs, but if you don't have the personnel to carry them out, it doesn't really mean anything.

The last issue that I want to bring up is we have talked a lot about gas and oil. The other issue is our supply chain in critical minerals in this country. It is a huge issue that we are dependent

on, frankly, countries that don't really like us for a lot of the critical minerals.

As an example, in Idaho, we have a mine that is developing antimony, gold and antimony that will actually do a clean-up of a previous mine from World War II. Spent 6 years in trying to get that permitted, which is just crazy.

We have another one that is cobalt mines. They have been over a decade getting the permitting for that.

What are you doing or what should we be doing to streamline the permitting process so that we can have access? We have all these critical minerals and rare earths in the United States. Most of them are located on public lands. So we need the access. We need to streamline the permitting process so that there could be some certainty in that and that we don't become more and more dependent on, frankly, people that don't like us for some of these rare earths and critical minerals.

So what can we do to help you streamline this process so that we can get access to these things?

Secretary HAALAND. Thank you so much for the question, Congressman.

The permitting process ensures mining of critical minerals is not done at the expense of natural resource consideration and tribal and rural communities. We recognize the importance of critical minerals and the need to improve the process. As you know, President Biden believes very strongly in energy independence here in our country, and critical minerals are important to our transition to clean energy.

We established an interagency working group that will recommend reforms to the hard rock mining laws and permitting regulations. One of the goals of that interagency working group is to improve permitting efficiency.

Yes, 10 years is a long time. I recognize that. This report will be delivered to Congress later this year with recommendations. We would appreciate your input at that point. Just know that BLM continues to process mining applications currently, including those for lithium, vanadium, and other critical minerals. They will continue to do that, and we are working on the permitting efficiency and outcome.

Thank you so much for the question and I'm happy to give you more details as time goes on.

Mr. SIMPSON. Thank you. I look forward to working with you on that because it is something critical we have got to do. And of course, with the goal of batteries, wind power, nuclear power, all of those kind of things, a mineral like antimony is critical to all of those things. So achieving some of your goals, it is important that we have those critical minerals.

But thank you, Chairwoman Pingree, and thanks for this hearing.

And thank you, Secretary, for being here today.

Ms. PINGREE. Yes, thank you very much, Mr. Simpson. I think that is a really important topic that you brought up at the end, and I will look forward to having a chance to hear more about it. I think we are all going to learn the names of minerals that we never knew existed before, and we got to do a crash course in that.

So, Secretary Haaland, thank you so much for the time you spent with our committee today. We are really pleased to have you in your role. Thank you for bringing your experience and your perspective to that role. We look forward to continuing to work with you on this year's budget.

And thank you to Mr. Joyce for being part of this important hearing.

And with that, seeing no more questions, the hearing is now adjourned.

Secretary HAALAND. Thank you.

FRIDAY, APRIL 29, 2022.

ENVIRONMENTAL PROTECTION AGENCY

WITNESSES

MICHAEL REGAN, ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY, ACCCOMPANIED BY FAISAL AMIN, CHIEF FINANCIAL OFFICER, ENVIRONMENTAL PROTECTION AGENCY

Ms. PINGREE. Good morning. This hearing will now come to order.

Today, the Interior, Environment Subcommittee will examine the President's fiscal year 2023 budget request for the Environmental Protection Agency. Joining with us this morning is EPA Administrator Michael Regan. With him is Chief financial Officer, Faisal Amin. It is good to see you, Mr. Administrator, and welcome, Mr. Amin.

Before you start, I want to personally thank both of you for your partnership in completing the fiscal year 2022 bill, and I look forward to working with you as we begin our work on the fiscal year 2023 bill. Administrator Regan, I also want to thank you so much for your visit to Saco a couple of months ago. I appreciated your insight and commitment to help not just with our PFAS issues in Maine but across the country.

For fiscal year 2023, the President is requesting \$11.9 billion for the EPA, a \$2.3 billion increase over the enacted level. In addition to this request, the EPA has released its strategic plan with seven clear and ambitious goals. For this first time, this plan includes a goal focused on solely on addressing climate change. This also includes an unprecedented goal to advance environmental justice and civil rights. I applaud you for taking on these two critical issues and look forward to supporting you in these efforts. During this hearing, I hope that we can explore further how this request will support your strategic plan and primary mission to protect human health and the environment.

Some highlights of the budget request include increasing staffing after years of decline to its highest levels in over a decade; tackling the climate crisis head on through robust funding for the EPA science, and technology, and environment programs; taking decisive action to address environmental justice and civil rights so that we can finally make significant strides in communities that have been historically under served and overburdened; and building on the funding provided in the American Rescue Plan and the Infrastructure Investment and Jobs Act to fix our Nation's crumbling infrastructure and to address public health challenges that we currently face.

I firmly believe the EPA's missions is achievable when it is fully resourced and staffed. That is why our fiscal year 2022 bill provided the EPA with the second-largest increase to its budget in

over a decade. We also funded environmental justice at \$100 million, which is the largest increase the program has seen in its 50-year history. The President's request builds on the success of our fiscal year 2022 bill, and I look forward to collaborating closely with the administrator and President Biden in achieving our shared vision for a safer, more prosperous, and more just Nation.

I would now like to yield to my friend, the ranking member of the subcommittee, Mr. Joyce, for any opening remarks he would like to make.

Mr. JOYCE. Thank you for yielding, Madam Chair. I appreciate today's opportunity to discuss the Environmental Protection Agency's fiscal year 2023 budget proposal. Welcome back, Administrator Regan. Thanks to you and Mr. Amin for joining us this morning. Mr. Amin, I believe this is your first time appearing before the subcommittee in this capacity, so congratulations on your appointment and welcome.

Mr. Regan, your stewardship of the EPA is important, and we value the work you and your staff do day in and day out to keep our air, land, and water clean. I also appreciate that you have made a point to travel around the country, including to my home State of Ohio, to see how States and tribes rely on EPA funding to manage core environmental programs, make critical infrastructure upgrades, and protect our natural resources.

When you appeared before us last year, I raised the importance of reigning in our Federal spending following the pandemic. Regrettably, the administration's fiscal year 2023 budget is a substantial departure from the bipartisan funding agreement Congress passed last month. For EPA, this request includes an additional \$2.3 billion and seeks to add well over 1,000 new Federal employees. Notably, the budget proposal is nearly \$650 million more than the administration's request last year. We seem to be moving in the wrong direction, Administrator.

Right now, inflation is at a 40-year high, gas prices are skyrocketing, and Americans across the country are struggling to pay their bills. To create a vibrant economy today and for our kids and grandkids, Congress and this committee, in particular, cannot entertain unrealistic spending levels. We have a duty to the taxpayer to work within spending constraints, implement fiscally-responsible policies, and ensure that every dollar we provide to the EPA helps to meet your mission.

To that point, I was pleased to see EPA's requests focuses on providing funds to ensure clean and safe water for our Nation's citizens, support much-needed infrastructure improvements, revitalize contaminated areas through the Brown fields Program, and to partner with States, tribes, and local stakeholders to address environmental and public health threats. Notably, these programs make substantial differences in communities without the use of top-down, heavy-handed regulations. Unfortunately, these core investments are overshadowed by the Agency's emphasis on providing extraordinary funding levels to write regulations, hire more lawyers, push unrealistic climate goals, and carry out a robust enforcement agenda. I plan to work with the chair to ensure the programs that have significant impact in States and localities, like the Superfund cleanup programs, rural water technical assistance

grants, and regional water programs, receive the attention and increases they deserve.

Restoring geographic program dollars, like those provided through the Great Lakes Restoration Initiative, are essential in protecting some of our Nation's most valuable natural resources. I know firsthand that now is not the time to take our foot off the gas, especially when it comes to protecting the lakes. Building on the GLRI investment from fiscal year 2022 is vital to ensuring that the Great Lakes, which provide clean drinking water to 48 million Americans, support more than 1-and-a-half million jobs, and generate over \$62 billion in wages each year, are safeguarded from longstanding threats, like harmful algae blooms, water pollution, invasive species, and coastal erosion.

I have no doubt that we will also have a robust policy discussion given what is playing out on the world stage. With the conflict rating in Ukraine and the steep prices we are seeing at the gas pump, it is now more important than ever that we continue to promote an all-of-the-above domestic energy strategy. Utilizing all of our domestic resources to increase production and brings stability to the marketplace, reduces energy costs, spurs economic growth, and creates good-paying jobs. More than that, it puts America on a path to energy independence, which is imperative to our national security.

I am concerned, though, that this administration is pursuing an agenda that, simply put, undermines the American energy sector and fails to put American industries first and businesses first. Rather than imposing burdensome and costly regulations, EPA and its Federal partners should be collaborating with the energy sector to leverage free-market solutions, spur innovation, and enhance emission reduction technology to unleash energy production here at home. If not, we and our allies will be forced to turn to foreign countries to meet our energy needs.

I look forward to having a constructive conversation about how the fiscal year 2023 budget can support, rather than sideline, American energy. I also look forward to understanding how the Agency is implementing commonsense, cost-effective rulemakings to help us protect the environment while providing regulatory certainty to our small businesses, farmers, and ranchers. We have all struggled the last couple of years, and I want to ensure the EPA is doing its part to boost, not burden, all sectors of the economy.

Thank you, again, for joining us this morning, Administrator Regan. As the fiscal year 2023 process moves forward, I look forward to working with the chair to provide the EPA with the necessary resources to meet its mission to protect the American people and our environment. Thank you, Chair Pingree. I yield back.

Ms. PINGREE. Thank you so much for your Statement. Mr. Regan, we would love to hear from you now. Thank you very much for joining us this morning.

Mr. REGAN. Well, thank you, Chairwoman Pingree, and Ranking Member Joyce, and members of the committee. You know, I really appreciate the opportunity to appear before you today to discuss the bold vision laid out in the U.S. EPA's proposed fiscal year 2023 budget. In this budget request, we lay out an ambitious and transformative plan for the EPA with the goal of a healthier, more pros-

perous Nation where all people have equal access to clean air, clean water, and healthy communities.

President Biden's proposed fiscal year 2023 budget request for EPA provides \$11.9 billion to advance key priorities tackling the climate crisis, delivering environmental justice and equity for everyone, protecting air quality, upgrading the Nation's aging water infrastructure, revitalizing our Nation's magnificent water bodies, and rebuilding core functions at EPA to keep pace with the growing economy. Over the last year, we have made important progress towards many of these goals, and I am proud of the foundations we have laid and partnerships that have underpinned our successes. But there is still so much more work to do to ensure that all children have safe, healthy places to live, learn, and play, to build a stronger, more sustainable economy, and to advance American innovation and ingenuity in ways we haven't seen. Put simply, investing in EPA is an investment in the health and the well-being of all of the communities we serve. It is also an investment in the economic vitality of our Nation.

I have had the privilege to visit many communities in your States and see firsthand the environmental and public health challenges that many of your constituents continue to experience, from unprecedented flood experiences to crumbling water infrastructure. I have spoken with mothers whose children have been lead poisoned. I have met with people who are living with toxic waste in their backyards, and I have seen conditions that are simply unacceptable in the United States of America. From investing in our Nation's climate resilience to cleaning up contaminated land, there is no shortage of critical work that needs to be done.

Members of the committee, EPA is up to the task, and we are ready to partner with you. We are eager to work with all of you to deliver for our fellow Americans and to secure our Nation's global competitiveness, but we need your support. Both the urgency and economic opportunity presented by the climate change crisis require that we leave no stone unturned. The fiscal year 2023 budget invests \$773 million towards tackling the climate crisis and reaping the benefits that come with that: healthier communities, good-paying jobs, and increased energy security.

The communities hit hardest by pollution and climate change are most often communities of color, indigenous communities, our rural communities, and economically-disadvantaged communities. For generations, many of these vulnerable communities have been overburdened with higher instances of pollution in their air, water, and land. This inequity of environmental protection is not just an environmental justice issue, but it is also a civil right concern. In the fiscal year 2023 budget, EPA will expand upon the historic investments made in environmental justice and civil rights to reduce the historically-disproportionate health impacts of pollution in communities with environmental justice concerns.

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

of ozone-forming pollutants, particulate matter, and air toxics. The President's budget also includes \$1.1 billion to improve air quality and set standards that reduce pollution from mobile and stationary sources.

A thriving economy also requires clean and safe water for all. Although progress has been made, many still lack access to healthy water, face inadequate wastewater infrastructure, and suffer from the effects of lead pipes. America's water systems are also facing new challenges, including cybersecurity threats, climate change, and emerging contaminants like PFAs. The fiscal year 2023 budget positions EPA to create durable environmental policy that sets our Nation on a path to win the 21st century. It will allow us to meet the pressing needs faced by millions of Americans and fundamentally improve people's lives for the better.

Thank you for the opportunity to be here today and offer this testimony, and I look forward to our continued partnership, and I look forward to the conversation that we are going to have today.

[The information follows:]

**TESTIMONY OF
MICHAEL S. REGAN**

**ADMINISTRATOR
U.S. ENVIRONMENTAL PROTECTION AGENCY**

**BEFORE THE
U.S. HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES**

April 29, 2022

Thank you, Chair Pingree, Ranking Member Joyce, and members of the Subcommittee. I appreciate the opportunity to appear before you today to discuss the bold vision laid out in the U.S. Environmental Protection Agency's proposed Fiscal Year (FY) 2023 Budget request. In this Budget request, we lay out an ambitious and transformative plan for the Agency with the goal of a cleaner, healthier, and more equitable Nation where all people have equal access to safe and clean water, air, and communities.

The FY 2023 President's Budget Request

President Biden's proposed FY 2023 Budget request for EPA provides \$11.9 billion to advance the key priorities outlined in our new *FY 2022-FY 2026 EPA Strategic Plan*, including tackling the climate crisis, delivering environmental justice, protecting air quality, upgrading the Nation's aging water infrastructure, and rebuilding core functions at the Agency. Almost half of EPA's Budget request, \$5.7 billion, is directed to support Tribal, state, and local partners through grants and to directly reach communities. Additionally, the Budget includes an increase of more than \$900 million to fully fund the water programs authorized in the Drinking Water and Wastewater Infrastructure Act (DWWIA). The Budget complements the resources provided in the bipartisan Infrastructure Investment and Jobs Act (IIJA) and will expand the Agency's capacity to protect human health and the environment across the Nation.

Tackling the Climate Crisis

Under the continued leadership of the Biden-Harris Administration, EPA is prioritizing addressing climate change with the focus and resources the crisis demands. President Biden has directed a whole of government effort to confront this urgent threat, and EPA will be at the center of delivering on this agenda. The FY 2023 Budget invests \$773 million towards the strategic goal of tackling the climate crisis while also uplifting underserved and overburdened communities, creating good-paying jobs, and building a cleaner energy economy.

At EPA, we know both climate mitigation and adaptation are essential components of the strategy to reduce the threats and impact of climate change. We will invest in programs to reduce greenhouse gas emissions, including an additional \$100 million for air quality grants to states and tribes to reduce greenhouse gas emissions on a local and regional scale. We will direct an additional \$60 million to improve knowledge of the impacts of climate change on human health and the environment through our research programs—an increase that more than doubles EPA's climate change research. We will leverage an additional \$35 million to implement the American

Innovation in Manufacturing Act to continue phasing out hydrofluorocarbons (HFCs), and we will invest an additional \$13 million in wildfire prevention and readiness.

Tackling the climate crisis depends not only on the Agency's ability to mitigate the effects of climate change, but also our capacity to adapt and deliver targeted assistance to ensure our partners across the Nation are also prepared to meet these challenges. As part of a whole-of-government approach, EPA will directly support federal partners, Tribal governments, states, territories, local governments, environmental justice organizations, community groups, and businesses as they deal with the impacts of climate change. As part of this effort, the Budget provides \$150 million to expand the availability of Diesel Emissions Reduction Act (DERA) grants and rebates, focusing on school buses, ports, and where conditions disproportionately affect vulnerable populations, including our children. EPA will provide \$20 million for climate adaptation efforts to strengthen the adaptive capacity of our partners. In addition, the Agency will lead through example and prioritize climate resiliency investments across EPA-owned facilities. We will invest \$35 million to pursue aggressive energy, water, and building infrastructure improvements to advance the Agency's use of carbon-pollution free electricity.

Elevating Environmental Justice

The communities hardest hit by pollution and climate change are most often communities of color, indigenous communities, rural communities, and economically disadvantaged communities. For generations, many of these vulnerable communities have been overburdened with higher instances of polluted air, water, and land. This inequity of environmental protection is not just an environmental justice issue, but also a civil rights concern. Neither an individual's skin color nor the wealth of their zip code should determine whether they have clean air to breathe, safe water to drink, or healthy environments in which their children can play. And yet, the development, implementation, and enforcement of environmental laws, regulations, and policies has not always ensured the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income.

To address these inequities, EPA recognizes that effective environmental policy must clean up the legacy pollution that many historically overburdened and underserved communities have lived with for far too long and ensure equitable practices for the future. A foundational component of the Agency's work to address environmental justice is the President's Justice40 Initiative, with the goal of delivering at least 40 percent of the overall benefits of relevant federal investments to underserved and overburdened communities.

In FY 2023, EPA will expand upon the historic investments made in FY 2022 towards advancing environmental justice and civil rights, aimed at reducing the historically disproportionate health impacts of pollution in communities with environmental justice concerns. Across the Budget, EPA is investing more than \$1.45 billion to advance environmental justice by cleaning up legacy pollution in overburdened and underserved communities and creating good-paying jobs. To ensure the success of these investments, we propose creating a new Environmental Justice National Program to be led by a Senate-confirmed Assistant Administrator to elevate and maximize the benefits of environmental justice efforts across EPA. Under this new Program area, more than \$300 million is included for the Environmental Justice program to expand support for community-based organizations, indigenous organizations, Tribes, states, local governments, and territorial

governments in pursuit of identifying and addressing environmental justice issues through multi-partner collaborations. This includes \$150 million in six environmental justice grant programs to support states, tribes, and local communities in addressing the impacts of environmental harms. Importantly, the Budget includes \$25.9 million to increase civil rights capacity across the Agency and ensure recipients of EPA's financial assistance comply with Title VI of the Civil Rights Act. The budget would also invest \$100 million will support a new community air quality monitoring and notification program. The Budget proposed additional funds and FTE to increase fenceline inspections in communities with disproportionately high pollution exposure.

Enforcing Environmental Laws

Enforcing and ensuring compliance of our Nation's environmental laws is central to achieving EPA's mission. The Agency holds, and will continue to hold, bad actors accountable for their violations, with a particular focus on communities with multiple pollution sources. This Budget invests \$213 million for civil enforcement efforts, such as increasing enforcement efforts in communities with high pollution exposure and preventing the illegal importation and use of hydrofluorocarbons in the United States. The request also includes \$148 million for compliance monitoring and \$7 million to implement a coal combustion residuals compliance program.

We know that overburdened and underserved communities are often victims of environmental crime. Accordingly, the Budget sets aside \$69 million for criminal enforcement efforts, including funding for a specialized Criminal Enforcement Initiative focused on addressing environmental justice issues in partnership with the Department of Justice (DOJ).

Ensuring Clean and Healthy Air for All Communities

Poor air quality still affects millions of people across the country, perpetuating harmful short- and long-term health and quality of life impacts. In FY 2023, the Agency will improve air quality for communities by reducing emissions of ozone-forming pollutants, particulate matter, and air toxics. The President's Budget includes \$1.1 billion for the strategic goal of improving air quality and reducing localized pollution, reducing exposure to radiation, and improving indoor air for communities across the country. The Budget dedicates \$152 million to the development and implementation of national emission standards to reduce air pollution from vehicles, engines, and fuels. EPA's work to set these standards provides certainty to industry, builds on advances in technology, and reinforces market movement towards a cleaner energy system that provides reliable and affordable energy.

The Budget includes \$289 million to assist Tribal, state, and local air pollution control agencies in the development, implementation, and evaluation of programs for the National Ambient Air Quality Standards (NAAQS) and to establish standards for reducing air toxics. EPA will continue to build on its historic progress in protecting human health and the environment from the harmful effects of air pollution and work to assure clean air for all Americans, with a particular focus on those in underserved and overburdened communities.

Achieving Clean and Safe Water for All Communities

Clean and safe water is a foundation for healthy communities and a thriving economy, and the Agency is committed to ensuring clean and safe water for all, especially for overburdened and underserved communities where adequate drinking water and wastewater infrastructure has not

been a priority. Although immense progress has been made across our Nation, many still lack access to safe and clean water and suffer the effects of aging infrastructure and legacy lead pipes. America's water systems also are facing new challenges, including cybersecurity threats, climate change, and emerging contaminants of concern, such as PFAS.

In FY 2023, EPA will continue our work with federal, Tribal, state, and nongovernmental partners to advance water quality science, provide clean and safe water for all communities, and protect our Nation's waterbodies from degradation. The Budget proposes more than \$4.1 billion to upgrade drinking water and wastewater infrastructure nationwide, with a focus on underserved communities. This includes a total of \$2.8 billion for the Clean Water and Drinking Water State Revolving Funds and \$80 million for the Water Infrastructure Finance and Innovation Act (WIFIA) program. Also included is \$1.2 billion for grant programs authorized in the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN), the America's Water Infrastructure Act of 2018 (AWIA), and the Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) and \$25 million for a new water sector cybersecurity grant program dedicated to help utilities and operators protect their systems. EPA requests to fully fund all the water programs authorized by DWWIA, including \$565 million to create 20 new water grant programs, a \$240-million increase to the Sewer Overflow and Stormwater Reuse grant program, and other critical water infrastructure investments. To further the President's goal of replacing all lead pipes within the next decade, the Budget proposes a \$160-million increase for grants to reduce lead in drinking water. This Budget request will complement the supplemental funds provided by the bipartisan Infrastructure Investment and Jobs Act (IIJA), totaling \$8.4 billion in EPA's State Revolving Funds for FY 2023.

In FY 2023, EPA will continue to work across environmental programs to advance Agency efforts to tackle Per- and Polyfluoroalkyl Substances (PFAS) pollution. As part of the President's commitment to tackling PFAS pollution and EPA's PFAS Strategic Roadmap, the FY 2023 Budget proposes approximately \$126 million for EPA to increase its understanding of PFAS and their human health and ecological effects; restrict PFAS use to prevent new PFAS pollution from entering the air, land, water; and remediate PFAS that have been released into the environment.

From the Chesapeake Bay to Lake Pontchartrain to the Puget Sound, the United States is home to water bodies of ecological, cultural, and economic significance. The Budget invests \$578.6 million to continue strong support for EPA's Geographic Water Programs to protect and restore these water bodies of special ecological and economic importance to the Nation. EPA's Geographic Programs deliver technical and financial assistance to solve problems and support healthy resilient ecosystems and to maintain, restore, and improve water quality, which yields environmental, economic, and recreational benefits to their communities.

Safeguarding and Revitalizing Communities

Preventing and cleaning up environmental pollution that harms communities and poses a risk to public health and safety continue to be a top priority for the Administration. The FY 2023 Budget enables the Agency to clean up hazardous waste sites in communities across the Nation, including those where vulnerable populations, such as children, the elderly, and economically-disadvantaged individuals, reside. EPA collaborates with Tribal, state, and local partners to improve the livelihood of all residents of the United States by addressing contaminated sites, including

Superfund, brownfields, leaking underground storage tanks, and other waste sites and restoring them to productive use. Reuse and restoration of these sites directly support President Biden's Justice40 initiative.

The Budget provides \$1.15 billion for EPA's Superfund programs to continue cleaning up some of the Nation's most contaminated land and to respond to environmental emergencies. In FY 2023, EPA will begin to use the Superfund chemical tax revenue collected in FY 2022, along with the \$3.5 billion provided to EPA under LIIA and other appropriated resources, to implement the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The Budget also includes \$215 million for EPA's Brownfields programs to provide grants and technical assistance to communities along with 60 additional Brownfields community specialists. Taken together, these investments will ensure EPA is cleaning up sites and fully engaging the communities we serve in the process.

Ensuring the Safety of Chemicals for People and the Environment

Chemicals and toxic substances are ubiquitous in our everyday lives and are often released into the environment from their manufacture, processing use, or disposal. EPA has significant responsibilities under amendments to the Toxic Substances Control Act (TSCA) to ensure the safety of chemicals in or entering commerce and addressing unreasonable risks to human health or the environment. The Budget provides \$124 million and 449 FTE to implement TSCA and deliver on the promises made to the American people by the bipartisan Lautenberg Act, an increase of more than \$60 million. These resources will support EPA-initiated chemical risk evaluations, issue protective regulations in accordance with statutory timelines, and establish a pipeline of priority chemicals for risk evaluation.

The Agency also has significant responsibility under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to screen new pesticides before they reach the market and ensure pesticides already in commerce are safe. In addition, EPA is responsible for complying with the Endangered Species Act (ESA) and ensuring that federally endangered and threatened species are not harmed when the Agency registers pesticides. The FY 2023 Budget includes an additional \$4.9 million to enable the Pesticide program to integrate ESA requirements in conducting risk assessments and making risk management decisions that protect federally threatened and endangered species from exposure to new active ingredients.

Restoring EPA's Core Capacity and Following the Science

The Budget strategically increases the capacity of the Agency across both mission and mission support functions to position the EPA to address both current challenges and prepare for the future. EPA has lost nearly 1,000 staff in recent years, hindering the Agency's ability to carry out its mission to protect human health and the environment. The Budget looks to restore EPA's programmatic capabilities that focus on achieving clean air, land, and water and tackling climate change. Restoring capacity across the Agency and building a diverse and equitable workforce will strengthen our ability to tackle multiple priorities, from clean air and water, to cutting edge research at the Agency. Underpinning all our work is a commitment to follow the science, which is why this budget includes \$864 million for the Science and Technology account, an increase of more than \$100 million above current levels that will ensure programs have the best available data to inform decisions.

The Budget increases the Agency workforce by more than 1,900 new FTE relative to current levels, for a total of more than 16,200 FTE. The Budget will also dedicate resources to continue strengthening the Agency's ability to recruit, hire, develop, promote, and retain top talent and remove barriers to equal opportunity at management and staff levels to strengthen and advance diversity, equity, inclusion, and accessibility.

Conclusion

The FY 2023 President's Budget positions the EPA to advance our important goals of protecting human health and the environment, championing environmental justice, and tackling the climate crisis. With these investments we can advance a better future for all our citizens and ensure the benefits of a cleaner environment for future generations.

Thank you for the opportunity to be here today to submit this testimony for the record. I look forward to our continued partnership to achieve these ambitious yet necessary goals and welcome any questions you may have.

Ms. PINGREE. Thank you so much for your opening remarks, and thank for your service. We are looking forward to discussing many topics with you today.

I am going to start the questions myself, and I just want to dive right into something that is critically important to my State. I mentioned before that you were kind enough to come and visit in the State of Maine, and you joined with me in a really challenging meeting talking to people who are dealing with the front lines of the crisis around PFAS contamination, particularly in agricultural land in our State, but also in drinking water and beyond. This is a growing environmental crisis for us, and I imagine this is going on in many other States, but perhaps it is undetected. We continue to learn more about these chemicals' health effects, and more Americans are becoming deeply concerned that their families could be at serious risk.

Along with the billions provided in the Infrastructure Investment and Jobs Act, this subcommittee has provided significant resources to address PFAS. I was pleased to see that the budget request builds on this funding and continues a strong focus on PFAS research and regulatory action. Can you talk about that a little bit, give us some more insight into the EPA's current and future work on this very complicated set of chemicals, and also give us some ideas of how that work ties into the Agency's PFAS strategic roadmap.

Mr. REGAN. Absolutely, and first and foremost, Chair Pingree, thank you for inviting me to your district to have that important conversation. I think my decisions have been shaped by my personal experiences as the secretary in North Carolina dealing with the PFAS crisis. And the roundtable that you and I had and the roundtables that I have held really are informing this sense of urgency around these forever chemicals. So we are taking action.

In October of last year, I announced a PFAS strategic roadmap which lays an all-of-the-above, comprehensive approach across all of EPA's media offices. Since I have announced that group, we have taken action. We started a rulemaking designating PFOA and PFAS as a hazardous substance under the Superfund law. We are developing a national PFAS testing strategy under TSCA to deepen our understanding of the impacts of categories of PFAS, including potential hazards to both our health, but also our environment. We have also started a rulemaking to establish a national primary drinking water regulation for PFOA and PFAS that would set enforceable limits. And finally, we have finalized a rule to undertake nationwide monitoring of PFAS in our drinking water.

I think it is important for me to also say that we understand that the conditions on the ground differ in the States and that we serve an important role in setting a health baseline and a better understanding. But a majority of the resources that EPA receives in our budget is passed through to the States so that they can develop specific strategies on the ground that are more protective to their communities. So I would hate for anyone to walk away and look at these budget requests as EPA inflating itself or growing tremendously. A good portion of these resources go to our State partners who know their communities better than we ever could.

Ms. PINGREE. Yeah. Thank you so much for emphasizing that because I do think that is a really critical point, and I know our States greatly benefit and really appreciate the way the funding is structured so that they can make the decisions for their own States about the most critical issues. I will yield back my time and happy to recognize the ranking member for his questions.

Mr. JOYCE. Thank you very much, Madam Chair. Administrator Regan, I am supportive, as I am sure you are, of advancing domestic recycling efforts, especially for metal, given the environmental and economic benefits. Recycling scrap metal helps reduce pollution, limit waste, and reuse materials. Does the EPA support scrap metal recycling, and is the Agency supportive of advancements in metal recycling technology applications, more specifically, metal shredder plants?

Mr. REGAN. You know, we definitely embrace recycling, and we actually have invested a lot more time and resources to support and focus on recycling within this administration. So we recognize that if we can create some closed-loop systems in our economy, that we can protect against having to mine for precious metals any more than we have to, we can also create efficiencies in our economy. So, yes, recycling is a top-of-mind issue for this Agency, and we are investing the resources in it to ensure that we understand how we can tackle these problems.

Mr. JOYCE. Does the EPA understand the necessity of metal shredding plants with respect to infrastructure, both as a processor of obsolete infrastructure, like bridges, roads, et cetera, and as a provider of raw materials to steel mills and foundries?

Mr. REGAN. We absolutely do, and that is why we are covering as much material and reducing as much waste as possible as a key part of the way we are looking at, not only improving our economy, but also improving, as you say, and strengthening our infrastructure.

Mr. JOYCE. Well, if vehicle and appliance shredding plants, including plants that use the latest pollution controls, are prohibited from operating what does the EPA believe will happen to the roughly 15 million vehicles that reach the end of their life annually? Also, where will the steel industry source the raw materials it needs to continue production and meet demand? The only alternatives I am aware of are more mining or sourcing recycled steel from foreign countries, like China. In your opinion, are those desirable solutions?

Mr. REGAN. I think the desirable solutions are for the opportunities to let recycling facilities work to their potential to continue to increase, again, in economic development and jobs, and contributing to our modern infrastructure. Obviously, any of these facilities, whether it be recycling, or whether it be a petrochemical plant or any plant, we believe should be properly placed in any kind of situation where there aren't disproportionate impacts to any communities, especially communities that are already disproportionately impacted by other facilities and operations. And so, yes, there is a role for recycling facilities. We firmly support that, but those facilities have to be put in a place where they don't exacerbate or create hazard and harm.

Mr. JOYCE. So, I take it from your answer then, you are willing to work with the metal recycling industry given their contribution to the administration's infrastructure and circular economy goals.

Mr. REGAN. I think this Agency has done that. I think we have worked with recycling facilities all around the country. I think that, you know, it is our job to be sure that we balance environmental protection, public health protection, and economic prosperity, and we are working hard to do that as really good partners and honest brokers in that situation.

Mr. JOYCE. I recognize that environmental justice is a key priority for the administration and your Agency. I also recognize the importance of balancing environmental justice with beneficial economic and environmental opportunities in these impacted communities. For this administration, are environmental justice concerns always going to take precedence over established zoning policies in most major cities, which seek to locate businesses in proximity to others of a similar nature?

Mr. REGAN. You know, our goal is to really partner with our governors, our State secretaries of health and environment, and our locally-elected officials. It is my goal to work as the administrator to provide technical support and resources so that communities, mayors, county commissioners, economic developers, State secretaries, can make the best decisions that they believe are appropriate for their communities. We have done a good job of that, and I hope that we can continue to do that. I want to be able to provide the technical assistance and resources to locally-elected officials so that they can make the best decisions for their constituents.

Mr. JOYCE. In what cases should the longstanding industrial nature of certain urban areas be taken into account on equal footing with residential uses that arose later in these areas?

Mr. REGAN. You know, I think it is an opportunity for us to really take a look at how we invest in our economy and the growth of businesses without it being at the expense of any one community. My attitude towards this is that there are lots of ample opportunities for job growth and economic development, but it doesn't have to come at the expense of any one community. So where we see disproportionate impact, predatory behavior, we look at the sound science. We look at the facts. We look at the impacts on humans, and then we can govern ourselves accordingly. There are lots of ways we can situate facilities in this country so that we can be globally competitive, and we want to be a partner with the business community to choose the right places to do that.

Mr. JOYCE. Thank you. I appreciate your time, and, Madam Chair, I yield back what time I have left. Thank you.

Ms. PINGREE. Thank you. You can always have all the time you ever want. So, Mr. Harder, you are next for questions.

Mr. HARDER. Wonderful. Thank you so much, Chair Pingree, and thank you, Administrator Regan, for being here today. I look forward to discussing how we can keep toxic chemicals out of our community drinking water systems.

In my district in the California Central Valley, the City of Manteca is dealing with an ongoing contamination of the carcinogenic 1,2,3 trichloride propane, noticed as TCP, in its water system. In Manteca, the TCP water contamination was caused by the soil

fumigants manufactured by Shell Oil Company and Dow Chemical Company. California currently regulates TCP because it causes cancer, but the EPA has failed to regulate it on its primary drinking water contaminant list. For decades, the EPA has declined to seriously regulate TCP. With the EPA's budget of over \$2.8 billion for clean drinking water, why has the EPA failed to act on regulating or removing TCP from vulnerable public water systems, like the one in Manteca?

Mr. REGAN. You know, I think we are taking a very strong look at all of the threats to our drinking water, whether they be some of the traditional contaminants that you have raised or some of the new emerging contaminants. It is no secret that this Agency was underfunded during the last administration, and, quite frankly, funding has been low for a number of years. So we are really seeking the resources that we are asking for for a reason, and that is so that we can do more, and so that we can move faster.

Our scientists are ready, our programs are ready to take aggressive action to do the proper analytics required to protect public health. And unfortunately, we have had to rely a lot on State leadership because, traditionally, this Agency hasn't had the resources to do the technical analysis that we need to move as quickly on all the rules that people have raised to us. And so I will take this back to my team to take a look at where this regulation fit in terms of our analysis, but we have a lot of challenging issues before us, and that is why we are asking for these resources, these precious resources, so that EPA could be equal footing to protect our public.

Mr. HARDER. Administrator, the March 2021 final regulatory determinations for the fourth drinking water contaminant candidate list said it needed more data as an excuse for why TCP was not regulated at the Federal level. That doesn't make a whole lot of sense to me because many States—California, New Jersey, Hawaii—are successfully measuring and regulating TCP today. Do you believe that TCP should be regulated by the U.S. EPA?

Mr. REGAN. You know, I think our scientists have said, correctly so, that States can move faster in some instances than the Federal Government. We take very seriously our regulatory role, and when we set a regulation, we are responsible for setting a national regulation for 50 States. We have to take those 50 or so States in account. And so this is why we have strong partnerships with our States where in some States where we see certain vulnerabilities, States can move faster, and they are doing a good job of protecting their communities. In other States, there may not be that looming threat. And so we try to prioritize these regulatory approaches, and that is why you are seeing us approach this issue in the way that we are.

We want to collect all of the data needed to set a Federal regulation that would be appropriate for the Nation, while also complementing the regulations that many States decide to move forward on quicker and faster than the Federal Government can.

Mr. HARDER. Thank you. I think the determinant a year ago was mistake, and I would really encourage the EPA to look at this contaminant seriously. One more question. With EPA's budget on civil enforcement of polluters, can you talk about the EPA's plan to hold these large oil and chemical companies accountable for the con-

tamination and removal of TCP from the water systems that they have contaminated over decades?

Mr. REGAN. Well, I think you will notice in this budget that, again, we are making a plea to get the resources we need. We have lost tremendous resources on the enforcement side, and I think a lot of our staff, quite frankly, are coming out of a COVID posture. We are ramping up the enforcement mechanisms where we believe it makes the most sense, but we are woefully understaffed. And so in this budget, you will see that enforcement is a strong tool that I believe should be used where appropriate, but in order to use the tool appropriately, we need to have the appropriate number of inspectors and folks that can actually do the work. You are seeing a budget request in there for 2023.

We did not get the resources that we asked for in 2022. We are hoping to get it in 2023. But if we want to see more enforcement of the laws that are on the books in a responsible way, we have to have the resources to do it.

Mr. HARDER. Thank you for your answers. I hope we can work together on removing TCP and other toxins from our water systems as well as making sure that we are holding the feet to the fire of the folks who contributed to the situation we are dealing with in many communities like mine. Thank you.

Mr. REGAN. Absolutely. Thank you.

Ms. PINGREE. Thank you very much. Mr. Simpson, do you have questions this morning?

Mr. SIMPSON. Certainly. Thank you. Thank you, Administrator, for being here today and talking about some of the subjects. I look forward to the day when we can actually sit down and talk person-to-person and meet face-to-face and discuss some of these issues.

There are a couple that I want to address. In this first round, I will deal with one of them. It is a never-ending debate that has been going on ever since I have been in Congress. It probably will be for the next 20 years. I hope not, but it is a constant concern that I hear about from my farmers, and ranchers, and businessowners across Idaho and really across the country. It is about the extremely broad definition of "waters of the United States," or WOTUS, under the Clean Water Act.

Considering there is a case related to the scope of the Clean Water Act pending before the Supreme Court, and this case is expected to address Federal jurisdiction under WOTUS, it seems only logical that the EPA would hold off finalizing the rule until the Supreme Court has decided this case. However, in front of the Senate EPW Committee just a few weeks ago, you stated that the EPA will forge ahead with rulemaking despite a pending case. Now, you talked about the resources that you need and so forth and talked about the previous administration's underfunding. I suspect that means the previous chairmen of the Appropriations Committee, me being one of them and some others. What we tried to do is right-size the EPA budget, not underfund it.

But this is an example of why is the EPA wasting critical staff time and resources rushing through a rulemaking that the Supreme Court is going to reconsider in just a few months anyway? This is some of the questions we have about how the EPA spends their money, and maybe that is why some of the budgets haven't

been as robust in the past as you would like. Could you address that for me?

Mr. REGAN. Thank you for that question, and, yes, you know, I was just in North Carolina with USDA agriculture Secretary Tom Vilsack spending time with farmers and ranchers talking about this very issue, and here is the reality. We proposed a rule last year that basically takes the rule back to pre-2015 decisions prior to President Obama's WOTUS interpretation and prior to President Trump's interpretation. What farmers and ranchers have told me on the ground is that they need some regulatory certainty, and despite the Trump and Obama administrations, there are still decisions that are being made that have farmers or ranchers in limbo.

So what we have decided to do is move very pragmatically and say let's go back to pre-2015 before the last two rules were put into place. Let's try to codify some decisions that the Supreme Court has already spoken to, and let's box in some of the exemptions and exclusions that farmers and ranchers need right now. We know that there is a Supreme Court case pending. That Supreme Court case will address some aspects of WOTUS, but it won't address all. It won't provide some of the certainty that we believe our farmers need sooner rather than later because they are making decisions right now.

We also believe that if we move forward, and we have done a lot of listening to our ranches and farmers. As a matter of fact, we are now going through 10 roundtables that we are hosting all across the country, being hosted by our farmers and ranchers, in my home State of North Carolina, being hosted by the Farm Bureau, because we are continuing to collect information and data. Decisions are being made right now. Farmers and ranchers need certainty. We believe we can put a strong rule in place if we finalize it in a way that will complement and be situated to move forward after we hear from the Supreme Court.

So we have to walk and chew gum at the same time. I don't believe that it is a waste of staff time. I believe that we have engaged with farmers and ranchers, asked CEOs all across this country for over a year, and we want to make good on the promise that we have made, which is providing a durable rule that will give them some regulatory certainty sooner rather than later.

Mr. SIMPSON. Well, I appreciate that answer. I wish my ranchers, and farmers, and others felt the same way. They feel like they are being left out in this rulemaking process. And you are right, it is certainty that they want. And going back to the pre-2015 rule, that was the problem. It was the uncertainty that was created. That is why the courts have ruled twice you need to rewrite this rule to create some certainty in it so that people know what they are doing. And it just seems like writing a new rule in the midst of all this uncertainty before the Supreme Court rules seems premature now. I mean, you are going to spend time and money on this. I suspect whatever the Supreme Court decides, unless you have some pre-knowledge of what the Court is going to say, that you are going to have to adjust the rule whatever it is that you write.

It just seems like we are out of step here in trying to do this, but I appreciate your comments. I appreciate what you are trying

to do. It is a frustrating problem for all of us, that we ought to be able to come up to a conclusion. I have kind of come to the conclusion, no matter what rule we write, we are going to get sued. There are going to be more challenges. I don't know if this is an ever-ending process, and it is frustrating as hell.

Mr. REGAN. Well, and Congressman, I really appreciate their perspective, and I think you are right. There is a level of frustration that we all share. And I can tell you in all earnestness in the conversations we are having, continuing to move forward, whether we finalize or not before the Supreme Court ruling, to continue to move forward, we believe that there is a lot of good work that has been done, and we respect the Supreme Court's jurisdiction obviously. And we believe our rule will be in position to respond and adjust to the Supreme Court ruling in a way that this process will be more advanced. So as soon as the Supreme Court speaks, we will have the process advanced enough so that will be providing those farmers and ranchers certainty sooner than we would otherwise.

If we stopped right now, if we discontinued the conversations, if we discontinued the roundtables, we are going to lose a lot of ground, and we won't be poised for success after the Supreme Court rules, so we are trying to balance that and thread that needle. But I can assure you it is in the effort to provide a durable rule and certainty to our farmers and ranchers.

I come from an agricultural State of North Carolina. I have spent a lot of time on this issue. I spent time trying to interpret the Obama rule when I was a State secretary, and I spent time trying to prepare for the Trump rule. And I can tell you on the ground, neither will provided that certainty that our farmers and ranchers are looking for, and they were very hard to administer because of the uncertainty. So I am very sensitive to these needs, and I am very sensitive to our farmers and ranchers, and I hope we can continue work together on this.

Mr. SIMPSON. Well, I appreciate that, and I would invite you to come to Idaho and sit down with a roundtable of people who have concerns about this and explain that to them and stuff. And I would love to have you do that. Maybe we can set something like that up. I will save my next round of inquiry for the next round of questions, and I yield back, Chairwoman Pingree.

Ms. PINGREE. Great. Thank you. Thank you, both of you, on that important topic.

Mr. Cartwright, you are next. Excuse me. Good morning, Chair Cartwright.

Mr. CARTWRIGHT. Yes, I was highly offended, Chair Pingree. [Laughter.]

Mr. CARTWRIGHT. Good morning, Chair Pingree, and all of the intrepid members of the Interior Subcommittee of Appropriations, and, Administrator Regan, great to have you with us this morning. Congratulations on making Mike Simpson smile before 10:00 in the morning. That is an accomplishment. [Laughter.]

Mr. CARTWRIGHT. Mr. Regan, as you may know, I am from Northeastern Pennsylvania, and my district lies within the Chesapeake Bay watershed for the most part. Millions of people in my district depend on that watershed. Millions of people in Chesa-

peak depend on the watershed for drinking water, jobs, seafood, recreation, lots more. But for years, as all of us know, the Bay was too dirty to swim or fish in, and eventually the Federal Government stepped in to limit the pollution running off into the Bay.

Now, we Pennsylvanians are proud of our natural resources. We care about keeping them healthy, and we want our families to have access to clean drinking water. We want to be able to fish and swim safely in our streams, our creeks, our rivers. We want to leave a legacy of clean water for generations to come, but here is the thing. Cleaning up dirty water is not easy. It costs money to update our stormwater infrastructure and keep pollution out of our waterways. And for too long, homeowners and businesses in my district have been footing the bill for this work. We are talking about all kinds of people, including retired senior citizens on fixed incomes footing the bill for stormwater infrastructure improvements. Now, making local communities shoulder that burden alone to restore the watershed is not a fair solution, and it is not sustainable.

So since joining this subcommittee, I have fought to increase investments in stormwater programs and secure Northeastern Pennsylvania's fair share of these Federal dollars, and here is the question, Administrator Regan. How is the EPA supporting communities in their efforts to address stormwater runoff?

Mr. REGAN. Well, thank you for the question, Congressman. And, you know, I couldn't agree with you more, and I believe that that is why the President was so focused on the \$50 billion provided by the bipartisan infrastructure law because we are seeing the stormwater issues all across the country, and we know that towns, cities, and localities should not bear the brunt for paying for these. We are looking for the opportunity to apply bill dollars all across the country for stormwater—\$50 billion for stormwater, wastewater, a number of our infrastructure needs—and we know that that is not enough resources, right, which is why in this budget, you will see the modest request that we are proposing so that we can help communities just like the one you just identified.

Stormwater is so important because not only do we want to prevent the runoff into our precious waters, like the Chesapeake Bay, but we want to prevent these flooding and these economic disasters that we are seeing from climate change, and stormwater plays such a critical role. So, yes, we know that the resources were requesting for this budget, coupled with the bipartisan infrastructure law resources, will help communities just like yours all across the country.

Mr. CARTWRIGHT. Thank you. You mentioned the IIJA, and in that, we have the Clean Water State Revolving Fund, and I am sure that is what you are referring to. As you know, Congress recently made the single largest investment in water in our Nation's history with the IIJA. That law provided \$11.7 billion to the clean water state revolving fund alone. Can you talk briefly about opportunities for stormwater management projects under this Clean Water State Revolving Fund investment?

Mr. REGAN. There are absolutely tremendous opportunities there. I will say that of the \$50 billion awarded to EPA, we all know that they are probably about \$720 to \$750 billion of infrastructure needs

as it relates to water infrastructure. So we do have a good shot in the arm through our State revolving funds. We also have a few other financial resources that we can leverage through programs at EPA that will really come from some of the resources we are requesting from our budget, and that is the EPA Water Infrastructure and Resiliency Finance Center to help us think through how we make smart investments and leverage those resources. Green streets, green jobs, green towns grants, there are some grant mechanisms that we believe we can add to this mix that complement some of the solutions on the ground we are hearing from communities like yours. And then there are some other financing opportunities.

We are going to have to couple together all of EPA's financing resources to solve this problem sooner rather than later. It is about preventing runoff. It is about preventing flooding. It is about creating jobs, and it is also about the economic vitality of our communities. We should not continue to rebuild our communities in the same way and only have our businesses shut down and public health threatened, because we can predict some of this. And stormwater runoff is a significant contributor to that success.

Mr. CARTWRIGHT. Thank you, Mr. Regan. I look forward to working with you on that. I yield back, Chair Pingree.

Mr. CARTWRIGHT. Thank you. Representative Lee, do you have questions this morning?

Mrs. LEE. I do. Thank you, Chair Pingree and Ranking Member Joyce. Also, it is great to see you, Administrator. You serve such a pivotal role right now at this time for our country and our planet, and EPA's budget request cites compelling and clear evidence of the changes to our climate reflected in rising temperatures, droughts, heatwaves, and wildfires. I come from Nevada, and clearly we have seen this evidence firsthand with the worst drought in 1,200 years.

Administrator, the WaterSense Labeling Program is a public/private partnership that is designed to make or to encourage users to save water choosing water-efficient products and services. And we have seen the difference that this product can make in drought-impacted communities just like mine. Just to give you a sense of how dire the situation is, just this week, the water levels in Lake Meade became so low that one of the intakes responsible for supplying the entire Las Vegas Valley with water is now visible above the lake surface, so this is long past an emergency. So I am asking can you commit to continuing EPA's longstanding support for the effective and empowering Water Sense Program?

Mr. REGAN. Absolutely, and I appreciate you recognizing this program. This is a great example these resources that we get or asking for from you. Water Sense is a public/private partnership, and it is also one of the best programs that highlights community solutions. So we absolutely want to continue to partner with you. It is a great way to show how the government, and our corporate citizens, and our communities can work together to provide local solutions.

Mrs. LEE. Thank you. And I just want to ask, could you speak more broadly on how the EPA is going to use the infrastructure bill

to address the unique water infrastructure needs in the Nevada and the West?

Mr. REGAN. One of the great parts about the bipartisan infrastructure law, again, it doesn't inflate EPA in terms of flooding us with resources. It gives us the resources to pass through to the States. And that flexibility is so important because, as you know, the conditions in North Carolina are very different than the conditions in your State. And we know that there are members of your community and there are elected officials that have solutions that are ready to go. And so what we want to be able to do is pass through these precious resources so that we can hit the ground running. We should not provide academic solutions from here in Washington, DC. We need to get the resources into your communities' hands to solve some of these problems. I think water reuse, water efficiency, on-the-ground solutions that many of your stakeholders are already putting in motion need additional resources because we don't have a moment to lose.

Mrs. LEE. Absolutely, and I must say that our local water authority has done an incredible job at conservation. I want to turn to hard rock mining. The administration released the Fundamental Principles for Domestic Mining Reform, highlighting 500,000 legacy mining sites in the Western U.S. alone, and calling on Congress to formalize and fund a durable program to remediate these sites as well as provide some legal certainty for Good Samaritans working to remain remediate legacy pollution. The Nevada Division of Minerals estimated that there are some 300,000 abandoned mine features just in my home State alone. Meanwhile, the administration has recognized that there is not one single Federal agency with the authority over domestic mining.

Could you discuss EPA's perspective and role in facilitating the cleanup of legacy mines?

Mr. REGAN. Absolutely. We know that these mines pose significant risk to human health and the environment. And while the Department of Interior is the principal land management agency, we also recognize that we have a role to play. So to the point you just made, it requires partnership. Through EPA's Abandoned Mine Lands Program, we are partnered with DOI and other Federal agencies and coordinating with the States and tribes on the ground to provide technical expertise in research cleanup, and the redevelopment of these legacy mines. So, you know, we know that we have an important role. We are sort of following the Department of Interior's lead, but we understand the severity that this poses to human health, and we are doing everything we can to accommodate this mission.

That can be accomplished through many of the resources we are asking for via this budget, but we know, as you raised, it is a significant issue. And so we are going to leverage the bipartisan infrastructure law resources to help expedite some of this cleanup as well through our Superfund program.

Mrs. LEE. Thank you. I am running out of time. I just sort of want to put a plug also for EPA's support for the Good Samaritan cleanup as well, so I would love to follow up with you on that. Thank you, and I yield the time I don't have. Thanks.

Ms. PINGREE. You are welcome to all the time you did not have, and thank you for your questions.

Mr. Kilmer.

Mr. KILMER. Thank you, Madam Chair, and thanks, Mr. Administrator, for being with us today. I really appreciate the work that you and your team do, and, in particular, I just want to praise and thank you for the work that the EPA does in protecting and restoring Puget Sound. As you likely know, Puget Sound is our Nation's largest estuary by volume. It is the center of Washington State's economic engine. It is a place where generations of Washingtonians and Native Americans have built their lives and made their livelihoods. It is really important to our economy through jobs in fishing, and shellfish harvesting, and maritime industries. On top of that, there are 19 Federally-recognized tribes that have made Puget Sound their home since time immemorial, including 17 with tribal treaty rights, to harvest fish and shellfish. And as a consequence, the Federal Government has a trust responsibility to support Puget Sound recovery and uphold those treaty rights. That is, in my view, a critical environmental justice issue.

Here is the problem. We have a really sick body of water, and the EPA's role in this, I think, is just profoundly important. I think now, more than ever, there is a real opportunity for Congress and for your Agency to take action to protect the Sound for future generations. Look, we know that investing in restoring Puget Sound by addressing everything from persistent flooding and stormwater runoff to improving nearshore habitat, and removing culverts that affect water quality and fish passage, all of that is essential for increasing climate resilience, for restoring salmon runs, and for creating good jobs. So first, I want to extend to you an invitation to come out and visit the Puget Sound region and to see firsthand the urgency and importance of protecting Puget Sound. The weather is particularly nice in the summer, so I would love to have you visit.

But I am also hoping you can just speak to some of the opportunities you see to strengthen the EPA's partnership role in Puget Sound, including funding for the Puget Sound Geographic Program.

Mr. REGAN. Well, number one, I thank you for your leadership on the Puget Sound. I think with the resources that you all have really fought hard for in our geographic programs, they are making a tremendous difference, you know for all of our national treasures, but especially for the Puget Sound. And I appreciate you highlighting the fact that this is a perfect example of tourism, jobs, the economy, ecosystem protection, public health protection, the impacts of climate change. All of these things converge together, and we want to work very diligently with you on solutions.

I believe that our work with the Puget Sound Partnership State agencies, and tribes, and others has supported gains in a comprehensive regional plan to restore the Sound, leveraging over \$1 billion for recovery. We partner with 19, as you say, federally-recognized tribes and an international collaboration with Canada. I think taking that international approach is so critical, but also the nation-to-nation relationship rebuilding with those tribes really helps us to understand, you know, exactly what approaches we take and why we take them. There are cultural reasons that our partners want this work done. There are health reasons. There are

economic reasons. We have seen a net increase of over 6,000 acres of shellfish beds and over 41,000 acres of habitat protected or restored by the partnership we have already started.

So the goal for us is to keep the pedal to the metal, continue to strengthen our partnerships, and we can do that because of the resources you have already invested, but we need more. As you said, this is a sick body of water. We have a lot of work to do, but we are ready to do that work.

Mr. KILMER. I am really pleased to hear you say that. I think these investments do pay off, and I also appreciate your just acknowledgement that this requires a coordinated approach that includes strong Federal investment but also partnership alongside State and tribal efforts. In that regard, that is actually why I introduced a bill called the Puget SOS Act, which certainly it is funding, but also establishing a Puget Sound recovery national program office in the EPA and codifying the Puget Sound Federal Leadership Task Force that was set up under the Obama administration. That would ensure that the Federal Government steps up to assist with the regional efforts that are required to save our Sound and to resource salmon and orca populations, and ensure future generations have access to these same economic opportunities, and uphold tribal treaty rights.

The bill did pass the House on suspension last year, and I certainly hope I can count on your partnership and support for hopefully getting it across the finish line this Congress.

Mr. REGAN. You can absolutely count on our partnership. As a former State regulator, listen, I really, really, really respect cooperative federalism. I know what can be done on the State level if you have a strong Federal partnership, and I know that things can't be done if you don't have a strong Federal partnership. So I take this role very serious, and I understand what the States need, what the tribes need, and we cannot do this alone. So, yes, you have our strong partnership and commitment to continuing to work across the State, Federal, and tribal boundaries.

Mr. KILMER. Thank you, Mr. Administrator, and thank you, Madam Chair. I yield back.

Mr. KILMER. Thank you. Chair McCollum, do you have some questions this morning?

Ms. McCOLLUM. Yes. Yes, I do. First, welcome, Administrator. Welcome to the Interior Subcommittee. And I just want to say that because of the work and leadership of Chair Pingree, we were able to have increases to the important work you do in the Environmental Protection Agency, and we look forward to funding that work into the future because you provide human health and a healthy environment, and that is important to the success of our national security, and it is also important to family and personal security, too. So thank you for your work.

I am going to ask you a question about some budgetary needs, but first I want to touch on something that has been a strategy that I have been working with the committee on, and it has to do with the Mississippi River. The subcommittee directed the EPA to develop a strategy for fiscal year 2021 in a report. Could you please tell me where we are in this process with the Mississippi River restoration and resilience strategy?

Mr. REGAN. Absolutely. We are so eager to work with you on a Mississippi River restoration strategy. We have actually turned in our homework to the Office of Management and Budget. We believe that we put forward a very, very strong strategy. We are waiting for them to grade our homework, and once they get it back to me, I look forward to sharing with you what that product looks like and where we go from there.

Ms. MCCOLLUM. Well, everybody has invited you to their districts, so I am happy to invite you to the headwaters, but I will include the rest of the Mississippi River down to the Gulf in Louisiana, to look at some of the work that we can do together on that and protect this great working river, and the habitat, and the communities that live alongside of it. Given your background in North Carolina, you are very familiar with what this Agency needs to do to address PFAS. The Agency's Strategic Road Map says by the end of 2021 that the Agency was going to issue orders to companies to require them to provide information about the health effects of some of these substances, information we currently do not have, and I think all of us on the committee, but especially the chair, know we need to have ASAP.

So we are hearing that there are some delays in getting the Toxic Substance Control Act back on track from the previous administration. It is a vital important gatekeeper in preventing the next set of dangerous chemicals, like PFAS, from getting into commerce without first taking steps to make sure that they are saved. So what can you tell us about these delays? What are you doing to address them? What can we do to help you address them? And, you know, we just want to make sure that the EPA is going to be able to do its TSCA reviews and prioritize them in a timely fashion to protect the most vulnerable populations, and that includes the children here in the United States.

Mr. REGAN. Absolutely, and I think that the new TSCA law is a great example of a bipartisan approach to some of the most dangerous chemicals in this country. Unfortunately, during the previous administration, after TSCA reform was put into place, the previous administration didn't ask for any resources and didn't put a plan in place to implement the law as you all dictated, which is why this agency has missed 9 of the first 10 chemical risk evaluation deadlines. We walked into a situation where the Agency actually was not funded to do the work that Congress asked us to do. And so that is why we only right now have about 50 percent of what we think we need to review the safety of new chemicals as quickly as possible, not only to follow the law that Congress has asked, but that the private sector wants to see so that we can get things moving and put the right replacement chemicals on the market.

You see a very genuine budget request here for TSCA support and implementation. Congress has given us the marching orders. We don't have the resources to get the job done on time and on budget. And so we are asking for those resources so that we can make up for lost time and keep pace with a very strong law that you all have asked us to perform.

Ms. MCCOLLUM. Well, I will speak for myself right now. You can count on me to do whatever I can to help you with that. As people

are, you know, asking questions as to why you are behind in your homework—I am a former teacher—I can tell them you were never given the homework tools to complete the assignment. So we are going to right that wrong, and we are going to work with you on that. Thank you very much, Madam Chair.

Ms. PINGREE. Thank you so much for your questioning. Chair Kaptur, do you have some questions this morning?

Ms. KAPTUR. Thank you, Madam Chair, very much. Thank you for this great hearing, and I want to thank Administrator Regan for coming to Ohio to the heart of the industrial Midwest and for making that trip on such a cold, cold windy day. Thank you very, very much, and I am glad to see you back in Washington. I just want you to know that the woman whose home you visited, Karen George, and the work of lead pipe removal has given new hope to that neighborhood where they actually were re-energized to work with their local organizations to try to get abandoned buildings ripped down and community gardens established. And so the lead pipe removal became a sign of hope for that area, Mr. Administrator, so know that I and they thank you very, very much, and you are always welcome here, always.

Mr. REGAN. Thank you.

Ms. KAPTUR. I wanted to turn to the bipartisan infrastructure law and its relationship to EPA. And we know that there was significant new funding in BIF for expanding alternative fuel infrastructure and alternative fuel vehicles, including natural gas vehicles. As part of these new programs, a lot of the funds will go to electric vehicles, but Congress also made sure that other low-emission and alternative fuel vehicles qualify for many of the new programs. In fact, we just had a situation where the labs at the Department of Energy cleared a Class 8 truck to come to Washington and go back, fueled completely 100 percent on ethanol.

And so one of my questions is, how does the EPA and the administration plan to ensure that the intent to encourage a variety of alternative fuel vehicles is honored? And because I represent companies like Ford that makes the heavy trucks at Avon Lake, Ohio, I represent the Ford EcoBoost engine plant at Brook Park, Ohio, I represent the General Motors transmission facility which has had its employment cut by half because they make transmissions for conventional vehicles, and also the Jeep Wrangler plant at Toledo, their largest facility on the continent. So the automotive industry is at the heart of so much of our job base here and this transition will be difficult for the country and certainly for the people that I represent. So I am interested in alternatives, new technology, what EPA's role might be with the new infrastructure bill.

And then secondly, I just want to make you conscious, not that you can do anything about this, but maybe you can be a voice inside the administration indirectly. I have come to learn that with this transition to new vehicles, I have gotten in a lot of garages where old vehicles are being repaired—garbage trucks for cities, police cars, fire engines, the whole public fleet that exist, excavators, all this equipment that is out there—and the conditions in which the people who repair them work. And learning that, in fact, in places like Ohio—maybe it is not true in other States—but we

have a rampant pulmonary illness and lung cancers because of breathing in diesel emissions.

There is no real voice for this because of the manner in which the repair work is fragmented across counties, cities, bus companies, transit authorities. It is very interesting. They work in these old crummy buildings, and in Ohio, I found out from the fighters, our firefighters are not even covered by OSHA. I couldn't believe it. I know that is not your job, but if you go to Cleveland, if you come to Toledo, I will take you to these garages. I have the county garages. It is very hard to get your arms around this, but we know we are 1 million mechanics short in our country today, and part of the reason is because the career has not been modernized in the sense of making sure that they work in safe facilities.

I don't know what EPA can do about that. Maybe you can find out the best places in the country where this is occurring. Maybe we can work with the Labor Department and Education Department on a training program so that it is a respected profession and not just tangential. We are talking about a lot of people and young people that we want to attract to this field. And so I just wanted to point out that issue to you to how make it an environmentally clean profession. It is a dangerous profession, and so changing to a new energy age also means helping the people who will be doing the work, and there is not a focus. You can hardly find the word "mechanic" in the BIF, a thousand pages or whatever it is. They talk about workforce. Well, that is not enough. We have to care about the people and where they work, and maybe EPA could help us be a voice there.

So thank you for listening, and my question goes back to what can we do with the infrastructure law, and what is your authority to ensure that we will have a variety of alternative fuel vehicles and that they are safe and clean?

Mr. REGAN. Well, thank you for that question, and I will definitely work with Labor and HHS and identify our role as we think about the safety of mechanics and those conditions.

Ms. KAPTUR. Thank you.

Mr. REGAN. The president has said that we have to have a whole-of-government approach, and anytime we hear a question, we take it back to the team and we try to think about a solution, even if it doesn't fit neatly into one of our purviews. So I will take that back.

More importantly, I think on the fuels piece, I have had a lot of conversations with Secretary Vilsack, and Secretary Buttigieg, and Secretary Granholm about the evolution of our technologies as we think about fuel choices. We know that electric vehicles are the future, but they are not going to be readily available for everyone tomorrow. We also know that our agriculture industry plays an important role in this transition. And so as we think about advanced technologies, we also think about advanced biofuels and advanced fuels, and so this transition we know will take place over time. There is a role for agriculture in that transition, we are really focused on making sure that that role is properly managed.

The other thing that Secretary Vilsack often says and reminds me of this there is also a big play in our aviation fuel space as well. And so EPA, DOT, and the Department of Agriculture are thinking

very seriously and strategically about the role of biofuels and advanced biofuels as we advance our transportation sector, that being both, you know, vehicles, ground vehicles, and aviation vehicles as well.

Ms. KAPTUR. Mr. Administrator, thank you so very much. I just will say that the first biofuel plane flown by the National Guard in our country was flown out of our district almost 20 years ago and one of our little jets. And so the 180th Fighter Wing Ohio distinguished itself. We even got on the cover of Buckeye Guard magazine and so forth. So it was a Guard unit. It wasn't active duty. It was a Guard unit. So they are out here in rural America and trying to make a difference. So maybe we will get you up in one of those planes sometime. [Laughter.]

Ms. KAPTUR. I love your energy. I love your positive attitude. All the best to you, and thank you so much for answering my questions today.

Mr. REGAN. Well, thank you, and I think you know, I come from a rural State, and I know that our agricultural economy is so vital to what this country is doing. The President pledged that agriculture will have a seat at the table, advanced biofuels would have a role in this low-carbon future, and we are going to keep that commitment.

Ms. KAPTUR. Thank you so much, and you get that DOD involved. We had to drag them. Drag them. Believe me, they didn't even think about energy. It wasn't even on their mind. It was the Marine Corps that led the way because they were dying for it, so they understood the problem and resupply and so forth in theater. So, believe me, there are some folks over there that now do care.

Mr. REGAN. Well, if I might add—I know we are over time—but I can tell you the relationship that I have with Secretary Austin I believe is historic, and I can tell you on climate change and on PFAS, I have had no stronger partner than Secretary Austin.

Ms. PINGREE. That is great. Well, thank you both for that exchange, and I am thrilled to know the first biofuel plane went up 20 years ago. We got some catch-up to do here. It seems like we should have figured that out a long time ago, but thank you both for that.

And now we have an opportunity to ask a few more questions. Mr. Regan, if you have time, we would be happy to welcome questions from other members of the committee who want to take up another topic, and I will just start with myself.

I am really pleased to see that for the first time, and it is sort of surprising it is the first time, but EPA's strategic plan includes a new goal focused specifically on addressing climate change. Clearly it is long overdue that that we have that focus, and I really look forward to supporting you and your work towards achieving the goal. So can you just describe a little bit how your budget request intends to achieve the goal and your focus on climate change?

Mr. REGAN. Absolutely, and this is a great way to sort of highlight how, you know, a lot of refer to them as regulations, but they are really technology standards. And Congress basically gave us an assignment to phase down hydrofluorocarbons. We proposed a rule and finalized that rule. We are working with the industry to reduce HFCs by 85 percent in 15 years, and do it in a way where we are

transitioning our economy and asked for resources for technical expertise, and ability to continue to work with the private sector.

When you look at our finalized rule for light duty vehicles, cars, and trucks, we did that in concert with the automobile industry, the UAW, and our unions, and we looked at what was technologically feasible to drive the economy in a way where we were reducing greenhouse gas emissions, but we are remaining globally competitive with our international competition. And we are also doing it and keeping those jobs right here at home. So our technology standards in our regulations to reduce climate, we believe we are doing a great job working with the industry.

Look at our oil and gas sector, our methane regulations. We have proposed one of the most stringent regulations to reduce and capture methane that this country has ever seen, but it was done because API and the Chamber said we need some rules of engagement and rules of the road in how we are going to reduce that pollutant. I have worked very closely with the power sector and their CEOs to understand what technologies are available, what is cost effective. How do we capture those emissions, but equally as important, how do we capture that lost product because that product, that gas is valuable. So on cars, on methane, on hydrofluorocarbons, and we are also beginning to look at our power sector more holistically. We are convening meetings, putting strong regulations in place, and reducing the threat that climate change poses while continuing to create jobs and advance our economy.

The last thing I will say is everything that we have done as it relates to climate change and the rules that we have proposed, has been done in a way to capture innovation, entrepreneurship, and remain globally competitive while we protect public health.

Ms. PINGREE. Great. That is really helpful to hear that description, and we certainly appreciate that lens that you have on it. You know, one other part of this, and I know you have brought it up, you know, in other questions, is just this whole-of-government approach, and I would love to hear more about how you are working with, you know, both the whole-of-government at the Federal, but also tribal, State, local agencies, you know, just to make sure that there is a lot of coordination going on. That seems like an important role for your Agency.

Mr. REGAN. You know, just maybe a month ago, you know, our Environmental Council of States held a meeting in my home State of North Carolina. I met with, I believe, 45 of the 50 environmental State commissioners of secretaries to talk about the appropriate relationship that Federal and States should have. We are also hosting a lot of conversations with our tribal sovereign governments as well and looking at how we do some Nation-to-nation partnership building. It is very important for me to stress that if we are going to achieve our goals, we have to have strong partnerships with our States and our tribes. We have to take advantage of the autonomy that they possess so that there can be creative solutions on the ground. That is extremely important.

Equally as important is for me to have a strong relationship with Secretary Austin as we think about our national security as it relates to climate change, or how we think about contamination in water that has plagued our retirees, our veterans, and our soldiers

for years just like some of our civilian communities, a strong relationship with Secretary Vilsack. There is a consternation around pesticides, herbicides, waters of the U.S. I cannot make these decisions in a vacuum. I have to consult with Secretary Vilsack. Marty Walsh on Labor. There are implications to our technology standards and regulations on economic development and job growth. Secretary Raimondo in Commerce, Marty Walsh in Labor, if we are not talking, we are not meeting the moment.

So as we think about the bipartisan infrastructure law, as we think about these investments that we hopefully get from you all in Congress, we are leveraging all these resources to make sure the Federal Government is speaking in one voice and leveraging the partnership, the appropriate partnership, we should have with our State, tribal, and local officials.

Ms. PINGREE. Great. Great. Thank you for that answer, and we really look forward to supporting you in that work.

Ranking Member Joyce, would you like to have some more questions?

Mr. JOYCE. Thank you, again, Chair Pingree. Administrator, does the administration's goal to limit emissions from mobile sources not dictate that recyclable materials should be transported the shortest distance possible from their point of origin to processing locations? And how can this goal coexist with the way EPA has interpreted and tried to implement environmental justice actions under this administration?

Mr. REGAN. Yeah, as I think we look at the holistic picture, yes, we want to limit emissions for climate reasons. We also want to limit emissions in terms of public health exposure, putting people first. I don't believe that they are false options. I believe that these goals can coexist. You know, one of the things that we would like to do is make sure that these facilities have the appropriate control technologies and measures so that they don't put their community members in danger. We also want to be realistic, though. Some of our communities in this country have been dumped on. Some communities have a disproportionate number and level of industrial processes, chemical manufacturers, coal plants, and it is unfair for any community, because of race, because of economic status, to have all of these polluting facilities located in just one area. We have to spread some of these things out. It is not that we have to go without. We just have to think more strategically about placement to ensure that all people are equally protected under the law.

Mr. JOYCE. When you opposed a particular scrap metal recycling permit application in Chicago, were you aware that the only other large metal shredding facility in the city was an environmental justice area that is more densely populated than the Southeast side? Were you aware that the other operation is located closer to schools and homes? And were you aware that this facility was operating and continues to operate without any of the pollution controls on its shredder?

Mr. REGAN. I was aware that this facility operated on the North side of town. It was a better-financed community, a community that had stronger representation from their elected officials, and that that facility was relocated because of persistent violations of the Clean Air Act and other violations. So the record wasn't strong.

So when that facility moved from the North side of town to the Southeast side of town where those community members have been persistently dumped on, what EPA said was let's take a pause. I am not going to make the decision. The decision is the mayor's decision, but EPA will provide the mayor with the technical assistance needed to properly evaluate the health impacts.

The city used those resources by EPA and HHS and came to the determination that there would be a disproportionate impact to that community. And with the track record that that company had for violating the law, I believe that the city made the proper determination that that was not an ideal location for that facility.

Mr. JOYCE. When you referred to the denial of such permit as "environmental justice at work," were you aware of the fact that the overwhelming and admittedly conservative health impact assessment yielded results that were well within the EPA's benchmarks?

Mr. REGAN. I think when you take a look at the decision that the city made, I think the city made a decision that when you look at the cumulative impact of the disproportionate pollution that that community would bear, the city made the determination that permitting one more facility could potentially be that straw that breaks the camel's back for that community. Again, EPA's role was to provide technical assistance and resources to the city so that the city could make the proper determination.

I believe that Mayor Lightfoot made the right decision because I follow science, and I follow data, and I follow the law. And when you look at all three of those things, I believe the City of Chicago made the right decision, and I think it is important to really keep our eye on the ball. The City of Chicago made that decision. EPA provided additional resources so that they could properly evaluate the health impacts, but the City of Chicago made that decision.

Mr. JOYCE. Well, Administrator Regan, I would be remiss if I didn't address the Great Lakes. My dear friend and colleague, Marcy Kaptur, I am going to beat her to this issue, but I am sure she will expound upon it. In my backyard, Lake Erie is especially prone to the dangerous impacts of harmful algal blooms given it is the warmest shallowest, especially in Marcy's end, and has the most shoreline development of the Great Lakes. While I recognize the Agency is focusing on delisting Areas of Concern, given the issues Governor DeWine outlined in his January 2022 letter to the Agency, can you take a moment to explain how EPA plans to prioritize and distribute GLRI dollars to reduce toxin-producing harmful algal blooms and improve water quality in the Great Lakes?

Mr. REGAN. Absolutely, and I know that bill does put a priority on the AOCs. But we also know that we need to direct resources to really focus on these algal blooms. I believe we have invested approximately \$10 million of GLRI funds each year in Lake Erie focusing on nutrient reduction efforts. From 2015 through 2020, I believe that number has exceeded about \$60 million. So we want to ramp that up, which is why I believe you will see in the budget there is a reflection to really focus on important issues like these algal blooms.

I am also spending a lot of time with my good friend, USDA Secretary Tom Vilsack, because we know that we have nutrient runoff occurring. We also want to leverage the bipartisan infrastructure law and the resources we are asking for for our water program because we know stormwater is a significant contributor here. So, Representative, I can tell you, Congressman, I can tell you, I am looking across all of my programs trying to, you know, leverage every dollar. I don't want to rob Peter to pay Paul. I want to be able to leverage all of my resources and channel and focus on these important issues that you are raising. And I know these algal blooms are critically important not just for public health, but the economic vitality of that national treasure that you sit so closely to.

Mr. JOYCE. Thank you very much. You will find that on this committee, we are bipartisan on preservation of the Great Lakes, so I will pass it off to Marcy. She will be able to ask you some more questions.

Mr. REGAN. Thank you, sir.

Ms. PINGREE. Double teaming on the Great Lakes there. Let's see. Mr. Kilmer, do have some more questions?

Mr. KILMER. Thanks, Madam Chair. I just have one, and hopefully it won't exhaust too much time. I wanted to just continue, Mr. Administrator, on the importance of investing in Puget Sound, but in so doing, I wanted to just highlight another program that I think is really important, and that is the National Estuary Program, which, as you know, is an EPA program to protect and restore water quality and ecological integrity for estuaries of national significance. Obviously Puget Sound is one of the big ones in that regard. I was just hoping you could speak to how the EPA intends to strengthen the important work done under that program.

Mr. REGAN. You are speaking of the National Estuary Program?

Mr. KILMER. The Estuary Program, correct.

Mr. REGAN. What I will do, Congressman, is get back with you on the specifics of that correlation of those two programs.

Mr. KILMER. Super. Thank you. We are happy to follow up with your team. Again, it is one of those that has an impact on a lot of our Nation's estuaries and certainly Puget Sound, among them. So we will look forward to following up with your team. Thank you, Madam Chair. I yield back.

Mr. REGAN. Thank you.

Ms. PINGREE. Thank you. Mr. Simpson.

Mr. SIMPSON. Thank you, Chairwoman. This is the second series of questions. I wanted to ask you about a second subject. It is one that I brought up. First of all, let me just say I am happy that Mr. Cartwright recognized that I can smile before noon. It is not often, but occasionally I can, so I am glad somebody recognized that.

This is a subject that was brought up somewhat in different manner with Congressman Lee, and that is about abandoned mine sites and cleaning up abandoned mine sites. This is a subject that I brought up with both the Secretary of Energy and the Secretary of Interior, and anyone else who would listen. As you know, critical minerals are critical, and unfortunately, a lot of the critical minerals that we have in this country, we rely on other countries that don't like us for the supply of them. If you are going to reach your

climate goals, and renewable energy, and those types of things, you can't outstrip our ability to deliver the critical minerals that are necessary in batteries, in solar, in other things, and for our defense purposes, frankly. The Defense Department is very concerned about the supply of critical minerals.

As you probably know, Idaho is rich in what is deemed critical minerals, and some of those in Idaho are significant in their applications, and we shouldn't rely on foreign countries that don't like us for those. It is important that we get these out of the ground here in Idaho in this country in a responsible way. So I want to tell you a story about what is going on, and then I want to ask you a series of questions and have your thoughts on it.

Cobalt and antimony are very critical minerals, frankly. Antimony, Defense is very concerned about it, and it is critical in our renewable energy goals, frankly. And so there is a mine in Idaho that was developed during World War II. It was used to mine antimony that was used for war purposes in World War II. After the war, it was abandoned. It has been sitting up there in the mountains of Idaho, and the tailings are there. There is a runoff from those tailings that pollute the waters and some other things. That blocks access to a few hundred miles of potential salmon habitat, and those types of things. There is a company that has come in that wants to clean it up, frankly, and remove those tailings, and clean the water, and everything else. They have got a heck of a good plan there. It has taken them so far 6 years to get licensed, and they are not licensed yet, but it is 6 years. The cobalt mine that is in Idaho has taken 10 years, a decade to get licensed for this. That is just too long, and so let me ask you these series of questions.

Am I correct that you support, A, the President's critical minerals agenda? Do you agree that we should focus on remining historical mining districts as opposed to greenfield frontier projects that would open new mining if we can do this by remining sites? Will you support remining projects that would have the co-benefit of improving the environmental conditions at historical mine sites? And finally and maybe most importantly, will the EPA demonstrate flexibility in the permitting process to permit remining for critical minerals that improves the condition of the environment at the site, improves it, but not necessarily the extreme position to meeting pre-mining conditions, conditions that existed before there was ever a mine there? If we don't do this and this, and, to me, the research I have done on this makes perfect sense, but if we don't do this what you are going to leave is just a site that still continues to pollute the river and other things with runoffs, and not have the ability to clean this up.

So I think we can work together to solve this, but part of it is getting the permitting process streamlined so that we can get it done and clean up these sites. And when you are going to the Puget Sound and flying over Idaho, there are a couple airports that I can have you land at, and we can get on our jeans and boots, and they would be happy to take us up there and show us some incredible country and what is going on up there.

So, listen, I look forward to your response on this, but let me say before I quit that I know sometimes it sounds like I am really crit-

ical of the EPA. I am not. I think you do a very important job, and I look forward to working with you to make sure that we can do this job that we all want to do in making sure that we have a clean environment. Thank you.

Mr. REGAN. Well, I appreciate the question, and I look forward to visiting with you in your district in and doing exactly what you just laid out because I believe we have to get out from behind the desk in Washington, D.C., and actually see things with our own eyes listen, and bring these things back to Washington, D.C. So I look forward to the district visit.

I do support the President's aggressive goals as it relates to critical mining. I am also talking with my counterparts. This is, once again, another whole-of-government approach. It is very important that DOI, DOD, EPA, Commerce, it is important that we are all looking at the needs if we want to win the 21st century in terms of this global competition to reduce climate change but grow jobs and grow the economy at the same time. We can't ignore that we have betrayed the trust of many people in the past because we haven't done some of this mining right in the past. And so what we have to do is restore public trust. We have to have processes in place where the Federal Government actually talks across agencies and looks for the most expedient ways to get access to these critical minerals while protecting public health and the environment. I believe that we can do that.

You raised some very good points that it has taken 6, 10, 15 years. Well, there has been no administration and no President has focused on this issue like this President. There has been no President that has said all of these agencies must work together if we are going to win the 21st century. So, yes, I believe that we can put the proper processes in place to access critical minerals in a way that supports our climate goals and allows for us to win the 21st century and grow a lot of jobs.

Mr. SIMPSON. Thank you for that, and I look forward to working with you on it. Thank you for being here today, and thanks for the important job you do.

Mr. REGAN. Thank you so much.

Mr. SIMPSON. I yield back.

Ms. PINGREE. Thank you. That is a really important topic, and I feel like I learned a little bit there. So Chair Kaptur, it is your time to discuss the Great Lakes or anything else you choose.

Ms. KAPTUR. All right. Well, I have got three little points, and I will end with the Great Lakes, and I am so glad that Congressman Joyce and I are able to co-chair the Great Lakes Task Force. We really have our work cut out for us, I will tell you.

But let me begin with this. Mr. Administrator, you mentioned you are good friends with Secretary Austin. Well, I have an idea, and it would take leadership by both of you, and I know you have your hands full. But as we think about the new world of vehicles, the Department of Defense spends an enormous amount of money going around the country before their air shows, like with the Thunderbirds, and they have a ground show. They bring in big rocket trucks, and they bring in all these vehicles, and there are hundreds of thousands of people, and they cheer the Department of Defense and the Thunderbirds. And I have often thought that

that could be just a tremendous place to introduce environmentally clean technologies that are either working or in the development stages. That would educate and inspire across our country. The Marine Corps has got some vehicles they have worked on and so forth.

But I think in the area of cars and trucks, which somewhat fall under you, we could do a lot more, and I also think that there should be a national program that inspires our young people that we want to go into the fields of technology at places that you have never heard of, like Norwalk Dragway in Ohio, and Milan Dragway up in Michigan just north of Toledo. These are places where the future is being born. Nobody pays attention to these individual young people that are trying to get a double A fuel dragster to go faster than the guy in the other lane, and this is where our talent comes from. We don't see it at the Federal level. You know, they go to these big companies and all that, but down here where we have the people that live right next door to the automotive industry or probably out in Derek Kilmer's State where they live right next door to where airplanes are made. There is tremendous opportunity that I think that we miss and that we don't inspire.

So I think there should be a prize for, you know, the new American car, you know, that is built by young people who are under 25 years of age or whatever. Something creative has to be done there to inspire them that they matter. They matter because they are different than kids that just, you know, maybe are advantaged their whole lives and go on to Harvard or wherever, and these kids are down here working with raw material every day, trying to work on electric cars in their classrooms in high school and all, and they are really worth paying attention to. I will send you something on that, but I think we should build the new car starting with them. And I think your Department and Secretary Austin could really do something with these shows that the military puts on anyway all across the country. So that is No. 1. I don't expect you to respond but just be interested.

Secondly, for the Great Lakes cities that are heavily burdened with environmental debt, we are trying to do our job, but Detroit and Cleveland each have a municipal bonded indebtedness of more than \$2 billion, most of which is due to environmental mandates. Toledo owes—little Toledo now—\$1.6 billion. They are at the base of a watershed that rains into it, so the poorest community has to pay for all these environmental mandates, and the region that surrounds it walks away without those responsibilities: Milwaukee, \$1.4 billion.

So as we think about the problems of the Great Lakes, if there is any group in your Agency that could take a look at bonded indebtedness in the Great Lakes related to environment and some possible solutions. Maybe Brian Deese could help us come up with some solutions with his knowledge of finance, but sometimes put this dead on the poorest places is absolutely morally wrong, and I know that Congressman Joyce probably Ashtabula and some of the smaller communities. You know, something is wrong with this formula, and so I just wanted to point that out and see if there isn't a way to help us think through more a creative financing mechanism.

Finally, with the Great Lakes, again, we are in real trouble. We are in real trouble. If there is any way you could set up a task force across agencies, including Terry Cosby at the Natural Resource Conservation Service at USDA, yourself, and people you would appoint, some of the clean climate people maybe over at the White House. I don't know, but we are losing this battle. The invasive species that have come to the Great Lakes, removing the natural phytoplankton, and the accelerating growth of algal blooms, it is overwhelming. And our lake is the shallowest. Erie is the shallowest. Ontario is in terrible shape because she gets our water once it comes out of the Great Lakes.

But we have no political boundary for the problem. The problem of Lake Erie lies in Michigan, Indiana, Ohio, and Western Ontario. Yeah, we have a lot of agencies and we give them a lot of money, but there is no concerted focus for every month what we have to do to make a difference. In the western basin of Lake Erie, I can tell you there are no facilities above manure lagoons that turn that effluent into power. Yeah, the governor has a program, but it hasn't [inaudible]. And we put millions of dollars working with the Senator Stabenow from up in Michigan, and David Joyce, and others from using USDA funds to try to get out into the watershed and try to contain the phosphorus that is coming toward the lake. But half our land is absentee owned, so there aren't farmers. There aren't farmers there to really tend the land. It is an enormous problem. We need some kind of strike force for Lake Erie to save it. I am not unhopeful, but I am extremely worried at this point. And Toledo experienced something very terrible in 2014. You are aware of that. It is going to happen again if we don't deal with this. It is a massive environmental challenge.

And so I am asking for consideration of a strike force involving the agencies if you could just give that consideration. Thank you very much.

Mr. REGAN. Well, thank you for that, Congresswoman, and I will take that idea back of the strike force to the Cabinet, and we can see what we can do with that suggestion. I can tell you, thank you all for your leadership in giving us the resources to begin to try to address some of these issues. EPA is throwing everything we have at the Great Lakes. And, you know, on the issue of the bond and the indebtedness, I think that what I would like to do, we do have an Environmental Finance Board that I will take that back to see if they have been thinking about this issue, what solutions they might have. If they haven't been thinking about these issues, I will be sure to let them know that you have asked for us to take a strong look at that.

You know, I love the fact that bipartisanship is working here between you and the Congressman from Ohio. I don't know if I like being the recipient of the double team, but is a rare and beautiful thing to see. [Laughter.]

Mr. REGAN. The Great Lakes is a national treasure. We understand that. We know we are playing catch-up. And so I appreciate the way you all are asking these questions and formulating these requests because I believe that there are certain aspects of it that we can meet the moment of, but there are some that are really huge mountains to climb, and we look forward to tackling those

mountains with you. I can also tell you that I love your idea about youth engagement.

I am in the process of creating a youth council here at EPA because as I travel the country, some of the best ideas are coming from our youth. And what I will do is we are trying to look at criteria for who is on that council. You have just given us some really great criteria to add to that potential idea. And in terms of your request with DOD, there is a gentleman that likes to test drive electric vehicles that happens to run the country that is leaning on Secretary Austin more than I ever could. So I think having cleaner vehicles, especially with our military departments, is something that is a top priority, but I will also take that request back as well.

Ms. KAPTUR. Thank you so very much. Thank you for allowing me the time to discuss this.

Mr. REGAN. Absolutely.

Ms. PINGREE. Thank you very much, Chair Kaptur. We are always happy to hear more about the Great Lakes, and Administrator Regan, you were not just double teamed. This is like a force of nature here. [Laughter.]

Ms. PINGREE. So keep the Great Lakes in your focus, and since I grew up in Minnesota on Lake Superior, I am a strong supporter of anything and all Great Lakes, even though I am devoted to the ocean these days.

Mr. JOYCE. Good thing Chair McCollum wasn't here, too. She would have really got him.

Ms. PINGREE. This committee is heavily weighted to the Great Lakes. The real power rests there, so we just struggle to get a little attention to the ocean on the East and West Coasts and the South as well.

Well, we are very appreciative of your time today and your thoughtful answers to all of our questions, and, of course, we look forward to working with you in this budget process. And I think I speak for myself and the ranking member. I don't know if you want to make any other remarks, but we are just happy to have had you here today.

Mr. JOYCE. I just thank you for your time. I missed you when you were here in northeast Ohio. As everybody on the committee knows, I have been recuperating, but now 5 weeks later, I have a new knee, so, there is no stopping me now. I will follow you wherever you need to go.

Mr. REGAN. Well, I tell, you know, I hate that we couldn't time it in the way that you could participate, so that just means I have to come back and visit you. I am committed to visiting the districts and spending time because I believe that that is where the solutions come from.

Mr. JOYCE. Lots to show you.

Mr. REGAN. Absolutely.

Ms. PINGREE. Well, thank you very much. Thank you to the committee.

If there are no other questions, this meeting stands adjourned.

Mr. REGAN. Thank you all.

WEDNESDAY, MAY 18, 2022.

NATIONAL PARK SERVICE

WITNESSES

**CHARLES “CHUCK” F. SAMS III, DIRECTOR, NATIONAL PARK SERVICE
JESSICA BOWRON, COMPTROLLER, NATIONAL PARK SERVICE**

Ms. PINGREE. Good afternoon. This hearing will now come to order. As the hearing is fully virtual, we must address a few house-keeping matters.

For today's meeting, the chair, or staff designated by the chair, may mute participants' microphones when they are not under recognition for the purposes of eliminating inadvertent background noise. Members are responsible for muting and unmuting themselves.

If you notice that you have not unmuted yourself, I will ask you if you would like the staff to unmute you. If you indicate your approval by nodding, the staff will unmute your microphone.

I remind all members and witnesses that the 5-minute clock still applies. If there is a technology issue, we will move to the next member until the issue is resolved, and you will retain the balance of your time. You will notice a clock on your screen that will show how much time is remaining.

At 1 minute remaining, the clock will turn to yellow. At 30 seconds remaining, I will gently tap the gavel to remind members that their time is almost expired. When your time is expired, the clock will turn red, and I will begin to recognize the next member.

In terms of speaking order, we will follow the order set forth in House Rules, beginning with the chair and ranking member. Then members present at the time the hearing is called to order will be recognized in order of seniority and, finally, members not present at the time the hearing is called to order.

Finally, House rules require me to remind you that we have set up an email address to which members can send anything they wish to submit in writing at any of our hearings or markups. That email address has been provided in advance to your staff.

Okay. Now we can begin.

This afternoon, we will be hearing from the 19th National Park Service Director, Mr. Charles F. Sams, about the fiscal year 2023 budget request for the National Park Service. He is accompanied by Jessica Bowron, the National Park Service Comptroller.

Director Sams, welcome. We are so pleased to have you before the subcommittee today. You have come to the Park Service at a critical time for the agency, which has been without a permanent Director for 6 years.

During that period, the Service has faced some significant challenges, including record visitation of the parks, the COVID-19 pan-

demic, and the positive, but nonetheless challenging ramp-up of the construction program to implement the Great American Outdoors Act. I commend the career staff for their commitment and dedication to keep the agency on track.

Our focus for today's hearing is the President's \$3.6 billion request for the National Park Service, an increase of \$346 million, or 10.6 percent above the fiscal year 2022 enacted level. Notable increases include \$228 million for tackling climate change, conserving our natural resources, and using science to inform decision-making; \$148 million to increase staff capacity throughout the parks; and \$48 million for advancing racial equity and support for underserved communities.

These are important investments that will better enable the National Park Service to understand and adapt to the significant challenges it faces in the 21st century so that it can meet its mission for future generations.

Director Sams, I am eager to hear about your vision for the National Park Service, to learn about what you believe are its most critical needs, and to gain a better understanding of how we in Congress can help support the National Park Service so that millions of people can continue to enjoy these majestic natural and cultural resources.

I would now like to yield to our ranking member, Mr. Joyce, for his opening remarks.

Mr. JOYCE. Thank you for yielding, Madam Chair.

I would like to welcome Director Sams and the Park Service's Comptroller Jessica Bowron. Thank you for joining us this afternoon, and congratulations on your historic nomination, Director Sams.

As the first American Indian to lead the National Park Service, I have no doubt that your heritage, experience, and respect for our public lands will serve the country well, and you will be a great steward of our national parks. As the son of a World War II veteran, I also wanted to thank you and your family for your service to our country.

The fiscal year 2023 budget request is \$3.6 billion for the National Park Service, which is a 10 percent increase over the current year level. While I wholeheartedly support the parks and want to protect them for future generations, I worry that it will be difficult to provide the Service's full request, given the country's current financial situation.

With the national debt now over \$30 trillion, we must take a careful look at Federal spending and make responsible choices where we can. It has been several years since the National Park Service has a confirmed leader. So today provides us with a good opportunity to hear firsthand how the fiscal year 2023 request makes investments to help the Park Service carry out its mission.

Last year, the national parks welcomed more than 297 million visitors, up nearly 60 million visitors from 2020. As visitation rebounds following the pandemic, it is important we provide the necessary resources to expand access to the parks, increase capacity and recreational opportunities, and improve visitor experiences.

Deferred maintenance continues to be an ongoing issue for nearly all national parks, including those in my district, like the Cuya-

hoga Valley National Park and the James A. Garfield National Historic Site. I look forward to discussing how the request, along with the funding provided through the Great American Outdoors Act, will address the Service's extensive maintenance repair backlog to help us preserve the parks for future generations.

Additionally, with the Ohio and Erie Canalway National Heritage Area in my back yard, I remain supportive of programs that provide technical and financial assistance to partners and groups that operate outside of the national park boundaries. These dollars go a long way to help local communities preserve their history, conserve natural resources, and spur economic growth.

Director Sams, thank you again for joining us today. When your schedule allows, I invite you to come out and visit our parks in northeast Ohio. It would be a great opportunity to show you the impact that National Park Service sites have on our region and our State.

Thank you again, Chair Pingree, for calling this important hearing today. I look forward to the discussion, and I yield back.

Ms. PINGREE. Thank you. Thank you to the ranking member for your statement.

And Director Sams, we would love to hear from you.

Mr. SAMS. Good afternoon, Madam Chair and members of the committee. Thank you for having me here today.

Madam Chair and members of the subcommittee, thank you for the opportunity to appear before you on the fiscal year 2023 budget request for the National Park Service. I would like to summarize my testimony and submit my entire statement for the record.

I want to begin by thanking you for your support of the NPS for fiscal year 2022. Thanks to the additional funds you provided, all parks are preparing for the summer season with full fixed costs covered, and we are moving forward with important efforts such as ensuring all of our U.S. Park Police officers and law enforcement rangers have body-worn cameras.

I would also like to thank Chair Pingree and Ranking Member Joyce for our recent visits. I appreciated the opportunity to hear your priorities and was so pleased that so many of our goals align for the future of our parks and our dedicated employees.

I have visited parks across the country in recent months and seen firsthand some of the challenges facing our parks, like climate change, increased visitation, and a need to expand the breadth of the histories we are telling. I have also heard from our employees about challenges like housing, connectivity, and capacity. I am pleased to share with you today how our fiscal year 2023 budget request addresses many of these issues.

The discretionary budget request for the NPS is \$3.6 billion, an increase of \$345.6 million compared to fiscal year 2022 enacted funding levels. Our budget request makes bold investments essential for the Service's continued success in its second century by investing in our most valuable resources, our employees.

I want to highlight a few components with you that we are particularly proud to include in this year's budget request—conservation, racial justice, and restoring capacity. Our request proposes an additional \$225 million in targeted service-wide investments to protect natural resources from 21st century threats. Fundamental to

this effort is a \$57 million increase for park capacity in our natural resource programs.

We also propose additional funding to complete natural resource projects, transitioning the National Park Service fleet to zero emission vehicles, complete climate vulnerability assessments, and better position the agency to respond to natural disasters.

President Biden's Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities, directs Federal agencies to operate in an environment that advances equity for all. The fiscal year 2023 NPS budget proposes \$36 million in increased targeted investments to advance racial justice and equity for underserved communities.

Fourteen million dollars would fund new and critical responsibilities at parks, preserving the stories of underrepresented communities. This funding will support many of our newest units, such as the Medgar and Myrlie Evers Home National Monument, as well as existing units like Minidoka National Historic Site.

The budget also reflects our commitment to respect and strengthen indigenous connections and enhance our nation-to-nation relationships. We request an additional \$6 million to support additional tribal liaisons in parks and regional offices and an increase of \$7 million in grant funding to Tribal Historic Preservation Offices.

The fiscal year 2023 request also proposes investments in our employees. The NPS has lost more than 15 percent of our ONPS-funded capacity since fiscal year 2010. Over the same period, 33 units have been added to the National Park System, and visitation has grown by more than 40 million, or greater than 15 percent.

We have already seen visitation levels rebound in many parks from the pandemic decreases. To meet this demand, the budget requests \$148 million across initiatives to support more than 1,000 additional FTEs.

The budget also proposes increases of \$7 million to lease, construct, or rehabilitate housing for NPS employees, \$7 million to improve connectivity for sites with limited bandwidth, and \$600,000 to stand up an office that would provide targeted support for employee mental health and wellness.

Finally, I am pleased to update you on our progress to implement the Great American Outdoors Act. To date, funding from GAOA has provided almost \$2.6 billion to the NPS for deferred maintenance and repairs. We have obligated \$730 million to date, with 26 projects underway and more starting this summer.

From the Land and Water Conservation Fund, the NPS has received nearly \$200 million for land acquisition activities, and we are working with willing sellers across the country to protect lands within park boundaries.

The NPS has received \$690 million for State grant programs matched by non-Federal funds for a total impact of more than \$1 billion and continues to work with State partners to support State and local recreation priorities.

Madam Chair, this concludes my summary, and thank you for the opportunity to testify today and for your continued support of the National Park Service.

I would be happy to answer any questions.

Ms. PINGREE. Thank you. Thank you so much for that and for taking on this extremely important job. It is going to be wonderful working with you.

We are going to start with our questions, and I will start with myself. A topic that you have already mentioned, and that is climate change.

So in our park in the State of Maine, we are already feeling the impacts of climate change in Acadia National Park. The Gulf of Maine, which surrounds the park, is warming more rapidly than the oceans anywhere else in the world, and its temperature has risen 3 degrees over the last century.

The park itself is also getting warmer, and your scientists predict that its temperatures will rise by 5 to 13 degrees by the end of the century. This warming will have major impacts on the park and local economy, and it is already starting to be felt.

It is imperative that we take immediate action to fight climate change, and I believe that research should underpin those efforts. So I am pleased that the budget requests \$17 million for research learning centers and proposes to increase the Inventory and Monitoring Program by \$16 million.

Could you just talk a little bit more about the National Park Service climate change research and how it has helped to identify what resources are at risk and how it is influencing management actions to help increase their resilience?

And also can you talk a little bit about how the Service can communicate what you are learning about climate change to the millions of visitors who come through the parks?

Mr. SAMS. Thank you, Madam Chair.

The NPS has completed several assessments on this issue—80 park-specific reports, 100 climate change vulnerability assessments for selected resources, and sea level rise projections for 118 coastal park units. However, many of the parks lack targeted climate change vulnerability and risk information. I want to thank the committee for the \$1.8 million for the fiscal year 2022 spending bill for climate change assessment.

We apply climate science research across our mission. A couple good examples, of course, is from Acadia, where the park works with the Schoodic Institute and Friends of Acadia to understand how climate change will affect its forests, mountaintops, and intertidal areas. The park is using this information as it restores wetlands, ensuring the plant species that are planted are suitable for Acadia's climate future.

As our knowledge base grows, visitors are becoming better educated in the entire ecosystem of coastal Maine and the fragile balance between the flora, fauna, and the rising sea levels. And we want to continue to make sure that we do that public education so that it goes far and wide not only to Mainers, but of course, across the country as a good example of how we can work on resiliency.

The fiscal year 2023 budget proposes historic investments in addressing the effects of climate change and other conservation issues in the National Park System with a \$224.6 million increase proposed for these conservation efforts. The NPS has completed several of these assessments as discussed, and we are ready to move

forward on more of those in fiscal year 2023 if our budget is approved.

Ms. PINGREE. Great. Thank you.

I do, of course, hope we get a chance to welcome you to Acadia National Park and to see the great work they are doing with the Schoodic Institute really to help us sort out how the park is going to fare and also surrounding areas in our State. And I am pleased that the park uses these opportunities for what they have learned as a teaching tool.

I think climate change is so confusing and abstract to people. Sometimes when you are visiting the park and you get a chance to talk to a ranger about your real questions of what is happening, or an interpretive worker, it is a really wonderful moment in time.

I am going to yield back and turn it over to Ranking Member Joyce.

Mr. JOYCE. Thank you, Madam Chair.

Director Sams, now that the Land and Water Conservation Fund is fully funded, spending the annual appropriation efficiently and on quality projects will be key to the program's continued success. In that context, I want to raise a concern about the appraisal process and particularly about appraisal delays that may be posing a threat to the success of the LWCF projects we fund in our bill.

I understand the Department's Appraisal Office isn't under your control, but we are hearing from your partners on battlefields and other projects. Specifically, we are hearing that an appraisal process that used to take a few months, as it does in the private market, now takes a year or two or even longer.

Granted, no one wants the Appraisal Office to cut corners or otherwise detract from the integrity of the process. We need good appraisals to protect public funds and honor the rights of the landowners to just and fair compensation when they choose to sell. But with these kind of delays, landowners and others, including partners who bring non-Federal dollars that leverage and stretch your conservation reach, could give up and walk away.

Are you aware of the problem, and if so, what can you share with us about steps being taken to fix it? For example, does it make sense to move appraisal functions back under the Park Service?

Mr. SAMS. Well, thank you, Representative Joyce.

I am very familiar with this. Having come from the private sector before this and working with the Trust for Public Land, I know the challenges that are faced when trying to get appraisals done as quickly as possible through the process. And of course, the National Park Service is reliant because appraisals are handled by the Department of the Interior's Appraisal and Evaluation Service Office.

We will continue to work with DOI, ensuring its services are completed in a timely manner. I know that it is a top priority of our staff, and I know that this problem is being investigated and looked at at the highest levels.

And I hope to come back and be able to report to you soon exactly how we are going to deal with that so that we can move these through and we don't miss the opportunities with these willing landowners who really wish to work with us. And I am very appreciative of their willingness to work with us.

Mr. JOYCE. I am, too, sir. Thank you.

For the first time in several years, the National Park Service released deferred maintenance estimates. The updated estimates total \$21.8 billion, nearly double the Park Service's 2019 estimate. I recognize that construction costs have gone up, but can you take a moment to explain the spike in estimates and how your assessment process has changed?

And what types of deferred maintenance were not previously accounted for and how we can actually be sure that the Great American Outdoors Act funding is making progress to tackle the backlog?

Mr. SAMS. Absolutely. Thank you.

DOI recently standardized the deferred maintenance and repairs definition across all of our bureaus. As part of that standardization, the Park Service added project execution costs for planning, design, and construction management into the DM&R calculations.

While these costs increase the total, they do better represent the funding necessary to bring assets into acceptable conditions. And as you pointed out, our now estimate did jump to \$21.8 billion. And yes, there are also those associated costs, as you pointed out, with rising inflation.

But this new standardization that we use, which is much more consistent with other Federal agencies, captures the full cost of this deferred maintenance, which wasn't caught previously. And we feel secure in these current estimates of what we have moving forward as we gather more data from the field on those deferred maintenance issues.

Mr. JOYCE. So is the annual maintenance funding request for fiscal year 2023 enough to prevent adding to the deferred maintenance backlog? And if not, how much more is really needed for annual maintenance?

Mr. SAMS. You know, that will just depend as we continue to evaluate each one of our sites. Maintenance will always be an ongoing issue. Things deteriorate or break down, depending on weather conditions, usage, and current upkeep and maintenance practices.

And so as we are trying to build this out, of course, even and one of our requests is bringing on additional staff that would help with that maintenance upkeep in check. By being able to have those staff in the field, we think we can better get a tackle—tackle this situation and do preventive maintenance. But of course, maintenance will always be there as long as we construct things within the park system itself, and those costs will continue to go as things start to deteriorate and fall apart.

Mr. JOYCE. Thank you, sir. I yield back, Madam Chair.

Ms. PINGREE. Thank you very much. We are going to go to Representative Lee.

Mrs. LEE. Thank you. It is good to see you, Commissioner, and thanks for all of your hard work with the Park Service. I personally am a big user of the National Park Service. So I appreciate everything you do.

I wanted to talk about something that I have been consistently talking about since I have been in Congress, which is the drought that is engulfing the Southwest and obviously Nevada, my home State. It is the worst drought that this region has seen in 12 cen-

turies, and honestly, too many children in my district don't even—have not lived a life without it.

And so last April, the administration launched the Interagency Drought Relief Working Group, and it was co-chaired by the Departments of the Interior and Agriculture, to address the needs of communities like mine who are suffering from the drought. I wanted to ask you what role has the Park Service specifically played in fulfilling the working group's mission?

Mr. SAMS. Well, thank you, Madam Representative.

And yes, this has been a major topic among myself and my other bureau—the other bureau heads here in the Department as we are figuring out how best to tackle this issue. The National Park Service is an active member of the working group and coordinating across those Federal agencies as we work with our partners to also include State, local, and tribal governments.

Between the Great American Outdoors Act funding and the fiscal year 2022 disaster supplemental, the NPS has prioritized more than \$45 million for drought-related projects at Lake Mead National Recreation Area and Glen Canyon National Recreation Area. Projects include relocating the Callville Bay water intake barge at Lake Mead and repairing a well at Wahweap due to low water at Glen Canyon.

The fiscal year 2023 budget also requests an addition \$7 million for emergency and unscheduled construction projects specifically meant to rapidly respond to the impacts of climate change, such as drought, fire, and floods.

And so, yes, we are working very closely. I know that my fellow bureau heads and I have had a lot of discussion around the drought issue, including looking at plans for ourselves to go out together to start addressing more of these concerns.

Mrs. LEE. Thank you.

I want to talk a little bit more about the Lake Mead National Recreation Area, which is in my district and provides recreation for—not just recreation, but obviously water for 25 million people in Nevada and neighboring States.

Lake Mead is also the first and largest national recreation area, and the declining water levels have completely reshaped the lake's shorelines and significantly reduced recreational opportunities. In fact, it was just announced this week that there is only one working boat launch ramp in the lake with a completed extension. And so, in addition, most of the launch ramps at Glen Canyon's National Recreation Area have likewise been closed.

So you mentioned dollar amounts, but what specific steps do you foresee in the next year and beyond to help mitigate the impacts of this drought, and does the Park Service plan new access points? What specifically is in that plan?

Mr. SAMS. We are. We are talking with our leadership out West about different access points, what that is going to look like, how that is going to affect our concessionaires and the general public. And we are laying out mitigation proposals that are coming in from the recreation areas to tell us exactly what the public is saying and how we can ensure that there is still access to this great jewel that we have out West.

So as we are laying out those plans, I look forward to coming back and speaking with you directly about this, and I can talk with your staff as we come to some conclusions on that.

Mrs. LEE. Thank you. I am very much looking forward to working with you on this issue and, obviously, the impact of our climate change on drought and its impact on our national parks.

With that, Madam Chair, I will yield.

Ms. PINGREE. Thank you for your question.

Representative Simpson, you are next.

Mr. SIMPSON. Thank you, Chairwoman.

And Director Sams, thank you for being here today. You are lucky in that I think there is really good bipartisan support and has been for the National Park Service in this committee over the years, and I am sure that will continue because we all love our national parks. In fact, the reality is we love them too much, and that creates the challenges that we have in the maintenance and so forth.

But let me ask just a couple of specific questions. One is in this budget request, you have requested—and I think you mentioned it in your opening testimony—\$7 million, an increase of \$7 million for grants for Tribal Historic Preservation Offices. What is that \$7 million on top of? What is the total request for Historic Preservation Offices, Tribal Historic Preservation Offices?

Mr. SAMS. If you will allow me, I am going to defer to Jessica on this for the total amount.

Ms. BOWRON. The total amount requested for the Historic Preservation Fund is \$151.8 million.

Mr. SIMPSON. Okay. That includes the \$7 million increase, right?

Ms. BOWRON. Yes.

Mr. SAMS. Yes, sir.

Mr. SIMPSON. Okay. To me, that is a very important program, and we need to make sure that it gets funded at an adequate level to be able to carry out their responsibilities and stuff, as I am sure you are well aware.

Talk to me a little bit about your personnel challenges you are facing. Every Federal agency I talk to, whether it is the Forest Service or the BLM or any others, are facing shortages in personnel, which are delaying the time it takes to get permitting and that type of stuff. With the National Park Service, you mentioned this somewhat in your opening statement. What is the challenges you are facing with personnel?

Mr. SAMS. It really is about capacity and bringing in, ensuring that we have enough people to do all the jobs necessary. And so in my request, we are requesting nearly 1,100 FTEs to help us try to get back to where we were at least a decade ago. And that is across all points of the Service, whether that is from our science staff to the back-end finance staff to our permitting staff.

Right now, folks are pulling double, triple duty. As I have been able to travel across the United States over the last 4 months—in particular, I have hit almost nearly 40 national parks—this comes up repeatedly that our workforce is highly dedicated to the mission. I would say that most folks within the Park Service truly bleed gray and green. That being said, they are doing double duty on so many other things.

And so we are asking this funding so that we can make sure that we are able to implement the programs that we are doing, that we are ensuring that the investments that are being made through GAOA and bill are being effective, and that we are being responsive to the American people so that they can have the experience that they are looking for when they are going into the parks.

And as you know, there are so many more things that happen on the back end. And while the rangers, who do the interpretation, and law enforcement are always on the forefront, they are supported by several to eight other people in order to make sure that a person has a seamless opportunity to enjoy the nature, the monuments, and the memorials across this great Nation.

And so this request that I have out here is to help fill that backlog of folks that we need to get out on the ground to support that work.

Mr. SIMPSON. What about summer employment that helps the rangers and stuff that are out working in the national parks? People—that is their kind of summer job—especially senior citizens sometimes come to our national parks and spend their summer there working at various places. Is that a challenge?

Mr. SAMS. It can be a challenge if we are hiring them on as seasonal staff. As we are getting through ensuring that we have enough human resources personnel to start processing that, we are looking at it, and I have taken a very strong look at this and recentralizing some of our HR practices so that we can have a much more smoother opportunity to folks coming in through that process to be hired.

But I do want to give notice to the 240,000-plus volunteers that we have who are our force multiplier in the National Park Service. Without those volunteers, we wouldn't be able to get a lot of what we do done, and they are an important factor who provide everything from interpretation to helping keeping up the grounds themselves.

And so bringing in, though, a dedicated workforce either through the summer months as seasonal employees or permanent employees is critical for our success.

Mr. SIMPSON. Well, I appreciate it, and I appreciate all you are doing. And over the next couple of weeks, we are going to be off from Congress here, so me and my wife and my dog are going to take a road trip and go out through—as you know, we live in Idaho Falls. So we are going to go up through Grand Teton and Yellowstone and see them for a while. I haven't been there for a little bit. So, look forward to seeing them again.

And thank you for all you do.

Mr. SAMS. Thank you. Safe travels.

Mr. SIMPSON. You bet.

Ms. PINGREE. Are you yielding back, Mr. Simpson? Yes, you are? All right. Thank you.

And sounds like a great trip. You all just have to bring us all along. [Laughter.]

Ms. PINGREE. Representative McCollum, do you have a question or some questions?

Ms. MCCOLLUM. Yes, I do. Thank you so much, Chair Pingree.

This is like a good hearing today because we are going to learn what we can do to help our parks, but it has also filled a great opportunity, I think, to showcase the work that we need to do in this committee.

I want to focus on the Park Service commitment to racial justice and equity and how we can embrace that by expanding our outreach to underserved communities. So that we are talking about urban youth, disabled Americans, people of color, or whether they are Americans who have just historically faced barriers in accessing and enjoying our public lands.

So I have been working with this subcommittee and the Forest Committee—Forest Service over the last few budget cycles to expand the successful Urban Connections program, which addresses the equity gap and accessibility by forging relationships with urban youth leaders and organizations to create recreation and learning opportunities in our national forests, our wilderness areas.

So I would like to get a check-up on how the National Park Service is doing. And I heard what you were saying about personnel shortages, and you fully have my sympathy on that, and I am ready to do whatever I can to help with the chair to increase the people that we have to work on this. But right now, I know you are still working on it and in spite of not having the full complement of staff that you would like.

So just fill us in a little bit about what you are doing to connect marginalized communities to the outdoors, especially in urban parks. And I have two of them, and they are river parks, the Saint Croix National Recreation Area in my district, and then we have the Mississippi—excuse me, the Saint Croix is the scenic river. The Mississippi River is the river that has the recreation area assigned to it.

So a book that I read a while ago and I keep in my office is “Last Child in the Woods,” and you could say “Last Child on the Prairie,” “Last Child on the Coast,” whatever, and it is about how we need to connect children to nature, and I know the Park Service has been doing a lot on that.

So could you just tell me some things that we need to do more to overcome barriers with that, especially for historically marginalized communities? It is different when a child drives on a bridge over the river versus being on a canoe or walking along the shores of a river and the connection that they have to it.

So public-private partnerships, what do we need to do to help you do more?

Mr. SAMS. Well, thank you, Madam Representative.

I feel very fortunate that grew up outdoors most of my life, with a grandfather who made sure that my education began by understanding my natural environment. That being said, one of my top priorities is to advance equity, inclusion, and access in carrying out the National Park Service mission.

The fiscal year 2023 request includes \$36 million to advance racial justice and equity. This includes \$2.4 million for underserved community outreach coordinators in urban national parks to build strategic community relationships and increase engagement with historically excluded communities.

This is critical for us to be able to understand those local histories much better and to make sure that we are including them in the stories we tell, whether that is at the memorial site, a monument, or in the national park itself.

In addition, we also included \$5 million to identify and address transportation barriers that inhibit underserved communities from accessing parks and \$5 million to expand our accessibility expertise across the country to ensure we are meeting our physical and programmatic accessibility requirements, and we are seeing some of that here in the Nation's capital, especially around the FDR Memorial.

That being said, as I travel across the country, I do see several marginalized communities who are finally feeling that they have a seat at the table not only just within their community, but with us as a Federal organization to be able to tell their story in a much more broader concept.

And whether we do that, as you may see, the Chinese American community at Yosemite or the Native community in a number of parks where Native people have lived here for 10,000-plus years, we are reaching out to a much more diverse group of people and helping us tell those stories so that it is much more inclusive. Because one of my goals is to ensure that every American sees themselves in our park system.

It is ensuring that it builds us a much more perfect union and an understanding of who we are as Americans and these crown jewels that we have, that we love so much, and how they are going to protect them not just for themselves, but also for future generations.

Ms. MCCOLLUM. Well, we thank you for that. And I know Mr. Simpson and I—and I have been at Acadia with the chair. Some of our parks were designed for ADA. They weren't designed for strollers. They weren't designed for families. And so that is something that I know you are working on as well as personnel.

And so we have got some great partnerships out there, nonprofits like Urban Connections and that. And anything that we can do to grow that, I am happy to do that and, at the same time, tell an inclusive story. And I mean that as a social studies teacher.

Thank you so much. I yield back, Madam Chair.

Ms. PINGREE. Thank you, Chair McCollum, for your questions.

Chair Kaptur, you are next. Do you have any questions?

Ms. KAPTUR. All right. Thank you, Madam Chair, very much. An interesting hearing.

And thank you so much, Director Sams. Great to have you here with us today.

I keep thinking—as I am looking at David Joyce on the screen, I keep thinking of two of our predecessors, Ralph Regula and John Seiberling, who, Republican and Democrat, together worked to allow us to have the assets we have today along Lake Erie and, in fact, across the Nation. They were completely dedicated to the National Park Service and to the assets of the Department of the Interior.

So thank you for being in the Service.

My question really goes to our region first and the Cuyahoga Valley National Recreation Area, which is one of the 10 most vis-

ited park systems in the country. With the funding we provided in other bills as well as your annual budget, here is my problem.

The Cuyahoga River was the western boundary of the United States when we had the 13 colonies. When you try to traverse the Northwest Territory, which started at the Cuyahoga River and then goes west to several States in the middle part of the country, there really isn't any common interpretive mode that occurs.

So, for example, I represent one of the smallest national parks in the country at the Perry's Victory Memorial, Victory and Peace Memorial. It is 25 acres. Woo-hoo! We are really glad. That little place gets 200,000 visitors a year, 200,000.

Okay. Nearby are something not in your control called the U.S. Fish and Wildlife Service. And we have been working since my very first year in office to expand the number of holdings from about 3,000 acres, we are now close to 12,000 acres along Lake Erie's southern rim, which is extremely fragile and serves as a wetland filter to a very troubled lake, which we must not let die.

And I start looking a little bit west of that, and we have something called the Fallen Timbers Battlefield, which has a relationship with the National Park Service and the Fort Miamis National Historic Site and the Fort Meigs State Memorial because one of the biggest battles, the Battle of Fallen Timbers, occurred there in that Northwest Territory.

There is no common interpretation across this region. So what I am asking for, is anybody in your operation there able to work with us in our region, the former Northwest Territory, to begin to interpret America's first frontier in a more coherent manner? We have all these little dibs and dabs. This goes up into Michigan to the Dunes there, over into Indiana, to the Northwest Territory.

We so need this, and I am not quite sure how to get it. One time, I had a former National Parks Director in my district, great guy, one of your predecessors. I said, "What can you do?" And he answered me, "Well, in our building in Washington, I am on the same floor as the Park Service."

So I have never been able to get the two instrumentalities to work together. Our Fish and Wildlife Service area probably gets—just right now in the spring, we will get 100,000 visitors because that is where the Mississippi and Atlantic flyways cross. We got trumpeter swans that didn't go south this year. Man, they are magnificent.

And, but between the Victory Memorial and the British, American, and French heritage that is all tied up there, and the wildlife refuges, we probably get—oh, my—half a million to a million visitors a year. I would have to total it all up. That is the thing. We don't even know.

So how do we get this? Do I have to pass a special piece of legislation? Do you have some authority to help us with coherent planning? What can we do?

Mr. SAMS. Madam Representative, thank you for the question.

So on my non-Indian side, we came in through New York, New Jersey, Pennsylvania, and eventually, my eighth-great-grandfather, Henry Sams, had fought in the Revolutionary War and then homesteaded in the Northwest Territories and eventually landing in

Richland County. And so the story that you are wanting to tell is also very important to me on a very personal level.

My wife's family comes from Cuyahoga and has had one of the in-holdings there and was just on Boston Mills Road growing up.

Ms. KAPTUR. Wow.

Mr. SAMS. That being said, I want to make sure that we do remain committed to collaborating with State, county and cities, and other Federal agencies like the U.S. Fish and Wildlife Service on management and interpretive opportunities across the Service and in the State of Ohio.

Perry's Victory and International Peace Memorial collaborates with the U.S. Fish and Wildlife Service, the Ottawa National Wildlife Refuge, in a ranger exchange, with NPS rangers participating in the biggest week of birding and U.S. Fish and Wildlife rangers participating in the Perry Education Days.

The NPS Rivers and Trails Conservation Assistance Program has facilitated connectivity among agencies, cities and counties, and States through 3 years of work on the Ohio River Recreation Trail. The trail connects communities and promotes recreation on 270 miles of the Ohio River through Ohio, Kentucky, and Indiana.

And a summit of elected officials—

Ms. KAPTUR. What was the name again?

Mr. SAMS. That was the Ohio River Recreation Trail.

Ms. KAPTUR. Thank you.

Mr. SAMS. And a summit of elected officials was held on May 12, hosted by the Mayors of Cincinnati and Louisville, to discuss the benefits of the Ohio River Recreation Trail. The National Park Service hosted a very similar summit last October in 2021.

In addition, we also—NPS's Underground Railroad Network to Freedom also connects themes across the States. Last year, it provided \$180,000 in grant funding for network sites, including the Beecher family home, which is a State-owned asset in Cincinnati, and the John Brown House, which is a locally owned asset in Akron. The UGRR expects to award over \$100,000 in funding for the most recent grant round, and it just extended its grant application to Juneteenth, or June 19, 2022.

NPS will continue to work within DOI's Great Lakes Region, and its bureaus are park partners in the State of Ohio in developing a good forum for discussing further ways that we can collaborate on these important projects and to tell a much more coherent and strong story about America's expansion in the Northwest Territory.

Ms. KAPTUR. Thank you.

Ms. PINGREE. Ms. Kaptur—go ahead. I am just saying I think you are out of time, but it sounds like your Ohio is in very good hands with our National Park Service Director.

Ms. KAPTUR. It sure does. Finally, somebody who knows where we are.

Ms. PINGREE. Okay. Representative Kilmer.

Mr. KILMER. Thank you, Madam Chair.

And thank you for being with us today. I want to congratulate you on your appointment and just recognize the significance of it. It is also great to have a park Director from the Northwest. So congratulations to you.

Rather than treading territory that has already been tread, I just want to associate myself with Ranking Member Joyce's questions about deferred maintenance and some of the concerns there. But I want to ask about two topics with the time I have.

One, as you know, during World War II, thousands of Japanese Americans across our country were forced from their homes after Franklin Roosevelt signed an executive order authorizing the exclusion of Japanese Americans from military areas. This was a really dark chapter in our history, especially relevant to the Pacific Northwest and the folks I represent.

On Bainbridge Island in my district, 227 Japanese Americans were forced to leave, forced to board a ferry at Eagledale to begin the journey that would put them in internment camps for the duration of the world. There is a memorial there, managed in part by the National Park Service, that is located at that former ferry dock.

And it is a site that remembers and honors those that were forced from their homes, and the memorial reminds us to learn from the past. It is extraordinary. I invite you there. And it is powerful, and it reminds us of a time when Japanese Americans were denied their civil liberties and their constitutional rights.

My question for you is how does the National Park Service intend to strengthen its work of preserving and interpreting sites where Japanese Americans were incarcerated during World War II, and how can the committee support that important work?

Mr. SAMS. Well, thank you very much, Congressman.

The President signed Amache into our system now, and we will be working very closely to be able to also tell that story. But it is important we tell all the stories of those parks that we have and those facilities that are under our jurisdiction. And for fiscal year 2023 budgets, we propose there is \$198,000 for interpretation services at the Japanese American exclusion memorial for Bainbridge Island because we want to make sure we tell that story very clearly.

It is important that we do tell this particular story so that we don't repeat our past, and understanding the pain we caused our fellow Americans in that and also be able to tell and celebrate the accomplishments that they made when they did serve during the Second World War, whether that was during the Italian campaign in European theater, or those who were interpreters for us in the Pacific.

And so we have taken a very strong approach to this. As you know, the Biden administration came out with a strong proclamation, and we continue to bring in those stories. And we are very fortunate to have some that are still alive who, sadly, had to live that, live in those camps. But they are able to tell their stories firsthand still.

Mr. KILMER. I had an opportunity to meet with some of those families and, again, would love to—they have got amazing plans for what they would like to do in terms of interpretation and visitor experience. And I am sure if you ever are so inclined to come out and visit Olympic National Park and visit the Bainbridge Island Japanese American Exclusion Memorial, they would love to share their plans.

Let me, with the time I have left, I wanted to ask there is a lot of coastal tribes, including many in my district, that are facing urgent threats from climate change—tsunami risk, persistent flooding, coastal erosion. All of these are, unfortunately, existential threats.

The Hoh Tribe, for example, lives in a remote and difficult to access area near the Pacific coast, surrounded by the Olympic National Park. The majority of the tribe's developed land, including many homes, is located in a tsunami inundation zone, and unfortunately, there is only one road in and out of the reservation. It is frequently impassable during storms.

In the event of a tsunami, the only option for evacuation is an uphill walking path that is inaccessible to tribal elders and others with mobility issues, and it is difficult to maintain, given wilderness restrictions on heavy equipment. The tribe has an urgent need for an evacuation route that would allow passage of a small vehicle to transport elders and others, while continuing to protect the ecological value of that land.

While conversations have started at a local level to establish a vehicular evacuation route, how can the National Park Service engage with the Hoh Tribe and, frankly, other at-risk tribes to develop emergency plans in the face of potential natural disaster?

Mr. SAMS. Yes, so many of the coastal tribes will face these issues as we see climate change and sea level rising. That being said, I am aware that the Hoh Tribe has proposed to construct a 2-mile long trail that would accommodate some offroad vehicles that would come to the park. The park continues to assess the proposal, and we are gathering more information. And we have discussed informally with the tribe what that may look like in preparation for such more formal consultation.

The administration, while it hasn't taken an official position, is going to rely on that information that we bring back in from the tribes and so that we can assess that better and come up with a plan. I look forward to working with you and your staff as we come to a much more conclusion because I know that you are very keenly aware that the Hoh Tribe wants to move this as quickly as possible and most likely will deal with some form of legislative action that we will need in order to accommodate.

Mr. KILMER. We will look forward to partnering with you.

And thank you, Madam Chair, for a few seconds of indulgence. I yield back.

Ms. PINGREE. Absolutely. I know how important that topic is in your district.

I think we have time for a couple more questions. So I will go back to one of mine.

I am going to use Acadia National Park again as an example, but I know the issue of employee housing is serious all over the country and one that you really have to tackle. In Acadia, we welcomed 4 million visitors last year, which was nearly 3 times our State's population. The competition for homes, lodging, has created a great strain on housing in the area, which makes it difficult to attract and retain staff.

The budget requests \$2 million to support seasonal housing for National Park Service employees around our national parks. Can

you tell me how you envision addressing housing concerns, and how will you use that requested funding to improve housing shortages like we have in Maine? And as just an aside, \$2 million doesn't sound like a lot to deal with the crisis that we have out there.

Mr. SAMS. Affordable housing is becoming increasingly difficult, and that is being made very clear to me by the staff as I travel around the country. And it is difficult for them to find in gateway communities and especially for our seasonal employees.

Median home purchase prices continue to rise throughout the United States in many of our gateway communities, and short-term vacation rental markets are thriving and, therefore, taking away from our seasonal staff who usually would be able to find housing in our gateway communities.

The fiscal year 2023 budget proposes an increase of \$4.9 million for new construction or rehabilitation of existing employee housing, where local market data show limited availability of affordable housing for purchase or rent. In fiscal year 2023, these funds would largely support construction of new units at the Grand Teton National Park.

Between Grand Teton, Yellowstone, and Yosemite, we are really looking at best management practices, sustainable housing, and housing that will meet the needs of staff at multiple levels, whether those be seasonal or permanent staff, for growing families. We are going to try to bring—we most recently held a housing summit among the staff to bring forward the best ideas to determine what authorities we do have or what authorities we may be needing in the future.

I look forward to reporting out more on that and trying to get a better understanding of what the total cost may be in the end. But this initial funding will help us greatly to be able to tackle these immediate issues, along with being able—an additional—the \$2 million to help us be able to get leases for our seasonal staff so that they will have somewhere to live during this season or in the next season.

Ms. PINGREE. Well, thank you for making this a priority, and we will look forward to following up with you, as you have gotten a better sense with how you are going to move forward on some of those challenges.

The ranking member, do you have questions?

Mr. JOYCE. No, I will submit my questions in writing so the Director has the opportunity to address them and defer to our other fellow members so they can ask questions accordingly.

Thank you.

Ms. PINGREE. All right. So we are now in a second round of questions, and I am not exactly sure who wants to ask, but I will start. Chair McCollum, do you have any questions you would like to ask?

[No response.]

Ms. PINGREE. Chair Kaptur, would you like to ask a second question?

Ms. KAPTUR. Thank you very much, Madam Chair.

I wanted to go back to the Director and ask if one wanted to work with the Department of the Interior as a result of the infrastructure bill, as well as your current responsibilities, because we

face the lakefront up in northern Ohio, what would be the framework we could use to bring together stakeholders—the metro parks, the State parks, the wildlife refuges, the National Park Service—to look at a lakefront interpretation?

I am not going to exclude the State of Michigan, but if you want to, that is okay with me. But I am trying to get a bigger picture of how we work together with common interpretation. It was interesting what you revealed about the immigration story of our region. Frankly, I think the most magnificent place in America, to even describe it, isn't part of the Park Service, but it is part of Cleveland's heritage with the Cultural Gardens.

It is just magnificent, along Martin Luther King Drive in Cleveland. There is no—even the United Nations doesn't have it. Nobody in the world knows about it except the people that live in Cleveland. I keep telling them you have got a world asset here. Showcase it a little bit more.

What experience could you offer? We have Native American interpretation that is a part of the settlement of the Northwest Territory. There is immigration. There is battles. I mean, how do we put the pieces of the historical puzzle together? What examples do you have around the country?

Mr. SAMS. Well, thank you for the question.

I think, as we have done summits in the past, if we concentrated on a summit to bring all of those multiple stakeholders and partners together to have a more robust discussion along shoreline issues and the history of that, I think is extremely important.

While I was out in your territory, both in Ohio and in Detroit, Michigan, we talked about along the Detroit River itself and then, of course, the lakefront. What are all of those stories that we still need to tell that have not been heard? Whether that was from folks coming on the Underground Railroad to first contact between Native people and non-Native people, French traders who have used those systems between Canada and the United States and what that meant for the building of commerce for the United States.

I think those are all important stories that we need to be able to tell in a much more comprehensive manner. And similar to our previous discussion, I think we could be part of a convening group to bring a summit together to have that discussion.

I would need to talk to the regional director about this a little bit more in depth, along with my operational staff, to see how we could do that. But I would welcome that opportunity, along with our sister bureaus, who have interest in the area and, of course, the States and local communities and counties in figuring out how best to hold a summit that would have this longer discussion.

Ms. KAPTUR. I would really welcome your thoughts on that, and I have a hunch Congressman Joyce might be equally interested.

We have Native American interpretation. I learned that—I represent a place called Catawba Island, and I didn't know until I went and looked at a chart at the Native American Museum in Washington that it was a disappeared tribe. And I traced the history of why that name ended up there, even though the tribe was in North Carolina. I still don't understand it all.

But you look at our names—Erie, Ottawa, Cuyahoga, Maumee—these are all Native American names through our area. There is nothing said about that.

So we have a lot of historical gaps here, and I think we need to fill them. So I am just pleased with your openness, and I will talk to Congressman Joyce. Maybe we can work together somehow here, figure out how to do that.

I think it would be exciting, and I think we are going to miss an opportunity if we don't do this right with the infrastructure bill. Because we got communities along the coast trying to interconnect, you know, and trying to get the Cuyahoga route, Cuyahoga Valley Recreation Area, to go up to the lake and interconnect that way.

So there are a lot of things happening, but nobody is working all together. So your leadership could really be—with the Fish and Wildlife Service, by the way, together. It would really be important from, I think, a standpoint for our region. We could use your help.

Mr. SAMS. Well, thank you.

I also would invite the Department of Transportation, both the Federal department and the States' Departments of Transportation. The highway systems are the trails that were originally used for commerce by tribes for thousands of years, and so they have funding and opportunities to be able to do additional interpretation along those roadways.

Ms. KAPTUR. All right. Well, thank you so very much.

Thank you, Madam Chair and members.

Ms. PINGREE. Absolutely. Representative Simpson, do you have a second question you would like to ask?

Mr. SIMPSON. Thank you, Chairwoman.

Not really a question, just a statement. Following up on what the chairwoman's question was about housing in our national parks and stuff, the money you have requested is probably not going to go very far. The way housing prices are going and the fact that construction prices are following that, I am afraid we are not going to get much done for that request.

What I would like to see, and I am sure you guys have got it somewhere, is like a 5- or a 10-year plan of what the needs are to address this so that we could address this backlog of housing for our employees in our national park so that we would know as a committee, what do we need to commit year after year after year to meet that goal to get it done?

And so if somehow you could put that together for us so that we would have some view into the future of what this is going to be—because this is going to be a challenge for a long, long time until we address that need. So that is just my suggestion.

But I appreciate you being here today, and I look forward and this committee looks forward to working with you to try to improve the national parks that we all love.

Thank you.

Mr. SAMS. Thank you.

Ms. PINGREE. I don't think any other members have questions. Let me just double check here. No.

So I just want to thank you very much for the time you have spent with us today. Mostly, we want to take this time to just thank you for taking on this job. There are a lot of challenges, as

we know, in the National Park System, but also it is a very exciting time with opportunities for everything from the Great American Outdoors Act to the real upsurge in interest of people who want to be in their national parks and participate. And I can tell that you are going to handle these challenges well, and we are all here to support you.

So thank you for taking the time today, and we will look forward to catching up with you soon in the future.

Mr. SAMS. Thank you, Madam Chair. Thank you, members of the committee. It has been a pleasure.

Ms. PINGREE. Great. This hearing is now adjourned.
[Answers to submitted questions follow:]

U.S. House of Representatives
Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
FY 2023 Budget Request for the National Park Service Hearing
May 18, 2022

Questions from Ranking Member Joyce

LWCF Land Acquisition Appraisals

Now that the Land and Water Conservation Fund is fully funded, spending the annual appropriation efficiently and on quality projects will be key to the program's continued success. In that context, I want to raise a concern about the appraisal process, and particularly about appraisal delays that may be posing a threat to the success of the LWCF projects we fund in our bill.¹

I understand that the Department's appraisal office is not under National Park Service control, but I am hearing from Park Service partners on battlefield and other projects. Specifically, I am hearing that an appraisal process that used to take a few months, as it does in the private market, now takes a year, or two, or even longer.

Granted, no one wants the appraisal office to cut corners or otherwise detract from the integrity of that process. We need good appraisals both to protect public funds and to honor the rights of landowners to just, fair compensation when they choose to sell. But with these kinds of delays, landowners, and others — including partners who bring nonfederal dollars that leverage and stretch the Park Service's conservation reach — could give up and walk away.

Joyce Q1: Is the Park Service aware of the problem, and, if so, what steps are being taken to fix it? For example, does it make sense to move appraisal functions back under the Park Service?

Answer: The NPS is aware of this issue. The Department is currently undertaking a comprehensive review of its appraisal function, and the NPS is working hand-in-hand with Department officials to identify options to streamline the delivery of appraisal services.

Deferred Maintenance

For the first time in several years, the National Park Service released deferred maintenance estimates. The updated estimates total \$21.8 billion — nearly double the Park Service's 2019 estimate.

Joyce Q2: I recognize that construction costs have gone up, but please explain the spike in estimates and how the assessment process has changed.

Answer: The increase in the estimate of deferred maintenance and repairs (DM&R) is due to a number of things, including preventative and recurring maintenance needs that exceed available funding, an increased effort to identify condition of facilities and repair needs, and a standardization of project execution costs included in DM&R estimates.

Since FY 2019, the NPS has worked to identify and document repair needs that were not previously captured in estimates. Additionally, the NPS added project execution costs for planning, design, and construction management to DM&R estimates to better represent costs of completing projects and align with a standardization effort for the Department of the Interior.

In FY 2022, the NPS incorporated a multi-year effort to review and revise asset management processes into the DM&R estimates. These changes streamline the condition assessment process, and provide a more comprehensive, consistent, and timely identification of condition deficiencies and estimate of repair needs. The \$21.8 billion represents the new baseline against which the NPS will track progress. The NPS will report DM&R annually.

Joyce Q3: What types of deferred maintenance were not previously accounted for and how can we be sure that the Great American Outdoors Act funding is making progress to tackle the backlog?

Answer: The new condition assessment and DM&R estimation method does not capture any new types of deferred maintenance and repairs; however, the new method does more completely and efficiently capture the condition of facilities across the NPS portfolio, and captures the planning, compliance, and design costs of repair work.

The NPS is using the Great American Outdoors Act - Legacy Restoration Fund to complete priority deferred maintenance projects, which often also include code-compliance and accessibility improvements required as a part of major reconstruction or renovation. This funding allows the NPS to tackle large scale, critical projects that are often at a greater cost than the bureau could fund with regular appropriations.

Joyce Q4: Is the annual maintenance funding request for fiscal year 2023 enough to prevent adding to the deferred maintenance backlog, and, if not, how much is really needed for annual maintenance?

Answer: The FY 2023 budget requests substantial resources to support facilities maintenance. The FY 2023 proposal will help the bureau address deterioration on some of its most critical and important assets and infrastructure.

Visitation and Impacts on Local Communities

As park visitation rebounds following the pandemic, I am hearing concerns from local communities about the impact that increased visitation has on local roads, assets, and infrastructure. I am supportive of expanding access to our parks, but it cannot come at the cost of local municipalities.

Joyce Q5: Beyond the Payments in Lieu of Taxes program and some Department of Transportation competitive funding, what annual support does the Park Service provide to communities, like those in my district surrounding Cuyahoga Valley National Park, that are responsible for maintaining the public roads for the millions of annual visitors?

Answer: Absent unit-specific authorities the NPS does not provide its regular appropriations to support assets it does not own. States and local governments have direct access to other funds authorized in Title 23 of the U.S. Code from the U.S. Department of Transportation, which were established by Congress to support those activities and assets. The NPS continues to partner with local communities to support their pursuit of these funds, including programs such as the Federal Lands Access Program (23 U.S.C. 204), which is designed to support improvement of transportation facilities connecting to federal lands that are owned or maintained by non-federal entities. This program is apportioned among the States by the U.S. Department of Transportation using a statutory formula based on road mileage, number of bridges, land area, and visitation. Projects are selected by a Programming Decision Committee (PDC) established in each State. The PDCs request project applications through a call for projects. The frequency of the calls is established by the PDCs.

Joyce Q6: What access issues is the Park Service facing at other parks across the country as park visitation increases? How is the Park Service working with local communities to address these issues?

Answer: In welcoming record numbers of visitors, parks have increased efforts to prepare for and safely accommodate higher activity. This includes examples such as implementing timed entry for certain roads and designations, expanding the use of Recreation.gov to provide visitors with better planning tools, and furthering collaborative efforts with nearby state and local emergency managers to better coordinate resources and capabilities.

In FY 2021, the NPS successfully launched a national mobile app that serves visitors at all 423 park units with basic trip planning functionality. The FY 2023 NPS budget proposes to increase funding for the mobile app to support ongoing development and implementation of citizen facing app features, such as the ability to customize trip itineraries, plan hiking routes, make reservations, register for notifications and alerts, store virtual copies of permits and passes, and access mapping services.

The FY 2023 NPS budget also includes \$5.0 million to assess and address transportation barriers to parks from undeserved communities. This initiative will increase access by deploying existing tools to identify the barriers which inhibit underserved communities from accessing NPS park units. The NPS would expand partnerships with the Federal Highway Administration,

municipalities and other organizations to devise solutions to bring these populations to Federal lands.

Great Lakes Restoration Initiative (GLRI) Funding

I have never been shy about my support for the Great Lakes Restoration Initiative given the critical collaborative restoration work that GLRI funds support in the Great Lakes Region to protect the Lakes for future generations.

I understand that through the GLRI, Cuyahoga Valley National Park has partnered with the U.S. Army Corps of Engineers to restore wildlife habitat and improve water quality in the Cuyahoga River within park boundaries. These efforts will help to remove the lower Cuyahoga River from the Environmental Protection Agency's list of Areas of Concern.

Joyce Q7: Does the Park Service expect this work to continue in fiscal year 2023?

Answer: Yes, the NPS has multiple Cuyahoga River restoration projects that will continue into FY23. The Ohio Environmental Protection Agency and partners compiled the Cuyahoga Management Action List, which included 19 potential projects necessary to remove the Cuyahoga River from the list of Areas of Concern. The US Army Corps of Engineers was allocated \$15.3 million from the Great Lakes Restoration Initiative to work with the NPS on two of the identified river restoration projects: East of Boston Mills Ski Area/Boston Mills North and further north in the Station Road area. These projects include support for planning, design, and on the ground project construction that will reduce erosion and sediment load, improve flood attenuation capacity, and result in improved water quality.

Joyce Q8: Does the Park Service believe, given the increased GLRI funding provided in the fiscal year 2022 Interior Appropriations bill and the Infrastructure Investment and Jobs Act, there will be other opportunities for the Park Service to partner with federal agencies and groups in the Great Lakes region on restoration projects?

Answer: The NPS, as well as all the land and resource management stakeholders in the Great Lakes Basin ecosystem, will benefit from the Great Lakes Restoration Initiative (GLRI) and Infrastructure Investment and Jobs Act funds.

The additional funds from the FY 2022 Department of the Interior, Environment, and Related Agencies Appropriations Act for GLRI, and support from the Infrastructure Investment and Jobs Act provide greater opportunities and venues for larger scale collaboration and implementation of restoration projects led or participated in by the NPS.

Under the GLRI Action Plan III (2020-2024), there are five 'Focus Areas' for funding submissions. 1) Toxic Substances and Areas of Concern; 2) Invasive Species; 3) Nonpoint Source Pollution on Nearshore Health; 4) Habitat and Species; and 5) Foundations for Future Restoration Actions. The NPS is one of sixteen benefitting federal agencies collaborating to develop, evaluate, and recommend project funding needs to EPA. The increase to the GLRI allocation allows projects that may not have been initially funded and/or projects requiring additional funds to receive funding support. The NPS GLRI planned allocation for Great Lakes parks in FY 2022 is \$6.6 million with an additional \$201,000 directed to USGS for work in national parks via an interagency agreement.

Great American Outdoors Act (GAOA)

I was very proud that Congress was able to pass the Great American Outdoors Act in 2020, in large part due to the hard work of Congressman Mike Simpson. The Great American Outdoors Act has allowed us to improve infrastructure on public lands and expand recreational opportunities.

I have seen firsthand the positive impact the Great American Outdoors Act has had on my region, where funding has enabled Cuyahoga Valley National Park to take on long-anticipated projects that support its mission to provide vital green space and recreational opportunities for public enjoyment.

Joyce Q9: What impact has the passage of the Great American Outdoors Act had on the Park Service's deferred maintenance?

Answer: The FY 2023 proposal combined with the Great American Outdoors Act funding will help the bureau address deterioration on some of its most critical and important assets and infrastructure. Great American Outdoors Act funding, in particular, has allowed the NPS to start bringing some of its largest, most expensive, or most deteriorated critical assets back to acceptable condition. Once work is completed, the NPS expects that regular maintenance cycles will be sufficient to prevent deterioration and keep these assets in acceptable condition for many years to come.

Joyce Q10: Are there any GAOA implementation issues we should be aware of? How is the Park Service ensuring that the distribution of funds is equitable to parks across the country?

Answer: The biggest challenge facing smooth implementation of the National Parks and Public Land Legacy Restoration Fund has been volatility in the construction market. Several projects have been impacted by substantial and unpredictable increases in construction and materials costs. To keep these projects on track, the NPS has made use of the flexibility the Committee provided in FY 2022 and increased contingency reserve funding to address unforeseen changes, and provide re-casted project lists as needed. The NPS greatly appreciates Congress' understanding of how critical these contingency funds and other flexibilities are for successful implementation of these projects.

Deferred maintenance needs are not spread evenly across the park units, and the NPS initially considered large-scale projects for LRF funding that would be ready to obligate in the budget year. To address small to medium sized parks that may not have large-scale projects, the NPS identified LRF Maintenance Action Team (MAT) funding to address smaller-scale maintenance projects, effectively increasing distribution of LRF funds across the country. Simultaneously, the NPS is relying on its discretionary fund sources to address smaller-scale projects.

Expanding Access to Underserved Communities

Joyce Q11: As the Park Service looks to expand outreach to underserved communities across the country, what metrics does the Park Service use – especially in parks without entry gates – to track how the Service is reaching these communities and whether the strategy is working?

Answer: The NPS Social Science Program conducts and promotes state-of-the-art social science related to the mission of the NPS, delivering usable knowledge to park managers and the public. Over the past 2 decades the NPS has conducted three Comprehensive Surveys of the American Public to obtain information on visits to the National Park System, public attitudes and behaviors related to programs and services provided by the NPS, demographic characteristics of recent visitors and non-visitors and barriers to visitation. The most common barriers to national park visitation indicated by non-visitors have related to travel distance, transportation, and expenses associated with travel and entrance to national parks. These barriers have been disproportionately indicated by Hispanic non-visitors and African American non-visitors as compared to white non-visitors. Other barriers frequently attested to by underserved populations in these surveys relate to a lack of interest or a lack of knowledge regarding national parks.

Additionally, the NPS is currently transitioning to an updated socioeconomic monitoring model with one of the most important goals of the change being to better understand the scope of the problem related to park access and underserved communities. Central to the project is the implementation of the newly designed socioeconomic monitoring visitor survey at a sample of 24 park units annually. The park units of the annual sample are changed each year and drawn from larger organizing categories like visitation level, park type or location so that annually both park specific data and a representative servicewide report is created. The annual findings will provide up to date insight for strategic resource use, improved visitor experience, non-visitor engagement, and improved equity of access to parks. This is a marked improvement over the legacy customer satisfaction survey model.

Specifically, the new model will eliminate a situation that park managers often find themselves in, desiring to expand access to underserved communities with little information on who the underserved communities are or what they do, think, and know about their national park unit. And even when this information exists, it is often woefully out of date or in forms not useful or accessible to parks. This program establishes a unified, exhaustive, and routine process and dataset to systematically fill those knowledge gaps so that any future outreach effort is targeted based on the data and can be assessed for effectiveness versus a consistent metric. The NPS' FY 2023 President's Budget includes \$3.5 million to fully fund the new socioeconomic monitoring program, building on a pilot program conducted from 2014 to 2017.

The NPS FY 2023 President's Budget also includes \$5.0 million to implement the Park Accessibility for Visitors and Employees (PAVE) Network which will provide support to parks to improve accessibility. Members of this network will come from different parts of the Service and the disability community and will inform and direct national level coordination, policy, guidance, and oversight. This PAVE network will provide technical assistance and training from both internal resources as well as directly from disability organizations for parks to develop their own capacity around all types of accessibility for visitors and employees.

The FY 2023 President's Budget for NPS also includes \$5.0 million to assess and address transportation barriers to parks from undeserved communities. This initiative will increase access by deploying existing tools to identify the barriers that inhibit underserved communities from accessing NPS park units. The NPS would expand partnerships with the Federal Highway Administration, municipalities, and other organizations to devise solutions to bring these populations to Federal lands.

Questions from Representative Kilmer**Lower Elwha Klallam Tribe Project Lands**

As you know, the purpose of the 1992 Elwha River Ecosystem and Fisheries Restoration Act was to remove two dams, restore the Elwha River ecosystem and fisheries, and recover salmon populations. One unavoidable consequence of dam removal was the dedication of tribal land within the Lower Elwha Reservation to habitat preservation and the resulting restriction on a portion of the Tribe's small land base.

The dams were successfully removed in 2011 and 2014, and river restoration is ongoing, all through partnership with the Lower Elwha Klallam Tribe. I am currently working with the Tribe to take former Reservoir lands that have been temporarily held by the Park Service into trust for the benefit of the Tribe, as contemplated under the 1992 Elwha Act. The National Park Service has been highly supportive of this work, and I appreciate your continued partnership on this issue.

Kilmer Q1: Could you clarify NPS's authorities under the Elwha Act to transfer this land and if legislation is necessary? Could you also comment on how additional funding for NPS can facilitate collaboration and co-management of public lands with Tribes?

Answer: The NPS is still addressing the suitability of the lands for the purposes mentioned in the Elwha Act Section 3(c)(3). The Elwha Act does not explicitly give the NPS authority to transfer the properties, and the NPS is not aware of other existing statutes that grant authority to fully transfer all the lands in question. Should the NPS and the Department determine that a transfer is the most appropriate course of action, legislation that specifically authorizes the transfer would be appropriate.

The NPS stands ready to work with our Tribal partners. This is evident in our FY 2023 Budget Request, where we've sought \$5.7 million in additional funding for Tribal liaison positions across all levels of the agency.

Increasing Climate Resiliency of Our Parks

Given the increasing challenges, climate change is presenting for our parks and the continued importance of strengthening our parks' climate resilience. I believe it is more important than ever that the National Park Service continues to incorporate sustainability into Parks operations.

Kilmer Q2: With that in mind, how will NPS be coordinating across offices such as Sustainable Operations and Climate Change, Facilities Management, Office of Planning, Facilities, and Lands? What directives and guidance are being given to park staff including facilities managers, superintendents, concessions contracting, procurement, etc. to ensure climate change and sustainability are centered in the decision process? What mechanisms are in place for Great American Outdoors Act funding oversight?

Answer: Completed in 2021, Planning for a Changing Climate guides park planners and decision makers in addressing climate change within the broad variety of types of plans conducted in the NPS. The NPS considers current climate projections, climate change vulnerability assessments, and, where warranted, multiple climate scenarios in park strategic and project plans.

The NPS uses interdisciplinary teams to integrate climate adaptation and resiliency strategies throughout the lifecycle of a project, from planning and investment, through its final disposition. The NPS designs and builds with sustainable practices and materials, incorporating climate change science and technology, adaptation, mitigation, and resiliency strategies into park planning, investment decisions, and construction. The NPS integrates resilient design requirements through building codes, standards, executive orders, laws, and policies related to resiliency and climate change adaptation. Parks evaluate the use of materials with recycled content, water efficient plumbing fixtures, HVAC equipment, native plant species, locations of equipment above flood levels, commissioning strategies, durable building materials, building moisture protection, and climate design conditions to make built areas and infrastructure more sustainable and adapted to climate-related impacts. Projects are designed to comply with the International Urban Wildland Fire Interface Code as well as NPS Reference Manual 18, Wildland Fire Management, and utilize fire resistant construction and incorporation of defensible spaces as appropriate. Site designs incorporate flood plain considerations, revegetation and erosion control measures, onsite storm water management, and the use of native and low maintenance plant species. Projects meet federal sustainability requirements, and all new buildings larger than 5,000 square feet are designed and constructed to meet US Green Building Council Leadership in Energy and Environmental Design standards.

WEDNESDAY, JUNE 8, 2022.

**FISCAL YEAR 2023 BUDGET REQUEST FOR THE ARTS
AND HUMANITIES**

WITNESSES

SHELLY C. LOWE, CHAIR, NATIONAL ENDOWMENT FOR THE HUMANITIES
MARIA ROSARIO JACKSON, CHAIR, NATIONAL ENDOWMENT FOR THE ARTS
LONNIE G. BUNCH, III, SECRETARY, SMITHSONIAN INSTITUTION
KAYWIN FELDMAN, DIRECTOR, NATIONAL GALLERY OF ART

Ms. PINGREE. Good morning. This hearing will now come to order.

I am so pleased to welcome our first panel of witnesses today, Shelly C. Lowe and Dr. Maria Rosario Jackson, chairs of the National Endowment for the Humanities and the Arts. Both witnesses are appearing for the first time before our subcommittee. Congratulations to both of you on your confirmation, and thank you. Today's hearing provides us with a chance to hear more about the great work both Endowments have done over the last couple of years in supporting our communities across the country economically, culturally, and educationally.

The National Endowments for the Arts and Humanities are a perfect example of how the Federal Government can be a positive force in communities large and small in every single State. In your statement following your confirmation, Dr. Jackson, you said, "In addition to serving an economic engine, arts and creativity are core to what it takes to heal our Nation, our communities, and ourselves," and I wholeheartedly agree.

The fiscal year 2023 budget request for the National Endowment for the Humanities is \$200.68 million, \$20.68 million over the fiscal year 2022 enacted level. The request for the National Endowment for the Arts is \$203.55 million, \$23.55 million over the fiscal year 2022 enacted level. These requests build on the vital increases in funding this committee has provided to the Endowments in fiscal year 2022. The enacted bill provided \$180 million to each Endowment, an increase of \$12.5 million apiece above fiscal year 2021. In addition, Congress has provided funding to both Endowments through the CARES Act and the American Rescue Plan. These additional investments total \$210 million for each Endowment. This supplemental funding saved jobs, saved cultural institutions across the country, and provided an essential lifeline to industries hit very hard by the pandemic.

Following the passage of the 2022 bill, Chair Lowe, you released a statement highlighting how that funding would help NEH to support cultural and educational institutions which were still in the midst of recovering from the pandemic, a recovery which still con-

tinues to this day for much of the sector. Furthermore, as you pointed out, that funding was designed to expand essential access to humanities resources to all Americans in this critical time. Looking forward, there is still more work to be done. Every dollar provided to the Endowments has an economic footprint many times larger on the community it is invested in. And as we will discuss today, continuing strong funding for the Endowments' work provides benefits to far-ranging fields from rural design and development to civic education.

I am looking forward to both of your testimonies, and I would like to now yield to our ranking member, Mr. Joyce, for his opening remarks.

Mr. JOYCE. Thank you for yielding, Madam Chair, and for holding today's hearing to discuss Arts and Humanities funding for fiscal year 2023. I would like to join you in welcoming our first panel of witnesses, Shelly Lowe, chair of the National Endowment for the Humanities, and Dr. Maria Rosario Jackson, chairman of the National Endowment for the Arts. Congratulations on your recent confirmations. Your stewardship of the Nation's arts and humanities is important and impacts students and communities across the country, so we appreciate you taking the time this morning to join us.

I look forward to learning more about the NEH and NEA's goals for the upcoming year and how the fiscal year 2023 request will enable your Agencies to support cultural Institutions, art organizations, and universities, and to provide easier access for all Americans to arts, cultural, and educational resources. Chair Pingree has always been a strong advocate for the arts, and I look forward to working with her and our subcommittee colleagues to continue providing NEH and NEA with the necessary resources, within reasonable spending limits, to meet their missions in fiscal year 2023.

Thank you, Chair Pingree. I yield back.

Ms. PINGREE. Thank you very much, Mr. Joyce, and I would now like to recognize Chair Lowe then followed by Chair Jackson for their opening remarks. Thank you so much for being with us today.

Ms. LOWE. Good morning. [Speaking native language.] Good morning, everybody. Good morning, Madam Chair, Mr. Ranking Member, and distinguished members of the subcommittee. My name is Shelly Lowe, and I have the honor of serving as the 12th chair of the National Endowment for the Humanities. I am pleased to be here today to speak on behalf of NEH and our budget request for the upcoming fiscal year.

NEH is the only Federal agency dedicated to funding the humanities, to include history, philosophy, literature, language, archaeology, jurisprudence, and comparative religion. We fund numerous types of projects, such as advanced humanities research, leading to book publication, curriculum initiatives, and professional development for educators at all levels, the documentation and preservation of languages on the brink of loss, physical and digital infrastructure for cultural and educational institutions, along with many more endeavors essential to national progress and scholarship in the humanities.

NEH has spent much of the past 2 years working to stabilize and support colleges and universities, museums, libraries, historic sites,

public television and radio stations, independent researchers, and documentary filmmakers struggling to cope with the economic fallout of the COVID-19 pandemic, which we continue to grapple with to date. Thanks to funding from the CARES Act and the American Rescue Plan, NEH has been able to distribute millions in economic recovery funding, helping organizations retain staff, maintain programs, facilities, and operations, and convert physical programs into digital offerings to increase access even from a distance. But there is still much to be done, and the humanities are vital to rebuilding our communities, institutions, and regional economies.

The NEH fiscal year 2023 budget request submitted by the White House is \$200.68 million. This funding will allow NEH to continue to support the fundamental building blocks of American civil society and fund projects that help us examine the human conditions, understand our cultural heritage, foster mutual respect for diverse beliefs and cultures, develop media and information literacy, and promote civics education. And it will allow us to expand some of NEH's impactful initiatives and grant programs in fiscal year 2023. This includes providing additional support to projects in the humanities and for awards to NEH's partners in each of the 56 States and jurisdictions through our Federal/State Partnership Office. These projects reach millions of Americans in rural areas, urban neighbors, and suburban communities. In the last year, projects supported by the State and jurisdictional councils and their sub-recipients reached more than 6.6 million participants. The proposed fiscal year 2023 appropriation will also enable the expansion of NEH's A More Perfect Union initiative, which builds on NEH's 57-year investment in projects that catalog, preserve, explore, and promote American history, and support the utilization of these lessons of history to address today's challenges.

As NEH chair, I am deeply committed to expanding the reach of NEH's grant making and the projects and products we support so that all Americans have opportunities to participate and benefit from humanity-centered research, education, and public programs. To meet this goal, we plan to create an NEH office of data and evaluation to analyze the effectiveness of Agency programs and policies in advancing equity and support for underserved communities; an office of outreach to focus on increasing NEH's engagement with underserved communities and institutions; and a chief diversity officer position to advise the Agency on all matters of diversity, equity, inclusion, and access. Recognizing our changing climate, NEH is also developing new initiatives to study and address the impact of climate events on our cultural resources, museums, and historic sites.

The budget request before you will allow NEH to build upon our current work and move the Agency forward in changing our world. Thank you, and I look forward to your questions.

Ms. PINGREE. Thank you so much. Chair Jackson, we would love to hear from you.

Ms. JACKSON. Thank you. Good morning, Chair Pingree, Ranking Member Joyce, and distinguished members of the subcommittee. I am grateful for your leadership and your support for the arts, and it is an honor to serve as chair of the National Endowment for the

Arts and to discuss with you President Biden's fiscal year 2023 budget request of \$203.55 million for the NEA.

Before doing so, I would like to share a little bit about myself. My commitment to the arts began at home. My father, who retired from the U.S. Postal Service, and my mother, who worked for the Los Angeles Unified School District, looked to the arts to teach my brother and me about the richness of our cultures. They wanted us to be proud and curious about our own stories and the stories of others. Through the arts, they wanted us to become aware of our similarities, our differences, and our shared humanity, and to understand the power of creativity, imagination, and entrepreneurship spirit. Those values have been foundational throughout my career.

The work of the NEA is more important now than ever. The arts, in addition to serving as an economic engine, are essential to improving our children's education and to the well-being and health our Nation. For these reasons, advancing equity and access to the arts for all people is critically important.

The NEA is small but mighty. Every congressional district benefits annually from NEA awards, and due to tremendous need throughout the arts sector, we must do more. This budget increases investments in programs that have a tangible benefit in your communities, allows for greater engagement with organizations regardless of size or zip code, and makes possible additional strategies that promote the health and well-being of people. Whether in rural or urban areas, all Americans should be able to participate in the arts; that is, to experience art works, to be expressive and make art, to teach and learn, to have creative outlets, and, in other words, to lead artful lives essential to our reaching our full potential as a Nation.

The arts serve as an economic engine. In a recent study by the Bureau of Economic Analysis with the NEA, arts and cultural economic activity accounted for 4.2 percent of GDP, or \$876 billion, in 2020. That report also shows that arts workers were especially hard hit. While the arts have great power to fuel our economy, the sector requires significant support. As you know, the NEA received CARES Act funding of \$75 million and American Rescue Plan funding of \$135 million. As part of ARP, the NEA distributed resources to the six regional arts organizations, 56 State and jurisdictional arts agencies, and made awards to 66 local arts agencies for sub-granting in 38 States. The Arts Endowment also approved grants to organizations in all States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia. The President's budget builds upon past investments and recognizes the NEA's critical role in supporting communities. This includes programs focused on small- and first-time applicants and programs that strengthen communities through arts and design.

Turning to education and well-being, NEA's arts education funding helps to close the opportunity gap for students who have the least access to the arts. In health, the NEA research labs are exploring the arts' ability to treat chronic pain, to delay cognitive decline among older adults, and to foster social and the emotional development in early childhood. Health-related work also includes creative forces. NEA's Military Healing Arts Network focuses on

military and veteran populations exposed to trauma. Arts, culture, and design also play essential roles towards more inclusive and equitable communities by building bridges across cultures, fostering mutual respect, helping people enter meaningful careers, and much more.

This budget will build on successful engagement with historically black colleges and universities and tribal communities, and increase outreach to Hispanic-serving Institutions. It will allow the NEA to continue a comprehensive approach to advancing equity for all Americans, including veterans, people with disabilities, and those in rural and urban areas alike.

In closing, I want to again thank you, Chair Pingree, Ranking Member Joyce, and all members of the subcommittee. I look forward to continuing to earn the Arts Endowment's longstanding bipartisan support, and I am happy to take your questions. Thank you.

Ms. PINGREE. Thank you both so much. It is great to have a chance to have both of you in front of our committee, and we apologize that we had to cancel once and bring you back today. And we may have some members coming and going. It is a busy day for everyone on the Hill, especially when you reschedule to a time you hadn't originally planned, but we are just thrilled to have you here. So we will start with some questions, and I am going to jump right in.

Rather than talking about your overall budget, I just want to talk about a couple of the specific programs that you are both doing, and, again, I just really appreciate the work that you did there. And I think it is so important to recognize the role that the NEA and NEH played in helping our cultural institutions through such difficult times as we have experienced during the pandemic. Many of them aren't through with those challenges yet, but, as you mentioned, some of the funding Congress was able to make available I know have been critically important.

So one program I want to talk about through the NEH is the work that Collaborative Citizens Institute on Rural Design has been doing in improving the quality of life and economic revitalization of rural communities across the United States. I come from the most rural State in the Nation, and so we know some of the challenges that communities have had to face in going through extreme change. The Institute has worked with the community of Millinocket, which is in my home State, to empower the community in its economic revitalization. It has been pivoting from a previous focus on the paper industry to looking forward to what their future will be.

So could you talk a little bit about how the work of the Institute promotes economic strength in communities alongside building community cohesion?

Ms. JACKSON. Absolutely. Thank you, Chair Pingree. It is good to see you again. The Citizens Institute on Rural Design, having a planning background myself, is one of the programs that really calls my attention at the Arts Endowment. And the strength of it is the network of citizens and leaders who have the opportunity to delve into design principles, to better understand what is possible in terms of community development in rural areas. So this includes

exchanging best practices across the country, being able to access design resources that wouldn't otherwise be available to them. It is helpful in getting organizations ready to compete effectively for funding in design and the arts, among other fields, because it strengthens the ability to do problems solving and to think imaginatively about what is possible.

So certainly, again, the ability to have citizens and leaders come together, draw from other resources, and also exercise their imagination in understanding what could be possible in their communities is really an important feature.

Ms. PINGREE. Yeah thank you for that, and I do really appreciate your planning background to bring something completely different to this important program. I just want to talk a little bit about the NIH about the Infrastructure and Capacity Building Challenge Grants. The request is for \$1.7 million over enacted, and can you tell us a little bit, Chair Lowe, about how the NEH leverages Federal dollars to catalyze non-Federal investment in humanities projects through the use of those Challenge Grants?

Ms. LOWE. Absolutely. Thank you for that important question. One of the unique aspects of NEH in our grant-funding lines are the ability for projects, institutions, organizations to apply for Challenge Grants or Infrastructure Grants, and these are large grants. These are large projects. And what we do is we require a matching set of funding from outside entities, non-Federal entities. So when an institution applies to these grants and they are awarded through NEH, because we have such a rigorous evaluation process, we often have entities come to us to say, well, that gives us kind of a stamp of approval, you know. We have gone through this very rigorous application process. We have been deemed to have a very good project. This amount of funding will come from NEH. Now we can go out and we can ask for private funding and/or State funding, philanthropic funding, individual funding to help support these amazing projects to come to fruition. So it really does allow us to use our Federal funding to say these are excellent projects that are going on out there and allow those individuals to seek private funding for those projects.

Ms. PINGREE. Yeah, that is so great. I mean, given the small amount of funding that the NEH has overall, it just seems critically important that we help communities to leverage more and seek other sources of funds out there. I will yield back my time and recognize Ranking Member Joyce for his question.

Mr. JOYCE. As always, thank you, Madam Chair. Chair Jackson, welcome. I am always impressed by the work your Agency carries out through Creative Forces: NEA's military healing arts network to help our military and our veteran populations exposed to trauma as well as their family and caregivers. Can you discuss how Creative Forces has expanded over the years and the impact it has had on military families and veterans, and, if you could, how the fiscal year 2023 request continues to support these efforts?

Ms. JACKSON. Thank you for that question, Ranking Member Joyce. The Creative Forces Program is an amazing initiative, as you well know. It has grown over the last 10, 12 years to have 12 sites all over the country. It is a collaboration between the Department of Defense and Veterans Affairs. And the impact that it has

had not only on military personnel who have experienced trauma, but, by extension, their families and communities, has been documented in ways that are credible scientifically. I think it is a remarkable program that has the capacity to inspire other ways of understanding the arts in society in general. It is one of the things that I am very excited about is what we are learning from that work at the intersection of arts and health through the military and its application in those communities for sure and beyond.

One of the ways that the program is expanding is there is a grant program now that is focused on community resources that are available to expand the work beyond the sites that are based in military facilities. So bringing more and more people into the fold as we think about individual healing and community healing, I think, is critically important, and Creative Forces is such a source for the military community, and, I think, also beyond.

Mr. JOYCE. How did the NEA and its partners continue providing therapy and care throughout the pandemic? What lessons were learned that will help this program in the long run?

Ms. JACKSON. Thank you for that question. There was great care to ensure that there would not be disruptions in treatment. And I think innovations were made in terms of delivery of services through technology, through the internet, applications that didn't exist before and are now available to us as options, because we had depended in so many ways to rearrange our lives and the way we work. So there are a host of teleservices, if you will, that are now options for these programs that weren't available before.

Mr. JOYCE. That is great. Thank you very much. Chair Lowe, I understand that you grew up in a small Navajo community in Northeast Arizona where you saw firsthand the impact that the humanities can have on individuals and communities in rural America. In your role as chair, how do you hope to expand NEH's reach to more children and communities across the country and ensure that humanity resources are more evenly distributed throughout the country?

Ms. LOWE. Thank you for that question. This is very close to my heart. As you said, I did grow up in a very small, very rural community, and having been on the National Council for 6 years, I paid a lot of attention to where our NEH funding had been going, but, more particularly, to where our NIH funding had not been going, and not for the fault of the Agency, but more so that applications were not coming in from rural areas and small institutions.

So it is a big goal of mine to ensure that the work that we do is going to be reaching smaller communities and rural communities, and this will be done in a couple of different manners. One, we hope to very much create an office of data and evaluation that will look at where we have been doing our funding, where we haven't been doing our funding, and with that, create an office of outreach. And that office of outreach will help us to get into those communities and share information about the Agency with those communities we have not yet served.

And, in particular, when it comes to serving children and young people, which I think is extremely important when it comes to humanities, particularly civics education, we have done a very large grant with the Department of Education for a civics education pro-

gram, Educating for American Democracy, which created a road-map that schools, communities, institutions can use to create civics education that fit their population. So that will fit rural communities as opposed to urban communities, that they can really make it something that is theirs and really kind of points to the specific important topics that they need to be addressing in their communities. I am also very interested in supporting National History Day and making sure that our State and jurisdictional humanities councils are able to get into those rural communities, that they have access to and really start to encourage National History Day in the high schools and get students to be looking at history projects. The third way that we do a lot of outreach into communities, and we are hoping to make sure to make inroads, is to support our Edsitement, our online curriculum program, and making sure that people have access to that.

Mr. JOYCE. Great. Thank you very much. I yield back with no time I have left. Thank you very much, Madam Chair.

Ms. PINGREE. Always have time for you. Chair McCollum, do you have questions today?

[No response.]

Ms. PINGREE. I think you are muted.

Ms. MCCOLLUM. All right. The clock is going to give me back my 5 seconds I hope. Anyways, thank you so much for rescheduling this meeting with the chair of the national endowments, and, Chair Pingree, thank you very much for all the work that you did to make sure that we had a healthy budget for both panels that are appearing today.

So it has been really important what we have done during the pandemic, especially with the crisis facing our Nation with the role of the arts and the humanities in here. The Rescue Plan, I have to give both of your organizations kudos for your previous leadership in making sure that money was out in a flexible way to support arts and humanities organizations, who, as we know, suffered greatly being the type of nonprofits that they are in local communities. So thank you for that. And I know I have got two libraries in St. Paul that are very excited that serve underrepresented communities and hope that if you are ever out, you know, that you can come visit our libraries. That would be great. And Springboard for the Arts was just such a catalyst, and I know they will appreciate the grant that they received from the NEA because they helped coordinate with nonprofits, the State, in how to make sure that pandemic money went out.

Mr. Joyce was asking about the work that you do with the Department of Defense and Veterans Affairs. I chair the Defense Subcommittee on Appropriations, and we are going to be reaching out to both of you about maybe some of the work that you have looked at or groups you have been approached on suicide prevention. We have done a lot with traumatic brain injury, and healing, and things like that, but also some maybe work we can do together with money, Madam Chair, from the Defense Department. I am going to make the dollars stretch for everyone.

So, Chair Lowe and Chair Jackson, could you just kind of give me a snapshot of where you think you are going to have to go with some of the challenges that you are still facing with some of the

organizations that you work with as we go through the recovery, as we are dealing with inflation, and as we are dealing with, you know, rebuilding institutions? Just some of the things that we should be aware of as a committee here to be supportive of the work you are doing in our communities. I am a former teacher. I am not going to call on who goes first. You women can decide amongst yourselves.

[No response.]

Ms. MCCOLLUM. You got the Minnesota nice thing going on. Okay. Chair Lowe, take it.

Ms. LOWE. Thanks for that wonderful question, and I think that you are absolutely right. We are still trying to identify the needs of our communities, the needs of our humanities institutions, particularly as we start to come out of the pandemic. But we are not yet out of the pandemic as we see inflation and costs rising after all that we have been through the past couple of years. I really want to, first, you know, acknowledge our staff who really got down, and got to work, and got the CARES and ARP funding out, and were very cognizant of the needs of institutions. But we understood and what we have found is that the need is much larger than what we have to be able to support. So we are going to continue to see institutions coming to us with really, really big needs and asks for things that they have to either rebuild, reopen, or reestablish after the pandemic.

We are being very clear to work with our Office of General Management and also in thinking about how do we support BABA—Buy America, Build America/Buy America, Buy America—and make sure that we can support these projects in the best way possible, but also make sure that we are leveraging our funding in the best way possible to support these projects that are coming forward. I think there is going to be a challenge that we are going to have to be really looking at and paying attention to. And at NEH, in particular, our new office of data and evaluation will help us to really assess those challenges and those needs.

Ms. MCCOLLUM. Chair Jackson, anything you would like to add?

Ms. JACKSON. Just, as Chair Lowe said, to give accolades to the staff at the NEA that did a remarkable job in getting that money out to really deserving organizations and helped to keep things going. In addition to that, I think one of the challenges is to harvest the lessons of the last few years and resist the urge to just snap back to business as usual. So I think that is one of the challenges, and I really do hope to advance the work of the NEA as a national partner, not only through our grant making but through our ability to convene, our ability to disseminate information and be a partner with other national entities and local players in building healthy arts ecosystems.

Ms. MCCOLLUM. Thank you. Thank you, Madam Chair. I am going to try to come in and out for the second panel as I do have a conflict with Natural Resources. Thank you. I yield back.

Ms. PINGREE. Yeah, thank you very much. Representative Simpson, do you have some questions today?

Mr. SIMPSON. More comments than questions or anything, but I always like this hearing because the Endowments are one of my favorite organizations, both of them, that do such great work. And,

you know, sadly, it is probably underrecognized by the American people the importance of the work that you do out there. One of my advocacies is to make sure that we get grants and so forth out to rural communities because, you know, I have often said, and I don't mean it 100 percent, but, you know, New York and Los Angeles don't need a lot from the arts. They have got arts there, and they have got benefactors and everything else. But you get into rural America, and I was surprised to learn just a minute ago that Maine is the most rural State. I always thought Idaho was one of the most rural States, but we both grow potatoes, so that is okay.

But I do want to thank you for the work that you did in making sure that these local organizations could survive during this pandemic because it was critical to a lot of them. And I am hopeful that, before long, we can get back to normal where we can actually have a hearing in person and talk to you face to face and stuff. And I can't wait till we restart the Authors Program that the Humanities helps fund in Idaho. And I tell you, they are so well attended and so appreciated by the public as they go around the State and put on these various things, and I have talked to several art museums and local arts council. In fact, I talk with one member of an arts council almost every night, and my wife serves on the Idaho Falls Arts Council, so she gets involved in that. So I have learned a great deal about the importance of the help that you have given these organizations in making sure that they can make it through some very, very difficult times.

You know, I have always found it kind of interesting that our committee, even when I was chair and even before that, we looked at the Arts and Humanities Councils, and we give them the same appropriation. I noticed that you have requested different appropriations this year, one for \$200 million and one for \$203 million. I don't know what is going on there, but ultimately, I suspect that they will be the same in the long run. But how much of the current \$167.5 million in this year's budget goes to local communities and grants to State and local communities in both the arts and humanities?

Ms. LOWE. I can probably answer that. Thank you for that question, Representative Simpson. Forty percent of the NEH budget goes directly to our State and jurisdictional humanities councils. And, you know, I want to say that they have been great partners. They have been extremely excited about some of the propositions that NEH has for the fiscal year 2023 budget. They are very much looking forward to working with our new office of data and evaluation and the office of outreach, and we know that they do amazing work getting our name and our work into the smaller rural community, so we are very excited to continue that work.

Ms. JACKSON. And I would say, similarly, 40 percent goes to State arts agencies, regional arts organizations for sub-granting. We really appreciate the partnerships that we have with those agencies because they are proximate to the places where the investment should go, so they actually have a level of information and knowledge that is more difficult for the distance. So very grateful for their collaboration in this.

Mr. SIMPSON. Is the 40 percent statutory, or is that just what we do?

Ms. LOWE. Forty percent is statutory.

Mr. SIMPSON. Statutory? So if you got the \$200 million or \$203 million that that is being requested by the Arts, you are looking at probably an increase of, I calculate it and I was never a math genius, but about \$13 million more that would go out to grants and so forth for local communities and stuff.

Ms. LOWE. It would increase the amount to sustain jurisdictional humanities councils, yes.

Mr. SIMPSON. Do you think the 40-percent level is the right level between the Federal Government and the State and local communities, or could you increase that percentage that goes out to local agencies?

Ms. LOWE. What we find is that the projects that NEH funds through the funding that does not go to the State and jurisdiction humanities councils go to nationwide projects that then support all populations across all the States. So a lot of our funding for nationwide projects allow individuals in any State to access materials and research freely online, or to develop documentaries that are available to everybody online. So at the moment, we want to ensure that we have enough funding to have those large national projects while still supporting our State and jurisdictional councils.

Mr. SIMPSON. Same with the Arts?

Ms. JACKSON. Yes, it is a similar story.

Mr. SIMPSON. Okay. Well, listen, I appreciate what you do, and I would love to entertain you out in Idaho. I think the last four NEA directors have been out to Idaho, and we have had a great time with them out there. And so anytime you can make it, we would love to have you out there and show you around a great State, and what they are doing in Idaho and what you are doing in Idaho. So I appreciate it. Thanks for being here today.

Ms. PINGREE. Thank you very much, Mr. Simpson. Thank you for your, you know, eloquent support for the arts in rural States. I have no idea who rates the States as most rural, and I won't conjecture that it is because of the quality of their potatoes, but we will just see. I will find out how that rating system gets done, but we all know Idaho is a very rural State, so we both are thinking the same way about this.

So, Representative Lee, do you have questions today?

Mrs. LEE of Nevada. Yes, I do. Thank you, Chair Pingree and Ranking Member Joyce. I also want to thank the chairs for being here. It is great to be able to speak to both of you. I am proud to represent Las Vegas in Southern Nevada, which is the epicenter of our country's creative and cultural economies, renowned for unforgettable experiences and memories that we provide annually to tens of millions of visitors from around the world.

Chair Lowe, I wanted to ask you, acknowledging that much of NEH's funding is delivered not directly to projects but through humanities councils, such as the Nevada Humanities. And in my State, this council has been incredibly effective in getting the humanities funding exactly where it needs to go. So could you talk about how NEH's support for State humanities councils allows these councils, or the Federal funding, to be leveraged several times over at a local level, serving as seed money that enables these councils to be able to use that to raise additional funds to ad-

vance programming and projects beyond those funded directly by NEH?

Ms. LOWE. Sure. Thank you so much for that question. Our funding that goes to State and jurisdictional humanities councils allows the councils to do a number of things. One is to provide their own programming, which they use our funding to do public speaker events, to do major events in certain locations, libraries, museums. But the second thing that the funding allows each council to do is to provide then regranting funds to organizations, usually small, local, rural organizations, and these funds can do one of two things. They can provide planning grants that allow these organizations to really develop some programs and to develop even fundraising ideas and avenues to build these programs. The second thing that it does is it allows programs to then start small, and to then bring in outside funders who see the impact of these programs within the State and within the communities, and then bring in additional funding to support and/or even sometimes endow of the programs that move forward.

Mrs. LEE of Nevada. Thank you. Yeah, I have been the beneficiary of many of those programs and being able to enjoy them in our community, so I appreciate that. Chair Jackson, my State is not alone in facing a mental health crisis, especially as a result of this pandemic. A recent survey released last month found that close to 6 out of 10 Americans have experienced concerns either about their own mental health or that of families and friends, and this is up 9 percent since the spring of 2020. You have said that you are especially excited about the growing body of work that the NEA is doing in advancing the intersection of arts and health, and I wanted to ask you if you could please speak to how you believe the NEA is positioned to improve Americans' mental health in particular, especially through the intersection with the arts.

Ms. JACKSON. Thank you for that question, Representative Lee. There are several things that are happening at the NEA that I think are relevant to your interest. One, of course, is Creative Forces, which was discussed a bit earlier. Another is the Sound Health Network, which is a collaboration of the NEA, the University of California-San Francisco, the National Institute of Health, the Kennedy Center, and Renee Fleming. And it is a national resource center that helps with connecting research, public awareness, and actual services on music, health, and wellness.

This month, they are actually having a gathering of neuroscientists, music therapists, musicians, and health professionals to examine evidence about music and mental health. So that is an example of, I think, powerful players coming together to develop a national resource and hopefully create some other ways of thinking about how to address mental health issues, and how to frame them in ways that we can actually make a difference. That is one of the things that I find most powerful about the arts is the ability to reframe issues and think of different ways of arriving at solutions, and health is a really important area where that is possible.

Mrs. LEE of Nevada. Thank you, Chair Jackson. I couldn't agree more. I think this is an exciting body of research and looking for-

ward to that. And with that, I will yield back. Thank you, Madam Chair.

Ms. PINGREE. Thank you. Representative Kaptur, do you have questions today?

Ms. KAPTUR. Thank you, Madam Chair, and I wanted to welcome Chair Lowe and Dr. Jackson. Thank you so very much. I also begin with a deep thanks for sending such talented people out to our region to have a discussion about how to better relate across Northern Ohio, from Cleveland to Toledo, to your instrumentalities. We can keep doing better at that in our region.

My first question, and I have a couple, relates to Chair Lowe on the potential to do more to collect the stories of Americans who trace their heritage to Eastern and Central Europe. I am wondering, especially given the war in Ukraine and the focus of our country in the world on that, how your Agency might use funding from the budget request to help support the archival, a collection of stories documents and other materials from America's cultural diasporas, who have come from that part of the world to our country, most of the countries of the former Soviet Union. For example, I accidentally discovered a Slovak museum, Czech museum, in Iowa, a Lithuanian museum in Chicago, a Ukrainian museum in Cleveland, and a Polish Piosk museum in Hamtramck, Michigan. And as I sort of dug into it, I found out that our Library of Congress, our major humanities organizations, don't really relate to them in any kind of coherent manner.

And so my first question is, you know, what might we do better in terms of administering collaborative humanities research and maybe a set of exchanges between American scholars who are knowledgeable of these collections, and even extending to some of the scholars that, you know, that may exist in that part of the world, and how we might shape an initiative like that.

And then, Dr. Jackson, I want to ask a question about marketing of the arts. Between Cleveland and Toledo, we probably have 10,000 artists. They are phenomenal. I think artists are left brain people and marketers are right brain people, and I think we have a little trouble getting the arts elevated. And I am wondering any kind of direction you might be able to give to local arts communities on how to do a better job of marketing and also protecting their trademark or their patents. I don't like the idea that regions like mine may be left behind to the larger, wealthier metropolitan areas. And a related concern is, for the 40 percent of your funding distributed to State arts agencies and regional arts organizations, how consciously do we direct the States to make sure to be equitable in the way that those dollars are distributed so that all communities have the opportunity to participate and, you know, to be respected? I have one museum, and the African-American community in Toledo wants to do some work for set of collections there, or a major jazz center and so forth, and, boy, it has been so hard to get the State of Ohio to do anything.

So those are my questions, and I will listen for any insights. And, again, thank you for coming out to our region and introducing yourselves.

Ms. LOWE. Thank you much, Representative Kaptur. You know, I want to start with saying that myself and the staff at NEH, our

hearts and our minds are with the people of Ukraine, and with everything that has been going on. There are a number of ways that NEH can support the preservation of oral history and the culture of Eastern Europe. We can do that through our Division of Preservation and Access programs through grants that institutions, like you named, could come in and apply for. We can do it through the State and jurisdictional humanities councils, who may want to do the same thing, particularly with immigrants who are coming into their communities. We can provide grants to help do oral history projects. We can also do interagency agreements that allow us to really specify and look at a particular project and work with other agencies to make sure that we can move that forward. So there are a number of instances or things that we do.

The last thing we can do, which is a little bit more quick than our regular grant programs, is we have Chairs Grants. And Chairs Grants at the moment can be initiated to really address the issues of Eastern European individuals, particularly those coming into the United States, in trying to capture their stories and experiences.

Ms. KAPTUR. Have you ever worked with the Library of Congress on the veterans history collection there that relates to World War II, the World War II Veterans History collection, and trying to connect why America fought that war, why so many Americans gave their lives? Are you aware of any effort through the Humanity?

Ms. LOWE. We have done many projects with the Library of Congress. I would have to connect with the staff to have to find out specifically on that, and we will get back to you.

Ms. KAPTUR. Thank you. Thank you so much.

Ms. KAPTUR. Dr. Jackson.

Ms. JACKSON. Just to comment on your question about distribution of resources of the 40 percent, thank you for that question, Representative Kaptur. We work closely with the National Assembly of State Arts Agencies. That is the professional organization that supports the 56 State and jurisdictional agencies in our country, and they have a strong research office, which, together with ours, tracks the NEA grantmaking through State and regional partnerships. Mapping that data helps us better understand distributions and disparities. So we are very aware of your concern and eager to continue using that tool to help us understand how to make sure that we are working in an equitable fashion. I am very grateful for the National Assembly of State Arts Agencies and the capacity to be able to do that.

On your question related to artists and marketing—

Ms. KAPTUR. Yes.

Ms. JACKSON. Yeah, I think it is important to look to the local and regional entities that exist as artists support systems, in some ways. Connections to small business associations, to other resources that one may not think of as exclusively for artists could be beneficial. Certainly artists have particular needs as it relates to programming and to the marketing of their contributions. I think in many areas, there are intermediary organizations that could be strengthened to help artists do that kind of business development, whether they are working in the nonprofit realm or meandering between nonprofit and for-profit. The ability to have resources to help them construct their careers is really important.

Ms. KAPTUR. Yes, Doctor. On that marketing issue, if you could send me examples around the country of where some places are doing it well.

Ms. JACKSON. I will get back to you. Yes, I am happy to get back to you with that.

Ms. KAPTUR. Thank you. Thank you, Madam Chair.

Ms. PINGREE. Thank you very much, Chair Kaptur, and at this point, I think we will thank our panel. We had time for one round of questions, and we certainly appreciate that.

And just before I end the panel, I want to ask unanimous consent from the members present at the hearing today to enter into the hearing record testimony from AFL-CIO Department of Professional Employees. This testimony highlights the importance of funding for the Endowments, the economic benefits that funding provides, and the importance of promoting diversity in these industries.

Hearing no objection, the document will be entered into the record.

Ms. PINGREE. So I want to thank both witnesses for appearing before us today. We appreciate your testimony, your answers to our questions. And just thank you very much for the work you are doing, and we are going to continue to look forward to working with you as a committee as we go through our budget process. So thank you so much for being with us today.

Mr. SIMPSON. Chairwoman Pingree.

Ms. PINGREE. Yes.

Mr. SIMPSON. Could I just make a quick statement—

Ms. PINGREE. Of course you can. Absolutely.

Mr. SIMPSON. To Chairwoman Lowe, Jim Leach, who used to be the chairman of the Humanities for years, served in Congress with us, when he started, he went out on a project on trying to ensure civility in this country. If there is ever a time when that initiative needs to be restarted or it needs to be worked on, I would encourage you to do it now because it is now more necessary than ever before.

Ms. LOWE. Thank you, Representative Simpson. I agree, and I think that this is very much a priority for the Agency and for myself as we move forward.

Mr. SIMPSON. Thank you.

Ms. PINGREE. A very good point to make at this moment in time, so thank you for that. And with that, we will allow our panel to depart and get back to their busy days, and look forward to hearing from our second panel, who I am assuming are with us.

Ms. JACKSON. Thank you all.

Ms. PINGREE. Thank you so much.

Ms. LOWE. Thank you. Have a wonderful morning.

Ms. PINGREE. You, too.

Ms. PINGREE. So I would like to welcome our second panel—Secretary Lonnie G. Bunch, III, the 14th secretary of the Smithsonian Institution, and Kaywin Feldman, the director of National Gallery of Art—who are joining us to discuss their fiscal year 2023 budget request and their collaborative projects.

I want to note that this is Secretary Bunch's first time testifying before the committee, so I am eager for the opportunity to learn

more about your vision for the Institution. In 2021, the Smithsonian celebrated a milestone, its 175th anniversary. We hope today's hearing will provide an opportunity for you to discuss how you imagine the treasures, research, data, and scholarship of the Smithsonian will be used to achieve your mission, the increase and diffusion of knowledge in the next 175 years. The 2023 budget request is \$1.75 billion, an increase of \$112 million over the fiscal year 2022-enacted level. We look forward to discussing how this requested increase will support the Smithsonian's digital transformation, educational goals, robust research programs, and make essential investments in both the facilities and the workforce.

The fiscal year 2023 National Gallery of Art budget request is \$209 million, an increase of \$28.7 million over the fiscal year 2022-enacted level. The fiscal year 2023 budget request represents an exciting time of change for the National Gallery as it moves forward with both renovations to the main Gallery buildings as well as the construction of the Pod 6 joint storage facility in cooperation and with the Smithsonian. Furthermore, the Gallery's budget includes strategic investments in additional staff to support its work to advance racial equity from the artists whose work is being displayed to the Gallery staff and audience.

According to the Gallery's budget request, in fiscal year 2019, over 7 million people benefited from the Gallery's online presence, and over 33 million people utilize free educational resources from the Gallery. In addition to the broad engagement these statistics show, the Gallery makes hundreds of art loans available across the country to benefit Americans beyond those that can make the trip to visit the Gallery in person. I look forward to hearing more about your efforts to expand this engagement and work towards your other priorities, Director Feldman.

Secretary Bunch and Director Feldman, I appreciate the work that you and the employees of the Smithsonian and National Gallery do to advance the civic, educational, scientific, and artistic life of this Nation. I look forward to your testimony this afternoon and to hearing more about your plans for your organizations and through the next fiscal year.

I would like to yield to our ranking member, Mr. Joyce, for his opening remarks.

Mr. JOYCE. Thank you again for yielding, Madam Chair, and welcome, Secretary Bunch and Director Feldman. We appreciate you joining us this morning to discuss the budget priorities for the Smithsonian Institution and the National Gallery of Art for fiscal year 2023. I think it is fair to say that you have the most interesting jobs in Washington. You are entrusted with the challenging responsibility of operating and maintaining two of our Nation's most revered and visited institutions. Each year, millions of visitors, both in person and online, access your treasured collections. Through your exhibitions and outreach programs, you have inspired children and scholars across the globe to discover new knowledge, experience art, and explore the world around them.

Today, I look forward to understanding how the fiscal year 2023 budget supports your Agencies' priorities for the coming year, reasonably builds upon the investments Congress provided in fiscal year 2022, and ensures that your facilities are properly maintained

to reduce risks to your collections, visitors, and employees. In particular, I would like to discuss progress on development of your shared off-site storage facility, as well as the multiyear renovation of the Smithsonian's National Air and Space Museum. Over the coming months, I look forward to working with you and my subcommittee colleagues to provide the Smithsonian and National Gallery with the necessary resources to ensure that both of your invaluable collections are protected and maintained for future generations. I look forward to our discussion.

Thank you, Chair Pingree. I yield back.

Ms. PINGREE. Thank you very much, Mr. Joyce. Now I would like to yield to Secretary Bunch and then Director Feldman for their opening remarks.

Mr. BUNCH. Thank you very much. Congresswoman Pingree, Ranking Member Joyce, and members of the subcommittee, thank you for the opportunity to testify before you today about the Smithsonian's fiscal year 2023 budget request. I realize it is a sizable request, but to accomplish what you have asked of us requires a robust budget, especially as we recover from the fiscal challenges of the pandemic. With two new museums on the horizon, big renovation plans, existing maintenance requirements, and the need to expand our reach, relevance, and impact, it is critical we can count on the full support of Congress.

My priorities for the Smithsonian are based on my conviction that our shared future as a Nation depends more than ever on our ability to work together, and that the Smithsonian can play an important role in giving people the tools to confront our greatest challenges. As such, our strategic focus priorities can be viewed through the lens of the impact they will have on our shared future. We clearly want to ensure every home and every classroom can have access to the Smithsonian's digital content. We want to work together to build a more nimble, more effective Smithsonian. We want to be a trusted source that explores and grapples with what it means to be an American, and we want to harness Smithsonian expertise to elevate science in the global discourse. And finally, we want to build and enrich a national culture of learning by engaging with educational systems nationwide.

We have several Institution-wide initiatives that touch on these priorities. Most of those were sped up as a result of the pandemic. To outline just a few, one exploring the American experience will form local partnerships to promote discussion and dialogue with underreached rural audiences, and another already underway is increasing the use of audience-driven data to inform our decision makings. And to be a nimbler Smithsonian, we are developing the policies and toolkits necessary to implement flexible work practices.

Our newest museums—the National Museum of the American Latino and the Smithsonian American Women's History Museum—present an opportunity to put all these into practice. They can model what a modern museum should be: truly digital, impressively nimble, with rich educational platforms that spur conversations and improve communities. These museums, though, are a lifetime-shared commitment between Congress and the Smithsonian, increasing our need for collection space, maintenance, and staffing

in perpetuity. I am confident that your full support will allow them to be the exemplars for decades to come.

We must also face the condition of our existing buildings and collection storage spaces when planning. Deferred maintenance is concerning since it threatens our collections. Our most important facilities management issues are controlling environmental conditions and preventing water from broaching some of our buildings. Your ongoing support will help us strategically apply our maintenance funds and capital projects towards aging infrastructure. With nearly one-half of our current backlog in the Air and Space Museum and in the Smithsonian Castle, our planned revitalizations will address the most pressing concerns. And given the extra space necessitated by the new museums and by the Hirshhorn and American History's revitalization projects, the expansion of both the Suitland and Dulles sites are vital. One near-term capital project is the New Museum Support Center Pod 6 that will be a shared storage space for us and the National Gallery of Art. The President's fiscal year 2023 budget addresses some of these challenges, and your support and guidance gives me confidence in our future success.

Recently, the National Science Foundation announced the creation of an image of a supermassive black hole in the center of the Milky Way. The Smithsonian Astrophysical Observatory played a key role in that image, an example of the cutting-edge collaborative work that we do at the Smithsonian. Whether it is giving students and teachers tools to understand history, whether it is bringing people together to discuss issues that affect their communities, or peering across the stars for a clearer look at our galaxy, our work benefits everyone. With your help, we will be able to continue to increase and diffuse knowledge for another 175 years.

Thank you for holding this hearing, for your ongoing support, and for your commitment to working with us for a better shared future. Thank you.

Ms. PINGREE. Thank you. Director Feldman.

Ms. FELDMAN. Chair Pingree, Ranking Member Joyce, members of the subcommittee, thank you for the opportunity to testify today. It is my great pleasure to talk to you about the National Gallery of Art and our fiscal year 2023 Federal budget request. I would also like to thank you for your support of our fiscal year 2022 budget that provided the necessary funds to keep the National Gallery operational during this challenging time.

Like the Nation we serve, the National Gallery has endured 2 tumultuous years marked by a global pandemic. We became adept at pivoting to keep the museum available for our visitors, and despite closings and re-openings, our 2021 calendar year attendance was 1.7 million, which is the 2nd largest attendance for an art museum in the United States, and the 5th largest globally. I am delighted to share some of the ways we have innovated during this time to return to and expand on our regular operations.

Through robust engagement across our digital channels, we increased digital attendance by over 50 percent. Our website and social media platforms featured 360-degree virtual tours, a new storytelling blog, a podcast that brought musicians together with works of art, and a fresh approach to video on YouTube. And on-

line, we reimagined our popular educational lesson plans to serve teachers working with remote classrooms. These educator resources reached nearly 1 million individuals in fiscal year 2020, which is a 200 percent increase. Onsite in April, we opened Afro-Atlantic Histories, which takes an in-depth look at the historical experiences and cultural formations of black and African people through the eyes of artists since the 17th century. I have been moved by several of our long-serving staff who have mentioned how wonderful it is to see their own story on our walls for the first time. I hope you all have an opportunity to see this important presentation before it closes on July 17.

We have seven additional exhibitions opening, including American Silence: The Photographs of Robert Adams, featuring works that show us the wonder of the American West, which I know is a subject that this subcommittee knows very well. Later in 2022, we will offer a wide range of presentations, including works by Whistler, Sargent, and Carpaccio, and the exhibitions "The Double: Identity and Difference in Art Since 1900," and "Called to Create: Black Artists of the American South." The National Gallery has a long history of loaning works of art to American museums to share the Nation's fine arts collection with as many Americans as possible. In 2021, the Gallery loaned 285 artworks to 88 museums in cities across the United States.

With immense gratitude to you, our public partners in Congress, and the administration, we made significant progress on the master facilities plan, and the East Building atrium skylight has been replaced, and the iconic building will reopen on June 30. We can literally and metaphorically see daylight again. Visitors will now enter through a more accessible main entrance, find a separate elevator lobby within the newly-refurbished auditorium and access to additional restrooms. We are also advancing our partnership with the Smithsonian for the shared art storage facility that Secretary Bunch mentioned, known as Pod 6. This project is our highest priority in the fiscal year 2023 request. We will no longer rely on a third-party provider for inadequate offsite art storage, and it will allow us to have capacity for collections growth for the foreseeable future while also permitting galleries currently used for art storage to be reopened to the public.

Our fiscal year 2023 budget request for renovation also includes funds to continue to address much-needed and overdue stone repair work and to finish portions of the West Building roof, and we have much more to do. We have mapped out a strategic plan for the next 18 months that will strengthen our mission, expanding the understanding of our audiences and our ability to reach them.

Your commitment confirms our role is a truly national gallery. We welcome you, your constituents, and our audiences from around the world to explore our galleries, collections, and programs, which connect us all to triumphs of creativity and our shared humanity. Thank for your ongoing support of the National Gallery of Art and for the opportunity to speak with you today. I am happy to answer any questions you have. Thank you.

Ms. PINGREE. Thank you both so much for your testimony before us, but also for the work that you are doing and the amazing work

you have done during the pandemic, and all the challenges that it has brought to us.

I am going to go right to Ranking Member Joyce for the first question.

Mr. JOYCE. You are very kind, Madam Chair, as always. Thank you very much, and, again, thank you both for being here today.

Director Feldman, last year, the National Gallery lent over 280 artworks to 88 museums in cities across the country, including Cleveland's Museum of Art. I think that is a wonderful partnership that allows Americans across the country to see some of the Gallery's collection and original works without necessarily having to travel to Washington, D.C. Can you discuss the importance of this loan program and the National Gallery's plans to work with additional museums this year?

Ms. FELDMAN. Thank you very much, Ranking Member Joyce. I am very proud of our policy on loans. Here at the National Gallery, we start with the answer "yes" when we get a loan request, and it is only after doing our research about the facilities and other issues about whether or not a work of art might already be committed that we might decline, so we are very generous about it. The number that you mentioned of 285 works is about 60 percent of what we normally lend, so that really represents the fact that so many museums were closed during COVID, so we do everything in our power to get those works out. I am also proud that we partner, of course, with museums with our exhibition program, and over the last 5 years, we have sent exhibitions that we have organized to 66 different museums. So that is another way where we actually are able to partner and get those works out around the country.

Mr. JOYCE. That is fantastic. Thank you. Secretary Bunch, you noted in your testimony that as the Smithsonian begins developing the two new museums, the Institution must also factor in the condition of existing buildings when planning. Given your request includes another \$23 million to continue renovations at the National Air and Space Museum that began in 2018, can you provide a status update on those renovations? And can you walk us through some of the cost and scheduling impacts that you have experienced?

Mr. BUNCH. Thank you very much for the question. The National Air and Space Museum renovation is on track, but as you know, it went over budget for a variety of reasons. The most important reason was that as we began to actually take the cladding off the building, there was much more damage than we ever thought, and that led to us basically having to spend much more money on steel and the like. Also, I think what was important is that we have all been affected by the supply chain and that, in essence, we had trouble getting materials, and that allowed us to go over budget. But because of your support, last year we were able to sort of take about \$53 million of that override, and that is why the other \$23 million will allow us to finish the work on the Air and Space Museum so that we can open again to the public in the fall.

Mr. JOYCE. Well, thank you, and I applaud the two of you working together. Director Feldman, your fiscal year 2023 request includes \$27 million for the Gallery's share of construction and

project management cost for Pod 6, the new shared art storage facility at the Smithsonian Museum Support Center. Can you provide us with an update on Pod 6 status and explain how the shared storage center will help the Gallery save on storage costs in long run, and can you discuss what has been driving these costs increases?

Ms. FELDMAN. Yes. So we are really excited to be partnering with our colleagues at the Smithsonian. This is the first time we have done a major construction project together, and we feel it is much more efficient and effective to work together. And we are just about finished with the design portion of Pod 6, and we hope to contract by the end of the calendar year, I believe, and actually occupy the building in 2025, so we are moving forward.

And the cost increases came from a couple of different factors. One was our original projections were based before the building was fully designed, so as we had more information, we learned more about the actual costs. Our percentage of the shared facility actually increased. We originally planned to have 33 percent of the building for storage, and the design dictated a certain level of split, so we now will have 42 percent of the building. And so that increases the Gallery costs but reduces on the Smithsonian side. And then the final area of cost increase that both the Smithsonian and the National Gallery experienced is because of the increased cost of materials after the global pandemic, so.

Mr. JOYCE. Secretary Bunch, do you have anything to add?

Mr. BUNCH. I am just telling you I am just so excited about this because this is really an example of how, if we work together, we save costs and we handle one of the major problems we both face, which is storage. And I think the fact that we were able to sort of adapt the building to make sure it worked both for the National Gallery and for the Smithsonian, while that led for some increased cost, what it really meant is we now have a model going forward of how we can work together, and this really has a major impact for the Smithsonian. It really allows us to sort of move materials from some of the areas where we are most concerned, like the Garber facility, so that, therefore, we can actually make sure that some of the collections most at risk are taken care of. And it just reminds us that we really have to make sure that we continue to work and point towards how we preserve our collections in the future.

Mr. JOYCE. I applaud your efforts, and it is a high watermark on how government should be operating together and efficiently. Thank you for your time, Madam Chair.

Ms. PINGREE. Yeah, thank you for those really excellent questions. Chair McCollum, do you have questions today?

[No response.]

Ms. PINGREE. You might still be muted.

Ms. MCCOLLUM. I am pretty much sitting in this room by myself, but I am trying to make sure I don't contribute to background noise.

It is great to see you both. Minnesota misses you both and in very different ways, but we are excited to be here today. And once again, Chair Pingree, you have done a great job working with Ranking Member Joyce in making sure that we protect these iconic

institutions here in Washington, DC, which our constituents come to see. You both are, you know, at transformational points in how we are reaching audiences, and you are both reaching a high water of cooperation, and I know that you also cooperate working with the Library of Congress, so I couldn't be more proud of, you know, the team spirit here in making sure that our collections are shared by all and accessible to everyone.

So there are a lot of challenges museums and our collections are facing right now with repatriation, and, Chair Bunch, I know you are dealing with one right now with the Benin Kingdom Court style pieces, returning things to Nigeria. Could you talk about how this is fitting into the Smithsonian's role in the future? I am right now going into a hearing in the Natural Resources Committee, which we are working on repatriation for Native-American treasures and try and protect Native-American culture, which has been, you know, sold off and abused. Could you maybe tell us a little bit what is going, Mr. Bunch maybe first about what is going on with Nigeria, and then anything you would like to share—I almost used your first name—Chair Feldman.

Mr. BUNCH. Well, thank you so much. It is always good to see you. It is really important for the Smithsonian to provide global leadership in the cultural community. And one of the most important issues is this question of how do we make sure that the materials we have in our collection are really taken care of but also are effectively owned by the Institution. And I created a kind of group to look at this whole notion of repatriation to basically say, how do we make sure we have the highest standards. And one of the things we have done is we have built on the history of repatriating Native-American materials through NAGPRA. But what I wanted to do is to have a system that would allow us, rather than to work ad hoc, to think strategically about how we return, how we work, and how we share our collections.

And the best example is the one you mentioned, which is the bronzes from Benin. These were bronzes that were stolen by the British with a raid in 1897, and they were then sent around the world, and the Smithsonian has 30-some of these bronzes. And what we did is I decided to look at this as we heard from the country of Nigeria about are these the bronzes from the raid, so we did the research, and it turned out the 29 of the bronzes are from the raid. And so what we are doing is moving towards returning those bronzes in a way that satisfies the country of Nigeria but allows the U.S. to still have access to it.

So, for example, what we are doing is, if the Board of Regents approves at their next meeting, we are going to return permanent ownership to the country of Nigeria, and we will return a number of them, but others will stay on a permanent loan so that we can continue to sort of tell the story about these bronzes. So I think that is a really good solution, and the response of the museum community around the world has been very, very positive, the notion that we found a way to do something ethical but also to make sure that the material is still accessible to wide audiences. And I think this is something that we will continue to look at as we move forward in working with other nations and other cultures.

Ms. FELDMAN. I can actually add in there, too, that I was surprised my first month at the Gallery to learn that we also have a Benin bronze in our collection. It is the only work of historic African art that we have. And so about 2½ years ago, we reached out to Nigeria to start the process of repatriation, and we are hoping that this summer we will actually return the Benin bronze in our collection back to Nigeria, because as Secretary Bunch said, we have confirmed that it was part of that 1897 looting. So we are also participating.

Ms. MCCOLLUM. Well, it is wonderful that you are doing the right thing, the ethical thing, but it is also great to see the United States take leadership on this. And thank you, Chair Pingree, for I am going to get back into Natural Resources and talk about boarding schools and what we need to do to get the history right on that. And I know the Arts and the Smithsonian Institution will have something to say about that as we go through our healing process. Thank you very much.

Ms. PINGREE. Thank you very much, Chair McCollum. That is a really important topic, and I appreciate you bringing it up. Chair Kaptur, do you have any questions that you would like to ask today?

Ms. KAPTUR. Thank you, Madam Chair, for your leadership and that of my Ohio colleague, David Joyce. Both of you represent magnificent institutions yourselves.

I have two questions, the first one to Director Bunch. Would the Smithsonian be willing to explore a partnership with the National Park Service to enhance historical interpretation and commemorative activities at the National World War II Memorial? And let me explain. With Russia's invasion of Ukraine, I do believe that we have a teachable moment unlike any other that I have seen in modern history for our own people about the unvarnished face of tyranny and why liberty matters. I am amazed that the younger people of this country, as that horrible war proceeds, that they haven't seen this before.

I am the author of the bill that created the World War II Memorial. We started in 1987. Over 85 million people have now come to that memorial. I think it is at a place, especially at this moment, which we have to think hard about helping to inform the American people themselves. Only 1 percent of our people participate in the military now with an enlistment system as opposed to a conscripted system, and I have just been astounded actually at some of the younger people of our country and what they don't know even about our own history. The National Park Service, when we first built the memorial, I was very reluctant to agree to turn it over to the Park Service because I said they are not experts at history on the why of America fought, and that need still exists.

So I just wanted to checkmark that particular issue. I will do a follow-up letter to you, but I think you have the ability to add depth to what occurs with the multiple ceremonies across that memorial during the year. 2024 will be the 20th anniversary of the actual opening of the memorial, so, I mean, millions upon millions of people have gone there. It is something to think about.

And then secondly, I wanted to say to Director Feldman, across our country we have Ukrainian museums and archives, such as in

Cleveland, Ohio, which is better than Harvard University. And with this war going on, I think there might be an opportunity to bring collections that exist, that there could be an exhibition at the Smithsonian. I don't know if you are allowed to do fundraisers, but keep that in the back of your mind. We can probably get not-for-profit groups to help. But some of the artwork, some of the political posters dating back to the Soviet period, the artistry of the Ukrainian-Americans themselves, and the support of nations, like Poland, and Lithuania, and Estonia, which is astounding what Finland has just done in this last couple days. I think there is something there, and I think we need to think about it because the Slavic peoples, of which I am one, we have no museum in Washington. Nobody even sees us. My constituents don't know that the word "slav" comes from "slaves." We were white slaves, and so there is this big gap.

And because the Soviet Union was our "ally" during World War II and American soldiers never got east of Berlin, there is this huge gap, and I am discovering places. I was in Iowa. I saw the Slovak museum there, the Czech museum, the Lithuanian museum in Chicago, the Piosk Institute in Hamtramck, Michigan of all places. And I am seeing these things, and I am saying, you know, there is some lack of connectivity to Washington here and our national understanding of why these people are here and that they survived to live out their lives here.

So I just wanted to put that set of issues on the table for you. We will follow up with a letter, but I think we could do better. The artworks, oh my goodness. Some of what exists needs to be seen, and we need to elevate this, especially now. So thank you for listening, and if you have any response, that is fine, but hopefully you will be open to exploring these pathways forward.

Mr. BUNCH. Well, I think you have raised such an important set of issues. We feel very strongly that part of our job at the Smithsonian is to make sure America understands its full history, its complicated history, its interesting history.

Ms. KAPTUR. Yes.

Mr. BUNCH. And so part of that is the collaborations we already do. We have hundreds of affiliate museums that we help tell the stories they want, and some of those are museums to deal with Lithuanian culture, Ukrainian culture. So I think we would be very interested in working with you to think about how do we sort of tell these stories. How do we make sure that the struggle and the achievement of our military experience through World War II is never forgotten and is celebrated both as something to look back to when it is something to build on, and I think that is something the Smithsonian really wants to do.

And tied to this is, I made a major commitment by creating a kind of Smithsonian Cultural Rescue Initiative. And we have spent time around the world helping nations that have either suffered catastrophes, like an earthquake in Haiti or the destruction in Mosul, and we are now working with looking at Ukraine. We are working with our partners, and we have created a satellite opportunity to review damage on historic sites so that when the war is over, we will know where to go, how to help. We are also providing training for Ukrainian experts to basically be able to conserve the materials

when the war is over, but what we are also doing is we are working with partners now to actually provide fellowships for Ukrainian scholars and museum professionals to come to Washington so that as they are displaced, they have a chance to do their scholarship and engage with other colleagues.

So this is really important for us, and it is part of my commitment of saying that the Smithsonian has been given so much, and now we have to make sure we give back.

Ms. KAPTUR. Thank you for that response. Just so you know, the Ukrainian Caucus in the House, we founded it back in the 90s, and we have 90 members. So there's a Polish Caucus, there is a Hungarian Caucus, but these are largely ignored cultural groupings in our country, and, frankly, many of their collections are deteriorating. They are viewed as unimportant, and I just wanted to sensitize you to that, and I appreciate your openness.

Ms. Feldman, did you want to say something?

Ms. FELDMAN. I saw just wanted to also add my gratitude for bringing the topic up. It is something that we feel is very important. And like Secretary Bunch, my colleagues and I are on part of many different conversations and calls with global arts leaders about what we might be able to do and particularly think about artistic diplomacy and cultural diplomacy. Our conservation team has done a lot of work and research that we want to share with our colleagues. So we are ready to help and also look forward to exploring the idea of doing some kind of a loan partnership so that we can raise awareness.

Ms. KAPTUR. Thank you very much. Thank you, Madam Chair. I just will say one insight I have had, because American soldiers never made it east of Berlin during World War II, and unfortunately, we were allied with Stalin. There is this great gap, and what shocked me with this war in Ukraine is to look at these young people as I go out to the schools. They don't even know there was a 20th century, right? So they have no context in which to understand what is happening, and they are just awestruck. They were stuck to the TV and to their devices and everything. I thought, oh my goodness, they don't even know how many Americans lie in graves across Europe. And so there is a huge, huge gap here, and it is a generational gap. So I appreciate you listening, and I thank the chair and the ranking member. Thank you.

Ms. PINGREE. Yeah, thank you so much for your questions and to both of you for your answers to such important topics.

Well, we have brought up a lot of important issues, and I am just going to finish the questioning with going back to some of the more pedestrian parts of what you do. But could you both talk a little bit about the work you have been doing and what you are working on in the future on the whole digitizing of your collections, making it more available to the public? I know you have made great leaps, as both of you mentioned, during the pandemic to make things more accessible digitally, and also have big goals, I know at the Smithsonian, to have everything digitized. But tell us a little bit more about the educational opportunities there, you know, just how that is going, how the funding is being used, and if you both could just respond a little bit about that. I know you have plenty to say about what your work is.

Mr. BUNCH. Kaywin, I will let you go first.

Ms. FELDMAN. Thank you, Secretary Bunch. Yes, like everybody else, with the pandemic, we launched into digital in a much more substantial way than we had done before and, as I mentioned, saw our subscribers and views increase substantially. And that has also led us to realize that we need to redesign our website because our website was really designed 20 years ago for a different type of digital use. And so we are in the process of starting the redesign, focus much more on how people use websites today, and that means, you know, better and shorter videos. The views of hour-long lectures are decreasing. It breaks my heart, but decreasing today, so we are looking at quicker videos as well as some of the hour-long, doing blogs and podcasts, just sort of different ways to engage people. We know the work that we do here is profoundly interesting, and every day I hear of some new research tidbit that is exciting. And so what we are trying to do is get better at actually telling our stories, so lots of initiatives there.

We recently launched something we are calling Artle, which is modeled on Wordle, and people can go on our website every day and they get four attempts at identifying an artist, and that has been wildly successful and has increased participation on the website. And then I will just finish by saying that, of course, we are also thinking about how we work with teachers and students, and we saw such an increase in the needs for our programs during the pandemic. I learned just yesterday as I was leaving the building from one of our educators that we are still seeing a huge demand for digital learning with schools and classrooms even though we have returned to in-person school tours. And so now we are doing both in-person and doing a better job even of reaching the rest of the country now as we return to more in-person work. So I am really excited about those educational initiatives, too.

Mr. BUNCH. And we learned during the pandemic that, though I closed the buildings, we made sure the Smithsonian wasn't closed by pivoting digitally, and that, in essence, what we have learned, much like Kaywin has learned, is that, basically, this is now the new normal, that there were great opportunities to watch teachers utilize both in-person and digital as part of their training and part of their teaching, and I am really pleased.

I think that we have reached over 10 million more people through our educational programs in 2021, and so that has really been very exciting because what has happened is that teachers have reached out to us from the very beginning of the pandemic to say help us. Help us educate. Help parents who became teachers. How do they educate? So we did several things. We actually worked with teachers around the country and curated a series of long-distance learning modules that worked for teachers, that really gave them the information they wanted and that allowed us to make sure that it wasn't something we created and we hope they use it. It was something that was really directly shaped by the teachers.

And one of the things that has really moved me has been our Learning Lab, and what we have done is we have taken tens of thousands of our artifacts and made them available to teachers. But what happens is that teachers go into the Learning Lab, and,

oh, they type in “Abraham Lincoln” and find everything we have on Lincoln, but also as they use those, whether it is for lesson plans or teacher activities, they then share that back to the Smithsonian so thousands of other teachers benefit from their work. So, in essence, our Learning Lab is kind of like a rock in a stream, that it is a ripple effect that other people are amplifying. And so it allows us to recognize that our greatest strength is also figuring out how we are an effective collaborator.

And so in a way, our educational programs, our use of social media has really allowed us to learn more about what the audiences need, shape our programs to do that. It has allowed us to recognize, and I believe strongly that we have to be in every classroom, and so we are really thinking what are the ways we do that. And also, quite candidly, we are also thinking about how do we make sure we have low technology or no technology opportunities because there are people, as you know, that the digital divide is tough, and not everybody learns the same way. So we have created collaborations with things like the USA Today to actually get out tens of thousands of study guides and learning activities that go to schools.

So we are really committed to saying that education is at the heart of what the Smithsonian is. And as a result of that, I actually committed for the first time, created an undersecretary for education that the Smithsonian has really never had at that level. And so this is really part of our commitment to think how do we recognize that the wonders of the Smithsonian are too important just to be in Washington, and that the wonders of the Smithsonian are part of the way people now learn. I was trained, you learn. It is history. It is art. It is math. But now today, it is all integrated. Where better than the Smithsonian to bring our science, our history, our culture together?

So in some ways, I want to make sure that the Smithsonian is really at the leading edge of how we help what has been the biggest challenge this country has faced, how we make sure we provide equal educational opportunities for all of our students.

Ms. PINGREE. Great. Well, thank you so much, really both of you. I can tell we are moving, you know, by leaps and bounds here, and it is just so critically important. We never really can address anything as a silver lining of the pandemic, but I think the way our Institutions have reacted to the pandemic, and you two are both great examples of understanding, you know, something we should have been doing for a long time, and that is make these resources available to everybody, and, you know, integrate the ability for educators to do that. So that is just wonderful.

We greatly appreciate that. I think we have completed our questions for the day, and we thank you so much for the work you are doing, for taking time out of your busy days to be with our committee. We look forward to continuing to work with you as the budget process moves forward, and just thank you again.

So with that, I will consider this hearing adjourned. Thank you very much.

[Answers to submitted question follow:]

U.S. House of Representatives
Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
National Endowment for the Humanities
June 8, 2022

Questions from Chair Pingree

Fiscal Year 2023 Request

As I said in my opening statement, there is much more work to be done to help the Humanities sector flourish economically, support additional jobs, and heal the social fabric of our nation. The FY 2023 budget request for the National Endowment for the Humanities is \$20.68 million over the FY 2022 enacted level.

Pingree Q1: Can you please talk more about what it would mean for Humanities communities if we were able to provide the President's Budget's requested funding level in Fiscal Year 2023?

A1: *NEH serves as the only federal agency dedicated to funding the humanities, which include history, philosophy, literature, language, archaeology, jurisprudence, and comparative religion. If President's Budget's requested funding level in the Fiscal Year 2023 is enacted, NEH can continue to support the fundamental building blocks of American civil society, and fund projects that help us examine the human condition, understand our cultural heritage, foster mutual respect for diverse beliefs and cultures, develop media and information literacy, and promote civic education. The funding level would allow for the expansion of some of NEH's most impactful initiatives and grant programs.*

NEH would be able to provide additional support to each of the 54 state and jurisdictional humanities councils and two interim partners through the Office of Federal/State Partnership. Currently, approximately 40 percent of NEH's annual appropriation of program funds is awarded to the state and jurisdictional humanities councils through NEH's General Operating Support (GOS) grant program. The President's NEH Fiscal Year 2023 budget request would increase the amount distributed to councils to approximately \$63 million. The state and jurisdictional humanities councils sponsor community-focused family reading programs, K-12 education projects, documentary films, book festivals, symposia, and state and local history projects. The councils not only provide their own programming, but through NEH's GOS program, also regrant funds to other organizations, usually small, local, rural organizations that would not otherwise receive NEH funding.

Annually, councils report on activities funded by NEH's GOS program and the funds leveraged for the required cost share (this reporting does not include council activities funded by other sources). Councils reported that in Fiscal Year 2021, in-person and live-streamed activities conducted by councils and their subrecipients attracted more than 6.6 million participants, and their recorded, printed, and/or digital activities and resources were accessed more than 294 million times (these figures measure aggregate participation and access, not unique). The increased budget will provide increased funding to these councils, supporting humanities projects that reach millions of Americans in rural areas, urban neighborhoods, and suburban communities.

President Biden's proposed Fiscal Year 2023 budget would provide additional funding for NEH's Infrastructure and Capacity Building Challenge Grants program, which leverages

federal funding to help stimulate nonfederal investment in the country's museums, historical societies, and other cultural institutions, and allows NEH to create new incentives to encourage applicants from underserved communities.

Recognizing our changing climate, NEH is also developing new initiatives to study and address the impact of climate events on our cultural resources, museums, and historic sites. This includes a GIS-based mapping tool that will allow the preservation community to anticipate climate events and changes on cultural heritage sites and humanities collections nationwide so that our country's irreplaceable cultural heritage is better safeguarded against climate risk and natural disasters.

Ultimately, President Biden's requested funding level for Fiscal Year 2023 will allow NEH-supported projects to bring the past into sharper focus, thereby bringing about, as the agency's founding legislation affirms, "a better analysis of the present, and a better view of the future." This funding level will ensure that many humanities communities not only survive, but flourish.

Pingree Q2: What would this increase mean for enabling Chair Lowe's vision for the future of the National Endowment?

A2: As the Chair of NEH, my vision is to expand opportunities for all Americans to participate in and benefit from humanities-centered research, education, and public programs. Raised in a small rural Navajo community in Northeast Arizona, I have personally seen how the humanities can positively impact and support individuals, communities, and institutions. Unfortunately, humanities resources are unevenly distributed across the country. It is my goal to work with NEH staff and the network of state and jurisdictional humanities councils to reach all American people, particularly populations that NEH has not previously served.

To reach this goal, outreach and education about NEH will be vital, including highlighting the stories of communities and cultures that have not yet been heard. This funding level will enable the development of an NEH Office of Data and Evaluation to analyze the effectiveness of agency programs and policies, and whether, and to what extent, they advance equity and support for underserved communities, including among our state and jurisdictional humanities partners. This information will be vital in forming a new Office of Outreach to focus on increasing NEH's engagement with underserved communities and institutions, such as Tribal Nations, Historically Black Colleges and Universities (HBCUs), Hispanic-Serving Institutions (HSIs), Tribal Colleges and Universities (TCUs), veterans, community colleges, and others.

The Office of Outreach, with information provided by the Office of Data and Evaluation, will work in tandem with the communications, program, and administrative staff to increase engagement with potential grant applicants.

NEH is a small agency that strives to make the widest impact for good and the proposed increased funding level will allow us to make big strides in expanding our outreach to previously underserved communities throughout the United States.

Pingree Q3: What would this requested funding level mean for expanding the pool of recipients for Endowment funding to a wider and more diverse group?

A3: This requested funding level would greatly expand the pool of recipients for Endowment funding to a wider and more diverse group in several ways.

First, the increased funding would allow for additional support to NEH's partners in each of the 56 states and jurisdictions. The state and jurisdictional humanities councils have grassroots networks of cultural and educational institutions, allowing them to serve communities in diverse and remote settings that NEH's national programs may not be able to reach. In Fiscal Year 2021, with NEH funding, humanities councils and their subrecipients produced over 348,000 activities and resources that were accessed more than 294 million times.

The councils already reach thousands of local partners, and their reach will be expanded to welcome new and diverse audiences as they continue to partner with schools, libraries, historical societies, museums, HCBUs, HSIs, TCUs, community colleges, public media, businesses, social service organizations, and Tribal, state, and local governments. The state and jurisdictional humanities councils not only provide their own programming, but through NEH funding also regrant funds to other organizations, usually small, local, rural organizations that would not otherwise receive NEH funding.

Second, as discussed above, the requested funding level would include an Office of Data and Evaluation to analyze the effectiveness of NEH programs and policies and an Office of Outreach that will increase the agency's engagement with underserved communities and institutions. It also includes funding to create a Chief Diversity Officer position to advise the agency on matters of diversity, equity, inclusion, and accessibility across its programs, operations, and policies.

Finally, each Division and Office of NEH has set its own programmatic priorities and goals for 2023 for advancing equity and support for underserved communities. For instance, the Division of Education will seek to expand its support for underserved institutions and community colleges by initiating a new program that would encourage small but high-need institutions and the organizations that support them to apply for well-defined, short-term projects that address issues central to their goals. Prospective grantees would include the nation's 37 Tribal Colleges, less well-endowed HBCUs, small HSIs, smaller community colleges and other two- and four-year schools of modest size with underserved populations, as well as the consortia and organizations with small budgets that support them, their faculty, or students. The program would create a streamlined application format and informational webinars and workshops designed to enhance applications success from underserved institutions.

The Division of Public Programs is planning a new opportunity for underserved cultural heritage organizations with the mission of telling stories of marginalized populations to strengthen or expand their ability to offer public humanities programs to wider audiences.

The Division of Research Programs will expand the Summer Stipends program to better support community colleges and other Federally recognized minority serving institutions and encourage scholars from Asian American Native American Pacific Islander-Serving Institutions, Alaska Native and Native Hawaiian-Serving Institutions, Native American Serving Non-Tribal Institutions, and Predominantly Black Institutions to apply.

These are just a few of the examples of how an increased budget will allow NEH to increase its outreach and funding to diverse communities.

Digital Infrastructure

Organizations that the Endowment supports have greatly adapted during the last two years. They have altered their programming and bolstered their online presences in order to continue serving the American public to the best of their ability. It is wonderful that many organizations across the country are able to start reopening. Yet, I have heard from some organizations that there are aspects of their newly bolstered digital programming that they would like to maintain moving forward. This programming has the ability to reach a wider audience than these organizations could normally reach.

Pingree Q4: Please expound on the role you see the Endowment taking to assist humanities organizations with their digital infrastructure.

A4: *The Endowment plays a key and critical role in assisting humanities organizations with their digital infrastructure, primarily through the Office of Challenge Grants and the Office of Digital Humanities. NEH supports the development of humanities organizations' digital infrastructures through Infrastructure and Capacity Building Challenge Grants that strengthen the institutional base of the humanities by enabling infrastructure development and capacity building. Digital Infrastructure and Capacity Building Challenge Grants provide support for the maintenance, modernization, and sustainability of existing digital scholarly projects, resources, and platforms.*

NEH's Office of Digital Humanities (ODH) fosters the development of world-class, leading-edge research and education in the emerging field of digital humanities. ODH offers Digital Humanities Advancement Grants to encourage applicants to experiment with, build, and deploy new digital methods, tools, and infrastructure for the humanities. These grants also encourage research that studies technology through the lens of the humanities. ODH also offers Institutes for Advanced Topics in the Digital Humanities grants, which encourage the sharing of best digital technology practices among humanities scholars. This program sponsors training workshops that allow scholars to learn about these new, advanced technologies, tools, and techniques. These initiatives allow humanities organizations to collaborate and learn from one another on how to improve digital infrastructure and directly support the development of infrastructure by these organizations.

Pingree Q5: What further technical assistance, sharing of best practices, and other help can the Endowment provide to organizations struggling to maintain this increased online presence they want to continue?

A5: *Just as it has for the past two years, NEH will continue to support virtual and hybrid projects in addition to those held in-person. Programs such as Summer Seminars and Institutes for K-12 Educators that were previously only held in-person have transitioned to a variety of different formats. NEH program officers have worked closely with both grantees and applicants to ensure that they have the resources they need to adapt to the needs of their participants and host online programming. Local humanities organizations can also access additional funding opportunities through NEH's support of the state and jurisdictional councils.*

Office of Data and Evaluation

The National Endowment for the Humanities budget request includes an increase in funding for Office of Research and Analysis to support analytical work.

Pingree Q6: Please elaborate on this requested increase and why this analytical work at the national level is critical.

A6: *The proposed Office of Research and Analysis, which NEH will call the Office of Data and Evaluation, is a long-needed resource for the agency. Its purpose is to analyze the effectiveness of NEH programs and policies, and whether, and to what extent, they advance equity and support for underserved communities. This analytical work at the national level is critical to ensure that NEH can reach as many people as possible and provide resources in an equitable way. The creation of the Office is in response to President Biden's Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (Executive Order 13985).*

The Endowment does not currently have a system to analyze the effectiveness of its grants or whether, and to what extent, its grants reach the agency's equity goal. The Office of Data and Evaluation will fulfill this need and establish a baseline understanding of the agency's existing support for underserved communities. This office would be staffed by professional data scientists and social scientists who would (1) collect data about the organizations and individuals that apply to NEH, the principal investigators who lead those grants, and the NEH peer reviewers who evaluate them; (2) perform studies in-house about the impact of NEH's awards, particularly by analyzing closed-out grants to see how they have positively impacted the field over time; (3) award grants to researchers who are experts in diversity and equity to perform studies of NEH's work; and (4) provide reliable data to senior NEH leadership to help inform new grant programs, new forms of outreach, and NEH hiring practices. This research will also help inform the jurisdictional and state humanities councils, many of which have begun to evaluate their own effectiveness and identify underserved communities.

Pingree Q7: How will you utilize the data from this analytical work?

A7: *The evaluation research gathered by the Office of Data and Evaluation, as well as its analysis, will drive NEH's outreach activities for underserved communities and institutions. The office will also inform the agency on the current needs and trends in the humanities. It will allow other offices and divisions in NEH to improve outreach and ensure agency funding reaches a wider and more diverse group of people and institutions throughout the United States.*

In particular, the newly emerging Office of Outreach will use this information working in tandem with the communications, program, and administrative staff to increase engagement with potential grant applicants. The agency will use the evaluation research to drive its outreach activities for underserved communities and institutions. The Office of Outreach will be empowered to reach underserved communities through the information provided by the newly created Office of Data and Evaluation.

Supplemental Funding

As I mentioned in my opening statement, Congress provided \$135 million in the American Rescue Plan to the Endowment and \$75 million in the CARES Act to the Endowment.

Pingree Q8: Please elaborate on the impact Supplemental funding had in supporting local humanities organizations across the country.

A8: *The special funding allocated by Congress to NEH through the CARES Act of 2020, and the American Rescue Plan Act of 2021 (ARP) allowed the agency to quickly distribute approximately \$210 million in economic recovery funding to help cultural and educational organizations retain staff, maintain programs, facilities, and operations, and convert physical programs into digital offerings to increase access, even from a distance. This funding was*

critical as the organizations funded by NEH all experienced severe declines in revenue while being closed to visitors or affected by declines in student enrollment; many were compelled to furlough or lay off staff and curtail public and educational programs.

NEH has worked these past two years to stabilize and support colleges and universities, museums, libraries, historic sites, public television and radio stations, independent researchers, and documentary filmmakers struggling to cope with the economic fallout of the pandemic. More than 99 percent of appropriated funds went out the door in less than a year after President Biden signed ARP into law. This funding was integral to providing much-needed relief to institutions and programs of every size, in every state and jurisdiction.

NEH issued \$52.6M of its \$135M ARP appropriations to its council partners in all 56 states and jurisdictions. Through council regrants, these funds have allowed cultural entities—in many cases small, grassroots organizations that are vital to their communities—to rebuild operations, retain and hire staff, and provide public humanities programming. At the start of 2022, all the state and jurisdictional humanities councils completed their ARP regranting activities and have begun to record preliminary data on their subrecipients. In aggregate, 6,579 organizations applied for funding from their local humanities council and 4,173 received awards totaling \$45.7M. The councils were able to provide much-needed aid for most of the United States and territories, granting awards to organizations in 90 percent of congressional districts. The organizations helped by these subrecipient grants were mainly historical societies, history museums, and cultural heritage organizations, as well as public libraries and community organizations. Most funds were used to support general operations, preserve jobs, and to sustain humanities programming. This aid also ensured that cultural organizations could adapt programming to serve communities safely by providing funds needed to pivot to telework and virtual programming.

The ARP program was vital for job creation and retention during this health and economic crisis. From this assistance, the councils report anticipating the creation of 2,672 jobs and the retention of 6,646 jobs. Reporting is ongoing with final reports due in August 2023.

Councils also used ARP funding to sustain their own operations and humanities programming and to convene regional “recovery roundtables” to share best practices, support inclusive grantmaking, build capacity, and develop statewide cultural infrastructure. Many councils worked with their state agencies, foundations, or other nonprofit organizations to raise awareness of ARP funds and leverage additional financial support for their cultural sectors.

NEH awarded over \$87 million in ARP funding through two competitive grant programs. Through these two programs, NEH made grants to nearly 300 cultural and educational institutions and to grantmaking organizations that in turn distributed it to more than 650 individuals and organizations impacted by the pandemic. These funds helped recipients recover from the economic impact of the pandemic, retain and rehire workers, and reopen sites, facilities, and programs.

Altogether, NEH awarded ARP funds in all 50 U.S. states, American Samoa, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

Pingree Q9: In particular, can you talk about the Endowment’s efforts to get funding to organizations in need which may have never received Endowment funding in the past and to small and under-resourced organizations?

A9: NEH used a variety of different methods to ensure that relief funding went to small and under-resourced organizations that had never received NEH funding before. Simplifying the grant application process played a key role in ensuring that these funds were accessible to more organizations. NEH also partnered with the state and jurisdictional humanities councils, which have more connections to small cultural and educational organizations in their states that might not have NEH on their radars. This allowed more organizations to hear about and apply for the funding opportunity. The Endowment also expanded its reach by awarding funds to other grantmaking institutions to be distributed at an individual and organizational level. Grantmakers included the Association of Tribal Archives, Libraries, & Museums; the American Library Association; and the National Trust for Historic Preservation. These groups were able to use their existing networks and relationships to reach grantees that needed relief funding but might not otherwise have applied.

Pingree Q10: If this funding had not been provided, what would have been the effects?

A10: Arts and humanities organizations were hit particularly hard by the pandemic. Their reliance on in-person attendance made them highly vulnerable. The organizations funded by NEH all experienced severe declines in revenue while being closed to visitors or affected by declines in student enrollment. Many were forced to furlough or lay off staff and curtail public and educational programs. If not for this funding, thousands of jobs would have been lost across cultural organizations. Several institutions would have had to halt programming and would have struggled to maintain their facilities or operations, and their important benefits would have unfortunately been entirely cut off from their community.

Without assistance to convert in-person programs into digital offerings to increase access, even from a distance, many cultural institutions would have been unable to safely provide humanities resources during a period where they were most vital. Humanities are an integral part of rebuilding communities, institutions, and regional economies. Americans were and are eager to come together to share and discuss ideas, after so much isolation and trauma, find meaning in history, philosophy, art, and literature. Without this assistance, many Americans would have lacked the community and the outlets to do this important work. Overall, vital humanities resources would have been cut off from their communities and potentially lost forever without the assistance of NEH's CARES Act and ARP programs.

Pingree Q11: As the humanities sector recovers, what needs to be done to ensure this recovery is equitable and that organizations in less resourced areas do not get left behind?

A11: NEH must work in conjunction with the state and jurisdictional humanities councils to analyze the recovery's impact and reach, and prioritize diversity, equity, inclusion, and access in every office and program. This will include using our new Office of Data and Evaluation to support this analysis and prioritization. As discussed above, this also includes increased support to the state and jurisdictional councils. The councils have grassroots' networks of cultural and educational institutions, allowing them to serve communities in diverse and remote settings that NEH's national programs may not be able to reach. The state and jurisdictional humanities councils not only provide their own programming, but through NEH funding also regrant funds to other organizations, usually small, local, rural organizations.

Annually, councils report on activities funded by NEH's General Operating Support (GOS) grant program and the funds leveraged for the required cost share (this reporting does not include council activities funded by other sources). Councils reported that in Fiscal Year 2021, councils and their subrecipients produced over 325,000 recorded, printed, and/or digital activities and resources. Many councils offer materials and workshops on programming and

funding opportunities in languages other than English and collectively, councils partner with nearly 5,000 organizations across industries and sectors. Their reach will be expanded to welcome new and diverse audiences as they continue to partner with schools, libraries, historical societies, museums, HCBUs, HSIs, TCUs, community colleges, public media, businesses, social service organizations, and Tribal, state, and local governments.

To ensure an equitable recovery, NEH will also establish the role of Chief Diversity Officer. This officer and supporting staff will advise the NEH Chair and agency on all matters of diversity, equity, inclusion, and access across its programs, operations, outreach and communications, human capital, and evaluation efforts. This officer will help identify issues that may be limiting NEH's service to underserved communities.

As the humanities sector continues to recover, NEH must be aware of where its support is going, and more importantly not going, to correct inequities. This will require the creation of a robust data collection system to analyze the effectiveness of NEH grants and evaluate if these grants are reaching the agency's equity goals. The Office of Data and Evaluation will implement rigorous evaluation metrics and establish a baseline of the agency's existing support for underserved communities. The research gathered will provide reliable data to NEH leadership to help inform new grant programs, new forms of outreach, and NEH hiring practices. This research will help inform NEH so that less resourced areas do not get left behind in recovery.

Finally, the new Office of Outreach is also an essential part of ensuring an equitable recovery. It will increase the agency's engagement with underserved communities and institutions. This office will be advised by the Chief Diversity Officer and will centralize the agency's outreach efforts. The Office of Outreach will work in tandem with the communications, program, and administrative staff to increase engagement with potential grant applicants. The agency will use the evaluation research to drive its outreach activities for underserved communities and institutions. The Office of Outreach will be empowered to reach underserved communities through the information provided by the newly created Office of Data and Evaluation.

Public Engagement

Engagement with stakeholder groups across the country has been as important as ever for the Endowment over the last two years. The Endowment has provided support in a way that allowed Humanities organizations to keep the lights on and saved thousands of jobs. Continued engagement with stakeholder groups will be essential to ensure an equitable recovery for the sector.

Pingree Q12: How does the National Endowment for the Humanities engage with public groups to inform its grant making process to the benefit of the humanities organizations, the employees at those organizations, and the public who patronize those organizations?

A12: *Our founding legislation holds that the arts and humanities belong to all the people of the United States. NEH is committed to engaging the public and sharing information on our grant making process. All NEH program opportunities are posted on the agency's website, and the NEH staff engages in vigorous (in-person and virtual) outreach efforts. Agency program officers participate in conferences attended by the humanities community to educate and inform attendees of the resources offered by the agency, and often host listening sessions, particularly with historically underfunded groups. Program officers regularly hold grant workshops, often in conjunction with state and jurisdictional councils, to discuss the application process. The Office of Congressional Affairs also holds workshops for Members of*

Congress to talk with constituent groups about the grants the agency offers and how to apply. Multiple divisions within NEH and its state partners circulate newsletters and blog postings which spotlight previously funded projects. Looking to Fiscal Year 2023, enhanced agency branding, website, and social media tools will help to broaden access to the humanities for all Americans. In addition, as reported above, NEH intends to establish an Office of Outreach to further enhance its engagement with the public.

Pingree Q13: Specifically, how does the Endowment involve stakeholder groups that represent humanities professionals, including labor unions, in its public engagement?

A13: *The Endowment works closely with stakeholder groups that represent humanities professionals, particularly the National Humanities Alliance (NHA), the American Council of Learned Societies (ACLS), and their member societies. These stakeholder groups share NEH funding opportunities with their members, host conferences such as the National Humanities Conference that NEH uses to connect with humanities professionals, and sometimes share their thoughts on the direction and needs of their fields with NEH leadership. NEH regularly consults with the National Council on the Humanities, an advisory board of Presidentialy appointed humanities professionals, on grants awarded by the agency. NEH has also engaged with arts-related labor unions and looks forward to continuing the conversation.*

Questions from Ranking Member Joyce

Expanding NEH's Reach

Joyce Q1: How does the NEH hope to expand its reach to more children and communities across the country?

A1: *Supporting humanities programming for young people and children from across the country is incredibly important to the agency. The Division of Education is particularly well-positioned to expand NEH's reach to and engagement with young Americans in the skills and knowledge that the humanities provide. In Fiscal Year 2021, through an interagency agreement with the Department of Education, NEH funded Educating for American Democracy, a civics education program that created a roadmap for use by schools to create a civics education curriculum that fits their population. The roadmap helps local institutions develop programming that uniquely fits the needs of their communities. NEH also continues to fund National History Day, an important opportunity to reach children across the country. Each year, more than 500,000 middle and high school students in all 50 states engage in historical research as a part of the National History Day competition.*

NEH will also continue to expand EDSITEment (edsitement.neh.gov), a nationally recognized website for K-12 humanities teachers. Averaging 200,000 unique users each month, EDSITEment offers an expansive suite of lesson plans, multimedia resources, and digital learning tools for teaching history, literature, arts, language, and culture. Over the next two years, more than 50 new curricular resources are expected to be added to the site. Among examples of these newly added resources are several that will feature educational resources on Constitutional amendments, the Great Depression, Japanese internment during World War II, and the roles of African Americans and Native Americans in colonial New England. The Fiscal Year 2023 budget will continue NEH's support for professional development of teachers and faculty, the creation or expansion of higher education humanities curricula, and innovation in K-12 teaching. These programs foster a deep engagement with the disciplines of the

humanities and help participants acquire knowledge that is crucial for an educated citizenry. The ultimate beneficiaries of these programs are the hundreds of thousands of American students and young people who annually are taught by reinvigorated and intellectually engaged instructors.

Joyce Q2: How does the NEH plan to ensure that humanities resources are more evenly distributed across the country?

A2: *NEH grants should be distributed across the country in a manner that is both effective and equitable. However, NEH does not have a robust data collection system to analyze the effectiveness of its grants or whether, and to what extent, its grants reach the agency's equity goals. NEH is currently building an Office of Data and Evaluation to implement rigorous evaluation metrics and establish a baseline of the agency's existing support for underserved communities. This office would be staffed by professional data scientists and social scientists who would collect data about the organizations and individuals that apply to NEH, the principal investigators who lead those grants, and the NEH peer reviewers who evaluate them. It would also perform studies in-house about the impact of NEH's awards, particularly by analyzing closed-out grants to see how they have positively impacted the field over time as well as by providing reliable data to senior NEH leadership to help inform new grant programs, new forms of outreach, and NEH hiring practices. The agency is also developing an Office of Outreach focused on increasing NEH's engagement with underserved communities and institutions, such as Tribal Nations, Historically Black Colleges and Universities (HCBUs), Hispanic Serving Institutions (HSIs), Tribal Colleges and Universities (TCUs), veterans, community colleges, and others. We hope these efforts will broaden the agency's presence in all communities, especially those with fewer resources.*

Humanities Councils Funding

Approximately forty percent of all annual NEH funding is distributed to the 56 state and jurisdictional humanities councils.

Joyce Q3: What impact would the level of funding proposed in the President's budget request have on these councils, the programs they carry out, and the communities they serve?

A3: *Currently approximately 40 percent of NEH's annual appropriation of program funds is awarded to the state and jurisdictional humanities councils through NEH's General Operating Support (GOS) grant program. The President's NEH Fiscal Year 2023 budget request would increase the amount distributed to councils to approximately \$63 million.*

The state and jurisdictional humanities councils sponsor thousands of family reading programs, K-12 education projects, documentary films, book festivals, symposia, and state and local history projects. The councils not only provide their own programming, but through NEH's GOS grant program also regrant funds to other organizations, usually small, local, rural organizations that would not otherwise receive NEH funding.

Annually, councils report on activities funded by NEH's GOS program and the funds leveraged for the required cost share (this reporting does not include council activities funded by other sources). Councils reported that in Fiscal Year 2021, in-person and live-streamed activities conducted by councils and their subrecipients attracted more than 6.6 million participants, and their recorded, printed, and/or digital activities and resources were accessed more than 294 million times (these figures measure aggregate participation and access, not unique). Councils reported serving diverse communities within their state or jurisdiction and discussed

their efforts to reach communities traditionally underserved by the humanities. The funding outlined in the President's budget request would bolster this impressive work to the benefit of all Americans.

As representatives of every U.S. state and jurisdiction, the councils ensure that NEH reaches the entire country, from Alaska to Florida, Maine to the Northern Marianas, all with diverse, local, and place-based humanities programming. The councils reach thousands of local partners, and their reach will be expanded to welcome new and diverse audiences as they continue to partner with schools, libraries, historical societies, museums, HBCUs, HSIs, TCUs, community colleges, public media, businesses, social service organizations, and Tribal, state, and local governments. The state and jurisdictional councils are essential partners in advancing NEH's mission to deepen knowledge and understanding of the humanities and to increase public awareness of, access to, and support for the humanities throughout the United States.

Pandemic Lessons Learned

Joyce Q4: What impact has the pandemic had on how the NEH, going forward, connects and interacts with individuals, institutions, and communities?

A4: *Like many other agencies, NEH was forced to pivot to respond to the impacts of the COVID-19 pandemic on humanities organizations, museums, libraries, and other grantees. Our staff, grantees, state and jurisdictional partners, and program participants met this challenge with innovation and resilience. Our programs have adapted to meet our country's needs, and we are now more digitally available, flexible, and accessible as a result. Moving forward, the agency will continue to work with applicants and grantees in order to serve the public to the greatest extent possible.*

For more than five decades, NEH Summer Seminars and Institutes have been one of the nation's premier forms of professional development for teachers in the humanities. By studying subjects such as history, literature, religion, philosophy, and world languages, educators deepen their knowledge of the subjects they teach and develop effective ways of bringing this understanding to their students. The Institutes program offers an intensive residential experience that brings scholars and master teachers together with participants from all over the country. Over the past two years, the program has adapted to pandemic-related restrictions on travel and in-person gatherings by offering the additional options of an entirely online Institute experience or a hybrid online/residential model. Now a permanent part of the Institutes program, these expanded options have had the welcome effect of providing broader access to educators, including those for whom travel is not possible.

The Landmarks of American History and Culture program supports summer workshops that assist K-12 teachers from across the United States in teaching important themes and topics in American history, culture, and civics by using historical and cultural sites. Landmarks workshops are held at or near presidential residences and libraries; colonial-era settlements and missions; historic forts and battlefields; industrial centers; and sites associated with notable writers, architects, and artists. Workshops involve leading scholars and help participants develop new teaching resources. Projects accommodate 36 teachers at one-week sessions, which are offered twice during the summer. As with the Institutes program, Landmarks workshops have adapted to the pandemic, using virtual platforms or a hybrid model.

During the pandemic, there was a remarkable uptick in popularity for council-produced material, including podcasts. These programs inspire and educate listeners by sharing the stories of those who have historically been underserved and marginalized. This year, Humanities DC has released a podcast entitled “PorchTales,” which tells the stories of Black women in Washington, D.C., who have frequently been left out of the narratives of some of the nation’s most important movements. “Amended,” New York Humanities’ award-winning podcast, features stories from the 1800s to the present day about the quest for full equality among a diverse array of women. Wyoming Humanities’ podcast “First, But Last” celebrates the histories of a diverse group of women from the “Equality State” to honor Wyoming as the first state to give women the right to vote. As podcast adoption sustains its pandemic-related renaissance, we expect these programs will continue to entertain and inform their many listeners.

Questions from Representative Derek Kilmer

NEH’s Efforts on National Unity and Civic Discourse

The arts and humanities, now more than ever, are essential to the health of our democracy. The arts and humanities anchor our nation’s sense of shared history, culture, and values at a time when political polarization and division often make us feel otherwise. Our national motto is “E pluribus unum,” meaning “out of many, one.” As Ken Burns has said, sometimes it feels like we’re seeing a lot of “pluribus” but not a lot of “unum.”

Late last year, there was a series of horrific attacks—including assault, vandalism, and arson—against faith-based institutions in our region. In response to these hateful crimes, I was able to participate in a conversation with an interfaith alliance that was formed in the wake of these attacks to foster community understanding, cohesion, and mutual solidarity. These events actually served as the inspiration for a bill I introduced this year called the Building Civic Bridges Act – a bill currently sponsored by 10 Democrats and 10 Republicans – to lend federal support to civic bridgebuilding efforts like the one I participated in.

I know that the NEH is also leading in this space. In our neck of the woods, for example, Humanities Washington leads a fantastic program called the Speakers Bureau, which is comprised of leaders who provide free public presentations on a host of subjects to inspire discussion with people of all ages and backgrounds.

Kilmer Q1: To that end, I’d appreciate the opportunity to learn more about the NEH’s efforts to lean in on issues of national unity and civic discourse within its programming and ongoing efforts.

A1: NEH’s “*A More Perfect Union*” special initiative is designed to demonstrate and enhance the critical role the humanities play in the health of our democracy, while also supporting projects that will help Americans commemorate the 250th anniversary of the signing of the Declaration of Independence in 2026. “*A More Perfect Union*” encourages projects that explore, reflect on, and tell the stories of our quest for a more just, inclusive, and sustainable society throughout our history.

Our Office of Digital Humanities has a forthcoming program entitled “Dangers & Opportunities of Technology: Perspectives from the Humanities,” which will support

humanistic research into the relationship between technology and society, including, among other areas, disinformation and its implications for the democratic process.

At a local level, state and jurisdictional humanities council programs attract participants and interlocutors of diverse backgrounds, beliefs, and experiences. These programs capture good faith dialogue and are strikingly popular. Wisconsin Humanities, for instance, juxtaposes first-person narratives from people of diverse experiences, backgrounds, and regions of the state to counter bias and stereotypes, reduce fear, transform beliefs, and establish common ground, with their digital storytelling project, Love Wisconsin. Love Wisconsin's Facebook page engaged more than 100,000 people, and in recent years has ranked among the top 5 percent of Facebook sites for high engagement. The audience is equal parts rural and urban, conservative and liberal. This Wisconsin Humanities operated project is one of a few spaces where Wisconsinites with political differences absorb the same information.

As Chair I am also supportive of NEH continuing and building upon its work strengthening civics education in primary and secondary schools. In partnership with the Department of Education, NEH entered a cooperative agreement with iCivics in the Fall of 2019 to assess the state of civics education in the United States. The goal of the project was to gather a team of leaders in history, civics, and pedagogy, and conduct a field survey of educators, scholars, stakeholder organizations, and students to assess the state of teaching of American history, civics, and government in K-12 education. The resulting project—The Roadmap to Educating for American Democracy—went beyond this original goal and produced a framework for understanding and teaching core civics concepts that would both bolster the capacity for educators to effectively teach the subject, as well as allow for content to be chosen and integrated based on the curricular needs of each state, district, and school.

Since its launch in March 2021, the Roadmap has reached tens of thousands of educators, and the project created a network of more than 160 cultural and educational organizations who are championing the project through their own work. The long-term Implementation goal of nationwide adoption of the Roadmap requires a more targeted approach to both underserved communities and early K-5 education, where civics work is rarely undertaken. As Chair I will support this effort because supporting civics education is an important step in protecting and rebuilding our democracy and is an integral part of NEH's work.

NEH Partnership(s)

I strongly believe that robust funding for the NEH is essential, including significant funding for state humanities councils. As you know, state humanities councils help ensure equitable distribution of NEH resources. Because grants are made according to population size, all states are guaranteed funding.

Further, state humanities councils provide important technical assistance and connections to other NEH grant programs. NEH funds leverage other investments as well. For example, in Washington state, our humanities council is helping to reverse pandemic learning loss by quadrupling the number of families served by its family reading program.

This is particularly important as we continue to grapple with the COVID-19 pandemic, and as reliance on new delivery platforms have increased IT and related needs. As we move forward, our state partners expect expanded use of hybrid platforms to reach not only those who have benefitted from previous programs but the many who have not previously participated. This is

particularly important in regions like the one I represent with many rural areas and transportation challenges.

A complicated world poses additional challenges and goals for councils, and the communities they serve, to explore. This includes local history and culture, the 2026 Semiquincentennial, globalization, international affairs, civics and civic engagement, equity and inclusion, teacher institutes, reading and literacy, environmental humanities, the implications of infrastructure development and livable communities.

Kilmer Q2: To that end, I would be interested in hearing more about NEH's partnership with state humanities councils and how you anticipate moving forward in support for councils during your term.

A2: *The state and jurisdictional humanities councils were established to fulfill the directive in the National Foundation on the Arts and the Humanities Act of 1965, as amended, that NEH support humanities programs "in each of the several states." The Office of Federal/State Partnership administers this grant program and, as directed by the NEH Chair, issues supplemental awards, monitors council activity, maintains network-wide communication channels, and provides capacity-building resources. Through a mix of grants and council-sponsored programs, the councils support a wide array of humanities activities that are tailored to the cultural resources, demographics, interests, and needs of each state or jurisdiction. Collectively, the councils work with thousands of local partners to strengthen humanities programs and promote the relevance of the humanities in public life. To expand the councils' reach and welcome new and diverse audiences, the councils partner with schools, libraries, historical societies, museums, HBCUs, HSIs, TCUs, community colleges, public media, businesses, social service organizations, and Tribal, state, and local governments.*

As Chair, it is my goal to strengthen NEH's support for and partnership with the humanities councils. NEH will be amplifying and recognizing the 21 councils that celebrated their 50th anniversary in either 2021 or 2022. We will also continue to be a resource for councils in times of environmental or humanitarian disaster as we did for the Louisiana Endowment for Humanities in the wake of Hurricane Ida, the New Mexico Humanities Council during the wildfires, and Humanities New York and Humanities Texas after the horrific shootings in Buffalo and Uvalde.

The councils serve as cultural leaders in their state or jurisdiction, making use of their partnership with NEH to forge strategic collaborations, develop support for the humanities, and build the capacity of the cultural sectors they serve. The Office of Federal/State Partnership encourages the state and jurisdictional humanities councils to support programs that make humanities ideas accessible to the public, foster community discussions of important humanities topics, and deepen public understanding of American history and our nation's core principles of constitutional governance and democracy.

**U.S. House of Representatives
Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
National Endowment for the Arts
June 8, 2022**

Questions from Chair Chellie Pingree (ME)

Fiscal Year 2023 Request

As noted in my opening statement, there is much more work to be done to help the Arts sector flourish economically, support additional jobs, and heal the social fabric of our nation. The request for the National Endowment for the Arts is \$23.55 million over enacted.

Pingree Q1: Can you share more about what it would mean for Arts communities if we were able to provide the President's Budget's requested funding level in Fiscal Year 2023?

The President's Budget of \$203.55 million for the National Endowment for the Arts (NEA) would provide additional \$23.55 million to allow the NEA to better meet the significant need seen in arts communities across the country. These funds would allow the Arts Endowment to better respond to the critical need as demonstrated by the increased number of grant applications, to bolster programs that are highly effective, and to introduce programs to possible first-time grantees that meet the unique needs of communities across the country. The NEA has seen significantly more applications in the last year, including to the Challenge America program, which supports the arts in underserved communities. Many Challenge America applicants are applying to the Arts Endowment for the first time.

Pingree Q2: What would this increase mean for enabling Chair Jackson's vision for the future of the National Endowment?

The President's Budget will allow the NEA to continue to assist with the recovery and resilience-building of the creative sector, a critically important contributor to our economy and our nation's wellbeing. With your support, the Arts Endowment will continue to work with federal, state, and local leaders to increase, and make more sustainable, arts participation in our towns and neighborhoods that benefit local economies, education at all levels, and health and wellness strategies for our communities.

Pingree Q3: What would this requested funding level mean for expanding the pool of recipients for Endowment funding to a wider and more diverse group?

Through every step of the grant process, access is of the utmost importance. By regularly analyzing applicant and grantee data, the NEA will work to ensure that grant programs represent good stewardship of funds and equitable program design for all organizations. Also, through expanded and more varied and strategic public engagement efforts, the agency will improve service to organizations with small and medium-sized budgets, first-time applicants, and those in both rural and urban communities.

Digital Infrastructure

Organizations that the Endowment supports have greatly adapted during the last two years. They have altered their programming and bolstered their online presences in order to continue serving the American public to the best of their ability. It is wonderful that many venues across the country are able to start reopening. As reopening is happening, there is also evidence of lessons learned from the pandemic. I have heard from some organizations that there are aspects of their newly bolstered digital programming that they would like to maintain moving forward. This programming has the ability to reach wider audiences and users than many museums, art galleries, performance arts studios and other organizations could reach previously.

Pingree Q4: Please expound on the role the Endowment can take to assist arts and humanities organizations with their digital infrastructure?

The NEA must serve as a catalyst to advance best practices to support the expansion and development of digital infrastructures across the arts sector. Through grantmaking, research initiatives, and our ability to connect communities, the NEA will continue to ensure that artists, and publics contribute to and benefit from technological breakthroughs. Two 2021 research reports from the NEA—*Tech as Art: Supporting Artists Who Use Technology as Creative Medium*, and *The Art of Reopening: A Guide to Current Practices Among Arts Organizations During COVID-19*—exposed these needs within the arts community, and identified potential resources for addressing them.

Pingree Q5: What further technical assistance, sharing of best practices, and other help can the Endowment provide to organizations struggling to maintain this increased online presence they want to continue?

The NEA is committed to supporting capacity-building within the sector to sustain an online presence, to promote greater accessibility, and to help bridge digital divides in the arts and in communities across the country. The NEA will continue to act as a national leader and resource by providing access to staff expertise, research publications, relevant information regarding current and future grant opportunities, as well as opportunities for peer learning among local, regional, and national organizations. The NEA's research agenda focuses on better understanding how the arts sector is adapting and responding to social, economic, and technological changes and challenges, including trends accelerated by the COVID-19 pandemic. In the first year of the pandemic, the NEA issued a report with best practices from the field, describing the incredible transformation under way as arts organizations explored ways of engaging new audiences and users through online platforms and digital media. NEA research reports demonstrate how artists may support organizations navigating technological changes across the arts and cultural sector.

Creative Placemaking

The National Endowment for the Arts regularly funds creative placemaking work, which as the Endowment describes it, “integrates arts, culture, and design activities into efforts that strengthen communities.” Creative placemaking helps connect the people that live in a community with the physical place. The Endowment’s Our Town is a great example of this work. Given Chair Jackson’s background in planning and design I am eager to hear her vision for NEA’s work in this field.

Pingree Q6: What are the on-the-ground benefits that programs like these have for communities?

The NEA’s Our Town program connects members of the public, often from diverse backgrounds, with a wide range of community leaders across the public, private, and philanthropic sectors, to address their concerns and find creative, effective solutions. Recipients of Our Town funding have reported improvements to economic opportunity, to a community’s physical conditions, and to social outcomes such as bridging demographic or ideological divides. Our Town grantees also have reported creating and sustaining cross-sectoral partnerships as a result of the program. There has been increased civic engagement following Our Town grants. Projects have helped build social cohesion among disparate groups of residents, developed creative approaches to solving local challenges, and elevated all voices as part of community development.

Pingree Q7: What are the keys the Endowment has learned from seeing organizations that have successfully gotten community buy-in on these projects?

Successful projects are community-driven, actively engaging with local leadership and the public. Artists and designers are recognized as key community players and provide creative problem-solving on complex community issues. Grant recipients enable artists to work with their neighbors in compelling ways to build understanding and facilitate transformative cultural experiences. Partnerships across and among different sectors (e.g. arts and transportation, arts and public safety, arts and economic development) are also an important and durable positive outcome, often leading to future collaborations. Ensuring opportunities for all voices in the community are key to successful community engagement and buy-in.

Pingree Q8: What lessons has the Endowment learned from its current creative placemaking work and what opportunities exist to expand this work more broadly?

The NEA recognizes that strengthening communities takes time and must be supported deliberately. While all communities are different—with unique contexts, goals, customs, and cultures that the Arts Endowment must consider, opportunities for peer exchange and the ability to compare and contrast work in different parts of the country are essential to advance the practice and ensure optimal impacts. The Our Town program serves to support communities on their own terms, and at their own pace, in this rapidly evolving work. Our Town grantees remind us that arts and culture play an essential role in affirming cultural heritage, building connection and community, driving economic development, and strengthening the wellbeing of communities and people.

The NEA has also invested in technical assistance through the Our Town Technical Assistance Program and the Citizens' Institute on Rural Design (CIRD). This effort disseminates new and proven approaches to address a wide range of local issues from public health to housing.

Technical assistance is structured to enable peer exchange and learning for participants and provides value added for communities and organizations beyond grantmaking. The NEA will continue to seek opportunities to engage in national level cross-sectional partnerships, support the development of local level arts ecosystems that include work at the intersection of arts and other fields, and continue to provide knowledge-building within the creative placemaking field through the expansion and bolstering of existing programs as well as new initiatives.

Supplemental Funding

As I mentioned in my opening statement, Congress provided \$135 million in the American Rescue Plan to the Endowment and \$75 million in the CARES Act to the Endowment.

Pingree Q9: Please elaborate on the impact Supplemental funding had in supporting local arts organizations across the country?

The American Rescue Plan (ARP) and CARES Act provided lifelines to organizations facing tremendous uncertainty due to the global pandemic. Grantees used funds to pay rent and mortgage; keep employees on payroll; and make necessary improvements to keep patrons and workers safe.

Pingree Q10: In particular, can you talk about the Endowment's efforts to get funding to organizations in need which may have never received Endowment funding in the past and to small and under-resourced organizations?

Throughout the ARP process, the NEA sought to provide access to arts funding in the most efficient and effective manner. As is the case with all Arts Endowment grantmaking dollars, 40 percent of these funds were allocated to the six regional and 56 state and jurisdictional arts agencies. Additionally, as part of ARP, more than \$20 million was awarded to local arts agencies across the country for subgranting. This approach allowed NEA partners with the greatest knowledge of their communities to support a diverse range of organizations.

In advance of the application deadline for the 60 percent of these funds, NEA staff participated in a series of virtual listening tours to hear from stakeholders, held dozens of grant workshops nationwide—many of which were hosted by Members of Congress—and provided technical assistance to potential applicants. Resources were also available in Spanish and Chinese. As a result of this enhanced outreach, the NEA received more than 7,500 applications for CARES and ARP Act funding. 79 percent of the organizations recommended for awards as part of ARP were small to medium-sized organizations (with annual budgets of less than \$2 million), and 27 percent of the recommended applicants were new beneficiaries of NEA funding. Further, 41 percent of ARP applicants, and 22 percent of grantees, had not applied to the NEA within the last ten years.

Our experience with ARP has created new and renewed relationships with a wide range of key actors across the country; helping us have an even deeper understanding of needs and opportunities in the cultural sector and the communities they touch.

Pingree Q11: If this funding had not been provided, what would have been the effects?

As shown in economic data from the Bureau of Economic Analysis and the NEA, arts and cultural organizations were among the hardest hit by the pandemic. There remains tremendous uncertainty and need across the sector. Collectively, NEA grantees are not only an economic engine, but strategic partners in national, state, and local efforts to improve health, wellness, education, and the social and civic discourse of communities. The funding was a lifeline for many organizations. Without Congress making these investments, many organizations across the country would lack a critical resource for sustaining their operations (e.g., payroll and other crucial costs). The funding made it possible to continue offering opportunities for arts participation and the delivery of related community and individual benefits so critically important in a time of crisis.

Pingree Q12: As the arts sector recovers, what needs to be done to ensure this recovery is equitable and that organizations in less resourced areas do not get left behind?

The NEA will build on the success of the American Rescue Plan and what we have learned in that process. We will continue to increase engagement with organizations in all communities, urban and rural alike, and strengthen arts ecosystems in all parts of the country in order to better serve those who may not have had access to public arts funding in the past, including veterans and people with disabilities.

Public Engagement

Engagement with stakeholder groups across the country has been as important as ever for the Endowment over the last two years. The Endowment has provided support in a way that allowed Arts organizations to keep the lights on and saved thousands of jobs. Continued engagement with stakeholder groups will be essential to ensure an equitable recovery for the sector.

Pingree Q13: How does the National Endowment for the Arts engage with public groups to inform its grant making process to the benefit of the arts organizations, the employees at those organizations, and the public who patronize those organizations?

The NEA has a robust public engagement strategy that includes applicant resources designed to spur dialogue among those in the arts sector, the public, and the Arts Endowment. This effort includes grant workshops, often in partnership with state arts agencies; open virtual “office hours”; and online tutorials designed for first-time applicants. As previously mentioned, NEA staff conducted an extensive listening tour before engagement efforts and making American Rescue Plan direct grants available to organizations. In doing so, we learned about the need to make those funds available to first-time applicants and worked to ensure that organizations new to the NEA had the information they needed to submit competitive applications.

Pingree Q14: Specifically, how does the Endowment involve stakeholder groups that represent arts professionals, including labor unions, in its public engagement?

NEA staff meet virtually and in-person with stakeholders, including labor unions and arts professionals, to better understand the needs of our nation's arts communities. As Chair, I will continue to travel throughout the country, meeting at each location with regional, state and local art leaders, grantees, elected officials, and other partners. These visits allow me to listen and learn and share information about NEA opportunities for funding, research, collective learning and networking with the greater arts community.

Questions from Ranking Member David Joyce (OH)

Creative Forces – Military Healing Arts Network

I am always impressed by the work NEA carries out through Creative Forces, the agency's military healing arts network, to help our military and veteran populations exposed to trauma, as well as their families and caregivers.

Joyce Q1: How has Creative Forces expanded over the years and what impact has the program had on military families and veterans?

Beginning as a partnership with the Walter Reed National Military Medical Center in 2012, the Creative Forces clinical network has grown to include 12 Department of Defense and Veterans Affairs facilities across the country. Creative Forces has expanded to include a national grant competition program that seeks to advance health, well-being and quality of life for military and veteran-connected populations through community engagement in the arts. In May 2022, the NEA announced 26 awards totaling more than \$750,000. These community grants address the distinct experiences, challenges, and strengths of military-connected populations. Moreover, studies focused on Creative Forces have contributed to a growing body of research on the role of the arts and creativity in healing and wellbeing.

Joyce Q2: How does the fiscal year 2023 request continue to support these efforts?

The President's Budget request will allow Creative Forces to continue to provide Creative Arts Therapies services for military and veteran-connected populations across its network of Department of Defense and Veterans Affairs clinics with an eye towards understanding possibilities for making services and lessons learned from the program more widely available. The funding will also advance research on the social, emotional and physical impacts of these innovative clinical treatments. The Budget addresses the growing need to address traumatic brain injury, posttraumatic stress disorder and other exposures to trauma for military communities, as well as the needs of families and caregivers. By supporting the integration of Creative Arts Therapies with military and veteran healthcare strategies, the NEA has seen measurable impacts that could not be achieved through medicine alone.

Joyce Q3: How did the NEA and its partners continue providing therapy and care throughout the pandemic?

Similar to many different kinds of service providers, creative arts therapists quickly pivoted to online services during the pandemic. The priority was to avoid disruptions in patient care, including to those in rural and remote parts of the country. Thankfully, before the pandemic, the NEA and the U.S. Department of Veterans Affairs' Office of Rural Health developed and announced a new partnership to expand access to Creative Arts Therapies via telehealth services for rural and remote veterans. The timely addition of this initiative allowed Creative Forces to continue to provide services throughout the pandemic.

Joyce Q4: What lessons were learned that will help the program in the long run?

Our clinical programs have incorporated, developed, and shared best practices associated with tele-delivery of creative arts therapies. As is the case with all of the NEA's efforts at the height of the pandemic, the goal has been to transition from emergency response to sustainable infrastructure. To advance this goal, the budget will support creating and distributing telehealth training materials for creative arts therapists. Consequently, not only will our partner organizations be better prepared in the event of a disruption of any scale, but there now will be a more durable platform for reaching populations in geographies with limited access to creative arts therapies.

Intersection of Arts and Health

As the proud husband of a nurse and co-chair of the Congressional Nursing Caucus, I am particularly interested in the NEA's ongoing work to better understand the arts' ability to treat chronic pain, improve long-term health outcomes, and help delay cognitive decline among older adults.

Joyce Q5: How does the fiscal year 2023 request support these efforts as well as NEA's ongoing partnership with NIH, through the Sound Health Network, to connect health practitioners with musicians and therapists?

The budget continues to support Sound Health Network, a national resource center and networking platform for musicians, music therapists, scientists, and health care practitioners. It also promotes research and public awareness about the impact of music on health and wellness. Of note, the network has two nursing professionals on its leadership team. Additionally, the budget will support the NEA's ongoing co-sponsorship of "Music and Health" grants opportunities from National Institutes of Health. And through its own research awards, the NEA continues to support studies about the arts' benefits for individual health and wellness, including impacts on chronic pain and cognitive decline.

NEA's Arts Education Funding

In Chair Jackson's opening testimony, she notes that NEA's Arts Education funding helps close the opportunity gap for students that have the least access to the arts.

Joyce Q6: Please provide examples of how this funding has been used.

Through the Grants for Arts Projects grant program, the NEA's largest funding opportunity, the Arts Endowment supports programs across the arts education ecosystem: direct learning; arts instruction for students, both in and out of school, from pre-K through 12th grade; and professional development and training for educators. By supporting networks of arts education professionals at the state and national levels, the NEA works to ensure arts educators all over the country have the resources necessary to serve the students, and especially students with the least access, in their communities.

The NEA's arts education work supports access to a diverse range of artistic disciplines for young people across the country. Projects take place in school, after school, and out of school in all types of community settings. The Arts Endowment continues to expand an ambitious strategy that combines grantmaking with national and state leadership as well as data and research initiatives to ensure every student has the opportunity to engage in the arts. The programs benefit young people in underserved communities – including rural areas. This work also supports professional development for teachers, teaching artists, school administrators, and others.

Joyce Q7: How is NEA ensuring those dollars go to students in rural areas and urban centers alike?

The Arts Endowment prioritizes support for children and youth in underserved communities, including rural communities, through its Arts Education grant program. Applicants submit data on the student populations served by their programming. And as specifically stated in NEA grant application guidelines, funding is focused on providing arts education for all students and closing the opportunity gap for those for whom a high-quality arts education is often out of reach. Examples include supporting professional development for educators accessing new technologies in rural areas in order to improve student outcomes, and funding research on best practices to provide arts education in rural communities. The NEA is acutely aware of the opportunity gaps that exist in rural America and geographically isolated schools and is committed to identifying and sharing strategies that can meet existing challenges.

Questions from Representative Derek Kilmer (WA)

NEA-State Partnership

For the region, I represent, NEA funding has a real, direct impact—both in contributing to the cultural fabric of our communities *and* spurring economic activity. In fact, [a study](#) of the arts, cultural, and scientific organizations in the Central Puget Sound Region found that in 2014, these organizations generated \$2.4 billion in economic activity and created 35,376 jobs.

To that end, we know the importance of the federal-state partnership in making this impact possible. The NEA's investment in state arts organizations like ArtsWA in my home state of Washington is extremely valuable. It helps bolster a strong arts and culture ecosystem as state arts agencies must match the federal dollars in the partnership agreement 1:1 with state government funds. Additionally, state partnership agreement funding enables State Arts Agencies like Arts WA to address priorities identified at the state level as well as NEA objectives.

Kilmer Q1: How do you see the value of the NEA-State partnership and moving it forward during your term?

The President's Budget would increase the amount of funding made available to state arts organizations from \$57.5 million to \$63.6 million, an increase of more than \$6 million. The value of the NEA-State partnership is tangible—as demonstrated in Washington and in every single state and jurisdiction—but, in another sense, it is immeasurable. There is no substitute for the relationship that state and jurisdictional arts agencies have with their communities. At the national level, the NEA engages with state arts agencies regularly to ensure maximum efficiency and effectiveness. As Chair, I look forward to continuing and strengthening the NEA's longstanding working relationship with state and regional funders, observing their work firsthand, and learning more about how we, together, from our respective perches may best and most impactfully serve the public.

U.S. House of Representatives
Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
Smithsonian Institution FY 2023 Budget Request Hearing
June 8, 2022

Questions for the Record – Smithsonian Institution

Questions from Chair Pingree:

Maintenance Backlog

The Smithsonian estimates the deferred maintenance backlog is \$1.13 billion. In fiscal year 2020, Congress provided an additional \$35 million to address this backlog.

Pingree Q1: How has the \$35 million, which is now part of the base funding, allowed the Smithsonian to address the deferred maintenance backlog and prevent the accelerated degradation of building systems and components that would increase the number and cost of major repairs?

ANSWER: The Smithsonian Institution is extremely grateful for the past support of Congress to address our maintenance backlog through the funding of our capital program and our maintenance program. We have identified our deferred maintenance amounts by major buildings, and this information is available on our Facility Fact Sheets. We are currently in the process of a new cycle of facility condition assessments and are completing a building-by-building analysis, as part of our every 3-year hands-on building evaluation. We completed 6 facilities to date and will complete 7 facilities in total in FY 2022, 12 in FY 2023, and 15 in FY2024. The Smithsonian has facility fact sheets with specific conditions of each building identified, which helps guide our maintenance and capital programs planning and budget requirements. The Smithsonian's maintenance budget, as a percent of Current Replacement Value (CRV), for FY 2022 is 1.03%, which is \$116M.

Pingree Q2: What is the Smithsonian's ultimate funding goal, both for Facilities Maintenance and Facilities Capital, to drive down the deferred maintenance backlog?

ANSWER: A consistent, steady annual capital and maintenance program that allows us to keep ahead of the maintenance curve, perform on-site Facilities Condition Assessments every three years, and develop a comprehensive long-term plan to address deferred maintenance and the necessary facility revitalization around our campus.

- As it takes time to execute and get contracts in place, outline your plan to request segmented increases to achieve that ultimate funding level.

ANSWER: The Smithsonian will request funding that allows us to get closer to a 2% CRV goal without compromising necessary investments in critical programs and operations.

Pingree Q3: How is the Smithsonian Climate Adaptation Plan incorporated into your Facilities Maintenance and Facilities Capital plans?

ANSWER: Smithsonian submitted its Climate Change Action Plan, dated August 13, 2021, to the Federal Chief Sustainability Officer and National Climate Task Force. Resilience projects for the National Mall facilities in the 100 year and 200 year flood plains are being incorporated in the Smithsonian's capital plan, including those that address more immediate and certain infrastructure failure. Projects include those that focus on making vulnerable buildings more resilient to flooding and those that relocate collections to higher levels within buildings and, most importantly, to resilient, purpose-built facilities at our Suitland Collections Center and Dulles Collections Center. This includes plans for the Museum Support Center Pod 6 and the Dulles Collections Center Storage Module 2 projects that are in the current 5-year capital plan. We are also collaborating with the National Capital Planning Commission and other facilities owners in the Federal Triangle area to assess the need and feasibility of a shared infrastructure project such as a Mall Pumping Station that would benefit the three Smithsonian museums along the north side of the Mall. The recent reinstatement of the Flood Plain Management Executive Order sets a higher standard for design of resiliency in federal facilities and will be a factor in the approval by National Capital Planning Commission of Smithsonian projects in the flood plain going forward.

New Museums

The Smithsonian is in the process of reviewing possible sites for the new National Museum of the American Latino (NMAL) and Smithsonian Women's History Museum. Site selection is an important step in developing these new museums.

Pingree Q4: Will the Smithsonian be able to meet their deadline to present the Board of Regents with sites to vote on in October and meet the statutory deadline of December 2022 to provide this information to Congress?

Answer: The Smithsonian continues to work towards meeting the December 2022 deadline.

Pingree Q5: How will the funding provided in the fiscal year 2023 request for these new museums meet the milestones you hope to achieve in fiscal year 2023?

Answer: The FY 2023 budget request for both museums includes a total increase of \$7,000,000, of which \$4,000,000 is for 20 FTE to continue recruiting and selecting initial personnel; forming planning and coordination teams to develop exhibitions, public programs, education, research, collections acquisition, technology, and capital fund raising; completing a site-selection evaluation process; and developing the capacity for administrative operations. The remaining \$3,000,000 is for facilities capital cost to begin the design and construction of the new museums. Future budget requests will continue to build the necessary staff and programs to ensure we will be able to operate each museum successfully.

Pingree Q6: What must be done to ensure these new museums do not detract from the current museums or compete for collections, exhibits, staff, or other resources?

Answer: We will need to continue working with the Administration and Congress to secure the necessary resources for the two new museums that are in addition to the funds required to support our current museums and operating units. If sufficient resources are not provided, construction of the new museums or capital revitalization priorities and maintenance will be slowed.

Pingree Q7: Why is it critically important to have a public/private partnership in any endeavor to build a new museum and how does congressional support assist in leveraging funding?

Answer: Private funding ensures that the taxpayer doesn't foot the entire bill for the museum. The federal resources provide the necessary support to leverage private funding. When the public and potential donors see that the Federal Government is fully committed to supporting the new museums, it helps entice potential donors to support and gift private funds required for these projects.

Pingree Q8: Do costs end with construction?

Answer: No. Beyond the construction costs, federal funding will be needed for essential staffing, security, maintenance, collections storage space, and operating costs.

Education

The fiscal year 2023 request includes an increase of \$1.75 million to support educational outreach, including programs to address racial equity and sustainability issues.

Pingree Q9: Does the Smithsonian feel any constraints in developing its educational tools and resources with certain parts of the country are restricting educational content?

The Smithsonian leadership and education staff are paying close attention to the legislation restricting educational content in States across the nation. We recognize and acknowledge that education policy and decision making about standards and curriculum is the function of States and under their purview, often guided by local decision making, and hopefully done in collaboration with parents, families, and caregivers. The Smithsonian is a trusted source for information about history, art, culture, and science. To remain a trusted source for all teachers, students, and parents we commit to continuing our robust education methods to ground our instructional resources in research, evidence, and scholarly rigor. Given our varied collections, resources, and wealth of expertise, the Smithsonian is well positioned to support educators across the nation with information, professional learning, and engaged learning experiences, both in and out of the classroom. Our focus is on continuing to provide educators with the tools they need to teach a more complete and accurate history of the American experience.

Pingree Q10: How is the Smithsonian developing a model of the future of education and museums through your collaboration with the Washington, D.C. public school system?

The Office of the Under Secretary for Education (OUSE) is charged with developing a comprehensive strategy for the Smithsonian's educational mission that builds external partnerships and solidifies and extends the Smithsonian's position as one of the world's leading education champions. One of the primary ways the Smithsonian can achieve a profound impact is by reaching students, teachers, and scholars with our educational resources and programming. As one of our strategic priorities we have set a goal to reach every classroom in America. As we organize ourselves to reach all 56 State Education Agencies (SEAs) including Tribal Education Agencies (TEAs), 50 million students, and 3.2 million teachers, The Smithsonian will build from the Science of Learning and Development research base and leverage a delivery framework to achieve greater reach, greater relevance, and profound impact. This

framework draws from the Positive Behavior Interventions Support approach and offers programming, tools, and resources for universal, targeted, and intensive engagement. **Universal resources and programming** are available to the entire population and often utilized by users through their own initiative. **Targeted resources and activities** are directed at addressing specific needs common to multiple recipients and not extensively individualized. **Intensive resources and programming** are often provided on-site either in a Smithsonian unit or within a school community location, and require a stable, ongoing relationship between Smithsonian subject matter experts and the recipients, as well as periodic reflection, continuous feedback, and use of evidence-based approaches.

Our work with DCPS follows this model and is situated in the intensive category of our approach. The Smithsonian has signed a Memorandum of Agreement with DCPS to develop unique and innovative opportunities for students. The two institutions are developing and implementing a coherent PreK-12 student learning strategy that supports the vision and mission of both institutions. Smithsonian and DCPS will continue to align instructional resources for Pre-K -12 students, identify resources and activities to support DCPS Cornerstone Projects (“Cornerstones”), develop accessible resources that provide equitable access to high tech and high touch resources to students, families and caregivers, and design and deliver professional development activities and externship opportunities for DCPS teachers.

Pingree Q11: How can Smithsonian educational resources assist the 56 State Education agencies to ease the burden of teacher burnout, teacher shortages, and help close the achievement gap?

Since our founding, education has been at the core of the Smithsonian’s identity, as James Smithson founded the Institution “**for the increase and diffusion of knowledge.**” Today the Smithsonian Institution (SI) is committed to playing a role as **one of the foremost education organizations in the country.** SI educators enlighten, inspire, and engage people of all ages with programs characterized by excellence, breadth, and diversity. Through our 21 museums, outreach programs, libraries, 14 research centers, national zoo, web sites, magazines, and TV channel, the Smithsonian provides a multitude of formal and informal educational experiences that reach learners of all ages.

Structural inequalities in our pre-K-12 education systems have created and maintain significant achievement and opportunity gaps for students from low-income communities, racial ethnic minority students, English learners, and students with disabilities (underserved student groups) leading to the seemingly intractable challenge of improving education systems. While there are glimmers of hope in some schools, on almost every measure (access to high quality pre-school, the National Assessment of Education Progress, state assessments, suspensions, expulsions, access to rigorous and engaging course work, college entrance, college completion) underserved student groups are significantly disadvantaged in our current public education system.

The SI, through its widely recognized brand, its significant expertise, exhibits, and collections is poised to lead efforts to develop effective learning experiences for many audiences with a priority on pre-K -12 classrooms. There are several ways that we are working to celebrate and honor educators and magnifying instructional strategies and resources that will help ensure each and every learner has the opportunity to thrive.

First, each year the Smithsonian hosts a National Education Summit with keynote speakers and sessions from Smithsonian educators that explore themes, such as: Cultivating Student Voice & Creativity through Art and Design, Teaching Inclusive Stories, STEAM Education that Inspires Inquiry, Cross-Disciplinary

and Hands-On Learning Approaches, and Transformative Student-Centered Technology Solutions. The Summit draws thousands of teachers, curriculum specialists, librarians, state education agencies, administrators, and museum and cultural educators from across the nation. This event provides opportunities for educators to learn more about SI resources and instructional supports, build networks, and highlight effective practices from teachers that work directly with Smithsonian educators.

In addition, we provide customized support and co-create resources with State Education Agencies and districts across the museum. Furthermore, our museums, and science and cultural centers offer ongoing year-round professional learning opportunities for teachers. The office of the Under Secretary for Education recently surveyed teachers who participated in the co-creation of instructional resources for social studies and one teacher shared, “Being able to collaborate with other educators to help create a sustainable research-based unit was so valuable! It will open the door to other subjects and standards as well.”

Smithsonian Research

The fiscal year 2023 request includes an increase of \$8.15 million for interdisciplinary research including \$3.65 million for the research pool to foster a research environment conducive to scientific innovation, and \$4.5 million for biodiversity research to include global earth observations, climate change monitoring, and research data management.

Pingree Q12: What is the basis for the need for this additional funding? Will the Smithsonian collaborate with other federal agencies such as the U.S. Geological Survey and academia to leverage these dollars? How will these research products be utilized?

Through our new initiative *Our Shared Future: Life on a Sustainable Planet*, the Smithsonian will continue to build a bedrock understanding of the most diverse and threatened biological, ecological and socio-ecological systems on the planet, to understand the importance of these systems and safeguard their resilience in the face of global change, and to make this knowledge known to the world.

This work will include research focused on origin, evolution, and biology of ecosystems, species, and genetic diversity, on understanding and re-balancing the relationship between humans and nature, and to support the conservation of biological diversity, the sustainable use of that diversity, and the equitable sharing of benefits. This will require a continued emphasis on foundational disciplinary research, the expansion of interdisciplinary collaboration, and increased investment in co-designed, transdisciplinary research. In addition, it will require ensuring that we foster pipelines and pathways to help make sustainability studies more diverse, equitable, accessible, and inclusive. In this initiative, we will emphasize research that provides knowledge for the general public as well as the scientific community, and information that supports decision making. Throughout all of our work, we will work to increase access to the data, information and knowledge we create, supporting FAIR principles- Findability, Accessibility, Interoperability, and Reusability.

Smithsonian Castle

The Facilities Capital request for fiscal year 2023 is \$265 million, an increase of \$55 million above the fiscal year 2022 enacted level. This request includes the funding to complete the major renovation of the National Air and Space Museum (\$23 million) and to focus efforts on the Historic Core (\$55 million).

When the American public thinks about the Smithsonian Institution, they think of the Smithsonian Castle. The Castle was built in 1855 as the Institution’s first home and is in significant disrepair and at risk of catastrophic systems failure.

Pingree Q14: What will the fiscal year 2023 funding will be used for?

Answer: Fiscal year 2023 funding will be used to initiate a Construction Management contract and continue work on utilities relocation, excavation, underpinning of the Castle foundation, and seismic base isolation.

Pingree Q15: The Arts and Industries Building is a potential site for one of the new museums. Does this impact the work planned in fiscal year 2023 for the historic core?

Answer: Work on the historic core has been re-sequenced to execute revitalization of the Castle in advance of the Arts and Industries Building, instead of executing both concurrently. This will allow the site selection process for the new museums to conclude before detailed design of the Arts and Industries Building resumes. Continued design and construction in fiscal year 2023 will be focused entirely on the Castle, including the extended basement space and loading dock.

National Air and Space Museum Renovations

Questions from Ranking Member Joyce

Joyce Q1: Given the request includes another \$23 million to continue renovations at the National Air and Space Museum that began in 2018, please provide a status update on those renovations.

Answer: Construction in-place is over 60%. Phase 1 (west half of NASM) was substantially complete at the end of March 2022. Phase 2 work (east half of NASM) commenced in April 2022. Construction is on track to be substantially complete by August 2024.

Joyce Q2: Please describe the cost and schedule impacts you have experienced.

Answer: The renovation has encountered unforeseen existing conditions, including damage to existing structural steel framing concealed behind exterior stone façade, which required substantial additional work and material. The move-out of large artifacts installed over 40 years ago exceeded our initial planned cost and schedule expectations. This was driven by the complexity of safely removing and transporting these artifacts to our Dulles campus. The COVID19 pandemic created worker shortages, global supply chain disruption, and global inflation. This has resulted in contract changes to both cost and schedule.

All of this combined necessitated additional funding to complete the project. The federal capital construction budget increased from \$650 million to \$729 million. The contract period of performance has been extended by three months, from May 2024 to August 2024.

Joyce Q3: Please describe the Smithsonian's other deferred maintenance issues and the potential risks to the collections if not addressed.

ANSWER: Fortunately, the NASM revitalization project revitalizes all major facilities systems and eliminates millions from our deferred maintenance backlog. Completion of this project in August of 2024 will significantly reduce our deferred maintenance backlog.

Digital Technologies

Secretary Bunch noted in his testimony that the creation of the two new Smithsonian museums presents a unique opportunity to blend tradition and innovation in new ways, using digital technology more effectively to reach more people and to have a profound impact on people's lives.

Joyce Q4: With the creation of the National Museum of the American Latino and the Smithsonian American Women's History Museum, how is the Smithsonian planning to use more innovative digital technologies?

Answer: The Smithsonian is using the creation of the two new museums as an opportunity to integrate digital technologies and practices into everything we do from the very beginning. Whether it's collecting, curating, or engaging with the public, the new museums will be a testbed for using new, innovative technologies to better serve the public years before our physical doors open. Examples of this work will include using technologies that enable audience research and data analysis to understand the audiences we seek to reach and how best to serve them, creating open and accessible content packages that can be deployed across the web and on multiple digital platforms, and exploring immersive technologies that can further enhance the virtual visitor experience.

Joyce Q5: How will these technologies allow the Smithsonian to reach more people?

Answer: Learning and accessing resources about the history of American women and American Latinos should not be dependent on a person's ability to visit Washington, DC. Our goal in using new technologies and digital practices for the new museums is to make our content accessible to the entire nation regardless of a person's location, education level, disability, age, digital savvy, or English proficiency. In order to accomplish this, we will use new technologies to support audience research and data analysis to better understand who we are trying to serve and then design our digital experiences in a way that best meets their needs. We will also deploy technologies such as those that support creating content in multiple languages and content that's accessible to those with disabilities to further our vision of being accessible to every household and classroom in the nation.

Joyce Q6: Are there any savings to be had as we begin to rely more heavily on digital technologies?

Answer: The Smithsonian recently hired a Head of Digital Transformation whose role includes identifying common challenges across multiple Smithsonian units that could be solved with digital technologies, as well as identifying new opportunities that are afforded by digital technologies that could serve the Institution broadly. This new function will serve as a central hub to establish common digital practices, processes, and learning programs pan-Institutionally to decrease redundancy of efforts and increase economies of scale. It will also allow the Smithsonian to test new innovative ideas (such as with the new museums) that can then scale to support other units in the Institution.

Upcoming Smithsonian Initiatives

I understand the *My Hometown* initiative will seek to engage under-reached rural audiences and form local partnerships to promote discussion and dialogue.

Joyce Q7: Please describe the initiative, how it came together, and the resources in the fiscal year 2023 budget request that support this work.

Our shared future rests with every American, in every state and community, working together to find common ground. To help the nation come together, the Smithsonian Rural Initiative will actively seek out the viewpoints of all Americans. As the nation's museum, the Smithsonian is committed to presenting compelling, relevant stories of authentic America across all our collections, programs, and exhibitions. At the same time, we recognize a need to build stronger connections in parts of the country where the Smithsonian has not had a strong presence, and where we can learn from, share with, and mutually enrich opportunities.

According to the U.S. Census Bureau, one in five people in the United States—or about 60 million people—live in rural areas. While 52% of U.S. cultural organizations are in small towns and rural areas, 82% of rural cultural organizations have annual budgets under \$25,000, often limiting the type of cultural, educational, and enrichment programming available in the community. Working with local leaders to identify specific needs, the Smithsonian will expand programming and resources to rural and tribal communities across the nation.

The Our Shared Future: Rural Initiative, one of the strategic initiatives is under active development to engage rural and tribal communities nationwide through exhibitions, educational programming, and digital content. Our goal is to promote discussion and dialogue—using Smithsonian-wide resources—to explore current, local issues through the lenses of science, art, and history.

The rural initiative activities are incorporated in the education programs request for the \$1.8 million-dollar education pool funding. The funds will specifically support a national needs-sensing process to understand the issues that matter most to rural and tribal audience. In addition, funding will go toward expanding and activating partnerships with organizations that have a sustainable and reputable presence in rural communities to support youth engagement and project-based learning. Finally, funds will also be utilized to help scale programs offered through existing units that have a proven track record of success including but not limited to the National Museum of the American Indian, Smithsonian Institution Traveling Exhibition Services, Museums on Main Street, and The Smithsonian American Art Museum's Artful Connections REACH: Rural Engagement in Art, Culture and History initiative which will specifically target under resourced rural communities with the goal of expanding access to transformative cultural programming for students, teachers, and adult learners.

U.S. House of Representatives
Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
National Gallery of Art
June 8, 2022

Questions from Chair Pingree

Pod 6

Pod 6 is three-story collections storage module that will be built at the Museum Support Center in Suitland, Maryland and will be shared between the Smithsonian and the National Gallery of Art (Gallery) under a special partnership agreement. One-third of the space and the costs will be funded by the Gallery.

Pingree Q1: Are you on schedule to make the construction award in the fourth quarter of fiscal year 2022 and to begin construction in fiscal year 2023?

Answer: Yes, bids for the construction contract are expected to be received by the Smithsonian at the end of July and award of the contract is still on schedule for fiscal year 2022.

The justification lists the total cost for the Smithsonian at \$94.3 million and the total cost for the Gallery at \$65.9 million.

Pingree Q2: What confidence do you have that your cost projection of \$160 million will be adequate to construct this facility considering supply chain issues and the increasing construction costs you are experiencing with other projects?

Answer: The current high-inflation environment and continuing labor shortage is a concern for this project, and the updated government estimate was prepared in January 2022 prior to the most recent surge in market conditions. The budget estimate includes a 15% contingency allowance.

The Committee is concerned with storing many precious artifacts in the basements of the Mall museums, which are often subject to flooding.

Pingree Q3: How will Pod 6 help with collections storage and processing capacity for the Gallery?

Answer: Pod 6 will provide the National Gallery with 47,000 square feet of above-grade secure, government-controlled art storage on federal land outside of the downtown D.C. flood plain with sufficient capacity to serve estimated collections growth for about 25 years. The increased space will also provide essential swing space for temporary storage of library collections when renovations of the East Building study center begin.

Collections processing space included in Pod 6 meets a need that is currently not met at off-site storage but is important to the safe handling of artworks in transit.

Pingree Q4: How will a delay in construction impact the Gallery?

Answer: Delays in Pod 6 construction would require that the National Gallery continue its current contractual off-site storage arrangement, with the associated reliance on a third-party provider. In addition, this would extend the deferral of pressing Master Facilities Program projects and delay the start of important capital renewal projects increasing project costs and risks to collections and buildings. For the Pod 6 project itself, delays would increase total costs due to current market escalations for materials and labor and for the need to extend ancillary supporting contractual services on the project.

Master Facilities Plan

The fiscal year 2023 National Gallery of Art budget requests \$39 million for Repair, Restoration, and Renovation, including projects beyond Pod-6 construction that address the master facilities plan. This includes \$4,297,000 for West Building exterior renovations. Work on the main Gallery buildings for issues such as ADA compliance, electrical service improvements, and the East Building atrium skylight replacement are all essential to the continued preservation of the Gallery art collection and the accessibility of that collection to the general public.

Pingree Q5: How would the FY23 budget request help the Gallery achieve the near-term goals of the Master Facilities Plan?

Answer: The fiscal year 2023 President's Budget includes funding necessary to complete West Building exterior stone renovations and associated West Building site restoration that will follow completion of the exterior project and roof replacement.

Pingree Q6: Is the Gallery on pace to execute its long-term repair and renovation objectives?

Answer: With Pod 6 as its highest priority construction project, the National Gallery has deferred the next phase of MFP projects until after Pod 6 is fully funded with the exception of completing the East Building renovations that were already begun and the West Building exterior projects that were necessary to mitigate an immediate danger to the building and the public. The National Gallery is preparing an updated plan for the remaining MFP capital renewal and renovation projects during this break in new project starts.

Equity and Access

The Gallery's FY23 budget request reflects the importance of advancing racial equity and supporting underserved communities, including a request for additional funding to support two additional staff for the Gallery's work on this issue.

Pingree Q7: How would the FY23 budget request bolster the Gallery's efforts to expand the audience who benefit from the Gallery's collection?

Answer: The National Gallery's fiscal year 2023 budget request includes increases of \$400,000 and two FTE to support increased digital outreach, \$179,000 and one FTE for visitor evaluation and audience research, and \$250,000 to for data analytics efforts. In addition, to rethinking how programs supported by base funding can pivot to attract new audiences, the fiscal year 2023 President's Budget includes increases of \$579,000 and three FTE to begin supporting increased visitor evaluation efforts to inform future improvements to the visitor experience centered on the needs of our audiences and to support digital outreach activities including programming on the National Gallery's website, social media outlets, and on-site. An additional increase of \$250,000 is included in the National Gallery's IT budget for data analytics to support these and other efforts to improve customer service

Pingree Q8: How do you envision this work advancing into the future?

Answer: We will use our exhibitions, collections, research and scholarship, digital platforms, and public and educational programs to broaden our audiences and deepen our relationships with them through new content and experiences reflective of the nation's diversity. This includes finding new paths to link to local communities as well as expanding our reach to find new partnerships across the country and internationally.

On digital platforms, we will build upon and increase our connections to more diverse audiences by developing new content that appeals to Millennial and Gen Z and other audiences and partner with influencers and local community members outside of the traditional fine art space to reach audiences outside our established networks. We will seek to consistently feature on these platforms works by Black, Indigenous, and People of Color and artists from other groups that are underrepresented in the National Gallery's collection and develop thematic approaches to special interest heritage months in collaboration with employee networks.

The Visitor Experience team has recently completed a study of onsite audiences that establishes baseline data for who is currently visiting and allows us to measure the impact of efforts to attract more diverse audiences over time. The Education department is coordinating community events to attract more diverse audiences like our recent festival that featured local performers and artists of color and reaching out to various community offices in the DC Mayor's office.

The National Gallery has established an office of Diversity, Inclusion, and Belonging reporting to the Director to coordinate efforts across the institution to build a workforce that reflects appropriate benchmarks in the population at large, promote equitable policies and practices that allow all employees to thrive, and create programming that is relevant and meaningful for our communities.

The National Gallery is also updating collections and acquisition plans to better reflect the diversity of the nation. We will become even more significant by representing the expansive diversity of the American people. Since 2020, 50.6% of new acquisitions for the permanent collection have been works of art by artists of color and 35% by women artists, compared to 6% by artists of color and 12% by women artists in 2018. Our emphasis on National in our new logo reflects our renewed commitment to serve as the nation's art museum and to becoming more open, inclusive, and welcoming to everyone.

Carbon Footprint and Climate Resilience

The FY 2023 budget request highlights the Gallery's efforts to reduce its carbon footprint through its electricity purchasing program and energy efficiency improvements. The budget also discusses planning for sustainability, including long term planning for the Gallery's subterranean spaces and the prevention of flooding.

Pingree Q9: Please elaborate on how the Gallery is incorporating sustainability and energy efficiency best practices into all of its facilities planning.

Answer: In 2021, the National Gallery established a Sustainability Working Group and is in the process of hiring a Chief Sustainability Officer to lead an organization-wide effort to incorporate sustainability, climate resiliency and energy-efficiency considerations into all National Gallery planning. Energy-saving improvements are integral to the National Gallery's day to day facilities maintenance plan as well as the Master Facilities Plan and numerous improvements have been made over the past twenty years.

Pingree Q10: Specifically, how is the Gallery planning for not just current needs but also long-term sustainability needs in the facilities work it is doing now?

Answer: Planning for all capital projects incorporates an integrated approach to sustainability and climate resiliency. The West Building exterior renovation project and roof replacement will make improvements to the building envelope to prevent air and water intrusion. The art storage facility joint project with the Smithsonian is being designed to achieve LEED Gold certification incorporating geothermal heating and cooling to achieve substantially lower carbon usage as well as a variety of energy and water-saving features. Planning for future renovations work includes consideration of climate resiliency, especially risks to subterranean spaces and what measures are necessary to protect them from flooding.

Questions from Ranking Member Joyce

Loaned Artwork / Cleveland Museum of Art

Last year the National Gallery of Art lent over 280 artworks to 88 museums in cities across the country, including the Cleveland Museum of Art. I think this is a wonderful partnership that allows Americans across the country to see some of the Gallery's collection and original works without necessarily having to travel to Washington, D.C.

Joyce Q1: Please describe the importance of this loan program and the National Gallery's plans to work with additional museums this year.

A1: The National Gallery of Art's loan program plays a vital role in our Mission, Vision, and Values, specifically being an institution 'Of the nation for the people'. The 2021 loan of collections of Pierre Bonnard and Edouard Vuillard to the Cleveland Museum of Art exhibition, *Private Lives: Home and Family in the Art of the Nabis, Paris, 1889 – 1900* illustrates these partnerships.

Founded as a gift to the nation, the National Gallery's collection is made accessible to museums throughout the United States for all institutions that meet the American Association of Museums (AAM) definition of a museum. By extending loans to temporary exhibitions across the US, we expand accessibility to the collection for citizens who may be unable to travel to Washington, while supporting important exhibitions nationwide.

So far in fiscal year 2022, the National Gallery's loan program has already exceeded loans for 2021, with 364 works of art lent to 64 institutions, including several first-time borrowers.

Additionally, the National Lending Service is a program established to make the collections of the National Gallery accessible to museums throughout the United States through extended loans of individual objects for display with qualifying museums' permanent collections. There are currently 17 works on loan to 15 institutions under this program. More information can be found here (<https://www.nga.gov/collection/national-lending-service.html>).

Loans to Ohio in 2022:

- Columbus Museum of Art, *Roy Lichtenstein: History in the Making, 1948-1960*, 4 March 2022 – 5 June 2022
- Columbus Museum of Art, *Raphael—The Power of Renaissance Images: The Dresden Tapestries and their Impact*, 15 July 2022 – 30 October 2022 – this is the only US presentation of this exhibition from Dresden, Germany
- 4 loans to Cleveland, Columbus and Toledo scheduled for 2023

Pod 6 Offsite Storage Facility

The fiscal year 2023 budget request includes \$27 million for the Gallery's share of construction and project management costs for Pod 6, the new shared art storage facility at the Smithsonian Museum Support Center.

Joyce Q2: Please provide an update on the status of Pod 6 and explain how the shared storage center will help the Gallery save on storage costs in the long run.

Answer: Project design was completed in January 2022 and the construction contract is currently awaiting receipt of bids. The National Gallery currently spends approximately \$1 million per year on 14,000 square feet of contractual off-site storage and associated services that only minimally meets National Gallery standards, is already at capacity, and provides no guaranteed capacity for growth. In contrast, the new facility will provide 47,000 square feet of space allowing room for collections growth as well as collections processing space not currently available. Funding currently budgeted for off-site storage will be reallocated to support the National Gallery's share of operating costs for Pod 6 when that facility enters service. The estimates for operating costs and the National Gallery's share will be determined as the project nears completion and a memorandum of understanding will be developed to document the interagency agreement.

Joyce Q3: Please describe what is driving the project cost increases.

Answer: Total project cost increased by \$27 million (20%) upon final design completion due to a number of factors, chief among which was a significant underestimate of the costs for fixed and movable collections storage equipment required by the two organizations. Higher costs for HVAC and electrical infrastructure, increased sitework to meet environmental requirements, and sustainability enhancements to achieve LEED Gold certification are the other major cost increases, offset by a reduction in total design costs. The design changes included a new allocation of space between the Smithsonian and the National Gallery, resulting in a higher percentage of total costs shifting to the National Gallery than originally anticipated.

Online Outreach

I understand that during the pandemic, when galleries were closed to in-person visitors, visitation to the Gallery's website increased by 52 percent and social media followers grew by 42 percent.

Joyce Q4: How did the Gallery use online resources in creative new ways during the pandemic to interact with these new visitors and followers?

A4: Through an aggressive program of engagement across digital channels, digital attendance increased by nearly 50% last year. Our website and social media platforms featured 360-degree virtual exhibition tours, a new storytelling blog, a podcast that

brought musicians together with visual works of art in the collection, and a fresh approach to video on YouTube. We have grown to more than 18 million unique visitors to the website annually, and from March 2020 to today there has been a 13% increase in total followers and 36% increase in engagement across our social media channels, and 2.3 million views of videos on our website and YouTube.

On social media, to build upon and increase our connections to more diverse audiences online, the team developed new content to appeal to Millennial and Gen Z social media users, leveraged social media trends including reels, face filters, and quizzes, and partnered with influencers and local community members outside of the traditional fine art space to reach audiences outside our established networks. The National Gallery's social media outreach consistently features works by and including BIPOC and other groups that are underrepresented in the National Gallery's collection and spotlights special interest heritage months in collaboration with employee groups.

Joyce Q5: Has virtual programming enabled the Gallery to connect with a broader group of students and educators, like those in my district, who have not been able to travel to Washington, D.C., to view the collection before?

A5: Educational resources for students and teachers served over 33 million last year. We reimagined our popular educational lesson plans to serve teachers working with remote classrooms and included art activities to support students. These online educator resources reached more than 821,000 individuals in fiscal year 2020 at the height of virtual teaching compared to 250,000 in fiscal year 2019, which is over 200% increase in usage. Our scholarly lectures aimed at an older audience also engaged large audiences in a virtual format. Finally, our affiliate loan program, which licenses our films to broadcast stations across the country and loans physical learning resources to various organizations such as school districts, healthcare facilities, and libraries, continues to reach a large national audience in 47 states.

Teachers from Ohio participated in the three virtual Summer Institute for Educators hosted since 2020, and the first return of the on-site Institute held last week at the National Gallery. We hope to continue to do this virtual programming and online workshops, as it allows greater participation from educators across the country. Virtual Artful Conversations have also been well received by families across the country, each month, our museum educators, and special guests will lead a 60-minute guided discussion of a masterpiece from the National Gallery's collection—all from the comfort of home. Since FY 2020, over 331,000 Ohioans have made use of the Gallery's website and social media platforms to access digital program offerings and Ohio ranks in the top ten states outside of the D.C. metropolitan area for registration for on-line special events.

Joyce Q6: How did the department of Visitor Experience and Evaluation, established in fiscal year 2021, better enable this work?

A6: The Visitor Experience team has recently completed a study of onsite audiences that establishes baseline data for who is currently visiting and allows us to measure the impact of efforts to attract more diverse audiences over time. A new program of continuous visitor evaluation and surveys will allow us to track audience trends over time and help us better serve the interests and needs of visitors.

Anchored by our mission and strategic priority to provide a visitor-focused experience, the department of Visitor Experience and Evaluation, since its establishment in FY 21, strives to deliver to our campus audiences meaningful and memorable experiences that respond to our visitors' needs. The department supports many steps in the visitor's journey to the National Gallery, digitally, physically, and operationally.

Assisting with visitor inquiries and responding to feedback, the department's continually expanding visitor contact center (phone, email, comment card) provides direct lines of communication for visitors to ask questions about the art or their visit 7-days a week. Since October 2021, the team has responded to more than 10k calls and 5k emails. Maintaining these open lines of communication with our visitors provides the museum a consistent opportunity to listen to and respond to visitors in ways that allow us to work towards shared audience goals.

Helping to create a connected and seamless experience while on our campus— from the warm welcome of entry greeters and checkroom attendants to the knowledge sharing of our desk volunteers, to the helpful or inciteful interactions with our wayfinding guides — the department's expanding team of 230 front of house staff and volunteers respond to visitor needs to directly shape memorable interactions with the more than 2.3 million visitors since October 2021.

To serve and grow our audiences and provide those memorable and meaningful experiences, we need to understand who our audiences are and what they need. The department helps to provide these insights through evaluation work, including audience studies and exhibition and program evaluations. In early 2022, the department completed a multi-year 4-season audience study that establishes baseline data on audiences that will be used to measure the impact of and inform the scope of several strategic projects working towards providing a more visitor-focused experience and attracting more diverse audiences for both our onsite and digital visitors.

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