

To: Quinn, Matthew[matthew_quinn@ios.doi.gov]; Amanda Kaster[amanda_kaster@ios.doi.gov]
From: Chambers, Micah
Sent: 2017-01-30T16:17:45-05:00
Importance: Normal
Subject: Re: LEGISLATIVE REFERRAL: (DUE 1/30/17 @ 4:45 PM) MISC #6 - OMB Statement of Administration Policy Re: Five Joint Resolutions that would Overturn Five Final Agency Rules under the Congressional Review Act
Received: 2017-01-30T16:17:53-05:00
1-30-17 HJRes Combined CRA SAP Circulation.docx

Minor edits to flaring. If this creates way more work in the process to pitch edits, then don't bother. I don't think either of these changes are crucial, mostly just cosmetic word choices.

On Mon, Jan 30, 2017 at 3:32 PM, Nevils, Joseph <joseph_nevils@ios.doi.gov> wrote:

CORRECTION*

Responses should be sent to Matt Quinn not Pam Barkin.

URGENT DEADLINE DUE TODAY: MONDAY, JANUARY 30, 2017 @ 4:45 PM

DEPARTMENT OF THE INTERIOR

LEGISLATIVE COUNSEL REFERRAL

Date: January 30, 2017
To: Legislative Liaison
From: Pam Barkin (501-2563)
Contact: Joe Nevils (208-4580)
Subject: MISC #6 - OMB Statement of Administration Policy
Re: Five Joint Resolutions that would Overturn Five Final Agency Rules under the Congressional Review Act

This week the House will consider five joint resolutions that would overturn five final agency rules under the Congressional Review Act. Attached for review is one draft SAP that strongly supports House action on those five joint resolutions.

Please provide any specific edits or your signoff on the SAP by the deadline above.

Below are links to the text of the five joint resolutions cited in the SAP:

H. J. Res. _____ - Disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule (Subject to a Rule) *(Sponsored by Rep. Bill Johnson / Natural Resources Committee)*

H. J. Res. _____ - Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to "Disclosure of Payments by Resource Extraction Issuers" (Subject to a Rule) *(Sponsored by Rep. Bill Huizenga / Financial Services Committee)*

H. J. Res. _____ - Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007 (Subject to a Rule) *(Sponsored by Rep. Sam Johnson / Judiciary Committee)*

H. J. Res. _____ - Disapproving the final rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation (Subject to a Rule) *(Sponsored by Rep. Virginia Foxx / Oversight and Government Reform Committee)*

H. J. Res. _____ - Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation" (Subject to a Rule) *(Sponsored by Rep. Rob Bishop / Natural Resources Committee)*

Please send agency comments or respond with a "no comment" to [Matthew Quinn@ios.doi.gov](mailto:Matthew_Quinn@ios.doi.gov) and [Joseph Nevils@ios.doi.gov](mailto:Joseph_Nevils@ios.doi.gov) by the deadline above.

Attachment(s): 1

Joseph Nevils

Legislative Assistant

Department of the Interior

1849 C St, NW 20240

(202) 208-4580 (O)

(202) 208-7619 (F)

--

Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

STATEMENT OF ADMINISTRATION POLICY

H.J. Res. – Disapproving the Rule Submitted by the Department of the Interior Known as the Stream Protection Rule

(Rep. Johnson R-OH and __ cosponsors)

H.J. Res. – Disapproving the Bureau of Land Management's Final Rule Relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation"

(Rep. Bishop R-UT and _ cosponsors)

H.J. Res. – Disapproving the Securities and Exchange Commission's Rule on Disclosure of Payments by Resource Extraction Issuers

(Rep. Huizenga, R-MI, and __ cosponsors)

H.J. Res. – Disapproving the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007

(Rep. ____ R- and __)

H.J. Res. – Disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation

(Rep. ____ R- and __)

The Administration strongly supports the actions taken by the House to begin to nullify unnecessary regulations imposed on America's businesses. The regulations that the House is voting to overturn under the Congressional Review Act have established burdensome compliance requirements that force jobs out of our communities and discourage doing business in the United States. The House is also considering overturning a Social Security Administration Rule that would increase scrutiny on some Americans with disabilities if they attempt to purchase firearms.

H.J. Res. XX would nullify the Department of the Interior rule known as the "Stream Protection Rule." The bill disapproves an onerous rule imposing requirements on surface coal mining operations, creating significant compliance costs and a regulatory burden on America's coal production. This rule duplicates existing protections already in place at the Federal and state levels. The Administration is committed to reviving America's coal mining communities, which have been hurting for too long.

H.J. Res. XX would nullify the Department of the Interior's Bureau of Land Management final

rule relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation." The bill disapproves a rule that requires oil and gas producers to implement costly measures to reduce the disposal of excess natural gas, but does not address the environmental issues associated with controlling methane emissions. The rule imposes significant compliance costs and a regulatory burden on oil and gas production on Federal lands. The Administration is committed to reducing regulatory burdens on American businesses, supporting energy policies that lower costs for hardworking Americans, maximizing the use of American resources, responsible energy development and freeing us from dependence on foreign oil.

H.J. Res. XX would nullify the Securities and Exchange Commission (SEC) rule that requires resource extraction issuers to report payments made to governments for the commercial development of oil, natural gas or minerals. The rule requires companies to disclose information that the host nation of their project prohibits from disclosure or is commercially sensitive. This rule imposes unreasonable compliance costs on American energy companies that are not justified by quantifiable benefits. Moreover, the rule's disclosure requirements are not applied to their foreign competitors, putting American businesses at a competitive disadvantage.

H.J. Res. XX would nullify the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007. The rule would allow the Social Security Administration to provide records on certain individuals who receive Disability Insurance benefits under title II of the Social Security Act or Supplemental Security Income payments under title XVI of the Social Security Act to the Attorney General for inclusion in the National Instant Criminal Background Check System. The rule would increase scrutiny on some Americans with disabilities if they attempt to purchase firearms. Nullifying this rule will protect the Second Amendment rights of law abiding citizens.

H.J. Res. XX would nullify a rule related to the Federal Acquisition Regulation that would require federal contractors to self-certify compliance with labor laws. The rule would bog down Federal procurement with unnecessary and burdensome processes that would result in delays, and decreased competition for Federal government contracts. Rolling back this rule will also help to reduce costs in Federal procurement. The Administration is committed to reducing onerous regulatory burdens on America's businesses and using existing authorities to continue enforcing the Nation's workplace laws.

[If these bills were presented to the President in their current form, his advisors would recommend that he sign them into law.]

To: Parrish, Jean[jean_parrish@ios.doi.gov]
From: Chambers, Micah
Sent: 2017-02-01T09:54:46-05:00
Importance: Normal
Subject: Re: Hello Micah - Jim Cason would like a transcript -
Received: 2017-02-01T09:55:37-05:00
[SENR Confirmation Hearing Transcript - King Cove.docx](#)

Hi Jean. Transcript with highlights is attached as requested. Just FYI, Murkowski mentions it in her opening statement and close to the end of the doc. 5 mentions.

On Wed, Feb 1, 2017 at 7:46 AM, Parrish, Jean <jean_parrish@ios.doi.gov> wrote:

of the Secretary's hearing. And he would like any reference to King Cove flagged.
Please let me know how I can obtain this transcript. Jim has a meeting with King Cove this afternoon. So he'd like to see the transcript asap.

Thanks for your help, Jean

--

Jean Parrish
Administrative Officer
U.S. Department of the Interior
1849 C Street NW
Room 5113
Washington, DC 20240
202-208-7966

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

Senate Energy and Natural Resources Committee Holds Hearing on the Nomination of Rep. Zinke to be Interior Secretary

LIST OF PANEL MEMBERS AND WITNESSES

MURKOWSKI:

Good afternoon, everyone.

To get started this afternoon, I just, kind of, give a lay of the land here this afternoon. I will first proceed with my opening statement, then I will call upon our Ranking Member Senator Cantwell to make hers.

After Senator Cantwell has concluded her remarks, we will hear from our colleagues, the Montana senators, Senator Daines and Senator Tester. Thank you both.

Senator Tester of course is -- excuse me -- Senator Daines, of course is on the committee here and Senator Tester it's good to have you join us as well. They will introduce our distinguished witness and the other member of the Montana delegation, Representative Ryan Zinke.

And after the introductions, as is the committee's longstanding practice with nominees, I will then swear in the witness, ask him three questions that we address to all nominees at confirmation hearings.

So that's how we will proceed this afternoon. I think it's important for us all to recognize that we also have a vote that is scheduled at about 4:15 and so that will cause a little bit of an interruption. But we do want to try to move as expeditiously through this hearing as we can.

Before I proceed, I'd like to recognize an individual who is well known to this committee room and that's the former chairman of the Energy Committee, former Senator Frank Murkowski, who I happen to know well. It's good to have him back. Little bit of favoritism there, but it's good to have you here as well.

I'd also like to welcome the new members to our committee. We have three new members and we're pleased to have the new senator from Nevada, Ms. Cortez Masto, welcome. As well as the new senator -- the junior senator from Illinois, Senator Duckworth, it's good to have you as part of the committee and Senator Sessions has also joined the committee. As we know he's a little bit busy right now on some other issues, but we do have three new members and we welcome them.

Our first hearing of the new year, a new Congress, a new administration and I hope it will also be a new era for the Department of the Interior.

I'd like to thank you Congressman Zinke for being here. Yours has really been a life of service to our country, from your more than two decades as a Navy SEAL, to your time as a member of the House of Representatives. And then, of course, most recently you have answered the call to continue your public work as a Cabinet secretary for our next president.

Now we have just begun to get to know one another, since the president-elect announced his intention to nominate you. I've appreciated the conversations that we have had and I look forward to continuing them in this more formal setting here today. And as you learn more about each of the states that are touched by the Department of Interior, I particularly appreciate your efforts to understand how and why Alaska is unique among them.

MURKOWSKI:

Now to state that Alaska has had a difficult or a tenuous relationship with the outgoing administration is probably more than an understatement. Instead of seeing us as a state of Alaska, our current president and secretary seem to see us as Alaska, the national park and wildlife refuge, a broad expansive wilderness with little else of interest or value. We've lost access to lands and to waters, that even President Carter had promised us would be open to us. We've had our longstanding right to manage wildlife within our borders ripped away. We've seen projects halted through the delay or the denial of vital permits. For eight years, it seemed that this administration has taken the approach that Alaska has to be protected from Alaskans and they've acted accordingly. The restrictions that we face in resource development are almost unbelievable at times.

Through the Interior Department, the Obama Administration has attempted to ban energy development in nearly all of the Beaufort and the Chukchi Seas. It's withdrawn tens of thousands of square miles of water outside of those two areas. It's attempted to convert the non-wilderness 1002 area and our coastal plain in ANWAR which was set aside, by Congress, for its energy potential into de facto wilderness. It's cancelled lease sales, closed half of our national petroleum reserve and imposed costly extra legal mitigation requirements, and it goes on and on and on and we've had an opportunity to talk about that. The Obama Administration has repeatedly violated or sought to evade our No More Clause. It is rewritten management plans to cut off economic activities and other reasonable uses of public lands.

It's deprived of us -- us of an opportunity but offered nothing in return, not even to Alaska native villages that are threatened because of climate change. And this reaches all the way out to King Cove, where our current secretary rejected a short, one lane, gravel, non-commercial use road needed to protect the health and safety of nearly 1,000 Alaskans. Without that road, we've seen 55 medi-vacs over the last three years alone, including recently an elderly Aleut woman, who had a hip fracture, she was forced to wait more than 40 hours for help to arrive. And while Alaska may be the poster child, the reality is that our state is not alone in having suffered at the hands of the Interior Department. With little regard for local concern and opposition, the President has designated more land and water as national monuments than the previous 18 presidents combined.

Landscape level planning, a term that sounds pretty reasonable, is another example of a strategy that has been used to reduce the influence of local areas so that someone sitting here in Washington, D.C. can tell someone living in Forty Mile, Alaska or Blanding, Utah what their life is going to look like. And of course, Congressman Zinke, this is the Interior Department that you are walking into. And I'm counting on you, as many Alaskans are, and I think many Americans are to come in and help fix it. I know that you're a Navy man, so excuse the expression, but we hope the cavalry is on the way. And I've got a list of some things that I think can be done to improve the situation. We need an Interior Department that fully understands the commitments made to Alaska and abides by them, particularly our No More Clause. We need the department to recognize that individuals, such as John Sturgeon (ph), what they go through when agencies, like the Park Service overreach into our lives.

We need the department to restore public access to public lands, to allow us to produce our resources and to help us restore throughput in the Trans-Alaskan Pipeline. We need a department that will lift decades old public lands orders, that no longer serve any purpose, other than to allow the Federal government to control more of Alaska, and it will prioritize the clean-up of contaminated lands and legacy wells. In Alaska, which has 223 million federal acres, but just one quarter of 1 percent of its land in private ownership, again we've got 223 million federal acres, one quarter of 1 percent of land in private ownership. So, interior must recognize the importance of land transfers and land exchange -- exchanges. We've got promises that have been made to our state at statehood that remained unfulfilled. Promises made pursuant to ANCSA, promises made to our native veterans, so know that insuring that our Federal government honors those commitments to Alaskans remains one of my highest priorities.

We also need a department who will rely on the expertise of the state and do more to address our needs from volcanic monitoring to mineral mapping within its budget. And that's a lot, on its own. But if you are confirmed, you will also inherit an array of problems and challenges that are much broader in scope. The Park

Service reports it has an \$11.3 billion maintenance backlog, meaning that even while some remain intent on acquiring more federal land, we're not properly taking care of what we already have. The U.S. affiliated islands, the territories, like the Northern Marianas and the freely associated states like Pulau, have issues ranging from worker visas to compact agreements that cannot be forgotten either. And then there's the Bureau of Indian Affairs, whether we are discussing tribal courts, education, infrastructure or development, we must work together to improve and empower our native communities. And that begins with meaningful consultation with tribes, which is a legal requirement that the outgoing administration has often failed to meet.

So finally, Congressman Zinke, if you are confirmed, I expect we will work together in a manner that is thoughtful and reflective of a true partnership. And I hope that you'll be able to show that the Interior Department is capable of working with, rather than against, local stakeholders to achieve good results. I think, in the conversations that we have had, you've shared a vision of how the department will look under your direction. We know -- we both know that that will take hard work and close cooperation with this committee to fulfill your vision. But that work is well worth it, for all of us who truly care about our public lands, who want to see them managed well, and who want the public to have access to them, whether for rock climbing, or gold mining, or energy development. So again, I thank you for being here, for your willingness to serve and I'd now like to turn to Ranking Member Cantwell for your comments.

CANTWELL:

Thank you Chairwoman Murkowski and welcome to the former Chair Frank Murkowski. Welcome to the new members of the committee, particularly on our side of the aisle, Senator Duckworth and Senator Cortez Masto. Thank you for being willing to serve on this committee and I look forward, maybe look forward to seeing, Mr. Sessions, Senator Sessions on the committee. I don't know. We'll leave that for another days discussion. And our two colleagues here, thank you for coming to support the nomination of your colleague, who has been nominated by the President-elect to be the Secretary of Interior. I'll give you my congratulations on that nomination when we get to the Q and A.

But today, we're here to discuss the office of Secretary of Interior, as one of the most important offices of the Federal government, because it oversees our national parks, wildlife refuge, public lands and it is responsible for protecting our nations trust responsibility to Indian country, and as the chair mentioned to insular areas, that frankly, get very little attention here and deserve more attention. The secretary's also responsible for much of the nations onshore and offshore mineral resources and it also manages the water resources in western states, responsible for our nation's hydro systems, something that Senator Wyden and I are very keen on, as well as our colleague from Nevada. It is a far reaching portfolio and it is growing and very much impacts our economy. One of the main responsibilities of the Secretary of Interior, is overseeing our national parks. The park system includes 417 areas, covering more than 84 million acres in every state with an annual operating budget of almost \$3 billion, and has more than 20,000 employees.

But it is also America's treasures, our national parks and they drive an outdoor economy that provides over 6.1 million jobs and \$646 billion in annual revenue, so never underestimate the value of public land when it comes to recreation. Last year was the 100th anniversary of our national parks. And while we passed a very modest improvement to our national parks, I believe our 100 year celebration deserves more and I look forward to asking the nominee if he agrees with me on that. Americans want us to do more to invest in these crown jewels, by providing jobs and recreational opportunities, and something, I know we all can agree on, fixing the maintenance backlog.

CANTWELL:

One of the successes that the Senate had last Congress, was passing a bi-partisan legislation preserving our special places through a bi-partisan land and water conservation fund legislation. And I believe that Congressman Zinke will have a chance to discuss this in his testimony, but I'm sure as an avid sportsman, he

knows the value of our public lands and was enthusiastic about us trying to come up with bi-partisan legislation to fix the land and water conservation fund.

My constituents want to know, with the new administration, are these public lands going to face an unbelievable attack by those who would like these public lands away from us and turn them over back to states? Or, are we going to continue to manage these resources for the incredible investment they are and continue to improve, so we can get even more economic return? A second major responsibility of the Department of Interior is the management of resource extraction, over 260 surface acres, I'm sorry, 260 million surface acres, 700 million sub-surface acres and 1.7 billion OCS, outer continental shelf. So today's hearing is about determining whether the nominee is committed to making sure that we minimize environmental harm, that we pay for clean up and that we have one fundamental principle that continues to be and that is that polluters pay.

There is, and continues to be an opportunity for us to insure that these public policies, according to the Government Accountability Office are getting a fair return for the American taxpayer. We have seen, over time, problems in the fossil fuel program at Interior, that is GAO has said could cost over \$200 million a year in loss revenue. The Obama Administration took important steps to try to fix these problems. The Deep Water Horizon oil spill in 2010, exposed the consequences of failing to have these kinds of regulations. And so, the disaster caused us to put in major reforms at the Department of Interior to making sure important oversight and regulations were not pushed aside and that we monitor these programs. I would have to say that the coal program is one that needs continued focus and attention and we'll have a chance to talk about this today.

The Obama Administration has adopted rules to insure a fair return to taxpayers for our national mineral resources, requiring everyone to pay for mitigation for the damages that they cause. Just today, the Government Accountability Office announced a new conclusion after reviewing multiple types of energy and national resources. The GAO found that coal mining alone gets a very special treatment in the ability to have bonding for reclamation requirements. Everyone else, oil and gas producers, wind, solar and even hard rock miners have to post and cash a third-party bond to make sure that they can clean up the financial surety of the pollution that would be caused. This is something that needs to be address by the agency and would hope that our nominee would address this.

Today's hearing also affords, Congressman Zinke, the opportunity to demonstrate how he will uphold the trust and treaty obligations to 567 federally recognized tribes. This includes overseeing the Bureau of Indian Affairs and Indian education and a \$2.5 billion budget in Indian country. The reason, Madam Chair, I will take a minute on this particular point, is that our colleagues, many of who serve on this committee, also serve on Indian Affairs, will not have the same chance to point these important issues out to the nominee. But clearly, these issues of stewardship, as it relates to tribal lands, support for tribal education, social services and infrastructure, I think regardless of the side of aisle you sit on, you will hear many things from people both on Indian affairs and Energy committee about how important these issues are to the constituents that we represent. It is also critical that we understand the nominee's commitment to carrying out our obligations in insular affairs and as the chair mentioned, there are many issues that we will get to in the Q and A.

But I would like to bring up a few issues as it relates to the Pacific Northwest. There are issues where climate has caused greater impacts on both drought and fire damage. This committee has taken bi- partisan efforts to move forward on both of those issues, collaborative efforts to make sure in both Washington and Oregon. We are doing all that we can to plan for better resource management of our water supply and build capacity for the future. And we have reached consensus here in the Senate as well, on ways to stop fire borrowing and move forward on what our fuel reduction policies that would better serve our federal public lands. I would also mention, of particular importance to all of us in the Pacific Northwest, the important pending reauthorization or recommitment of the Columbia River Treaty. The management of our federal hydro system between the United States and Canada needs a lot of attention and direction and we hope that we will have a chance to ask you questions about that as well.

So thank you Madam Chair. I again congratulate the nominee and look forward to hearing from him and his wife, here and meeting his family as he makes his introduction.

MURKOWSKI:

Thank you Senator Cantwell. We will now turn to the Montana Senators for introduction of a nominee and -- and recognizing your -- your seat on the committee here.

Senator Daines, we will hear from you and then hear from Senator Tester, to introduce the nominee to be secretary of the Interior.

Senator Daines.

DAINES:

Madam Chair Murkowski, Ranking Member Cantwell, thank you.

It is truly my great honor to introduce a fellow Montanan, an American hero and a good friend of mine, Congressman Ryan Zinke and support his confirmation to the position of interior secretary of our new president, Donald J. Trump.

Notice you have the entire Montanan congressional delegation before you today. We have both the Montana senators, one who is a Republican and one who is a Democrat.

You know, I first met Ryan in 1979, when we were both high school students growing up in Montana. In fact, we were in Dillon, Montana for boy state (ph). Ryan from Whitefish High School and I was representing Bozeman High School. He was captain of the soon to be undefeated State Champion Whitefish Bulldog football team, he was also president of his class.

After high school, Ryan went on to the University of Oregon, where he was a full scholarship, starting athlete for the Oregon Ducks, their football team, where he would win numerous awards for outstanding academics as well as athletic performance. And he majored in geology, the subject matter that I know has served him well in serving the people of Montana.

And then Ryan enlisted in the United States Navy. Ryan Zinke is a U.S. Navy SEAL commander, whose assignments include the Elite SEAL Team Six. And part of that tenure was serving under General Mattis as commander of Joint Special Forces in Iraq, at the height of insurgent activity.

I would like to highlight Ryan's experience as a SEAL, because Navy SEALs never quit. They don't know the definition of the word, because they never do. Navy SEALs also don't fail, they die trying. And it's that work ethic that Ryan Zinke brings with him to every mission he takes. Whether it's in the military, in the United States Congress, or at the Department of Interior.

During his 23 years of service as a SEAL, Ryan conducted special operations on four continents. He trained and mentored thousands of men and women and he made sure our troops were as prepared and as safe as absolutely possible when conducting these no-failed missions around the globe.

He was also the guy who the Navy called upon to go into units and see how they could be improved. Whether it was looking at new advancements in technology so our special forces could invade new landscapes undetected by the enemy or reviewing existing processes and implementing new policies that our ground force commanders and headquarters could communicate more efficiently during combat, Ryan Zinke has always been a trusted leader of the most amending missions. And it will be no different at the Department of Interior.

As the deputy and acting commander of Joint Special Forces in Iraq in 2004, Ryan led a combined force of special operators through the streets of Fallujah as the forward commander at the height of insurgent terrorist activity in what can only be described and I quote, "As a warehouse of death."

Ryan was charged with implementing a strategy utilizing tens of thousands of personnel, both military and civilian, to advance our mission. And he coordinated with other branches, nations and government agencies, to achieve diplomatic and military missions. Ryan earned two bronze stars and many other awards for his service to our great nation.

We should also be thankful to his wife Lola and their children for their service. I might add, apples don't fall far from the tree. Ryan's daughter, who's sitting beside him, was a Navy diver, his son-in-law is also a Navy SEAL.

Following his retirement from the Navy after 23 years of honorable service to our nation, Ryan came back to Montana and he continued to serve, because Ryan ran for and he won a seat in our state Senate and then as Montana's sole representative for the state House. In fact, he was the first Navy SEAL ever elected to the U.S. Congress.

Ryan has been a strong supporter of conservationists, as well as responsible natural resource development and increase recreation access on our public lands. You see Ryan grew up 30 minutes from Glacier National Park, I grew up 60 minutes from Yellowstone National Park, we both understand the importance of our national parks, in fact Ryan and I have shared a mackenzie (ph) boat together fly fishing in one of Montana's many blue ribbon trout streams. Ryan is intimately familiar with the vast jurisdiction of the Department of Interior because he's lived it.

He has seen his own hometown suffer due to bad government policies that hurt rural communities like Libbie (ph), like Malta (ph), like Colestrip (Ph) that depend on our public land access. After all Ryan is a born and break Montanan, who knows that we must strike that right balance between conservation and responsible energy development. And he understands that a one size fits all policies, like we see coming from Washington D.C., never work for real America.

Ryan Zinke is smart, he's got Montana horse (ph) sense, he's the guy you want in your corner whether you're fighting in the streets of Fallujah for your life or fighting on the floor of Congress for your livelihood. He listens and he fights for what he believes in, I have no doubt that he will be a fighter for America, for our public lands, as the next Secretary of the Interior. Thank you madam (ph) chair (ph).

MURKOWSKI:

Thank you Senator Daniels, appreciated your comments and sharing all that with us. Senator Tester thank you for joining us here at the committee and please if you will, precede with your introductions.

TESTER:

It indeed is a pleasure and I want to thank you Chairwoman Murkowski and ranking member Cantwell, distinguished members of this committee for allowing me to be here today, because it is an honor today to participate to introduce the decorated Navy veteran and fellow public servant, lucky enough to represent the people of the great state of Montana, the treasure state, the last best place. Before our time here both Congressman Zinke and the pleasure of serving in the Montana Senate, albeit not at the same time. So I want to thank him for answering the call to serve our great nation.

I believe it is very important for someone who knows the West to serve as Interior Secretary. The job of Interior Secretary is incredibly important especially today as America's public lands come under attack by folks who want individual states to manage them which is the first step to selling off our public lands to the highest bidder. It falls on this committee to ask Congressman Zinke specific questions about how he views the

responsibilities of Interior Secretary and how he will push back on this administration with his perspective, his Montana perspective, whenever necessary.

Things like public lands, keeping public lands in public hands for our kids and our grandkids, a very important issue at the moment and time. Things like the deferred maintenance and backlog wreaking (ph) havoc on our national park system. Things like land and water conservation fund, how to work with Congress in this administration to ensure full and devoted funding to initiatives (ph) like that visionary LWCF, Land and Water Conservation Fund. As the Chairwoman pointed out, things like crushed (ph) responsibilities in Indian (ph) country and the ranking member as well, for America's sovereign Indian nations and of course resource development.

How to responsibly manage our public lands for energy and resource development, and how to balance that with respect to clean water and clean air and wildlife in the habitat that supports them. I am particular encourage my Congressman's support for protecting the gateway to Yellowstone National Park. Just recently when a mining company proposed to drill just a few miles from the doorstep of this nations first national park, the Congressman joined me and local businesses and community leaders to protect our outdoor economy.

Of course there are issues that the Congressman don't see eye to eye, but he provided - but if he provides you with the answers that he has provided to me I expect that you will find that he is well equip to post with accountability. As a westerner I know what's at stake, so I am honored to introduce Congressman Zinke to this committee, I trust that a Navy Seal as always will shoot straight. Thank you madam Chairwoman.

MURKOWSKI:

Thank you Senator Tester, thank you both for being here and providing that introduction for our nominee. And with that representative Zinke, if you will come forward and before asking you to begin your opening statement and introduce your family, I will ask that we proceed with administering the oath which is customary in hearings such as this one and then I'm going to ask three questions, again customary to operation within this committee.

So the rules of the committee which apply to all nominees require that they be sworn in in connection with their testimony. So please raise your right hand, do you solemnly swear that testimony that you are about to give to the Senate committee on energy and natural resources shall be the truth, the whole truth, and nothing but the truth.

ZINKE:

I do.

MURKOWSKI:

Before you begin your statement I will ask you three questions that we address to each nominee before the committee, will you be available to appear before the committee and other congressional committees to represent departmental positions and respond to issues of concern to the Congress.

ZINKE:

I will.

MURKOWSKI:

Are you aware of any personal holdings, investments or interest that would constitute a conflict or create an appearance of such a conflict should you be confirmed and assume the office to which you have been nominated by the president?

ZINKE:

Madam Chairman my investments, personal holding, and other interests have been reviewed by both myself and the appropriate ethics counselors within the federal government. I've taken all appropriate action to avoid any conflicts of interest, and there are no conflicts of interest or appearances thereof to my knowledge.

MURKOWSKI:

Thank you. And final question, are you involved or do you have any assets that are held in blind trust.

ZINKE:

I do not.

MURKOWSKI:

Thank you Representative Zinke, you may proceed with introduction of family and opening statements but welcome to the committee.

ZINKE:

Thank you madam Chairman, ranking member Cantwell and members of the committee, and thank you also Montana Senators Tester and Daniels for their kind remarks, leadership and continued service on behalf of our great treasure state. It is an honor to appear before this esteemed Senate committee on energy and natural resources. Before beginning my remarks, I would like to introduce and recognize my members of the family who have joined me today. My wife Lolita (ph) who also a member of the president-elects Hispanic Advisory Committee, Lola (ph), my two grandchildren Matilda (ph) and Charlotte (ph), my daughter Jennifer (ph) and her husband Jack (ph).

And for the record I did tell my daughter don't join the Navy and don't marry a Navy Seal and she did both. My sons Wolfgang (ph) and Conrad (ph) are back at school and hopefully studying today so they will not be with us. As a son of a plumber and a kid who grew up in a small timber town, railroad town, in Whitefish near Glacier Park, I am humbled to be before you as the president-elects designee (ph) for Secretary of Interior. I'm also deeply humbled because of the great responsibility that the position holds, to be the steward of our majestic lands, the champion of our great Indian nations and the manager and voice of our diverse wildlife.

Up front I am an unapologetic admirer of Teddy Roosevelt and believe he had it right when he placed under federal protection millions of our acres of federal lands and set aside much of it as our national forests. Today those lands provide American's the opportunity to hike, fish, camp, recreate, and enjoy the great outdoors. It was on these lands that my father to hunt and fish and the boy scouts taught me the principles and environmental stewardship and the importance of public access. It is also on these lands that many communities, like the community I grew up in, rely on to harvest timber, mine, provide our nation with critical energy, without question our public lands are America's treasures and are rich in diversity.

I fully recognize and appreciate there are lands that deserve special recognition and are better managed under the John Muir model of wilderness, where man has a light touch and is an observer. I also fully recognize the proponents (ph) of our federal holdings are better suiting under the pensial (ph) model of multiple use, using best practices, sustainable policies and objective science. During my recent sentential (ph) - or during the recent sentential (ph) of our National Park Service, I found myself this ceremony at Yellowstone National Park, our first national park established by Congress and signed into law by President Ulysses S. Grant on March 1, 1872. As I enjoyed the celebration under the famous Roosevelt Arch, I could not help but notice the words etched on the stone above. "For the benefit and enjoyment of the people." I also could not help but notice on the plaque on the side, said "Erected by Congress." When I saw that, I thought, this is the perfect policy of land that our great nation should uphold.

In order to have great deeds and accomplish great things, both sides have to work together. Higher purpose can only be achieved by both sides coming together for a higher purpose. In a nutshell, that's my commitment to you. If confirmed, I will work with each of you to ensure that our public lands reflect higher purpose, so that our children's children, my granddaughter's children, can look back and say we did it right.

I have almost met every member of this committee and I understand that each state is different. I also understand that issues within your state are different and you have different priorities. But I'm confident that we can work together to get the job done.

When asked about what my goals might be, I would say there are three immediate tasks. The first is to restore trust and working with rather than against local communities and states. I fully recognize that there is distrust, anger and even hatred against some federal management policies. Being a listener and a listening advocate rather than a deaf adversary is a good start.

Second is to prioritize the estimated \$12.5 billion in backlog of maintenance and repair of our national parks. The president-elect is committed to a jobs and infrastructure bill and I am committed and need your help in making sure that bill includes our national treasures.

And third, to ensure that the professionals in the frontline, that's our managers and rangers, have the right tools, the right resources and the flexibility to make the right decisions to give a voice to the people they represent. As a former Montana state senator and current Congressman, I have learned a lot since I was a SEAL in the deserts of Iraq. To accomplish my mission as secretary of Interior, if confirmed, I know that I'm gonna need your help. I'm gonna need your confidence and even perhaps your prayers.

I look forward to answering your questions, and if confirmed, representing the interests of our great nation and giving a voice to all Americans, to include our great Indian nations, on how we manage, sustain our public lands and the treasures they contain.

Madam Chairman, thank you for the opportunity to appear before you and this committee, and I look forward to your questions.

MURKOWSKI:

Thank you, Congressman Zinke.

And I couldn't see her when you were seated in front here, but I'd also like to recognize the representative from American Samoa who is with us here today, Congresswoman Radewagon. It's good to have you here. Obviously, a great deal of interest in that aspect of the jurisdiction coming out of the Interior Department.

Congressman, I would like to talk about land management. You and I have had a good deal of conversation about the necessity to manage our lands and manage them well. If confirmed, you're going to be responsible for managing over 245 million surface acres and 700 million acres of subsurface mineral estate. I think we both recognize that's a pretty weighty responsibility.

Over one-fifth of it is in my state, and that means your land management efforts have an overwhelming impact on the state of Alaska. We refer to the secretary of Interior effectively as Alaska's landlord and you are probably the most consequential member of the administration outside of the president in terms of issues that we work with. So I take this nomination very, very seriously.

I've mentioned in my opening statements we have had a number of disagreements and a very difficult relationship at times with this administration. You have acknowledged that each of our states are different. I have walked you through our map and tried to outline why we are unique, why we are bigger and better and broader and faster and more complicated and challenging than most others.

So my question to you, very broadly, is how will your approach to management of Alaska's lands be different than what we have seen? How will your recognition of the unique aspects of a state like Alaska be different in these years going forward?

ZINKE:

Well, thank you, and thanks for the question.

As you know, as we visited with (ph) each other, Alaska is different and I recognize that. As a Navy SEAL, I've spent time in Kodiak and I've spent time in the Aleutian Chain, not spent a lot of time in the interior.

But clearly, what's happened is folks in Alaska are upset. They feel like the management -- they have no voice. If you are looking at the timber assets along the coast in the southern part of Alaska, those timber assets, forest fires occur, and yet, we can't harvest a tree. Inland, your pipeline is down 40 percent, and engineering wise, there's a lot of issues when your pipeline, the backbone of Alaska's energy, is that low.

A lot of it, I think, has to do with these cost savings mechanisms put in place. What's occurred is we've taken the field and we've (inaudible) those in the field and have taken away the resources and keep on bringing them up to consolidation, layers and layers and layers. A lot of these decisions should be made on the field in the ground -- on the ground by people that are closest to the problem, and these are people that live in communities. A lot of the BLM (ph) managers live in the communities and they understand the communities have to have a voice.

And I do recognize Alaska is different, it needs to be handled different because of the size. I also understand, thanks to your maps, that I -- that I clearly understand that the private land equity in Alaska is so incredibly small, your resources are incredibly large and the great people of Alaska need to be a partner in the proper development of those resources.

MURKOWSKI:

Well -- and we look forward to a partnership and an even partnership because when it comes to consultation, when it comes to -- to truly listening to Alaskans, it just feels that we have fallen upon deaf ears. And so a more welcoming dialogue I think is what we are anticipating going forward.

When we talk about the resources of Alaska and Alaska's willingness to share those resources with the rest of the country and truly the world, one of our great assets is our oil reserves that we have up north. As you mentioned, our Trans-Alaska pipeline is running three quarters empty. It now carries about 500,000 -- a little less than 500,000 barrels a day and it's not due to lack of resource. It's -- it's instead a lack of permission to access those resources.

Are you -- will you commit to a formal review of all of the Obama administration's actions that took resource-bearing lands and waters in Alaska effectively off the table, including the decisions that specifically prevented the leasing of those lands and those waters for development, and determine whether or not they can be reversed?

ZINKE:

Yes. I think -- the president-elect has said that we want to be energy independent. As a former Navy SEAL, I think I've been to 63 countries in my lifetime and I can guarantee you it is better to produce energy domestically under reasonable regulation than watch it be produced overseas with no regulation. I have seen the consequences of what happens when you don't have any regulation in the Middle East.

We can do it right. The backbone of our environmental policies has been NEPA, and I'm a strong supporter of NEPA. But we also have to understand that we need an economy. And look, if we don't have an economy as a

country, then the rest of it doesn't matter because we're not gonna be able to afford a strong military, nor are we going to be able to afford to keep the promises we've made as a great nation, and we've made a lot of promises to education, to our children's future, to infrastructure, to Social Security.

All that take an economy that's moving forward, and energy is a part of that economy. And Alaska is a critical part of that economy. Alaska is different for a reason. You are blessed with great resources, you are blessed with great recreation, a little cold in the winter, but it is not Palm Springs.

MURKOWSKI:

You are from Montana, you can handle it.

ZINKE:

Yes, we can. But yes, I think we need to be prudent, and always, I think we need to review things to make sure we are doing it right. Because over time, the government keeps on getting bigger and bigger, the bureaucracy gets larger and larger, and we can't get something done. And I think we do as a nation, should look at everything with an objective eye to get things done.

MURKOWSKI:

Thank you. I will now turn to Senator Cantwell, Ranking Member.

CANTWELL:

Thank you, Congressman Zinke. Thank you for your willingness to serve. And obviously going from congressman to then secretary of the interior means a different kind of portfolio. And so I was hoping in this first round, because there's so many people that want to ask questions, if I can cover three issues quickly with you. Then give our colleagues a chance to ask questions. First, obviously, you representing the district you do in Montana, has made a lot of statements about coal. And I - just for the record want to understand where you are. Do you believe the administration does have a right and should have a review of updating information about our coal program?

ZINKE:

I think always transparency is important. Any administration has the permission to ask the right questions. All in our energy fields.

CANTWELL:

So you wouldn't stop the review that's underway now?

ZINKE:

I think a review is good. I don't know the specifics of that review, but I think we should always look at our energy portfolio with an objectivist because it is important.

CANTWELL:

You don't have an objective to taxpayers getting a fair value.

ZINKE:

I think taxpayers should always get a fair value.

CANTWELL:
Including on coal.

ZINKE:
Including our coal, wind, all of the above.

CANTWELL:
Thank you, and on the GAO statement on asurity (ph), making sure that coal companies have the capability, just as other energy companies to, do you support that as well?

ZINKE:
I think on the GAO, again, I have not read the specifics, but if it is a question that involves bonding -- I'm from Montana, where we have Decker, we have a lot of coalmines, strip mines and stuff. I think bonding is important. I'm also from a state, that in the 1800s, mine gold by going up and down stream beds and taking all the material and dumping it upside down. I don't think we want to go back to those days. And in some of the reclamation problems we had in the west, still are not repaired. As a Teddy Roosevelt -- Teddy Roosevelt had the courage to look 100 years forward. I think we need to have the courage today to look 100 years forward and look back and say we did it right.

CANTWELL:
I hope that was a great endorsement of a stream protection rule, but on the Teddy Roosevelt point - I'll ask you thank later. On the teddy Roosevelt point, you have made comments. Do you support making the land and water conservation program permanent?

ZINKE:
I do. I think land and water conservation has been important to Montana, certainly in many of these states. I do think we should look at it. If you are in the Gulf States, I understand their point. That it's -- the revenue comes from all offshore, and very little of it goes within the states that are affected most by the offshore industry. So I think we need to look at revenues and evening out the revenue source. I think always, you should look at programs to make sure more revenue goes to projects. So making sure the bureaucracy hasn't grown over time. And lastly, I think the states should have a say, the local communities should have a say of where the funds go, more so than they sometimes do today.

CANTWELL:
Well, that in and of itself may lead me to go down a different line of questioning as it relates to making sure federal lands stay in federal hands, as your colleague from Montana said. But I want to cover the park area backlog and budget. As I mentioned in my testimony, we faced the 100 year anniversary, the Teddy Roosevelt theme you have struck is important. Because as I mentioned, we're talking about billions of dollars to our economy from the outdoor access to our public lands. Do you think we need to go further than what we have done in supporting our national parks and getting rid of the maintenance backlog?

ZINKE:
I do. I feel very strongly about it. Because as you point out, a lot of our national parks this last year are at capacity, we've had record numbers. And so looking forward, what do we do about it? And a lot of it is repairing the roads, backlog, trails, but also looking at the public lands around the park to make sure we look at those trail systems, to make sure the restrooms are clean, to make sure the sewer systems work.

When you're talking about a \$12.5 billion backlog, I was over at the transition office, and oddly enough, I looked at the park in front of the department of interior. The very park that everyone working in the department of interior goes by every day. The fountains don't even work. And they're in need of repair. Then you start asking, what about the rest of Washington D.C.? It turns out very few fountains work. Then you look at the bridge - the Memorial Bridge that goes across into Arlington. I guess that need \$150 million. So we better get on it.

CANTWELL:

Thank you. We are out of time but I will come back to this question. Because there's been questions about your viewpoints in resolutions, in platforms and House votes about federal lands staying in federal hands. But we will come back to that in the second round. Thank

MURKOWSKI:

Senator Hoeven.

HOEVEN:

Thank you Madam Chairman. And I'd like to thank you, Congressman Zinke, for your service to the country and the U.S. Navy, and for your willingness to serve as secretary of the interior. Also I want to thank your family for their commitment to service as well, and for being here. Talk for a minute if you would about a balanced approach to multiple use.

Many different resources and very many different constituencies you have to deal with, the national parks, but also public lands, Native American affairs. So for example on the BLM, bureau of land management, you managed to hundred 45 million surface acres, 700 million acres of subsurface minerals. Talk about how you managed that in a way that is balanced and multiple use.

ZINKE:

In multiple use, in the spirit of Roosevelt, it means you can use it for multiple purposes. I am particularly concerned about public access. I am a hunter, a fisherman. But multiple uses are also making sure what you're going to do, you know, and you go in with both eyes open, that means sustainability. That means that it doesn't have to be in conflict if you have recreation over mining.

You just have to make sure that you understand what the consequence of each of those uses are. It's our public land. What I have seen most recently is our access is being shut off, roads are being shut off, and we're all getting older. And when you don't have access to hunting areas, traditional fishing areas, it makes it an elite sport.

And I'm particularly concerned about the elitism of our traditional hunting, fishing, and snowmobiling. Making our public lands accessible in the spirit of multiple use. Single use, if you look at the Murray (ph) model of some of our national parks and some of our areas, I agree. There are some areas that need to be set aside that are absolutely appropriate for man to be an observer.

There are special places in our country that deserve that recognition. But a lot of it is traditional uses of what we find in North Dakota and Montana where you can hunt and fish, you can drill an oil well. Make sure there is a reclamation project. Make sure there is a permit, make sure there's NEBA. If you are doing something that's more intrusive, make sure you monitor the water. Everyone enjoys clean water and we should. I don't think necessarily they are in conflict. I think you have to do it right.

HOEVEN:

Well, as somebody who looks to hunt and fish, I appreciate that answer very much. Also in North Dakota, we've had a real challenge with the Dakota access pipeline protest' you and I talked about it. State and local law enforcement has worked very hard to keep the peace and keep people safe, but we need federal law enforcement help as well. And so in your case, that means BIA law enforcement. And so, my question is, if you are confirmed, will you ensure that BIA law enforcement works with state and local law enforcement to resolve the situation, to keep people safe, and to make sure the rule of law is followed?

ZINKE:

Yes sir, and we talked about it in your office. If confirmed, I'm going to be a very busy man traveling. I'm going to travel to Utah, travel to Alaska, and travel to North Dakota. Those are three impending problems that we need to resolve quickly. I have great respect for the Indian nations. I'm adopted to (ph) (inaudible). The last time, the Sioux nations all got together, I would say General Custer probably was not -- would say that was not a good issue.

So you look at this, and there is deep cultural ties. There is a feeling like that we haven't been a fair consultant, a fair partner. And so I think we need to listen to that voice. And that's part of the trust is that, you know, outside of Washington, D.C. when you start going west to North Dakota, there is a lot of anger. There's a lot of mistrust. Not everywhere, but enough where I'm concerned.

I'm concerned that we need to be better partners. We need to work together. We need to work together as a Congress. You know, we all rise and fall in the same tide. And we all love our public lands and the duty of the Department of Interior, as the secretary, is to make sure we have broad consensus of what we're doing. And every state is different.

HOEVEN:

Thank you.

My final question is, one-size-fits-all. Too often in federal government, we see a one-size-fits-all, versus empowering states and people at the local level to do what makes the most sense, given their part of the country. And I would ask you to just give you opinion on the one-size-fits-all versus working with states and localities and tribes to do what works across the country.

ZINKE:

Well, I would characterize it, the view from the Potomac is a lot different than the view from the Missouri. And you do need to listen to the local folks and state because they live there. The consequence of an action that is one-size-fits-all affects real people.

And I do think you need to have a voice. You need to listen. And you make sure that you involve the communities at the lowest level. And again, in some cases, you know, I -- we have a lot of BLM assets. We have, I know, a lot of rangers -- there's a lot of frustration on the frontline, too. They don't feel like they're empowered to make a decision. And their kids go to the same schools.

But when they don't have the power or the flexibility or the resources to make the decision, and everything is four or five layers above, that's part of what we face. And we've got to re-incentivize the line, remove some of the middle management and get them out where they're necessary. That's the frontline.

And that's from, you know, basic 101 as being a SEAL. If your frontline is not happy, and that's the chiefs and the sergeants, then I can tell you the rest of the force isn't doing very well either. So in this case, the frontline of BLM and the Park Service needs to be shored up, with flexibility to make the right call.

HOEVEN:

Thank you, Congressman.

MURKOWSKI:

Thank you.

We will next turn to Senator Sanders. I will just advise committee members, we've always operated under this early bird rule, and perhaps there's been some discussion about what really counts for early bird. But I am going by what the clerk has observed when members came in. So Senator Sanders will go next and he will be followed by Senator Gardner.

SANDERS:

Thank you very much, Madam Chair.

And Congressman Zinke, thanks very much for your willingness to serve.

Let me -- I have three areas that I want to touch on. President-elect Trump has suggested -- more than suggested -- stated in his view that climate change is a quote/unquote, "hoax," end quote. Now, I know that you're not here to be administrator of the EPA or secretary of energy, but the issue of climate change is in fact very important for issues that the Department of Interior deals with.

Is President-elect Trump right? Is climate change a hoax?

ZINKE:

I could give you -- the best answer is three things. First of all, the climate is changing. That's undisputable. I'm from Glacier National Park. And...

SANDERS:

You don't have any more glaciers there.

ZINKE:

Well, and I've seen -- I've seen glaciers over the period of my time recede. As a matter of fact, when my family and I have eaten lunch on Greenough Glacier, the glacier has receded during lunch.

SANDERS:

All right. I -- if you could.

ZINKE:

Yes?

SANDERS:

Is the president-elect right? Is climate change a hoax?

ZINKE:

Well, if I can continue, two more points. I'll make it short.

The second thing is man has had an influence. I don't think -- I think that's undisputable as well. So, climate is changing; man is an influence. I think where there's debate on it is what that influence is; what can we do about it.

And as the Department of Interior, I will inherit, if confirmed, the USGS. We have great scientists there. I'm not a climate scientist expert, but I can tell you I will become a lot more familiar with it, and it will be based on objective science. I don't believe it's a hoax. I believe we...

(CROSSTALK)

SANDERS:

You do not believe it's a hoax.

ZINKE:

No. I believe we should be prudent to be prudent. That means I don't know definitely. There's a lot of debate on both sides of the aisle.

SANDERS:

Well actually, there's not a whole lot of debate now. The scientific community is virtually unanimous that climate change is real and causing devastating problems. There is a debate on this committee, but not within the scientific community.

Next question. But dealing with climate change, if climate change is already causing devastating problems, should we allow fossil fuel to be drilled on public lands?

ZINKE:

Again, we need an economy and jobs, too. And I have -- in my experience of probably seeing 63 different countries, I've seen what happens when you don't have...

(CROSSTALK)

SANDERS:

Taking -- I don't mean to be rude, but there's just not a whole lot -- I'm taking your answer to be yes, we should allow fossil fuel to be drilled on public lands.

ZINKE:

I'm an all-of-the-above energy -- and I want to be honest with you. I'm all-of-the-above.

SANDERS:

Will you encourage wind and solar on public lands?

ZINKE:

I will encourage absolutely, when it's -- all-of-the- above. I think that's the better solution going forward is all-of- the-above energy.

SANDERS:

Some of my conservative friends believe that the day should come when we should privatize the national park system. What's your feeling on that?

ZINKE:

I want to be clear on this point. I am absolutely against transfer or sale of public land.

SANDERS:

Good. That's a clear answer.

ZINKE:

I can't be any more clear.

SANDERS:

No, you can't. Thank you.

I have had the opportunity in the last year or so to get around the country. And in that -- with that opportunity, I've met with many Native American tribes. And you've discussed this issue. I think it is not debatable that throughout history, including today, that the United States government has treated the Native American people with disrespect, has ripped them off, has abrogated treaties.

And right now, we have in many Native American communities and reservations people living in unbelievable poverty; incredibly high unemployment rates; youth suicide unspeakably high. Do you agree with that assertion? And if so, what do you propose to improve life for the Native American people throughout this country?

ZINKE:

Well, I have great respect for the Indian nations. And Montana has some of the great nations. The gentleman behind is from the great Crow Nation. And I think there's three things: sovereignty should mean something. When we say a nation is sovereign, it should have weight.

Secondly...

SANDERS:

Stay on that one. Because you're right. Sovereignty should mean something. What does that mean if you in fact receive the nomination?

ZINKE:

Well, I can tell you from the perspective of a Montana congressman, the paperwork, the bureaucracy within reservations far exceeds what's outside. And perhaps at one time we viewed the Indian nations as almost children-like where we have to manage every aspect of their affairs.

And it has affected their ability for self-determination. They don't -- we haven't...

SANDERS:

I agree with you.

Let me just -- also healthcare and education are serious problems on many reservations. Will you take a hard look at those issues and try to improve the quality of healthcare and education for the Native American people?

ZINKE:

Yes, I will. And I take it seriously, because I've been to Lame Deer, and as bad as the V.A. is, and I...

SANDERS:

Well, some of us don't accept that assessment.

ZINKE:

Well, as bad as the V.A. is, Indian Health in Montana is worse. Let me repeat that. It is worse. I think when you have -- individuals need care, the line-up, and you have only a few doctors. And if you don't see the doctor and the next day they come back and they don't see the doctor, and they don't see the doctor, and the doctor...

SANDERS:

So that's an issue you're are going to address?

ZINKE:

I'm sorry, sir?

SANDERS:

You will address that issue of healthcare?

Good. OK. Thank you very much.

MURKOWSKI:

Senator Gardner?

GARDNER:

Thank you, Madam Chair.

Thank you, Ranking Member Cantwell.

Congressman Zinke, thank you very much for being here today, and your commitment to service to this nation. And to your family, welcome as well.

I was pleased to hear your comment to Senator Cantwell regarding making LWCF, Land Water Conservation Fund, permanent. I believe that LWCF is the most important conservation program in this country. Every state has been touched. Every state has had iconic landscapes preserved by LWCF for the enjoyment of generations to come. And that's extremely important.

The outdoor recreation economy in Colorado is about \$13.2 billion in economic impact, creating over 125,000 jobs in our state. LWCF is a very important part of that. Would you reiterate your commitment to me that you will work with Congress to make LWCF permanent?

ZINKE:

You have my full commitment and on all three of the Montana delegation voted in favor of it. I -- it -- it's an important program, especially in the west, and in Montana, it's particularly important in public access. The checkerboard system out west has made it difficult, sometimes to transit between forest service and BLM, and you -- you need a bridge to go between the two. And the LWCF has been important in doing it, so I would support that.

GARDNER:

Thank you very much. And I've always told Coloradans that one thing we need to do is have more Colorado in Washington and less Washington in Colorado. But one of the things I think we could do, is maybe take a little bit of Washington and make it less Washington. Perhaps, we can cure some agencies like the BLM of Potomac Fever by moving them out of Washington. For example, if you just look at the numbers Congressional Research Service uses, the Bureau of Land Management administers -- administers over 200 -- roughly 248.3 million acres of public land, 248.3 million acres. 248.2 million acres are located west of the Mississippi River, that's over 99 percent of BLM lands located out west. No question to having some headquarters out west would, I think, vastly improve and result in better policies for ranchers, for landowners, for energy producers, for constituents who enjoy these lands. BLM Planning 2.0 is great example of how little Washington understands about the west and how bureaucrats get in the way of how things work in the west, and the one size, fits all approach has failed public policy. Do you believe, Congressman Zinke, do you believe in the notion of putting our -- our federal workforce, at least portions of it at the Department of Interior, that specializes in public lands initiatives closer to the lands and the people they affect?

ZINKE:

I -- I think they should be close to the land, and in some instances, in Utah, where you have 67 percent is BLM. You could different management schemes on it, the Department of Ag has stewardship programs. There's a lot of tools that we can use, but I think the bottom line is, the decisions often times are better at the front line, if you empower your people to do it. You know, and, there's a saying in the military, you know, centralize, direction, decentralize, execution. That means we should hold true NEPA, we should hold true the values that -- that we believe as a country we should uphold, public access, clean air, clean water. But how you execute day to day operations sometimes, often times it's better if it's -- if it's done on the front line. You live it everyday.

GARDNER:

So your commitment to work with me on moving agencies like BLM to the west.

ZINKE:

I'm committed to look at our organization across the board. Of what we're going to look like as a department 100 years from now. You know, Roosevelt, I keep going back to Roosevelt, because I'm a great admirer, but I think he did a lot of things right. I mean, Roosevelt about 100 years ago, decided to take a -- a bold move and it wasn't particularly supported at the time, not by all parties, but he did do a lot, which we live in the legacy of Roosevelt today. And I think we'd have to be bold and look at what the Department of Interior should look like 100 years from now, to better manage the problems that we have coming, and there's a lot of problems. No doubt, recreation is going to be a bigger piece. They're not making anymore land. We need to -- we need to make sure what we're doing is appropriate. We need to make sure that clean air, clean water, those type of things. Again, so, my daughter's children will look back and say we did it right. I think that has to be a goal that we all share.

GARDNER:

Final question in the time remaining is this, if you go into the Colorado state capital, there's a saying written on the wall that says, "Here is a land where history is written in water." All the water in Colorado flows out of the state, no water flows into the state, and so that's an incredibly important part of who we are as a state. And so, I would like your commitment today to work to protect the private water rights, when it comes to our water rights system, understanding that federal overreach into water is dangerous for our municipalities, our industries and our individual water right holders. But also to continue to work with us on permits and water storage projects, as we work along with water conservation. The need to store more water in the west is real. And so we need additional help protecting water rights from the Federal government, but also being able to store more water for the future enjoyment, growth, development and opportunities in the American west.

ZINKE:

There's no doubt that water today is a commodity and will be a more important commodity tomorrow. There's a saying in Montana that whiskey's for drinking and water's for fighting. Because water is incredibly important across the west and almost every state, even Michigan with -- with their recent thing. My commitment is to work with you. We're going to have to and part of the infrastructure bill, we're going to look at water storage. We're going to have to look at better ways to use water, have line (ph) on some of our aquifers are at risk on that. But water, particularly if you're an ag community, a recreation community out there, today, water is an issue. Tomorrow it's going to be a bigger issue, unless we invest in the infrastructure and policies that make sense for tomorrow.

GARDNER:

Thank you Madam Chair.

MURKOWSKI:

Senator Heinrich and he will be followed by Senator Alexander.

HEINRICH:

Thank you Madam Chair. Congressman Zinke, you said earlier in the hearing that you oppose selling off for public lands, or turning them over to the states. However, on the opening day of the 115th Congress, you voted for a House rule that makes it easier to give away our public lands, based on the idea that those public lands have no financial value, no score. How do you square the two things?

ZINKE:

The vote was a rule vote in the House, that was one of many rules. And I would -- I would characterize it as, it was an indicator how upset people are about our land policy at the moment. Particularly, if you were in Utah, Nevada, Wyoming, Colorado in some places, people are upset. Idaho, I'm sorry, Montana. But it has no weight unless it's executed. So I think it's a shot across the bow that we have to do something. And I started out my - my remarks by saying my number one is trust, is that I have to go out there and restore trust. The reason why, and one of the reasons why people want to sell or transfer public land is there's no trust, because they feel like they don't have a voice. They feel like that -- that they don't matter. Well they should matter.

HEINRICH:

Congressman, if that rule wasn't part of a bigger package, if it stood alone, would you support it?

ZINKE:

I would not. I think I voted 17 times against, either transfer or sale of public land or in favor of LWCF.

HEINRICH:

Now, that's a great answer. You mentioned that you're a big Teddy Roosevelt fan, many of us are. In 1906, he signed the Antiquities Act, 18 states have new national monuments established in the past six years. In my home state of New Mexico, we have two new monuments that have already proven to be incredibly popular with local communities and which are already driving economic growth for businesses. And frankly, my Navajo and Pueblo constituents are also very supportive of the new Bears Ears National Monument, because it protects some of the most sacred sites in their historical homeland. I have letters from business owners, sportsmen, faith leaders, county commissioners, and veterans in New Mexico, asking for your support for the Rio Grande Del Norte and the Oregon Mountains Desert Peaks National Monuments. Madam Chairman, I just ask that you allow me to submit these for the record.

MURKOWSKI:
(OFF MIKE)

HEINRICH:

The Antiquities Act is the law of the land and communities in New Mexico are already in the process of developing management plans for those monuments. Will you simply commit to working in good faith with these gateway communities, including tribal communities, to make sure that these monuments are a success or some might say, even to make sure that these monuments are great?

ZINKE:

Sir, I will absolutely commit to working with you -- there's some monuments that are more controversial than others. I think, a monument, when it falls in a state, I think the state should have a say on it. To me, I've always kind of considered monuments, as I drive across Montana, pretty big state, between here and Chicago plus two miles. When you see a sign that says monument, generally, it's a -- I always envisioned as a battlefield, a location that deserves special recognition. Larger monuments that are millions of acres that don't have support of the community, you know, there's no doubt the President has the authority to amend a monument. It's always in the papers. It will be interesting to see whether the President has the authority to nullify a monument, but certainly my counsel --

GARDNER:

What is your view on that?

ZINKE:

Legally, it's untested. What I would prefer, is again to work with -- in a collaborative effort with the states. The states, you know, like their monuments and we've talked a great -- the state of Maine on it. And if the state's comfortable with the monument as it is and they have a management plan, I think we should work with the state and be an advocate. If the state is upset about a monument, and they had a plan that's different from what was -- what was done, then I think we should defer a lot of that to the state.

GARDNER:

Can you -- can you point to a sentence within the Antiquities Act, which as you know is very short, that authorizes rescinding a monument?

ZINKE:

There is no statement that authorize rescinding. And that's -- I'm not an attorney, thank God, but...

HEINRICH:

That makes two of us.

ZINKE:

But I think at the end of the day...

HEINRICH:

I would think we're both grateful and our constituents probably are too.

ZINKE:

I think it -- I would think that the president would nullify a monument -- it would be challenged and then the court would determine whether or not the legal framework allows it or not. I would hope the right path is we work with the states where that monument is.

And I've -- I think we've all benefited from a lot of our monuments. Certainly in Montana, the battlefield of Little Big Horn has been -- has been enormously important for the state of Montana and the Crow nation, and they're very happy with it, although it needs some work.

HEINRICH:

Thank you, Congressman.

MURKOWSKI:

Thank you.

Senator Alexander.

ALEXANDER:

Thanks, Madam Chairman.

Congressman Zinke and to your family, welcome. I'm impressed with your record of service and with you and our views and I look forward to supporting you. I think you have a chance to be a terrific secretary of the interior.

Thirty-two years ago, President Reagan asked me to head up something called the President's Commission on Americans Outdoors and we worked on it for two years looking ahead for a generation to see what our outdoor recreation opportunities should be. And the -- one conclusion I came to was there ought to be one policy for the west and one policy for the east because there's so many differences.

This committee is filled with westerners, so let me give you a little bit of an eastern perspective from my side. We don't have much federal land in Tennessee and North Carolina. We like what we have. One area that I would ask you is that in the newspaper today, the National Park Services established a panel to review the devastating chimney tops fire we had in the Great Smoky Mountain National Park so we could learn from it, if there were any lessons to prevent such a thing.

Unexpected for us, we're not used to that. We have 80 inches of rain a year and this fire started on chimney tops and a hurricane blew it and nearly burned up -- well, burned up half (inaudible). Will you commit to pay close attention yourself to that review so that we can see if there are any lessons to be learned for the future?

ZINKE:

Senator, I will absolutely commit to that. I think it's important. I've been that beautiful park and been to Gatlinburg and (inaudible) and it's a wonderful place and a special place in America. I'm glad it's a park and I'll work with you to make sure we -- we figure out what the road work (ph) or best path is forward on making sure that incidents like that don't happen again.

ALEXANDER:

Thank you very much. I'm very impressed with the heroism really of those who responded to it. But they -- they too want to know what can we do better.

Now, on the Smokies, the difference between the Smokies and Yellowstone or Glacier (ph) in your territory is that land was already owned by the United States. The Smokies were bought by the people of Tennessee and North Carolina and given to the national park. And the other difference is we have a lot more visitors because of our location. Twice as many, for example, as Yellowstone, which is such a prized place.

Yet our funding, our appropriation-- appropriation for Yellowstone is more than twice the total funding for the Smokies, and because of the restrictions that were established when people gave it to the federal government, we can't charge an entrance fee, so we have a lot less money to deal with a lot more people.

Will you, during your time, take a careful look at the allocation of funding between the Smokies and other parts to try to make sure that our most visited national park gets its fair share of funding?

ZINKE:

Senator, we talked about this in your office. And yes, I think we need to look at the formula. Clearly -- again, the Smokies is different than the other parks. It should be recognized that -- again, working forward with this committee on the infrastructure bill, we're hoping we can -- we can take a big bite out of the deferred maintenance on infrastructure. There's a number of roads and facilities in there.

But if we're \$12.5 billion behind in our parks, certainly we as a great nation can do better, and it's gonna take this committee's guidance with the chairman's leadership to make sure that that infrastructure's part of the package.

ALEXANDER:

My last question has to do with the recommendations on the Commission on Americans Outdoors 32 years ago. We reaffirmed the recommendation of the earlier Rockefeller Commission on the Land and Water Conservation Fund, so I hope you'll count me in along with other senator here in -- in wanting to help you come -- find a way to permanently authorize that. It makes a lot of sense to take money from oil and gas expiration, a burden on the environment, and use it for a benefit for the environment.

It's made sense the 1960s. The problem is, we've got a \$20 billion backlog that, because of our rules, we haven't appropriated. So it's important to do that.

We found that 30 years ago that 80 percent -- most of us -- most outdoor recreation occurs near where we live and that about 80 percent of us live near city parks, not near Yellowstone or Glacier or the Smokies, as we were privileged to -- to grow up, and that's the importance of the Land and Water Conservation Fund.

Another important set of recommendations had to do with land trust, greenways and scenic biways, all of which were state and local, not federal.

So will you use this opportunity to look ahead another generation and ask the question what outdoor recreation opportunities will our children and grandchildren have? I think you're in a wonderful position to do a follow-up to the American -- the Commission on Americans outdoors. This is the 30th anniversary of that report and a generation has passed and it's time for the next look.

ZINKE:

Yes, sir. I will, which brings a smaller point about the next generation of millennials. We have to motivate and incentivize outdoor activities to teach our millennials the importance of the great outdoors. If you look at the numbers and the demographic's actually a little different, is that people that are visiting the parks are the older generations.

So we have to look at new ways of incentivizing younger millennials to experience the parks, to experience the outdoors, to teach them the value of our public lands. So that's a concern just looking at numbers forward of how do we -- how do we get our kids out there and enjoying the great outdoors. In many cases, I would argue it's better than being in front of a TV watching video games.

MURKOWSKI:

Absolutely.

Senator Duckworth?

DUCKWORTH:

Thank you, Madam Chairman.

Congressman, welcome. In 2013, Mr. Trump tweeted on the issue of military sexual assault by blaming the women who served and he said in his tweet, 26,000 unreported sexual assaults in the military. Only 230 (ph) convictions. What did these geniuses expect when they put men and women together? Then later in 2016, at the Commander-in-Chief Forum, he descended that tweet and said, "Well, it is a correct tweet. There are many people think that that that's absolutely correct."

Following that commander-in-chief tweet -- Commander-in-Chief Forum tweet, you put out a statement of praise for Mr. Trump and at no point did you call him out on that tweet. At no point did you call on him to apologize for that tweet.

I wonder, as someone who's about to take charge of a major federal agency with both men and women serving, sometimes in extremely rugged conditions, as our rangers do, I wonder what that says to the employees of our National Park Service? And you in fact, even more recently, defended the president-elect's bragging about his own commitment of sexual assault by dismissing it as "locker room talk" and you are now nominated to oversee the National Park Service, which currently has a major sexual harassment problem that the House Oversight and Government Reform Committee, which I used to sit on, has been investigating on a bipartisan basis.

If confirmed, how can we be sure that you just won't look the other way in dealing with this issue of sexual assault at the National Park Service like you did with your own potential boss, the president- elect?

ZINKE:

Well, thank you for the question, and I take issues of sexual assault and harassment absolutely seriously.

As you know, as a military commander, the tolerance is zero.

DUCKWORTH:

Have you had a conversation with the president-elect about his statements?

ZINKE:

No, Senator, I have not. But I can -- but I have had conversation about the park service, and there are problems in the park service. There are problems in sexual harassment, there's problems in morale.

If you look at the park service -- I mean, who would not be -- want to be a ranger? Historically, the -- the job of -- of a ranger in the park service has been one of the top positions as far as employee satisfaction. Today, they rank at the bottom. Now, something's going on, whether it's sexual harassment has an influence on it, whether they feel like they don't have the flexibility to make decisions, whether they feel -- there's a lot of reasons, but I got to get to the bottom of it because it's the front line.

And you've served, and thank you for your service. You've served and you understand if the morale is bad at the frontline, it makes sure that -- that mission success isn't gonna happen. And sexual harassment is part of what's killing morale, I believe. But I'm gonna go out on the front line and talk and listen to what's happening because it -- one is on the sexual harassment issue, they have to know from leadership, from the top and the bottom, that we have zero tolerance.

DUCKWORTH:

Can you describe a little bit what you will do beyond listening? What type of policies will you put into place? Because I have some concerns because you have a history of being willing to participate in gimmicks. In fact, you cosponsored legislation with Congressman Duncan Hunter to require women to register for the draft, despite not supporting it yourself, because you wanted to send a gimmicky message that actually backfired on you, and that bill actually passed. And it was the Republican House leadership had to come to your rescue and pull that out of the conference report on the NDAA.

I'm concerned because you, yourself, have a history of saying that women who served in combat provide a distraction and it weakens the force. In that debate, I was there that night. I think we were both there until well after three a.m. You said that the enemy don't recognize men and women in uniform. They recognize weaknesses, (inaudible) talking about women and men serving together in combat.

You know, again, men and women serve in very rugged conditions in the National Park Service. And I just worry that you, with a history of being willing to participate in what the Montana Defense Alliance called a "reckless piece of legislation," this gimmicky bill that you passed through that backfired on you, what you're going to do when you lead federal employees at the National Park Service.

ZINKE:

Well, I think the topic of women serving in the military and signing up for Selective Service isn't a gimmick. So, I would say that's the mischaracterization of the importance of the issue.

DUCKWORTH:

But you did introduce a bill that you did not support.

ZINKE:

And I -- because I think -- I think it's important for America to have that discussion. And during that period, every table around Montana was talking about it. And so I don't think it's a gimmick to talk about in open discussion whether or not women should be part of the Selective Service.

My daughter is a Navy diver. And I have served in combat with women. Everyone has a role, as you know.

DUCKWORTH:

Do you think that women serving at the frontlines of the Park Service weaken that force?

ZINKE:

Not at all. I think everyone should have the same respect. I think there is jobs that are different. Within the Park Service, there are women that I think assume every role. And I think that's an opportunity that has been given to women long before -- I'm not sure when -- but a long time. I think we should be comfortable with it. I certainly am.

And the issue of gimmicks, again, I don't -- as a matter of fact, I take offense that discussion about Selective Service is a gimmick. I think it deserved our vote and it deserved a discussion.

DUCKWORTH:

I take that (inaudible) out of time.

MURKOWSKI:

The senator's time has expired.

Senator Lee?

LEE:

Thank you, Madam Chair.

Thank you, Congressman, for being here. Thanks to your service for our country. We appreciate all that you've done to protect us, to keep us safe.

I agree with what one of my colleagues, Senator Alexander, said a minute ago, that public lands issues very often are different. When you ask people from different states, the reaction they might have might differ depending on what part of the country they come from. Those who are from east of the Mississippi are likely to feel a little bit differently than those west of the Mississippi.

There's a reason for this. There are a lot of reasons, but one in particular has to do with the fact that of this land that the federal government owns -- you know, we're talking roughly 30 percent of the land mass in the United States -- the overwhelming majority of the federal land is in the western United States.

It affects many in the western United States in a very real, very personal way. And very often, it's the poor and middle class who bear the greatest burden associated with mismanagement and overreach when it comes to our federal land.

For this reason, the seemingly limitless power granted to the president of the United States under the Antiquities Act is particularly troubling to some of us. With the stroke of his executive pen, the president of the United States can up-end communities; can change traditional ways of life; change even religious practices and lock up hundreds of thousands of acres of land with one action; in some cases, over a million acres.

So to begin, I want to ask you the same question I asked the person who will be your predecessor if you're confirmed, Sally Jewell, currently serving as secretary of the interior: Do you view local support as a necessary

precondition -- a condition precedent, we might say, to the creation of a national monument under the Antiquities Act?

ZINKE:

I view it as absolutely critical to have state and local support on a monument that they are -- they participate in. In the case of Salt Lake or Utah, I'm concerned about the schools and the funding mechanism to the schools are -- that's been largely taken away, as I understand. So that's a concern.

But if you -- if you start at the local community level, the grassroots, and you build, and there's participation, then we get ahead of the problem. As a military -- former military officer, you plan. And planning prevents a lot of miscues in execution. And part of the planning process is go out, get community support, make sure your governor and your elected leaders are behind you, and then petition -- talk to the president who makes a decision, and everyone should be on the same page, or at least about on the same page.

LEE:

I appreciate that. And I -- I hope, Congressman, that if you're confirmed for this position, that one of the first things you'll do is come to Utah. And I'd encourage you to talk to some of the people who have been affected by the monument designation by the president on December 28th, when he designated 1.35 million acres in southeast Utah, in San Juan county, our state's poorest county, against the overwhelming opposition of the local population of San Juan county; against the opposition of all six members of our state's congressional delegation; against the opposition of our governor, lieutenant governor, attorney general; all of our statewide elected officials within the state of Utah.

And I think what you're going to hear from them is, "Please, Mr. Secretary, do something about this." So, Congressman, if you're confirmed, will you consider visiting Utah, talking to the people affected by this monument designation? And based on what you hear from the affected population, consider having a conversation with President Trump about revisiting this unfortunate step?

ZINKE:

Thank you for the question. I'm absolutely committed to restoring trust. And if confirmed, I've committed to go out to Utah first and talk to the governor, talk to the people on the ground. And come back and make a recommendation to the president on that. I think that's important.

LEE:

Thank you.

ZINKE:

I might be a very busy guy. I'm going to out to the state of Washington. I'm going to go out to Alaska. I don't think I -- I think I've committed to go to everywhere. So I'm -- I'm going to remote -- it's going to be deployment. I apologize to my wife in advance, but I'll be gone a lot.

LEE:

Thank you. Thank you for your willingness to do that. I've got seconds left, so I will have to forego the rest of my questions. I do want to say in closing I appreciate you visiting with me about this. I want to point out that there is nothing in the Antiquities Act that prohibits revisiting.

And I also want to point out there is a distinction between talking about who should own and manage public land, those close to it or those thousands of miles away from it. And on the other hand, suggesting that

ExxonMobil should set up a drilling rig underneath Delicate Arch. That is a straw-man argument and not one that anyone that I know of raising this issue wants to advance.

Thank you.

MURKOWSKI:

Thank you.

Senator Stabenow?

STABENOW:

Thank you, Madam Chair.

And welcome, Congressman.

First, let me just echo concerns that Senator Duckworth said about what is happening in terms of sexual in-office harassment incidences. These are very serious, and I hope in addition to listening, you'll create a work environment so that victims will be willing to come forward without fear of retaliation. Because we are hearing, you know, very, very serious things related to that.

ZINKE:

Yes, ma'am. And you have my absolute commitment. I do take it seriously. The work environment is incredible. And we have, you know, there's 70,000 professional men and women in the Department of Interior. And when you walk in the door in the morning, you should absolutely have the right expectation of a work environment that is conducive to success. And if there is a culture of sexual harassment, that's just flat wrong. And I'm going to stamp it out, if confirmed.

STABENOW:

Well, we're going to hold you to that.

Let me switch, and not a surprise, talk about water from a different standpoint. In Michigan, we have a lot of it around us and we like that and we're very concerned about water quality, and certainly water relates to our economy in very, very big ways. In fact, not just in Michigan, but we have actually -- four of us on the committee, Senator Portman, Senator Franken, Senator Duckworth and I, who all represent 20 percent of the world's fresh water and these are very serious issue for us.

So when we look at -- and you and I talked about this in my office -- various threats Great Lakes, one of the big ones relates to what's happening in terms of invasive species, including this big up to 100-pound fish with no functioning stomach that is something of great concern to us. So if confirmed, will you commit to advocating for the necessary funding for programs and agencies at Interior like Fish and Wildlife Service, Geological Survey, that's critical to early detection, prevention and control of invasive species?

ZINKE:

I will absolutely commit to the right for clean water. And -- and checking the invasive species -- I understand that in Michigan and after our conversation, I had the opportunity to look at it in more detail, it's a threat. I got the message, and it's a threat. Having a 100-pound carp jump out of the water is a big issue. And to make sure that we isolate, eliminate and control it.

And there is -- invasive species is a problem all -- you know, all the way into Hawaii.

STABENOW:

Sure.

ZINKE:

But we do need to shore up, and part of the president's (sic) infrastructure bill I think is looking at that on our -- on our water networks. And part of redoing our water to make sure one, our water's clean, it's abundant and to make sure we protect our watersheds and our difference areas to make sure that invasive species is part of that -- those programs.

STABENOW:

Well -- and Interior has played an important role in a partnership -- when you talk about partnerships with agencies, we have had every agency, every department that in any way touches on this issue working together for a number of years now and laser focus on the question of Asian carp as well as other invasive species. We have a \$7 billion recreational and commercial fishing industry, \$14 billion boating industry. So this is critical for us.

And one of the other areas that is very important in terms of fish and wildlife and U.S. Geological Survey working together with state and local fisheries and natural resource managers relates to sharing scientific information. You've talked about working with the states, working with local communities. These are very, very important areas and we want decisions made based on science, about what's really happening.

And so as we look at scientific information being shared, if confirmed, will you commit to advocating for funding levels that ensure that the availability and exchange of critical scientific information without regard to political or philosophical ideology, we need to be focused on science when we look at how to address these issues?

ZINKE:

Well, yes I will, because management decisions should be based on objective science. As a geologist, that's step one. You need to know the numbers if you're gonna manage an endangered species. What's our numbers that we should have, we strike to?

And having objective science -- and part of the good thing about the job, if confirmed, is I do have a lot of very, very talented people within the Interior Department that are objective, that want to do the right thing, that want to share information and I want to make sure that we do coordinate and open up the channels between the different agencies and public and private institutions that have a lot of talent too.

There's a lot of people working on things, but just like the intelligence community that I'm more familiar with, sometimes we get stoned piped (ph) and sometimes the information sharing isn't as it should be.

STABENOW:

Thank you.

MURKOWSKI:

Thank you.

Senator Barrasso.

BARRASSO:

Thank you, Madam Chairman.

Representative Zinke, congratulations on your nomination. I look forward to working with you. You know, as a westerner, I believe you have a unique understanding of the -- the gravity of the position that you've been nominated to fill. The Department of Interior is tasked with managing an incredible amount of acreage, thousands of species, countless water resources. Thanks for coming to visit with me about this before the hearing.

As we've discussed, the Obama administration has used the Department of Interior as a department of preservation, locking up lands with the goal of preserving them as if they existed in a vacuum. I believe these bad policies have damaged landscapes, have failed to protect dangerously imperiled (ph) species and disenfranchised the people who I believe are most invested in the good stewardship of our resources, the people that live on the land. So I look forward to you and your new approach and the approach of the incoming administration.

The war on coal. It is real for communities across the west, including Wyoming, including Montana. It's devastated small towns, ultimately threatens our country's energy security. If confirmed, will you commit to ending this moratorium on federal coal leasing?

ZINKE:

The war on coal, I believe, is real. I have Decker, Montana in my area and behind me is a gentleman that works in the coal mines of the (inaudible), which by the way, Crow Agency, if you were to take coal out of the picture, the unemployment rate would probably be in the 90 percent. So they're very keen on making sure they have their jobs and we give them the ability for self-determination.

The moratorium I think was an example of (inaudible) one-size- fits-all. It was a view from Washington, not a view from the states. Particularly, if you're a state such as Wyoming, you know, parts of Montana, West Virginia that -- where coal is important.

So you know, overall, the president-elect has made a commitment to end, quote "the war on coal." I think we should be smart on how we approach our energy. All of the above is a correct policy. Coal is certainly a great part of that -- of our energy mix. To your point, I'm also a great believer that we should invest in the research and development particularly on coal because we know we have the asset. Let's work together to make it clean, better. We should be leading the world on clean energy technology and I'm pretty confident that coal can be a part of that.

But it is about science, it's about investing in our future and not looking at our past.

BARRASSO:

With the use of the Congressional Review Act and -- I'm planning on introducing a disapproval resolution on the BLM's venting and flaring rule. To me, that rule far exceeds the authority of the BLM. It will ultimately put federal lands at a greater competitive disadvantage to state and private lands. Will you support our efforts to reverse this rule under the Congressional Review Act?

ZINKE:

Yes. And I think what's -- what the driving force is is we're venting a lot and we're wasting energy, and that is troubling to me. The amount of venting in North Dakota alone almost exceeds what we get out of the fields. So a lot of the wasting can be approached by having an infrastructure. So let us build a system where we capture that energy that's otherwise being wasted.

And that's an enormous opportunity. It's an enormous opportunity for our (ph) natural gas. If he -- and geopolitically as well. You know, we haven't talked a lot about overseas, but energy is so critically important. If we want to check Russia, then let's do it with liquid natural gas. If we -- if we want to put pressure on Iran (inaudible) supplant every drop of Iranian crude. This is all part of a larger package and it cannot be done without the great state of Wyoming and their assets or Alaska.

But we have to think globally on it, and it is better, and I've said this once before, but it is better to produce energy in America under reasonable regulation and get better over time than to watch it be produced overseas with no regulation. That is undisputable.

BARRASSO:

Final question. I want to talk about sage-grouse management plans. The administration has ignored input from key stakeholders, including western governors, during the development of their plans, plans which were used to justify what they called non-warranted status under the Endangered Species Act. But at the core, the plan's fundamentally opposed the multiple use mandates of the BLM, which includes grazing, recreation, energy development.

Will you commit to returning conservation and management authority of the sage-grouse back to the states and preventing this top-down mandate like -- like this in the future?

ZINKE:

My understanding is the sage-grouse decision is going to come before the Department of Interior sometime in March. I understand there's going to be options and alternatives -- proposed alternatives. I will work with you when I see those documents and I'll work with all of you when I see those documents to make sure we're doing the right thing.

But concerns about sage-grouse is there's no target number. I'm not sure how you can manage without a number.

So, if we -- do we grab on management of property without a number, I look at that with a suspect eye. I think we've got to look at everyone loves the sage grouse. Everyone understands that we have to protect the species.

Generally, those living on the ground are in a better position and we should be an advocate and a partner in this rather than heavy handed and just dictate terms, particularly when we don't have a number.

BARRASSO:

Thank you, Madame Chairman.

MURKOWSKI:

Senator Wyden, who has been very patient. Thank you.

WYDEN:

Thank you, Madame Chair. Congressman, as a fellow Oregon duck --

ZINKE:

Go Ducks. Rough -- rough season, sir.

WYDEN:

-- I appreciated the visit in the office and as we talked about -- when you go into a small western town today. You head to the coffee shop where it seems most of the decisions usually get made. You will now see ranchers and timber mill owners, environmental folks, and they'll all be sitting around and you will ask them what they are doing.

One word -- and this is true all over the west -- and that word is collaboration because they have decided that everybody's got just enough clout to block the other side and nothing happens unless they collaborate. And we really set the model for this, in this committee, with secure rural schools, with our resource advisory committees.

And this is really, probably, what I'm more interested in. And I remember being on this committee when Chairman Markowski(ph) was getting us involved in these resource issues and maybe we have some kind of club for ex-chairs of this committee or something. But the point was, we started talking about collaboration then.

And on this sage grouse issue, which we are all deeply committed to making sure that there is not a listing on the -- under the Endangered Species Act. We're going to have to have a federal, state, local collaboration. And this apropos of the questions from my friend in Wyoming.

I think you just mentioned one of the roles that the federal government better play. And that is setting a target. Now, I've always said when the federal government sets a target and then we say to local folks you all go do your thing because what works in Roseburg, Oregon or Coos Bay, Oregon may not necessarily work several thousand miles away.

Tell me a little bit about how you're going to approach setting up the federal, state collaboration on what is one of the biggest, most important collaborations we've seen in years.

ZINKE:

Well, thank you for the question, and I do believe the Oregon Ducks are going to be better. The collaborative efforts, you have to reward getting together in collaboratives because it takes a lot of resources, it takes time, it takes effort. And the frustration is as you get together -- farmers, ranchers, environmental, all stakeholders -- and after a two year venture where you come up with a plan and there's fighting and there's discussion and there's compromise; you come up with a plan and that plans ignored.

Or it's sued multiple times. So, we have to incentivize coming together for plans. From the federal government, I've been an advocate of empowering the plan based on broad central goals. In the case of the sage grouse --

WYDEN:

Like targets.

ZINKE:

Like targets, yes, sir. Management numbers, what's the goal?

WYDEN:

OK.

ZINKE:

And I don't know how you -- you make a management plan unless you have a goal. So, the goal needs to be scientifically, objectively based to protect the species, and --

WYDEN:

Let's move on to forestry because I like the answer. You laid out that there was a role for the federal government as it relates to targets. And I want understood that I'm very much sympathetic to your point and Senator Barraso's point that we also have to have a strong role for local folks in the states and the like.

Apply it now to forestry, where once again we're trying to find a way to get beyond years of gridlock. Now, I've written a proposal for our state. You and I talked about it, it's called the Owen(ph) Sealand(ph). Doubles the harvest in a sustainable way, on average, each year, for decades while protecting our treasures.

There are other ways to go about doing it as well. The Oregon delegation's trying to find some common ground. How do you do it, in your view, without going to sufficiency language, which basically has generated, ever since the spotted owl, all the polarization and all the fighting?

ZINKE:

Well thank you for the questions, an excellent question. On the house side we had the resilient federal forest act. And what we'd hoped would happen was the Senate would pick it up and then we'd work about (ph) between the -- on the committees we work together and fine tune it, because there was parts that neither party liked, but overall it was a pretty good vehicle.

In that bill it did not exclude any stake holder in our forest. And our forest as you recognize -- I'm pretty good friends with Chief Tidwell, he was a region one guy, where 71 million acres behind in removing dead and dying timber. We need to get it because the goal should be healthy forests. So you won't have the catastrophic fires every year.

ZINKE:

Let's do this, would you furnish that answer to me in writing? I want to know how we bring about the collaboration without sufficiency language. My time is up. I also want to thank you for your support in our bipartisan effort in fire borrowing, which is this insane budget practice, which actually discriminates against preventive forestry and I appreciate your help. Thank Madam Chair.

MURKOWSKI:

Thank you Senator Wyden. Senator Daines.

DAINES:

Thank you Madam Chair and Senator Wyden, I echo your comments on collaboration. The other word I hear around tables at coffee shops at Montana, besides collaboration is litigation. We collaborate and then we have agreements, and then some extreme groups stop it in court. We've got to address this litigation issue too if we're going to solve the problem. Representative Zinke, welcome the committee. It's been a long path from Boise State 1979, as two juniors in high school to being here today with you, what an honor. Thank you it is wonderful to see your family here. I could not be a prouder Montanan. In fact when confirmed, you'll be the first Montanan to ever serve in a cabinet position in the United States history, going back to our state hood in 1889. So history will be made when you are confirmed.

With you at the helm of the department of interior, you're going to be a strong advocate for our public lands, and a strong advocate for American energy, you've made that clear here today. And you have been tenacious in

working on behalf of Indian country in the house, representing our twelve federally recognized Indian tribes and (the little shell tribe) and I know you'll be committed to bringing prosperity to their communities.

As they say about Montana, we're a unique blend. We're a blend of Merle Haggard and a blend of John Denver. In mastering that melody is always a challenge, but it does result in a common sense approach on management of our federal land and minerals that can make our country stronger.

And I think you have mastered that melody, which is why I think you've secured the support from such a diverse number of sportsmen, of industry, of tribal groups. There's an impressive list here representative Zinke. That is single spaced two columns wide, of groups that range from the American Fly Fishing Trade Association, who have written letters in your support on your behalf. Boone and Crocket Club, the NRA, the Mule Deer Foundation, the Rocky Mountain Elk Foundation, the National Shooting Sports Foundation, the Theodore Roosevelt Conservation Partnership, the National Cattleman's Beef Association, and these are just a few of the many on this list, not to mention tribesmen across the country, the Confederated Sailor in Kootenai (ph) for Belt map, the Shakopee, the Choctaw, and the list goes on. That is a tough balance to walk. It's a walk of wisdom and you've walked it well sir.

And I'd like to submit some of these letters of support for your nomination on their behalf today to the committee if I could Madam Chair. Thank you.

Representative Zinke, why do you want this job?

ZINKE:

Well I've been asked that. Thanks for the question and thank you for the remarks. I love my country. And I love public lands and I love Teddy Roosevelt's idea that we should think bold and big and prepare for the future.

And this job I take very seriously if confirmed because it's all that. Our country loves our parks and our lands. Our nation should be better equipped, our Indian tribes with the ability for self determination. And when the department of the interior has an influence over a fifth of our territory, that means influencing the beaches in Maine, with clams to our fisheries outside of Hawaii and even this body, we're all different but we all share a common purpose, to make our country great again.

And I think as a secretary of the interior, I think I'll have inherited 70,000 hard charging dedicated professionals that want to do the same thing. And my task is to organize for a better future, for interior and our country. I'll work with anybody, as the list would indicate. I've never been red or blue, to me it's always been red white and blue.

Politically I'd never asked an individual serving me, next to me whether they're Republican or Democrat. What's mattered to me is they're American and they love their country and they're committed to mission success. And we have a very important mission in the Department of the Interior ahead of us.

DAINES:

Representative Zinke, a lot of concerns that Montana's have had with previous Department of the Interior leaders, is that a lot of land use decisions are done with disregard -- with disregard for the impacts to those who live close to the lands. You've made that clear today as an issue of trust and so forth. In fact as we travel around the state together, one of your favorite lines is, a lot of the bureaucrats back here in D.C. couldn't find Montana on a map, whether it's national monument designations, sage grouse (plans), moratorium or coal leasing, too often Montanan's face decisions on their public lands that are made by out of touch Washington D.C. bureaucrats.

My question is two parts, what are your views in facilitating more local control and management of our federal lands out west, and by west, we have a true westerner here, somebody from Montana. And how can we make the Department of Interior look more like Montana and get it closer to the people?

ZINKE:

Great west -- great question. And I would say we need to shore up our front line. If our front line managers don't have the resources, they don't have the flexibility nor the authority to make the decisions they know is right, there's a problem. In the military it's like being in the front line and asking for a bullet. You got to go all the way to the back to headquarters to get a bullet, and when you finally get it, then you got to ask permission to shoot it. And if you get permission to shoot it, then you got to ask permission to shoot at what. And that's what's happened a lot of times with our front line managers.

We're losing a lot of BLM folks, because they've just had it. And so, we need to shore up the front line, to empower the front line to do good things, with broad guidance and understand that their guidance they should be incentivized on their evaluations of working with local communities. And that's how you do it, you reward on an evaluation, how did you collaborate? Did you talk to the local community? Do you have the local communities support? That's a part of it.

So I think collaborative efforts work. I think generally they deliver the better outcome. But again, my job or I think my most important task is restore trust, that when a BLM truck or a Fish and Wildlife service truck shows up, one is you want to see management in your eyes, and then you want to know that it's in good hands.

I think in many cases we've been too heavy handed as a nation and there's a separation between those living in the land and those managing it and unfortunately a lot of times those managing it, decisions are made here.

And you're right, if you don't know the different between Butte and Bozeman, maybe you're not in the right position to make those decisions.

MURKOWSKI:

Thank you. We'll next go to Senator Cortez Masto.

CORTEZ MASTO:

Thank you. Congressman, nice to meet you for the first time, it's unfortunate we didn't have a chance to meet prior to today. So with your indulgence I'm going to jump right in because I'm one of those western states, particularly in Nevada where 85 percent of the land is owned by the federal government and we deal with 8 federal agencies on a regular basis.

So your role as potential Secretary of the Interior is very important to us in Nevada. So I've heard what you had to say about the Antiquities Act, and let me get one more commitment from you. Just recently we had two national monuments declared, the basin in range and gold butte would love for you to come out to Nevada and take a look at those monuments. There was some vocal opposition, but I will tell you the vast majority or Nevadan's support these designations. So if you would make a commitment to come out, we would love to host you.

ZINKE:

I will make a commitment that -- and I will make a commitment also to every member, if you have a monument in your state, before I make a recommendation to the President, I want to talk to you. I want to talk to the delegation; I'm going to make sure we're all working together on this. And, that's what a Secretary should do, up front.

CORTEZ MASTO:

Thank you. Thank you congressman, I appreciate that. And I appreciate that your talk on discussion and collaboration and your goal of restoring trust by working with locals and local communities and the state. And we look forward to that.

And one of the areas is in Nevada, most people don't realize there are 32 tribal reservations in Nevada. And I just would love a commitment if you would guarantee that tribal members would have a seat at the table when it comes to decisions, activities and land management near their communities when it involves the Department of Interior.

ZINKE:

Yes, ma'am. And I've -- you know, I've had that same discussion with the great state of Minnesota, is that I think we all would like to see BIA be better. How we do that, because they have not been better -- we need improvement on that. And I think we need to do three things.

Again, sovereignty should mean something. So when we say you're a sovereign nation, let's have the discussion of how to empower that. Secondly, respect. In many cases, our Indian nations have not had the respect that I think they deserve. And lastly, how do we empower great nations for self-determination? What tools do they need? The education oftentimes is lacking, but it's state by state.

Some of the education opportunities in Alaska to tribes, you know, far exceed anything in the lower 48. That's not always the case. So I think...

CORTEZ MASTO:

Thank you. Thank you, Congressman, I appreciate your comments.

Wild horses haven't been brought up yet. And as you may or may not know, in Nevada this is a big issue. In fact, the wild horse population in Nevada is over 31,000. I'm curious, how would the BLM under your direction humanely handle the wild horse and burro population crisis?

ZINKE:

Great question. I've learned more in the past couple of weeks about burros and horses from multiple states. And this is where we're going to have to have a discussion and work together. Clearly, the present policy is a disaster. It's enormously expensive. I'm a great horseman and I'm very sensitive to making sure that horses don't starve; that we treat animals in a humane way.

But kicking them out and then spending millions of dollars every year on a program that's not working, let's work together to figure out how to fix it. We're a great nation. We can fix the burro problem. We can fix the horse problem. And it's not just in Nevada, as you know. It's -- it's western. And I understand there's a problem in Florida, too.

CORTEZ MASTO:

Thank you.

And then water rights, obviously, is an important issue for the western states. So, let me -- and this hasn't actually -- I don't think has been brought up. But seven in 10 people in Nevada get a majority of their water supply from Lake Mead. And the last 15 years of droughts has exposed a bathwater kind of like ring around Lake Mead to show the level has decreased. And it's obviously a concern of ours and many of those states up and down the Colorado.

Arizona, California, Nevada are in principle agreement on a drought contingency plan. And our concern is that with this transition, there's going to be a real impact on the water supply for Nevada if there's lag-time during this transition. So, I would like to know how you will exercise your authority and leadership to help the states finalize and implement their drought contingency plans?

ZINKE:

And thank you for the question.

As I mentioned earlier, water is critical for a number of reasons. We have to look at storage. We have to look at efficiency. We have to look at our infrastructure. All of which are behind. And then negotiate in good faith. When everyone walks in a room with an agenda, and they're unwilling to budget from that, that's not good faith.

So leadership is recognizing the importance of having a win-win, and also recognize that we have to do better on our infrastructure. We waste an enormous amount of water in this country just not having enough, especially in the west, not having a holding capacity. Some of our dams are lacking. There's a lot of opportunity, but we need to manage our resources I think better and DOI can have a huge role in that.

CORTEZ MASTO:

Great. So you're committed to working with the states on the drought contingency plan?

ZINKE:

Absolutely.

CORTEZ MASTO:

Thank you.

MURKOWSKI:

Thank you.

Senator Risch?

RISCH:

Thank you very much.

Congressman Zinke, thank you for your willingness to take this on, to what as you know, and you can see from today, it's going to be a very contentious job from time to time. But somebody's got to do it and I'm glad you're there.

I'm particularly thankful to the president-elect for picking a westerner to do this, who understands western issues. My years here have taught me what a difference between east and west. I've come to the conclusion that the Mississippi River gets wider every year. And I watched -- I watched in Tennessee as a forest fire burned this year. And your heart goes out to those people. And everyone in Tennessee was just aghast at this.

We live with this every year. A number of the -- a number of the senators up here have fires that are substantially bigger than what happened in Tennessee. And I don't mean to denigrate what happened there. It was a terrible disaster. But we live with this all the time, and yet we have fought in a bipartisan fashion to try

to get fire funding straightened out, and we haven't been able to do it. Hopefully, with a new administration, we have some change and we are going to be able to do it.

You know, when you -- when you look at the percentages of our states that are owned by the federal government -- two-thirds in Idaho; substantially more in Nevada -- it -- and I think Senator Masto, you're going to find that it's frustrating because the people who live east of the Mississippi are sometimes very cavalier about our problems.

And probably one of the poster children for that is the -- is the monument situation. The president with a stroke of a pen, be he a Republican or a Democrat, sets aside a million or more acres. If this happened to a state back east, people would be up in arms about it. And yet it happens; winds up on the front page of the paper, and it's gone. Nobody ever thinks about it again.

And the collaborative method that has been discussed here is really critical in these public lands situations. I did it when I was governor. Senator Wyden has referred to how they've been doing it in Oregon. And that's the way these things get done; they're going to get done in the future, and the only way that they're going to get done. And a lot of us have introduced a bill that is going to do something about that as far as the monuments are concerned. The states really have a role in this.

And that brings me to my next point that I want to make before I run out of time. And that is to talk about management in the Department of Interior. They don't call it the "Department of Everything Else" for nothing. I mean, it's got lots and lots of different responsibilities and what have you.

One of the most frustrating things that happened to us on -- with the Department of Interior was with the sage-grouse. Secretary Salazar, to his great credit, went out and said, "Hey, we've got a big issue here with sage-grouse; Governors, why don't you sit down and see if you can't do something about this?"

And they did. And in Idaho, I don't know about the other states, but I can tell you in Idaho, that thing was done incredibly well, bringing all sides to the table; using the collaborative method, including people from the United States Fish and Wildlife Service -- Fish and Wildlife Service. They had a seat at the table. They constructed a plan. It was a give-and-take process. When they were all done, the plan was approved by everybody, unanimously, including the U.S. Fish and Wildlife Service.

So now the plan comes back to Washington, D.C. and the BLM says, "Wait a second; not so fast." When I first met Sally Jewell, the first thing I said to her after niceties, was: Have you ever heard of sage-grouse? She said, "No, I haven't." Obviously, I was one of the first ones she talked to. And I told her the problem that we had between the BLM and the U.S. Fish and Wildlife Service. I said, "When you were head of REI, if the marketing people were fighting with the accounting department, you'd step in and do something about this; I want some help on this."

"Fish and Wildlife Service says it's all right; BLM says well, we have experts over here that says that this plan is (inaudible). Well, what are we doing there? One agency and they're employing scientists on both sides, they're going to fight with each other. Why bother have a U.S. Fish and Wildlife Service if the BLM can come in and overrule?"

Well, at the beginning we made some progress in that regard, but lately that's fallen off the chart. So, I guess what I want to talk to you about is management. My good friend here on my right says that there's going to be wholesale changes at the EPA. Boy, I hope you can do the same thing at the Department of Interior.

It is frustrating and it makes us angry. When you get two federal agencies that are in disagreement with each other, and the head of the department won't step in and say, "Hey, I'm going to resolve this; I'm the head of this; BLM, stand down; these people are in charge of wildlife."

So -- and if you don't want to do that, fine. Let's get rid of U.S. Fish and Wildlife Service. We're paying a lot of money for it. Let the BLM do it if they're going to be the ones that can overrule.

I'm -- I'm encouraged by what I've heard today. One thing we didn't talk about when we met was NIFC. I don't know, have you ever visited the National Interagency Fire Center in Boise?

ZINKE:

No, sir. Although I've been on the frontlines on multiple fires in the Rocky Mountains, I've not...

RISCH:

So have I. And you're going to be impressed when you visit NIFC. I know that you're going to do that. We'll be interested (inaudible).

It falls in line with one of the things you and I talked about, and that is they have a map at NIFC with little dinky red dot for every fire started in America each year, and it's thousands of them. Right in the center of it is NIFC, and it's located there for a reason and a good reason.

Anyway, thank you. My time is up. Thank you very much.

MURKOWSKI:

Thank you, Senator Risch.

Senator King.

KING:

Thank you, Madam Chair.

Welcome to the committee. I enjoyed your testimony today. I first want to thank you for your straight-forward recognition that climate change is happening, that human activity is contributing to it and for also the image of the glacier retreating during lunch. I'm gonna add that to my arsenal of climate change anecdotes.

The theme of the hearing today in many ways has been one size doesn't fit all and collaboration and consultation and communication. You alluded to an issue we have in Maine with a national park. There's a national national park rule about you can't exploit natural resources on national parks. On the other hand, in the intertidal zone at Acadia National Park, where people have been digging clams since time immemorial (ph), suddenly the park decided you can't do that anymore.

That to me is an example of how there should be a better communication and relationship between the park, which is an enormously important asset to the state of Maine, and its neighboring communities. Do you agree?

ZINKE:

I agree, and I'm glad you appreciate the theme has been collaboration, restoring trust, infrastructure and making sure our front lines have the right tools to make the decisions and work with the local communities.

KING:

And I hope you will take that message throughout the department about listen first and act later, and I think we can have, as you say, restoration of trust and a lot more confidence in the decisions wherever they are made.

By the way, if you're gonna move BLM out west, you can -- you're welcome to move the park service headquarters to Maine if you choose. Too far away, somebody said. Come on..

Backlog. The backlog in the parks is a straightforward problem of funding. We should be funding to pay the maintenance of the parks. We've basically been putting it off for -- for 10 or 15 or 20 years and I hope that you'll approach the next -- the upcoming budget as saying this is part of our obligation to pay park rangers and to pay all the expenses of the parks and to chip away at this backlog. Will you consider that?

ZINKE:

Absolutely, and that is why this committee is so incredibly important, and the chairman in Alaska is so incredibly important, because I may own the helicopter, but I have to ask you for the gas. And in order to fund the parks at the level, it goes through this body, and I have to convince you that the money is gonna be spent -- it will be prioritized. I have to convince the president-elect that the parks are his priority as well because they should be America's priority.

KING:

Well, one point that was made earlier about the backlog, the -- I think the chairman talked about the return on investment is gigantic in terms of what we put into the parks versus what they -- the economic activity that they generate in their areas. So it's a -- it's a good investment for the public and I believe for the government itself.

Similar concern -- we've know -- we're now talking about in recent days about a major defense build-up. We're talking about a major infrastructure investment. We're talking about major tax cuts. All of those together don't really add up in terms of the arithmetic and the budget and the deficit and the debt. Therefore, there's going to be a lot of pressure on various areas of the federal government, particularly the non-defense areas.

Will you resist stoutly with the heart of a Navy SEAL efforts to raise -- to raid the Land and Water Conservation Fund to fund other government priorities?

ZINKE:

I'm on record of supporting full funding of the Land and Water Conservation Fund for a reason. I think it's an incredibly important program. It has done great work. This is probably one of the reasons why the president-elect put a former Navy SEAL in place. I don't yield to pressure. Higher principle, yes. But my job is to advocate for the Department of Interior, to make sure we have the right funds and be a voice in the room on great public policy.

There is gonna be a lot of times where I'm gonna need the help of this body because by myself, I don't have the authority. I have to follow the law and I will follow the law. I think the law needs to be adjusted in some areas, as this -- as this body has often said. In order to adjust it, one, we have to have trust whoever's gonna execute it is gonna do it well. And two is that I need bipartisan support to make sure the law is adjusted appropriately so we can move the ball to field, if that's the right terminology, to make our park system make DOI better.

KING:

Well, I for one can't speak for the committee, but we certainly want to work -- work with you. I learned as a -- as a lawyer in Maine, when you get the answer you want, you sit down and shut up.

So I yield back my time, Madam Chairman.

MURKOWSKI:

Thank you, Senator King.

Senator Flake, right on time.

FLAKE:

Thank you, Madam Chair.

And thank you. I've enjoyed hearing the testimony. Sorry, I had to step out for a minute. I hope I'm not replotting old ground here.

But as you know, Arizona is home to a lot of public land between the land that the Department of Interior administers directly and then that that it holds in trusts or administers for the tribes. That's about half of the state right there. When you take into account federal, state and tribal land, that's about 85 percent of Arizona, so we've only got about 15 percent in private hands, and that means that decisions made by the federal government, including the Department of Interior, have a real outsized impact on the state.

And we talked about a lot of the issues, and thank you for coming to my office. And I know you committed to me and it sounds like everybody else to visit their state in the early stages, so you will have a busy travel schedule.

We mentioned -- I know it was brought up a little bit -- in terms of the drought and the Colorado River and the basin states are very close to an agreement on a drought contingency plan to leave additional water behind the dam at Lake Mead so that we don't hit that -- that troubled -- the stage where there are arbitrary cuts that would hurt us badly. It's crucial for Arizona, obviously, that we work with the Department of Interior to ensure that Arizona water users, to the extent they leave water behind the dam, that that water doesn't disappear down some canal in some other state. That's the only basis on which some contingency plan would work.

Will you commit to continue to work with us in that regard? We got assurance last year from the Department of Interior, that assurance we'll (ph) have to go forward until there is a drought contingency plan.

ZINKE:

I will commit to working (inaudible). As earlier discussed, I do recognize that water, particularly in the west, is a big issue in every state in the west and we've got to get together to figure this out, and I think some of it is infrastructure. The best (ph) plan on water requirements are going to be -- and that's make sure we have the infrastructure to reach those requirements. And it's gonna be probably trifold (ph), some is gonna be efficiency, some of that's gonna be building better capture facilities and then look at the infrastructure we have.

We're wasting a lot of water. There's no question of that. So let's make sure that every drop is precious and let's make sure that our water is clean. I think we can do that.

FLAKE:

Still on the subject of water -- on water -- Indian water settlements, last year I introduced the Hualapai Tribe Water Rights Settlement Act. Last week, I introduced the -- a bill to make necessary clarifications to the White Mountain Apache Tribe Settlement. I know that you were the sponsor of the Blackfoot Water Rights Settlement Act, so you understand the importance of these settlements for both the tribal and nontribal users.

Can we count on you to work with me and with the tribes and other parties in Arizona to make sure the Hualapai settlement moves forward and also that we get the necessary clarifications to the White Mountain Apache Tribe Settlement?

ZINKE:

I do and I'd like to say also -- thank Senator Daines for his work on the Blackfoot Water Compact. I view water compacts as a treaty obligation, and I think we need to uphold our part of that treaty obligation. The water compacts, as you know, are difficult. They involve the state, the tribes and the federal government, and then within the federal government, it's not easy.

So -- but I do recognize the importance of working with you on the compacts and also the importance of getting them resolved. They are an -- a liability that's out there. We need to recognize they're a liability. They're not (inaudible) treaty obligation and let's work together to get them done.

FLAKE:

Thank you.

As you know, cattle ranching has a long history in Arizona, continues to hold a prominent place in our present-day state, as well as our history. I come from a ranching family. In fact, this last weekend I was back on the F Bar where I was raised near Snowflake.

Ranching is never an easy business, but it's made more difficult with issues like was already raised, with the burros in northwestern Arizona, and the Mexican gray wolf in southeastern Arizona. What we continue to hear is a lack of cooperation and coordination between federal agencies and the local land-users.

I know that you've already committed to work on this. You'll be hearing a lot when you come to Arizona, the issues that we have with wild burros, as well as the Mexican gray wolf issues.

ZINKE:

I am concerned, quite frankly, about the object of whether it's BLM or the Forest Service. I grew up where Smokey the Bear was revered. I mean, who could not like Smokey the Bear? And now in some parts of our great nation, it's feared. When they see Smokey the Bear, they think of law enforcement, rather than managing our forests.

So I'm very concerned about that because it has implications of the next generation. So, we have to -- we have to come together and make sure that the management, our team out there, is viewed as helpful; is viewed as land managers, and not to be feared.

You know, you want to stop by and say hello. You don't want to avoid. And in some places -- and the further you get out, you know, in parts of Alaska and parts of Montana, they're viewed as law enforcement and obstructionists. And I think we need to be really careful as leaders of this great nation to recognize it and go forward with solutions to make sure the next generation looks at law enforcement, be it BLM or Fish and Game, as good neighbors and helpful, rather than to be feared.

MURKOWSKI:

Thank you.

FLAKE:

Thank you.

MURKOWSKI:

Senator Franken?

FRANKEN:
Thank you.

Let me get this straight. Smokey the Bear isn't real, right?

ZINKE:
He's real to me, sir.

FRANKEN:
OK.

(LAUGHTER)

That might be disqualifying.

(LAUGHTER)

Thank you for your service as a Navy SEAL; to your daughter's service as a Navy SEAL; to your son-in-law who frankly terrifies me. I don't know if anyone has looked at him. He's out with one of your granddaughters. Who by the way, the granddaughters -- you are the unsung heroes of this -- of this hearing. You've been wonderful. You have a beautiful family.

ZINKE:
Thank you, sir.

FRANKEN:
And I -- I want to -- I want to get into what I consider a false choice. And the false choice that I hear you iterated a couple of times is between addressing climate change and the economy. I think that is a false choice. I think it's a false choice because, one, if we don't address it, it's going to cost us a tremendous amount of resources.

Hurricane -- or Super Storm Sandy cost like \$60 billion because sea level has risen. Glacier National Park is going to be mount -- I don't know -- Lake National Park or Mountain National Park. But it isn't going to be Glacier in 30 years.

In Minnesota, we have built lots and lots of clean energy jobs. And we're addressing climate change. And we've put in a renewable energy standard. And it's been very successful for our businesses. You signed a letter that -- that -- in 2010, and I just want to get your -- clarify your stance.

FRANKEN:
In this letter that you -- you urged federal lawmakers -- this is a bunch of state legislators who did this; hundreds and hundreds of state legislators -- to, quote, "pass comprehensive clean energy jobs and climate change legislation." Now, this letter also stated that, quote, "climate change is a threat-multiplier for instability in the most volatile regions of the world." And that, quote, "the climate change threat presents significant national security challenges for the United States, challenges that should be addressed today because they will almost certainly get worse if we delay."

I completely agree with that letter, and I ask unanimous consent Madam Chair to include this in the record. Thank you. You were a Navy seal for 23 years. So you probably know, better than most people here about protecting our country. I completely agree with your stance in this letter. That climate change threatens our national security. That the Defense Department certainly knows that. It needs to be addressed as quickly as possible. So I want to ask you, do you still feel that climate change is a significant national security threat, and one that requires immediate action or has your position changed since you're been in Congress?

ZINKE:

That's a great question.

FRANKEN:

Thank you.

ZINKE:

And, I want to be honest with you. The three tenants of climate change, one as we both agree that the climate's changing. We both agree that man has had an influence.

FRANKEN:

I think a major influence. If you just look at CO2 levels do have a parallel with temperature rise. This is -- last year was the hottest year on record. The year was the hottest year on record then. This is going to be hotter. This is happening and sea level is rising.

ZINKE:

And -- and I'm not -- I'm not an expert in this field. What I do know --

FRANKEN:

But that to me is a cop out.

ZINKE:

No. I want to -- I want to be honest with you.

FRANKEN:

I'm not -- I'm not a doctor, but I have to make --

ZINKE:

Well I realize --

FRANKEN:

-- but I have to make healthcare decisions.

ZINKE:

And I -- I too sit on -- on the National Resources Committee. And I have went through hundreds of hours of testimony on -- on all topics. Is that there's no model today that can predict tomorrow. So, where we agree, we

need objective science to one, figure a model out, and two, determine what are we going to do about it? What do we do? And when you -- when you say we want to, on CO2, recognize that's CO2's level absolutely, recognize also that the ocean is a contributor to it. When a small rise in temperature in the ocean makes a big difference in CO2.

FRANKEN:

It absorbs CO2. It makes a big difference in a sea level. And that means storm surges create tremendous damage and are going to create climate refugees and are going to require, and I know I'm out of time. They're going to be requiring the use of our military if we don't do something about it. And I don't -- I think this is a false choice. We can build an economy, sell to the Chinese, sell clean energy technology, that's what we should be doing. I'm sorry I've gone over my time.

MURKOWSKI:

Thank you. We -- we do have a vote coming up shortly and I would like to get to the two remaining members who have not yet had a chance to -- to ask questions. It is my intention that we have a second round after this, but we'll be able to take a quick break as well. Let's go to Senator Portman.

PORTMAN:

Thank you Madam Chair and Commander Zinke. Thank you for your willingness to step forward to serve in a very different capacity. We have had a lot of discussions today about issues relating to the Department of Interior and your role, one that I want to focus on is the national parks. I think it's a great opportunity for you and for our country, to do more to deal with the \$12.5 billion maintenance back log we talked about, to preserve and protect these great treasures. We just went through a process in Congress of considering this. In fact, the legislation which was tied in with the Centennial last year, the National Parks Centennial Act, passed in the wee hours of the morning just about a month ago. It passed with the indispensable help of the chair and ranking members here today. It's something I've worked on for nine years, going back to my time as Office Management and Budget Director. We put a centennial challenge together. The challenge is, it's actually in two parts. One, it helps with regard to the park service by allowing private sector funds to be raised to match federal funding. And then second, it helps the foundation to be able to raise funds. That money, by the way, will be within your discretion and I hope some of it will be used for this deferred maintenance. And I hope some of it will be used for some other special projects to enhance our parks. So my question to you today is, are you aware of this program and -- and it's potential? Let me give you an example, thanks to Lisa Murkowski and others on the Appropriations Committee even before it was authorized. A month ago, some of this was happening and the match expected to be one to one was almost two to one. In other words, a dollar of federal funding resulted in \$2 of private sector funding coming into the parks. I think it could be much greater than that and the foundation is an example. So how do you feel about the program? Are you supportive of it and specifically, would you support funding this in our appropriations cycle?

ZINKE:

Thank you for the question. And I am aware of it. I think it's a great opportunity. One is the -- as the Secretary of the Interior it turns out, I have a number of boards with the diversity of talent both in business and in conservation. And foundations like this offer a unique opportunity for innovation and looking at different ways of not only funding our parks, but also looking at protecting our parks. Trail building is, I think, an opportunity we need to look at. You know, how do we re-establish a national trail building program. A lot of that, I would assume is going to come from private sector. So I think the foundation and other boards are a unique opportunity to leverage and I'm a strong proponent of it.

PORTMAN:

Well I was -- I'm glad to hear that and we will need your help as we get in the appropriation cycle. There are so many other priorities and this one is -- is crucial given the state of the parks. I will say, in Ohio, we don't have a lot of federal public lands, as you and I discussed. We do have a beautiful park, Cuyahoga Valley National Park, which is top 10 in visitation. And so when you're on your tour, somewhere between Hawaii and Montana, we expect you to drop into Ohio and to see one of the great suburban parks in -- in America. We're -- there's access to a huge population in the area. And a lot of young people and a lot of schools are involved and engaged, which is exactly what we need more of as you said getting the millennials involved. With regard to rules and orders that the department has finalized in the last 60 days, prior to your confirmation, should you be confirmed, I'm concerned. I've heard some constituents worried about job losses, other economic impacts. In general, what is your plan with regard to, sort of 11th hour rules that have come in and specifically with regard to the Stream Buffer rule, what are your thoughts?

ZINKE:

Well, I find the 11th hour rule to be problematic. Because what it shows to me, that previous to that, there was no either collaboration or the collaborate effort was not -- was not effective. And so, generally the last hour rules result in distrust and policy that, I think, is -- is not conducive of a collaborate and trust relationship. If confirmed, we -- we'll look at whatever is -- is in my power, my authority, and evaluate. You know, everything's on the table, as it should be. You know, specifically different rules, but I -- but in general, when you have a last minute rule, that means it was a last minute decision and there wasn't working with this body to make sure we have a solution that -- that should stand.

PORTMAN:

Thank you. I appreciate that, and particularly on the Stream Buffer rule in Eastern Ohio in coal country, it's problematic. Finally, Great Lakes, I want you to answer because my time is expiring, but Senator Stabenow asked you a little about invasive species part of this. Station (ph) Wildlife there is very helpful. They do the monitoring for us. And you know, they are the early warning signal really for the big head carp coming up and other invasive species. So we look forward to working with you with that and I appreciate your commitment to her and to us. Those of us who want to preserve that great treasure of our Great Lakes. Thank you.

MURKOWSKI:

Thank you Senator Portman. For the information of members the vote has started. We will have Senator Hirono ask her questions and we will take a break and we will be back at five o'clock. Senator Hirono.

HIRONO:

Thank you Madam Chair. Congressman, you're going to be awfully busy because when you came to see me, you committed to coming to Hawaii. And I think you also mentioned visiting the territories which include, Guam, Puerto Rico, a number of other places, as well as I think the compact nations, Pulau, Marshall Islands and Micronesia. They would love to see you, should you be confirmed, I know that. In the discussion about energy, you said a number of times that you support all of the above, which sounds really great, except that in -- in all of the above what's happened is the fossil fuel side of energy has gotten a lot of support over decades. So I hope that when you say all of the above, that you will also be committed to providing more resources and support, particularly RND for alternative and renewables, aside from or in addition to fossil fuels. So we need to have a more level playing field for policies that truly reflect support for all of the above.

ZINKE:

Yes. I -- I'm -- I've always been a strong proponent, on the record, for research and development of different technologies, different innovations, different opportunities in -- in -- in the complete spectrum of the energy, to include looking at -- at traditional sources to make sure we're -- we're better at doing that, you know, certainly

horizontal drilling, fracking, coal. But all the above, I think, is the right approach. It -- it -- when it comes out of the test tube and into fielding, energy needs to be affordable, reliable and abundant.

HIRONO:

I think though, when you look at the 100 years in the future and you recognize that climate change is upon us and it is a -- a multiplier, it's a threat multiplier. And Admiral Locklear has testified to that, so I know serving in the military, you're well aware of 100 years or 30 years from now we need to do more than to continue to provide the kind of sustained support that we have provided to the fossil fuel side. Let me get to the question of infrastructure. Because I'm all for what you're saying about the need to pay attention to the infrastructure needs of the -- of DOI, but then it's always an issue of how we're going to pay for it. And I'm glad you're not going to raid the land and the LWCF, in order to pay for some \$11 billion in infrastructure needs. But since departments do not operate in a vacuum, would you support privatizing Social Security or privatizing, voucherizing Medicare, in order to pay for DOI's infrastructure needs?

ZINKE:

So how are we going to do it? My -- my question, and not to evade the answer, but, you know, looking at our budget, we spend 70 percent of our budget, you know, in entitlements, 3 percent in -- in non or -- or discretionary. We're not going to be able to cut our way out of the problems we have. Nor are we going to be able to tax our way out. The only hope of America is to grow our way out, and we can. Energy is part of it. Innovation is part of it. But we're going to need an economy that grows, and we can compete. Not only can we -- we can compete, we can dominate. God has given us so much.

HIRONO:

So -- I --

ZINKE:

And I -- I think we can, the way out of this problem --

HIRONO:

I hate to interrupt, but I'm almost running out of time and I've waited along time. So thank you.

ZINKE:

Yes you have, very patient.

HIRONO:

So, it sounds to me, you would look to grow the economy rather than cutting back on -- on these kinds of programs that so many people, especially our seniors rely upon. You know, talented as you are, you're not going to be able to do the job all by yourself. So you will have an opportunity to weigh in on the people who will become your deputies, assistants, etcetera. What kind of qualities would you look for in those people?

ZINKE:

Loyalty, teamwork, trust, confidence, commitment, and I think and -- and you know, in each of the divisions have different challenges, but challenges in DIA is very different than challenges in Fish and Wildlife and BLM. So you have to put the right person in the right spot. From a CO perspective, we need fearless rough riders that will make the decision, regardless of whether you're going to get sued or not. Our policy has been, whether we're going to get sued, whether it's a right or wrong policy. And this is where I'm going to need your

help, in order to develop the right policy, we should not be in fear of being sued time after time after time again. We should develop the right policy and have people in place that are willing to make the right decision.

HIRONO:

I hope so. I agree with you. With the chair's indulgence I'd like to ask just one more question --

MURKOWSKI:

Very quickly.

HIRONO:

-- make a point regarding sexual harassment in the -- in the department. And clearly this has been going on for way too long, over a decade when it first came to light in your park service. And so, as in the military, sexual assault in the military is a huge scourge on the military and I would want your commitment that you will do whatever you need to do to prevent, which includes changing the culture by the way. It's a culture within the park service that lends itself to sexual harassment to that there will be prosecution, meaning that there will be accountability for the perpetrators of this kind of behavior. And the third is that you will do specific things to prevent retaliation, because these are the very kinds of occurrences and factors that have been a scourge in the military. So I'd like your commitment to, toward the making those kinds of changes and I certainly will be following up with you.

ZINKE:

And you have my commitment, it will be zero tolerance. And I will be fearless in this.

MURKOWSKI:

Thank you.

HIRONO:

Thank you Madam Chair.

MURKOWSKI:

With that, we will stand at ease hopefully until just about 5 o'clock when we will come back for a second round.

MURKOWSKI:

Thank you.

(RECESS)

MURKOWSKI:

OK. We are back for round two. Everyone has had a little bit of a stretch.

Congressman, we appreciate the endurance here and you're probably thinking it's nothing like what you are used to, but we appreciate the fact that you have been generous with your time in your questions here. So we will allow for members to ask another round of questions.

We actually have another confirmation hearing that has just started up at 5 o'clock that I'm going to be heading off to when this one has concluded. So we're working full time here today.

ZINKE:

It maybe more popular than I.

MURKOWSKI:

No. No. This has been very important.

Congressman, I want to ask you about an issue that Alaskans care a great deal about and given the makeup of our lands and the fact that so much of our lands are -- are held in -- in the federal estate, under the Alaskan National Interest Lands Conservation Act that it specifically provides for a no more clause. And makes -- makes very clear that within the state of Alaska, when it comes to -- to those areas that had been withdrawn for public land that we've given, we have done what more than any state should be asked to do.

And so it is -- it is abiding by ANILCA that it's a very, very strong and firm commitment that Alaskans want to see. You have stated very clearly on the record here and I think you're -- the words that you used was you said, you are absolutely against transfer sale of public lands.

Now we have had a conversation in my office and you've met with the full delegation and had discussion about where you're coming from on this issue and understanding and the Alaska lands on this.

As you know and as made clear in my opening statement, there were promises made to the state of Alaska at statehood, promises that are inherent in ANILCA and in the Alaska Native Claims Settlement Act, promises made to our natives and the native people, promises made to the native veterans who are serving in Vietnam who were not able to receive their native allotments.

These are commitments that have been made to this state that have not yet been fulfilled and part of my real mission here, in the Senate since I came, was to make sure that this promises have been kept.

Can you give some assurance to the people of Alaska that when we are -- we're talking about these issues, these promises, these commitments that have been made to our state, to our native people, to our Vietnam veterans that you will work with us to fulfill those promises.

ZINKE:

Absolutely. And transfer or sale of public land is different in treaty obligations. I am very familiar, thanks to your staff, about the Vietnam issue.

They were serving their country and therefore did not have the opportunity and that's a treaty obligation and a commitment and a promise. So I will work with you and I look forward to work with you on this particular issue.

MURKOWSKI:

And you understand that the -- the effort, if you will, to address the potential for a state forest is because of the frustration that we have had as a state in gaining access to -- to any -- any viable opportunity for timber harvest within our nation's largest national forest.

ZINKE:

And that's been their frustration a lot, is that the people are so frustrated with this last hope that the federal entity was BLM or another entity force service is capable of manning some land or even capable of properly manning some land, remove even the dead and dying timber. So my job -- number one job, is restore trust as we can.

There are -- within the Department of Agriculture, there's stewardship programs that allowed management and who's better to manage it. These are collaborative efforts that we should look about who's in the best position to manage the property.

There's a difference between switching title and having ability to manage. I think we can carefully go through that and I'll work with you on it. Some has legislative to do it.

MURKOWSKI:

And when we talk about frustration and we talk about who is best to manage something, another area of extreme frustration right now is with the decision from this administration to basically seize the authority for fish and wild life management in our parks and in our refugees even though those authorities are very specifically and very clearly reserved to Alaska under ANILCA.

So this is something that again I will ask you -- I'm assuming that you think that states are better positioned to manage fish and game decisions and that it's not the federal government. I understand that while you may have not worked that much on some assistance issues, but given the importance of this issue to Alaska, I need to have your commitment to a formal review with the parks service and with fish and wildlife on their regs and really work with the state of Alaska to get us to a better place when it comes to an approach to the Fish and Game management decisions within the state.

ZINKE:

I look very much forward to reviewing -- formal review of the process. As well, I look forward to reviewing, you know, our management.

Again, I -- from a perspective of wildlife and management, centralized direction decentralized execution. That means giving local people, local communities a say, so there isn't a divide that's occurred.

As you know, we talked about different parts of Alaska, especially in the lower part, where the opportunity to harvest timber in a reasonable, sustainable traditional method has been taken off the table. Now that's hurting real communities.

And some areas in Washington, the catastrophic fires, why do we have fires at the extent and magnitude that we do each year. Senator Franken talked about global warming. The statistics I have from a single summer of forest fires in Rosebud County which very few people know where Rosebud County is other than Senator Daines, he made it more particular in their -- during that season that run in 3,000 of coal strip.

So that's manage our forest, that's manage our fires, that's manage our lands the way it was intended to. That means having the voice of Alaska and the voice of people that live there.

MURKOWSKI:

Well, and if I may, when we say how it was intended to, ANILCA lays out very, very clearly again the reservation to the state of Alaska with regard to the fish and wildlife management authorities. So I look forward to discussing this more with you.

Senator Cantwell.

CANTWELL:

Thank you, Madam Chair.

And if I could in the second round go back to some of the things that have been brought up in some of your testimony and then to clarify more on some issues of great importance to the state of Washington.

If we could on this chart, if I could, you know, somebody mentioned there's been a war on coal and in reality -- I think this chart will show you that there's been 23 percent -- the first one there -- 23 percent decline in coal and an increase in natural gas.

So you can see -- I might turn it the other way so people can see it. Thank you. And according to the energy information agency, between 2000 and 2008, coal was significantly less expensive and supplied about 50 percent of our generation.

But since the beginning of 2009, that gap between coal and natural gas prices had narrowed and large amount of gas produced from shale formations -- I don't know if you want to blame fracking -- but guess what, it has led to a lot more natural gas and a lot more lower natural gas pricing and a lot more consumption of natural gas than coal.

So I don't know if you want to say that natural gas is having a war on coal. I'm not going there. I'm simply saying that this is the fact that this has been driven by the market and according to the energy information agency as well, this is a -- this is a market function.

OK. The reason why this is an important question is, as we've discussed this issue about getting a fair deal for taxpayers, it's -- the GAO and the interior inspector general have both found that BLM recently undervalued federal coal at a cost to the taxpayers or something like \$60 million over 10 years.

So I want to make sure that when I asked you earlier you said you were committed to reviewing this issue, I think one or more colleagues try to get you to say you're ready to end the moratorium.

What I want to know is are you going to make sure that taxpayers, in the fairness of taxpayers that the GAO and inspector has laid out, is going to get your attention and the attention of this administration?

ZINKE:

Absolutely. You know, I think using the objective statistics is important and making sure that our taxpayers get value and I'm very sensitive with that.

CANTWELL:

OK.

ZINKE:

I'm also sensitive to the great state of Washington...

CANTWELL:

Right. So let me ask you about -- let me ask you about this, because you also said and I believe you, I think anybody who's represented Indian country -- well, I can't say everybody, but most people who've represented Indian country have had to deal with the issue of tribal sovereignty and have come down one way or another in understanding that you seem to have articulated a very strong view in view of tribal sovereignty and tribal

rights particularly for treaty tribes that those treaties have outlined our obligations as a nation-to-nation status, is that right?

ZINKE:

That is correct.

CANTWELL:

So you believe that the Lummi Nation has a right to object to a coal terminal in Washington state based on their fishing right and abrogation of their fishing rights?

ZINKE:

And I have obviously familiar with this and I've -- when I was a -- represented Montana as I still currently do, I've always taken the position that I'm strong on Indian issues, I'm stronger on Montana Indian issues.

As a secretary of Interior, now I have to be strong on all issues. And on the gateway -- Pacific Gateway terminal, what I raised more eyebrow strongly are on is I didn't take a position whether yes or no in the terminal. I took a position to make sure the NEPA process was followed and the EIS was completed before making a judgment.

What I found was we were close to ending the NEPA process with the EIS after years and millions of dollars were spent on it and then that was truncated and stopped by affidavits and I didn't judge whether the affidavits from the tribe were true or not true. It's just if you don't finish the NEPA process and don't finish an EIS and then all of a sudden that process can be interrupted and a permit can be pulled on the basis of something outside EIS, why would you ever consent to spend millions of dollars on an EIS?

That was my objection. I don't mean to speak for...

CANTWELL:

So you believe in the tribal sovereignty of the Lummi tribe to object in this case?

ZINKE:

They certainly had every right to object, as well as, in this case, the Crows who also have a treaty obligation. So I also found that you were picking one tribe over another and believe me, I'm from a state where there's -- where great tribes, great warrior tribes -- tribes are not monolithic even in Montana.

There's traditions, there's cultures, but one should not be in the business of picking one treaty over another least arbitrarily. This is where we're working together and...

CANTWELL:

Yes. I don't -- yes, that's not -- definitely not where we're going here. We're more about whether we're going to uphold their rights in the region on their ability to object on various developments that affect their ability to fish and...

ZINKE:

And we do agree absolutely.

CANTWELL:

Thank you. Thank you. I appreciate that.

I do have another question about the Yakima Basin and it's on my...

(CROSSTALK)

CANTWELL:

OK. Well, then I'll pass to my colleagues and I'll come back.

MURKOWSKI:

Senator Daines.

DAINES:

Thank you, Madam Chair.

I had one more question I want to get to and I ran out of time in the first round and it was related to Indian country and economic prosperity. Congressman Zinke, you've been a great partner working together on behalf of Indian country whether it's fighting to an act the Blackfeet Water Settlement and I think it's important for all of us to realize that that was approved by the Montana legislature seven years ago.

And with your leadership in the House to work with it here in the Senate, we came together and got that passed in December. That is a monumental effort. It was a great win for the Blackfeet tribe and it's an example I think of the partnership that we have had going forward here to help Indian country.

You have been a champion fighting on behalf of the Crow tribes as you mentioned here in that last exchange, their sovereign right to develop their core resources. And as you said in your testimony, the unemployment rate in Crow country will go north of 90 percent in they lose those jobs.

You've been fighting for federal recognition for the Little Shell tribe. The bottom line is Indian country should be very excited to have you in their corner as the next secretary of the Interior.

My question is, tell us what you have done to help bring economic prosperity to Indian country.

ZINKE:

Great question.

You know, not enough. As you know, Montana is an awful big state. The first thing I have done is visited and been around and looked at the tribes and again, they're not monolithic.

The challenge in the Fort Peck tribe, a lot of drugs from the Bakken and to a degree the Fort Peck tribe is very materialistic. They rely on the mothers and grandmothers, the kind of the fabric of the tribe. Drugs have gone inside and they've created a havoc where maybe one generation or two generations has been at risk of that.

And that's caused enormous upheavals in the culture of the tribe, as well as opportunity -- economic opportunity. Not everyone lives in an area where you can develop casinos. A lot of the Montana tribes are isolated so they rely on their resource centric on their -- there's a couple exceptions.

But first I think is to understand and respect. Just go to the tribes and empower, figure out what a specific tribe that needs, what are the hurdles. This is a challenge and this is why BIA is so important. They get really good people in BIA that are willing to sacrifice and stay late and come to work early.

And it's been attempted multiple times before, without a lot of success I would say. So, you know, talking to the great nations is -- you got to listen and develop a plan with the tribes because again, not every tribe has been -- are the same.

Tribal health care is an issue, tribal education is an issue, prosperity, self-determination and this is an issue that we should all care very deeply about on it because it is important.

From a military point of view, I'm adopted Assiniboine. Michael Bell was a SEAL, I put him to training at Assiniboine, went home on break and was stabbed in the back and killed on the reservation. A needless, pointless, painful death of a lawyer.

And in a lot of tribes, being a military member has standing. Every time you would go in and do either a pow-wow or a ceremony, military members always come in first. And here lies an opportunity for the military to help these tribes become leaders and go back to the different tribes and form the basis for lifting themselves and having self-determination.

So I think there's an opportunity for military. I think there's an opportunity in DOI and looking at our trail systems. My wife was sat on the landing team and will quickly as the trails -- the landing team and the V.A. looked at opportunities for homeless veterans and veterans to do cemetery repair. They have whole program to it. A lot of it is being in the right uniform and show up on time.

I think that program can be looked at in the DOI of our trails. You know, we're way behind in maintenance of our trails. A lot of the Indian cultures have a strong tie to our trail systems to our land and it's a metric. The trail systems start in one point, ends in another part.

This is a great opportunity for Indian nations to participate in the program that will get them out and work. But this is -- they have to work together with the tribes and they have to have buy-in.

DAINES:

I think and I'll wrap it as a comment, the prospective you will bring to this job when you are confirmed, as a Montanan living in the shadows of Glacier National Park, actually were born near Yellowstone National Park and grew up near Glacier National Park. But I think what you will also bring is, you know, military background when we talk about Indian country, it has -- the Native Americans have the highest percentage veteran populations of any ethnic group in our country.

And having your military service will bring, I think, an added dynamic to help out Indian country. And with the BIA, where we have these men and women -- you mentioned the story of Mr. Bell that these men and women who come home from serving overseas with security clearances and then it takes us a year and a half to get their clearances, they want to get involved in law enforcement back on the reservation and the BIA takes 12 to 18 months to clear when they already have security clearance fighting for their country overseas.

When we have all the drug problems and crime problems in the reservation that they could help by having more law enforcement, we have open headcount there, you can do a lot to help Indian country and I'm grateful they're going to have a champion there with our new secretary of the Interior.

ZINKE:

I look forward to it.

DAINES:

Thank you.

MURKOWSKI:

Thank you, Senator Daines.

Senator Heinrich.

HEINRICH:

Thank you.

And I want to start by giving you an opportunity to correct the record on something my colleague Senator Franken said. I believe while I was gone and I don't want to misquote him that he said, that Smokey the Bear was not real.

And I want to read to you from Wikipedia the living symbol of Smokey the Bear was an American black bear, three-month-old cub, who in the spring of 1950 was caught in the Captain Gap fire in the Lincoln National Forest in the New Mexico.

Do you dispute that?

(LAUGHTER)

ZINKE:

I do not. And my grandchildren behind me and I also believe in Santa Claus.

(LAUGHTER)

HEINRICH:

I just want to establish that.

I want to go back to this tribal sovereignty theme and bring up an issue that the Department of Interior, I think, actually deserves great credit for over the last few years. One of the most important duties for any secretary is to uphold our nation's trust responsibility.

And tribes have been facing a tragic loss of their cultural patrimony to a growing international market for tribal religious objects. These objects are not art. They were not created to be sold. They are sacred objects that are essential to tribes' cultural and spiritual practices and they were illegally stolen from the communities to which they belong.

Acoma Pueblo in my home state is fought is to repatriate a sacred shield from an auction house in Paris and I give great credit to the Department for doing the right thing for being a stalwart ally and working with the State Department and Department of Justice to obtain a warrant for the shield to return.

That's an ongoing investigation, but I just want to ask you if you will commit to continue to work with the Department of Justice, the attorney general, the secretary of State to ensure that this remains a priority for all three of these departments.

ZINKE:

It remains -- repatriation is an important issue and I first became familiar with it when the Blackfeet had some of their ancestors actually in Smithsonian and the process of repatriation, because the tribe itself had different orders, they had behavioral order, they had different sects within the tribe and the repatriation process is enormously complicated and one that I don't pretend to understand.

But I do understand that it's just complicated and even the tribe itself had to go a number of rituals. Repatriation and making sure that artifacts that are important to their cultural identify, we need to pursue and we need to facilitate the return on it.

You know, if someone bought, you know, rather than being stolen, if someone bought, that something we got to work through legal framework. If someone buys something legally with every good intent that's different to someone who is pillaged and profited. I think the pillage and profiting side is absolutely without a question an area that we need to pursue.

HEINRICH:

I look forward to working with you on that.

You made the statement about water in the west and federal water projects that the Bureau of Reclamation constructs, the ministers are really critical for states all up and down the Rocky Mountains.

In New Mexico, the Navajo-Gallup Water Supply and the new pipeline projects will bring much needed water and infrastructure to parts of our state that truly deserve and need it, communities like Portales and Clovis have seen wells run dry and groundwater reserves dwindle to only a 20-year supply. In addition, many Navajo families have literally never had running water.

How are you going to ensure that the Bureau of Reclamation brings these kinds of critical infrastructure projects to completion -- cost- effective completion?

ZINKE:

Well, first, clean water I think is a right. It's not a privilege. So we'll start there. Our water challenges particularly in the west are immense, but we're a great nation. Let's prioritize what we need to do.

Part of it -- as I've always looked at infrastructure is not an expense, but it's an investment and having an investment now will prevent a lot of heartburn, heartache and unintended consequences in the future particularly when it comes to water. And expanding recreation, Americans want to go outside we need to give them the opportunity to do it.

I go -- keep on going back to the Jobs Bill. It's very difficult, as you know, is on the House side is probably more difficult than the Senate side on some areas. Spending money in the House side is extraordinarily difficult on things.

But we're going to have to meet in the middle on making sure we have priorities set and making sure those water issues are enough of a priority -- especially when it comes to isolated areas. There's places in Montana, you know, popular (ph) that really don't have access to water any other way than to pipe it from long distances.

And population as noble (ph) tribe -- not a lot, they're not going to be able to do it on their own. So you need a system in there to do it. It's expensive -- recognizing that it is expensive and recognizing also that you don't need to over engineer everything so it's so cost prohibitive where, you know, there's new technology, there's new piping technology, let's look at innovative ways that are more cost effective.

And we need to put a little pressure on perhaps the Army Corps of Engineers to faster adapt standards on some lacing, especially piping when it comes to water so we get there -- that a better price.

MURKOWSKI:

Thank you, Senator Heinrich.

Senator Barrasso.

BARRASSO:

Thank you, Madam Chairman.

Last Wednesday, final days of the Obama administration, the BLM released a report detailing their review of the federal coal program. The report laid out a roadmap for administrative action.

The problem is this, the environmental impact statement on the federal coal program has not yet even been completed. So the Obama administration once again shows its hands demonstrating that they believe the facts shouldn't get in the way of their pre-determined outcome.

So just as a comment from me, I am very hopeful that the Department of Interior, under your direction once confirmed, will operate differently under you and the new administration.

A lot of this hearing today concerned things that we're able to repeal, rollback, otherwise, eliminate. But as secretary of the Interior, you're going to have the opportunity -- an incredible opportunity to create a real culture of change in an agency that I believe desperately needs it.

And while the Department of Interior houses the BLM, the Bureau of Reclamation, Fish and Wildlife and others, the Forest Service is part of the Department of Agriculture and we talked and Senator Wyden brought up the issue earlier today about forestry, about fire borrowings. Senator Cantwell and I held a hearing in Seattle about the issues of wildfire and the concerns.

So given that so given that so many of the forested lands are outside of the Department of Interior's control, what would you do as secretary of Interior to improve forest health on lands in your jurisdiction and how can we coordinate efforts with the Department of Agriculture and the forest chief?

ZINKE:

Well, upfront, I think we need to look at the Forest Service and our land management policies and have the discussion about what is the best method of managing our lands.

As you go out west the check report system, when it was put in, you know, and there was a reason why Ag has Forest Service at that time, I think we need to reevaluate it and look at what's the best method to make sure we have efficiency, making sure our fire policy is consistent between BLM land and Forest Service land, making sure our access is consistent between Forest Service and BLM.

You know, in Montana, we have a lot of the Canadian border and it turns out the Forest Service doesn't even give a key to the Homeland Security guys to do a security run along a road on the border. So even between the agencies, there's a cultural roadblock to work with each other, even when it comes to borrowing set of keys to go on a road.

So I think everything should be on the table and again, I talked about a roadmap for the next 100 century or over the next 100 years. Let's be bold, that's not coming with agendas. That's coming with where we want to be hundred years from now on our public lands.

And there's certain things we're going to agree on. I think there's going to be a lot more we're going to agree on and disagree. But on those things, we can agree let's look at a roadmap going forward and have the discussion.

BARRASSO:

You know, you may be familiar with President Obama's 2015 presidential memorandum on mitigation. The memorandum called for new mitigation policies from the Department of Interior and Fish and Wildlife Service.

Last May, a Wyoming rancher came, sat here, testified before this committee on one of those policies, the one focused on compensatory mitigation and basically he called it amounted to extortion.

So are you going to commit to revisiting the department's various mitigation policies to ensure that future requirements are more practical?

ZINKE:

I'm going to have a very, very busy, if confirmed and I'll work with every state because you matter, Wyoming matters and every state matters. And if there's policies that are perceived as punitive that are working in your state, my obligation is to work with you because you matter.

Wyoming matters, Alaska matters, Washington matters, West Virginia matters and New Mexico matters, not only members of this committee, but Congress matters. And on my opening statement, I meant what I said about the arch for the benefit and enjoyment of the people.

I also absolutely meant when I said it was erected by Congress -- by an act of the Congress, that's an important point that we need to go back to about making sure you represent your great state and your constituency and that should be respected in our policies.

BARRASSO:

And in terms of being very busy and what matters, I'm going to tell you, as a former chairman of the Indian Affairs Committee, former chairman of the -- the three of us have been former chairman of the Indian Affairs Committee, I think that it's going to require -- the Bureau of Indian Affairs is going to require significant attention from the next secretary of Interior.

I think I get an agreement here, we have also seen how a culture of dysfunction within the BIA has real disastrous human implications. So I appreciate your efforts there as well.

And, Madam Chairman, I see my time has expired so Senator Heinrich and I will come together and compose written questions regarding Smokey the Bear, Yogi Bear, and the Teddy Bear. So we'll submit those. Thank you.

Thank you, Madam Chairman.

MURKOWSKI:

Thank you, Senator Barrasso.

Senator Manchin.

MANCHIN:

Thank you, Madam Chairman.

Thank you, Congressman, for being here and putting yourself on the line. I appreciate it very much. And also I want to commend you for having bipartisan introduction, now that didn't that often.

ZINKE:

Well, thank you and...

MANCHIN:

I don't know if you want to call me on that one or not.

ZINKE:

Well, you know, I'm glad because I have support -- hopefully, I have support, you know, bipartisan, but I think that's what we need for this job because the job isn't Republican or Democrat, it's America.

MANCHIN:

Right.

ZINKE:

This job, it's also...

MANCHIN:

Let me say the word, you came and visit me and we had a great visit and great talk about things we've hope for that are near and dear to us, you know. Also you promised that you would come to the state of West Virginia.

ZINKE:

Yes, sir.

MANCHIN:

And I also noticed everyone else asked for the same, so I need to know in what order?

(LAUGHTER)

ZINKE:

My -- well, my first order is the great state of Utah and then there's some real -- the SEAL call the five-meter targets. Up close, we have problem out North Dakota because that could go bad in a number of different ways. We have a problem in basically the great state of Utah and Alaska is always important to me.

MANCHIN:

I still don't know where I -- I'm anywhere in the packing order, but I know...

ZINKE:

West Virginia is an easy drive.

MANCHIN:

I know you're coming. I know that. Now let me talk about the Stream Protection Rule because I think that a lot of times, especially coming from the state of West Virginia and extraction state like Montana, a lot of people think we don't care about the Clean Water Act or the Clean Air Act, Safe Drinking Water Act and many other laws and -- that have been fundamental in improving all of our lives and I want everyone to know that there's no way to rolling back any of those.

But there's some of these that's just so far reaching and make no sense whatsoever. I can't even get some people to tell me what the definition of a stream is. So if you can get me a little bit just quickly as your Stream Protection, what's your position on using the Review Act, CRA (inaudible) this regulation?

ZINKE:

Well, thank you for the question. It is important to me and oddly enough as I was reviewing the transcript from Secretary Jewell as she came in before this Committee, one of the questions was, can you define a stream. So that is a question.

The Stream Protection Rule in my mind is about water. All of us should agree that we want clean water and all of us should also recognize that geology is different. As a geologist, the geology in Appalachia is much, much different.

And a policy about stream protection, when it's looked at specifically on the Appalachians, I think quite frankly we can do better. This is where one size doesn't fit all.

We're going to make sure that if we're going to mine, drill, harvest that we want to do it right. Protection of water is -- has to be a priority with it. So there are ways absolutely -- to make sure absolutely that we do it right and protect our water. And I'm willing to work with you...

MANCHIN:

But the stream should have water in it, right?

ZINKE:

The stream should have water. Interconnectivity...

MANCHIN:

That's -- it all helps.

ZINKE:

Yes. In a subsurface connectivity movement of water and again, you can isolate different areas. When they talk about runoff, what is runoff if it's captured in a holding pond, what is runoff during a storm drain.

These are issues you can take it too far in every case where it becomes punitive and you're not going to get anything done.

MANCHIN:

You can imagine in our state with the terrain that we have -- topography that we have, how difficult is to do anything. You can't even build a house. If they want to shut you down, they can shut you down everything.

It's just absolutely so onerous it's just ridiculous and I'm glad to hear that you...

ZINKE:

And I've climbed on Seneca Rocks and been the...

(CROSSTALK)

MANCHIN:

So I got one more -- when on release, the banning mine AML money, banning mine reclamation and that's under (inaudible) that's one of the biggest things you have. Since 1977, there's been \$10.5 billion in fees from coal production, OK, \$10.5 billion.

Eight billion of that has been distributed as grants to states and tribes, to land and water reclamation projects administered by the OSM and the UMWA retiree plans. There's still large amount of high priority sites that remain in the OSM's inventory that must be reclaimed.

So I want to ask your opinion on AML, the way it's been distributed and should that money be used for the purpose it was designed to be used for, all coal related or should it be able to use by states for other things that basically are not coal related?

ZINKE:

Great question.

MANCHIN:

Since all the money comes from coal.

ZINKE:

Right. And this is the same argument with Land and Water Conservation Fund that we both support.

MANCHIN:

Sure.

ZINKE:

I think when the revenue storage is narrowed and used outside of that, I think there's a legitimate argument about that. Our Montana -- from a Montana congressman perspective, we have hundreds of mines that were mined during the turn of the 18th or 19th century, that our reclamation list of going through and cleaning up the sites is long.

So that fund that has been used to clean up sites in Nevada and I'm sure New Mexico most of it. So there is absolutely a requirement to clean it up.

The discussion should be I think how do we appropriate the funds correctly. So one industry doesn't bear the full burden as in the Land and Water Conservation Fund offshore bears almost entire burden of revenue yet the funds don't go along the coast.

Should hard rock mining, you know, also contribute to that? Should...

MANCHIN:

They don't pay anything.

ZINKE:

And this is where we need to have the discussion and this is where I have to -- I should work with you because this is a change in the law. The law should be fair. It should be appropriate.

But we all have to recognize that reclamation of these sites is incredibly important because these sites often times -- and we have hundreds of sites in Montana, I do not know what the inventory is nationwide, but I'm sure in every state there's probably something that we need to attend to.

MANCHIN:

Well, let me just say I want to thank you for your testimony and being so frank and direct with us, but -- and in fairness put to the system. That's all I've ever said, treat us all the same, fairness to it because some mining pays nothing, but they do receive and that's not right.

ZINKE:

And I'll...

MANCHIN:

It's all because of politics here. All because of politics. That could be changed.

ZINKE:

And I'll be glad to work with you on it because I think it needs to be fair. Our lives need to be transparent and fair.

MANCHIN:

Thank you so much, sir.

MURKOWSKI:

Thank you, Senator Manchin.

Chairman's prerogative says that we can do one more real quick -- one more quick go around. I have just two more questions and I hope it will be brief here.

But when we deal with some of the projects that have so much potential, whether it's the potential to be able to utilize the natural gas that we have in Alaska's North Slope, we're going to have to figure out the way that we move that gas to tide water, move it to the market and that will require a process.

You got to get a host of timely issued federal environmental permits. The longer the delay for the permits, the more expensive the project is. So I'd like your commitment to be working with us not only for projects like the Alaska LNG Project, but also recognizing that when it comes to our domestic mineral production, we're sitting dead last in the amount of time it takes to get to yes or no answers to get these permits for our domestic minerals production.

And I think we recognized, we talked a lot about the vulnerability that we have as a nation, looking to other nations for oil and relying on oil. Well, we're headed that same direction when it comes to minerals because we need the minerals that will make things like this or the vehicles or the wind turbines that we're relying on for renewable energy.

But this permitting process that we're dealing with can often times just end up being this dead zone where the cost pile on, the projects get delayed and folks give up.

So I'd like your focus, your muscle behind ensuring that we have a fair process that it is an expeditious process and one that really works efficiently because so much of the frustrations, so much of this lack of trust you've talking about, I think some esteems from much of what people see that they term bureaucratic delay and unnecessary red tape.

ZINKE:

Well, I agree and when the process becomes arbitrary and we talked about taxpayer value. When you're bidding on a piece of property to either mine or drill and that value is significantly reduced because of uncertainty, the taxpayer doesn't get its full value on it.

So on a permitting process, it has to be fair. It has -- it can't be arbitrary, but there has to -- I'm not going to certainty, but certainly you -- when you're bidding on a project, the value of that bid is in the basis that you can execute it. And when there's no certainty of execution then as a taxpayer we don't get the right price for it.

So our permitting process is broke. It is somewhat to be -- it's somewhat arbitrary and I do think we need to focus on it. But it needs to be fair and it needs to be a process where NEPA considerations do need to be taken because we all want the same thing. I'm hopeful that we do. We all want clean air, clean water and make sure that we understand consequences.

MURKOWSKI:

I look forward to working with you on that.

Last question, the current secretary of the Interior knew that she could not come in to this committee room without me asking a question about the status of her effort to assist to some -- close to some thousand people that live in the little Aleut community of King Cove and how we are going to make sure that they too have access to what most Americans would consider just an essential part of living and that is access to a life-saving road that could get them out in the event of medical emergency.

The fine people of King Cove have been fighting this fight for over three decades. They have been let down repeatedly by their federal government. They do not trust their federal government because repeatedly, they have been told that there is higher value to the animals and the birds than there is to their human life.

That's pretty hard. So I'm going to ask you, recognizing the federal trust obligation that you have as you begin this new role, recognizing that you have clear compassion for our native people, I'm asking you to do everything that you possibly can to work with us to reopen, review this decision that has led to a rejection of this life- saving road.

ZINKE:

You have my absolute commitment that I will restore trust and work with you on this issue because it's important.

MURKOWSKI:

Thank you.

ZINKE:

I didn't know where King Cove was before I was nominated for the job. I know where it is now.

MURKOWSKI:

I'd like to take you out there when we open a road and you'll know it firsthand.

ZINKE:

I can't wait to meet the great people of -- the thousand people of King Cove.

MURKOWSKI:

They're beautiful.

ZINKE:

I know where it is in the map. Now I don't know the ground, but I look forward to being there.

MURKOWSKI:

Thank you. Thank you.

Senator Cantwell.

CANTWELL:

Thank you, Madam Chair.

A couple of last issues and again, thanks to your family for sustaining what probably is going to be a four-hour hearing, but these are important land issues for our nation and we thank you for your willingness to serve.

The Bureau of Reclamation is already funding critical work on what's called the Yakima Basin project. It is funding fish passage and reclamation and water conservation projects and I want to get your commitment to continue the work of and recommendations of the Bureau on the outcome on basin project on its innovation and conservation and like the same understanding that you gave to my colleague, that these water issues are not your marks, they are moving forward on serious drought issues for our nation.

ZINKE:

Thank you. I think you have a wonderful staff because I have begun to be familiar with the issue and I look forward to work with you on it because this is important.

Montana is not that far away and issues of water, the Snake River begins -- drainage begins at Montana all the way across the Columbia, I get it and I'm looking forward to working with you and making sure it's done.

CANTWELL:

Thank you. I appreciate that.

You mentioned the, you know, efforts of your agencies, USGS specifically on the science side and one of the key interest of the Pacific Northwest unfortunately after an incredible very unfortunate disaster (inaudible) where 43 people were killed, the notion of LIDAR, being able to use light detection ranging as a key way of looking at landslide possibilities.

Will you continue to push LIDAR funding as part of your next budget request for USGS?

ZINKE:

I will. I have to review it because there are some emerging technologies particularly in the UAVs that actually maybe better suited. But I'm committed to making sure we have the right data.

CANTWELL:

OK.

ZINKE:

This specific method of how we get there I think there's a discussion as technology goes forward. There's some promising technology on survey.

CANTWELL:

I like the fact that you're committed to ongoing technology to help us on these issues. I think technology is emerging that's going to give us a much clear picture about both drought and its impact and warming conditions on fire and our water resource issues and I think it can help us greatly. So I'm glad you're willing to use that.

The Spokane Equitable Settlement Compensation is also that's been in the Department of Interior. It's literally passed both the House and Senate. It's been supported by the last agency and previous secretaries. Will you take a look at this and look at ways to support the Spokane Tribe on their settlement for the construction of dams that caused flooding in the region taking away their opportunities?

ZINKE:

I look forward to looking at it. I choose to shop at Devon Mercier in Spokane so I'm familiar with the area, but I'm not familiar with the specific thing, but I look forward to looking at it.

CANTWELL:

OK. Thank you.

MURKOWSKI:

Senator Heinrich, a final question?

HEINRICH:

Congressman, I know you're a passionate sportsman. It's one of the things I like about you. I think mentioned in our meeting that I spent four days with my two sons over the holidays on one of the Department of Interior's BLM Wilderness Study Areas and I'm proud to say on that trip, my 13-year-old took his first elk and I think both boys will never forget that trip.

But I suspect if Montana is like New Mexico, you've also experienced losing legal access to public land, experienced the -- what is like to drive up on a maintained road that you always knew is there and find for the first time a locked gate.

I have a bill called the HUNT Act to help address this kind of issue and I'm not going to ask you about my bill. But I will ask you to commit to working with me on those kinds of access issues that have really moved to the forefront of concerns by sportsman up and down the Rocky Mountain West.

ZINKE:

I will absolutely. And in my opening remarks, I specifically mentioned access for a reason. I'm concerned and I'm concerned that not only our generation, but our next generation who continuously sees closed roads, fences and lack of access. So traditional hunting and fishing almost are positioned as an elite sport.

HEINRICH:

I think I've seen a television show filmed in your state where Randy Newberg in order to access BLM land literally had to rent a helicopter to get dropped in because over the years, access to the private lands around had been cut off and I think it's something we need to just understand the scale of so that we can come up with strategies either through, you know, for example, using LWCF for easements as supposed to outright land purchases or other strategies to make sure that we don't have public land that the public can't use.

ZINKE:

I agree with you. I think Americans should not be locked out of their national treasures and we're seeing that more and more that access is becoming more difficult and restrained and that -- and I share your concern with it.

HEINRICH:

Thank you, Chairman.

MURKOWSKI:

Thank you, Senator Heinrich.

Senator Manchin.

MANCHIN:

One final question, Congressman, your jurisdiction is over an awful lot of timber land and national parks, wildlife refuge, fish and wildlife.

Our newly sworn-in -- newly inaugurated Governor Jim Justice yesterday was giving a speech, very interesting, West Virginia is one of the most covered forest states in the nation and we have an awful lot of environments about -- environmentalists who are upset with the CO2 which we're doing everything we can with technology; however, we use our energy.

What they failed to recognize is that we have an awful lot of timber that's not going harvested and by not having select timber harvesting, you cut this tree down and you make this right here, the carbon inside here restored is not going anywhere. You let that tree fall and it will decay and rot like some people want, CO2 is all omitted (ph), every bit of it.

And I know it's a big thing what we can't cut here and we can't go in here and we're omitting so much CO2 into the air. They're very concerned if we burn one month of coal, my God, shut it down.

But don't let the timber just rot and go to waste without ever trying to use it for productive and also the environmental consequences. And I don't know what we're -- how we're managing and do we have select timber harvesting and things of that sort in the government properties that you're over.

ZINKE:

Well, currently, I would say that management policy has been fire and I'm...

(CROSSTALK)

ZINKE:

... for management by catastrophic fire. That's the group that believes that we should naturally manage by a natural regulation. I'm going to advocate for healthy resilient forest...

MANCHIN:

Do you think if we got the environment -- really, really good environmentalists, concerned environmentalists together and they could see scientifically what's happening that they might be able to work with you or are you willing to try and go down that path or...

ZINKE:

I think for most of Americans we want good policy.

MANCHIN:

Yes.

ZINKE:

There's extremes on both sides that simply won't negotiate. There's extreme on both the right and left that simply are driven and they are not negotiable in their views.

I think anyone who serves the country, serves (inaudible) and within, you know, the public, there are broad views but you look at what the best policy is.

And I think, you know, we ought to look at, you know, my wife and I and family spent some time in Germany. They have different management policies. Canada has different management policies to their forest.

We have great people that go to the forestry programs, but they're frustrated, too. I've talked to the forest rangers that they feel like they don't have the tools and they don't have the authority to manage the forest (inaudible) healthy and they're too concerned about even removing dead and dying timber...

MANCHIN:

I know.

ZINKE:

... when the Forest Service is 71 million acres behind and just removing dead and dying timber, something has gone wrong.

MANCHIN:

And here's the thing, he -- in his speech yesterday, he made it so crystal clear and he held up a piece of wood and he says -- and in the podium he was speaking and he says, a lot of CO2 here, but it's right here. He says, everything you all make as waste and let fall and let nature take its course, he (inaudible) to the air and he says, so someone is going to make a decision pretty soon.

Thank you, sir.

MURKOWSKI:

Senator Manchin, thank you.

Representative Zinke, thank you. Thank you for being here today. Thank you for your willingness to serve. We thank you and we thank your family because public service, you are the face, but we know that the family stand behind you, allow you to be that public servant.

So to all of the family, thank you. Mrs. Zinke and to the family, to these granddaughters in the back, you get gold stars for absolute best behavior. Yes.

(APPLAUSE)

And we thank you for supporting your grandpa in such a good way. We appreciate that.

I do thank the members of the committee. We had great participation this afternoon and the questions were truly broad ranging, but I think you can tell, Congressman, this is a committee that likes to get in to the real meat of the issues, the policies.

We try to do good work. We try to do work here on a very cooperative, collaborative bipartisan basis and should you be confirmed as I believe you will be, we look forward to continuing a dialogue that is really very open and one that is designed to be collaborative and bipartisan and so we would welcome that.

I'd like to remind my colleagues, we have agreed that members may submit additional questions for the record. We kind of held it open for another couple of hours. So let's just say by 8:30 this evening, all QFRs would be in.

I would also ask unanimous consent to submit several letters of support for Representative Zinke for the record of this hearing that we have received. We'd ask that members submit any of their own to our chief clerk, to Darla Ripchensky.

And with that, again, we thank you and the committee stands adjourned.

CQ Transcriptions, Jan. 17, 2017 **List of Panel Members and Witnesses**

PANEL MEMBERS:

SEN. LISA MURKOWSKI, R-ALASKA CHAIRMAN

SEN. JOHN BARRASSO, R-WYO.

SEN. JIM RISCH, R-IDAHO

SEN. MIKE LEE, R-UTAH

SEN. JOHN HOEVEN, R-N.D.

SEN. ROB PORTMAN, R-OHIO

SEN. JEFF FLAKE, R-ARIZ.

SEN. LAMAR ALEXANDER, R-TENN.

SEN. BILL CASSIDY, R-LA.

SEN. SHELLEY MOORE CAPITO, R-W.VA.

SEN. CORY GARDNER, R-COLO.

SEN. STEVE DAINES, R-MONT.

SEN. JEFF SESSIONS, R-ALA.

SEN. MARIA CANTWELL, D-WASH. RANKING MEMBER

SEN. RON WYDEN, D-ORE.

SEN. DEBBIE STABENOW, D-MICH.

SEN. AL FRANKEN, D-MINN.

SEN. JOE MANCHIN III, D-W.VA.

SEN. MARTIN HEINRICH, D-N.M.

SEN. MAZIE K. HIRONO, D-HAWAII

SEN. ELIZABETH WARREN, D-MASS.

SEN. CATHERINE CORTEZ MASTO, D-NEV.

SEN. TAMMY DUCKWORTH, D-ILL.

SEN. BERNARD SANDERS, I-VT.

SEN. ANGUS KING, I-MAINE

WITNESSES:

SEN. JON TESTER, D-MONT.

REP. RYAN ZINKE, R-MONT., NOMINATED TO BE SECRETARY OF THE INTERIOR

Source: **CQ Transcriptions**

© 2017 CQ Roll Call All Rights Reserved.

To: Kerry Rae[kerry_rae@ios.doi.gov]
From: Cameron, Scott
Sent: 2017-03-09T18:15:45-05:00
Importance: Normal
Subject: Fwd: Weekly Report to the Secretary - March 9, 2017
Received: 2017-03-09T18:16:23-05:00
Weekly Report to the Secretary 03-09-17.docx

FYI, this is the full package the Secretary receives. Any reason to change our W&S format or content going forward?

Thanks,

Scott

Scott J. Cameron

Special Assistant

Office of the Secretary of the Interior

Desk 202 208 0969

Cell 202 706 9031

----- Forwarded message -----

From: **Jorjani, Daniel** <daniel_jorjani@ios.doi.gov>

Date: Thu, Mar 9, 2017 at 5:51 PM

Subject: Fwd: Weekly Report to the Secretary - March 9, 2017

To: Scott Cameron <scott_cameron@ios.doi.gov>, Katharine Macgregor

<kate_macgregor@ios.doi.gov>, Virginia Johnson <virginia_johnson@ios.doi.gov>, Benjamin

Keel <benjamin_keel@ios.doi.gov>

Cc: Scott Hommel <scott_hommel@ios.doi.gov>

FYI - this week's weekly report to the Secretary.

Weekly Report to the Secretary 03-09-17

**WEEKLY REPORT TO THE SECRETARY
DEPARTMENT OF THE INTERIOR**

March 9, 2017

Office of the Solicitor

Week Ahead Schedule of Meetings, Hearings, and Travel

Nothing to report.

Week Ahead Announcements and Actions

**SIGNIFICANT LITIGATION DEADLINES FOR NEXT THREE WEEKS
SEPARATELY REPORTED**

NEW CASES:

Nothing to report.

SIGNIFICANT DECISIONS:

***Island Operating v. Zinke* (W.D. La.) – Offshore Contractor Civil Liability**

On March 6, the court denied plaintiff any award of attorneys' fees, but granted costs. The court held that the government had not acted in bad faith in pressing its case, instead finding that “both parties have made technical, nuanced, and rational arguments[.]” The parties now have 14 days to submit a joint proposed final judgment. An appeal recommendation will be due to the Department of Justice (DOJ) shortly after entry of final judgment.

***Western Watersheds Project v. Schneider* (D. Idaho) - Range-wide Greater Sage-Grouse Plan Litigation**

The District Court denied the United States' motion to sever and transfer the claims related to the various sub-regional plans. The Court found that Western Watersheds Project's (WWP's) claims raised "overarching" issues related to all the plans, including the role of climate change and the cumulative effects of permitted activities across the range, and that it would be inefficient to litigate these "overarching" issues in multiple forums. The Court also noted that because *WWP* was the only Sage-Grouse case in which any of the parties sought greater protection for the species, there would be no efficiency in consolidating this case with any of the other Sage-Grouse cases.

***Protect Our Communities Foundation et al. v. Black* (S.D. Cal.) - BIA Tule Wind Project (“Tule II”)**

On March 6, the district court granted Federal Defendants' motion for summary judgment. Plaintiffs had contended that Bureau of Indian Affairs (BIA) violated the National Environmental Policy Act (NEPA) by approving a lease across land the United States holds in trust for the Ewiiapaayp Band of Kumeyaay Indians for the second phase of the Tule Wind Project.

Ingram v. United States (9th Cir.)

In 2012, Plaintiff filed suit alleging \$15 million in personal injury damages under the Federal Tort Claims Act (FTCA) on behalf of her son, who was injured during a high school football game at Chief Leschi High School. The School employees were deemed to be federal employees for purposes the FTCA because the School receives a Tribally Controlled Schools Act grant from the Bureau of Indian Education (BIE). The District Court found that coaches did not act negligently under Washington state law. The Ninth Circuit affirmed this ruling on February 28, 2017 by applying the appropriate heightened standard of deference to a trial court's credibility determination.

Klamath-Siskiyou Wildlands Center et al. v. BLM (9th Cir.) - Rio Climax Project

On February 27, the Ninth Circuit Court of Appeals issued a summary dismissal of Plaintiffs' appeal of a cost award to the U.S. Bureau of Land Management (BLM) had prevailed on the merits in district court and before the Ninth Circuit; the U.S. was awarded costs in the amount of \$5,300 for Administrative Record preparation expenses. Plaintiffs appealed the cost award to the Ninth Circuit and the U.S. moved for summary dismissal. The Court granted the motion finding that the issues raised in the appeal were "so insubstantial as to not require further argument." (Brian Perron, 503-231-6298)

California Sea Urchin Commission, et al. v. Bean, et al. (C. D. Cal.)

On March 3, the Court granted the Fish and Wildlife Service (FWS) motion for summary judgment in this challenge by fishery groups to the FWS' inclusion of termination criteria in its 1987 Translocation Plan for southern sea otters. Plaintiffs alleged that P.L. 99-625, which authorized the translocation program, prohibited FWS from terminating that program once implemented. First finding that the fishery groups had standing, the Court concluded that the FWS' interpretation of P.L. 99-625 to give it authority to terminate the program was reasonable and that Congress intended that FWS have flexibility and discretion in implementation of the translocation plan.

Defenders of Wildlife v. Zinke (D.C. Cir.) - ESA challenge to Wyoming Wolf Delisting Rule

The Court of Appeals for the D.C. Circuit reversed a lower court decision and upheld FWS rule removing Wyoming wolf protections under the Endangered Species Act (ESA). The court reasoned that the Service properly concluded that Wyoming's wolf management plan and other statutes and regulations constituted adequate regulatory mechanisms under the ESA. The court stayed the mandate for 45 days to give parties a chance to seek a rehearing. The mandate takes effect 7 days after the 45-day period expires at the earliest (or approximately April 17). The

Service will use the intervening time to determine how to reinstate the rule.

OTHER LITIGATION MATTERS:

In re Kaiser Gypsum Co., Inc., et al. (Bankr. W.D. NC) (filed Sept. 30, 2016)

We are preparing a bankruptcy proof of claim for natural resource damages at the Lower Duwamish River Superfund Site, King County, Washington ("the Site") for referral to DOJ for filing in the above-referenced bankruptcy matter by March 30, 2017. Under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Elliot Bay and Lower Duwamish River Natural Resource Trustee Council, which consists of the Department, the National Oceanographic and Atmospheric Administration (NOAA), the State of Washington, the Muckleshoot Tribe, and the Suquamish Tribe, is conducting a natural resource damage assessment for injuries to resources at the Site caused by decades of hazardous releases from industrial operations and sewer overflows. The debtor, Kaiser Gypsum Co., Inc., owned property and operated a wallboard plant at the Site. Relying on the Trustees Council's assessment and information about Kaiser Gypsum Co., Inc.'s activities, NOAA and the Department developed a joint natural resource damages proof of claim in the above-referenced matter for \$774,200. The Department is also seeking \$1,418.09 in past assessment costs.

Natural Resources Defense Council et al v. National Park Service (M.D. Fla.) - Burnett Oil Seismic Exploration Plan at Big Cypress National Preserve

On March 3, the court held a hearing, primarily on the plaintiffs' motion for a preliminary injunction. This case is a challenge by several environmental groups to National Park Service (NPS) approval of a plan of operations for seismic exploration for oil and gas, arguing that NPS failed to comply with National Environmental Policy Act (NEPA), section 7 of the ESA, and other requirements. The court heard about three hours of arguments and indicated an intent to consolidate the injunction motion with the merits of the case, but the judge did not otherwise indicate whether he was leaning in any direction. He did not issue an injunction, but indicated he would be unhappy if Burnett began activities before the court issued a decision. Burnett's counsel responded that Burnett would give notice ten days before beginning any activities. The plaintiffs' ESA claims have not yet been briefed, and the court will soon set a briefing schedule for those claims, with the goal of completing that briefing within the next sixty days.

NRDC v. US DOI (S.D.N.Y.) - Rusty Patched Bumble Bee

We are continuing to evaluate Second Circuit case law calling into question the legality of delaying effective dates without notice and comment, and its implications upon this litigation. In the meantime, we have received a petition from numerous business sector organizations seeking to delay the effective date until January of 2018.

Wyoming v. DOI (D. Wyo.) – BLM Venting & Flaring Rule Litigation

On March 3, petitioners filed an unopposed motion to extend the deadline to file motions to complete and/or supplement the record until March 31. In addition, petitioners filed a motion

seeking a 30-day extension of the current deadline for petitioners to file opening briefs. If the motion is granted, the deadline for petitioners to file opening briefs would be April 24. The Government's brief in response would be due within 20 days of service of petitioners' briefs. (Chris Rhymes, 202-208-4307)

Public Citizen et al. v. Trump et al. (D.D.C.) – Challenge to Executive Order Requiring Repeal of Two Existing Regulations for Each New Regulation (2-for-1 EO)

Public Citizen, Natural Resources Defense Council (NRDC), and AFL-CIO have sued the White House and selected agencies (including DOI and FWS) challenging the 2-for-1 Executive Order (EO). The challenge is that the EO unlawfully forces agencies to conduct notice and comment rulemaking to reduce costs despite that goal not being a mandate, or being a lesser mandate, of the underlying statutory authority. The Solicitor's Office is engaging with DOJ and the Office of Management and Budget (OMB) to map out a response.

Flathead Irrigation District v. Zinke (9th Cir.) – BIA Reassumption of Flathead Indian Irrigation Project Operations

On March 1, the Ninth Circuit granted Confederated Salish and Kootenai Tribes' (CSKT's) motion to intervene in litigation challenging the Bureau of Indian Affairs' reassumption of operation and management at the Flathead Indian Irrigation Project on the Flathead Reservation in western Montana. In 2015, the federal district court granted the United States' motion to dismiss, Plaintiffs appealed, and the parties have proceeded on a dual mediation/appeal track since then.

NON-LITIGATION MATTERS:

Draft Guidance on Financial Assistance to State Historic Preservation Officers and Tribal Historic Preservation Officers

The National Parks Branch is working with NPS to update its guidance regarding when it is appropriate for State Historic Preservation Officers (SHPOs) and Tribal Historic Preservation Officers (THPOs) to accept financial or other assistance from Federal agencies.

Bureau of Reclamation - Klamath Project - 60 Day Notice of Intent to Sue under ESA

Oregon Wild has filed yet another notice of intent to sue over the alleged taking of listed suckers below Anderson-Rose Dam in the lower Lost River within the Klamath Project. A similar notice was sent in January 2016, which was responded to by Reclamation and no litigation has yet ensued. It is Reclamation's position that the current Biological Opinion covers the operation of this facility as to its impacts on listed suckers.

Applicability of NEPA to the Freely Associated States

At the request of the Office of Insular Affairs, we provided employees of both the Office of Environmental Policy and Compliance and NPS with an overview of the application of NEPA to

the Freely Associated States: the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI), and the Republic of Palau. At a meeting held on March 1, we advised the assembled employees that pursuant to the Compacts of Free Association Amendment Act of 2003, the U.S. Government “shall apply [NEPA] ... to its activities under the Compact and its related agreements as if the [FSM and the RMI] were the United States.” Similar language appears in Palau’s Compact of Free Association. We further advised the employees that for those activities falling outside the scope of the Compacts of Free Association, the presumption against the extraterritorial application of NEPA would come into play. Finally, we provided the NPS employees with contact information for Louise Milkman, the Assistant Solicitor for the Branch of National Parks.

Assistant Secretary for Fish and Wildlife and Parks

Week Ahead Schedule of Meetings, Hearings, and Travel

Nothing to report

Week Ahead Announcements and Actions

On March 13, FWS will announce the 114th birthday of the National Wildlife Refuge System. President Teddy Roosevelt created the first national wildlife refuge at Pelican Island, FL on March 14, 1903. FWS will produce a national news release and also feature stories that highlight how refuges provide habitat for thousands of species of animals and plants, both abundant and rare, and offer Americans with places to hunt, fish, observe the natural world firsthand and experience the outdoors in myriad ways. Outreach is planned.

On March 2, a coalition of energy and agriculture groups, including the American Petroleum Institute, Independent Petroleum Association of America, CropLife and other organizations, petitioned FWS seeking to delay implementation of Endangered Species Act protections for the rusty-patched bumblebee until January 2018 under provisions of the Administrative Procedures Act. The effective date of the final listing was already postponed from its original mid-February date until mid-March to allow for additional review. FWS is working with the Solicitor's office to determine its response to the petition.

From March 14 through 16, the annual meeting for the National Conference of State Historic Preservation Officers will be held in Washington, DC. NPS staff will be present at an informational table, meet with State staff as requested, and provide information at various sessions.

From March 15 through April 2, the National Cherry Blossom Festival will be held in the Tidal Basin area of the National Mall in Washington, D.C. The peak bloom time frame prediction has been moved to March 14-17 due to unseasonably warm weather. Numerous events are planned by the NPS and our partner organization, the National Cherry Blossom Festival.

U.S. Fish and Wildlife Service

Week Ahead Schedule of Meetings, Hearings, and Travel

Nothing to report

Week Ahead Announcements and Actions

Endangered Species Act Recovery Actions

In late March or early April, FWS plans to announce proposed changes to the red wolf recovery program in North Carolina. Red wolves are listed as endangered and have been released under a

special “nonessential experimental” designation under the ESA. The program is highly controversial and has been under review in recent months. Accordingly, FWS plans to publish a notice of intent that it will prepare an Environmental Impact Statement in conjunction with a proposed rule to shrink the existing experimental population boundary to encompass only the Dare County Bombing Range and Alligator River National Wildlife Refuge, where stable packs exist on federal lands. FWS expects to make a final decision on the proposed action by December 2017. Public scoping meetings are also being scheduled as a means of engaging the public in the process. Outreach is planned. Controversial.

In mid-March, FWS will publish a Notice of Availability for the second revised draft recovery plan for the giant garter snake. Outreach is planned.

Endangered Species Act Listing Actions

On March 2, a coalition of energy and agriculture groups, including the American Petroleum Institute, Independent Petroleum Association of America, CropLife and other organizations, petitioned FWS seeking to delay implementation of Endangered Species Act protections for the rusty-patched bumblebee until January 2018 under provisions of the Administrative Procedures Act. The effective date of the final listing was already postponed from its original mid-February date until mid-March to allow for additional review. FWS is gathering information regarding the species and the petition.

In March, FWS plans to send to the *Federal Register* 90-day petition findings for five species: desert tortoise (Mojave population), sturgeon chub, sicklefin chub, Florida black bear and tricolored bat. The tricolored bat is found in 35 states, Canada, Mexico and Guatemala. The species is being threatened by white nose syndrome and loss of habitat. The not-substantial finding for the bear may also garner media attention, since it was petitioned by two dozen state and national conservation groups largely upset about a state-regulated hunting season for the bear. Outreach is planned.

In March, FWS plans to send to the *Federal Register* a final determination on a proposed rule (published January 8, 2016) to downlist the West Indian manatee from endangered to threatened under the Endangered Species Act. A notice of intent to sue in 60 days was filed by the Pacific Legal Foundation on January 9, 2017, for failure to issue a final determination within one year of the proposed rule. This is controversial because the manatee is a large, docile marine mammal that engenders passionate advocacy in the Southeast. In 2016, there were a record number of boat strike mortalities. Consequently, some conservation groups do not want to see the species downlisted even though the action is warranted. Outreach is planned.

Endangered Species Act Critical Habitat Actions

In March, FWS plans to announce a proposal to designate critical habitat for approximately 36 stream miles of occupied habitat and 3,100 acres of unoccupied habitat in Montana for the meltwater lednian stonefly and approximately 1.5 stream miles of occupied habitat and 204 acres of unoccupied habitat for the western glacier stonefly. FWS will also reopen the public comment period for the proposed listing of western glacier stonefly and meltwater lednian stonefly as

threatened species. Outreach is planned.

National Wildlife Refuge Actions

FWS is finalizing appropriate permits to allow Lucky 8 Productions (TV), based out of New York, to film on national wildlife refuges along the Mexico-U.S. border in Arizona during the month of March. The company is participating in periodic ride-alongs with DHS' Border Patrol Tactical Unit (BORTAC), a specialized division of the U.S. Border Patrol for a six-part documentary series for the Esquire Network (NBC/Universal) devoted to covering the activities of the division. FWS is not participating in the film itself.

In mid-March, FWS plans to announce nine projects on 12 national wildlife refuges across the United States are receiving more than \$3.74 million through the Cooperative Recovery Initiative (CRI). The CRI is an internal competitive grant program that funds on-the-ground conservation projects to help recover threatened or endangered species on national wildlife refuges and surrounding lands. These projects often provide related conservation benefits to other imperiled species and encourage partnerships with state and private groups. Outreach is planned.

National Park Service

Week Ahead Schedule of Meetings, Hearings, and Travel

On March 18, Acting Director Mike Reynolds will speak at the opening celebration event for the newly designated Reconstruction Era National Monument in St. Helena Island, SC. Informal invitations have been extended to Congressman Clyburn and NPS leadership.

Week Ahead Announcements and Actions

On March 13, 2017, NPS staff have been asked to participate in a "round-robin" informational session, as part of the National League of Cities annual conference in Washington, D.C. The Historic Tax Credit incentives program is administered by the NPS and provides a 20-percent federal tax credit to property owners who rehabilitate historic buildings for a business or income-producing use, while maintaining its historic character.

During the week of March 13, the NPS expects to issue a Finding of No Significant Impact (FONSI) for the Invasive Plant Management Plan/ Environmental Assessment (IPMP/EA) for all 15 national parks in the National Capital Region (Washington Metropolitan Area). Nearly 200 species of invasive plants are threatening natural resources, cultural resources, and the visitor experience in these parks. The plan/EA identifies long-term invasive plant management strategies that would reduce the negative impacts of invasive plants and will provide park managers with the information and tools they need to protect parks' natural ecosystems, restore native plants, and help people enjoy these special places.

From March 13 to April 10, 2017, the final Appomattox Court House National Historical Park Boundary Adjustment Study/Environmental Assessment planning document will be posted on the Planning, Environment, and Public Comment website (PEPC) for a 30-day public review.

The study addresses concerns raised in an earlier public comment period about the loss of tax revenue due to federal ownership of new lands by recommending a range of land protection strategies from fee-simple ownership by the Civil War Trust to conservation easements. The purpose is to limit the need for federal ownership while reducing potential impacts to the local tax base.

On March 13, Rocky Mountain National Park anticipates acquiring a 42.28 acre tract of land known as Cascade Cottages. The property is being sold by The Trust for Public Land (TPL), which acquired the land from the previous landowners in 2016. Prior to TPL's acquisition, this property was a family-run vacation cottage business for several decades. Rocky Mountain Conservancy and The Trust for Public Land worked together to raise the funds to purchase the property and hold it until NPS funding became available. This property is the largest remaining commercial inholding in the park.

On March 15, North Cascades NPS Complex anticipates starting a pilot reservation program for backcountry camping permits for a percentage of the campsites in some of the most popular areas of the park complex. The permit reservation system, which was proposed in the 2012 Ross Lake General Management Plan, is in response to increased visitation and visitor comments and requests for a reservation system. A cost recovery application fee of \$20 will be charged for the permit reservation application. Public engagement on the reservation system was conducted as part of the GMP planning process.

On March 17, the NPS will begin accepting comments for scoping for the regional Coastal Species of Concern Predator Management Plan/ Programmatic Environmental Assessment. The plan/PEA will examine options for protecting shorebirds, sea turtles and beach mice from the threat of predators at coastal parks in Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, and the US Virgin Islands. Following the public comment period, which closes April 15, 2017, the NPS will analyze and consider all feedback and begin preparation of the draft environmental assessment.

Assistant Secretary - Indian Affairs and the Bureaus of Indian Affairs and Indian Education

Week Ahead Schedule of Meetings, Hearings, and Travel

Nothing to report.

Week Ahead Announcements and Actions

Indian Affairs has made selections for the 2017 Indian Affairs Student Leadership Summer Institute. Launched in summer 2016, the 10 week paid internship placed 17 Native undergraduate and graduate students in leadership offices across Indian Affairs. The program's mission is to engage and support the next generation of Native leaders in the federal government through an introduction to the government-to-government relationship between tribal nations and the United States. Indian Affairs received more than 60 applications for summer 2017. Hiring of the interns is currently on hold during the hiring freeze.

On March 13-17, the Reservation Economic Summit (RES) 2017 will take place in Las Vegas, Nevada. Indian Energy and Economic Development (IEED) has co-sponsored and attended this event for the past 13 years. It is the largest annual gathering of Indian business persons in the U.S., allowing IEED staff the opportunity to meet with representatives of many tribes and Native business persons in a single venue and offer assistance with projects they may be interested in pursuing.

The last three Tribal consultations on the Advance Notice of Proposed Rulemaking (ANPRM) for the Indian Trader regulations will be held the week of March 13 in Las Vegas, Nevada (at the RES conference); Minneapolis, Minnesota; and Salamanca, New York. The deadline for written comments is April 10, 2017.

BIE Negotiated Rulemaking on Accountability (25 CFR 30): The Every Student Succeeds Act requires BIE to use negotiated rulemaking to develop regulations for implementation no later than the 2017-2018 academic year and to define the standards, assessments, and accountability system for the schools funded by BIE on a national, regional, or tribal basis. A Federal Register notice to establish the committee is ready for publication.

Office of the Special Trustee for American Indian (OST)

Week Ahead Schedule of Meetings, Hearings, and Travel

Acting Special Trustee, Deb DuMontier will be at Main Interior, Washington, D.C. the month of March 2017, attending various meetings and addressing OST's priorities and initiatives

Week Ahead Announcements and Actions

OST is working on two tribal trust fund withdrawal applications under the Reform Act from the Gila River Indian Community and San Carlos Apache Tribe. Gila River is in its final review stage as the Tribe has been responsive to all of OST's requests for information. Gila River's 90 day time frame is currently calculated to be March 8, 2017. (Note: the 90 days outlined is a guideline only)

San Carlos has been active lately and is the closest to running the 90 day time frame (February 28, 2017) and has also been less forthcoming in requested information. (Note: the 90 day guideline stops while OST waits for information from the Tribe.) OST identified two remaining issues concerning the annual audit report to membership requirements and limits of liability for tribal government officials. OST sent a request to Chairman Rambler on February 27, 2017, to finalize these two remaining issues. San Carlos has since satisfied OST's request regarding the liability issue. The only outstanding item for San Carlos at this time is the "annual audit report to membership".

Assistant Secretary for Land and Minerals Management

Week Ahead Schedule of Meetings, Hearings, and Travel

Acting ASLM Rich Cardinale and ASLM Special Assistant Kate MacGregor will be in Washington, DC attending regularly scheduled meetings.

Week Ahead Announcements and Actions

In early March, BLM-UT anticipates issuing a Record of Decision (ROD) on an Environmental Assessment (EA) of mixed trail use in the Recapture Canyon area, located east of Blanding and San Juan County. The ROD would lift an 1871-acre closure order in Recapture Canyon that was issued in 2007, and designate certain trails for all-terrain vehicle (ATV) use, while protecting important riparian and cultural areas. This area became the focus of national media attention in May 2014 when a group staged an unauthorized ATV ride to protest the closure of Recapture Canyon to AVTs. The BLM is currently reviewing options regarding route designations.

On or about March 13, OSMRE Western Region (WR) plans to forward a Mine Plan Decision Document to OSMRE Headquarters for Canyon Fuel Company's Skyline Mine, Flat Canyon Lease Modification. Skyline is an underground longwall mining complex located in Carbon County, UT. Canyon Fuels employs 320 people, producing 3 to 4.5 million tons of coal per year at the Skyline Mine.

On March 13, BLM-AK Fairbanks District Office regulatory staff will present information on mine permitting at the monthly Fairbanks Chapter of the Alaska Miners Association meeting. The meeting provides an opportunity for placer miners and regulatory personnel to interact and discuss the permitting process.

On March 13-16, the American Petroleum Institute (API) will hold its semi-annual meeting of industry members in Dallas, TX. Rich Estabrook, a BLM Petroleum Engineer from BLM-CA Ukiah Field Office, will represent BLM.

On March 14, BLM-NV Elko District will hold an on-line oil and gas lease sale. BLM-NV will offer 67 parcels totaling almost 116,000 acres in Eureka and Elko Counties. Bidding at this sale is not expected to be robust. BLM-NV received two protests to the sale, primarily focused on the adequacy of the BLM's NEPA analysis, including whether the BLM fully considered the impacts to lands with wilderness characteristics. All of the parcels that will be offered have Sage-Grouse stipulations because the lands are located in General Habitat Management Areas (GHMA), Primary Habitat Management Areas (PHMA), or Other Habitat Management Areas (OHMA).

On March 14 - 16, BLM-CA's Central Coast Field Office (CCFO) will host public meetings to gather comments on the Draft Resource Management Plan Amendment and Draft EIS for oil and gas leasing and development for lands managed by the CCFO. Meetings will be held in Hollister, Coalinga, and Salinas, CA.

On March 15, BLM-MT anticipates signing a Record of Decision for the Falkirk Federal Coal Lease-by-Application (LBA). Falkirk Mining Company submitted an LBA on November 13, 2013, covering 320 acres and approximately 3.4 million tons of in-place mineable coal. The EA is undergoing the final review by BLM MT/Dakotas, the Office of the Solicitor, and the cooperating agencies.

On March 15 - April 14, the BLM-ID Challis Field Office will be engaged in an ongoing gather to capture up to 150 wild horses through bait trapping, and remove up to 50 horses within the Challis Herd Management Area (HMA) to reach the Appropriate Management Level (AML) of 185 - 253. The current population estimate is 285.

On March 15, BSEE anticipates the National Academy for Public Administration (NAPA) will publicly release a report detailing its assessment of BSEE's organization, strategic direction, policy and process development, infrastructure, systems, and technology. Acting ASLM Rich Cardinale, ASLM Special Assistant Kate MacGregor, and BSEE Acting Director Margaret Schneider received a briefing by Joe Mitchell, NAPA's Director of Academy Programs, and Pam Haze, NAPA Senior Advisor, about the substance of the report and NAPA's recommendation.

On March 16, BLM-Eastern States will attend a U.S. Forest Service (USFS) public meeting in Duluth, MN regarding the USFS's application to withdraw ecologically significant lands within the Superior National Forest in northern Minnesota from new mining claims. The BLM published a Federal Register Notice on January 19 to temporarily segregate the lands for two years to allow time to study the potential impacts of the requested withdrawal and the potential for additional mining in the area.

On March 16, BLM-CA will implement the Section 106 Programmatic Agreement for the Desert Renewable Energy Conservation Plan (DRECP) with a committee meeting on mitigation in Palm Springs. The DRECP is a renewable energy development and species conservation planning effort covering 22.5 million acres in seven CA counties - Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino and San Diego, including 10.8 million acres of public lands managed by BLM. The BLM signed the Record of Decision approving the DRECP on public lands in September 2016. In accordance with the consultation requirements of Section 106 of the National Historic Preservation Act, the BLM also developed a Programmatic Agreement with tribes, the State, and other Federal entities to ensure adequate consultation for plan actions that have the potential to adversely affect historic properties.

On March 16, BOEM will hold a commercial wind lease sale offshore NC. Nine companies have qualified to participate in the auction. The lease sale area is located 24 nautical miles (nm) offshore Kitty Hawk, NC and extends 25.7 nm in a southeasterly direction. BOEM announced the publication of the Final Sale Notice on January 17; a mock auction will be held on March 14.

By March 17, BSEE will release a panel investigation report for the "Green Canyon 18" incident during which an offshore fatality occurred on a drilling rig in the Gulf of Mexico in March 2016. An employee who was a contractor for Nabors Energy died while working on a drilling rig owned by Whistler Energy II in deepwater approximately 150 miles south of New Orleans.

On March 17, BLM-NV State Director John Ruhs will attend a commissioning and ribbon-cutting ceremony for the Moapa Southern Paiute Solar Project, 250-megawatt solar project on the Moapa River Indian Reservation in southern NV. Attendees will include the Moapa Band of Paiutes leadership, First Solar officials and local, State and Federal leaders. The BLM served as a cooperating agency for development of the final Environmental Impact Statement, with BIA serving as the lead. Other cooperating agencies included the Environmental Protection Agency, the United State Forest Service and the Tribe.

On March 17, BOEM plans to publish the Notice of Availability of the Gulf of Mexico (GOM) Outer Continental Shelf Lease Sale Draft Supplemental Environmental Impact Statement 2018 (Draft SEIS). The Draft SEIS analyzes two region-wide lease sales scheduled for 2018 in the GOM.

On or before March 17, Congress may respond to a proposed donation of private land to a BLM wilderness area in NM. On January 17, then-ASLM Janice M. Schneider signed letters notifying Senate and House leadership that DOI intends to accept a gift of approximately 3,590 acres from The Wilderness Land Trust and add those acres to the adjacent Sabinoso Wilderness, consistent with Section 6 of the Wilderness Act.

On March 17, the BLM-OR/WA Coos Bay District Woodward 11 Commercial Thin Timber Sale will be held. The BLM is scheduled to offer 170 acres, yielding 3.3 million board feet, for thinning treatment.

On March 18, Rep. Steve Pearce (R-NM) and New Mexico Deputy Commissioner of Public Lands Laura Riley will participate in a field visit to Las Cruces with BLM-NM State Director Amy Lueders and BLM Las Cruces District Manager Bill Childress to discuss issues of concern to Rep. Pearce.

Assistant Secretary Policy, Management and Budget

Week Ahead Schedule of Meetings, Hearings, and Travel

- Who: Office of Natural Resources Revenue (ONRR)
- What: Congressional Review Act (CRA) for the valuation rule (HJ Res 71) on House Floor
- When: Week of March 12-18
- Where: The Hill
- Press: Unknown
- Topic: Steve Feldgus, House Natural Resources Committee, informed ONRR that the vote on HJ Res 71 (introduced by Rep. Tipton (CO) and Rep. Scalise (LA)) to disapprove the valuation regulation is expected next week. He has requested information from ONRR on the rule. ONRR is preparing information to respond to the request and will clear it with DOI's Office of Congressional Liaison (OCL) prior to sharing the information.

Week Ahead Announcements and Actions

Border Security. Office of Law Enforcement and Security (OLES) and Interagency Borderlands Coordinator Jon Andrew continue to work closely with the Administration's Transition Team to provide perspective on, and understanding of, the challenges presented by the Southwest Border as the Department of Homeland Security (DHS) develops plans to enhance security of the U.S. homeland. The review is continuing with the existing MOUs and MOAs entered into by USDA-Forest Service, DOI and DHS. Contingency planning is also underway for anticipated construction of additional border security infrastructure but is limited in scope since no specific plans have been announced at this time. Briefings for DOI and Bureau leadership are being scheduled over the next few weeks.

Dakota Access Pipeline and Keystone Pipelines - Standing Rock Sioux Reservation (SRSR). Office of Law Enforcement and Security (OLES) staff were at the Standing Rock Sioux Reservation (SRSR), providing oversight and logistical support to the Bureau of Indian Affairs (BIA) Police. They are now in the process of demobilization. Forty DOI law enforcement officers detailed from National Park Service (NPS), US Park Police, and US Fish and Wildlife Service (FWS)/Refuge assisted BIA in maintaining normal patrol operations.

FY 2018 Budget. The Administration is expected to release its Budget Blueprint for FY 2018 in mid-March; probably March 16. The blueprint will provide broad budget policy direction across the government and set top-line funding levels for Cabinet level agencies. The Administration may coordinate a press roll-out across Cabinet Agencies for that day.

Trafficking of Tribal Cultural Heritage and International Repatriation of Tribal Heritage. The Office of International Affairs (OIA) and the Office of the Assistant Secretary for Indian Affairs (ASIA) expect to publish a summary on the DOI web site of recent tribal consultations and listening sessions concerning illicit trafficking of tribal cultural heritage and international repatriation of tribal heritage. A number of tribes across the United States are concerned about

sacred objects sold in foreign auction houses, and ancestral remains held in foreign museums. Recent Congressional attention has included passage of a joint Congressional resolution, proposed legislation, and a Government Accountability Office (GAO) study which is currently underway.

Year 2017 Small Business Accomplishments to Date: As of March 1, 2017, the Department has awarded 49.06% of its contract award dollars to small businesses. The Department-wide small business goal, which was negotiated with the Small Business Administration (SBA), is 53.5%. The Department awarded 22.09% of its contract award dollars to small disadvantaged businesses and 14.33% of its contract award dollars to women-owned small businesses, exceeding the statutory goal of 5% for each. The Department awarded 2.47% of its contract award dollars to historically underutilized business zone small businesses and 3.02% of its contract award dollars to service-disabled veteran-owned small businesses. The statutory goal is 3% for each of these categories.

Launch of Online Museum Exhibit on the American Bison. The DOI Museum Program has launched an online exhibit on Google Arts and Culture featuring the American bison and showcasing art and objects from across the Department. "The American Bison: A National Symbol" is now live at:

<https://www.google.com/culturalinstitute/beta/exhibit/fwKiwL5VAXuXJw> .

Assistant Secretary for Water and Science

Week Ahead Schedule of Meetings, Hearings, and Travel

Kerry Rae - March 10 and 13 on personal leave. From March 14-19, Acting Principal Deputy Assistant Secretary Kerry Rae will be in Washington, DC, and participating in routine internal briefings.

Scott Cameron - From March 13-19, Special Assistant to the Secretary Scott Cameron will be in Washington, DC, and participating in routine internal briefings. March 15, will meet with Michigan Governor Snyder's representatives to discuss invasive species in the Great Lakes.

Week Ahead Announcements and Actions

During the week of March 13, Reclamation plans to announce the first round of WaterSMART projects selected to receive funding for small-scale water efficiency projects. Small-scale water efficiency projects provide funding up to \$75,000. The funding opportunity will be open through April 27, 2017.

On March 14, Reclamation will release a funding opportunity announcement for the Desert and the Southern Rockies Landscape Conservation Cooperatives.

On March 15, USGS plans to announce a new Fact Sheet that describes a new geospatial method using existing data for evaluating the resource potential of critical minerals in Alaska. Researchers analyzed and mapped the resource potential and certainty for critical minerals in Alaska. Results identified areas of the state that have known potential, as well as new areas that were not previously known to have potential for critical minerals. The Fact Sheet and accompanying report are currently available online and a news release is being considered.

30-60 DAY LOOK-AHEAD

Office of the Solicitor

SIGNIFICANT LITIGATION DEADLINES FOR NEXT THREE WEEKS SEPARATELY REPORTED

Assistant Secretary for Fish and Wildlife and Parks

In March, FWS will publish a notice of intent that it will prepare an Environmental Impact Statement in conjunction with a proposed rule to revise the existing nonessential experimental population designation of red wolves in North Carolina. The proposed rule, and the preferred action in the EIS, would revise the existing experimental population rule to apply only to the Dare County Bombing Range and Alligator River National Wildlife Refuge, where stable packs exist on federal lands. FWS expects to make a final decision on the proposed action, which will change the scope of and goals for the experimental population, by December 2017. The notice announces FWS' intention to revise the designation under section 10(j) of the ESA and the initiation of a public scoping process to identify issues and concerns, potential impacts, and possible alternatives to the proposed action. Outreach is planned upon Reading Room publication as this is controversial.

In March, FWS will finalizing appropriate permits to allow Lucky 8 Productions (TV), based out of New York, to film on national wildlife refuges along the Mexico-U.S. border in Arizona during March. The company is participating in periodic ride-alongs with DHS' Border Patrol Tactical Unit (BORTAC), a specialized division of the U.S. Border Patrol for a six-part documentary series for the Esquire Network (NBC/Universal) devoted to covering the activities of the division. FWS is not participating in the film itself.

In mid-March, the NPS anticipates the announcement of the \$26.9 million in available Historic Preservation Fund (HPF) grant funding to States and Territory Historic Preservation Offices. Grants will be used to support State-led programs such as historic resource surveys and inventories, and local bricks and mortar preservation efforts.

In mid-March, the NPS anticipates the announcement of the \$5.7 million in available Historic Preservation Fund (HPF) grant funding to Tribal Historic Preservation Offices. Grants will be used to support Tribal led programs such as cultural resource surveys and inventories, and Tribal preservation efforts.

In mid-March, the NPS anticipates the announcement of the \$1.75 million in available maritime heritage project grant funding. These grants will be used for maritime heritage education and preservation projects related to the maritime heritage of the United States.

In mid-March, the NPS anticipates the announcement of the \$1.63 million in available Japanese-American WWII Confinement Camp preservation grants funding. These grants will be used to preserve and interpret confinement sites and their related historic resources.

In March, the NPS anticipates awarding \$623,038 in Battlefield Land Acquisition Grants funded through the Land and Water Conservation Fund (LWCF) to government sponsors in partnership with nonprofits for battlefield protection through fee simple and easement purchase, pending NPS review and approval of a proposed grant apportionment package. Grants will be used to protect 145 acres of Civil War battlefields in Virginia, West Virginia and Maryland. The NPS works with private landowners, battlefield friends groups, interested community groups, non-profit organizations, academic institutions, local, state, and tribal governments and Federal agencies for preservation projects and local acquisition of Revolutionary War, War of 1812, and Civil War battlefield land. Grants are awarded several times throughout the year.

In March, FWS will announce nine projects on 12 national wildlife refuges across the United States are receiving more than \$3.74 million through the Cooperative Recovery Initiative (CRI). The CRI funds on-the-ground conservation projects to help recover threatened or endangered species on national wildlife refuges and surrounding lands. These projects often provide related conservation benefits to other imperiled species and encourage partnerships with state and private groups. Outreach is planned.

In March, FWS will announce 90-day petition findings for five species: desert tortoise (Mojave population), sturgeon chub, sicklefin chub, Florida black bear and tricolored bat. The tricolored bat is found in 35 states, Canada, Mexico and Guatemala, is being threatened by white nose syndrome and loss of habitat. As such, it will likely garner public attention. The not substantial finding for the bear may also garner media attention, since it was petitioned by two dozen state and national conservation groups, largely upset about a state-regulated hunting season for the bear. Outreach is planned upon Reading Room publication.

In March, FWS will announce a proposal to designate critical habitat for approximately 36 stream miles of occupied habitat and 3,100 acres of unoccupied habitat in Montana for the meltwater lednian stonefly and approximately 1.5 stream miles of occupied habitat and 204 acres of unoccupied habitat for the western glacier stonefly. FWS will also reopen the public comment period for the proposed listing of western glacier stonefly and meltwater lednian stonefly as threatened species. Outreach is planned.

In late March, the NPS will release a peer-reviewed report on projections of sea level rise and storm surge for 118 and 79 coastal parks (respectively). The results are intended to inform park planning, and adaptation and mitigation strategies for lands managed by the NPS. In recent years, the NPS has provided data to parks on a case-by-case basis for localized planning, but this report is a summary of the full analysis that is now complete.

In late March, NPS will release the Final Environmental Impact Statement Notice of Availability for the permanent replacement of the Scorpion Harbor pier within Channel Islands National Park. The existing pier is a flatbed railcar that was installed as a temporary facility in 2000, and is now rapidly deteriorating. Over 55,000 people come ashore at the Scorpion pier annually for recreational activities including hiking, picnicking, camping, kayaking, and swimming.

On March 28, the Presidio Trust, KQED, and the Golden Gate National Parks Conservancy will

host a public preview of the PBS Nature documentary *Yosemite* at the Presidio of San Francisco, CA. National Park Service Principal Climate Change Scientist Patrick Gonzalez will serve on a panel discussion following the film.

On March 29, FWS will host a kick-off meeting with partners to implement the Delaware River Basin Conservation Act, passed by Congress in December 2016. The new law charges FWS with creating a program to bring the collaborative work in the watershed under an umbrella strategy and eventually, as funding allows, implement a grant program. Senior FWS officials will join this partnership meeting at the John Heinz at Tinicum NWR in Philadelphia. Congressional and partner outreach is underway. Because a report is due to Congress in late May, this meeting was set as soon as possible to seek stakeholder input for program development.

On March 30, Assateague Island National Seashore will hold a scoping meeting in Berlin, Maryland, for a new Environmental Assessment to relocate campsites at its Oceanside Campground that are being repeatedly damaged by coastal storm events. The purpose of the proposed project is to develop a flexible, resilient on-island relocation strategy for campsites threatened by sand deposition and encroachment from the adjacent dune system. In addition, Assateague State Park (which is located within the national park boundary) has also released its plan to relocate campsites on the island.

On and about April 15, the NPS will issue a Solicitation of Request for Proposals to modernize the primary elevator system at Carlsbad Caverns National Park. The modernization will replace the motors and controllers, hoistway equipment, elevator cars, guide rails and steel hoist cables. In addition, an emergency rescue apparatus, which includes an auxiliary motor, auxiliary battery backup and a single car rescue system, will be installed to improve elevator safety operations. The contract is expected to be awarded in May 2017 and be completed in May 2018.

On April 6, the NPS will commemorate the centennial of the U.S. entry into WWI by launching a website sharing stories about the impacts of the war on the home front. Highlights will include stories about battle preparation at military parks such as Gettysburg National Military Park, the role of women in the war effort, and the ultimate passage of the 19th amendment at the new Belmont-Paul Women's Suffrage National Monument. In addition, the NPS has partnered with the American Battle Monument Commission to produce a NPS handbook, "World War I Remembered" for publication in early April.

U.S. Fish And Wildlife Service

Hot Topics

On April 6-7, the University of California at Santa Barbara will host a groundbreaking ceremony and press event for the Devereux Slough North Campus Open Space Project. FWS has contributed \$3.5 million in grant funds to help acquire and restore this former golf course into a productive coastal slough/natural area. Due to the significant role of FWS grant programs in the restoration project, FWS officials will play a role in the groundbreaking and press event. Outreach is planned.

Endangered Species Act Listing Actions

In late March, FWS plans to send to the *Federal Register* a final rule to delist two Australian parrot species (scarlet-chested parakeet and the turquoise parrot) due to recovery. Both parrots are native to Australia. No outreach is planned.

By the end of March, FWS plans to send to the *Federal Register* a revised 90-day finding on a petition to delist the Bone Cave harvestman (a cave invertebrate) found in Texas. In June 2015, FWS published a not-substantial 90-day finding on the petition, but a disc of supplemental information was overlooked and not considered in that finding. This revised finding results from a voluntary court-ordered remand and settlement agreement; the court-ordered date is March 30. This issue has received media attention in recent months, driven by a rancher who has taken issue with the species' listing on his land and a conservative think tank. Although the species lives in caves underground, it is affected by groundwater flows and withdrawals by landowners. The decision will likely generate media coverage and stakeholder engagement. Outreach is planned.

By the end of March, FWS plans to send to the *Federal Register* a 12-month finding on the status of two freshwater mussel species: yellow lance, and Atlantic pigtoe. The species are located in North Carolina and Virginia. Outreach is planned.

In early April, FWS plans to send to the *Federal Register* 12-month findings on petitions to list the Beaver Pond marstonia a freshwater snail found in Georgia, and the San Felipe gambusia, a Texas fish. FWS is required by settlement agreement to submit the finding for the Beaver Pond marstonia to the *Federal Register* by April 1. FWS will also make a 12-month finding on a petition to delist the southwestern willow flycatcher, based on new information about the bird's taxonomic status, which will likely generate regional media coverage and stakeholder interest due to the impact on ranchers and private landowners from associated grazing and riparian issues. Outreach is planned.

By April 7, FWS send to the *Federal Register* a final listing determination on the Headwater chub and roundtail chub, both native to Arizona and New Mexico. FWS has a court-ordered settlement agreement to publish the final determination by April 7. Outreach is planned.

In mid-April, FWS plans to send to the *Federal Register* a proposal to list the island marble butterfly as endangered. Outreach is planned.

In mid-April, FWS plans to send to the *Federal Register* a proposal to delist the Deseret milkvetch, found in Utah, due to recovery. Outreach is planned.

In late April, FWS will send to the *Federal Register* a final listing determination for the i'iwi, a Hawaiian bird. Outreach is planned.

Endangered Species Act Critical Habitat Actions

In mid-April, FWS plans to send to the *Federal Register* a notice reopening the comment period on a proposed critical habitat designation for the black pine snake. FWS will also hold two public information meetings during the open comment period. Outreach is planned.

National Wildlife Refuge Actions

In early April, FWS plans to announce the latest iteration of its *Banking on Nature* report. The report provides data and an analysis demonstrating that national wildlife refuges are economic powerhouses for local communities across the country. This report highlights two of the many local economic benefits of refuges: the impact of recreational visits (e.g., ecotourism) and the economic payback from National Wildlife Refuge System spending within neighboring communities. The peer-reviewed report, which examined national wildlife refuges last in 2015, found every \$1 million spent by the Refuge System created about 13 jobs in the United States. Spending by the 48.5 million visitors generated nearly \$2.7 billion in consumer spending. This supported 39,149 full-time and seasonal jobs, providing more than \$885 million in income to people living in local communities. Outreach is planned.

In April, FWS anticipates making a draft Environmental Assessment (EA) for the Valle de Oro NWR in Albuquerque, NM, available for public comment. The nearby Kirtland Air Force Base (KAFB) has concerns about potential bird strikes on aircraft whose flight paths cross over the urban refuge. Of primary concern are proposed habitat restoration plans for seasonal wetlands. KAFB believes restored habitat may attract more large birds (geese, cranes and ducks) and increase collision risks. FWS is meeting with KAFB and intends to continue coordinating with the Federal Aviation Administration and KAFB throughout this process to minimize these concerns. Of interest to Senator Heinrich (D-NM) and Representative Michelle Lujan-Grisham (D-NM-1) and potentially to Senator Udall (D-NM).

In the next 30-60 days, FWS plans to publish a notice in the *Federal Register* announcing the Record of Decision for the final Comprehensive Conservation Plan (CCP) and Environmental Impact Statement for the Silvio O. Conte National Fish and Wildlife Refuge in Vermont. The approved CCP will guide long-term management decisions for the refuge. Local outreach is planned.

In the next 30-60 days, FWS plans to publish a Notice of Availability in the *Federal Register* to announce the release of Massasoit NWR (part of the Eastern Massachusetts Complex) draft CCP and Environmental Assessment for public comment. Local outreach is planned.

Migratory Bird Management Actions

The Great Lakes Indian Fish and Wildlife Commission represents 11 tribes in Minnesota, Wisconsin and Michigan in the administration of hunting, fishing and gathering rights under several treaties. Annually the commission submits a request for special migratory bird hunting rights. These rights have been adjudicated in several court opinions. FWS has been working with the commission for many years on a suite of hunting requests. This year's proposal is expected to be released through the *Federal Register* in the next 30-60 days. FWS held an informational call with the Wisconsin, Minnesota and Michigan DNRs to inform them of its proposed support of

these hunting regulations. A final decision will not be made until after public comments are reviewed and would not take effect until the fall 2017 hunting season. This issue is expected to be controversial due to the proposal including several new techniques for tribal members to take waterfowl. No outreach is planned.

Marine Mammal Protection Act Actions

In March, FWS plans to send to the *Federal Register* draft population assessment reports for the Southern Beaufort Sea and Chukchi-Bering seas populations of polar bear in Alaska, and open a 90-day public comment period. Outreach is planned.

National Park Service

During the week of March 19, and in April, five Kentucky superintendents will participate in meet-and-greets with all of their consulting Tribal Nations. The five superintendents represent Mammoth Cave National Park, Abraham Lincoln Birthplace National Historical Park, Fort Donelson National Battlefield, Big South Fork National River and Recreation Area, Obed Wild and Scenic River, Cumberland Gap National Historical Park, and the Manhattan Site at Oak Ridge. The First Nations they are meeting with are: Absentee-Shawnee Tribe of Indians of Oklahoma, The Chickasaw Nation, Eastern Shawnee Tribe, United Keetoowah Band of Cherokee Indians in Oklahoma, Cherokee Nation, Shawnee Tribe, and the Eastern Band of the Cherokee Nation. These are not formal consultation meetings about specific projects.

On or about March 20, Hagerman Fossil Beds National Monument anticipates instituting a temporary closure order that will restrict public access to an area where the public has reported incidents of stray bullets and ricochets. Recent public records have identified known stray projectiles from a neighboring private shooting range that currently holds Department of Defense contracts; and where high powered rifles are used. A briefing statement, communications plan, and press release are being developed.

On March 20, the Superintendent of Isle Royale National Park will be in Washington DC to provide planning updates to staff from the office of Rep. Jack Bergman (R-MI-1).

On March 21, Cabrillo National Monument will hold two public open houses in San Diego, California, to inform the development of the proposed Trails Management Plan.

On March 22 and March 23, Glen Canyon staff will meet with members of the Navajo Nation and Hopi Tribe, to discuss management of aquatic invasive species and tourist flights over Rainbow Bridge. A meeting with the Pueblo of Zuni Tribe was held February 1. The park negotiated a draft Voluntary Air Tour Management Agreement with air tour operators to reduce the number of flights over Rainbow Bridge, a sensitive cultural site for several tribes and the time of day and time of year during which flights may occur. The tribal consultations will provide feedback on the draft agreement.

On or about March 27, the Great Smoky Mountains National Park fire assessment review will be released. On February 6, a team of fire experts convened at Great Smoky Mountains National

Park to conduct an independent review of the 2016 Chimney Tops 2 fire that started in the park on November 23. The purpose of the review team is to assess the facts leading up to and during the Chimney Tops 2 fire within the boundaries of Great Smoky Mountains National Park, as well as make recommendations on any planning, operational, or managerial issues which can be addressed locally, regionally, and/or nationally to reduce the chances of a similar incident in the future.

Between March 28 and April 13, the Cape Krusenstern National Monument Subsistence Resource Commission (SRC), the Kobuk Valley National Park SRC, and the Gates of the Arctic National Park SRC will be holding public meetings. The purpose of a SRC is to devise and recommend to the Governor of Alaska and the Secretary a program of subsistence hunting within Alaska national parks and monuments where subsistence is authorized.

On or about March 30, Klondike Gold Rush National Historical Park (Seattle, Washington, location) will commemorate the 75th anniversary of the forced evacuation of 276 Japanese Americans from Bainbridge Island, Washington under Executive Order 9066. The park will commemorate the day through social media and participation in events at the Bainbridge Island Japanese American Exclusion Memorial, which is administered as part of the NPS in conjunction with Minidoka National Historic Site. Regional media attention and attendance by local, state, and federal elected officials is expected.

On March 31, the Virgin Islands will celebrate the 100th anniversary of the sale and transfer of the islands from Denmark to the United States for \$25 million in gold. On March 31, 1917, the sale and transfer took place at the site now designated as Christiansted National Historic Site. The NPS anticipates invitations for the Secretary and NPS leadership from the Governor of the Virgin Islands, the Honorable Kenneth E. Mapp through the Virgin Islands Centennial Commission,

In March, the NPS will announce the final 2016 visitation numbers. For the third consecutive year, visitation to the National Park System reached record numbers. A total of 330,971,689 recreation visits occurred across parks in 2016, a 7.7 percent (23.7 million) increase from 2015.

In March, the NPS anticipates signing two Tribal Historic Preservation Office Memoranda of Agreement with the Wichita and Affiliated Tribes (Oklahoma), and the Oklahoma and the Burns-Paiute Tribe (Oregon). These agreements do not automatically confer federal funds, but give Tribes standing to take on certain responsibilities pursuant to 54 USC 302702 (commonly known as Section 101 of the National Historic Preservation Act). The NPS has the responsibility under 54 USC to administer the Tribal Historic Preservation Program and certify Tribal Historic Preservation Offices.

In March, the NPS and U.S. Forest Service Learning Review Board will release the Strawberry Fire Fatality and Safety Review Report. The Strawberry Fire was started by lightning strike and burned 4,700+ acres in Great Basin National Park in August of 2016.

In March, the NPS will begin a 30-day internal review period on a draft Policy Memorandum to develop and communicate guidance on conducting body-worn camera programs. The goal is to

enhance transparency in police-community contacts, to provide evidence, and to document the actions of officers while performing their duties.

In late March, the NPS will release a draft Environmental Impact Statement (EIS) for a Mountain Goat Management Plan at Olympic National Park. The purpose of the EIS/plan is to allow the NPS to reduce or eliminate impacts to park resources from exotic mountain goats, while reducing potential public safety issues associated with the presence of mountain goats in the park. Public meetings are tentatively scheduled for the week of April 24 pending public release of the draft Environmental Impact Statement.

In late March, NPS will release the Final Environmental Impact Statement Notice of Availability for the permanent replacement of the Scorpion Harbor pier within Channel Islands National Park. The existing pier is a flatbed railcar that was installed as a temporary facility in 2000, and is now rapidly deteriorating. Over 55,000 people come ashore at the Scorpion pier annually for recreational activities including hiking, picnicking, camping, kayaking, and swimming.

In late March, the Record of Decision on the Platte River Mouth Restoration and Access Plan/Environmental Assessment will be released by Sleeping Bear Dunes National Lakeshore. The Plan/EA evaluates the environmental impacts of three alternatives addressing the dredging and/or restoration of the riverbanks.

In late March, the NPS expects to release the Grand Canyon National Park Bison Draft Environmental Assessment (EA) for public comment. The draft EA considers options - including capture/removal, localized fencing of sensitive resources, and sharpshooting by skilled volunteers in conjunction with Arizona Game and Fish Department (AGFD) - for reduction in the size of the bison herd on the North Rim of the park causing damage to sensitive natural and cultural resources. The AGFD, Bureau of Land Management, U.S. Forest Service, and the Intertribal Bison Council are cooperating agencies on this effort.

In April, Everglades National Park will complete another important General Management Plan implementation project: installation of Florida Bay access corridor markers and signs to protect significant shallow-water and wilderness resources while enhancing access. This project supports the park's forthcoming Boater Education Program and establishment of shallow-water protection zones in Florida Bay.

On or about April 1, the NPS Technical Preservation Services (TPS) office will issue new information on the care and treatment of historic decorative metal ceilings and walls. TPS develops technical preservation guidance and information on preserving and rehabilitating historic buildings, and its Preservation Brief series is widely used by historic building owners, design professionals, construction trades, non-profit organizations, local historic preservation commissions, federal agencies, state and local governments, and the general public.

On April 4 or April 11, Glen Canyon National Recreation Area, in conjunction with the Bureau of Reclamation (BOR), will hold a reopening ceremony for the Carl Hayden Interagency Visitor Center at Glen Canyon Dam. Invitations will be forthcoming for the Secretary of the Interior, as well as NPS and the BOR agency leadership.

On April 6, Wrangell-St. Elias National Park and Glacier Bay National Park will hold a government-to-government meeting in Yakutat with the Yakutat Tlingit Tribe. The annual meeting will cover topics such as regulations, wilderness stewardship, NPS staffing and tribal elder and youth visits to the park. Yakutat is the site of a NPS district ranger station that serves portions of both parks. These meetings do not typically yield media coverage or congressional delegation interest.

On April 15, the NPS will hold a community dedication ceremony with local partners for the recently established Birmingham Civil Rights National Monument. Informal invitations have been extended to NPS leadership and an invitation to the Secretary of the Interior is forthcoming. This event is still in the planning stage and official notification is expected soon.

On April 19, there will be a ribbon cutting ceremony at Edison National Historic Site to celebrate the installation of electric vehicle charging stations in and within close proximity to National Park Service Sites across the country. BMW has agreed to donate \$2 million to the National Park Service for installation of up to 100 Electric Vehicle Charging Stations. Primary agreements for this partnership have been finalized. One additional agreement for \$100,000 for the NPS and National Park Foundation management services and donor recognition costs is still pending. The installation at Edison National Historic Site will be completed prior to the ceremony and representatives from the National Park Foundation, BMW (donor) and NPS are expected to attend.

On April 19 - 21, San Francisco Maritime National Historical Park will host the Council of American Maritime Museums (CAMM) annual conference. CAMM is an organization of 88 institutions across the United States working toward the preservation and interpretation of North America's maritime heritage.

On or about April 22, Glacier National Park, along with its sister peace park Waterton Lakes National Park (Canada), will announce its provisional designation as the world's first transboundary dark sky park. The dark sky designation overlays the entire International Peace Park (est.1932), and there is interest from the Canadian government to participate in the announcement. This year also marks Canada's national 150th anniversary. The park is coordinating with Waterton Lakes National Park for event planning. Invitations will be extended to DOI and NPS leadership.

On April 29, 2017, the Arizona Cardinals will live broadcast two NFL draft picks from the South Rim of Grand Canyon National Park. This may draw some media attention, especially in sporting news. The Cardinals will bring notable figures, possibly including AZ Governor Ducey and/or current and former Cardinals players, to announce the picks. A commercial filming permit will be issued and all associated activities will be monitored by the Grand Canyon National Park Office of Communications.

On May 13, the NPS will hold a community dedication ceremony with local partners for the recently established Freedom Riders National Monument in Anniston, Alabama. Informal invitations have been extended to the NPS leadership, and an invitation to the Secretary of the

Interior is forthcoming. This event is still in the planning stage and official notification is expected soon.

Assistant Secretary - Indian Affairs and the Bureaus of Indian Affairs and Indian Education

On March 21-23, the Tribal Interior Budget Council (TIBC) will meet at the Washington Plaza Hotel, Washington, DC. TIBC provides a forum and process for tribes and federal officials to work together in developing annual budget requests for Indian programs in the Department of the Interior.

On March 21-24, the Midwest Alliance of Sovereign Tribes (MAST) Impact Week Meeting will be held in Washington, DC.

On Wednesday, March 29, and Thursday, March 30, 2017, the Self-Governance Advisory Committee March quarterly meeting will take place at the Embassy Suites Convention Center in Washington, DC.

On April 10-14, the BIE will host a “BIE Reform Implementation” meeting on the Haskell campus in Lawrence, KS.

All required Water Infrastructure Improvements for the Nation (WIIN) Act consultations and meetings with Tribes, water users and adjacent irrigation projects have been completed. BIA is continuing to work on details of the WINN ACT implementation, including the Implementation Plan that is due to the Congress on April 15, 2017.

On April 18-20, the National Tiwahe Conference will take place in Tucson, AZ. The BIA National Tiwahe Coordinator is assisting the Pascua Yaqui Tribe in hosting the conference. The Tiwahe Initiative Conference will give updates to the tribes and introduce the Federal partners; discuss the phase 1 implementation (Fort Belknap, Pascua Yaqui) and phase 2 implementation (Association of Village Council Presidents, Spirit Lake Tribe, Red Lake Nation, Ute Mountain Ute Tribe) planning, and technical assistance.

The Division of Energy and Mineral Development (DEMD) has received 13 projects for Phase 1 of the 2017 Youth Energy Challenge and has started the judging process. Students from the Navajo Nation, Cherokee Nation, Mescalero Apache, Nez Perce Tribe, Sisseton-Wahpeton Oyate, Quinault, Yakama, and Comanche Tribes are participating, as well as one Native Hawaiian student. Projects include geothermal energy, wind energy, a hydrogen powered Sterling Generator, microbial fuel cell energy generation, and solar energy for water and home heating. Teams who make it to Phase 2 will receive up to \$2,000 to build and implement their design solutions. Phase 2 began on February 20.

On April 23-27, the Self-Governance Communication and Education Consortium (SGCE) Annual Consultation Conference will take place in Spokane, WA. The Secretary of the Department of the Interior and the Assistant Secretary –Indian Affairs are invited to attend as speakers on Monday, April 24, 2017.

Indian Electric Power Utilities (25 CFR 175): This proposed rule would not make any substantive changes to the regulations, but would revise the regulations to be in plain language. The regulations affect only a limited number of Tribes because there are only three BIA electric power utilities: Colorado River (serving the Colorado River Indian Tribes Reservation), Mission Valley Power (serving the Salish & Kootenai Tribes, Flathead Indian Reservation), and San Carlos Irrigation Project (serving Gila River Indian Community). The proposed rule is awaiting AS-IA signature.

Indian Trader Regulations (25 CFR 140): This rule would comprehensively update Part 140 to modernize the implementation of the Indian Trader statutes consistent with the Federal policies of Tribal self-determination and self-governance. The advance notice of proposed rulemaking to solicit comments on potential regulatory revisions and announcing consultation for February and March 2017 was published on Friday, December 9. A notice with details on the venues for Tribal consultations was published in the Federal Register February 8. Tribal consultations are being held throughout the country from February 23 through March 16.

Office of the Special Trustee for American Indian (OST)

- March 21: BIA Regional Director's Meeting, Deputy Special Trustee – Field Operations, Jim James will be attending)
- March 22-23: Tribal Interior Budget Council meeting, Washington, D.C. (Acting Special Trustee, Deb DuMontier and Budget Officer, Linda Chambers invited to present)
- March 27: Native Youth Empowerment Symposium, Isleta Pueblo, New Mexico
- March 28-29: National Indian Land Conference, Santa Ana Pueblo, New Mexico
- March 29-30: DOI Self-Governance Advisory Committee meeting, Washington, D.C. (Acting Special Trustee, Deb DuMontier invited to present)
- April 19: "2017 Indian Wills Continuing Legal Education Seminar", Missoula, Montana (Acting Special Trustee invited to present)
- April 25-26: Land Buy Back Program Listening Session and Partners Meeting, Tulalip, Washington (Acting Special Trustee, Deb DuMontier and DST-FO, Jim James invited to attend)

Assistant Secretary for Land and Minerals Management

On March 20-21, the North Slope Science Initiative (NSSI) Science Technical Advisory Panel will meet in Fairbanks, AK to discuss recommendations for the NSSI Oversight Group. BLM-AK State Director Bud Cribley will represent the BLM.

On March 21, OSMRE Western Region (WR) plans to publish a Notice of Availability for the Bridger Mine (WY) Mining Plan Modification Draft Environmental Assessment (EA) in local newspapers. OSMRE will receive comment on the EA for 30 days. The Bridger Mine is an underground mining complex located in Sweetwater County, WY. Bridger Coal Company

employs 540 people, and estimates to produce 6.4 million tons of Federal coal per year at the Mine.

On March 21, OSMRE WR plans to publish in local newspapers a notice of availability for the Dry Fork Mine (WY) Mining Plan Modification Draft EA. OSMRE will receive comment on the EA for 30 days. The Dry Fork Mine is a surface mining complex located in Campbell County, WY, and employs 82 people. This mine plan estimates production of 6 million tons of Federal coal per year at the Mine.

On March 21, BSEE Acting Director Margaret Schneider will deliver remarks at the BSEE National Inspector's Meeting to be held in Lafayette, LA.

On March 22, BOEM will hold Lease Sale 247 for the Central Planning Area (CPA) in the Gulf of Mexico (GOM) in New Orleans, LA via livestream. CPA Lease Sale 247 will make 9,118 blocks in the GOM available for leasing consisting of approximately 48.53 million acres.

On March 23, the public comment period will end for the scoping period for a natural gas development proposal located approximately 12 miles north of Paonia, CO. Gunnison Energy, LLC's North Fork Mancos Master Development Plan proposal includes drilling up to 35 horizontal wells from four new well pads and one existing well pad over the next three years.

On March 23, the BLM's Utah and Eastern States Office (ESO) will hold an on-line oil and gas lease sale. BLM-UT will offer four parcels totaling 4174 acres in San Juan County. BLM-ESO will offer 21 parcels totaling 1186 acres in Wayne National Forest (OH). This sale may be controversial as the BLM received 14,000 comment letters in connection with the draft Environmental Assessment and 2,587 form letters during the protest period, requesting the sale be cancelled. The BLM received 13 protests. Members of the public expressed concern about parcels located in the Wayne National Forest, hydraulic fracturing, potential impact to water resources, and other environmental concerns. BLM-ESO is currently evaluating the protests received.

On March 23, BOEM plans to meet with the California Resource Committee regarding offshore renewable energy. This is part of an effort by BOEM and the California Energy Commission (CEC) to hold a series of regional outreach meetings. Additional stakeholder outreach being organized by BOEM and the CEC will consist of monthly stakeholder sub-teams to coordinate outreach related to data collection and science, fishing, and coastal communities.

On March 24, the BLM's rule requiring online filing of permits for oil and gas drilling will become effective. The rule, which updates Onshore Order 1, was initially scheduled to become effective on February 9. It was delayed 60 days per the January 20 Executive Order instructing Federal agencies to temporarily postpone any regulation that had been published in the Federal Register, but had not taken effect.

On March 24, BOEM plans to publish a Notice of Availability (NOA) to prepare a Draft Supplemental EIS for the Cape Wind Energy Project. The U.S. Court of Appeals vacated the 2009 Final EIS due to a deficiency in the determination that the sea floor could support wind

turbine structures. BOEM is preparing a Draft Supplemental EIS that reanalyzes this issue. BOEM agreed to publish the Final Supplemental EIS by August 2017 as part of the litigation.

On March 25 - 26, the Arizona Outdoor Expo will be held in Phoenix. District staff will likely participate in the Expo's Youth Day activities, with specific details yet to be planned.

On March 29 - April 1, the Project Archaeology National Meeting/Society for American Archaeology Annual Meeting will take place in Vancouver, B.C. BLM Archaeologist Jeanne Moe will chair a research symposium on archaeology education.

On March 30, the 90-day public comment period for the Draft Environmental Impact Statement for the Sagebrush Focal Area Proposed Mineral Withdrawal will close.

On March 31, BLM plans to issue the Boardman to Hemingway Record of Decision (ROD). The Biological Opinion (BO), which is being drafted by the National Marine Fisheries Service, is a necessary precursor to the ROD. BLM received the BO on February 28. Oregon Plan amendments are being handled concurrently and that decision will be issued simultaneously with the ROD for the Environmental Impact Statement (EIS) and Approval to issue a grant.

In late March, OSMRE Mid-Continent Region plans to make available the Farrell-Cooper Mining Company's Bull Hill #2 mine (Le Flore County, OK) draft EA and unsigned FONSI. OSMRE will receive comments on the EA for a minimum of 30 days. This is a new mine plan for a surface mine which will employ approximately 34 people. The mine plan estimates production of 192,000 tons of Federal coal per year at the mine.

On April 1, BLM-CA will hold a dedication ceremony for the Luke Sheehy Memorial Fitness Park. The park is located in the BLM's Swasey Recreation Area, near Redding Point, CA, and was built in honor of Luke Sheehy, a smokejumper and former BLM hotshot firefighter who died in the line of duty.

On April 4 – 5 and 11 – 12, BLM-NV will hold open house meetings for the Piute-Eldorado Valley Area of Critical Environmental Concern (ACEC) Management Plan. The meetings will be held at the Boulder City Library, Searchlight Community Center, Clark County Library and Laughlin Town Hall to discuss the ACEC Management Plan and subsequent EA. Mitigation fees for activities in BLM's Dry Lake Solar Energy Zone, located north of Las Vegas, will fund the plan, Environmental Assessment and restoration actions.

On April 5, BSEE will host its annual Youth Technology Challenge in Bakersfield, CA. This event follows the successful Youth Technology Challenge in Houston, TX and will be followed by a similar event in Baton Rouge, LA.

On April 10 – 13, Ron Dunton, Assistant Director of Fire and Aviation, and Jolie Pollet, Division Chief of Planning and Fuels Management at the National Interagency Fire Center, will travel to Winnipeg, Canada to participate in the Canadian Wildland Fire Community's National Forum on Gender and Diversity Issues.

In mid-April, BLM-NV plans to issue the final Dixie Meadows Geothermal Project EA and Finding of No Significant Impact (FONSI). The project area consists of approximately 22,021 acres of public land. The project proponent (Ormat) seeks approval to drill several types of wells (temperature gradient wells, test observation wells, and production wells) at up to 20 specific locations located approximately 75 miles northeast of the Fallon, NV.

On April 26, BLM-CA groundwater monitoring and response implementation coordination meetings will begin with Ormat Technologies Inc., the Mammoth Community Water District, U.S. Geological Survey, Inyo National Forest, and the Great Basin Unified Air Pollution Control District for the Casa Diablo IV geothermal development project. Sen. Dianne Feinstein and Rep. Paul Cook have expressed interest in the project. Ormat provides alternative and renewable energy technology and is located in Reno, Nevada.

In late April, OSMRE WR plans to publish a Notice of Availability in local newspapers for the Cordero Rojo Mine (WY) Mining Plan Modification Draft EA, initiating a 30-day public comment period. Cloud Peak Energy's Cordero Rojo Mine is a surface mine located in Campbell County, WY. The mine employs 383 people, and produces approximately 20 million tons of coal per year.

On May 1 - 4, the Offshore Technology Conference (OTC) will be held in Houston, TX. The OTC is the largest oil and gas industry conference in the world, with over 100,000 attendees annually. BSEE staff typically speaks at this event; the Bureau will also have a booth space for stakeholder engagement throughout the week.

On May 5, BSEE will hold its annual International Standards Workshop in Houston, TX, following the close of the OCT. The workshop promotes collaboration and knowledge-sharing among BSEE, international regulators, and standards organizations and is designed to improve performance, safety, and operational efficiency worldwide.

Assistant Secretary Policy, Management and Budget

Internal Control and Audit Follow-up. The Department has an annual goal of closing 85% of corrective actions scheduled for closure in the current fiscal year to address issues raised in Office of the Inspector General (OIG) and Government Accountability Office (GAO) engagements. As of March 3, 2017, the Department has closed 20% of open audit recommendations scheduled for closure in FY 2017.

DOI National Preparedness Report (NPR). In late March of 2017, the DOI National Preparedness Report (NPR) will be shared with the President. The Office of Emergency Management (OEM) has received the final NPR from the White House National Security Council's Domestic Resilience Group Policy Coordination Committee and is working toward Departmental concurrence on the NPR prior to being submitted to the President.

Incident and Area Commander Counsel Meeting, March 21-23, 2017. Office of Wildland Fire (OWF) Director Bryan Rice will provide the welcome remarks and sit on an Executive Fire Leadership Panel at the Incident and Area Commander Counsel Meeting in Reno, Nevada. Director Rice will also attend the International Association of Fire Chiefs Wildland Urban

Interface Meeting, which will run concurrently at the same venue.

FY 2016 DOI Solid Waste Report. This report is due to the Council on Environmental Quality (CEQ) on March 31, 2017 and includes data on amounts of non-hazardous waste disposal and recycling to establish an annual waste diversion rate. Bureau and office FY 2016 Solid Waste and Chemicals Management Reports were due to OEPC on Friday, February 17, 2017. Solid waste data had previously been reported to the Office of Management and Budget and Council on Environmental Quality (CEQ) in the annual Strategic Sustainability Performance Plan but CEQ requested this separate report this year.

Deepwater Horizon Oil Spill Settlement. On April 4, 2017, per the terms of the 2016 Deepwater Horizon Consent Decree, BP is scheduled to make the first of 15 annual payments to the DOI Natural Resource Damage Assessment and Restoration (NRDAR) Fund. This \$489,655,172 payment will be allocated among seven sub-accounts - Open Ocean, Region-wide, and one for each affected State (AL, FL, LA, MS, and TX). These and all future settlement funds will be disbursed as directed by the co-trustees in accordance with publicly-reviewed restoration plans.

DOI Economics Conference, April 5-7, 2017. The conference, organized by the Office of Policy Analysis (PPA), is an opportunity for the Interior economics community to convene on current issues of interest, collaborate across bureaus, identify key economics research challenges that are important to DOI's programs and activities, and build community.

Association of Unmanned Vehicle Systems International Northwest Drones and Robotics Conference at Joint Base Lewis-McChord, WA, April 6-7, 2017. Office of Aviation Services (OAS) Director Mark Bathrick is providing the keynote presentation for this event.

International Conference on Arctic Science, April 24-27, 2017. The Office of Policy Analysis (PPA) will participate in the International Conference on Arctic Science in Reston, VA. The conference will bring together a diversity of experts across the circumpolar Arctic to discuss how Arctic science is being translated into action. The conference is being organized by the Arctic Monitoring and Assessment Program (AMAP), one of six Working Groups of the Arctic Council. PPA staff will participate on a panel on April 26, to provide an overview of Arctic resilience initiatives that PPA has led during the U.S. chairmanship of the Arctic Council.

DOI Annual Emergency Management Council Offsite in Boise, ID April 24-28, 2017. Office of Emergency Management (OEM) Director Lisa Branum will host the annual Emergency Management Council Offsite, which is attended by upwards of 75 DOI bureau and office emergency managers. The council offsite is intended to provide a dedicated forum to address strategic emergency management issues with a particular focus on engagement with the wildland fire community at the National Interagency Fire Center (NIFC).

Rules and Regulations for Publication in 2017

(Update) AA17: Calendar Year 2017 Civil Monetary Penalties Inflation Adjustments. Under the Federal Civil Penalties Inflation Adjustment Act of 1990 (Act), codified as amended at 28 U.S.C. 2461 note, and recent Office of Management and Budget (OMB) guidance, ONRR is

publishing this interim final rule to adjust the amount of our Civil Monetary Penalties (CMPs) for calendar year 2017 and to announce the process by which we will adjust and announce the amount of our CMPs in future calendar years. In the future, ONRR intends to use the guidance provided by OMB by December 15 of each calendar year, as required by § 7 of the Act, to calculate the maximum CMPs for the following calendar year. Before January 15 of each year, ONRR will publish in the Federal Register and post on its publicly accessible website a simple notice of the maximum CMPs for that year. This rule is currently with the Acting AS-PMB for signature before going to Exec Sec for final publication clearance.

GAO Entrance Conferences

Implementation of the Federal Risk and Authorization Management Process (Job Code 101221). Per requests from the House Committee on Oversight and Government Reform and the Senate Committee on Homeland Security and Governmental Affairs, GAO will review: (1) the Federal Risk and Authorization Management (FedRAMP) process and the extent to which agencies use FedRAMP for obtaining cloud services; (2) whether FedRAMP’s authorization process is effective in providing controls necessary for securing selected agencies’ data in cloud environments; and (3) benefits and challenges for FedRAMP stakeholders. The work is government-wide and includes the 24 agencies covered by the Chief Financial Officers Act, as well as the Office of Management and Budget. The entrance conference with the Office of the Chief Information Officer staff was held on February 28.

Tribal Consultation Practices (Job Code 101433). Per requests from Ranking Member Raul M. Grijalva of the House Committee on Natural Resources, former Ranking Member Raul Ruiz of the House Subcommittee on Indian, Insular and Alaska Native Affairs, and 23 other individual House members, GAO will review: (1) Federal agencies’ compliance with government-to-government consultation and coordination responsibilities under Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*; (2) tribal consultation practices used by Federal agencies during permitting and development processes; (3) definition and consistent application of “meaningful tribal consultations”; (4) opportunities for tribal input into contiguous, off-reservation developments that may result in pollution or other impacts on tribal land; and (5) appeal options, if any, available to tribes. The entrance conference with the Bureau of Indian Affairs (BIA) was March 2.

Recent Draft GAO Reports (Per GAO, distribution is highly restricted.)

Data Center Optimization: Agencies Need to Complete Plans to Address Inconsistencies in Reported Savings (GAO-17-388). Per requests from the Senate Armed Services Committee, Senate Homeland Security and Governmental Affairs Committee, House Armed Services Committee, and House Oversight and Government Reform Committee, GAO assessed data center inventories of the 24 agencies participating in the Data Center Optimization Initiative (DCOI) and reviewed agency reported cost savings and avoidance documentation, and evaluated agencies’ data center optimization strategic plans that were submitted December 2016. GAO issued the Department two recommendations to complete missing elements in the DCOI plans and ensure that the amounts of achieved data center costs savings and cost avoidances are consistently reported. Comments are due to GAO on March 29.

Recent Final GAO Reports

Environmental Litigation: Information on Endangered Species Act (ESA) Deadline Suits (GAO-17-304). Per request from Raul M. Grijalva, Ranking Member, Committee on Natural Resources, House of Representatives, the Government Accountability Office (GAO) reviewed deadline litigation brought under Section 4 of the ESA. Section 4 contains mandatory deadlines for allegedly failing to take actions to list or delist species within statutory deadlines. This draft report examines: (1) the number and scope of deadline suits filed against the Fish and Wildlife Services and National Marine Fisheries Service during fiscal years 2005 through 2015 under Section 4 of the ESA; (2) the outcomes of these suits; and (3) the effect, if any, on implementation of their Section 4 programs. GAO issued the final report on February 28 with no recommendations. No further action is necessary.

Recent Final GAO Reports

Federal Real Property: Government-wide Building-Disposal Data Generally Reliable, but Opportunities for Further Improvements Exist (Report No. GAO-17-321). The Government Accountability Office (GAO) issued its final report on March 2, 2017. The report was prepared in response to a request from the Chairman and Ranking Member of the Senate Committee on Homeland Security and Governmental Affairs, the Chairman and Ranking Member of the Subcommittee on Regulatory Affairs and Federal Management, and the Chairman of the Permanent Subcommittee on Investigations. GAO reviewed and assessed the reliability and reporting of government-wide disposal data for Fiscal Years 2014 and 2015; and the steps OMB, GSA, and the Departments of Agriculture, Energy and the Interior have taken to improve real property disposal data. There are no recommendations for DOI and no further action is required.

Contractor Whistleblower Protections Pilot Program: Improvements Needed to Ensure Effective Implementation (Report No. GAO-17-227). GAO issued its final report on March 2, 2017. The report was prepared in response to a congressional mandate in the National Defense Authorization Act for Fiscal Year 2013 requiring GAO to report on the status of the pilot program regarding the protection of Federal contractor employees from reprisal for disclosure of certain information. The report contains 16 recommendations for DOI. The Department's 60-day letter addressing the recommendations are due to GAO and the Congressional requesters by May 20, 2017.

New Office of Inspector General (OIG) Audits

Audit of the National Park Service Contract No. P15PC00612 with the City Construction, LLC (2017-FIN-031). The OIG will audit contract P15PC00612 between National Park Service (NPS) and City Construction, LLC (City). In addition to determining whether the contractor complies with Federal laws, regulations, and NPS guidelines, the OIG will also determine whether NPS adequately oversaw the contract with City. The entrance conference with the contractor and site visit was March 3.

Audit of the National Park Service Grant No. P13AF00113 with the Connecticut State Historic Office (2017-FIN-032). The OIG is auditing grant P13AF00113 between the National Park Service (NPS) and the Connecticut State Historic Office to determine whether: (1) cost claimed under these grants are reasonable, supported, allowable, and allocable under Federal laws, regulations and grant provisions; and (2) NPS adequately oversaw the grant. The entrance conference and site visit is on April 4.

OIG Entrance Conferences

Verification Review of BIA and FWS Safety of Dams: Emergency Preparedness (2017-WR-030). The OIG will conduct a verification review to validate whether the Bureau of Indian Affairs (BIA) and U.S. Fish and Wildlife Service (FWS) have taken sufficient action to implement 13 recommendations (11 related to BIA and 2 related to FWS) issued in the evaluation report, *Bureau of Indian Affairs and U.S. Fish and Wildlife Service Safety of Dams: Emergency Preparedness* (WR-EV-MOA-0002-2013) dated September 2013. The entrance conference was on March 1.

Recent Draft OIG Reports

Oversight of Annual Fund Transfer for Miner Benefits Needs Improvement, Report No. C-IN-OSM-0044-2014A. This report consolidates two previously issued draft reports into one document. The OIG's objectives were to determine: (1) whether the Office of Surface Mining Reclamation and Enforcement (OSMRE) administered the transfer of funds to the United Mine Workers of America Health and Retirement Funds (UMWAF) consistent with the Federal Coal Industry Retiree Health Benefit Act of 1992; and (2) to what extent OSMRE has provided oversight to ensure that UMWAF managed the transferred funds in accordance with regulations and statutes. The OIG issued the draft report on February 23 with 21 recommendations to OSMRE. The OIG questioned costs in the amount of \$58.8 million. The response is due to the OIG on March 9.

Assistant Secretary for Water and Science

On March 22, new USGS research will be published analyzing livestock grazing records from Wyoming to investigate broad-scale responses of greater sage-grouse populations to livestock management. Scientists used 11 years of annual population counts of greater sage-grouse coupled with grazing records from BLM allotments across Wyoming. Researchers discovered that grazing can have both positive and negative effects on greater sage-grouse population trends, depending on the level of grazing and when it occurred during the growing season. The paper will be published in *Ecological Applications* and a news release is planned.

In early March, USGS will announce a new report on critical minerals for the United States. This publication presents resource and geologic information for 23 mineral commodities currently viewed as important to the national economy and national security of the United States, many of which are sourced entirely outside of the United States. The report provides information on mineral environmental issues, as well an in-depth look at each commodity's use, distribution of deposit types, and current status of production, resources, and reserves. The individual

commodity chapters serve as an update to the 1973 commodity chapters of USGS Professional Paper 820, United States Mineral Resources. A news release is planned.

In March, USGS will release an updated status assessment for Florida manatee populations. The Scientific Investigations Report describes how this subspecies of the West Indian manatee is faring and the probability for population declines over the next 100 years. In January 2016 the USFWS published a proposed rule to reclassify West Indian manatees from endangered to threatened under the Endangered Species Act. A final rule is due to be issued in March 2017. This report provides critical supporting information for the USFWS determination for manatees. USFWS has been briefed on the report's findings. A news release is planned.

In March, Reclamation will launch the Reclamation Water Information System that is a pilot version of a Reclamation-wide system for viewing, accessing, and downloading Reclamation's data via a centralized data portal. Rollout materials are being developed.

On March 21-22, a quarterly meeting of the National Geospatial Advisory Committee federal advisory committee is planned at Main Interior. This meeting will be followed by a March 23 meeting of the Federal Geographic Data Committee Steering Committee, also at Main Interior.

On March 23, Scott Cameron and Ryan Nichols will be briefed by the DOI Urban Team, a coalition of urban practitioners working at the local, regional, and national levels. The briefing will focus on the NPS urban agenda; USGS work in cities relating to flood control, water pollution monitoring, and green infrastructure; the FWS Urban Partnership program; and Reclamation's urban activities in the southwest.

In March or April, USGS will announce a new national-scale assessment of the distribution, occurrence, and character of brackish groundwater resources. Brackish groundwater can serve as a potential resource to help water-stressed regions stretch their limited freshwater supplies. The last national-scale map of brackish groundwater was completed in the 1960s. A news release is planned.

In April, USGS will announce a new Scientific Investigation Report which explores drought frequency and intensity in the U.S. over the past half century. Responding to concerns that climate change will lead to deeper or longer droughts, and perceptions of worsening droughts in the western U.S., scientists compared streamgage data from 1951-1982 with data from the same gages in 1983-2014. Changes in drought frequency, duration or severity were identified in 4 of 9 ecoregions. Parts of the Southeastern U.S., Texas and California had more frequent droughts from the 1980s onward, while the Central Plains and the Northeast had less frequent droughts. A news release is planned.

In the first two weeks of April, Reclamation and the National Park Service will have a reopening ceremony at Glen Canyon Dam Carl Hayden Visitor Center to highlight all new museum exhibits in the visitor center, which were completed late last fall. Reclamation is preparing an event invitation for the Department.

In the coming weeks, USGS will announce a new assessment of undiscovered potash resources

of the Pripyat Basin of Belarus and the Dnieper-Donets Basin of Ukraine. The study was undertaken because potash is a critical mineral resource for agricultural production, and these deposits are in a geopolitically sensitive area of interest. A technical announcement is planned.

In the coming weeks, USGS will announce a new update report on Pacific walrus demographics. USGS walrus research has focused on demographics, habitat use, sea ice projections, and energetics, and this update will add to this body of knowledge by providing the results of a population dynamics model that synthesizes population size, age structure, reproductive rates, and harvest for the period 1974-2015. The research, conducted in collaboration with the Alaska Department of Fish and Game and the USFWS, shows that the walrus population has halved in that amount of time. However, the population decline lessened over time, and the odds that the population is still decreasing are roughly equal to the odds that it is stationary or possibly increasing. On September 30, USFWS is required to make a listing decision on the Pacific walrus. The USGS role is to provide objective science to help inform the decision. The findings will be published in *Marine Mammal Science* and a news release is planned.

In the coming weeks, Reclamation will announce the signing of the Record of Decision for the Long-Term Plan to Protect Adult Salmon in the Lower Klamath River Project located in Humboldt County, California. The selected alternative (Alternative 1) includes supplemental flows from Lewiston Dam to prevent a disease outbreak in the lower Klamath River in years when the flow is projected to be less than 2,800 cubic feet per second. The project will establish a 13-year direction through 2030. A news release is planned.

In the coming weeks, a USGS-authored paper will be released about the potential release of mercury into the environment from thawing permafrost. The embargoed paper will be published in the journal *Nature*, and a news release is planned. *Nature* may also issue a news release.

In the coming weeks, USGS will announce a new Scientific Investigation Report that presents monitoring data collected by 74 organizations at almost 1,400 sites to provide a nationwide look at changes in the quality of our rivers and streams in the 40 years since passage of the Clean Water Act. For the first time, these data can be viewed and analyzed side-by-side, giving users a comprehensive, nationwide view of changes in water quality based on 51 water-quality constituents and 38 aquatic-life metrics and spanning four decades. A news release with possible Secretary rollout is being planned.

To: Howarth, Robert[robert_howarth@ios.doi.gov]
From: Chambers, Micah
Sent: 2017-05-01T18:37:15-04:00
Importance: Normal
Subject: Letters
Received: 2017-05-01T18:37:56-04:00
[4-11-17 - DRAFT Response.docx](#)
[SNPLMA & PILT Response.docx](#)

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

The Honorable Rob Portman
United States Senator
448 Russell Senate Office Building
Washington, D.C. 20510

May 1, 2017

Dear Senator Portman:

Thank you for your letter regarding the Department of the Interior's (DOI) Methane and Waste Prevention Rule. I, too, believe DOI has an integral role to play in this issue, which is why I intend to act within my authority as Secretary to craft solutions that incentivize responsible development.

I share your concerns regarding methane waste and agree that we must manage our public lands in a pragmatic way. Should you and your Senate colleagues choose to rescind the rule through the Congressional Review Act (CRA), the Bureau of Land Management (BLM) will continue to have the authority to meaningfully update its policies to reduce methane waste. If a CRA is passed, the BLM will continue to regulate venting, flaring, and beneficial use of gas pursuant to the DOI guidance known as NTL-4A[1]. NTL-4A was first implemented a few decades ago, so it should be revised to reflect the realities of today. Whether the BLM proposes new rulemaking or revisions to the existing NTL-4A process, we will take concrete action to reduce methane waste. In your letter, you asked me what actions the Department would take in the absence of the current Methane and Waste Prevention Rule. In response, the Department would pursue, among other options, the following strategies:

- Engaging in a robust assessment of all venting and flaring requirements to ensure the industry conserves resources and prevents waste, and so the taxpayer is assured the fair value of royalties. This includes, and is not limited to:
 - Criteria for approving venting and flaring
 - Venting and flaring thresholds and time limits
 - Beneficial use
 - Royalty requirements
- Strengthening policies to encourage companies to capture methane to be used for other purposes, such as the beneficial use of methane on lease for generating power, powering equipment, and compressing or treating methane;
- Revising existing BLM restrictions on the flaring of unmarketable methane from oil wells;
- Conserving unsold methane by reinjection into the existing well for enhanced oil recovery or for later recovery;
- Expediting rights-of-way (ROW) approvals and removing obstacles so pipeline and gathering infrastructure can be built quickly;
- Eliminating BLM policies that conflict with or duplicate flaring restrictions in states like North Dakota, Wyoming, Utah, New Mexico, Colorado, and Montana.

I have been tasked to lead and plan for the Department's future over the next 100 years. As an admirer of President Teddy Roosevelt, the policies I propose will reflect the promise I made to you

and your colleagues during my confirmation hearing: we will work together to ensure the use of our public lands reflects higher purpose so that our children's children can look back and say, "We did it right." As Congress weighs its options, rest assured that the Department is committed to reducing methane waste and under my leadership, we will take the important steps to accomplish that goal. Responsible energy development and proper conservation are not mutually exclusive goals and we will utilize reasonable regulations without hurting job creation and economic growth. Thank you for your interest in this issue, and thank you for sending your letter.

Sincerely,

Secretary Ryan Zinke

[1] The 1979 Notice to Lessees and Operators of Onshore Federal and Indian Oil and Gas Leases, Royalty or Compensation for Oil and Gas Lost (NTL-4A)

The Honorable Dean Heller
United States Senator
324 Senate Hart Office Building
Washington, DC 20510

May 1, 2017

Dear Senator Heller:

I am writing in response to our recent conversations regarding the Southern Nevada Public Land Management Act (SNPLMA) and Payment in Lieu of Taxes (PILT). I truly appreciate you taking the time to share your views with me regarding these programs.

As you well know, the State of Nevada has benefited greatly from SNPLMA, allowing for growth in your state while also prioritizing conservation efforts that would otherwise require appropriations from Congress. I recognize this innovative program has positively impacted Nevadans for nearly twenty years. As a fellow Westerner, I also understand the importance of the PILT program. Counties in public lands states like Montana and Nevada rely on this program to supplement their revenue sources since Federal lands are exempt from taxation. We in the West know better than most how to both value and prioritize our public lands. They are treasured by our residents and visitors alike and impact every single aspect of our local communities. Our lands truly are part of our way of life.

I can assure you the Trump Administration and the Department of the Interior take programs like SNPLMA and PILT very seriously, as they support crucial services in our local communities. As you know, the annual budget process is still in progress. I understand your concerns regarding the proposed cuts in the President's budget. While this debate continues please know that I share your concerns and understand your commitment to these programs. Your fervor for fighting on behalf of your Western values for the betterment of your constituents is a passion we both share, and I look forward to working with you and your colleagues to prioritize every aspect of our public lands and the communities they support.

Sincerely,

Secretary Ryan Zinke

To: Howarth, Robert[robert_howarth@ios.doi.gov]
From: Chambers, Micah
Sent: 2017-05-09T15:19:35-04:00
Importance: Normal
Subject: Gardner Letter
Received: 2017-05-09T15:20:22-04:00
5-9-17 - DRAFT Response - Gardner.docx

It's attached. There are no content revisions other than changing the word "letter" to conversations or discussions and there were lines deleted but nothing new added. Would like to have this out the door tomorrow morning.

--

Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

The Honorable Cory Gardner
United States Senator
354 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Gardner:

Thank you for taking the time to talk with me regarding the Department of the Interior's (DOI) Methane and Waste Prevention Rule. Per our conversation, I wanted to formally respond to your inquiries.

Should you and your Senate colleagues choose to rescind the rule through the Congressional Review Act (CRA), the Bureau of Land Management (BLM) will continue to have the authority to meaningfully update its policies to reduce methane waste. If a CRA is passed, the BLM will continue to regulate venting, flaring, and beneficial use of gas pursuant to the DOI guidance known as NTL-4A[1]. NTL-4A was first implemented a few decades ago, so it should be revised to reflect the realities of today. Whether the BLM proposes new rulemaking or revisions to the existing NTL-4A process, we will take concrete action to reduce methane waste. Throughout our conversation, you asked me what actions the Department would take in the absence of the current Methane and Waste Prevention Rule. In response, the Department would pursue, among other options, the following strategies:

- Engaging in a robust assessment of all venting and flaring requirements to ensure the industry conserves resources and prevents waste, and so the taxpayer is assured the fair value of royalties. This includes, and is not limited to:
 - Criteria for approving venting and flaring
 - Venting and flaring thresholds and time limits
 - Beneficial use
 - Royalty requirements
- Strengthening policies to encourage companies to capture methane to be used for other purposes, such as the beneficial use of methane on lease for generating power, powering equipment, and compressing or treating methane;
- Revising existing BLM restrictions on the flaring of unmarketable methane from oil wells;
- Conserving unsold methane by reinjection into the existing well for enhanced oil recovery or for later recovery;
- Expediting rights-of-way (ROW) approvals and removing obstacles so pipeline and gathering infrastructure can be built quickly;
- Eliminating BLM policies that conflict with or duplicate flaring restrictions in states like North Dakota, Wyoming, Utah, New Mexico, Colorado, and Montana.

I have been tasked to lead and plan for the Department's future over the next 100 years. As an admirer of President Teddy Roosevelt, the policies I propose will reflect the promise I made to you and your colleagues during my confirmation hearing: we will work together to ensure the use of our

public lands reflects higher purpose so that our children's children can look back and say, "We did it right." As Congress weighs its options, rest assured that the Department is committed to reducing methane waste and under my leadership, we will take the important steps to accomplish that goal. Responsible energy development and proper conservation are not mutually exclusive goals and we will utilize reasonable regulations without hurting job creation and economic growth. Thank you for your interest in this issue, and thank you for taking the time to share your perspective.

Sincerely,

Secretary Ryan Zinke

[1] The 1979 Notice to Lessees and Operators of Onshore Federal and Indian Oil and Gas Leases, Royalty or Compensation for Oil and Gas Lost (NTL-4A)