

**DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2018**

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

NONDEPARTMENTAL WITNESSES

[CLERK'S NOTE.—The subcommittee was unable to hold hearings on nondepartmental witnesses. The statements and letters of those submitting written testimony are as follows:]

PREPARED STATEMENT OF THE 1854 TREATY AUTHORITY

The 1854 Treaty Authority (Authority) is a Tribal organization funded by a Public Law 93–638 contract with the Bureau of Indian Affairs (BIA) under its Trust-Natural Resources Management-Rights Protection Implementation (RPI) budget.

—The Authority supports funding of the BIA Rights Protection Implementation Program at the approved fiscal year 2017 level and a proportionate share for the Authority. We believe that the funding (as well as any increase in funding) should be allocated in the same proportions as it has historically been distributed.

—The Authority supports the full finding of contract support for its Public Law 93–638, Self-Determination contract.

—The Authority supports maintaining funding for the EPA Great Lakes Restoration budget at least at its current level.

The Authority is a Tribal organization responsible for protecting, preserving, and regulating the Treaty-reserved hunting, fishing and gathering rights in the territory ceded to the United States by the Chippewa in the Treaty of September 30, 1854, 10 Stat. 1109. The Bois Forte Band and the Grand Portage Band created the authority following Federal court affirmation of the rights in 1988. As part of a court-approved agreement with the State of Minnesota, the Bands have obligations to preserve the natural resources in the 5 million acre ceded territory and to regulate the activities of Band members through a conservation code, enforcement officers, and a court. The Authority has been involved with a variety of inter-agency efforts to study the effect of invasive species, climate change, and other activities that impact treaty resources.

Although it has significant responsibilities in a geographic area the size of Massachusetts, the Authority has only 17 full-time employees. With those limited resources, the Authority has been able to collaborate with State, Tribal and Federal agencies to become a prominent presence in the conservation of resources critical to the subsistence hunting, fishing and gathering activities of the Chippewa. The challenges facing all natural resource management agencies mean that we need to continue cooperative research and restoration at the present level or risk setbacks that have a negative impact on future generations.

The successes of the Authority are overshadowed by the challenges facing the trust resources that are at the heart of the Treaty rights. For reasons unknown, the Minnesota moose population has declined significantly in just a few years and both terrestrial and aquatic invasive species and climate change threaten the Treaty fishing and wild rice production areas across the ceded territory. In addition, human activities continue to deplete or displace wildlife populations.

The Authority urges the subcommittee and the Congress to acknowledge that the resources we seek to protect are trust resources, reserved in treaties that the United States has a legal obligation to protect and preserve.

[This statement was submitted by Millard J. Myers, Executive Director.]

PREPARED STATEMENT OF THE ACADEMY OF AMERICAN POETS

The National Endowment for the Arts and the National Endowment for the Humanities have, over the past fifty years, fostered an educated, broadly informed, and creative America at every level, from sponsoring national awards to seeding grants that support local programs in schools, communities, military bases, hospitals, museums, and beyond, throughout the country. Federal funding for the arts and humanities underwrites scores of other nonprofit poetry organizations and publishers, arts education programs, libraries, archives, as well as the work of individual poets. Without this Federal funding, many of our wide-reaching and impactful efforts will likely be jeopardized.

Poetry matters. The arts and humanities encourage reflection, empathy, and imagination—all qualities necessary to our individual and collective success. American poetry and literature do more than preserve the unique stories of our citizens; they shape our civic identity.

Poets have few opportunities for support. NEA fellowships are critical to sustaining the art form. We invite you to hear from two recipients of NEA fellowships in poetry:

*Nickole Brown, NEA Fellowship in Poetry, 2009, North Carolina Resident:*

I was raised on the literary equivalent of grease and plastic—of cheap grocery-store novels and tabloid magazines, of overcrowded and sometimes violent public schools, of a working-class Kentucky that had a lot more faith in the ability of a hammer to earn a living than a pen. With the exception of the family King James, we didn't even keep books in the house, and I was the first in my family to get through high school, much less go on to pursue graduate studies in something as unheard of as creative writing. Matter of fact, my grandmother—who had more than her hand in raising me—never learned to read and write, and it was her story that I set out to get on the page when I applied for an NEA Literature Fellowship back in 2008. That book, a biography in poems called *Fanny Says*, was completed because of that grant and was later published by BOA Editions in 2015.

But it wasn't merely my second book that came out of that gift, no. What resulted was the life I have now, and have no doubt—I would never be where I am without that chance given to me during a time in which I needed it most.

You see, at first, I can't imagine my request was much different than anyone else's—I needed time to write, desperately needed time to write, just a little time, pure and simple. This was true, but what I received—freedom, validation, recognition, confidence—amounted to much more than a mere sabbatical. What resulted was nothing short of a complete life change: in addition to having a spell to work on my poems, I also gained enough courage to move away from 10 years in a highly rewarding but demanding job in independent publishing. This was a terrifying and bittersweet change, but I realized that it was time for me to grow, and more importantly, to take myself absolutely serious as a writer.

Although the amount granted to me at the time might not seem like a lot of money to some, I was able to sustain myself on it for 3 years, and unexpectedly, the boost had a cumulative effect, bringing more teaching and reading engagements than I could have ever have acquired on my own. Since then, I've managed to find a way to sustain myself, working mostly full-time as a writer, and there's absolutely no way I would have been able to do that if not for the generosity shared with me all those years ago.

When I first was granted that fellowship, I received a lot of notes from friends and family, but the one I truly remember came from the fiction writer Mary Ann Taylor-Hall. Like the rest, she wrote to congratulate me, but specifically, she said my life had finally 'busted out of the dark.' I don't think I could have possibly understood what she meant at the time, but looking back, I get it—the NEA forced me out into the light, to a place where I had to see myself as legitimate, a voice lifting up among the chorus of so many voices who had received the NEA's assistance before me. That honor meant the world to me, and my world was changed.

*Maggie Smith, NEA Fellowship, 2011, Ohio Resident*

I received a fellowship in poetry from the National Endowment for the Arts in 2011. I am not being hyperbolic when I say it changed my life. At the time I was

working fulltime as an editor, squeezing all of my parenting and writing time in at night. My daughter was only 2 years old at the time and had been in fulltime daycare since she was twelve weeks old, when my (largely unpaid) maternity leave ended. Let's be clear: \$25,000 is not a lot of money to the Federal government. But it's a great deal of money to a poet and young mother with student loan debt and sizeable family health expenses. That NEA fellowship gave me the financial cushion and the courage to leave my day job and to start my own freelance business. The flexibility of freelance work meant that I could devote more time to poetry. I went on my first writing residency at the Virginia Center for the Creative Arts, which would have been impossible given my limited vacation time at work, and thanks to that uninterrupted time, finally finished my second book, *The Well Speaks of Its Own Poison*. Working from home also allowed me to reduce my daughter's daycare to part-time hours so that we could be together more. Funding from the NEA was a godsend, both professionally and personally. Perhaps most importantly, the grant reminded me—when I was splitting my time between parenting and working in a cubicle—that I was a poet. I haven't forgotten that since. I thank the NEA for that.?

The Academy of American Poets is the Nation's largest membership-based non-profit organization fostering an appreciation for contemporary poetry and supporting American poets. The organization reaches more than 20 million Americans in all 50 States with its free programs: Poets.org, National Poetry Month, the popular Poem-a-Day series, and resources for K–12 educators.

Thank you for your time.

[This statement was submitted by Jennifer Benka, Executive Director.]

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PREPARED STATEMENT OF THE ALL PUEBLO COUNCIL OF GOVERNORS, NEW MEXICO

*Requests:*

1. Continued support and funding for the Land-into-Trust Program at Interior.
2. Sustainable funding for the National Forest Service and Interior forestry programs.
3. Maintain the \$1 million set-aside for NAGPRA-related law enforcement going forward.
4. Provide dedicated funding for Bears Ears National Monument.
5. Increase funding for broadband development to bridge the digital divide in Indian Country.
6. Increase funding to address negative health outcomes associated with inadequate housing.
7. Support vocational and S.T.E.M. programs in Tribal schools for increased student success.

*Introduction.* Thank you Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee for the opportunity to testify on the critically important topic of Federal funding for American Indian and Alaska Native programs in the Department of the Interior. The All Pueblo Council of Governors thanks you for your dedicated efforts to advance Indian Country priorities in the United States Senate.

My name is Paul Torres and I am the Chairman of the All Pueblo Council of Governors (APCG), which is comprised of the Tribal leaders (Governors) of all 19 of the New Mexico Pueblos as well as the Pueblo of Ysleta del Sur in El Paso, Texas. Formed in 1598, the APCG is the oldest consortium of Tribal leaders in the United States. Collectively, the leadership of the APCG is respectful of the historic relationship between the Pueblos and the Federal Government. This relationship is political in nature, reflecting the government-to-government relationship between and among our governments. The Federal budget for Indian programs is an important aspect of that relationship and is reflective of the Federal Government's trust responsibility to Indian nations and Indian peoples. As such, Federal Indian laws and associated budgets are deeply rooted in the Constitution and represent an enduring promise of friendship and support to the First Americans.<sup>1</sup> In the spirit of cooperation, based

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<sup>1</sup>Suggestions that these laws are somehow not constitutional are made without a deep understanding of this area of law. It has been long settled that Federal Indian laws are constitutional; to our knowledge no Federal Indian law has ever been struck down as unconstitutional. See *Morton v. Mancari*, 417 U.S. 535, 555 (1974) (upholding an employment preference for Indians in the Bureau of Indian Affairs (BIA) in the face of an equal protection challenge, on the basis that the preference was political in nature and could be "tied rationally to the fulfillment of Congress' unique obligation toward the Indians").

on respect and full consideration of the sovereign status of Tribes, we offer the following budget recommendations for fiscal year 2018.

#### I. LAND BASE AND NATURAL RESOURCES

The sandstone mesas, verdant hills, brush covered flatlands, and steep mountains of the southwestern United States form the landscape in which we exercise our Tribal sovereignty and cultural identities as Pueblo People. We are not just people residing on this beautiful land; we are a People of this land. We carry it in the very essence of our being. Our connection is etched deep into our collective history and memories. Wise stewardship of land, minerals, water, and other resources is, therefore, key to our cultural survival and socioeconomic well-being as sovereign Tribal nations.

*Continuation of the Land-into-Trust Program.* As sovereign Tribal governments, the exercise of our self-determination is strengthened by the ability of the Federal Government to take land into trust on behalf of Tribes. Trust lands enable us to provide a homeland for our people as well as a base from which to offer essential governmental services, such as housing, education, healthcare, and economic development opportunities. Trust lands also facilitate the expression of our identity as Pueblo people by protecting the natural and cultural resources that form the bedrock of our traditional practices and ceremonies. We urge Congress to provide continued support and funding for the land-into-trust program at the Department of the Interior.

*Funding for the National Forest Service and Interior Forestry Programs.* The APCG also encourages support for policy and legislation that provide funding for effective and sustainable natural resource management practices, particularly in regards to the Interior's forestry programs. The trees and shrubs of our southwestern national forests play critical roles in regional economic development, disaster mitigation efforts, recreation, and ecological habitats for many local wildlife and plant species. Cuts in Federal funding for forestry management threaten the delivery of services in each of these areas. Our historic attachment to the southwest landscape and geography including the national forests forms the core of our traditional belief systems and cultural worldview. We respectfully request National Forest Service funding at least at the fiscal year 2016 enacted level to maintain the effective management of our national forests and their diverse resources.

#### II. PROTECTION FOR TRIBAL CULTURAL PATRIMONY

*Dedicated NAGPRA Enforcement Funds—Thank you for this Committee's Support!* The APCG would like to take this opportunity to thank the subcommittee and all of Congress for including a one million dollar appropriation in the 2017 Omnibus to strengthen the implementation of the Native American Graves Protection and Repatriation Act (NAGPRA). Dedicated funding for expanded Bureau of Indian Affairs law enforcement activities related to NAGPRA advances stronger Federal protections for cultural patrimony put in place under the PROTECT Patrimony Resolution, adopted by both the House and Senate in the last Congress (H. Con. Res. 122 Dec. 2016). We thank you for your support and encourage continued funding in this important area going forward.

*Bears Ears National Monument.* Our cultural heritage resides not only in the tangible objects protected by NAGPRA and the PROTECT Patrimony Resolution, but also in the living landscapes from which our people emerged, long before the arrival of the first Europeans to this continent. Our ancestral ties to the Bears Ears National Monument in Utah can be traced through the ancient roads, dwellings, petroglyphs, and ceremonial features that continue to enrich the region today. However, these sites are under constant threat by erosion, vandalism, looting, and indiscriminate damage through off-road vehicle use, as well as the general degradation of wildlife and plant habitats that are significant to our traditional practices. We urge Congress to preserve the designation of Bears Ears as a National Monument to support the permanent, long-term protection of the land and its irreplaceable resources and to provide appropriate funding for its preservation.

#### III. INFRASTRUCTURE DEVELOPMENT IN INDIAN COUNTRY

Many Pueblos are economically distressed rural communities. Infrastructure development is essential to diversifying and sustaining rural economies. However, most Tribal lands are subject to conditions that require intense overhauling—roads are often unimproved, utilities are insufficient, and reliable broadband connections barely exist. In addition, other types of infrastructure critical to creating vibrant Tribal communities such as new housing construction are deficient, with severe housing shortages occurring on Tribal lands.

*Increased Access to Capital for Economic Development.* Pueblo governments and Pueblo-owned businesses are collectively among the largest employers in New Mexico, providing thousands of jobs in many rural areas of the State. Most recent statewide figures put the number of jobs provided by Tribal employers at nearly 18,000 in various industries. Non-Indians hold nearly 75 percent of these jobs. Despite such positive contributions, limited access to capital and financing remains one of the most significant barriers to Pueblo economic development. Tribes across the country struggle with uniquely burdensome Federal restrictions and regulations, poor infrastructure, and other challenges that limit their economies from flourishing. It is important to create avenues for investment funds, financial resources, and business models that are mutually advantageous to Tribes and potential partners for economic advancement, stability, and diversification. The opportunity to provide for a family through a desirable job with a decent income is a shared desire of all Americans.

*Broadband Infrastructure for Expanded Community Services.* We are living in the digital age. The Internet has the potential to link an individual to the world at the click of a button, yet many Pueblo communities do not have access to the basic technology or reliable broadband systems that make even an initial connection possible. Our Tribal members are unable to take advantage of the myriad of benefits that the Internet has to offer, which range from access to online GED and higher education degrees, to telehealth medical services, to expanded economic opportunities for business investment, among many others. For communities that successfully connect to the broadband network, the experience is transformative. We urge Congress to bridge the digital divide and provide increased funding for broadband development in Indian Country.

*Health Begins at Home—Investing in Housing Development.* Access to affordable, safe housing is the foundation for strong families, communities, and economies. Just as the deserts, mountains, and mesas provide a spiritual and cultural home for our Pueblo communities, Tribal governments have the responsibility of providing housing for our Tribal members. However, we depend on Federal appropriations under the Native American Housing and Self-Determination Act (NAHASDA) to meet many of our housing-related needs. A 2014 study conducted by the U.S. Department of Housing and Urban Development reported unacceptable living conditions for American Indians in New Mexico and Arizona counties with high rates of overcrowding and incomplete utility systems for kitchens and bathrooms. We urge Congress to provide increased funding to the Indian Health Service (IHS) address negative health outcomes associated with critical housing shortages that imperil our Tribal communities.

#### IV. EDUCATIONAL OPPORTUNITIES IN OUR HOME COMMUNITIES

Pueblo leaders wish to create a highly skilled, well-educated, workforce within their respective Tribal communities. With a pool of qualified workers, the Pueblos believe they will be able to attract business and economic development possibilities, create well-paying job opportunities, and assure that Tribal members enjoy a prosperous future that comes with being well educated.

*High Quality Tribal Education Systems.* The Pueblos that constitute the APCG have always supported sound educational programs that comply with State and Federal accountability standards. We emphasize the importance of high quality instruction, effective professional teacher development and the development of appropriate, culturally sensitive curriculum, including Native language retention and instruction. A number of Pueblos are in the process of or have already assumed the responsibility for operating Bureau of Indian Education (BIE) schools located on their respective Tribal lands. Operating and maintaining schools requires considerable resources. We request adequate funding to develop and maintain high quality Tribal education systems that prepare the next generation of Native students for a lifetime meaningful opportunities.

*Vocational Training Programs.* The APCG supports comprehensive oversight of the flow of funds and the implementation of policies that effectuate meaningful educational change. It is important to foster the advancement of higher education, but also to consider re-introducing vocational education, which in many school districts has been eliminated or severely limited. Vocational education can provide skills that contribute to employment opportunities and sustainable incomes. In addition, Science, Technology, Engineering and Mathematics (S.T.E.M.) curricula must be incorporated into Tribal school systems to enable our students to develop and compete in these pivotal industries. We request increased funding for the re-introduction and integration of vocational and S.T.E.M. curricula to diversify Tribal school systems and lay the foundation for student success.

*Protecting and Preserving Native Languages.* The Pueblo worldview is contained in their languages. In addition to maintaining Tribal life ways, the Pueblos have established various programs and methods in order to retain and preserve what are considered some of the most ancient and distinct languages in America. Some Pueblo languages are so unique they are not spoken anywhere else in the world. Students in language immersion programs demonstrate substantial improvement in their academic performance and testing. They have also shown greater achievement in S.T.E.M. related subjects that increasingly form the bedrock of our domestic and international economies. We urge Congress to support programs that promote the value of Native languages and prevent the further loss of our languages and traditions.

Thank you for the opportunity to offer outside witness testimony. The All Pueblo Council of Governors looks forward to working with Congress on advancing meaningful Tribal development under the fiscal year 2018 budget.

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PREPARED STATEMENT OF ESTHER ALLEN, PH.D.

Associate Professor, Programs in French and in Hispanic and Luso-Brazilian Literatures and Languages, City University of New York (CUNY) Graduate Center, and Department of Modern Languages, Baruch College, CUNY

Over the course of its half century of existence, the National Endowment for the Arts has consistently and substantially enhanced the daily lives of Americans everywhere. In all 50 States, the NEA has supported museums, opera houses, orchestras, theatres and countless other forms of artistic expression that enrich the cultural and spiritual life of communities and make them attractive places for businesses and individuals to remain or relocate and for tourists to visit. A 2010 study on the arts and economic prosperity determined that the more than 100,000 organizations in the U.S. nonprofit arts and culture sector which the NEA serves generated \$61.1 billion in direct economic activity, and an additional \$74.1 billion in event-related expenditures. Those figures speak for themselves, and have only increased since the report was published.

My appeal for continued funding for the NEA, however, is based on my own experience of a little-known NEA program that has had a wildly outsized impact on the literary culture of the United States and on our Nation's cultural relations with the rest of the world: the NEA Translation Fellowships. Since this program was inaugurated in 1981, the NEA has been the Nation's most significant investor in support for literary translators and organizations that publish literary translation, as NEA Chairman Jane Chu notes in her introduction to "The Art of Empathy", a 2014 NEA publication on the often overlooked significance of literary translation.

In 1989–1990, I lived in Mexico with support from a Fulbright fellowship. While there, I travelled in the southern state of Chiapas, and read a 1962 novel by the Mexican author Rosario Castellanos titled "Oficio de tinieblas", a long-acknowledged classic of Mexican literature, set among the indigenous Maya. On returning to the U.S. in 1990, I was startled to learn that a literary work of such importance to a close ally of the United States—an ally with whom we share a lengthy border and great deal of geographic and cultural history—had never appeared in English. Meanwhile, the novel had been published in many other languages, including Hebrew; Castellanos was Mexico's ambassador to Israel, and her work is highly esteemed there.

For several years, I tried to interest U.S. publishing houses in a translation, to no avail. Then, in 1995, I was granted a National Endowment for the Arts Translation Fellowship in support of the project. Doors began to open. "The Book of Lamentations", my translation of Castellanos' novel, was published in 1997 and remains in print today as a Penguin Modern Classic. Since its publication in English, the novel's fictionalized history of a Mayan uprising has helped many journalists and diplomats understand and contextualize the Zapatista rebellion in Chiapas. Its tragic story of oppression has moved countless students of Latin American literature and history and general readers—many of them, no doubt, U.S. citizens of Mayan descent. None of that would have happened were it not for the support of the National Endowment for the Arts.

Multiply that by more than four hundred, and you have a sense of the impact of this one small, inexpensive NEA program. Translation Fellowships have brought literature from more than 84 countries, originally written in more than 66 languages, to American readers. Among those languages is Slovenian. If the First Lady of the United States would like to share the literature of her native country with family and friends who do not speak Slovenian, the NEA has helped make that possible.

The U.S. is generally an exporter of its own culture to the world, and that makes the impact of the Translation Fellowship program all the more beneficial to U.S. diplomatic relations. Writers whose voices are influential in their own countries are likely to see our country differently when their work has been translated, published and reviewed here, when they know they have communities of readers here. The Translation Fellowship program says to the whole world that the United States Government supports empathy and wants to help make voices from across the globe heard in English. The international goodwill this gesture creates is inestimable.

I ask the members of the Senate Subcommittee on the Interior, Environment, and Related Agencies to join me in supporting the National Endowment for the Arts, and urgently request them to ensure that this formidable Federal agency will be fully funded in the fiscal year 2018 budget and able to continue its crucial work.

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#### PREPARED STATEMENT OF ALTERNATE ROOTS

Mr. Chairman and distinguished members of the subcommittee, we thank you for the opportunity to submit this testimony on behalf of Alternate ROOTS. We urge the Committee to appropriate \$155 million to the National Endowment for the Arts for fiscal year 2018. Alternate ROOTS has 245 number of individual and organization members. Some members are highlighted below include:

Doris Davenport, Tuscaloosa, Alabama	Azule, Hot Springs, North Carolina
Datule Collective, Little Rock, Arkansas	Kimi Maeda, Columbia, South Carolina
Art2Action, Tampa, Florida	Carpetbag Theatre, Knoxville, Tennessee
Angela Davis Johnson, Atlanta, Georgia	Clyde Valentine, Dallas, Texas
Clear Creek Festival, Big Hill, Kentucky	Performing Statistics, Richmond, Virginia
Mondo Bizarro, New Orleans, Louisiana	Anu Yadav, Washington, D.C.
Ashley Minner, Baltimore, Maryland	
Daniel Johnson, Jackson, Mississippi	

Alternate ROOTS is a 41 year old organization based in the Southern USA\* whose mission is to support the creation and presentation of original art, in all its forms, which is rooted in a particular community of place, tradition, or spirit. As a coalition of cultural workers we strive to be allies in the elimination of all forms of oppression. ROOTS is committed to social and economic justice and the protection of the natural world and addresses these concerns through its programs and services.

The ROOTS Region covers the Southern area of the United States: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Washington, D.C.

For 50 years, the National Endowment for the Arts has held a significant Federal leadership role for the arts and culture in America. Its grants reach every congressional district and support arts organizations serving their communities in a variety of ways. Through the support of direct NEA grants and NEA partnerships with State arts agencies, arts organizations are helping people experience high-quality artistic presentations, access arts education and opportunities for artistic development, find their voices and share their stories, and have critical dialogue about important social issues.

The following examples of recent projects that Alternate ROOTS has supported through the funds we have received from the NEA are a sample of the significant ways artists and cultural workers are able to serve their communities with the support of the NEA.

*PATOIS (New Orleans, Louisiana)* creates accessible spaces at the intersection of art and social justice where communities can unite in the struggle for human rights in New Orleans and around the globe. Throughout the PIA partnership period, PATOIS will curate and produce a series of art and film events aimed at raising awareness on the impact of gentrification in New Orleans and supporting housing rights struggles through collaboration and creative actions. PATOIS will engage a range of community groups, activists, artists, organizing projects, and cultural workers to address the housing crisis facing the city, with their primary partner being Jane Place Neighborhood Sustainability Initiative (JPNSI), an organization that has been at the forefront of organizing around the housing crisis.

*The Graduates (Louisiana statewide)* is an ensemble of formerly incarcerated women from the Louisiana Correctional Institute for Women (LCIW), co-founded and co-directed by Kathy Randels and Ausetua AmorAmenkum. "Won't Bow Down!" (WBD) is a project centered on The Graduates' personal criminal justice system experiences with a vision of life in Louisiana after prison reform and a goal to

create awareness of and encourage community organizing to abolish mass incarceration of black people and achieve racial equity in the United States. WBD will tour to living rooms, churches, community centers, and stages in 12 Louisiana communities. The autobiographical performances will shine a light on The Graduates' unique stories: the most radical and direct communication we can share with people about the experience of incarceration.

*SpiritHouse Inc. (Durham, North Carolina)*, in partnership with All of Us or None (AOUON-NC) and The Center for Participatory Change (CPC), will remount their interactive theatrical performance, "Collective Sun Reshape the Mo[ur]ning" in Durham and Asheville, NC. First mounted in 2012 under the direction of Ebony Noelle Golden, "Collective Sun" is a series of vignettes drawn from more than 8 years of research, organizing, and programmatic work that has been the emphasis of campaigns to challenge systemic racism and end criminalization and incarceration in this country. Part performance, part audio installation, and part collective action, "Collective Sun," creates a platform where communities impacted by systemic racism and criminalization use their experiences and voices to become more civically engaged. The performances of "Collective Sun" will be used to strengthen SpiritHouse's Harm Free Zone work.

*Queer Histories/Queer Futures (New Orleans, Louisiana)* is a triadic program of monthly events including workshops, salons, and creative intensives administered by Last Call in partnership with the New Orleans LGBT Community Center. QHQF kicks off with a series of oral history and audio production workshops for queer young adults and allies in which workshop participants will conduct and transcribe interviews with elders in the queer community and remix those interviews into new Last Call podcast episodes. QHQF will then host creative intensives to interpret these stories through small-scale performances that connect the histories of queer elders with the realities of queer youth in order to collectively envision a vibrant and robust queer future that includes all of us. Finally, QHQF will host a series of artist salons at which audiences will hear the finished podcast and interface with the new mini-performances. These salons create queer-centric gathering space, initiate and build relationships, and allow the stories we collect to have a wider audience beyond the queer community.

*Working Narratives (Wilmington, North Carolina)* seeks support to produce Free Movement (FM), a public performance and community-organizing project that seeks to link Southern culture, communities, and identities underserved by arts, justice, and health movements in their home base of Wilmington, NC. Utilizing a tested community cultural organizing practice that includes artists residencies, cultural asset mapping, and a collaborative design and production of a large scale public art gathering, FM will work with grassroots partners and members to occupy public space and build grassroots power for positive social change. Free Movement will premiere in March 2018, and deliver a whole "package" of story gathering and community dialogues, along with intensive artist residencies and workshops, and a main performance. Free Movement is a performance that equals a form of street theater and incorporates storytelling throughout its process.

*Community LIFT (Memphis, Tennessee)* is working with the Soulsville Neighborhood Association (SNA) to create an outdoor lounge to help generate business, tackle blight, empower residents, attract artists, and create art by the Soulsville community. Created to reverse the Memphis' inequitable course of economic development, Community LIFT serves as a funder, connector, and capacity builder of redevelopment in three disenfranchised neighborhoods. Soulsville is a legendary neighborhood in South Memphis and home to world-famous Stax Records. In the first phase of this project, the partners rehabilitated renowned bluesman Memphis Slim's home into Slim House, a community music studio professionalizing Memphis musicians. With the support of Alternate ROOTS Community LIFT will reimagine the space with SNA members, and the partners will construct the space with local artists and neighborhood residents who have carpentry and woodworking skills. In the first six weeks of opening, Stax Music Academy youth and Slim House musicians will produce community storytelling performances, in partnership with citywide institutions, to activate the lounge. Beyond this, the lounge will provide a platform for Slim House members, who are emerging professional musicians, to showcase their talent.

*Girls Rock Charleston (Charleston, South Carolina)*, an arts-based social justice organization operating in Charleston, SC since 2011, is hosting a year-long after school program for at-risk girls and trans\* youth ages 12-17. GRC works in partnership with organizations and local leaders to engage youth with a dynamic combination of music education, DIY media making, popular, and political education sessions, as well as academic and life skills support. Local artists, activists, musicians, and youth organizers serve as mentors, band coaches, and workshop leaders



throughout the program to support the Rockers in using audio and visual artistic craft to explore their burgeoning identities as girls, women, and/or queer youth, and to address the impact of police violence and the prison system in their communities. Participants will work together to explore issues of sexism, racism, poverty, gentrification, segregation, and State violence through writing original music and creating visual art, while engaging in workshops emphasizing the resilience, resistance stories, and cultural traditions (such as storytelling and community organizing) of their own communities. Together, the Rockers will produce a multimedia body of work that will both document and impact the social issues they address. A public performance will be held at the end of each semester in which community members will be engaged around these issues through the work performed/exhibited. The program will not only support the Rockers in improving their grades and staying out of the juvenile justice system, but will provide space for them to build trust with each other and define their own visions for liberation in their communities. It will prioritize developing youth as whole people.

*Seeds of Fire, Highlander Research and Education Center (New Market, Tennessee)* completed a week-long Living Legacy Tour of the South to connect the fights, struggles, and victories of folks fighting all forms of oppression. Highlander Research and Education Center is a leading institutional resource that connects people across generation, race, language, culture, and sector to build a unified movement for a just and equitable society. For the past 16 years, Highlander's Seeds of Fire (SOF) program has impacted thousands of young people, bringing together emerging and experienced grassroots organizers and community leaders to build collective power and influence critical policy decisions and practice shifts. The Seeds of Fire Living Legacy Tour brings together youth and young adult organizers and allies from communities of color and low-income communities to travel through key movement places in Louisiana, Alabama, and Mississippi. With a focus on addressing State sanctioned violence, tour participants will learn with artists and organizers, share cultural organizing skills with the local communities, and engage with movement elders, connecting historical struggles to those that young people are fighting against in the South, today. The Living Legacy tour allows participants to strategize and use cultural organizing methods to develop a collective analysis of systemic injustices. Its goal is to create learning exchanges and opportunities for growth and understanding while focusing on cultural organizing, intergenerational relationships, and organizational partnerships across the South.

*Performing Statistics (Richmond, Virginia)* is a cultural organizing project that brings incarcerated youth and community experts together to collaboratively produce media campaigns, public installations, and performances supporting juvenile justice reform. The project supports Legal Aid Justice Center's (LAJC) advocacy with, and on behalf of juvenile justice system-involved youth and their families. The project utilizes collaborative and public art to connect diverse community experts, including currently incarcerated adults and youth, around community-based alternatives to incarceration. We believe that the youth and adults most affected by the system should have a leading voice in any movement.

The artistic programming of Southern artists and organizations, supported by the NEA, gives vitality to their communities in numerous ways beyond the examples provided here. For many individual artists and small organizations in the South, these funds can sometimes be the only dollars supporting the work.

The Federal investment in the NEA places value on the role of arts and culture in our society, and it realizes significant returns that are both measurable and intangible.

We celebrate the NEA's fiscal year 2017 budget increase—the first since fiscal year 2011—and urge you to please support no less than \$155 million to the National Endowment for the Arts in fiscal year 2018. Thank you for considering our request.

[This statement was submitted by Carlton Turner, Executive Director, and Ashley Walden Davis, Managing Director.]

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#### PREPARED STATEMENT OF THE AMERICAN ALLIANCE OF MUSEUMS

Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee, thank you for allowing me to submit this testimony. My name is Laura Lott and I serve as President and CEO of the American Alliance of Museums (AAM). We urge your support for at least \$155 million each in fiscal year 2018 (fiscal year 2018) for the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH), as well as sufficient funding for the Smithsonian Institution. We also request your support for the Historic Preservation Fund (HPF), including at least \$55 million for State Historic Preservation Offices

(SHPOs), \$15 million for Tribal Historic Preservation Offices (THPOs) and \$28 million to preserve the sites and stories of the Civil Rights Movement. We request restored funding of \$30 million and \$4.6 million respectively for the Save America's Treasures (SAT) and Preserve America programs.

Before detailing these funding priorities for the museum field, I want to express my deepest appreciation for the increases enacted by the subcommittee in the Consolidated Appropriations Act, 2017, Public Law 115–31. The additional funds for the NEH, NEA, Smithsonian Institution and historic preservation activities will enhance museums' work to enrich their communities and preserve our many heritages. The subcommittee's choice to make these investments in fiscal year 2017 despite a very limited 302(b) allocation speaks volumes about its commitment to our Nation's cultural institutions. The American Alliance of Museums is deeply troubled by proposals from the Trump Administration to slash many of these priorities, and we look forward to working with you—our bipartisan allies—to reject them. While the subcommittee will once again have to make very difficult decisions this year, I contend that each of the priorities outlined below will both protect our Nation's cultural treasures and provide a tremendous economic benefit.

AAM is proud to represent the full range of our Nation's museums—including aquariums, art museums, botanic gardens, children's museums, culturally specific museums, historic sites, history museums, maritime museums, military museums, natural history museums, planetariums, presidential libraries, science and technology centers, and zoos, among others—along with the professional staff and volunteers who work for and with museums. We are honored to work on behalf of the Nation's more than 33,000 museums, which employ 400,000 people, invest more than \$2 billion annually in educational programs, receive more than 55 million visits each year from primary and secondary school students, and directly contribute \$21 billion to their local economies.

Museums are essential in their communities for many reasons:

- Museums are key education providers.* Museums already offer educational programs in math, science, art, literacy, language arts, history, civics and government, economics and financial literacy, geography, and social studies, in coordination with State and local curriculum standards. Museums also provide experiential learning opportunities, STEM education, youth training, job preparedness, and a range of programs geared toward homeschooling families. They reach beyond the scope of instructional programming for schoolchildren by also providing critical teacher training. There is a growing consensus that whatever the new educational era looks like, it will focus on the development of a core set of skills: critical thinking, the ability to synthesize information, creativity, and collaboration. We believe museums are uniquely situated to help learners develop these core skills, and this is borne out by evidence. According to a recent University of Arkansas study, students who attended just a half-day field trip to an art museum experienced an increase in critical thinking skills, historical empathy and tolerance. For students from rural or high-poverty regions, the increase was even more significant.
- Museums create jobs and support local economies.* Museums serve as economic engines, bolster local infrastructure, and spur tourism. Both the US Conference of Mayors and the National Governors Association agree that cultural assets like museums are essential to attracting businesses, a skilled workforce, and local and international tourism. Travelers who participate in cultural or heritage activities spend 60 percent more than other tourists.
- Museums address community challenges.* Many museums offer programs tailored to seniors, veterans, children with special needs, persons with disabilities, and more, greatly expanding their reach and impact. For example, some have programs designed specifically for children on the autism spectrum while others are addressing veterans' post-war trauma or providing youth job training opportunities.
- Digitization and traveling exhibitions bring museum collections to underserved populations.* Teachers, students, and researchers benefit when cultural institutions are able to increase access to trustworthy information through online collections and traveling exhibits. Most museums, however, need more resources to digitize collections.

*The National Endowment for the Humanities* is an independent Federal agency created by Congress in 1965. Grants are awarded to nonprofit educational institutions—including museums, colleges, universities, archives, and libraries—for educational programming and the care of collections. NEH supports museums as institutions of learning and exploration, and as keepers of our cultural, historical, and scientific heritages.

In 2016, through Preservation & Access, one of NEH's national program divisions, 43 peer-reviewed, competitive grants totaling over \$2.5 million dollars were awarded to museums, historical societies and historic sites for a variety of projects to preserve and provide access to our Nation's rich cultural heritage. Across all NEH divisions (including Preservation and Access, Research, Education, Public Programs, Challenge Grants and Digital Humanities), these institutions received 150 awards totaling over \$21.3 million. Demand for humanities project support, as demonstrated by NEH grant application rates, far exceeds available funding. In fiscal year 2016, NEH received 5,304 competitive grant applications representing \$518.2 million in requested funds, but was only able to fund 16 percent of these peer-reviewed proposals.

NEH also provides approximately forty percent of its funding directly to States through grants to humanities councils located in every State and US territory. In 2016, 55 State councils supported 2,419 exhibitions, 280 preservation projects, and 1,612 local history programs, attracting a total audience of 5.5 million people.

This year alone, NEH funding has supported museums' work in your communities, including:

- The Mississippi Department of Archives and History received a \$100,000 grant for a multimedia learning initiative to extend the resources of the forthcoming Museum of Mississippi History and the Mississippi Civil Rights Museum directly into classrooms across the State. Funds will also support technical and curricular training for schools and teachers based on their needs.

- The Fleming Museum of Art at the University of Vermont received a \$5,742 grant to support new cabinets and environmental monitors for its collection of works on paper. This will provide better care for the works as well improved access for students and faculty.

*The National Endowment for the Arts* makes art accessible to all and provides leadership in arts education. Established in 1965, NEA supports great art in every congressional district. Its grants to museums help them exhibit, preserve, and interpret visual material through exhibitions, residencies, publications, commissions, public art works, conservation, documentation, services to the field, and public programs.

In 2016, more than 2,000 museums participated as Blue Star Museums—a partnership between NEA, Blue Star Families, and the Department of Defense—to offer free admission to all active duty and reserve personnel and their families from Memorial Day through Labor Day. This particular effort served more than 923,000 people, while many other museums offer military discounts or free admission throughout the year.

In 2016, NEA made more than 180 direct awards to museums, totaling over \$5.4 million. Forty percent of NEA's grant funds are distributed to State arts agencies for re-granting, and many museums benefit from these funds as well. Receiving a grant from the NEA confers prestige on supported projects, strengthening museums' ability to attract matching funds from other public and private funders. On average, each dollar awarded by the NEA leverages more than nine dollars from other sources.

This year alone, NEA funding has supported museums' work in your communities, including:

- The Anchorage Museum received a \$60,000 Creativity Connects grant to support a series of programs exploring the ecology of the Arctic, in partnership with the University of Alaska Anchorage. The organizations will work with artists and scientists on exhibitions, events, and online presentations to engage the public, conveying the complexity of the northern landscape through curated experiences.

- The International Folk Art Foundation in Santa Fe, New Mexico received a \$60,000 Art Works grant this year to support an exhibit featuring folk art from the United States and international artists. The artists' work may reflect responses to societal crises, such as war, political instability, dislocation, and ecological challenges. The exhibit will be accompanied by artist residencies, lecture, and demonstrations.

In addition to these direct grants, NEA's Arts and Artifacts Indemnity program also allows museums to apply for Federal indemnity on major exhibitions, saving them roughly \$30 million in insurance costs every year and making many more exhibitions available to the public—all at virtually no cost to the American taxpayer.

*The Smithsonian Institution* comprises some of the most visited museums in the world, including the National Museum of American History, the National Air and Space Museum, and the National Museum of Natural History. The Smithsonian reaches visitors and learners of all ages, in the Nation's capital and across the country, with innovative exhibits and programs. Every year, its 20 museums—including

the National Zoo—attract over 28 million in-person annual visitors. Its websites reach more than 100 million unique visitors, while its content and curriculums are used by teachers all over the country. The recently opened National Museum of African American History and Culture has captivated audiences from around the world, underscoring the power of our national museums to educate and inspire. We support funding that would allow these world-class museums to undertake critical collections care, make needed technology upgrades, conduct cutting edge research of every type, and increase access for all.

*The Historic Preservation Fund* is the funding source of preservation awards to States, Tribes, local governments, and nonprofits. State and Tribal Historic Preservation Offices carry out the historic preservation work of the Federal Government on State and Tribal lands. These duties include making nominations to the National Register of Historic Places, reviewing impacts of Federal projects, providing assistance to developers seeking a rehabilitation tax credit, working with local preservation commissions, and conducting preservation education and planning. This Federal-State-local foundation of America’s historic preservation program was established by the National Historic Preservation Act. Historic preservation programs are not only essential to protecting our many heritages; they also serve as economic development engines and job creators. We urge you to provide \$55 million for SHPOs and \$15 million for THPOs through the Historic Preservation Fund.

We enthusiastically applaud the subcommittee’s fiscal year 2017 restoration of funding for the Save America’s Treasures program, and urge you to fully restore it to \$30 million in fiscal year 2018. From 1999 to 2010, Federal funding of \$315 million for 1,287 Save America’s Treasures projects leveraged an additional \$400 million in non-Federal funds, and created more than 16,000 jobs nationwide. These projects protected some of America’s most iconic and endangered artifacts, including Ansel Adams’ prints and negatives, Frank Lloyd Wright structures including *Fallingwater*, and the American flag that inspired the *Star Spangled Banner*. We request \$4.6 million for the Preserve America program, which has not been funded in recent years.

We also applaud the subcommittee’s fiscal year 2017 investment in competitive grants to preserve the sites and stories of the Civil Rights Movement. The initial round of grants for this initiative is currently helping museums and historic sites around the country conserve endangered structures, document stories, and share resources with the public. We support fiscal year 2018 funding of \$28 million for these Civil Rights Movement grants.

I want to once more acknowledge the difficult choices that the subcommittee faces. I hope that my testimony has made it clear why these priorities are of critical importance to the Nation and will provide a worthwhile return on investment to the American taxpayer. Thank you again for the opportunity to submit this testimony.

[This statement was submitted by Laura L. Lott, President and CEO.]

#### PREPARED STATEMENT OF THE AMERICAN FOREST FOUNDATION

The 22 million family woodland owners in America and the lands they own, are an essential piece of the fabric of rural communities. These lands support hundreds of thousands of jobs, supply more than half of the wood for our forest products, and sustain our environment. America’s family-owned woodlands, over one-third of the Nation’s forested landscape, are critical to meeting the Nation’s clean air and water, wildlife habitat, and wood supply needs today and in the future.

The American Forest Foundation, a non-profit conservation organization, helps these family woodland owners manage their land to provide these benefits in rural communities across America. AFF also houses the American Tree Farm System®, a national network of over 70,000 landowners who manage their land to internationally-recognized standards of sustainability.

Because America’s forests are both public and privately owned in a patchwork across the rural landscape, strategies to grow jobs, strengthen rural economies, and protect forests from threats like wildfire must take a “shared stewardship” approach where both public and private landowners are working to manage forest resources.

Because threats like wildfire do not exist solely on Federal land, in fact in the West, 30 percent of the high fire risk lands are private, family owned lands, tackling that problem, protecting lives, communities, and water supplies, requires active management of both public and private land. The same can be said for supplying wood. In any one given “wood basket” the mix of public and private ownership is different but sound management, including replanting after harvest, on both types of land is essential to keeping mills in operation and supplied with timber. Any number of other examples, like invasive forest pest outbreaks, source water protec-

tion or managing for at-risk wildlife, all require work on both public and private land as these issues do not heed property boundaries.

All of these challenges—that require a shared stewardship approach—if not tackled, will have long-term consequences on rural economies and the Federal deficit. With 22 million people across America owning over one-third of America's forests in small, individual forest holdings, we cannot ignore these landowners if we're going to successfully tackle these challenges.

While it's not the Federal government's role to manage private land, targeted assistance through programs like the Forest Stewardship Program, where a landowner is given information on how to manage their land, can have significant impact on the land and the public benefits produced. In fact, the National Association of State Foresters found that landowners with a forest stewardship plan are almost three times more likely to harvest timber. So by providing this small amount of advice landowners can be empowered to do better management that contributes to healthy forests and stronger rural economies that benefit public and private forest resources. Family woodland owners are not looking for a handout, they are just looking for this helping hand.

AFF believes Congress can improve upon the President's fiscal year 2018 Budget proposal by supporting this shared stewardship and ensuring sufficient resources for high priority public and private land strategies. AFF strongly believes that given the compelling Federal interest in forests and their sustainable management, Federal resources should be spent on the highest priority needs. We fully understand the tough budget climate. However, the almost sole focus on Federal land management in the proposed US Forest Service budget, paired with drastic cuts in funding for State and Private Forestry Programs in the US Forest Service that are essential to shared stewardship and tackling growing USFS problems like wildfire, will adversely impact the public benefits derived from all forests given the cross-boundary nature of the challenges and threats.

The State and Private Forestry Programs offer a great return on investment. For every dollar invested in the State and Private Forestry Programs, particularly those that focus on rural lands, the states and private landowners invest states and private landowners put at least another dollar. In some programs, like the Landscape Scale Restoration Program, even more than match is leveraged. For very little tax payer money, every American is getting the benefit of the clean air and water, wildlife habitat, for forest products and the resulting jobs these lands produce. Investments through these programs are also leveraged by NRCS' roughly \$80 million spent in forestry practices, the resulting synergy producing even larger impacts on rural economies and environments.

We do believe a hard look at State and Private Forestry Programs, clearly identifying desired outcomes from these programs and targeting resources on outcomes will yield significant results. For example, AFF has identified, based on extensive assessments of private lands issues in the U.S., a need to focus on three key priorities: mitigating wildfire and protecting critical watersheds in the west, managing at-risk species populations in the South and East, and increasing sustainable wood supplies for growing market demand in the south. Programs like the Landscape Scale Restoration Program can support this approach, providing competitive funding to address high priority issues and fostering innovation that leads to improved outcomes and better support for landowners.

There is an opportunity to increase efficiencies, streamline administration, and deliver better service in State and Private Forestry Programs, just like in many other areas across the Federal government. We stand ready to work with the Trump Administration and Congress to pursue these opportunities.

With these views in mind, AFF recommends the following for 2018 funding and program direction for the U.S. Forest Service to support shared stewardship of America's rural forests and the families, communities, and economies that rely on these forests:

- Continue support for Hazardous Fuels at least at 2017 funding levels with direction to continue cross-boundary wildfire mitigation work, including allowing at least \$15 million on non-Federal lands to maximize the benefits this program delivers.
- Direct the USFS to work with states and other partners to better align State and Private Forestry Programs to deliver impact on key priorities and improve program efficiency while reducing administrative costs. To do this:
  - Forest Stewardship Program funding should at least be maintained at 2017 funding levels, and focused to deliver on key outcomes and national priorities.
  - Landscape Scale Restoration Program, established through the Farm Bill in 2008, should be continued and strengthened through mechanisms such as

- provided in the Klobuchar-Daines Empowering State Forestry legislation, (S. 962) to better deliver impact on key priorities.
- Forest Health funding, which helps tackle insect and disease infestations on both public and private lands should at least be maintained. This funding helps address issues across the country from mountain pine beetle ravaging the West to the emerald ash borer consuming eastern ash trees.
  - We support \$87 million for State Fire Assistance and \$15 million for Volunteer Fire Assistance, to maintain the initial attack capabilities in states and local governments, helping on both public and private lands, and providing invaluable assistance to the Federal government in suppressing wildfires on Federal land.
  - Forest Inventory and Analysis Program should be funded at \$83 million, because both public and private land managers need the best information about our forests to manage them well.
  - Lastly, when it comes to leveraging public and private funding to grow rural forest economies, one of the best investments Congress can make is in the USFS Forest Products Laboratory. This Lab should be funded at \$27 million, to leverage funds from private industry for research and development into new and improved uses of wood that supports local economies.
- We, at AFF, thank the subcommittee for the opportunity to provide some insight on these programs. If you have any questions, please contact Rita Hite at [rhite@forestfoundation.org](mailto:rhite@forestfoundation.org)

[This statement was submitted by Tom Martin, President & CEO.]

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PREPARED STATEMENT OF AMERICAN FORESTS

DEAR CHAIRMAN MURKOWSKI, RANKING MEMBER UDALL, AND HONORABLE COMMITTEE MEMBERS:

American Forests appreciates the opportunity to submit public testimony regarding our fiscal year 2018 appropriation recommendations. We understand the continuing economic realities facing the Nation, and we thank this subcommittee for its support of key Federal conservation programs in Consolidated Appropriations Act of fiscal year 2017. Our Nation's forests yield a significant return on investment, whether those forests are public or private, in urban areas or in wildlands. The economic, social, and environmental benefits healthy forests provide are clear incentives for continued Federal investment. American Forests' funding recommendations are modestly above the fiscal year 2017 enacted levels.

Founded in 1875, American Forests is the oldest national nonprofit conservation organization in the United States. Its mission is to inspire and advance the conservation of forests. We do this by protecting and restoring threatened forest ecosystems, promoting and expanding urban forests, and increased the understanding of the importance of forests. American Forests has planted more than 50 million trees in 1,000 forest restoration projects and works in cities across the country helping to increase urban forest canopy, demonstrating innovative greenspace creation.

Respectfully, we ask you to reject the drastic cuts proposed in the President's fiscal year 2018 budget. We are deeply concerned by the zeroing out of important and effective programs like Urban and Community Forestry, Landscape Scale Restoration, Community Forests and Open Space Conservation, and Collaborative Forest Landscape Restoration. Defunding or severely cutting these programs will have profound and lasting repercussions on people and communities across the country—particularly those in rural areas where these funds are essential.

USDA FOREST SERVICE (USFS)

*State and Private Forestry*

*Urban and Community Forestry (U&CF):* U&CF plays an integral part in promoting sound stewardship of our Nation's urban and community forests and trees. By providing important technical and financial support, U&CF helps cities and towns across the Nation enhance tree and forest cover, prepare for storms and other disturbance events, contain threats from native and invasive pests, and maximize the economic, social, and ecological benefits of their tree resources. U&CF is a smart investment as Federal support is often leveraged 2:1 (or in many cases significantly more) by States and partner organizations. As a model Federal program, U&CF consistently increases communities served, brings together diverse partners and resources, and shows that Federal investment can have lasting impacts on communities of all sizes. American Forests recommends U&CF be funded at \$31.3 million.

*Forest Stewardship Program (FSP):* Administered in cooperation with State forestry agencies, this program plays a fundamental role in keeping forests as forests. A forest landowner with a forest stewardship plan is almost three times more likely to actively manage his or her land than one without a plan, leading to jobs and rural economic stimulus. American Forests is concerned by the \$3 million cut to FSP in the fiscal year 17 Consolidated Appropriations Act. Often States are able to leverage multiple programs under Cooperative Forestry to enact landscape-scale forest management plans and restoration efforts. American Forests recommends funding for Forest Stewardship at \$29 million.

*Landscape-Scale Restoration:* The Landscape Scale Restoration program strategically prioritizes resources by competitively allocating the Cooperative Forestry Assistance Act funds. It focuses on targeting Federal investments, leveraged by State funding resources, to areas of greatest need, highest value, or strongest innovation potential as stipulated in each State Forest Action Plan. American Forests recommends funding the Landscape Scale Restoration program at \$23 million.

*Community Forests and Open Space Conservation Program (CFP):* CFP has made substantial progress in preserving forests by increasing opportunities for Americans to connect with forests in their own communities and fostering new public-private partnerships. In the latest round of CFP grants, project partners leveraged \$10.6 million in Federal funds to secure \$34.5 million in non-Federal funding, resulting in more than 15,000 acres of community forests. American Forests recommends an increase in funds to \$5 million in fiscal year 2018.

*Forest Health Management:* The Forest Health Management programs provide essential expertise and assistance to State and municipal agencies and private landowners in countering non-native pests. Municipal governments across the country are spending more than \$3 billion each year to remove trees on city property killed by these non-native pests. Homeowners are spending an additional \$1 billion to remove and replace trees on their properties and are absorbing an additional \$1.5 billion in reduced property values. American Forests asks that the Subcommittee appropriate \$59 million for Federal lands and \$48 million for cooperative lands.

*Forest Legacy Program:* Since authorization in 1990, the Forest Legacy Program has protected 2.61 million acres of private forests through voluntary conservation easements. It is imperative to continue protecting our Nation's forests for future generations. Although still in private ownership, these lands provide a myriad of ecosystem services to Americans today. American Forests supports \$62.35 million allocated through the Land and Water Conservation Fund.

#### *National Forest System*

*Collaborative Forest Landscape Restoration Program (CFLRP):* CFLRP was created to promote job stability, a reliable wood supply, and forest health while reducing emergency wildfire costs and risks. This program is developing a successful track record and operating at a scale that demonstrates landscape impact. American Forests recommends the fiscal year 2017 enacted level of \$40 million.

#### *Forest and Rangeland Research*

The USFS's Forest and Rangeland Research program is essential in providing support for urban and wildland forestry research activities. These focus on understanding conditions and trends in our Nation's urban and community forests and in providing tools and best management practices. Agency researchers help policymakers and practitioners to understand the environmental, economic, and social services that trees and forests provide. We urge the Subcommittee to continue including language in Interior Appropriations reports encouraging the Forest Service to maintain a strong and vibrant urban forest research program. American Forests requests Congress to provide funding for the Forest and Rangeland Research line item at \$303 million with \$83 million allocated to the Forest Inventory Analysis.

#### BUREAU OF LAND MANAGEMENT (BLM)

*Public Domain Forest Management:* The BLM is entrusted with the management of 58 million acres of forests and woodlands across 12 western States, including Alaska. 14 million acres—or 24 percent—of BLM forests are overstocked, increasing insect and disease attacks and catastrophic wildfire. Increased funding to address these serious risks is necessary across all land management agencies. American Forests supports \$10.08 million.

#### FISH AND WILDLIFE SERVICE (FWS)

*Ecological Services:* Ecological Services achieves conservation of FWS trust resources, focusing on imperiled species, and works closely with external partners and agencies for the conservation of natural resources across the landscape. The Ecologi-

cal Services Program facilitates implementation of the Endangered Species Act. American Forests supports \$252.29 million for Ecological Services.

*National Wildlife Refuge System:* The National Wildlife Refuge System, with 563 refuges covering more than 150 million acres across the country, is vital to protecting America's wildlife and ensuring that their habitats are a priority. Refuges are visited by 48.5 million people each year, contribute \$4.5 billion to the economy, and support 35,000 jobs. Investment in the Refuge system is an investment in our communities. With 101 refuges within 25 miles of major population centers, the Refuge System is a vital component of our urban forests, as well. American Forests supports \$508.20 million with fiscal year 2017 enacted level requested for urban wildlife refuges.

*State and Tribal Wildlife Grant Program (STWG):* Created in 2000, the STWGP provides grant funds to States and Tribes to develop and implement programs for the benefit of fish and wildlife and their habitats. The program is a proactive solution and important complement to the Endangered Species Act by supporting the creation and implementation of comprehensive wildlife conservation strategies or more commonly, State Wildlife Action Plans, to conserve declining wildlife and avoid the need for Federal listing. Actions must link to the plans which have helped conserve 1.9 million acres of habitat for species of greatest conservation need including 131,000 acres of habitat protected through land acquisition or conservation easements. American Forests supports \$66.98 million for State and Tribal Wildlife Grants.

#### NATIONAL PARK SERVICE

*Outdoor Recreation Legacy Partnership Program (ORLPP):* The State and Local Assistance Program provides matching grants to States and localities for protection and development of parks and recreation resources and is the primary Federal investment tool to ensure that families have easy access to urban forests in parks and open space, and neighborhood recreation resources. This nationally competitive program complements the existing State and local assistance program by creating opportunities for outdoor play as well as developing or enhancing outdoor recreation partnerships in cities. American Forests supports the President's fiscal year 2017 request of \$110 million for the State and local assistance program, which includes \$12 million for ORLPP.

#### ENVIRONMENTAL PROTECTION AGENCY (EPA)

*Clean Water State Revolving Fund (CWSRF):* Green infrastructure is a cost-effective and resilient approach to stormwater infrastructure needs that also provide many other community benefits. American Forests supports EPA's goal of strengthening green infrastructure activities to further its sustainability goals. American Forests request that not less than 20 percent the CWSRF funding be made available for green infrastructure or environmentally innovative projects that promote watershed protection, restoration and build community resilience.

#### LEGISLATIVE LANGUAGE REQUESTS

##### *Wildfire Suppression Funding*

America's forests and forest-dependent communities are at risk from outbreaks of pests and pathogens, persistent drought, and the buildup of hazardous fuels. Urbanization and development patterns are placing more homes and communities near fire-prone landscapes, leading to more destructive and costly wildfires. Unfortunately, the ten-year average has not been enough to meet the USFS suppression needs, forcing the agency to transfer millions of dollars from non-suppression accounts to make up for the shortfall. The current wildfire suppression funding model and cycle of transfers and repayments has negatively impacted the ability to implement forest management, among many other activities. Additionally, the increasing ten-year average has not met annual suppression needs since before fiscal year 2002, which is why we are thankful to the Committee for the full transfer repayment and increased suppression funding in fiscal year 2016. However, DOI and USFS need a long-term fire funding solution that would result in stable and predictable budgets each year.

We appreciate the Committee's support of the bipartisan Wildfire Disaster Funding Act, which addresses Federal fire funding challenges as well as other bipartisan Congressional efforts in this regard. We respectfully request a bipartisan fire funding solution that would (1) access disaster funding, (2) minimize transfers, and (3) address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that proactively restore forests to healthier conditions.



*Land and Water Conservation Fund*

American Forests supports the permanent authorization of full and dedicated funding, without further appropriation or fiscal year limitation, for the Land and Water Conservation Fund (LWCF). LWCF programs protect natural resource lands, outdoor recreation opportunities, and working forests at the local, State and Federal levels. This program ensures that these important lands are protected for current and future generations. American Forests supports permanent authorization of \$900 million in mandatory funding for LWCF programs in the Departments of Interior and Agriculture.

[This statement was submitted by Rebecca Turner, Senior Director of Programs and Policy.]

## PREPARED STATEMENT OF THE AMERICAN GEOPHYSICAL UNION

The American Geophysical Union (AGU), a non-profit, non-partisan scientific society, appreciates the opportunity to submit testimony regarding the fiscal year 2018 budget request for the United States Geological Survey (USGS). The AGU, on behalf of its 60,000 Earth and space scientist members, respectfully requests Congress to appropriate \$1.2 billion for the USGS in fiscal year 2018. Restoring strong funding to USGS will allow the agency to sustain current programs and invest in geologic, environmental, and ecological data needed by decision makers across the country.

The USGS is uniquely positioned to provide informed responses to many of the Nation's greatest challenges and has a mission that positively impacts the lives of all Americans. The Survey plays a crucial role in assessing water quality and quantity; reducing risks from natural hazards; providing emergency responders with life-saving data; assessing mineral and energy resources; and managing our Nation's ecosystems. Through its offices across the country, the USGS provides high-quality research and data to policymakers, emergency responders, natural resource managers, civil and environmental engineers, educators, and the public. A few examples of the USGS' valuable work are provided below.

## MONITORING AND EVALUATING WATER QUALITY

The USGS collects information on water availability and quality to inform the public and decision makers about the status and history of freshwater resources. According to the American Society for Microbiology, up to 900,000 people fall ill and up to 900 die annually from waterborne infectious diseases in the U.S. alone. The data collected by USGS helps officials understand how to avoid, prepare for and mitigate water quality problems that affect communities around the country. During the past 130 years, the USGS has collected streamflow data at over 21,000 sites, water-level data at over 1,000,000 wells, and chemical data at over 338,000 surface-water and groundwater sites. This information is needed to effectively manage freshwaters—both above and below the land surface—for public health, agricultural, commercial, recreational, and ecological purposes.

## PREDICTING AND OBSERVING NATURAL HAZARDS

The USGS works to reduce risks from floods, wildfires, earthquakes, tsunamis, volcanic eruptions, landslides, and other natural hazards that jeopardize human lives and cost billions of dollars in damages every year. Seismic networks and hazard analyses are used to formulate earthquake probabilities and to establish building codes. USGS monitors volcanoes and provides warnings about impending eruptions that are used by aviation officials to prevent planes from flying into volcanic ash clouds. Data from the USGS network of stream gauges enable the National Weather Service to issue flood and drought warnings. The USGS and its Federal partners monitor seasonal wildfires and provide maps of current fire locations and the potential spread of fires. In domestic and global events, emergency managers and public officials rely on USGS to inform them of risks and hazards posed to human and natural systems, saving millions of dollars and safeguarding American lives and property.

## MAPPING AND ASSESSING MINERAL AND ENERGY RESOURCES

USGS assessments of mineral and energy resources—including rare earth elements, coal, oil, unconventional natural gas, and geothermal sources—are essential for making decisions about the Nation's energy future. The USGS identifies the location and quantity of domestic mineral and energy resources and assesses the economic and environmental effects of resource extraction and use. USGS also maps

domestic supplies of rare earth elements to be used in new energy technologies, which can reduce dependence on foreign oil. The USGS is the sole Federal source of information on mineral potential, production, and consumption that are essential to support America's energy landscape now and in the future.

#### COLLECTING AND ASSESSING LAND USE DATA

Research and data collected by the USGS are vital to predicting the impacts of land use and climate change on water resources, wildfires, and ecosystems. For 44 straight years, Landsat satellites have collected the largest archive of remotely sensed land data in the world, allowing for access to current and historical images that provide insights relevant for global agricultural production and for understanding the impact of natural disasters on communities and the environment. A 2013 National Research Council study found that the economic benefit of Landsat data was estimated to be \$2 billion for 2011 alone. The consistency of data sets like those provided by Landsat is vital for advances in science, more efficient natural resource management, and profitable applications of data in commerce and industry.

#### DEVELOPING AND PROVIDING MAPPING FOR THE NATION

The USGS utilizes unique technologies that enable the collection of accurate nationwide terrain information. This information improves our knowledge of water supply and quality issues; better prepares emergency responders for natural disasters; and provides businesses with more accurate data. Modernized, high-resolution topographic maps are provided by the USGS through their 3D Elevation Program (3DEP). 3DEP leverages funds from the private sector and other Federal agencies, providing open-access elevation data for a wide variety of users. From better flood-inundation maps, to cost-effective precision farming, to the development of renewable energy projects, 3DEP data supports cutting edge resource management and energy projects.

#### MAINTAINING AND EVALUATING PUBLIC HEALTH

The USGS helps to maintain public health at the local, State, and national level. By monitoring changes in ecosystem and environmental health, the Survey can evaluate human susceptibility to contaminants, pathogens, and environmental disease. This unique perspective into the intersection between the physical environment, living environment, and humans allows the USGS to provide valuable insights regarding public health concerns. For example, the agency assesses negative health effects caused by the dispersion of contaminants after natural and man-made disasters, such as hurricanes and oil spills. In one such instance, after Hurricane Sandy, the USGS provided soil, water, and sediment information to public health agencies to help them protect citizens from toxic contaminants.

#### ENGAGING THE NEXT GENERATION OF SCIENTISTS

The USGS meets monthly with other Department of Interior (DOI) bureaus to collaborate on projects that will engage the next generation of scientists. Collectively, the DOI is actively working to provide at least 10 million students with educational, work, and training opportunities. In 2015, the USGS offered learning opportunities to over 100,000 students and teachers in activities such as science fairs, mentoring opportunities, camps, and hands-on learning experiences. Programs such as the USGS's Cooperative Research Units (CRU) provide under-represented undergraduate students with mentoring and hands-on experiences designed as a pathway to DOI recruitment.

#### CONCLUSION

AGU was pleased to see that the USGS received a 2 percent funding increase in the fiscal year 2017 Omnibus Appropriations Bill. Nevertheless, the agency has been historically strained by a large workload and too few resources. As the Nation faces unprecedented challenges, such as demand for limited energy, vulnerability to natural hazards, and the need for clean water, a substantial funding increase for USGS will allow the agency to maximize support for the Nation's environmental, economic, and national security.

AGU respectfully requests that Congress appropriate \$1.2 billion for USGS in fiscal year 2018. We appreciate the opportunity to submit this testimony to the subcommittee and thank you for your thoughtful consideration of our request.

[This statement was submitted by Carissa Bunge, Public Affairs Specialist.]

## PREPARED STATEMENT OF THE AMERICAN GEOSCIENCES INSTITUTE

Thank you for this opportunity to provide the American Geosciences Institute's perspective on fiscal year 2018 appropriations for geoscience programs within the subcommittee's jurisdiction. We ask the subcommittee to support and sustain critical geoscience functions at the United States Geological Survey (USGS), and related work at other agencies and bureaus.

Specifically, we ask that you support funding of \$1.2 billion for USGS. AGI also suggests \$175 million for Energy and Minerals Management at the Bureau of Land Management; \$75 million for the Bureau of Ocean Energy Management; \$83 million for the Bureau of Safety and Environmental Enforcement; \$8.1 billion for the Environmental Protection Agency; \$863 million for the Smithsonian Institution; and \$2.95 billion for the National Park Service.

The Earth provides the energy, mineral, water, and soil resources that are essential for a thriving, innovative economy, national security, and a healthy population and environment. We must understand the Earth system, and particularly the geological characteristics of Earth's surface and subsurface, in order to sustain human health and safety, maintain energy and water supplies, and improve the quality of the environment while reducing risks from natural hazards.

AGI is a nonprofit federation of 51 geoscientific and professional associations that represent approximately 250,000 geologists, geophysicists, and other Earth scientists who work in industry, academia, and government. Founded in 1948, AGI provides information services to geoscientists, serves as a voice of shared interests in our profession, plays a major role in strengthening geoscience education, and strives to increase public awareness of the vital role the geosciences play in society's use of resources, resilience to natural hazards, and the health of the environment.

## IMPORTANCE OF UNDERSTANDING EARTH'S SUBSURFACE

The next great frontier lies under our feet. We know relatively little about the 2 miles of the Earth's crust immediately below the surface even though we rely on it for many of our energy, mineral, and water supplies; we use it as a disposal site for a variety of waste products; and it is the source of damaging earthquake and volcanic hazards. Scientific and technological innovations now equip us to identify the wealth that may lie in the shallow subsurface and to avoid destabilizing or contaminating the Earth's crust. By collaborating together, Federal agencies with expertise in the subsurface can help usher in a new era of understanding and wise development of the Earth and its resources.

The U.S. Geological Survey has primary responsibility for examining the geological structure of the national domain. The Geoscience Directorate at the National Science Foundation funds basic geoscience research. State geological surveys play a vital role in geological mapping. NASA and NOAA provide important remote sensing and Earth monitoring data. The Department of Energy is already coordinating its own subsurface activities through the SubTER cross-cut.

We respectfully suggest that the time has come for a coordinated national effort to examine and characterize the shallow subsurface of the country. Federal agencies should work together to combine fundamental science with advanced technologies to create a publicly available, national-scale, characterization of the shallow subsurface that would be the basis for private-sector investment and informed decision-making in both the private and public sectors. This budget can lay the scientific, technological, and administrative foundations to explore the next frontier.

## U.S. GEOLOGICAL SURVEY

AGI supports \$1.2 billion for USGS to support the agency's scientific mission. We recommend a balanced portfolio of research, monitoring, and assessment, including geologic mapping and geophysical surveys, that supports smart use of the Nation's energy, mineral, water, and land resources.

*Importance of Geoscience Functions at USGS:* The need for geological information has not diminished since USGS was established in 1879. On the contrary, as we place increasing demands on Earth's system, many critical decisions rely upon geoscience information. The USGS has a wide-ranging mission to provide objective maps, data, observations, analyses, assessments, and scientific solutions to support decisionmaking. While there is merit to USGS's broad remit, its unique geological mission should be paramount.

*Optimizing USGS facilities:* Some USGS facilities are in extremely bad condition, others do not meet current requirements. AGI supports additional fiscal year 2018 funding for USGS Facilities to maintain essential monitoring, observation, and analytical instrumentation, and to consolidate facilities to best serve the agency's mis-

sion. Investing in USGS infrastructure now will increase efficiency and yield considerable savings in the coming years.

#### CORE SCIENCE SYSTEMS

- National Cooperative Geologic Mapping Program (NCGMP)*: This important, decades-long partnership between the USGS, State geological surveys, and universities has a proven track record of delivering cost-effective geological maps. AGI asks that Congress increase funding for the National Cooperative Geologic Mapping Program to \$30 million in fiscal year 2018 to meet growing demand from many sectors for geologic maps.
- National Geospatial Program*: Topographic mapping has been a core activity at USGS since its inception. AGI strongly supports the 3D Nation interagency partnership to build a modern elevation map of the Nation's territories and urges Congress to support USGS's contribution, the 3DEP (3D Elevation) program. AGI strongly supports investment in lidar and ifsar mapping, and requests \$69 million for the National Geospatial Program.
- Data Preservation*: The National Geological and Geophysical Data Preservation Program (NGGDPP) produces more value in terms of economic, environmental, hazard mitigation, and regulatory efficiency than it costs to run. AGI urges Congress to reauthorize NGGDPP and to fund it at the previously authorized level of \$3 million.

#### ENERGY AND MINERAL RESOURCES

- Mineral Resources Program*: We are concerned at the dearth of investment in identifying and characterizing domestic mineral resources, which can play a vital role in the security of our national supply chains. USGS minerals and mapping programs provide the baseline geologic information needed to stimulate and target renewed interest in domestic mineral resources. Funding these programs will support national defense and economic priorities.  
The National Minerals Information Center (NMIC) continues to provide financially and strategically vital information on the global supply of, demand for, and flow of minerals and mineral materials. We are impressed by the increase in timely analyses, in addition to the regular collection and dissemination of accurate data, generated by NMIC. AGI supports increased funding of \$60 million for the Mineral Resources Program.
- Energy Resources Program*: AGI supports increased funding for the Energy Resources Program. We note the importance of research on gas hydrates, which may play a significant role in future energy and climate scenarios. AGI supports funding of \$25 million for the Energy Resources Program.

#### LAND USE CHANGE

- Land Remote Sensing Program*: One of the most fundamental concepts in the geosciences is that the Earth changes through time. It is impossible to overstate the importance of long-term, consistent monitoring of the Earth to provide a sound basis for decisionmaking. AGI supports \$97 million for Land Use Change, which includes Landsat and other Earth observing systems.

#### WATER RESOURCES

- Drought and challenges in water supplies and water quality highlight the importance of understanding the quality, quantity, and distribution of our groundwater and surface water resources. AGI urges Congress to ensure the continuity and expansion of nationwide, long-term data collection and research programs that support water planning and decisionmaking across all States, and to fund Water Resources at \$215 million for fiscal year 2018.

#### NATURAL HAZARDS

- Natural hazards can cause substantial damage throughout the Nation but, with the right information, communities can take action to avoid and mitigate potential harm. USGS landslide, earthquake, volcano programs, plus the agency's work on geomagnetism and coastal and marine geology, strengthen our national resilience and save our communities and citizens from harm. AGI supports robust funding of the Natural Hazards Program and urges Congress to appropriate \$145 million to this Mission Area.

## BUREAU OF LAND MANAGEMENT

AGI supports efforts by the Energy and Minerals Management program to modernize its data systems and administrative processes. BLM needs staff with appropriate skills to carry out energy and minerals inspections, data collection and analysis, and administration. AGI supports funding BLM's Energy and Minerals activities at \$175 million and we urge investment in BLM's workforce to ensure efficient technical and administrative service.

## BUREAU OF OCEAN ENERGY MANAGEMENT AND BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

In order to administer and oversee offshore energy development effectively and efficiently, BOEM and BSEE need sufficient, skilled staff. AGI recommends continued investment in workforce development to avoid delays in the functions of both bureaus. AGI supports \$75 million in Federal funds for BOEM, and \$83 million for BSEE.

## ENVIRONMENTAL PROTECTION AGENCY

We respectfully request Congress to consider the value of many EPA science programs, especially their value to States, Tribes, extramural partners, and grant recipients, when making budget decisions. EPA provides many benefits to the Nation, we request funding of \$8.1 billion for the agency.

## SMITHSONIAN INSTITUTION

The Smithsonian's National Museum of Natural History (NMNH) plays a dual role in communicating the excitement of the geosciences to the public and enhancing knowledge through research and the preservation and sharing of geoscience collections. AGI supports funding of \$863 million for the Smithsonian Institution, with \$49.2 million for the NMNH.

## NATIONAL PARK SERVICE

National parks are unique national treasures that showcase the geologic splendor of our country and offer unparalleled opportunities for research, education, and outdoor activities. AGI supports \$2.95 billion for the National Park Service and we note its important role in educating students and the public about all aspects of Earth and human history.

Thank you for the opportunity to present testimony to the Subcommittee. If you would like additional information for the record, please contact Maeve Boland at mboland@agiweb.org, or 4220 King Street, Alexandria VA 22302-1502.

[This statement was submitted by Allyson K. Anderson Book, Executive Director.]

## PREPARED STATEMENT OF THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

## I. REQUEST SUMMARY

On behalf of the Nation's Tribal Colleges and Universities (TCUs), which collectively are the American Indian Higher Education Consortium (AIHEC), thank you for this opportunity to present our fiscal year 2018 (fiscal year 2018) appropriations recommendations for the 29 colleges funded under Titles I and II of the Tribally Controlled Colleges and Universities Assistance Act (Tribal College Act); the two tribally chartered career and technical postsecondary institutions (Title V/Tribal College Act); the two Bureau of Indian Education postsecondary institutions; and the Institute of American Indian Arts (IAIA). The Bureau of Indian Education administers each of these programs, with the exception of IAIA, which is congressionally chartered and funded in its own account.

In fiscal year 2018, TCUs request:

- \$80,220,000 to fund institutional operations under Titles I and II, and technical assistance authorized in the Tribally Controlled Colleges and Universities Assistance Act of 1978, or Tribal College Act, which would fund 27 TCUs at the authorized level for the first time in 37 years and provide an additional \$100,000, for a total of \$701,000 for increasingly needed technical assistance. It is worth noting that the technical assistance program has been level funded for 12 years;
- Without the budget tables, which are not available at this writing, we cannot confirm a potential cut to Title V of the Tribally Controlled Colleges and Universities Assistance Act that provides partial institutional operations funding

- for Navajo Technical University (NTU) and United Tribes Technical College (UTTC). The career and technical programs offered by these colleges afford students a solid chance at not just a job, but a career. Cuts to their basic operating budgets will likely cause them to significantly scale back programs that cost the most to offer—such as engineering, information technology, digital manufacturing, and veterinary technology—but that provide the highest career potential and benefits. We request that any proposed cut to this grant program be rejected and that the Nation’s two tribally chartered postsecondary career and technical institutions be appropriated \$10,000,000;
- \$9,948,000 for the Institute of American Indian Arts;
  - Reject the President’s budget recommendation to cut \$7,000,000 from Haskell Indian Nations University (HINU) and Southwestern Indian Polytechnic Institute (SIPI), the Bureau of Indian Education’s two postsecondary institutions and fund HINU/SIPI at a minimum of \$23,000,000. The request to make such a deep funding cut to the BIE’s two postsecondary institutions, if enacted, would yield devastating results and could lead to the closing of these institutions that are vital to the postsecondary education goals of many American Indian and Alaska Native students.
  - Lastly, each year the Bureau of Indian Education provides \$60 million to K–12 institutions under its purview for professional development training and activities. We request that Congress instruct the BIE to prioritize the Nation’s TCUs as providers of professional development to these elementary and secondary schools that educate a large proportion of American Indians and Alaska Natives. TCUs are ideally situated to offer high quality, culturally relevant professional development opportunities as they are place-based institutions that are acutely aware of the needs of Native students.

Other than HINU, SIPI, and IALA, TCUs are founded and chartered by their respective American Indian Tribes, which hold a special legal relationship with the Federal Government, actualized by more than 400 treaties, several Supreme Court decisions, prior congressional action, and the ceding of more than one billion acres of land to the Federal Government. Despite the trust responsibility and treaty obligations, the TCUs’ primary source of basic operating funds has never been adequately funded. Further, our member institutions—already operating on marginal budgets—have suffered the ramifications of perennial across-the-board cuts, including sequestration.

## II. OPPORTUNITY AND INNOVATION IN INDIAN COUNTRY

Tribal Colleges and Universities are an essential component of American Indian/Alaska Native (AI/AN) education. Currently, 37 TCUs operate more than 75 campuses and sites in 16 States, within whose geographic boundaries 80 percent of all American Indian reservations and Federal Indian trust land lie. They serve students from well over 250 federally recognized Tribes, more than 85 percent of whom receive Federal financial aid—primarily Pell grants. In total, the TCUs annually serve 160,000 AI/ANs and other community members through a wide variety of academic and community-based programs. TCUs are public institutions accredited by independent, regional accreditation agencies and, like all U.S. institutions of higher education, must regularly undergo stringent performance reviews to retain their accreditation status. Each TCU is committed to improving the lives of its students through higher education and to moving AI/ANs toward self-sufficiency. To do this, TCUs serve many roles in their reservation communities, functioning as workforce and job creation engines, community centers, public libraries, Tribal archives, entrepreneurial, small business, and career centers, computer labs, summer camps, community farms and gardens, economic development centers, applied research hubs, child and elder care centers, and more.

The Federal Government, despite its direct trust responsibility and binding treaty obligations, has never fully funded TCU institutional operations as authorized under the Tribally Controlled Colleges and Universities Assistance Act of 1978. Yet despite funding challenges, TCUs are leading the Nation in preparing an AI/AN workforce, including nurses, land managers, and teachers for our Native schools. For example, half of all AI/AN special education teachers in Montana are graduates of one college: Salish Kootenai College. TCUs prepare other professionals in high-demand fields, including agriculture and natural resources management, human services, IT, and building tradesmen. By teaching the job skills most in demand on our reservations, TCUs are laying a solid foundation for Tribal economic growth, which is the only way to move Tribes and Tribal members to self-sufficiency. But workforce development is not enough. TCU leadership understands that we must do more to accelerate the move to self-sufficiency—we must move beyond simple workforce training.

Today, TCUs are tackling the tougher—but much more significant—issue of job creation, because we know that to break the cycle of generational poverty and end the culture of dependency that grips so much of Indian Country, simply filling jobs that would be filled anyway is not enough. We must create new industries, new businesses, and build a culture of innovation. Our job creation initiative is focusing initially on advanced manufacturing, through a partnership with the U.S. Department of Energy, National Laboratories, TCUs, and industry. Already, we are seeing results with new TCU-Tribal-industry partnerships, new contracting opportunities, and new jobs for our students and graduates.

Tribal Colleges continually seek to instill a sense of hope and identity within Native youth, who one day will lead our Tribal nations. Unacceptably, the high school drop-out rate for Native students remains around 50 percent. To help address this alarming reality, TCUs partnered with the Department of the Interior's Bureau of Indian Education to help create a durable "college-going culture" in BIE middle and high schools. TCUs are reaching back to create a bridge for Indian students as early as the elementary school, encouraging them to abandon any notion of dropping out of high school and instead, to think that the natural course is to finish high school and go on to the local TCU. In addition, TCUs offer dual credit courses for high school students, provide math teachers for local high schools as a strategy for improving course delivery, host Saturday academies, after school programs and summer camps for middle and high school students, and at the other end of the spectrum, offer GED or HiSET training and testing, depending on their location. All are solid steps to bolster the prospects for future of Native youth and breaking the cycle of generational poverty.

As noted earlier, the TCUs' operations funding remains insufficient, and their budgets are further disadvantaged, because unlike other institutions of higher education, TCUs receive operations funding based on the number of Indian students served, with "Indian student" defined as a member of a federally recognized Tribe or a biological child of enrolled Tribal members. Yet, approximately 15 percent of the TCUs' collective enrollments are non-Indian students. While many TCUs do seek operating funds from their respective State legislatures for their non-Indian, State-resident students (also referred to as "non-beneficiary" students) successes have been, at best, inconsistent. Given their locations, often hundreds of miles from another postsecondary institution, TCUs are open to all students, Indian and non-Indian, believing that education in general, and postsecondary education in particular, is a catalyst to a better economic future in remote areas.

### III. SOLID INVESTMENT OF FEDERAL FUNDS

In August 2015, an economic impact study on the TCUs, conducted by Economic Modeling Specialists International (EMSI), revealed that the known TCU alumni impact is \$2.3 billion, which supports 28,778 jobs in the Nation. From a taxpayer's perspective, the study concluded that the total monetary benefits to taxpayers compared to their costs (equal to the Federal funds the TCUs received during the analysis year) yield a 2.4 benefit-cost ratio. In other words, for every Federal dollar invested in the TCUs, the taxpayers receive a cumulative value of \$2.40. The average annual rate of return is 6.2 percent, a solid rate of return that compares favorably with other long-term investments. On an individual basis, TCU students see an annual return of investment of 16.6 percent, and the vast majority of TCU-trained workers remains in Indian Country and contributes to the local economy. TCUs benefit taxpayers through increased tax receipts and reduced demand for Federal social services; a win all-around.

### IV. CHALLENGES: TAX BASE & GAMING MISCONCEPTIONS

*Local Tax and Revenue Base:* TCUs cannot rely on a local tax base for revenue. Although Tribes have the sovereign authority to tax, high reservation poverty rates, the trust status of reservation lands, and the lack of strong reservation economies hinder the creation of a reservation tax base. As noted earlier, on Indian reservations that are home to TCUs, the unemployment rate can well exceed 70 percent. By contrast, the national unemployment rate is currently 4.5 percent.

*Gaming and the TCUs:* Although several of the reservations served by TCUs have gaming operations, they are not the mega-casinos located in urban areas and featured in the broad-based media. Only a handful of TCUs receive regular income from the chartering Tribe's gaming revenue, and the amounts received can vary greatly from year to year. Most reservation casinos are small businesses that use their gaming revenue to improve the local standard of living and potentially diversify into other, more sustainable areas of economic development. In the interim,

where relevant, local TCUs offer courses in casino management and hospitality services to formally train Tribal members to work in their local tribally run casinos.

Some form of gaming is legalized in 48 States, but the Federal Government has not used the revenues generated from State gaming as a justification to decrease Federal funding to other public colleges or universities in those States. Some have suggested that those Tribes that operate the handful of extremely successful and widely publicized casinos located in or near urban areas, should be financing higher education for all American Indians. And yet, no State is expected to share its gaming revenue with a less successful or non-gaming State.

#### V. APPROPRIATIONS REQUEST FOR FISCAL YEAR 2018

As noted earlier, it has been more than 35 years since the Tribal College Act was first funded, and the TCUs have yet to receive the congressionally authorized per Indian student funding level. Full funding for the TCUs' institutional operating grants under Titles I and II in fiscal year 2018 would require only a modest increase of approximately \$10.4 million over the fiscal year 2017 appropriated level. These TCUs that educate the vast majority of TCU-attending students and serve some of the largest Indian Tribes in the Nation, have been level-funded since fiscal year 2014. Since that time, the College of the Muscogee Nation in Okmulgee, Oklahoma became eligible for funding under Title I of the Tribal College Act, and several more could potentially gain eligibility in the next few years.

#### VI. CONCLUSION

AIHEC Member institutions/Tribal Colleges and Universities provide quality higher education to thousands of American Indians and other reservation residents, as well as essential community programs and services to those who might otherwise not have access to such opportunities. The modest Federal investment that has been made in TCUs has paid great dividends in terms of employment, education, economic development and has significantly reduced social, healthcare, and law enforcement costs. Continuation of this investment makes sound moral and fiscal sense.

We greatly appreciate the subcommittee's past and continued support of the Nation's Tribal Colleges and Universities and your thoughtful consideration of our fiscal year 2018 appropriations requests.

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#### PREPARED STATEMENT OF THE AMERICAN INSTITUTE OF BIOLOGICAL SCIENCES

The American Institute of Biological Sciences (AIBS) appreciates the opportunity to provide testimony in support of appropriations for the United States Geological Survey (USGS), United States Forest Service (USFS), Environmental Protection Agency (EPA), United States Fish and Wildlife Service (USFWS), and Smithsonian Institution for fiscal year 2018. We encourage Congress to provide the USGS with \$1.2 billion in fiscal year 2018 and \$173.9 million for the Ecosystems mission area. We further request that Congress provide the USFS Forest and Rangeland Research program with at least \$296.0 million and EPA Science and Technology with at least \$715 million. We also request the restoration of funding for Science Support in USFWS to the fiscal year 2017 enacted level of \$17.0 million. Lastly, we support \$729.4 million for Smithsonian salaries and expenses, the same as in fiscal year 2017.

The AIBS is a nonprofit scientific association dedicated to advancing informed decisionmaking that advances biological research and education for the benefit of science and society. AIBS works to ensure that the public, legislators, funders, and the community of biologists have access to and use information that will guide them in making informed decisions about matters that require biological knowledge. Founded in 1947 as a part of the National Academy of Sciences, AIBS became an independent, member-governed organization in the 1950s. Today, AIBS has individual members and more than 130 member organizations with a combined individual membership and staff of more than 200,000.

#### U.S. GEOLOGICAL SURVEY

The USGS provides unbiased, independent research, data, and assessments that are needed by public and private sector decision-makers. Data generated by the USGS save taxpayers money by enabling more effective management of water and biological resources, and providing essential geospatial information that is needed for commercial activity and natural resource management. The data collected by the



USGS are not available from other sources and our Nation cannot afford to sacrifice this information.

The Ecosystems activity within USGS underpins the agency's other science mission areas by conducting the research required to understand the impacts of water use, energy exploration and production, and natural hazards on natural systems. The USGS conducts research on and monitoring of fish, wildlife, and vegetation—data that informs management decisions by other Interior bureaus regarding protected species and land use.

Biological science programs within the USGS gather long-term data not available from other sources. The knowledge generated by USGS is used by Federal and State natural resource managers to maintain healthy and diverse ecosystems while balancing the needs of public use.

Examples of successful USGS Ecosystem initiatives include:

- Development of comprehensive geospatial data products that characterize the risk of wildfires on all lands in the United States. These products are used to allocate firefighting resources and to plan wildfire fuel reduction projects.
- Identification and evaluation of control measures for Asian carp, sea lamprey, Burmese pythons, and other invasive species that cause billions of dollars in economic losses annually.
- New insights on the spread of avian flu, chronic wasting disease, and other diseases spread by wildlife in North America.

The President's fiscal year 2018 budget request would cut the Ecosystems mission by 17 percent relative to the fiscal year 2017 enacted level. Simply put, there is no way the agency can absorb these cuts without negatively affecting research and jeopardizing data quality. As a science agency, much of the USGS budget is dedicated to staff as well as equipment and facilities that must be maintained and updated to ensure the continuity of data acquisition and that the data gathered are reliable and available for future scientific investigations. The leadership of the USGS is doing all they can, and has been for a number of years, to contain costs while continuing to deliver high quality science.

Among the proposed reductions are:

- Elimination of curation of and research on biological collections at the Smithsonian Institution.* USGS has more than a million specimens of birds, mammals, amphibians, and reptiles that are housed at the Smithsonian. This arrangement goes back to 1889.
- Elimination of research on the ecological effects of fracking.* Research by the USGS on this topic compliments research conducted by EPA on water quality issues associated with fracking. This information is vital to Federal and State management of energy development.
- Reduce wildlife and fisheries research.* USGS conducts this research for the benefit of Federal and State stakeholders. Without these research programs, USFWS, the National Park Service, and other Interior bureaus will not have the scientific information needed to fulfill their agency missions to manage wildlife, as these agencies do not have the scientific capacity of the USGS.
- Reduced research on ecosystems of concern.* This research is a critical component of efforts to restore important national treasures, such as the Everglades and the Chesapeake Bay. The Arctic ecosystem research and monitoring program addresses the needs of Native communities, and also promotes public health throughout the US through monitoring avian flu.

Although we are pleased that the Invasive Species Program and Cooperative Research Units were spared from cuts in the administration's request, we urge Congress to reject the deep cuts to other parts of the Ecosystems mission area.

#### U.S. FOREST SERVICE

USFS research provides scientific information and new technologies to support sustainable management of the Nation's forests and rangelands. These products and services increase the basic biological and physical knowledge of the composition, structure, and function of forest, rangeland, and aquatic ecosystems. This research also saves lives and prevents property damage from wildfires.

Forest and Rangeland Research is proposed for a 10.2 percent cut in the fiscal year 2018 budget request. Because the administration's request specifies that forest inventory and analysis be held at the fiscal year 2017 enacted level, the remaining six research areas would be subject to a collective 14 percent cut. This would negatively impact research on wildfires, invasive species, and forest management, and will have negative consequences for Americans' safety, health, and enjoyment of public forests.

We ask Congress to fund the Forest and Rangeland Research program at \$296.0 million, the same amount as in fiscal year 2015. Continued cuts to research will hinder the USFS's ability to fulfill its mission to sustain the health, diversity, and productivity of the Nation's forests and grasslands.

#### ENVIRONMENTAL PROTECTION AGENCY

Funding for EPA Science and Technology supports valuable research that is used to identify and mitigate environmental problems facing our Nation. EPA research informs decisions made by public health and safety managers, natural resource managers, businesses, and other stakeholders concerned about air and water pollution, human health, and land management and restoration. In short, this program provides the scientific basis upon which EPA monitoring and enforcement programs are built.

Despite the important role of the Science and Technology appropriation, the proposed funding level for fiscal year 2018 is roughly half of what the program received in fiscal year 2002. The EPA Science Advisory Board has expressed concern repeatedly about the long-term decline in research funding at EPA. "These limitations pose a vulnerability for EPA at a time when the agency faces significant science questions with long-term implications for protecting the environment and public health."

We are especially concerned to see the proposed eliminations of the Science to Achieve Results (STAR) Research Grants and climate change research. These programs are important parts of the Federal government's ability to ensure clean air and water for its citizens.

We ask Congress to fund the program at \$715.0 million in fiscal year 2018.

#### U.S. FISH AND WILDLIFE SERVICE

The President's budget request would eliminate the Science Support program within USFWS. This program provides scientific information needed by USFWS, such as research on conservation of priority species prior to Endangered Species Act listing, on the impacts of energy production on wildlife, and best management practices for combating invasive species. For this program to be eliminated in conjunction with significant reductions in USGS biological research would mean that USFWS will have very little scientific information available as it tries to fulfill its mission to conserve, protect, and enhance the living resources of the United States for the benefit of the American people.

#### SMITHSONIAN INSTITUTION

The Smithsonian Institution is a valuable Federal partner in the curation and research on scientific specimens. The scientific experts at the National Museum of Natural History care for an astounding 140 million specimens and ensure the strategic growth of this national treasure. To increase the availability of these scientific resources to researchers, educators, other Federal agencies, and the public, Smithsonian is working on a multi-year effort to digitize its collections. That effort will substantially increase the scientific uses of these collections.

The Smithsonian has also been working to strengthen curatorial and research staffing and to backfill positions left open by retirements and budget constraints. The current staffing level is insufficient to provide optimal care for the collections. Future curatorial and collections management staffing levels may be further jeopardized given the proposed funding cuts at science agencies that support staff positions embedded at Smithsonian, such as the U.S. Geological Survey.

#### CONCLUSION

We urge Congress to reject the administration's budget request for fiscal year 2018 and to continue the bipartisan tradition of investing in our Nation's scientific capacity.

Thank you for your thoughtful consideration of this request.

[This statement was submitted by Julie Palakovich Carr, Public Policy Manager, and Robert Gropp, Ph.D., Co-Executive Director.]

## PREPARED STATEMENT OF AMERICANS FOR THE ARTS

Americans for the Arts is the leading nonprofit organization for advancing the arts and arts education in America. With offices in Washington, DC and New York City, we have more than 55 years of service and are dedicated to representing and serving local communities, and creating opportunities for every American to participate in and appreciate all forms of the arts.

I am pleased to submit written testimony supporting Federal funding for the National Endowment for the Arts (NEA) at the level of \$155 million for fiscal year 2018. Thank you to Chairman Murkowski, Ranking Member Udall, and members for the opportunity to provide public comment on the budget request for the NEA, on behalf of arts and culture across the country.

I am deeply troubled by the Trump administration's proposed fiscal year 2018 budget calling for the elimination of the NEA. President Trump is the first and only American president who has made such a recommendation. Our nation's parents, teachers, community leaders, arts advocates, government officials, and even economists will not accept this proposal. For more than 50 years, the NEA has expanded access to the arts for all Americans, awarding grants in every congressional district throughout all 50 States and U.S. territories, as well as placing arts therapists in military hospitals to help returning military heroes heal from physical and traumatic brain injuries. Republican and Democratic leaders alike deeply value the work of the NEA.

The administration's budget proposal shows a lack of understanding of the important role that the NEA plays in America today. With only a \$150 million annual appropriation, the NEA's investment in every congressional district in the country contributes to a \$730 billion arts and culture industry in America, according to the U.S. Bureau of Economic Analysis at the U.S. Department of Commerce, representing 4.2 percent of the annual U.S. GDP. This arts and culture industry supports 4.8 million jobs and yields a \$26 billion trade surplus for our country.

Beyond those numbers, the NEA work is critical to America's future, generating substantial economic, educational, and direct community impact. In fiscal year 2016, NEA grants resulted in \$500 million in matching support. These are additional dollars investing in projects, services, and programming, like access to arts education, teacher training, and preservation of historic artifacts.

In total, throughout its 50 years, the NEA has made over 147,000 grants totaling more than \$5 billion dollars, leveraging up to ten times that amount through private philanthropies and local municipalities.

By law, 40 percent of both the NEA's grantmaking budget goes directly to States. States make the decisions on where these dollars go in their States.

This cost? Approximately 0.004 percent of the Federal budget.

Here are some outcomes if the cultural agencies were terminated:

- States would lose funding.* There would be the immediate, direct loss, but also the leveraging loss. In Alabama, for example, the Alabama State Council on the Arts receives about \$775,000 from the NEA annually. From that \$775,000 that the NEA gives, the Alabama State Council on the Arts can typically leverage another \$4.6 million in donations that wouldn't otherwise occur.
- National initiatives would end. Just to highlight a few:
  - Creative Forces:* Since 2011, the military healing arts partnership has supported creative arts therapies for service members with traumatic brain injury and associated psychological health issues. With your leadership and congressional support, in 2016, the initiative expanded to ten additional sites nationwide and increased access to therapeutic arts activities in local communities for military members, veterans, and their families.
  - Big Read:* Over the last decade, the NEA has funded more than 1,300 Big Read programs, providing more than \$18 million in grants to organizations in every congressional district. In turn, these organizations have leveraged nearly \$42 million in local funding to support their NEA Big Read programs. More than 4.8 million Americans have attended an NEA Big Read event, approximately 79,000 volunteers have participated at the local level, and over 37,000 community organizations have partnered to make Big Read activities possible.
  - Mayors' Institute on City Design:* A leadership initiative in partnership with the United States Conference of Mayors. Since 1986, the Mayors' Institute has helped transform communities through design by preparing mayors to be the chief urban designers of their cities.

- Shakespeare in American Communities*: Since its inception, over 100 theater companies have taken part in the program, benefitting more than 2.8 million individuals, including 2.3 million students in all 50 States.
- Improving access to the arts would be stymied. Currently, 40 percent of NEA-supported activities take place in high-poverty neighborhoods; 36 percent of NEA grants go to organizations that reach underserved populations such as people with disabilities, people in institutions, and veterans; and more than half of NEA-funded art events take place in locations where the median household income is less than \$50,000. Moreover, a non-Federal funding model will leave too many communities behind. Philanthropic giving as a whole in the United States is geographically disproportional, with rural areas receiving only 5.5 percent of foundation grant dollars. Public funding for the arts plays an essential role in making sure all American communities may benefit.

The administration's proposal also comes on the heels of recent passage of a funding increase of nearly \$2 million for the agency, bringing its budget to nearly \$150 million. As before and as always, we stand ready to assist and remain focused on getting the Endowments to the \$155 million level in the coming months.

I thank you for your support and recognition of the valuable contributions of cultural institutions to every community across the nation, and the role that Federal agencies such as the Institute of Museum and Library Services (IMLS), National Endowment for the Humanities (NEH), the NEA, and the Corporation for Public Broadcasting (CPB) play in invigorating communities and promoting lifelong learning. These are indeed core Federal responsibilities.

Thank you for your consideration and support of the NEA in the fiscal year 2018 budget, which I am proud to say is also publicly supported by 40 Senators, in the recent letter to your committee delivered on March 31, 2017, led by Senate Cultural Caucus co-chair Senator Tom Udall.

[This statement was submitted by Robert L. Lynch, president and CEO.]

#### PREPARED STATEMENT OF THE ANIMAL WELFARE INSTITUTE

We ask the subcommittee to reject the administration's fiscal year 2018 budget, which represents a wholesale abdication of responsibility to protect the Nation's wildlife and the environment.

##### *Bureau of Land Management (BLM)—Wild Free-Roaming Horses and Burros Act*

The BLM continues to mismanage America's wild horses and burros, emphasizing their removal from public lands instead of implementing humane solutions, including the use of immuno-contraception to control fertility rates, that manage the animals on the range. We ask the Committee to fund the BLM at fiscal year 2017 levels and to urge it to continue exploring more effective and longer lasting fertility control agents. Alternatives to warehousing tens of thousands of healthy wild horses are needed but we oppose Sec. 116 "Humane Transfer of Excess Animals" of the fiscal year 2017 omnibus (Public Law 115-31). This language is unnecessary and could result in once-protected wild horses ending up in slaughter despite the directive to the contrary. Thousands of healthy and viable wild horses, not bound by limitations of the Act and currently being held by the BLM, are already available for sale to other Federal, State, and local entities. Finally, we oppose the budget directive regarding euthanasia and unrestricted sale of unadopted wild horses and burros and strongly support the inclusion of the "no-kill" language found in the fiscal year 2017 omnibus to ensure that BLM does not kill healthy wild horses and burros: "Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the case of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products."

##### *Fish and Wildlife Service—National Wildlife Refuge System—Signage and Reporting*

We request that fiscal year 2018 funding be maintained at the fiscal year 2017 level. Given the NWRs's stated purpose of conserving wildlife (including species threatened with extinction) and to ensure that these refuges are safe for the millions of Americans who visit them, we ask the Committee to adopt the language contained in the House Committee fiscal year 2017 report (H. Rpt. 114-632), and reaffirmed by the fiscal year 2017 omnibus, regarding signage for body-gripping traps: "The Committee directs the Service to institute signage on any individual refuge where trapping occurs. The Service is also directed to establish guidance on such signage and include it in the refuge manual. Information should be posted on the National Wildlife Refuge System website and the websites of the individual refuges

where trapping is occurring so the public is informed.” Such signage and other public alerts are needed to promote public safety and greater transparency regarding the use of such devices on wildlife refuges. Currently, over half of the System’s 563 refuges allow trapping. Steel-jaw leghold traps, Conibear traps, and strangulation snares pose distinct risks to humans, wildlife, and other animals (e.g., pets) given their indiscriminate nature and the trauma such devices inflict upon those caught in these traps.

*Fish and Wildlife Service—Office of Law Enforcement (OLE)*—\$75,053,000

The FWS OLE is one of the most important lines of defense for wildlife both at home and abroad. OLE enforces over a dozen Federal wildlife and conservation laws that frequently impact both domestic and global security. OLE protects the public against the illegal trade in wildlife and wildlife products and, in so doing, also provides a defense against the introduction of dangerous pathogens that could harm animal and/or human health. We ask that the Committee maintain its approved level of \$75.053 million for OLE.

*Fish and Wildlife Service—International Affairs—Wildlife Trafficking*—\$15,196,000

We ask that the current funding be maintained in fiscal year 2018. US assistance combating wildlife trafficking is essential for species conservation and national and global security given its close association with terrorism and criminal syndicates. Congress has demonstrated a strong bipartisan commitment to this work and it is important to ensure adequate funding to implement Public Law 114–231, the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016. With poaching and illegal wildlife trade reaching unprecedented levels, governments and private entities here and abroad have turned to FWS for leadership in coordinating, guiding, and implementing a response. Continuing to fund this important work will help provide financial assistance to projects in foreign countries that counter wildlife trafficking activities as outlined in the National Strategy for Combating Wildlife Trafficking and actions articulated in the associated Implementation Plan. Specifically, the activities/actions build further capacity and develop partnerships for species conservation, which also facilitates cooperation between the US and foreign governments fighting terrorist organizations and international crime syndicates that profit from wildlife trafficking.

#### WHITE-NOSE SYNDROME (WNS)

*U.S. Fish and Wildlife Service*—\$4.5 million total; \$2 million in Endangered Species Recovery; \$2.5 million in Service Science

*U.S. Geological Survey*—\$1.6 million in Ecosystems/Wildlife

*National Park Service*—\$3,155,000 in Natural Resource Stewardship

*Bureau of Land Management*—\$500,000

*U.S. Forest Service*—\$2.5 million, Research & Development; \$500,000, Forest Systems.

Eleven years after the first-known observation of white-nose syndrome, this bat disease remains at the heart of North America’s most precipitous wildlife die-off of the past century, but Federal agencies and their partners are making progress in addressing this crisis. Caused by an invasive species of fungus, *Pseudogymnoascus destructans* (*Pd*), WNS has killed at least 5.7 million bats, and has spread from its first site in upstate New York to 31 States and 5 Canadian provinces. Mortality has been so severe that some populations have declined by over 90 percent. WNS has struck nine species, including the federally endangered Indiana and gray bats. The disease is also responsible for the population crash of the northern long-eared bat, leading to its 2015 designation as threatened under the Endangered Species Act. The fungus *Pd* also has been found in an additional two States, and on another seven bat species, including the endangered Virginia big-eared bat. WNS has the potential to affect 25 of our country’s 47 bat species.

Since the last appropriations cycle, two events have taken place that are significant for the WNS outlook. First is the discovery of WNS and *Pd* in Washington State last year, the first known incidence of WNS or *Pd* in western North America, occurring 1,300 miles from the previous westernmost detection of the disease or fungus. Second is the discovery of *Pd* in Texas earlier this year. Texas has the greatest diversity of bat species of any U.S. State. It is also located at the intersection of the ranges of eastern, southern, and western bat species. Two of these species have extensive distributions in the western United States and Central America. If WNS were to spread further, the number of species and ecosystems affected by the disease would escalate. Moreover, bat ecology in the West poses additional challenges

for managing the disease. Western bat species roost and hibernate singly or in small groups, making the bats hard to locate for surveillance or treatment purposes. This is compounded by the difficulty of finding or accessing potential bat roosts or hibernacula in the West's mountainous, rugged topography.

These developments have implications for WNS response. The WNS community is revisiting the WNS surveillance process in order to address questions that the westward movement poses, such as whether WNS's/*Pd*'s appearance in Washington was a true jump from East to West or whether existing surveillance methods failed to detect the disease or fungus in the intervening regions, and how to conduct surveillance in western habitats where bats are difficult to locate. The new incidences of the disease and fungus also underscore the need—heretofore unmet—for standardized bat population counts and trend monitoring across the Nation. The North American Bat Monitoring Program (NABat), a nascent initiative to which staff from several agencies contribute, aims to fill this gap by developing and implementing a plan for monitoring and tracking bats continent-wide in a coordinated and statistically rigorous manner.

The loss of bats from WNS is expected to have serious implications for our economy and environment. Bats are primary predators of night-flying insects, including agricultural pests that attack corn, soybeans, cotton, and other crops. By eating these pests, bats reduce the need for pesticides and lower food production costs; in this way, save U.S. farmers an average of \$22.9 billion per year. Bats also perform ecological services for 66 plant species that produce timber.

Thanks to consistent funding from Congress, the Federal Government and its partners have made great strides in the response to WNS. Accomplishments in the past year include:

In addition to making grants to States and other entities for WNS research, monitoring, and management, the U.S. Fish and Wildlife Service, the lead agency for WNS response, created a new WNS funding initiative in partnership of FWS and the National Fish and Wildlife Foundation: the Bats for the Future Fund. The BFF will provide grants for developing and deploying WNS treatments. NFWF will administer the fund and match government contributions with private-sector monies. FWS provided \$1 million to launch BFF. In collaboration with partners, the agency also began developing a structured decisionmaking model for prioritizing WNS scientific efforts. In this way, FWS hopes to help Federal, State, and other entities working on WNS get the best results possible with limited funds. In the last year, FWS also released a number of products for the WNS-related community: an updated gear-decontamination protocol, aimed at preventing *Pd* spread, for cavers, wildlife/public lands managers, and others who access caves; informational postcards on gear decontamination and unusual bat behavior for audiences considered at secondary risk for *Pd* exposure and contact with bats, to be distributed at sites such as recreation stores and public-lands visitor centers; and recommendations for natural resources managers on minimizing human disturbance of bats. FWS also coordinated an update to the nationwide WNS surveillance plan, which guides nationwide sampling for WNS and *Pd*; included in the plan are steps to begin addressing the surveillance issues raised by last year's westward spread of the disease and fungus. Finally, FWS lent funding, collaboration, or other support to more than five trials of potential treatments carried out by various entities.

The U.S. Geological Survey continues its role in WNS research and data-gathering. The agency supports State WNS and *Pd* surveillance, particularly in regions on the edge of the disease spread. USGS hired a coordinator for NABat, with additional funding from FWS. The agency is validating software for acoustic detection of bats, which in the western United States is one of the only bat-survey methods available. This supports not only the goals of NABat but also FWS's requirements for monitoring listed bat species. Topics of current USGS WNS-related research include: the fungi normally found on various species of bats and possible correlations to the differential WNS susceptibility of those species; determining ideal environmental conditions for bat refugia in case populations must be taken from the wild to ensure their survival; and evolving hibernation behavior in post-WNS bats. USGS staff also are lending expertise to the development of the structured decisionmaking model led by FWS.

Since 2013, the National Park Service has funded more than 158 WNS-related projects in 78 park units. The Service monitors bat populations on its lands, both in post-WNS areas to assess the disease's impacts and species' survival, and in unaffected areas to gather baseline data on bat populations and ecology. NPS's Bat Acoustic Survey Database is a repository for acoustic monitoring data gathered from these activities, providing guidance for collecting acoustic data, allowing for standardization and data comparability across the Service. Furthermore, the data-base is designed to allow for integration of data into NABat. NPS supports NABat in other

ways as well. The agency conducts some of its surveys under the NABat framework, and in fiscal year 2016 NPS's Upper Columbia Basin Inventory and Monitoring Network hired a NABat coordinator for the Northwest—a region where there is a paucity of knowledge about bat populations and ecology. In addition, as the Federal agency that welcomes the largest number of visitors every year, NPS plays an key role in educating the public about WNS, through ranger outreach, visitor infrastructure, and multimedia materials. Finally, NPS continues to fund research into WNS.

Congress has never allocated money for the Bureau of Land Management—the majority of whose lands are in the western United States—to respond to WNS. Pursuant to directive language in fiscal year 2012 and fiscal year 2014, the agency did undertake some WNS work. But the disease's and fungus's westward movement, as well as the 3,000-plus caves and estimated 31,000 abandoned mines on BLM lands, underscore the need for the agency to increase its WNS response. In a limited number of sites, BLM is conducting the following WNS-related actions: WNS surveillance; planning and implementation of NABat monitoring; English- and Spanish-language signage installation to educate visitors about WNS. The agency also is providing funds through a small-grants program for field offices to get equipped for WNS response.

Congress also has never allocated money for the U.S. Forest Service to engage on WNS, despite the fact that since the early days of the crisis the agency has contributed proactively to research and on-the-ground management to address the disease. Ongoing USFS research includes: DNA sequencing of bats across eastern and mid-western States, looking for possible adaptive selection of immune systems and comparing them; silencing WNS-related genes to increase bat resistance to the disease; the effects of UV light to treat WNS-stricken bats; and a so-called electronic nose to identify WNS and *Pd* without direct contact with bats. In addition, a USFS scientist conducted research that was critical to the updated decontamination protocol that FWS issued. Drawing on USFS's successful treatment in fiscal year 2015 of WNS-afflicted bats with airborne volatile organic compounds released by the native soil bacterium *Rhodococcus rhodochrous*, and subsequent release of those bats to the wild, future USFS research could focus on similar treatment agents that can be deployed without physically handling the bats. From a lands-management perspective, USFS is purchasing bat acoustic monitoring equipment to implement NABat in multiple National Forests; staff from the National Forest System and Research and Development branches are collaborating on implementation details for specific locations. It is clear that the Forest Service has made and continues to make major contributions to our understanding, detection, and treatment of *Pd* and WNS, but it has been doing so at the expense of other programs. We believe that the redirection of surplus funds from other accounts (such Forest Inventory and Analysis), as well as new funds, are more than justified.

[This statement was submitted by Nancy Blaney, Director, Government Affairs.]

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#### PREPARED STATEMENT OF THE ARCTIC SLOPE NATIVE ASSOCIATION

The Arctic Slope Native Association (ASNA) appreciates the opportunity to submit written testimony regarding the fiscal year 2018 budget for the Indian Health Service. We are an inter-Tribal health organization based in Barrow, Alaska. We operate under the resolutions of six federally recognized Tribes situated across Alaska's North Slope and serve the communities of Barrow, Anaktuvuk Pass, Atkasuk, Kaktovik, Nuiqsut, Point Hope, Point Lay and Wainwright. Our mission is to provide culturally sensitive quality healthcare for all the communities we serve.

Our Samuel Simmonds Memorial Hospital in Barrow is the core of our program. This facility was rebuilt in 2013 with IHS funds and our state-of-the-art hospital means we can provide more services close to home instead of sending our ailing community members far away from their support networks. To give you an idea of our location, the closest hospital to the east is in Whitehorse, Canada; the closest hospital to the west is in Kotzebue, 220 air miles away; and the closest hospital to the south is in Fairbanks, 400 air miles away. Thank you so much for your support over the years in funding the construction of our hospital. It has made an enormous difference in the quality of healthcare our people are receiving.

#### PROPOSED CHANGES TO MEDICARE AND MEDICAID FUNDING

Many health reform proposals being considered in Congress would transform the Medicare and Medicaid programs, either through converting them into block grants provided to individual States, drastically changing payment policies, imposing pay-

ment limits and/or higher co-pays for individual beneficiaries, or some combination of all these measures.

We have serious concerns about any legislation that reduces or changes the way in which payments are made to Tribal programs under Medicare and Medicaid. Our healthcare programs are unique—both in their very nature and because of the severe health needs of the population we serve—and they are severely underfunded. These funding deficiencies will only be exacerbated further if these payments are reduced. Any of these legislative proposals would likely lead to drastic reductions in our ability to recover third-party revenues, without which we would be unable to operate, at least not at anywhere near current levels. To ensure the Federal government meets its special trust responsibility, IHS budget appropriations would have to double or triple to absorb the impact.

THE AHCA AND ITS DETRIMENTAL IMPACT ON THE ALASKA NATIVE AND AMERICAN INDIAN POPULATION

Medicaid expansion has been a tremendous advantage for the Alaska Native and American Indian community, extending insurance coverage to previously uninsured individuals, especially here in Alaska. The AHCA would not only undo those gains, but would be disastrous even for those patients with private insurance. The repeal of essential health benefit requirements for benchmark plans would mean that even those with private insurance may no longer be covered for necessary life-saving care. The costs of providing treatment—especially to those in remote communities—will skyrocket. The AHCA also proposes to eliminate the three-month retroactive payment option, a necessary component for us to receive reimbursement for care to many of our patients who reside in remote communities and who may not register for Medicare or Medicaid until they literally show up at our facilities. The bill also proposes to reduce State Medicaid reimbursements, which as noted above, would be disastrous for our program. We cannot emphasize enough how disastrous this bill as currently written would be for our programs.

INCREASING THE IHS SERVICE BUDGET

ASNA is grateful for the large increases Congress provided for IHS overall in the fiscal year 2017 budget, especially the \$78 million for Hospitals and Clinics programs, \$14 million for Purchased/Referred Care, \$13 million for Alcohol and Substance Abuse, \$12 million for Mental Health, and the full reimbursement of Contract Support Costs. That said, many of the other budget increases are targeted for new facility staffing and targeted grants or pilot projects—programs all with worthy goals but that take away from overall increases that affect all Tribal programs, such as the need to keep pace with inflation and population growth. We request the Committee continue to prioritize increases to the general services budget—funds that will trickle down through our Compacts to all Tribal programs.

We ask this Committee to reiterate its instruction to IHS that the agency must streamline and simplify its CSC calculations. IHS's new policy is still quite complicated and its inability to implement simple solutions has had adverse consequences for Tribal programs—such as the inaccurate estimates for 2016 and 2017 contract support cost requirements that decreased the other funds available that could have been provided for the delivery of healthcare services. We believe IHS needs to explore other options to simplify the CSC payment process.

For the above-noted reasons, we are baffled by the Administration's fiscal year 2018 budget proposal to reduce IHS funding by \$107 million below the fiscal year 2017 enacted level. Congress must reject the Administration's ill-conceived proposal that would exacerbate health disparities experienced by Alaska Natives and American Indians which shortens their lives and undermines community stability and family cohesion. Continue your good work to increase funding for Tribal health programs which will permit the health status of Alaska Natives and American Indians to be "raised to the highest possible level," and permit ASNA and other Tribal healthcare providers to reduce the "prevalence and incidence of preventable illnesses among, and unnecessary and premature deaths of, Indians," as your colleagues in prior years sought to achieve with passage of the Indian Health Care Improvement Act.

Thank you again for the opportunity to present testimony on these important issues.



PREPARED STATEMENT OF THE ASSINIBOINE AND SIOUX TRIBES OF THE FORT PECK  
RESERVATION

The Assiniboine and Sioux Tribes of the Fort Peck Reservation thanks the Senate Appropriations Subcommittee for the opportunity to submit written testimony concerning fiscal year 2018 appropriations for the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS).

The Fort Peck Reservation is in northeast Montana, forty miles west of the North Dakota border, and 50 miles south of the Canadian border, with the Missouri River defining its southern border. The Reservation encompasses over two million acres of land. We have approximately 12,000 enrolled Tribal members, with approximately 7,000 Tribal members living on the Reservation. We have a total Reservation population of approximately 11,000 people.

Congress has long recognized that the foundation for economic development and prosperity in Indian Country lay in community stability, which begins with infrastructure such as safe drinking water, roads, public safety, and healthcare. We ask the subcommittee to reject the Administration's proposal for fiscal year 2018 to reduce appropriations for the Bureau of Indian Affairs, Bureau of Indian Education and Indian Health Service which are core Federal programs serving the Fort Peck Reservation and our members. Reducing funding for Federal programs by some \$400 million, that at current appropriation levels do not address the full measure of well documented Tribal needs, makes little sense.

FORT PECK RESERVATION RURAL WATER SYSTEM

We ask the subcommittee to continue to fund the required \$2.4 million for the Operation and Maintenance (OM&R) funding for the Fort Peck Reservation Rural Water System for fiscal year 2018, within appropriations to the Bureau of Indian Affairs (BIA) Construction account. This funding increase, of \$138,000, is necessary for this System to safely operate with the correct level of staff and operating supplies, including chemicals. The System provides drinking water to more than 18,000 residents in Northeast Montana and several social and governmental agencies, including the BIA Agency Office, Poplar Schools, and Poplar hospital, Medicine Lake National Wildlife Refuge, as well as several towns including Wolf Point, Frazier, Culbertson, and Medicine Lake.

Federal legislation authorizing the Fort Peck Reservation Rural Water System requires that the OM&R of the Assiniboine and Sioux Rural Water System—the portion on the Reservation that is held in trust by the Federal government—be paid in full by the BIA as a Federal obligation. This is consistent with the Federal trust responsibility to the Tribes who were promised a permanent home when we agreed to move to the Reservation. A permanent home requires safe drinking water. If this funding is not made available to the Tribes, this system will have to shut down and all of the people, towns, and Federal, Tribal, State, public and private agencies, and businesses will have no source of drinking water. Interruption

Thus, the \$2.4 million requested in fiscal year 2018 for the OM&R of this vital infrastructure project is critical. If Congress does not appropriate the required funds for OM&R, then this System will not operate and the people of Northeast Montana will have no drinking water.

PUBLIC SAFETY AND DRUG TRAFFICKING

Six years ago, through effective policing techniques, our Chief of Police was seeing a reduction in methamphetamine use on our Reservation, but over the last few years it has returned with a vengeance and now we battling opioid abuse and addiction. This problem must be attacked on all fronts: law enforcement; treatment; and improved social services. The administration's proposal to cut BIA Public Safety funding is unwise.

A. Law Enforcement

There is no greater need in Indian country than public safety and justice and these programs cannot be sacrificed for any purpose. Our Police Chief estimates that 70%-80 percent of criminal conduct has a drug component to it, with assaults and burglaries arising out of drug use and addiction. The BIA's own statistics are alarming; over a 5-year period, drug related arrests in Indian Country increased nearly ten-fold from 443 arrests in fiscal year 2008 to 4,289 arrests in fiscal year 2013. Our Tribal police department has 18 police officers, two dedicated to drug enforcement, three criminal investigators, and we share dispatchers with Roosevelt County. Our Police Chief said he could use six drug enforcement agents to help with the rising

workload. The needs of our community and those throughout Indian Country cry out for increase law enforcement and justice funding.

The crime in our community is impacting the most vulnerable in our community the most. In 2015, our Tribal court had 329 criminal cases involving crimes against children. These cases included aggravated sexual assault of a child, felony abuse of a child and endangering the welfare of child. These cases only reflect the cases where we had the jurisdiction to prosecute.

#### B. Detention Services

The Fort Peck Tribes completed construction of a modern detention facility to serve the Reservation and other Tribes. This allows for inmates to be close to their homes and families which will be a benefit to the families as well as those serving a period of incarceration. It will do a great deal to ensure continuity in our families. We are concerned that the President's fiscal year 2018 Budget will further jeopardize the operation of BIA- or tribally-operated detention facilities like Fort Peck. Perhaps the greatest omission by BIA is its chronic failure to request sufficient operation and maintenance funds to fully staff, operate and maintain BIA-owned and Tribally-owned facilities and systems. Undermining the useful life of facilities and systems in Indian Country, which are all too scarce, perpetuates staffing and operational shortages which undermine our mission to improve living conditions on our Reservation.

The Tribes worked with the BIA Office of Justice Services when we were building this new detention facility, including on the staffing and operations costs. The Tribes entered into a contract with the BIA for the operation of this facility. And while we received some funding associated with this contract, it is approximately 30 percent of what we negotiated with the BIA to have a fully functional detention center. Reductions in fiscal year 2018 appropriations for BIA Public Safety needs would simply set us further back and jeopardize a modern detention facility.

#### ROAD MAINTENANCE

The current level of road maintenance funding will permit Tribes to maintain approximately 16 percent of BIA-owned roads and 68 percent of BIA-owned bridges in "acceptable" condition. This leaves nearly 8 out of 10 BIA-owned roads and more than 3 out of 10 BIA-owned bridges with funds sufficient to maintain them in their current poor or failing condition. This is a public safety issue which contributes to delayed response times for Emergency Medical Services (EMS), police officers, and other first responders, missed medical appointments, school and work days and higher maintenance costs on Tribally- and privately-owned motor vehicles.

Most BIA System routes are gravel and earthen school bus routes that require more frequent maintenance than paved roads. We are appreciative of the action taken by the Subcommittee for fiscal year 2017, which added \$3.6 million to the BIA Road Maintenance Program. We urge the Subcommittee to increase funding for the Road Maintenance Program for fiscal year 2018 by \$10 million so that the percentage of public BIA System roads and bridges in "acceptable" condition may continue to rise in future years. This will promote public safety on BIA System routes and provide jobs to Tribal members who serve the Reservation community. As noted above, shortfalls in maintenance funds undermines our mission.

#### INDIAN HEALTH SERVICE

We continue to build government services and programs on the Reservation and attract businesses to improve the quality of life for our members. The IHS operates two clinics on the Reservation; the Verne E. Gibbs IHS Health Center in Poplar, and the Chief Redstone IHS Health Center in Wolf Point. In-patient services are available at the non-IHS Poplar Community Hospital and Trinity Hospital in Wolf Point. To combat the high incidence of heart disease, cancer and diabetes, the Tribes supplement health services on the Reservation through our Health Promotion and Disease Prevention (HPDP) Wellness Program and the Spotted Bull Resource and Recovery Center, which we operate pursuant to an ISDA contract with the IHS.

We greatly appreciate the work of this Subcommittee to maintain the level of funding for the Indian Health Service. The healthcare provided through these dollars, whether it be direct medical care, dental care, substance abuse treatment or purchased/referred care, is saving lives and is making a difference on our Reservation. Our members know well what it means to have access to care, so the Tribes can only ask that you continue to fund these critical program and reject the administration's proposal to reduce IHS funding by \$107 million below the fiscal year 2017 enacted level.

## CONCLUSION

We thank the subcommittee for the opportunity to present testimony concerning the Bureau of Indian Affairs and Indian Health Service fiscal year 2018 budget.

## PREPARED STATEMENT OF THE ASSOCIATION OF ART MUSEUM DIRECTORS

The Association of Art Museum Directors (AAMD) requests funding of \$155 million each for the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH) for fiscal year 2018. We also ask that the subcommittee provide the U.S. Fish and Wildlife Service (FWS) with the funding necessary to staff and train personnel in order to avoid placing any additional impediments on American art museums that are importing works of art containing ivory for the purposes of temporary public exhibition.

## ARTS AND ARTIFACTS INDEMNITY PROGRAM

AAMD again thanks the subcommittee for revising the statutory caps for exhibition indemnity agreements under the Arts and Artifacts Indemnity Act, which is administered by the NEA on behalf of the Federal Council on the Arts and the Humanities, of which both NEA and NEH are members. Participating AAMD members reported saving an average of more than \$650,000 in insurance fees in 2015. A few examples of recent, current or upcoming indemnified exhibitions that may be of particular interest to members of the Subcommittee include:

- Fine Arts Museums of San Francisco—Monet: The Early Years
- Shelburne Museum, Shelburne, Vermont—Hunting and Fishing in American Art
- Albuquerque Museum of Art and History and Portland (Oregon) Art Museum—Masterpieces from Ecole des Beaux Arts
- Baltimore Museum of Art—Matisse/Diebenkorn
- Dixon Gallery and Gardens, Memphis, Tennessee—Thomas Cole's The Voyage of Life
- Frist Center for the Visual Arts, Nashville, Tennessee—WWI and American Art
- Mississippi Museum of Art, Jackson, Mississippi—When Modern was Contemporary: Selections from the Neuberger Collection
- Rhode Island School of Design, Providence, Rhode Island—Lines of Thought: Drawing from Michelangelo to Now from the British Museum

## NATIONAL ENDOWMENT FOR THE ARTS

As stated above, AAMD requests that Congress appropriate \$155 million for the NEA. The agency continues to make modest but important grants that leverage significant private support, disseminate best practices, and foster innovation. A few examples of recent grants listed on the NEA's website include:

- Anchorage Museum, Anchorage Alaska*: To support a series of programs exploring the ecology of the Arctic in partnership with the University of Alaska Anchorage's Alaska Center for Conservation Science. Through augmented reality and other experimental technologies, the organizations will work with artists and scientists on a series of projects including exhibitions, events, and online presentations that will engage the public in immersive virtual environments as a way to convey the complexity of the Northern landscape through curated experiences.
- St. Louis Art Museum, St. Louis, Missouri*: To support the exhibition, "Degas, Impressionism, and the Paris Millinery Trade." More than 100 artworks were showcased, including paintings and works on paper by Degas. The exhibition explored the millinery industry of the period, the international trade in exotic feathers and floral decorations, the importance of men's hats as a counterpart to what has traditionally been considered a feminine fashion, and the connections to France's colonial history. Free public programs and a symposium accompanied the exhibition.
- Walters Art Museum, Baltimore, Maryland*: To support promotion and installation costs for the exhibition "A Feast for Senses: Art and Experience in Medieval Europe." In medieval Europe, the walled garden with fragrant flowers, herbs, sweet breezes, bird songs, and a gurgling fountain was idealized as a place of delight for the senses and escape from the tumult of everyday cares. Such aspects of life inspired works of art that were the focus of this international loan exhibition. Lectures, workshops, and performances for adults, drop-in activities and hands-on learning for families, and outreach, tours, and workshops for students and teachers complemented the visitor experience.

—*RISD Museum, Providence, Rhode Island*: To support professional development programs for artists at the RISD Museum. The program includes a fellowship, professional development activities, and special museum membership for artists. Run by the museum at the Rhode Island School of Design, the program engages emerging and mid-career artists to develop their creative practice, increase their visibility among new audiences, connect creative sectors, and support the generation of new work. The program includes workshops and training on professional practice, access to curators and globally recognized artists, participation in programs for creative professionals, and research opportunities that support the creation of new work inspired by the collections.

AAMD commends NEA for its commitment to the Blue Star Museums initiative, now in its eighth year. AAMD members have responded with overwhelming enthusiasm to Chairman Chu's invitation to offer free admission to active duty military and their families at least from Memorial Day through Labor Day. In 2016, approximately 90 percent of AAMD members in the United States either formally joined the program or already offered free admission to all. According to a survey conducted by Blue Star Families, 900,000 people took advantage of the program, and fifteen percent of participants reported that it was the first time they had visited a museum. AAMD is grateful to Blue Star Families and the NEA for the opportunity to serve this new audience.

Comments to Blue Star Families from museums included:

"Blue Star allowed us the extra opportunity to reach out to our local marine corps logistics base and other service members as a way to thank them for their role in our Nation and community."

"Offering free admission and other programs to vets and blue star families is the least we can do to thank these brave men and women and their families who sacrifice so much. It is our honor to do this small thing."

"Loved seeing families come and being able to offer them free admission as a thank you for all they've done for the country."

#### NATIONAL ENDOWMENT FOR THE HUMANITIES

This important agency assists art museums in presenting humanities scholarship to the general public and in strengthening the teaching of humanities in our Nation's schools. For example, the NEH awarded the Walters Art Museum a planning grant to explore collaborative approaches with cultural, educational, and philanthropic stakeholders to more deeply engage Baltimore City schools with the humanities. With funding from the NEH, the Walters is creating an intentional, strategic, and holistic plan that will "launch new forms of collaboration towards the goal of restoring and enhancing meaningful student exposure to humanities instruction." This dialogue and process is timely as Baltimore City welcomes a new superintendent of schools. Similarly, the St. Louis Art Museum received a grant to establish the St. Louis Humanities Education Collaborative, a new Museum-led project that will co-create approaches to advancing the humanities and connecting schools to innovative curriculum.

NEH also plays an invaluable role in assisting with the preservation and conservation of important collections. This is exactly the type of unglamorous work for which it is chronically difficult to raise private funding, making Federal support all the more valuable. For example, a major grant is helping to stabilize and protect the Shelburne Museum's wildfowl decoy collection, which numbers nearly 1,400 objects and spans more than 150 years of decoy making. To protect the collections, the museum improved environmental conditions, security, and fire protection in the 1832 Dorset House, where the decoy collection and related art and artifacts are exhibited and stored. Additionally, it improved exhibition and "open storage" conditions to allow better physical and intellectual access for the collection.

AAMD commends the NEH for two initiatives in particular. The Common Good is designed to demonstrate the critical role that humanities scholarship can play in public life. This is especially suitable for museums, which have developed expertise in presenting complex ideas to non-specialists. Standing Together, the Humanities and the Experience of War, supports programs that explore war and its aftermath, promote discussion of the experience of military service, and support returning veterans and their families.

#### U.S. FISH AND WILDLIFE SERVICE

The AAMD has had extensive conversations with the Fish and Wildlife Service (FWS) about the importance of presenting works of many cultures to the American

public, works that without temporary exhibitions, Americans would never see. These works, entrusted to our museums from both foreign museums and foreign private collectors, are fragile, invaluable and represent the highest professional quality. American museums borrowing these works must be assured that the works can move quickly, safely and be fully protected.

This is especially true when moving works of art, made in whole or in part of ivory, through designated ports as called for in the Director's Order 210 issued February 25, 2014. The Director's Order 210 imposed strict requirements on importing works of ivory from abroad, with which museums are struggling to comply.

Unfortunately, the FWS has limited capacity to staff and train personnel at the designated ports to process works of ivory for special exhibitions. There must be sufficient staff to ensure that the works move in accordance with professionally accepted procedures and the new requirements at the speed that a temporary exhibition requires. The AAMD urges the committee to provide FWS with the funding necessary to staff and train personnel in order to avoid placing any additional impediments on American art museums.

#### ABOUT AAMD

The purpose of the Association of Art Museum Directors is to support its members in increasing the contribution of art museums to society. The AAMD accomplishes this mission by establishing and maintaining the highest standards of professional practice, serving as forum for the exchange of information and ideas, acting as an advocate for its member art museums, and being a leader in shaping public discourse about the arts community and the role of art in society.

[This statement was submitted by Christine Anagnos, Executive Director.]

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#### PREPARED STATEMENT OF THE ASSOCIATION OF CLEAN WATER ADMINISTRATORS

The Association of Clean Water Administrators (ACWA) appreciates the opportunity to submit written testimony to the U.S. Senate Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies. As the national voice of State, interstate, and territorial officials responsible for implementation of programs that protect surface waters across the Nation, ACWA opposes the fiscal year 2018 Budget Proposal's suggested drastic cuts of 30 percent.

Specifically, the budget cuts affecting the State and Tribal Assistance Grants (STAG grants) will severely limit States' ability to implement core water protection programs as required by the Clean Water Act (the Act). Most notably, the budget proposal reduces or eliminates § 106 and § 319 funds, both of which are critical funding sources for water protection efforts. The proposed reduction in fiscal year 2018 Federal funding to States will leave States with fewer resources, while their obligations under environmental statutes remain.

The Act relies on State governments for implementation, more so than other environmental statutes. In turn, Federal partners have recognized the importance of cooperative Federalism, and strong relationships with States by providing sorely needed funding through the aforementioned grants. For the principles of cooperative Federalism to work, and for our waters to be adequately protected, there must be a strong and stable State partner. Therefore, we request that the § 106 and § 319 fiscal year 2018 funding at least be consistent with the enacted fiscal year 2017 amounts of approximately \$230.8 and \$164.9 million respectively—recognizing this is still far below what is actually needed to effectively protect the Nation's waters.

Section 106 of the Act is the main authorized funding source provided to the States and interstates to directly assist with preventing, reducing, and eliminating pollution to the Nation's waters. States use these funds to help develop standards, set pollution reduction loads, issue permits, confirm compliance, monitor results, and report on successes. Without these funds, States will lose many full-time employees that perform these duties, which would negatively affect local economic development. Without necessary permits industries will not expand or open new facilities.

Section 319 funds are used for restoration efforts for waterbodies impaired by nonpoint source pollution. Currently, the majority of the waterbodies listed as not meeting their designated uses are impaired by nonpoint source pollution. While further collaboration with USDA is important for addressing agriculture based pollution, there is no other Federal funding source available to support States efforts to address nonpoint source water pollution from non-agriculture sources such as mining, urban development, failing septic systems, and other hydrological modifications.

Eliminating Federal § 319 funding will handicap States' ability to address nonpoint source pollution, which is already a difficult, cost-intensive problem.

ACWA supports the focus on water infrastructure funding through the State Revolving Fund (SRF) programs. However, infrastructure funding will require State resources, including staff, to ensure these funds are awarded and disbursed effectively and efficiently. Applying for and administering SRF funds will take longer with State resources stretched thinner considering the 30 percent reduction to STAG grants. State agency operations, which ensure that SRF projects can proceed unencumbered, will be affected, and implementation of desperately needed infrastructure investments will be slower and less effective.

The proposed elimination of the Great Lakes, Chesapeake Bay, Puget Sound, Long Island Sound, Gulf of Mexico, Lake Champlain regional programs, as well as the National Estuary Program is ill-advised. These programs protect some of the Nation's most important water resources and places from degradation, invasive species, and algal blooms. These bodies of water and estuaries have made great progress towards reaching their long term goals, and risk backsliding into worse conditions without the staff and resources needed to maintain recent progress. Therefore, we request that the funding for the regional programs, remain at the fiscal year 2017 level.

In conclusion, ACWA asks that the subcommittee considers these funding requests. The proposed fiscal year 2018 EPA budget provides insufficient funding, especially now when States are under extreme pressure due to increased Federal requirements. Funding must be at least consistent with last year's budget to allow States to carry out their duties under the Act and increased if the States are to make strides in reaching the Nation's water quality goals which benefit all Americans. States cannot do it alone. The Act is built on a Federal-State partnership. The States' and interstates' contributions to the Nation's water goals are vital to the Act's success, which is critically important to stimulate economic growth by expanding American manufacturing and American jobs while at the same time increasing tourism, water-based recreation, and a clean water supply for America's water infrastructure.

[This statement was submitted by Peter LaFlamme, Director, Vermont Department of Environmental Conservation, ACWA President.]

PREPARED STATEMENT OF THE ASSOCIATION OF PUBLIC AND LAND-GRANT  
UNIVERSITIES (APLU) BOARD ON NATURAL RESOURCES (BNR)

On behalf of the APLU Board on Natural Resources (BNR), we thank you for your support of science and research programs in fiscal year 2017 of the United States Geological Survey (USGS) and the Environmental Protection Agency. We appreciate the opportunity to provide the following recommendations: \$9 million for the USGS Water Resources Research Institutes and \$20 million for the USGS Cooperative Fish and Wildlife Research Units, and \$754 million for EPA's Science and Technology.

*APLU BNR requests \$9 million for the Water Resources Research Institutes (WRRI).* The APLU BNR request is based on the following: \$7,500,000 in base grants for the WRRI as authorized by Section 104(b) of the Water Resources Research Act, including State-based competitive grants; \$1,500,000 to support activities authorized by section 104(g) of the Act. Federal funding for the WRRI program is the catalyst that moves States and cities to invest in university-based research to address their own water management issues. State WRRI take the relatively modest amount of Federal funding appropriated, match it 2:1 with State, local and other funds and use it to put university scientists to work finding solutions to the most pressing local and State water problems that are of national importance. The Institutes have raised more than \$16 in other funds for every dollar funded through this program. The added benefit is that often research to address State and local problems helps solve problems that are of regional and national importance. Many of the projects funded through this program provide the knowledge for State or local managers to implement new Federal laws and regulations. Perhaps most important, the Federal funding provides the driving force of collaboration in water research and education among local, State, Federal and university water professionals. This program is essential to solving State, regional and inter-jurisdictional water resources problems. As USGS itself has stated: "The Water Institutes have developed a constituency and a program that far exceeds that supported by their direct Federal appropriations."

The Institutes also train the next generation of water resource managers and scientists. Last year, these institutes provided research support for more than 1,400

undergraduate and graduate students at more than 150 universities studying water-related issues in the fields of agriculture, biology, chemistry, earth sciences, engineering and public policy. Institute-sponsored students receive training in both the classroom and the field, often working shoulder-to-shoulder with the top research scientists in their field on vanguard projects of significant regional importance.

In addition to training students directly, Water Resources Research Institutes work with local residents to overcome water-related issues. For example, the California Institute for Water Resources, like most of its peers, holds field days, demonstrations, workshops, classes, webinars, and offers other means of education in an effort to transfer their research findings to as many users as possible. Outreach that succeeds in changing a farmer's approach to nitrogen application or reducing a homeowner's misuse of lawn treatments can reduce the need for restrictive regulation.

Below are some examples of work being done in various States:

- In 2015, Alaska's Sagavanirktok (Sag) River flooded the Dalton Highway, cutting off the only overland passage to the Prudhoe Bay Oilfields for a period of approximately 3 weeks. Following that event, the University of Alaska Fairbanks Water and Environmental Research Center has been continuously working with the Department of Transportation and Alyeska Pipeline Services Company to understand Sag River flood dynamics and reduce the risk of highway and/or pipeline damage from future flooding events.
- Researchers with the New Mexico Water Resources Research Institute developed an innovative desalination technology to remove organic substances and salts from water produced from oil and gas exploration. Water in this system can be potentially recycled in the industrial process making it more cost-effective. The technology also uses bacteria to convert biodegradable pollutants into electricity, which offsets operation energy use or supplies additional energy for other systems for operators.
- In California, the Institute for Water Resources is working with communities in southern California, like the city of Glendora, to help city officials better predict and respond to debris flow from the San Gabriel Mountains. Communities like Glendora are experiencing costly and damaging flows after high intensity rainfalls and these flows often affect water quality downstream. By partnering with local governments and other stakeholders, the Institute is working to help these communities with debris basin management.
- The Arizona Water Resources Center has initiated nine programs to promote and educate the public about water conservation and management. The Arizona Water Education program has reached over 32,400 students and 500 K-12 teachers with a projected water savings over 3.7 million gallons per year from student-installed devices. Other programs address desert water harvesting, water for drylands systems, and water quality research.
- Researchers with the Mississippi Water Resources Research Institute have collaborated with the Grenada Chamber of Commerce to develop a preliminary master plan with economic and marketing feasibility studies to promote the economic development of Grenada Lake. The 90,000-acre multi-use project is managed through the U.S. Army Corps of Engineers Vicksburg District for flood control, public recreation, conservation of fish and wildlife, and public forests.
- Researchers with the Idaho Water Resources Research Institute have collaborated with community stakeholders to develop satellite based remote-sensing technology for assessing crop-water usage and aquifer depletion modeling, to investigate and help resolve water rights conflicts, and for stream flow management. This technology is also being adopted by ten western States and in parts of Africa, Europe, and Australia.

*APLU BNR requests \$22.5 million for the Cooperative Fish and Wildlife Research Units (CRU).* The CRU program embeds Federal scientists in public universities to: 1) train the next generation of fisheries and wildlife managers; 2) conduct research on our Nation's fish and wildlife populations and habitats; and 3) provide technical assistance to State, Federal and other natural resource managers. Originally established in the 1930s to provide training for students in fisheries and wildlife biology, the units were formally recognized by the Cooperative Units Act of 1960 (PL 86-686). The CRUs provide experience and training for approximately 600 graduate students per year, a critical need as State and Federal workforces face unprecedented retirements over the next 5 to 10 years. There are currently 25 vacant CRU scientist positions spread over 21 States. This request is a \$4 million increase that would enable the CRU program to become fully staffed. The CRUs provide valuable mission-oriented research for the U.S. Fish and Wildlife Service and cooperating

State agencies. Today, there are 40 Cooperative Research Units in 38 States but there are many vacancies.

Each unit is a true Federal-State-university-private sector collaboration as a partnership between the U. S. Geological Survey, a State natural resources management agency, a host university, and the Wildlife Management Institute. For every \$1 the Federal Government puts into the program, \$3 more are leveraged through the other partners. The U.S. economy has long relied on the bountiful natural resources bestowed upon this land. Federal investment in the CRUs will be returned many times over through the training of future natural resource managers who will guide the Nation in sustainable use of our natural resources. The research conducted by CRU scientists directly supports the difficult management challenges faced by natural resources managers. The examples below demonstrate the value of the CRUs to wildlife issues with local and national importance.

—*Minnesota*: The Minnesota CRU is currently researching the olfactory sensitivity of Asian carps to putative sex pheromones. This work has recently received national attention, because Asian carps are an invasive species that threatens many of the Nation’s freshwater native fishes through competition for food. The Minnesota CRU hopes to use the sex pheromones to attract and trap Asian carp, removing them permanently from the Nation’s freshwater lakes and rivers. Minnesota CRU researchers are also studying human behavior, working to understand the motivations of agricultural producers enrolling in USDA water quality and wildlife habitat programs. They hope to gain insight into designing and developing programs, practices and messages that encourage broader participation in those programs.

—*Tennessee*: In 2011, an estimated 826,293 anglers fished in Tennessee, creating an economic impact of nearly \$1.3 billion for the State. The Tennessee CRU supports this economic driver by assessing fish stocks, working on recovery efforts for threatened and endangered species, providing research and technical assistance to support State decisions related to fishing. For example, research on sauger in the Tennessee River showed that minimum size requirements by the State were not leading to increased mortality of released fish below the minimum size. Their research also kept “stinger” hooks available for fishermen by showing they also did not contribute to increased mortality.

—*Oklahoma*: The Oklahoma CRU in collaboration with Oklahoma State University and the Oklahoma Department of Wildlife Conservation conducted an economic analysis on the impact of protecting the lesser prairie chicken (LPC). The political and legal controversy surrounding the use of the Endangered Species Act (ESA) to protect imperiled species raises questions about the development restrictions and opportunity costs the ESA imposes on private landowners and industry. The economic effects of protecting the LPC have been small and there is no strong evidence that regulations affected land values. However, after looking for macro-level effects in employment data, regulations did modestly reduce the number of jobs, although primarily in priority habitat areas.

*Finally, APLU BNR requests \$754 million for EPA’s Science and Technology portfolio.* While the S&T portfolio covers a wide range of topics, we will cite one historical, but still vitally important component of EPA Science. The work done to support pesticide regulations, including developing the suitable analytics for measuring pesticides in food and feed residue and enforcing tolerances, remains absolutely necessary so long as farmers need to control pests, local governments need to control mosquitos, or schools, hospitals, restaurants, and other venues need to be kept free of rats, cockroaches, and other pests. It currently costs life science companies, such as Dow AgroSciences, \$250,000,000 to develop a new molecule for the market. Some of the cost can be attributed to complying with EPA regulations on pesticides. It would be highly deleterious to such companies and the consumers of their products if new chemicals could not be brought to market because the regulatory agency was unable to develop suitable analytics for a new product on time.

BNR thanks you for the opportunity to provide our views to the subcommittee. We look forward to working with you through the fiscal year 2018 appropriations process.

#### *About APLU and the Board on Natural Resources*

APLU’s membership consists of 236 State universities, land-grant universities, State-university systems and related organizations. APLU institutions enroll more than 4.8 million undergraduate students and 1.3 million graduate students, and conduct \$43.2 billion annually in university-based research annually. The Board’s mission is to promote university-based programs dealing with natural resources, fisheries, wildlife, ecology, energy, and the environment. BNR representatives are



chosen by their president's office to serve and currently number over 500 scientists and educators, who are some of the Nation's leading research and educational expertise in environmental and natural-resource disciplines.

[This statement was submitted by Keith Owens, Chair of the Board on Natural Resources; and Associate Vice President, Oklahoma Agriculture Experiment Station, Oklahoma State University, keith.owens@okstate.edu.]

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PREPARED STATEMENT OF THE ASSOCIATION OF STATE DRINKING WATER ADMINISTRATORS

The Association of State Drinking Water Administrators (ASDWA) respectfully submits the following recommendations for fiscal year 2018 appropriations on behalf of the drinking water programs in the fifty States, five territories, District of Columbia, and Navajo Nation.

SUMMARY OF REQUEST

ASDWA respectfully requests that, for fiscal year 2018, the Subcommittee appropriate funding for three programs at levels commensurate with Federal expectations for performance; that ensure appropriate public health protection; and that will result in enhancing economic stability and prosperity in American cities and towns. ASDWA requests \$200 million for the Public Water System Supervision (PWSS) program and \$1 billion for the Drinking Water State Revolving Loan Fund (DWSRF) program. These requests are based on demonstrated need and the reality of the job that State drinking water programs are expected to do. A more complete explanation of the needs represented by these requested amounts and their justification follows.

OVERVIEW: THE IMPORTANCE OF SAFE DRINKING WATER FOR OUR COMMUNITIES AND THE ECONOMY & THE ROLE OF STATE DRINKING WATER PROGRAMS

States need sustained Federal support to maintain public health protection and to support the needs of the water systems they oversee. State drinking water programs strive to meet the Nation's public health protection goals through two principal funding programs: the Public Water System Supervision Program (PWSS) and the Drinking Water State Revolving Loan Fund (DWSRF) Program. These two programs, with their attendant State match requirements, provide the means for States to work with drinking water utilities to ensure that American citizens can turn on their taps with confidence that the water is both safe to drink and the supply is adequate. In recent years, State drinking water programs have accepted additional responsibilities in water system security and resiliency that include working with all public water systems to ensure that critical drinking water infrastructure is protected, including cyber security; that plans are in place to respond to both natural and manmade disasters; and that communities are better positioned to support both physical and economic resilience in times of crisis.

Vibrant and sustainable communities, their citizens, workforce, and businesses all depend on a safe, reliable, and adequate supply of drinking water. Economies only grow and sustain themselves when they have safe and reliable water supplies. Over 90 percent of the population receives water used for bathing, cooking, and drinking from a public water system—overseen by State drinking water program personnel.

In addition to the water we drink in our homes, water produced by public water systems is also used by businesses for a variety of purposes, including processing, cooling, and product manufacturing. Public water systems—as well as the cities, villages, schools, and businesses they support—rely on State drinking water programs to ensure they comply with all applicable Federal requirements and the water is safe to drink. State drinking water programs must have adequate funding to protect public health and maintain the economic health of communities. Incidents such as the chemical spill in Charleston, West Virginia where residents were without safe drinking water for more than a week; unsafe drinking water in Toledo, Ohio for more than a day due to the presence of algal toxins; and the leaching of lead from lead-containing pipelines into the water supply in Flint, Michigan all serve as stark reminders of the critical nature of the work that State drinking water programs do—every day—and the reason why the funding for State drinking water programs must be sustained.

STATE DRINKING WATER PROGRAMS: HOW THEY OPERATE, WHY SUPPORT IS NEEDED,  
AND JUSTIFICATIONS FOR REQUESTED AMOUNTS

*The Public Water System Supervision (PWSS) Program*

*How the PWSS Program Operates:* To meet the requirements of the Safe Drinking Water Act (SDWA), States have accepted primary enforcement responsibility for oversight of regulatory compliance and technical assistance efforts for more than 152,000 public water systems to ensure that potential health-based violations do not occur or are remedied in a timely manner. Over 90 contaminants are regulated in Federal drinking water regulations and the pace and complexity of regulatory activity has accelerated in recent years. States also assist communities by reviewing and approving engineering plans of new or modified public water systems. Beyond the contaminants covered by Federal drinking water regulations, States are also implementing an array of proactive initiatives to protect public health from “source to tap.” These include source water assessments and protections for communities and watersheds; outreach and education on programs such as asset management and workforce, technical assistance for water treatment and distribution for challenged utilities; and enhancement of overall water system performance.

In recent years, States have also taken on an increasingly prominent role in working with Federal and local partners to help ensure sufficient water quantity. Many States have worked intensively with numerous small water systems in recent years that were within days of running completely dry. The public health and economic consequences of such a catastrophe would have been incalculable to the residents of those communities. In short, State activities go well beyond simply ensuring compliance at the tap—and, States perform these tasks more efficiently and cheaply than would be the case if the program were federally implemented. Well-supported State drinking water programs are a good deal.

*Why Adequate Support is Needed:* States are unable to fulfill their obligation to the American public without adequate Federal funding support. Inadequate Federal funding for State drinking water programs has several negative consequences. Many States are simply unable to implement major provisions of the newer regulations, leaving the work undone or ceding the responsibility back to EPA, which is also challenged by the Agency’s own resource constraints and lack of “on the ground” expertise. States also want to offer the flexibilities allowed under existing rules to local water systems. However, fewer State resources mean less opportunity to work individually with water systems to meet their individual needs. This situation has created a significant implementation crisis in several regions of the country and is ultimately delaying or hampering implementation of critically needed public health protections.

State drinking water programs are extremely hard pressed financially and the funding gap continues to grow. States must accomplish all the above-described activities—and take on new responsibilities—in the context of a challenging economic climate. State-provided funding has historically compensated for inadequate Federal funding, but State budgets have been less able to bridge this funding gap in recent years. State drinking water programs have often been expected to do more with less and States have always responded with commitment and integrity, but they are currently stretched to the breaking point. Insufficient Federal support for this critical program increases the likelihood of contamination events that puts the public’s health at risk. \$101.9 million was appropriated for the PWSS program in fiscal year 2017—the same funding level as was appropriated in fiscal years 2014, 2015, and 2016. According to data available as of this writing, the Administration is expected to request a 31 percent decrease for PWSS funding. This reduces the grant to approximately \$71 million—a funding figure not seen since 1995, more than 20 years ago. This is an untenable situation—a significant decrease in funding to work with a growing population who are increasingly concerned about drinking water contaminants. There are no commensurate decreases in the number of public water systems to be overseen; no decreases in the number of regulatory requirements to be implemented; and certainly, no decreases in the level of allowable public health protection. Our ever-improving ability to detect contaminants in drinking water and our understanding of their toxicity add to the demands on States, EPA, and the public water supply systems. In each of the drinking problems that occur each year, States step in to help resolve the problems and return the systems to providing safe water as quickly as possible. Yet, States are being asked to continue and even enhance the level of oversight with far fewer dollars than provided before the 1996 Amendments to the Safe Drinking Water Act. The current \$101.9 million that was appropriated for the PWSS program for fiscal year 2017 is key for State oversight programs, and any reductions, no matter how small, exacerbate States’ tenuous financial difficulties.

*For the PWSS Program in fiscal year 2018, ASDWA Respectfully Requests \$200 million:* The number of regulations requiring State implementation and oversight as well as performance expectations continue to grow while at the same time, the Federal funding support has been essentially “flat-lined.” Inflation has further eroded these static funding levels. This recommended amount is based on ASDWA’s January 2014 resource needs report and begins to fill the above-described resource gap. These funds are urgently needed for implementing existing drinking water rules, taking on new initiatives, and to account for the eroding effects of inflation. It is a small price to pay for public health protection.

*The Drinking Water State Revolving Loan Fund (DWSRF) Program*

*How the DWSRF Program Operates:* Drinking water in the U.S. is among the safest and most reliable in the world, but it is threatened by aging infrastructure. Through low interest loans provided by the DWSRF, States help water utilities overcome this threat. The historical payback to the DWSRF on this investment has been exceptional. Since its inception, the DWSRF has touched millions of Americans through projects that enhance drinking water capabilities at water utilities. In the core DWSRF program, approximately \$18.2 billion in cumulative Federal capitalization grants since 1997 have been leveraged by States into over \$32.5 billion in infrastructure loans to small and large communities across the country. 25.5 percent of the cumulative DWSRF assistance, including negative interest loans and principal forgiveness, has been provided to disadvantaged communities. Such investments pay tremendous dividends—both in supporting our economy and in protecting our citizens’ health. States have very effectively and efficiently leveraged Federal dollars with State contributions for more than 13,000 projects, improving health protection for millions of Americans.

An important feature of the DWSRF program is the State “set-aside” fund component and another key reason for adequately funding this critical program. Set-asides function as a proactive way for States to work with drinking water systems to maintain compliance and avoid violations. States may reserve up to 31 percent of these funds for a variety of critical tasks, such as increasing the technical, managerial, and financial capacity of water systems; providing training and certification for water system operators; and continuing wellhead protection efforts. Set-asides are an essential source of funding for States’ core public health protection programs and these efforts work in tandem with infrastructure loans.

*Drinking Water Infrastructure Investment is Well below the Documented Need:* The American Society of Civil Engineers, once again, has given the Nation’s drinking water infrastructure a D+ grade and EPA’s most recent National Drinking Water Infrastructure Needs Survey (2011) indicated that drinking water system infrastructure needs total \$384 billion over the next 20 years; \$72.5 billion of that total is needed to prevent contamination of 73,400 water systems. The American Water Works Association has estimated the 20 year need at \$1 trillion (which more fully accounted for water distribution system replacement costs). Investment is needed for aging treatment plants, storage tanks, pumps, and distribution lines that carry water to our Nation’s homes, businesses and schools. The DWSRF must continue to be a key part of the infrastructure solution.

*For the DWSRF Program in fiscal year 2018, ASDWA respectfully requests \$1 billion:* States were very encouraged by the \$1.387 billion appropriated for the DWSRF in fiscal year 2010 but have been disappointed by the subsequent generally downward trend—\$963 million in fiscal year 2011, \$919 million in fiscal year 2012, \$854 million for fiscal year 2013 (a figure not seen since 2006), \$907 million in fiscal years 2014 and 2015, and \$863 million in fiscal years 2016 and 2017. The primary purpose of the DWSRF is to improve public health protection by facilitating water system compliance with national primary drinking water regulations through the provision of loans to improve drinking water infrastructure. Water infrastructure is needed for public health protection as well as a sustainable economy, as explained above. Considering these indicators of success and documented needs, we believe funding at the \$1 billion level will better enable the DWSRF to meet the SDWA compliance and public health protection goals.

CONCLUSION

ASDWA respectfully recommends that the Federal fiscal year 2018 budget needs for States’ role in the provision of safe drinking water be adequately funded by Congress. A strong State drinking water program supported by the Federal-State partnership will ensure that the quality of drinking water in this country will not deteriorate and, in fact, will continue to improve—so that the public can be assured that a glass of water is safe to drink no matter where they travel or live. States are willing and committed partners. However, additional Federal financial assistance is

needed to meet ongoing and ever growing regulatory, infrastructure, and security needs. In 1996, Congress provided the authority to ensure that the burden would not go unsupported. For fiscal year 2018, ASDWA asks that the promise of that support be realized.

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PREPARED STATEMENT OF THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS

The Association of State Floodplain Managers appreciates the opportunity to offer our comments on the fiscal year 2018 budget request for the U.S. Geological Survey. We focus primarily on the essential water monitoring work of USGS and on the important effort to collect elevation data for the Nation through the 3-DEP mapping program. These data collection programs provide critical information for many programs at multiple Federal agencies, but we are particularly focused on their importance for production of accurate, up-to-date flood hazard maps and for assisting our efforts to reduce flood risk, loss of life and property and disaster-related costs to U.S. taxpayers.

The National Streamflow Network and the 3D Elevation Mapping program are important information sources for other Federal agencies as well as for State and local entities, non-profit organizations and private sector interests. We appreciate the efficiency of centralizing collection of this data at USGS to avoid duplication by other Federal and State agencies and to provide nationally uniform data so all communities and States have consistent data for managing hazard risk.

After a budget briefing by USGS officials, we were pleased to learn that the proposed budget will not include cuts to the National Streamflow Network. We urge you to support this aspect of the budget. Of key importance for the value of the National Streamflow Network is the uninterrupted collection of long-term data. This is essential for projections of flood risk and forecasting. Adequate funding is needed to both assure continuity of data collection and to make progress toward completing the authorized network of gages. The costs are very appropriately shared by the many users of the data. While about 31 percent of the costs are provided in Federal funds, another 45 percent comes from States, localities and Tribes, another 20 percent comes from other Federal agencies and the remainder comes from non-profits and the private sector. It is our understanding that the USGS budget for the National Streamflow network has been about \$170 million. We urge that funding be maintained at that level at a minimum.

We are very concerned about the proposed \$3 million reduction in the budget for the 3-DEP mapping program. When considered in association with the recently approved fiscal year 2017 budget, this represents a cut of \$7.5 million for 3DEP mapping. The 3-DEP topographic mapping program is a very important investment for the Nation. Fortunately, due to improved technology, the costs of LiDAR data collection are coming down, but investment in the effort to assemble this data for the entire Nation is necessary for continued progress toward the objective of accurate up to date topographic data for the Nation by 2023. The funding structure for the program is not reliable, since only a portion of the funding comes from USGS and the rest is dependent on data purchase by other governmental or private entities. One of the largest purchasers of the data is the Federal Emergency Management Agency (FEMA) because the topographic information is essential for production of accurate flood risk maps. Those flood risk maps are used to guide development decisions, siting of infrastructure and critical facilities, evacuation planning and other functions which save lives, property and costs to taxpayers. For these reasons, we urge that 3DEP mapping be funded at least at current levels in the USGS budget. If at all possible within budgetary constraints, this would be a wise area for increased appropriations as the Nation plans for a major investment in infrastructure.

The ASFPM and its 36 chapters represent more than 17,000 local and State officials as well as other professionals engaged in all aspects of floodplain management and flood hazard mitigation including management of local floodplain ordinances, flood risk mapping, engineering, planning, community development, hydrology, forecasting, emergency response, water resources development and flood insurance. All ASFPM members are concerned with reducing our Nation's flood-related losses. For more information on the association, its 14 policy committees and 36 State chapters, our website is: [www.floods.org](http://www.floods.org).

We appreciate the chance to share our comments and recommendations regarding the USGS budget for fiscal year 2018. Please contact Chad Berginnis, Executive Director, or Larry Larson, Senior Policy Advisor, with any questions at [cberginnis@floods.org](mailto:cberginnis@floods.org) or [larry@floods.org](mailto:larry@floods.org).

[This statement was submitted by Chad Berginnis, Executive Director.]

## PREPARED STATEMENT OF THE ASSOCIATION OF ZOOS AND AQUARIUMS

Thank you Chairwoman Murkowski and Ranking Member Udall for allowing me to submit written testimony on behalf of the Nation's 215 AZA-accredited zoos and aquariums. Specifically, I want to express my support for the inclusion of \$11,100,000 for the Multinational Species Conservation Funds (MSCF) operated by the U.S. Fish and Wildlife Service (USFWS), \$15,200,000 for the USFWS's International Affairs program, and \$8,700,000 for National Environmental Education Act programs at the Environmental Protection Agency (EPA) in the fiscal year 2018 Interior, Environment, and Related Agencies appropriations bill. I also urge you to support robust funding of programs to conserve species under the Endangered Species Act (ESA) and reject any proposed cuts in funding to the USFWS.

## MULTINATIONAL SPECIES CONSERVATION FUNDS

MSCF programs support public-private partnerships that conserve wild tigers, elephants, rhinos, great apes, and marine turtles in their native habitats. Through the MSCF programs, the United States supplements the efforts of developing countries that are struggling to balance the needs of their human populations and endemic wildlife. MSCF programs help to sustain wildlife populations, address threats such as illegal poaching, reduce human-wildlife conflict, and protect essential habitat. By working with local communities, they also improve people's livelihoods, contribute to local and regional stability, and support U.S. security interests in impoverished regions. This Federal program benefits AZA-accredited zoos and aquariums in their field conservation efforts and partnerships with the USFWS.

## NATIONAL ENVIRONMENTAL EDUCATION ACT PROGRAMS

The EPA offers valuable environmental education initiatives that AZA encourages you to support. Education programs at AZA-accredited institutions provide essential learning opportunities, particularly about science, for schoolchildren in formal and informal settings. Studies have shown that American schoolchildren are lagging behind their international peers in certain subjects including science and math. In the last 10 years, accredited zoos and aquariums formally trained more than 400,000 teachers, supporting science curricula with effective teaching materials and hands-on opportunities. School field trips annually connect more than 12,000,000 students with the natural world. Increasing access to formal and informal science education programs has never been more important, and EPA environmental education grants help to support some of these opportunities at AZA-accredited facilities.

## ENDANGERED SPECIES ACT

The AZA and its members take the issue of wildlife conservation very seriously and wholeheartedly support the ESA, which has prevented hundreds of listed species from going extinct. Simply put, the ESA, which is recognized globally as a model for species preservation, is working. It has prevented the extinction of 99 percent of the species it protects since its inception in 1973. However, we know that the challenges facing our planet in the 21st century are as complex as they are urgent. Scientists estimate that the total number of mammals, birds, reptiles, amphibians, and fish has declined by more than 50 percent since 1970, and many believe that we are living amidst the planet's sixth mass extinction. Climate change threatens to accelerate this crisis. Without critical intervention today, we are facing the very real possibility of losing some of our planet's most magnificent creatures such as cheetahs, elephants, gorillas, sea turtles, and sharks.

AZA-accredited zoos and aquariums have a unique responsibility to help others understand this crisis. It is our obligation—to these animals and to all life on earth—to take bold action now to protect our planet's biodiversity. One achievement that has gone unnoticed by most people is that zoos and aquariums have played a significant role in bringing over 25 species, including California condor, Florida manatee, and black-footed ferret, back from the brink of extinction.

Although we have made significant progress in saving endangered species, this work is far from done. Species protection and conservation requires long-term commitment by all of us. It is through the ongoing work related to species recovery plans that we will conserve these species for future generations. The AZA and its members fully support the ESA, and I encourage you to assure that the agencies responsible for carrying out the mandates of the Act receive the necessary funding, human resource capacity, and regulatory flexibility to succeed.

## USFWS BUDGET

Finally, much of the important conservation work at AZA-accredited zoos and aquariums depends on a robust and fully staffed USFWS. Acknowledging the budget challenges facing Congress and the agencies, I encourage you to assure that the USFWS has sufficient resources to employ qualified professionals, particularly for the programs handling permits, which support the science-based conservation breeding and wildlife education programs that require animals to be moved in an efficient, timely manner: International Affairs (Management Authority), Endangered Species, Law Enforcement, and Migratory Birds.

AZA-accredited zoos and aquariums are essential conservation and education partners at the Federal, State, and local levels domestically as well as internationally. To assure that AZA-accredited zoos and aquariums can continue to serve in these important roles, I urge you to provide adequate funding for the USFWS as well as include \$11,100,000 for the MSCF, \$15.2 million for the USFWS's International Affairs program, and \$8,700,000 for critical environmental education programs at the EPA in the fiscal year 2018 Interior, Environment, and Related Agencies appropriations bill.

Thank you for your consideration of our comments.

[This statement was submitted by Dan Ashe, President and CEO.]

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 PREPARED STATEMENT OF DAVID JONAS BARDIN

Hon. LISA MURKOWSKI, *Chairman*  
 Hon. TOM UDALL, *Ranking Member*  
*Subcommittee on Interior, Environment and Related Agencies*  
*Committee on Appropriations, United States House Senate*

Re: Proposal to zero out the \$1.9 million & 15 FTE USGS Geomagnetism Hazards Program

DEAR CHAIRMAN MURKOWSKI AND RANKING MEMBER UDALL:

Do not zero out this USGS program in DOI. Strengthen it, instead, because productive outputs of its highly-skilled 15 FTE staff are vital to our national and international security and critical infrastructure.

The bipartisan Space Weather Research and Forecasting Act (S. 141), approved unanimously by the Senate on May 2, 2017 (see <https://www.congress.gov/bill/115th-congress/senate-bill/141>), describes and relies on this very program as follows:

SEC. 60701. SPACE WEATHER.

(b) FEDERAL AGENCY ROLES.—

(1) FINDINGS.—Congress finds that—

(E) the Department of the Interior collects, distributes, and archives operational ground-based magnetometer data in the United States and its territories, and works with the international community to improve global geophysical monitoring and develops crustal conductivity models to assess and mitigate risk from space weather induced electric ground currents; . . . [S. Rept. 115–21 (<https://www.congress.gov/115/crpt/srpt21/CRPT-115srpt21.pdf>).]

S. 141 recognizes that the USGS Geomagnetism Program has important responsibilities prescribed in the National Space Weather Action Plan [<https://www.hssl.org/?view&did=789864>]. Particularly important: USGS is responsible for mapping geoelectric hazards of concern for the electric power grid, notably to the North American Electric Reliability Corporation (NERC) and Federal Energy Regulatory Commission (FERC) [see FERC Order No. 830, <https://www.ferc.gov/whats-new/comm-meet/2016/092216/E-4.pdf>].

USGS tells you [at page I–24 of [fy2018\\_usgs\\_budget\\_justification](#); PDF page 176 of 330]:

*Summary of Budget Request*

The 2018 budget request for the USGS Geomagnetism Program is \$0 and 0 FTE, a change of –\$1,884,000 and –15 FTE from the 2017 Annualized Continuing Resolution (CR) level.

### Overview

Magnetic storms are caused by the dynamic interaction of the Earth's magnetic field with the Sun. While magnetic storms often produce beautiful aurora lights that can be seen at high latitude, they can also wreak havoc on the infrastructure and activities of our modern, technologically based society. Large storms can induce voltage surges in electric-power grids, causing blackouts and the loss of radio communication, reduce GPS accuracy, damage satellite electronics and affect satellite operations, enhance radiation levels for astronauts and high-altitude pilots, and interfere with directional drilling for oil and gas.

In order to understand and mitigate geomagnetic hazards, the USGS Geomagnetism Program has monitored and analyzed the Earth's dynamic magnetic field. The Program is part of the U.S. National Space Weather Program (NSWP), an interagency collaboration that includes programs in the National Aeronautics and Space Administration (NASA), the Department of Defense (DoD), the National Oceanic and Atmospheric Administration (NOAA), and the National Science Foundation (NSF). The Geomagnetism Program provides data to the NSWP agencies, oil drilling services companies, geophysical surveying companies, and several international agencies. USGS data, products, and services are also used by the electric-power industry to evaluate geomagnetic storm risk.

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### 2018 Program Changes

*Eliminate the Geomagnetism Program. (-\$1,884,000 / -15 FTE):* This eliminates the Geomagnetism Program, an element of the U.S. National Space Weather Program. This will reduce the accuracy of NOAA and U.S. Air Force forecasting of the magnitude and impact of geomagnetic storms. In addition to eliminating the data provided to partner Federal agencies, the elimination of the program will also reduce the availability of geomagnetic information to the oil drilling services industry, geophysical surveying industry, several international agencies, and electrical transmission utilities.

### Science Collaboration

The USGS is a member of the multiagency NSWP. Domestically, the USGS works cooperatively with NOAA, the Air Force 557th Weather Wing, and other agencies. For example, USGS observatory data are used by NOAA's Space Weather Prediction Center, and by the U.S. Air Force, for issuing geomagnetic warnings and forecasts. Internationally, the USGS magnetic observatory network is itself part of the global INTERMAGNET network. USGS research is conducted in collaboration with the Colorado School of Mines, the USGS Crustal Geophysics and Geochemistry Science Center, the NOAA/SWPC, and the NASA Community Coordinated Modeling Center.

The USGS also works with private entities that are affected by space weather and geomagnetic activity, including electric-power grid companies and the oil and gas drilling industries. In the oil and gas industry, for example, drill operators need to know which way their drill bits are going to maximize oil production and avoid collisions with other wells. One way to accomplish this important task is to install a magnetometer—a sort of modern-day “compass”—in a drill-string instrument package that follows the drill bit. Simultaneous measurements of the magnetic field in the drill hole are combined with those monitored by the USGS to produce a highly accurate estimate of the drill bit position and direction.

But USGS omits that this program brings rapidly evolving earth science to NERC and FERC in particular.

As a concerned citizen with Federal, State, municipal and private sector experience [see bio below], I believe that the USGS Geomagnetism Program brings modern relevance to earth science. We will need its services for many years to come to help protect us from ground-level hazards of space weather and, even, from malevolent risks (such as electromagnetic pulse attacks).

Faithfully, *David Jonas Bardin*

### SHORT BIO

Mr. Bardin, a retired member of Arent Fox LLP, has focused on energy, environmental, public utility, and governance issues in a number of public and private capacities.

—At Arent Fox beginning in 1980, he practiced energy, public utilities, and environmental law on behalf of corporate and governmental clients in the United States and abroad.

—As a citizen, he addressed energy issues involving public information, research and development, incentives for enhanced oil recovery and carbon dioxide sequestration, unconventional petroleum resources (including Bakken oil resources of the Williston Basin [see <http://www.undeerc.org/News-Publications/Leigh-Price-Paper/Default.aspx>]), electric power reliability and security, and District of Columbia and regional government matters (including the University of the District of Columbia).

He served as Deputy Administrator of the Federal Energy Administration (1977) and Administrator of the Economic Regulatory Administration of the Department of Energy (1977–79), under appointments by President Carter, and as New Jersey’s cabinet-level Commissioner of Environmental Protection (1974–77) under appointment by Governor Byrne. He worked in Israel (1970–74) on public utility and environmental matters. He held Federal civil service positions (1958–69) as trial attorney, assistant general counsel for legislation, and deputy general counsel at the U.S. Federal Power Commission (now FERC) during the Eisenhower, Kennedy, Johnson, and Nixon Administrations, and did active duty as an enlisted man in the U.S. Army Transportation Research & Engineering Command (1956–58).

He served on the board of directors of the D.C. Water & Sewer Authority (2001–2011).

He is a graduate of Columbia University Law School (1956), Columbia College (1954), and the Bronx High School of Science (1950). He and his wife, Livia, have four children and five grandchildren.

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#### PREPARED STATEMENT OF THE BRISTOL BAY AREA HEALTH CORPORATION

The Requests of the Bristol Bay Area Health Corporation (BBAHC) for the fiscal year 2018 Indian Health Service Appropriations and our comments are as follows:

- VBC Funding*.—Direct the IHS to fully fund Village Built Clinic (VBC) leases and make it a line item in the budget and allocate at least an additional \$12.5 million to the IHS for VBC leases, for a total of \$17 million.
- CSC Funding*.—Continue to fund Contract Support Costs (CSC) at 100 percent and provide funding on a permanent and mandatory basis.
- Sequestration*.—Shield the IHS/BIA from sequestration.
- Increase IHS behavioral healthcare funding (Mental Health / Substance Abuse)*
- Land Transfer Legislation*.—Enactment of H.R. 236/S. 269, to facilitate transfer of from IHS to BBAHC land on which our dental clinic is located.
- Concern of proposal to greatly increase the cost our Internet access.*

The Bristol Bay Area Health Corporation was created in 1973 to provide healthcare services to Alaska Natives of Southwest Alaska. We began operating and managing the Kanakanak Hospital and the Bristol Bay Service Unit for the IHS in 1980, and was the first Tribal organization to do so under the Indian Self-Determination and Education Assistance Act (ISDEAA). BBAHC is a co-signer to the Alaska Tribal Health Compact with the Indian Health Service (IHS) under the ISDEAA and is now responsible for providing and promoting healthcare to the people of 28 Alaska Native Villages.

We have made significant progress but now deal with modern-day health problems. Today, rather than TB and influenza epidemics, we struggle with diseases of a modern society that include chronic illnesses such as cancer, diabetes, heart disease and behavioral and mental and behavioral health needs. The life expectancy of our people has increased from 47 years of age in 1952 to 69.4 in 1998, still below that of U.S. residents and other Alaskans.

*Village Built Clinics.* The Bristol Bay Area Health Corporation thanks Congress for appropriating \$11 million for Tribal health clinic leases in the fiscal year 2017 Consolidated Appropriations Act. We appreciate the Alaska Congressional delegation’s continued support and are particularly thankful to Senator Murkowski for her leadership on this issue. We thank her for her steadfast determination in advocating for these small chronically underfunded remote clinics that serve as an essential health lifeline in rural Alaskan villages where there is no road system to connect villages to urban centers. As noted above, BBAHC serves 28 remote villages in southwest Alaska.

BBAHC also appreciates the House Natural Resources Subcommittee on Indian, Insular, and Alaska Native Affairs holding a hearing on Indian infrastructure needs in Indian Country, and the support and participation of Chairman Emeritus Young in the discussion that focused on the considerable unmet needs of Village Built Clin-



ics. Many of the Village Built Clinics are in extreme disrepair and there is a considerable need for a reserve fund for upkeep and expansion of these essential village facilities. In 2015, the Alaska Native Health Board estimated that a \$14 million annual appropriation would be needed to fund a replacement reserve to tackle the clinic crisis. BBAHC supports increased funding for Village Built Clinics and requests that funding be a: (1) separate line item in the IHS budget, (2) recurring funding, and (3) displayed in the Budget Justification to better enable planning and certainty.

The \$11 million increase in fiscal year 2017 was a major step forward in funding Village Built Clinics, but that amount still does not meet the full amount of funding needed. In 2015, the Alaska Native Health Board estimated that in addition to the existing \$4.5 million base, an additional \$12.5 million is needed to fund these rural clinics. The fiscal year 2017 funding is a supplement to the approximately \$4.5 million already being provided to these essential village clinics and should be so reflected. In addition, without a separate line item for Village Built Clinics, much of the funding could be distributed to other types of facility leases, leaving the Village Built Clinics falling far short of necessary funding.

*Contract Support Costs (CSC).* BBAHC thanks this Subcommittee for its leadership in committing to fully fund IHS and BIA contract support costs for fiscal year 2016, and fiscal year 2017, funding it at “such sums as necessary” and making it a separate account in the IHS and BIA budgets. For IHS, the fiscal year 2017 estimate for contract support costs is \$800 million and for the BIA, \$278 million. For many years, both the IHS and BIA have vastly underpaid the contract support costs owed to Tribal organizations and this transformation makes an enormous difference in helping to ensure that the Indian Self-Determination and Education Assistance Act is fully funded and implemented as Congress so intended. The shift is also likely to significantly improve the Federal-Tribal government-to-government relationship. BBAHC thanks you for responding to Tribal requests and we also appreciate that the proviso that effectively denied CSC carryover authority granted by ISDEAA is absent from fiscal year 2017 Consolidated Appropriations Act.

BBAHC will continue to advocate for our long-term goal of ensuring that full CSC appropriations are made permanent and mandatory. Under the ISDEAA, the full payment of CSC is not discretionary; it is a legal obligation affirmed by the Supreme Court of the United States. Funding of CSC on a discretionary basis has in the very recent past placed the House and Senate Appropriations Committees, in their own words, in the “untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs.” BBAHC is committed to working with the appropriate Congressional committees to determine how best to achieve that goal.

*Sequestration.* BBAHC respectfully requests the Subcommittee’s support in amending the Balanced Budget and Emergency Deficit Control Act to exempt Indian programs, such as the IHS and BIA budgets, from sequestration. We support congressional efforts to fully exempt Veterans Health Administration programs from sequestration. However, Indian healthcare, as a Federal trust responsibility, should be afforded equal treatment. A number of members of this Subcommittee and other members of Congress have voiced support for our position and have publicly stated that it was an oversight that the Indian budgets were not included in the exempt category when the Balanced Budget and Emergency Deficit Control act was enacted.

BBAHC is very concerned that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal year 2017 spending cap. When put in the context of the President’s fiscal year 2018 “skinny” budget proposal to raise defense spending by \$54 billion and lower non-defense discretionary spending by a corresponding amount, we are concerned that a significant sequestration of funds is likely to occur. Whatever the case, Indian program budgets should be a funding priority and exempt from sequestration.

*Behavioral Health.* We testified last year regarding the hardships in providing for our communities’ behavioral and mental health needs, particularly with regard to our youth. As you know, there is an epidemic of suicide among Alaska Natives, especially teens. BBAHC has well-qualified professional staff who service approximately 8,000 people in our region. But our social workers, counsellors and behavioral health aides have a theoretical caseload of 300 persons each. The ratio of mental health clinicians to clients is 1 to 1,300. Our 14-bed residential youth facility for substance abuse (Jake’s Place) has an Alcohol and Drug Safety program funded by the State of Alaska but it is primarily an education program, not a treatment program, and much of the education is done remotely, via the Internet.

We supported the Obama Administration’s requested fiscal year 2017 increases under Mental Health of \$21.4 million for behavioral health integration and \$3.6 million for the Zero Suicide initiative and under Alcohol and Substance Abuse of \$15

million for the Generation Indigenous initiative and \$1.8 million for a pilot youth project. The Senate Appropriations Committee also supported these increases and we appreciate that. The final fiscal year 2017 Appropriations Act provides under Mental Health \$6.9 million for behavioral health integration and \$3.6 million for the Zero Suicide initiative. Under Alcohol and Substance Abuse it provides \$6.5 million for Generation Indigenous initiative, \$1.8 million for the pilot youth project, and \$2 million for detoxification. We are glad for any increases but urge you to make an increased commitment for fiscal year 2018 to help address the overwhelming behavioral health needs.

*Land Transfer Legislation.* BBAHC also asks for your support in enacting legislation that would direct the Secretary of the Department of Health and Human Services to convey a 1.474-acre parcel of land, via warranty deed, to BBAHC for the land on which our new state-of-the-art dental clinic is located. The legislation is HR 236, introduced on January 3, 2017 by Congressman Young and S. 269 introduced on February 1, 2017 by Senators Murkowski and Sullivan.

The House and Senate bills are identical, and there is no reason they should not pass under unanimous consent or under suspension of the rules. The property transfer authorized by these bills would enable the land transfer from IHS to BBAHC via warranty deed, and would supersede any existing quitclaim deed. It would allow the BBAHC to have greater control over the land and more opportunities for financing as well as to remove any IHS reversionary interests.

Our new dental facility opened in September 2016, on the grounds of the Kakanak Hospital Compound. The new clinic replaced a dilapidated clinic and is providing expanded dental care to the our region where there are very few public dental clinics. Our service population is 8,000. Part of the funding for the dental facility came from BBAHC reinvesting its share of a CSC settlement with IHS that was paid to compensate for years of contract underpayments to the Tribal health organization. The clinic is the first building owned by BBAHC on the hospital campus and there is a lot of pride and self-determination that flows from the new tribally-owned dental building.

*Universal Service Proposal.* A potentially devastating development is the proposal by the FCC to pro-rate by 7.5 percent the subsidies for Internet service. We currently have a subsidy from Universal Administrative Company (USAC)—the FCC-designated administrator of universal services—that subsidizes our Internet so we can connect thru satellite. Our current payment is \$94,000 per month but under the proposal it will be \$175,000 per month. That translates to an annual \$2.72 million annual increase over what we are currently paying. There is no way we can afford this additional amount for connectivity. This will affect not only us but all Tribal health organizations in the State. Connectivity is the lifeline for the provision of health services in Alaska. In our case, we serve a vast area covering 28 Tribal villages. This is obviously a case to be made to the FCC, but we want this Subcommittee, which is critical to the provision of providing funding for Alaska Native and Indian healthcare, and to be aware of this issue.

In conclusion, we thank you for the opportunity to present testimony on IHS programs. We recommend: (1) directing the IHS to fully fund Village Built Clinic leases at \$17 million and make it a line item in the budget, allocating at least an additional \$12.5 million to the IHS for VBC leases; (2) continue to fund Contract Support Costs at 100 percent and make funding available on a permanent and mandatory basis; (3) shield the IHS/BIA from sequestration; (4) increase funding for behavioral healthcare; (5) expedite passage of H.R. 236/S. 269, to facilitate transfer of the IHS parcel of land to BBAHC on which our dental clinic is located; and (6) ask for your attention on the proposal that would greatly increase our cost of internet access which is essential for the provision of healthcare.

We appreciate your leadership and commitment to the advancement of the Native American people and thank you for your consideration of the concerns and requests of the Bristol Bay Area Health Corporation.

[This statement was submitted by Robert Clark, President/CEO.]

## PREPARED STATEMENT OF THE CATAWBA INDIAN NATION, SOUTH CAROLINA

*Requests:*

1. Provide necessary funding to support Tribal self-determination and economic development.
2. Establish avenues for increased capital investment in Indian Country.
3. Maintain the \$1 million allocation for NAGPRA-related law enforcement in fiscal year 2018 and beyond.
4. Expand funding for effective natural resource management and conservation.
5. Increase funding for Tribal historic preservation efforts to protect sacred sites.
6. Support the Johnson O'Malley program at the Bureau of Indian Education for Native student resiliency and long-term success.

*Introduction.* Thank you Chairman Murkowski, Ranking Member Udall, and members of the subcommittee for the opportunity to testify on critical funding needs for American Indian and Alaska Native programs in the Department of the Interior. The people of the Catawba Indian Nation thank you for your hard work on behalf of Indian Country and for inviting Tribal leaders to submit outside witness testimony on their communities' behalf. As you are aware, the programs at issue are founded on the political relationship that exists between the Federal Government and Tribal nations, which frames our government-to-government relationship and the trust responsibility to protect the interests and well-being of Tribal members.<sup>1</sup>

My name is William Harris and I am the Chief of the Catawba Indian Nation, the only federally recognized Tribe in the State of South Carolina. Since before recorded history, the Catawba have lived in the Piedmont area of South Carolina, east of the Nantahala National Forest and along the life-giving waters of the river bearing our name. Like our traditional pottery, the Catawba have been created from southern soil, to be shaped and fired over time by unimaginable hardship, and now stand tall as a living testament to our ancestors and to the land we call home. To advance the socioeconomic development and well-being of my Tribe and other Native communities, I offer the following budget recommendations for fiscal year 2018.

## I. SUSTAINABLE ECONOMIC DEVELOPMENT FOR SMALLER TRIBES

*Unique Hardships of the Catawba Indian Nation.* As a sovereign nation and industrious people, we are committed to achieving economic self-sufficiency. The ability to provide a safe, vibrant, and fully functioning range of services to one's community is the aspiration of all Tribal governments. For the Catawba Indian Nation, this goal is immeasurably complicated by the terms of our 1993 Settlement Act with the State that inhibit meaningful Tribal economic development. For example, the Tribe was required to pay an out-of-county rate for Tribal students enrolled at public schools within the local Rock Hill School District based on an extremely unfair formula that would effectively impose a \$500,000 annual fee on the Tribe. The justification for the fee was that the Tribe would be taking 3,500 acres of land into trust that could no longer be taxed, but in reality the Tribe has only taken about 300 acres into trust. As a result of legal action brought by the local school district following our inability to pay this exorbitant amount, there is a judgment against the Tribe exceeding the amount of our total assets. We urgently request Congressional support to promote our Tribal self-determination and sustainable economic development.

*Increased Support for Non-Gaming Tribes.* Our Tribe is currently prohibited from establishing gaming operations on Tribal lands under the terms of our Settlement Act. Instead, we are allowed to operate just two bingo halls—neither of which ever turned even a marginal profit for the Tribe due to the mandatory 10 percent fee on gross bingo revenue that must be first transmitted to the State. It is our hope to come back to the Congress and ask for amendments to our Settlement Act that would restore some of our lost sovereignty and free-up our economic potential. In the interim, we continue to explore innovative avenues for economic development. We urge Congress to invest in programs that support economic development for non-

<sup>1</sup>Recently, there have been suggestions that Federal Indian programs and associated funding might somehow be unconstitutional. This is absolutely wrong. The Supreme Court has rejected equal protection challenges against Federal Indian laws, holding that the "[T]he Constitution itself provides support for legislation directed specifically at the Indian Tribes. . . . [T]he Constitution therefore 'singles Indians out as a proper subject for separate legislation.'" *United States v. Antelope*, 430 U.S. 641, 649 n. 11 (quoting *Morton v. Mancari*, 417 U.S. 535, 552 (1974)). If this were not true, a whole title of the U.S. Code (Title 25) would be in jeopardy in total contradiction to thousands of judicial decisions and dozens if not hundreds of laws passed by both houses of Congress and signed by every president.

gaming Tribes with limited resources to further the Federal Government's policy of promoting Tribal self-determination and economic self-sufficiency.

*Expanded Access to Investment Opportunities in Indian Country.* Given adequate support and the appropriate resources, the majority of Tribes would likely become—assuming they are not already—significant contributors to their local and regional economies. Tribes are economic engines of the tourism industry, renewable energies, small business development, commercial services, among many others. However, limited access to capital and investment financing remain substantial barriers to economic development in Indian Country. We struggle with uniquely burdensome Federal restrictions and regulations, poor infrastructure, and other challenges that limit their economies from flourishing. It is important to create avenues for investment funds, financial resources, and business models that are mutually advantageous to Tribes and potential partners for economic advancement, stability, and diversification. We encourage Congress to provide increased support for investment opportunities in Indian Country in the fiscal year 2018 budget.

## II. PROTECTION FOR TRIBAL CULTURAL PATRIMONY

*Continued Support for the Protection of Cultural Patrimony; Thank You for Supporting Efforts to End Illegal Trafficking in Tribal Cultural Materials.* As an artist and traditional potter, I am intimately familiar with the press of cool clay beneath my fingers and the process of creating a new form from the South Carolina earth. Such vessels transmit not only the impressions of the artists who created them, but also the cultural heritage and worldviews of all those individuals who came before. When these items are removed from Native communities through illegal trafficking, theft, or disruptions in the transmission of traditional practices, an irreplaceable aspect of our cultural expression and identity is lost as well.

We would like to take this opportunity to provide a heartfelt thank you to Congress for providing expanded funding for NAGPRA-related law enforcement activities in the 2017 Omnibus. With a secure and dedicated funding stream, BIA and Tribal officials will have an enhanced capacity to combat and deter the trafficking of Tribal cultural patrimony. When aligned with the Federal protections of the PROTECT Patrimony Resolution, passed by the Congress last year, the Catawba Indian Nation can see a positive path forward in ensuring that the next generation will have access to these important cultural resources. We strongly encourage Congress to continue to support programs that protect our cultural heritage and work to bring these irreplaceable objects home and to maintain the \$1 million NAGPRA-related funding for fiscal year 2018 and beyond.

*Natural Resource Protection to Safeguard Tribal Cultures.* We often think of the destruction of cultural heritage in terms of monuments or great works of art. However, it is also possible to conceptualize the destruction of cultural heritage in terms of living natural resources. When natural resources are contaminated or destroyed, such alterations necessarily impact the cultures that depend on those resources for physical, spiritual, and cultural sustenance. Our cultural heritage as the Catawba Indian Nation is intertwined with the natural resources that surround and define us, particularly in regards to our sovereign lands and the currents of the Catawba River. We urge Congress to safeguard Tribal cultures by providing increased funding for natural resource protections in the fiscal year 2018 Interior budget.

*Tribal Historic Preservation Offices (THPOs).* The landscapes and features that qualify as Tribal sacred sites are as diverse as the 567 Tribal nations currently recognized by the Federal Government. Each individual Tribe must decide for itself what does or does not constitute a sacred site. In recent years, an increasing number of Tribes have established THPOs equivalent to State programs under the National Historic Preservation Act. Federal funding, however, has not kept up with the expansion of THPO programs and, as a result, it is difficult for Tribes to meet their preservation compliance duties and responsibilities. We request an increase in THPO funding as part of the Interior budget to better protect Tribal sacred sites for future generations.

## III. INCREASED SUPPORT FOR EDUCATION

*Increased Funding for the Johnson-O'Malley Program (JOM).* The JOM Program provides supplementary educational services to meet the unique needs of Native children attending public schools. These services include academic counseling, dropout prevention assistance, Native language incorporation, and culturally based education activities in the classroom. The implementation of culturally and linguistically appropriate instruction and program design has proven to contribute to Native student resiliency and long-term success. To ensure that Native students are receiving appropriate forms of support, the JOM Program authorizes parent commit-

tees to design and implement their own programs. Through this critical program we are able to better support our children as they reach for their educational goals. We urge an increase in funding for per student allocations under the JOM to account for future student growth.

Thank you for inviting outside witness testimony on the Federal budget for fiscal year 2018. I appreciate the opportunity to testify on behalf of the Catawba People. We look forward to working with you on addressing these complex needs.

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PREPARED STATEMENT OF THE CENTRAL ARIZONA PROJECT

On behalf of the Central Arizona Water Conservation District (CAWCD), I encourage you to include \$1.5 million for salinity specific projects in the Bureau of Land Management's (BLM) Soil, Water and Air Program in fiscal year 2018. The funding will help protect the water quality of the Colorado River that is used by approximately 40 million people for municipal and industrial purposes and used to irrigate approximately 5.5 million acres in the United States.

CAWCD manages the Central Arizona Project (CAP), a multi-purpose water resource development and management project that delivers Colorado River water into central and southern Arizona. The largest supplier of renewable water in Arizona, CAP diverts an average of over 1.5 million acre-feet of Arizona's 2.8 million acre-foot Colorado River entitlement each year to municipal and industrial users, agricultural irrigation districts, and Indian communities.

Our goal at CAP is to provide an affordable, reliable and sustainable supply of Colorado River water to a service area that includes more than 80 percent of Arizona's population.

These renewable water supplies are critical to Arizona's economy and to the economies of Native American communities throughout the State. Nearly 90 percent of economic activity in the State of Arizona occurs within CAP's service area. The canal provides an economic benefit of \$100 billion annually, accounting for one-third of the entire Arizona gross State product. CAP also helps the State of Arizona meet its water management and regulatory objectives of reducing groundwater use and ensuring availability of groundwater as a supplemental water supply during future droughts. Achieving and maintaining these water management objectives is critical to the long-term sustainability of a State as arid as Arizona.

NEGATIVE IMPACTS OF CONCENTRATED SALTS

Natural and man-induced salt loading to the Colorado River creates environmental and economic damages. EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. Human activity, principally irrigation, adds to salt load of the Colorado River. Further, natural and human activities concentrate the dissolved salts in the River.

The U.S. Bureau of Reclamation (Reclamation) has estimated the current quantifiable damages at about \$382 million per year to U.S. users with projections that damages would increase to approximately \$614 million per year by 2035 if the program were not to continue. These damages include:

- A reduction in the yield of salt sensitive crops and increased water use to meet the leaching requirements in the agricultural sector;
- Increased use of imported water and cost of desalination and brine disposal for recycling water in the municipal sector;
- A reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector;
- An increase in the cost of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector;
- An increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;
- A decrease in the life of treatment facilities and pipelines in the utility sector; and
- Difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins.

Adequate funding for salinity control will prevent the water quality of the Colorado River from further degradation and avoid significant increases in economic damages to municipal, industrial and irrigation users.

#### HISTORY OF THE BLM COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

In implementing the Colorado River Basin Salinity Control Act of 1974, Congress recognized that most of the salts in the Colorado River originate from federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to the quality of waters being delivered to Mexico. Title II of the Act deals with improving the quality of the water delivered to users in the United States. This testimony deals specific with Title II efforts. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM.

In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003, BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin and to pursue salinity control studies and to implement specific salinity control practices. Meaningful resources have been expended by BLM in the past few years to better understand salt mobilization on rangelands. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

The threat of salinity continues to be a concern in both the United States and Mexico. On November 20, 2012, a 5-year agreement, known as Minute 319, was signed between the U.S. and Mexico to guide future management of the Colorado River. Among the key issues addressed in Minute 319 included an agreement to maintain current salinity management and existing salinity standards. The CAWCD and other key water providers are committed to meeting these goals.

#### CONCLUSION

Implementation of salinity control practices through the BLM Program has proven to be a very cost effective method of controlling the salinity of the Colorado River and is an essential component of the overall Colorado River Basin Salinity Control Program.

CAWCD urges the subcommittee to include \$1.5 million for salinity specific projects in the Bureau of Land Management's (BLM) Soil, Water and Air Program. The continuation of funding will prevent further degradation of the water quality of the Colorado River and further degradation and economic damages experienced by municipal, industrial and irrigation users. A modest investment in source control pays huge dividends in improved drinking water quality for nearly 40 million Americans.

[This statement was submitted by Theodore C. Cooke, General Manager.]

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#### PREPARED STATEMENT OF THE CHIPPEWA OTTAWA RESOURCE AUTHORITY

##### I. SUMMARY

The Chippewa Ottawa Resource Authority (CORA), on behalf of its five member Indian Tribes, requests \$5,458,355.00 in recurring base funding from the Department of Interior's fiscal year 2018 appropriation bill, to support Tribal natural resource management programs pursuant to two recently enacted Consent Decrees and support for all intertribal resource management organizations under "Evaluation and Research Activities—Climate Change".

CORA is a coalition of five federally-recognized Michigan Tribes including; the Bay Mills Indian Community, the Grand Traverse Band of Ottawa and Chippewa Indians, the Little River Band of Ottawa Indians, the Little Traverse Bay Bands of Odawa Indians, and the Sault Ste Marie Tribe of Chippewa Indians.

The Tribes are parties to the historic *United States v. Michigan*, a court case concerning the exercise of treaty-reserved fishing, hunting, and gathering rights as they pertain to Article 13 of the 1836 Treaty of Washington. Article 13 States that the Tribes "stipulate for the right of hunting on the lands ceded, with the other usual privileges of occupancy, until the land is required for settlement."

## II. GREAT LAKES CONSENT DECREE (2000)

In 1979, following nearly a decade of litigation in State and Federal courts (*United States v. Michigan*), the Federal district court affirmed the existence of treaty-reserved fishing rights in the upper Great Lakes of Michigan. These court rulings also determined that the Tribes could regulate and manage their respective members' fishing activities. Accordingly, the Tribes have developed the biological, enforcement, and judicial programs necessary to properly protect and manage the Great Lakes fishery resource while continuing to exercise commercial and subsistence fishing activities.

While these court decisions recognized that the Tribes' right to utilize the Great Lakes fishery resource was in fact reserved in the *1836 Treaty of Washington*, the allocation of fishing opportunities among competing user groups, and the inter-jurisdictional management authority was not addressed. Subsequently, the seven parties to *U.S. v. Michigan*, which included the five CORA Tribes, the State of Michigan, and the United States initiated negotiations in the early 1980's that culminated in a 15-year court-ordered settlement in 1985. In 2000, the parties successfully renegotiated a comprehensive agreement that will govern allocation and management of the Great Lakes fishery resource through the year 2020. This agreement was entered into Federal court as a Consent Decree on August 8, 2000.

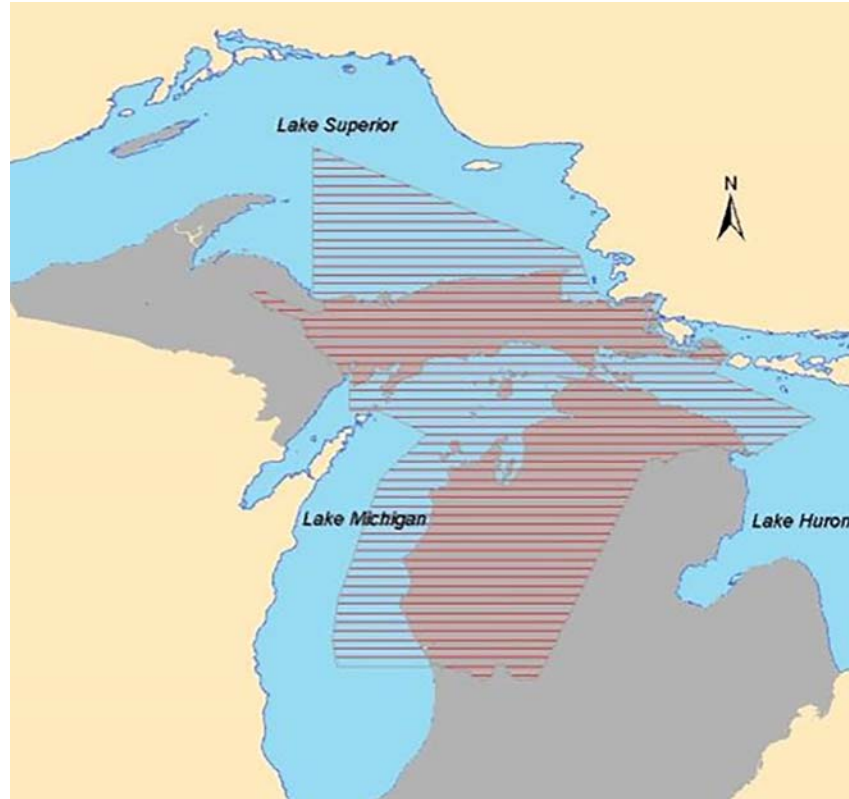
The Great Lakes Consent Decree was a complex agreement that imposed many new management obligations on the parties, particularly the Tribes. Recurring base funding levels for each Tribe were established prior to adoption of the 2000 Great Lakes Consent Decree; however, since 2001, CORA has been annually requesting a modest increase in base funding to help the Tribes accomplish the extensive mandates imposed by the Great Lakes Decree, and to offset over a decade of inflation.

## III. INLAND CONSENT DECREE (2007)

In the early 2000's, the parties to *U.S. v. Michigan*, strongly desired to settle the Inland portion of the case through a joint agreement, rather than contentious and costly litigation, such as occurred during the Great Lakes phase. After some 2 years of complex negotiations, the parties were successful in negotiating an agreement that resolved the question of Inland treaty rights. This agreement was also entered into Federal law as a Consent Decree on November 2, 2007 and has no expiration date. Similar to the Great Lakes Consent Decree, it describes the allocation, management, and enforcement processes that will govern the Tribes' Inland (i.e. non-Great Lakes) treaty-reserved hunting, gathering, and fishing rights throughout nearly 14 million acres in northern Michigan. As with the Great Lakes Decree the Federal Government is a signatory party.

The 2007 Inland Consent Decree is a comprehensive and complex document that resolves the final phase of *U.S. v. Michigan*. In order to achieve an agreement of this scope and magnitude, the CORA Tribes made many concessions, assumptions, sub-agreements, and politically difficult changes in their natural resource harvesting activities and associated management structures, including the forfeiture of commercial opportunities. The Inland Consent Decree also establishes many new obligations and responsibilities for all parties. For the Tribes, these responsibilities are heavily weighted toward development of regulations, biological monitoring and assessment, enforcement of the newly enacted regulations, and numerous inter-governmental processes; all of which impose a substantial and permanent financial burden for the Tribes and of which Congress has provided initial dollars for the implementation of Tribal programs.

In order to meet the obligations mandated by the Inland Consent Decree, while providing for long-term sustainable use of the resources for the next seven generations, each of the Tribes will need to establish a management capability in several core areas, including Conservation Enforcement, Biological monitoring and assessment, Tribal Court, and Administration. These dollars will assist with establishing management programs for each Tribe under the 2007 Consent Decree to ensure that the Tribes can meet their obligations.



**Illustration 1. Extent of 1836 treaty-ceded lands and waters (including the Great Lakes).**

#### IV. FUNDING REQUEST JUSTIFICATION

Clearly, both the Great Lakes and Inland Consent Decrees represent landmark accomplishments in resolving disputes related to rights reserved in treaties between the United States and Indian Tribes. These two Decrees cover the geographic majority of the State of Michigan and its Great Lakes waters; however, the viability and success of both the Great Lakes Decree and the new Inland Consent Decree hinges on the ability of all parties (Tribal, State, and Federal) to deliver effective resource management programs—and the onus is on the Tribes.

In order to properly meet the responsibilities and mandates associated with both the Great Lakes and Inland Consent Decrees, CORA requests funding for the following activities:

1. *Maintain and provide* the current recurring base funding for continued operation under the Great Lakes Consent Decree.
2. *Maintain newly enacted* recurring base funding level to support programs necessary for implementation of the 2007 Consent Decree.

After making such landmark, long-term commitments, it is imperative that the Tribes not be placed in a position where inadequate funding prohibits them from meeting their obligations, responsibilities, and opportunities under either the Inland or Great Lakes Consent Decrees. Adequate funding is absolutely critical to achieving the objectives and responsibilities described in both Consent Decrees; agreements that were designed to resolve complicated and culturally significant Treaty Rights issues. Moreover, failure to meet mandated obligations risks a “re-opening” of these negotiated agreements or, at a minimum, modifying certain terms of either Decree in a manner that would adversely affect the Tribes’ ability to exercise their treaty-reserved rights, or upset the delicate balance of allocation and management



strategies among the parties, which of course, includes the Federal Government as a party. The CORA Member Tribes appreciate the initial dollars received which will assist with implementation of the 2007 Inland Consent Decree.

V. DISTRIBUTION OF FISCAL YEAR—2018 FUNDING REQUEST AMONG CORA TRIBES

On behalf of CORA and its five member Tribes, I would like to thank you for your past financial support, and request your continued support in fiscal year 2018 in maintaining CORA's current base funding for Great Lakes activities, and maintaining the newly enacted recurring base funding for implementing CORA's responsibilities under the Inland Consent Decree.

VI. EVALUATION AND RESEARCH ACTIVITIES—CLIMATE CHANGE

The CORA Tribes respectfully request your support for fiscal year 2018 RPI funding for all intertribal resource management organizations for the Climate Change line item and to provide to CORA its proportionate share of those funds. That amount is \$681,355.00.

Sincerely,

[This statement was submitted by Jane A. TenEyck, Executive Director.]

2000 Great Lakes Consent Decree			
CORA Member Tribe	2017 Great Lakes	Great Lakes/Inland Increase	Total Request (FY2018)
Bay Mills	\$847,066.00	\$142,400.00	\$989,466.00
Little Traverse	\$652,547.00	\$142,400.00	\$794,947.00
Little River	\$652,549.00	\$142,400.00	\$794,949.00
Sault Ste. Marie (OSG Base)	\$153,562.00	\$142,400.00	\$295,962.00
Grand Traverse (OSG Base)	\$153,562.00	\$142,400.00	\$295,962.00
Totals	\$2,459,286.00	\$712,000.00	\$3,171,286.00

2007 Inland Consent Decree	
Bay Mills	\$ 321,144.00
Little Traverse	\$ 321,144.00
Little River	\$ 321,144.00
Sault Ste. Marie	\$ 321,144.00
Grand Traverse	\$ 321,144.00
Total	\$1,605,714.00

OSG Cumulative Base, which is not part of the Rights Protection Distributions	
Self-Governance Tribe	Chippewa/ Ottawa Treaty Voight Non-TPA
Sault Ste. Marie (OSG Base)	\$ 633,607.00
Grand Traverse (OSG Base)	\$ 616,832.00
Subtotal	\$ 1,250,439.00

Evaluation and Research Activities – Climate Change – CORA Tribes - \$681,355.00
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## PREPARED STATEMENT OF THE CHOCTAW NATION OF OKLAHOMA

On behalf of the Choctaw Nation of Oklahoma, I am submitting written testimony for the Hearing Record on the fiscal year 2018 budgets for the Indian Health Service (IHS) and the Bureau of Indian Affairs (BIA). This testimony identifies the funding priorities and budget issues important to the Choctaw Nation and its citizens. The Choctaw Nation requests that Congress exempt Tribal Government Services and Program Funding from Sequestrations, Unilateral Rescissions and Budget Cuts in all future appropriations. We also request that Congress fully-fund Contract Support Cost (CSC) without impacting direct program funding. The fiscal year 2016 Consolidated Appropriations Act included language establishing an indefinite appropriation for contract support costs in both the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS). Under the new budget structure, the full CSC that Tribes are entitled to will be paid and other programs will not be reduced if payments are underestimated in the President's budget. Tribes agree that maintaining this structure achieves the Nation's legal obligation to fully pay CSC and those payments should not be achieved by reducing direct services to any Tribe. Choctaw settled our past contract support cost claims in both the IHS and BIA. These funds have been restored to our health services and have contributed greatly to our ability to continue to cultivate a healthcare system to address the needs of our Tribal citizens.

We strongly urge the subcommittee to protect the Federal trust and treaty obligations that are funded in the Federal domestic budget. Federal funding that meets Federal Indian treaty and trust obligations also provides significant contributions to the economy. In just the Department of the Interior (DOI), the BIA and Bureau of Indian Education (BIE) contribute substantially to economic growth in Tribal areas through advances in infrastructure, strategic planning, improved practices of governance, and the development of human capital.

## TRIBAL SPECIFIC REQUEST—IHS

*“Joint Venture Construction Project Staffing—\$15.5 Million”*

The Joint Venture Construction Program (JVCP) is a unique opportunity for the IHS to partner with Tribes and make scarce Federal dollars stretch much farther than in the traditional Federal construction programs. In 2014 the Choctaw Nation of Oklahoma was awarded a Joint Venture Construction Project by the IHS. The project consisted of the Tribe building the Regional Health Care Facility in Durant, Oklahoma and the commitment to staff the facility from the IHS. Partial funding in the amount of \$15 million was included in the fiscal year 2017 appropriations bill for the IHS Joint Venture Construction Project line item. In accordance with the JVCP Agreement, the Choctaw Nation is requesting that the remaining IHS commitment for the facility of \$15.5 million be included in the JVCP line item in the fiscal year 2018 appropriation bill.

## NATIONAL BUDGET REQUESTS—INDIAN HEALTH SERVICE AND BUREAU OF INDIAN AFFAIRS

- A. Special Diabetes Program for Indians—Support reauthorization of \$200 million/year for 5 years (IHS)
- B. Contract Support Costs—Indian Health Service and Bureau of Indian Affairs (IHS and BIA)
  1. Provide full CSC funding without impacting direct Indian program funding
  2. Reclassify CSC funding as Mandatory for 2018–2021
- C. Purchased and Referred Care (PRC) (Formerly Contract Health Services). Provide \$474.4 million (IHS)
- D. IHS Mandatory Funding (Maintaining Current Services)—Provide an Increase of \$314.9 (IHS)
- E. Provide Funding Increases to Support the Office of Tribal Self-Governance (IHS) and the Office of Self-Governance (DOI) to fully staff the operations to build capacity to support the increased number of Tribes entering Self-Governance (IHS and BIA)

*The Choctaw Nation of Oklahoma*

The Choctaw Nation of Oklahoma is the third largest Native American Tribal government in the United States with over 230,000 members. The Choctaw Nation territory consists of all or part of 10 counties in Southeast Oklahoma, and we are proudly one of the State's largest employers. The Nation operates numerous programs and services under Self-Governance compacts with the United States, including but not limited to: a sophisticated health system serving over 60,000 patients

with Choctaw Nation Health Care Center (Hospital) in Talihina, nine (9) outpatient clinics, including three Joint Venture Projects in partnership with the Indian Health Service, the most recent of which is the Choctaw Regional Medical Clinic in Durant. The Nation also administers referred specialty care and sanitation facilities construction; higher education; Johnson O'Malley program; housing improvement; child welfare and social services; law enforcement; and, many other programs and services. The Joint Venture Construction Program (JVCP) is one of the IHS's most successful initiatives to increase access to healthcare throughout Indian Country. The Choctaw Nation has operated under the Self-Governance authority in the DOI since 1994 and in the Department of Health and Human Services' IHS since 1995. As a Self-Governance Tribe, the Nation is able to re-design programs to meet Tribally-specific needs without diminishing the United States' trust responsibility. Self-Governance is now a permanent reality for many Tribes.

The Choctaw Nation has improved the health status of our people by operating a high quality healthcare system that is responsive and designed to meet the increasing complex needs of our users. We have leveraged scarce resources that have enabled us to succeed in the challenging healthcare field. We owe much to Self-Governance which authorized flexibility to use Federal appropriations in an efficient, effective way that supports the expansion and growth of the healthcare system we are continuing to build for our people.

#### A. INDIAN HEALTH SERVICE

##### *(1) Special Diabetes Program for Indians—Support Permanent Reauthorization Beginning with \$200 Million*

The Special Diabetes Program for Indians (SDPI) has been a top priority for the Choctaw Nation since it was initially authorized in 1997. SDPI is currently reauthorized through September 30, 2017 at a flat-line rate of \$150 million/year (since 2004). Congressional funding remains the critical factor in the battle against diabetes and we request that as we continue to work for permanent authorization and mandatory program status, that you urge your colleagues to extend the reauthorization to 5 years and increase funding to \$200 million/year. Permanent reauthorization will allow the program more continuity as well as provide us the ability to plan more long-term interventions and activities. Further, permanency of SDPI would be a great asset to promoting stability for this important health program and for reversing the trend of Type 2 diabetes in Indian Country. Continuing support of the SDPI will maintain critical momentum in diabetes research and care to help bring diabetes-related costs under control.

##### *(2) Provide an Increase of \$474.4 million for Purchased/Referred Care*

The Purchased/Referred Care (PRC) program pays for urgent and emergency, specialty care and other critical services that are not directly available through IHS and Tribally-operated health programs when no IHS direct care facility exists, or the direct care facility cannot provide the required emergency or specialty care, or the facility has more demand for services than it can currently meet. Although the Nation operates a hospital facility, the hospital is located in a very rural area and services are limited. Therefore, PRC is a significant need to provide intensive care and tertiary care, as well as emergency transportation.

##### *(3) Mandatory funding (maintaining current services. Provide an increase of \$314.9 million.*

Current services calculate mandatory cost increases necessary to maintain those services at current levels. These "mandatories" are unavoidable and include medical and general inflation, pay costs, contract support costs, phasing in staff for recently constructed facilities, and population growth. If these mandatory requirements are not funded, Tribes have no choice but to cut health services, which further reduces the quantity and quality of healthcare services available to American Indian/Alaskan Native (AI/AN) people.

##### *(4) Office of Tribal Self-Governance (OTSG). Provide an increase of \$6 million to the IHS Office of Tribal Self-Governance*

OTSG develops and oversees the implementation of Tribal Self-Governance legislation and authorities within the IHS under Title V of the Indian Self-Determination and Education Assistance Act (ISDEAA), Public Law 93-638, as amended. OTSG is responsible for a wide range of Agency functions that are critical to IHS' relationship with Tribal leaders, Tribal Organizations, and other American Indian and Alaska Native groups. In 2003, Congress reduced funding for this office by \$4.5 million, a loss of 43 percent from the previous year. In each subsequent year, this budget was further reduced due to the applied Congressional rescissions. As of 2017,

there are 361 Self-Governance (SG) Tribes. This represents slightly over 62 percent of all federally-recognized Tribes. The Self-Governance process serves as a model program for Federal Government outsourcing, which builds Tribal infrastructure and provides quality services to Indian people.

(B) BUREAU OF INDIAN AFFAIRS

(1) *Education.* Support the following funding amounts:

- Provide \$2.6 billion for system-wide Bureau of Indian Education (BIE) school construction and repair.
- Provide \$45 million for Johnson O'Malley
- Provide \$73 million for Student Transportation in the BIE system
- Provide \$78 million for Tribal Grant Support Costs for Tribally-controlled schools.
- Provide \$109 million for BIE facilities operations.
- Provide \$76 million for BIE facilities maintenance.
- Provide \$431 million for the Indian School Equalization Formula.
- Provide \$41 million for Education IT.
- Provide \$5 million for BIE immersion programs.
- Reinstate \$620,000 for juvenile detention education in BIA-funded facilities.

(2) *Fully Fund Fixed Costs and Tribal Pay Costs*

Partially funding or failing to fund Pay Costs for Tribes has devastated Tribal communities by causing critical job losses. Over 900 Tribal jobs have been lost and an estimated 300 more jobs will be permanently lost on an annual basis if 100% Pay Costs are not provided. The Tribal losses are being further exacerbated by recent projections of costs that have been significantly underestimated. We urge full funding of fixed costs and Tribal pay costs.

(3) *Increase Tribal Base Funding (instead of through grants)*

Grant funding, particularly inside the BIA, is not consistent with the intent of Tribal self-determination. Tribal leaders have grown increasingly frustrated by the increase in Indian Affairs funding offer through grants, which are inconsistently funded and unreliable upon which to build successful programs and interventions. Allocating new funds via grants marginalizes and impedes the Tribal Self-Determination and Self-Governance. We recommend providing increases to Tribal base funding instead of through grants to Tribal government.

(4) *Office of Self-Governance (OSG)*

Provide funding to fully staff and allow OSG to operate as intended to oversee the implementation of Self-Governance legislation and authorities within DOI—Indian Affairs (IA) under Title IV of the ISDEAA, Public Law 93–638, as amended. Currently, of the 567 Federal-recognized Tribes, 277 are participating in Self-Governance in DOI with a total \$450 million in distributions. OSG's operating and staffing budget is \$1.5 million but their current salaries are \$1.9 million, so they are operating at a deficit. The BIA committed to supporting these positions and all that is required is an internal transfer. It needs to be recurring money to support current staff salary and required functions to implement the statute.

The Choctaw Nation supports the National Congress of American Indian (NCAI), the National Indian Health Board (NIHB), and the National Indian Education Association (NIEA) fiscal year 2018 Tribal Budget Recommendations. These recommendations have been compiled in collaboration with Tribal leaders, Native organizations, and Tribal budget consultation bodies.

Thank you for accepting our written testimony for the hearing record.

[This statement was submitted by Mickey Peercy, Executive Director.]

## PREPARED STATEMENT OF THE CHOOSE CLEAN WATER COALITION

MARCH 23, 2017.

Hon. LISA MURKOWSKI, *Chair*,  
*Subcommittee on Interior, Environment and Related Agencies*,  
*U.S. Senate*,  
*Washington, DC*.

Hon. TOM UDALL, *Ranking Minority Member*,  
*Subcommittee on Interior, Environment and Related Agencies*,  
*U.S. Senate*,  
*Washington, DC*.

DEAR CHAIR MURKOWSKI AND RANKING MEMBER UDALL:

The undersigned members of the Choose Clean Water Coalition request continued support for programs that are essential to maintaining and restoring clean water to the rivers and streams throughout the Chesapeake Bay region and to the Bay itself. Two-thirds of the 18 million people in this region get the water they drink directly from the rivers and streams that flow through the cities, towns and farms throughout our six State, 64,000 square mile watershed. Protecting and restoring clean water is essential for human health and for a robust regional economy.

The efforts to clean the Chesapeake began under President Reagan in 1983. In his 1984 State of the Union speech, President Reagan said, "Preservation of our environment is not a liberal or conservative challenge, it's common sense."

To follow a common sense path to maintain healthy local water and restore Chesapeake Bay, which is critical for our regional economy, we request funding for the following programs in fiscal year 2018:

## U.S. ENVIRONMENTAL PROTECTION AGENCY

*Chesapeake Bay Program—\$73.0 million*

We support level funding of \$73.0 million for the base budget of the Chesapeake Bay Program, which coordinates Chesapeake Bay watershed restoration and protection efforts. The majority of the program's funds are passed through to the States and local communities for on-the-ground restoration work through programs such as the Small Watershed Grants, Innovative Nutrient and Sediment Reduction Grants, State Implementation Grants, and the Chesapeake Bay Regulatory and Accountability Program grants.

We strongly support the highly successful and popular Chesapeake Small Watershed Grants and the Innovative Nutrient and Sediment Reduction Grants—\$6 million each—that Congress appropriated in fiscal year 2016. These are two well-run, competitive grant programs that have contributed significantly to water quality improvements throughout the Chesapeake Bay watershed. These are the Bay Program's only grants that go directly to on-the-ground restoration efforts by local governments and communities. Without specific Congressional direction, EPA has, in the past, reallocated this grant money for purposes other than local restoration. This is not the time to stop local implementation of restoration work. We strongly support the language in the fiscal year 2016 Consolidated Appropriations Act, where Congress protected these critical local grant programs: "The Committee recommends \$73,000,000 for the Chesapeake Bay program. From within the amount provided, \$6,000,000 is for nutrient and sediment removal grants and \$6,000,000 is for small watershed grants to control polluted runoff from urban, suburban and agricultural lands." We urge you to retain the same language in the fiscal year 2018 Interior and Related Agencies Appropriations Bill, for both the overall Chesapeake Bay Program and for the local grant programs.

*Clean Water State Revolving Fund (SRF) —\$4.047 billion*

This program is critical to any national initiative to provide a Federal Infrastructure Spending Plan and it provides the lifeblood for the 1,779 local governments throughout the Chesapeake region to secure their water infrastructure. The funding level for this Clean Water SRF has eroded over the years as the clean water needs of local communities have increased dramatically. The Choose Clean Water Coalition supports efforts in both the House and the Senate, and within the administration, to triple the current funding for the Clean Water SRF—and this is what we are requesting. This will help to close the gap between Federal infrastructure investment in clean water and the known need. This will also dramatically improve water quality and protect human health in our region and across the Nation.

These low interest loans are critical for clean water and for ratepayers in the Chesapeake region and nationwide. We urge you to support the \$4.047 billion funding level that would provide \$891 million in low interest loans to local governments in Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia and the District of Columbia—triple the current level of funding. We also strongly support targeting 20 percent of the Clean Water SRF funds for green infrastructure and innovative projects including those to manage stormwater, which helps communities improve water quality while creating green space, mitigating flooding, and enhancing air quality.

The Clean Water SRF allocates money to the States based on a set formula, which is then used for low interest loans to local governments for critical capital construction improvement projects to reduce nutrient and sediment pollution from wastewater treatment and stormwater facilities; nonpoint sources of pollution, such as farms and development; and other sources. In addition to the use of these funds on farms and for nonpoint source pollution, it provides assistance for other pollution reduction and prevention activities in rural areas, such as reforestation and forest protection and stream stabilization and restoration. The Clean Water SRF enables local governments in the Chesapeake watershed to take actions to keep their rivers and streams clean. As the list of clean water infrastructure needs in the Chesapeake region continues to expand, we request that Congress triple the funding of the Clean Water SRF from last year's fiscal year 2016 levels.

DEPARTMENT OF THE INTERIOR

*U.S. Geological Survey (USGS)—Chesapeake Bay Studies—\$11.991 million*

We support level funding from fiscal year 2016 of \$11.991 million for the USGS to provide the critical science necessary for restoration and protection efforts for fish, wildlife and the 18 million people in the Chesapeake Bay watershed. USGS focuses on monitoring and assessing fisheries, waterfowl and the quality of their habitats, which provide economic benefits to the States involved in the Chesapeake restoration effort and represent the priorities of the Department of the Interior.

USGS activities are critical for the restoration of several freshwater fish species, including brook trout, an important recreational fishery. A related activity is identifying chemicals, and their sources, which lead to fish consumption advisories for humans. USGS also provides the expertise to restore and conserve coastal wetlands, critical habitat and food for the more than one million waterfowl that winter in the Chesapeake region. USGS helps to coordinate the collection and assessment of monitoring data collected by the States and USGS. These assessments will help the States focus on areas and types of practices, for more effective approaches toward water quality improvements.

The USGS is leading an effort to map areas where restoration and conservation efforts will contribute to multiple Chesapeake goals—benefiting people in the watershed as well as fish and wildlife. This mapping will help State and Federal partners more effectively focus actions and utilize available resources.

*National Park Service—Chesapeake Regional Programs—\$3.0261 million*

The National Park Service Chesapeake Bay Office runs a number of small, but very important programs that focus on increasing public access and the use of ecological, cultural and historic resources of the Chesapeake region. Expanding access and public awareness fosters stewardship and protection efforts.

We are requesting level funding for these key programs administered by the National Park Service in the Chesapeake Bay watershed: Captain John Smith Chesapeake National Historic Trail (\$385,000); Star Spangled Banner National Historic Trail (\$150,600); support for coordinating these programs through the National Park Service Chesapeake Bay Office (\$476,500); and the Chesapeake Bay Gateways and Trails (\$2.014 million). In addition, as in the Consolidated Appropriations Act of 2016, we urge you to extend the authorization for the Chesapeake Bay Gateways and Trails program for 2 more years.

DEPARTMENT OF THE INTERIOR/U.S. DEPARTMENT OF AGRICULTURE

*National Park Service/U.S. Fish and Wildlife Service/Bureau of Land Management/U.S. Forest Service—Rivers of the Chesapeake Collaborative Landscape Planning Projects—Land and Water Conservation Fund—\$30.519 million*

We support continuation of the strategic use of funds from the Land and Water Conservation Fund for the Rivers of the Chesapeake Collaborative Landscape Planning initiative. This effort targets conservation funds for priority landscapes throughout the country; the Rivers of the Chesapeake is one such priority area. The collaborative proposal focuses on the great rivers of the Chesapeake and would pro-

tect 8,000 acres in the Potomac, Rappahannock, James, Nanticoke and Susquehanna watersheds in Delaware, Maryland, Pennsylvania and Virginia. The areas in the Chesapeake include nationally significant resources, such as migratory bird habitat, spawning areas for economically important fish and shellfish, significant forest resources and projects to enhance public access.

Thank you for your consideration of these very important requests to maintain funding for these programs which are critical to clean water throughout the mid-Atlantic region.

Sincerely,

1000 Friends of Maryland	Lower Susquehanna Riverkeeper
Alice Ferguson Foundation	Lynnhaven River NOW
Alliance for Sustainable Communities	Maryland Conservation Council
Alliance for the Chesapeake Bay	Maryland League of Conservation Voters
American Rivers	Mattawoman Watershed Society
Anacostia Watershed Society	Mehoopany Creek Watershed Association
Audubon Naturalist Society	Mid-Atlantic Council Trout Unlimited
Back Creek Conservancy	Middle Susquehanna Riverkeeper
Blue Water Baltimore	Montgomery Countryside Alliance
Cacapon Institute	National Aquarium
Capital Region Land Conservancy	National Parks Conservation Association
Catskill Mountainkeeper	National Wildlife Federation
Cecil Land Use Association	Nature Abounds
Center for Progressive Reform	New York League of Conservation Voters
Chapman Forest Foundation	New York State Council of Trout Unlimited
Chesapeake Legal Alliance	Natural Resources Defense Council
Chesapeake Wildlife Heritage	Neighbors of the Northwest Branch
Chester River Association	Otsego County Conservation Association
Clean Water Action	Otsego Land Trust
Coalition for Smarter Growth	PennEnvironment
Conservation Montgomery	PennFuture
Conservation Voters of Pennsylvania	Pennsylvania Council of Churches
Delaware Nature Society	Piedmont Environmental Council
Ducks Unlimited	Potomac Conservancy
Earth Force	Potomac Riverkeeper
Earth Forum of Howard County	Potomac Riverkeeper Network
E. Penn. Coalition for Abandoned Mine Rec.	Queen Anne's Conservation Association
Eastern Shore Land Conservancy	Rivanna Conservation Alliance
EcoLatinos	Rock Creek Conservancy
Elizabeth River Project	St. Mary's River Watershed Association
Elk Creeks Watershed Association	Sassafras River Association
Environment America	Savage River Watershed Association
Environment Maryland	Severn River Association
Environment New York	Shenandoah Riverkeeper
Environment Virginia	Shenandoah Valley Network
Environmental Working Group	Sidney Center Improvement Group
Envision Frederick County	Sleepy Creek Watershed Association
Friends of Accotink Creek	South River Federation
Friends of Dyke Marsh	Southern Environmental Law Center
Friends of Lower Beaverdam Creek	SouthWings
Friends of Quincy Run	Sparks-Glencoe Community Planning Council
Friends of Sligo Creek	Susquehanna Heritage
Friends of the Middle River	Trout Unlimited
Friends of the Nanticoke River	Upper Potomac Riverkeeper
Friends of the N. Fork of the Shenandoah River	Upper Susquehanna Coalition
Friends of the Rappahannock	Virginia Conservation Network
Goose Creek Association	Virginia League of Conservation Voters
Interfaith Partners for the Chesapeake	Waterkeepers Chesapeake
Izaak Walton League of America	West/Rhode Riverkeeper
James River Association	West Virginia Citizen Action Group
Lackawanna River Conservation Association	West Virginia Environmental Council
Lancaster Farmland Trust	West Virginia Rivers Coalition
Little Falls Watershed Alliance	Wetlands Watch
	Wicomico Environmental Trust



## PREPARED STATEMENT OF THE CHUGACH REGIONAL RESOURCES COMMISSION

The Chugach Regional Resources Commission (“CRRC”), located in Alaska, is pleased to submit written testimony reflecting our needs, concerns and requests regarding the proposed fiscal year 2018 Budget for the Bureau of Indian Affairs (BIA). We are aware of the ongoing concern over the Federal deficit and Federal spending. Nevertheless, while the Federal Government is trimming its spending, it must still fulfill its legal and contractual obligations to Indian Tribes. The BIA not only has a legal and contractual obligation to provide funding for the CRRC, but the CRRC is able to translate this funding into real economic opportunity for those living in the small Alaska Native villages located in Prince William Sound and Lower Cook Inlet. CRRC is a non-profit coalition of Alaska Native Villages, organized in 1987 by the seven Native Villages located in Prince William Sound and Lower Cook Inlet in South-central Alaska: Tatitlek Village IRA Council, Chenega IRA Council, Port Graham Village Council, Nanwalek IRA Council, Native Village of Eyak, Qutekcak Native Tribe, and Valdez Native Tribe.

CRRC was created to address environmental and natural resources issues and to develop culturally-sensitive economic projects at the community level to support the sustainable development of the region’s natural resources. The Native Villages’ action to create a separate entity demonstrates the level of concern and importance they hold for environmental and natural resource management and protection—the creation of CRRC ensured that natural resource and environmental issues received sufficient attention and focused funding.

Through its many important programs, CRRC provides employment for up to 35 Native people in the Chugach Region annually—an area that faces high levels of unemployment—through programs that conserve and restore our natural resources. The administration’s proposal to cut more than \$300 million in appropriations for BIA puts all our work at risk.

An investment in CRRC has translated into real economic opportunities, savings and community investments that have a great impact on the Chugach region. Our employees are able to earn a living and support their families, thereby removing them from the rolls of people needing State and Federal support. In turn, they are able to reinvest in the community, supporting the employment of and opportunities for other families. Our programs also support future economic and commercial opportunities for the region—protecting and developing our shellfish and other natural resources.

*Programs.* CRRC has leveraged its BIA funding into almost \$2 million annually to support its several community-based programs. Specifically, the \$410,000 in base funding provided through BIA appropriation has allowed CRRC to maintain core administrative operations, and seek specific projects funding from other sources such as the Administration for Native Americans, the State of Alaska, Bureau of Indian Affairs, U.S. Forest Service, U.S. Fish & Wildlife Service, the U.S. Department of Education, the Exxon Valdez Oil Spill Trustee Council, the North Pacific Research Board and various foundations. This diverse funding pool has enabled CRRC to develop and operate several important programs that provide vital services, valuable products, and necessary employment and commercial opportunities. These programs include:

*Alutiiq Pride Shellfish Hatchery.* The Alutiiq Pride Shellfish Hatchery is the only shellfish hatchery in the State of Alaska. The 20,000 square foot shellfish hatchery is located in Seward, Alaska, and houses shellfish seed, brood stock and algae production facilities. Alutiiq Pride is undertaking a hatchery nursery operation, as well as grow-out operation research to adapt mariculture techniques for the Alaskan Shellfish industry.

The Hatchery is also conducting scientific research on blue and red king crab as part of a larger federally-sponsored program. Alutiiq Pride has already been successful in culturing geoduck, oyster, littleneck clam, and razor clam species and is currently working on sea cucumbers. This research has the potential to dramatically increase commercial opportunities for the region in the future. The activities of Alutiiq Pride are especially important for this region considering it is the only shellfish hatchery in the State, and therefore the only organization in Alaska that can carry out this research and production.

*Natural resource curriculum development.* Partnering with the University of Alaska, Fairbanks, and the National Oceanic and Atmospheric Administration, CRRC has developed and implemented a model curriculum in natural resource management for Alaska Native students. This curriculum integrates traditional knowledge with Western science. The goal of the program is to encourage more Native students to pursue careers in the sciences. In addition, we are working with the Native

American Fish & Wildlife Society and Tribes across the country (including Alaska) to develop a university level textbook to accompany these courses.

In addition, we have completed a K–12 Science Curriculum for Alaska students that integrates Indigenous knowledge with western science. This curriculum is being piloted in various villages in Alaska and a thorough evaluation process will ensure its success and mobility to other schools in Alaska.

*Alaska Migratory Bird Co-Management Council.* CRRC is a member of the Council responsible for setting regulations governing the spring harvest of migratory birds for Alaska Natives, as well as conducting harvest surveys and various research projects on migratory birds of conservation concern. Our participation in this State-wide body ensures the legal harvest of migratory birds by Indigenous subsistence hunters in the Chugach Region.

*Statewide Subsistence Halibut Working Group.* CRRC participates in this working group, ensuring the halibut resources are secured for subsistence purposes, and to conduct harvest surveys in the Chugach Region.

#### CONCLUSION

At a minimum, we urge Congress to sustain the current level of funding of \$410,000 in the BLA's budget for recurring CRRC funding needs. Despite the Administration's request, if Congress were to include an increase in our funding it will permit us to leverage additional dollars to do more for the Alaska Native villages located in Prince William Sound and Lower Cook Inlet. With a nearly five-to-one return on every Federal dollar invested in CRRC, we believe this to be a terrific return for the Federal Government and our communities.

#### PREPARED STATEMENT OF COLORADO RIVER BASIN SALINITY CONTROL FORUM

Waters from the Colorado River are used by nearly 40 million people for municipal and industrial purposes and used to irrigate approximately 5.5 million acres in the United States. Natural and man-induced salt loading to the Colorado River creates environmental and economic damages. The U.S. Bureau of Reclamation (Reclamation) has estimated the current quantifiable damages at about \$382 million per year. Congress authorized the Colorado River Basin Salinity Control Program (Program) in 1974 to offset increased damages caused by continued development and use of the waters of the Colorado River. Modeling by Reclamation indicates that the quantifiable damages would rise to approximately \$614 million by the year 2035 without continuation of the Program. Congress has directed the Secretary of the Interior to implement a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management (BLM). BLM funds these efforts through its Soil, Water and Air Program. BLM's efforts are an essential part of the overall effort. A funding level of \$1.5 million for salinity specific projects in 2018 is requested to prevent further degradation of the quality of the Colorado River and increased downstream economic damages.

EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. In implementing the Colorado River Basin Salinity Control Act in 1974, Congress recognized that most of the salts in the Colorado River originate from federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to the quality of waters being delivered to Mexico. Title II of the Act deals with improving the quality of the water delivered to users in the United States. This testimony deals specifically with Title II efforts. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106–459). In 2003, BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin and to pursue salinity control studies and to implement specific salinity control practices. BLM is now working on creating a comprehensive Colorado River Basin salinity control program as directed by Congress. Meaningful resources have been expended by BLM in the past few years to better understand salt mobilization on rangelands. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

Concentration of salt in the Colorado River causes approximately \$382 million in quantified damages and significantly more in unquantified damages in the United

States and results in poor water quality for United States users. Damages occur from:

- a reduction in the yield of salt sensitive crops and increased water use to meet the leaching requirements in the agricultural sector,
- increased use of imported water and cost of desalination and brine disposal for recycling water in the municipal sector,
- a reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector,
- an increase in the cost of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector,
- an increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector,
- a decrease in the life of treatment facilities and pipelines in the utility sector, and
- difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins.

The Colorado River Basin Salinity Control Forum (Forum) is composed of gubernatorial appointees from Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming. The Forum is charged with reviewing the Colorado River's water quality standards for salinity every 3 years. In so doing, it adopts a Plan of Implementation consistent with these standards. The level of appropriation requested in this testimony is in keeping with the adopted Plan of Implementation. If adequate funds are not appropriated, significant damages from the higher salinity concentrations in the water will be more widespread in the United States and Mexico.

In summary, implementation of salinity control practices through BLM is a cost effective method of controlling the salinity of the Colorado River and is an essential component to the overall Colorado River Basin Salinity Control Program. Continuation of adequate funding levels for salinity within the Soil, Water and Air Program will assist in preventing the water quality of the Colorado River from further degradation and significant increases in economic damages to municipal, industrial and irrigation users. A modest investment in source control pays huge dividends in improved drinking water quality to nearly 40 million Americans.

[This statement was submitted by Don A. Barnett, Executive Director.]

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#### PREPARED STATEMENT OF THE COLORADO RIVER BOARD OF CALIFORNIA

This testimony is in support of fiscal year 2018 funding for the Department of the Interior's Bureau of Land Management (BLM) associated activities that assist the implementation of Title II of the Colorado River Basin Salinity Control Act of 1974 (Public Law 93-320). This long-standing successful and cost-effective salinity control program in the Colorado River Basin is being carried out pursuant to the Colorado River Basin Salinity Control Act and the Clean Water Act (Public Law 92-500). Congress has directed the Secretary of the Interior to implement a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management (BLM). BLM funds these efforts through its Soil, Water and Air Program. BLM's efforts are an essential part of the overall effort. A funding level of \$1.5 million for salinity specific projects in 2018 is requested to prevent further degradation of the quality of Colorado River water supplies and increased economic damages.

The Colorado River Board of California (Colorado River Board) is the State agency charged with protecting California's interests and rights in the water and power resources of the Colorado River system. In this capacity, California participates along with the other six Colorado River Basin States through the Colorado River Basin Salinity Control Forum (Forum), the interstate organization responsible for coordinating the Basin States' salinity control efforts. In close cooperation with the U. S. Environmental Protection Agency (EPA) and pursuant to requirements of the Clean Water Act, the Forum is charged with reviewing the Colorado River water quality standards every 3 years. Every 3 years the Forum adopts a Plan of Implementation consistent with these water quality standards. The level of appropriation being supported in this testimony is consistent with the Forum's 2014 Plan of Implementation. The Forum's 2014 Plan of Implementation can be found on this website: <http://coloradoriversalinity.org/docs/2014%20Final%20REVIEW%20-%20complete.pdf>. If adequate funds are not appropriated, significant damages associated with increasing

salinity concentrations of Colorado River water will become more widespread in the United States and Mexican portions of the Colorado River Basin.

The EPA has determined that more than sixty-percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. Through passage of the Colorado River Basin Salinity Control Act in 1974, Congress recognized that much of the salts in the Colorado River originate on federally-owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to efforts related to maintaining the quality of waters being delivered to Mexico pursuant to the 1944 Water Treaty. Title II of the Act deals with improving the quality of the water delivered to U.S. users. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003, BLM employed a Salinity Coordinator to coordinate BLM efforts in the Colorado River Basin States to pursue salinity control studies and to implement specific salinity control practices. BLM is now working on creating a comprehensive Colorado River Basin salinity control program as directed by Congress. With a significant portion of the salt load of the Colorado River coming from BLM-administered lands, the BLM portion of the overall program is essential to the success of the entire effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

Over the 33 years since the passage of the Colorado River Basin Salinity Control Act, much has been learned about the impact of salts in the Colorado River system. Currently, the salinity concentration of Colorado River water causes about \$382 million in quantifiable economic damages in the United States annually. Economic and hydrologic modeling by Reclamation indicates that these economic damages could rise to more than \$614 million by the year 2035 without continued implementation of the Program. For example, damages can be incurred related to the following activities:

- A reduction in the yield of salt-sensitive crops and increased water use to meet the leaching requirements in the agricultural sector;
- Increases in the amount of imported water;
- Increased cost associated with desalination and brine disposal for recycled water in the municipal sector;
- A reduction in the useful life of galvanized water pipe systems, water heaters, faucets, and other household appliances, and increased use of bottled water and water softeners in the municipal and industrial sectors;
- Increased costs of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector;
- Increases in the use of water and cost of water treatment, and an increase in sewer fees in the industrial sector;
- Decreased life of treatment facilities and pipelines in the utility sector;
- Increasing difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions; and
- Increased desalination and brine disposal costs due to accumulation of salts in groundwater basins.

The Colorado River is, and will continue to be, a major and vital water resource to the nearly 20 million residents of southern California, including municipal, industrial, and agricultural water users in Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties. The protection and improvement of Colorado River water quality through the continued implementation of this very effective salinity control program will avoid, or reduce, additional economic damages to water users in California and the other States that rely on Colorado River water resources.

[This statement was submitted by Christopher Harris, Executive Director.]

## PREPARED STATEMENT OF THE COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

Mr. Chairman and members of the subcommittee, the Columbia River Inter-Tribal Fish Commission (CRITFC) is pleased to share its view on the Department of Interior, Bureau of Indian Affairs' (BIA) fiscal year 2018 budget. We have specifically identified the following funding needs and one request for review:

1. \$10.2 million for Columbia River Fisheries Management under Rights Protection Implementation, (\$5.6 million above fiscal year 2017), to meet the base program funding needs of the Commission and the fisheries programs of our member Tribes;
2. \$4.8 million for U.S./Canada Pacific Salmon Treaty under Rights Protection Implementation, (\$520,000 above fiscal year 2017) to implement obligations under the recent agreements adopted by the U.S. and Canada;
3. \$8.0 million for Tribal Climate Resilience under Rights Protection Implementation to assist Tribes in climate change adaptation and planning (\$2.6 million above fiscal year 2017);
4. \$352.5 million for Public Safety and Justice, of which \$943,000 supports enforcement of Federal laws at In-Lieu and Treaty Fishing Access Sites on the Columbia River; and
5. \$900k for Facilities Management, Operations and Maintenance to support annual Operations and Maintenance funding for the 31 In-lieu and Treaty Fishing Access sites.

*History and Background:* CRITFC was founded in 1977 by the four Columbia River treaty Tribes: Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, Confederated Tribes and Bands of the Yakama Nation, and the Nez Perce Tribe. CRITFC provides coordination and technical assistance to these Tribes in regional, national and international efforts to protect and restore our shared salmon resource and the habitat upon which it depends. Our collective ancestral homeland covers nearly one-third of the entire Columbia River Basin in the United States, an area the size of the State of Georgia.

In 1855, the U.S. entered into treaties with the four Tribes<sup>1</sup> whereupon we ceded millions of acres of our homelands. In return, the U.S. pledged to honor our ancestral rights, including the right to fish in all Usual and Accustomed locations. Unfortunately, a perilous history brought the salmon resource to the edge of extinction with 12 salmon and steelhead populations in the Columbia Basin listed under the Endangered Species Act (ESA).

The CRITFC Tribes have arrived as globally-recognized leaders in fisheries restoration and management. We are principals in the region's efforts to halt the decline of salmon, lamprey and sturgeon populations and rebuild them to levels that support ceremonial, subsistence and commercial harvests. To achieve these objectives, our actions emphasize 'gravel-to-gravel' management including supplementation of natural stocks, healthy watersheds and collaboration with State, Federal and private entities.

The programs in this testimony are carried out pursuant to the Indian Self-Determination and Assistance Act. Our programs are integrated with State and Federal salmon management and restoration efforts.

*Columbia River Fisheries Management within Rights Protection Implementation:* The salmon, returning in the greatest numbers since Federal dam construction, tell us we're succeeding. But along with success, management increases in complexity, requiring greater data collection and enforcement. Funding shortfalls prohibit the achievement of Tribal self-determination goals for fisheries management, ESA recovery effort, protecting non-listed species, conservation enforcement and treaty fishing access site maintenance. We request an increase of \$5.5 million over fiscal year 2017 for a new program base of \$10.2 million for Columbia River Fisheries Management.

The BIA's Columbia River Fisheries Management line item is the base funding that supports the fishery program efforts of CRITFC and the four member Tribes. Unlike State fish and game agencies, the Tribes do not have access to Dingell-Johnson/Pittman-Robertson or Wallop-Breaux funding. The increase will be directed to support the core functions of the fisheries management programs of the Commission's member Tribes, namely enforcement, harvest monitoring and renegotiation support for four primary agreements including Columbia River Treaty modernization.

<sup>1</sup>Treaty with the Yakama Nation, June 9, 1855, 12 Stat. 951; Treaty with the Tribes of Middle Oregon, June 25, 1855, 12 Stat. 963; Treaty with the Umatilla Tribe, June 9, 1855, 12 Stat. 945; Treaty with the Nez Perce Tribe, June 11, 1855, 12 Stat. 957.

In 2008, CRITFC and its member Tribes struck three landmark agreements: (1) the Columbia Basin Fish Accords with Federal action agencies overseeing the Federal hydro system in the Columbia Basin,<sup>2</sup> (2) a 10-Year Fisheries Management Plan with Federal, Tribal and State parties under *U.S. v OR*, and (3) a new Chinook Chapter of the Pacific Salmon Treaty.<sup>3</sup> These agreements establish regional and international commitments on harvest and fish production efforts, commitments to critical investments in habitat restoration, and resolving contentious issues by seeking balance of the many demands within the Columbia River basin. While through these agreements the Tribes have committed to substantial on-the-ground projects with some additional resources from the Bonneville Power Administration, the overall management responsibilities of the Tribal programs have grown exponentially without commensurate increases in BIA base funding capacity. For example, the Tribes' leadership in addressing Pacific Lamprey declines is this species' best hope for survival and recovery. The Tribes' are also addressing unmet mitigation obligations, such as fish losses associated with the John Day and The Dalles dams.

The funding provided through the BIA to support Tribal co-management is crucial to the Tribes and CRITFC's ability to successfully carry out Tribal rights protection, including these agreements. These funds support delivery of sound technical, scientific and policy products to diverse legal, public and private forums. Rights Protection Implementation funding takes on even greater importance as funding for State co-management agencies has become inconsistent or decreased. Below are priority need areas for CRITFC and our member Tribes.

*Workforce Development:* CRITFC's Workforce Development Program helps prepare Tribal members of all ages for jobs and careers in Natural Resources Management by providing hands-on, culturally relevant experiences in the Science, Technology, Engineering and Math (STEM) subjects. Since 2010, CRITFC has held a five-day long Salmon Camp for 20 middle school students in collaboration with its member Tribes. Beginning in 2014, CRITFC has offered paid internship and research experiences for college students interested in fisheries and natural resources. Through mentorship, internship and externship opportunities, CRITFC aims to establish and sustain a Tribal workforce pool of respected and skilled Native American scientists, policy analysts, technicians and managers that serve the Tribes' fisheries and natural resource management program needs.

*Columbia River Treaty Modernization:* The CRITFC's member Tribes are part of a coalition of fifteen (15) Columbia Basin Tribes whose rights, as well as management authorities and responsibilities, are substantially affected by the implementation of the Columbia River Treaty. While the Columbia River Treaty is evergreen and continues to provide benefits to both the U.S. Canada through coordinated flood risk management and hydropower production, the provisions regarding coordinated flood risk management change substantially after 2024 unless the Treaty is amended. The need for this necessary amendment also creates an opportunity to modernize the Columbia River Treaty to integrate ecosystem-based function as a third purpose of this beneficial partnership. By integrating ecosystem-based function into this bilateral Treaty we will have an opportunity to address shared natural resource issues in a pro-active, comprehensive approach rather than reacting in a piece meal approach to individual salmon listings under the Endangered Species Act. Rights Protection Funds can allow the Columbia Basin Tribes to continue collaborating with the States, Federal agencies and regional stakeholders to conduct technical analyses in support of the negotiations with Canada being prepared by the State Department.

*U.S./Canada Pacific Salmon Treaty under Rights Protection Implementation:* The U.S. and Canada entered into the Pacific Salmon Treaty in 1985 to conserve and rebuild salmon stocks, provide for optimum production, and control salmon interceptions. The treaty established the Pacific Salmon Commission (PSC) as a forum to collaborate on intermingled salmon stocks. The U.S. Section of the PSC annually develops a coordinated budget for Tribal, State and Federal programs to ensure cost and program efficiencies. In 2008, the U.S. and Canada adopted a new long term Treaty agreement after nearly 3 years of negotiations. Both parties agreed to significant new management research and monitoring activities to ensure the conservation and rebuilding of the shared salmon resource. The 2008 agreement expires at the end of 2018. The Parties are in the process of negotiating a revised agreement, which will identify implementation funding.

For Tribal participants in the Pacific Salmon Treaty, the U.S. Section has identified a program need of \$4.8 million for the twenty-five participating Tribes. These funds provide for direct Tribal participation with the Commission, panels and tech-

<sup>2</sup>The Nez Perce Tribe is not a Columbia Basin Fish Accord signatory.

<sup>3</sup>See Salmon Win A Triple Crown" at [http://www.critfc.org/text/wana\\_109.pdf](http://www.critfc.org/text/wana_109.pdf).

nical committees. This funding maintains Tribal resource assessment and research programs structured to fulfill required Treaty implementation activities, which protect trust resources. Our fiscal year 2018 recommended level for this program is an increase of \$520,000 above the fiscal year 2017 continuing resolution level and correlates to the U.S. Section's recommendation.

*Tribal Climate Resilience under Rights Protection Implementation:* The Columbia River Treaty Tribes are feeling the effects of Climate Change. Shifts are occurring in salmon run timing, and berry and root ripening cycles. In 2015, climate-related stress in the form of historic forest fires and the loss of up to 400,000 sockeye salmon due to elevated water temperatures illustrate our climate crisis.

*Public Safety and Justice, Criminal Investigations and Police Services:* Public safety continues to be a high priority for CRITFC and our Tribes. Our conservation and criminal enforcement officers are the cornerstone of public safety in the popular and heavily used Columbia Gorge area patrolling 150 miles of the Columbia River, including its shorelines in Oregon and Washington. In this area we are the primary provider of enforcement services at 31 fishing access sites developed pursuant to Public Law 87-14 and Public Law 100-581 for use by treaty fishers. CRITFC's officers possess BIA Special Law Enforcement Commissions to enhance protection and service to Tribal members and Federal trust properties along the Columbia River. We are pleased that the BIA has created OJS District 8 and housed it in Portland. CRITFC entered into a Public Law 93-638 contract with BIA in February 2011 for enforcement services along the Columbia River. That contract currently provides funding for two enforcement positions.

Our immediate priority is to add two Patrol officers, one Sergeant, one Investigator and one Dispatcher. Full funding for this Enforcement need is \$943,000 which would support a total of four officers, one sergeant, an investigator and a dispatcher.

*Facilities Management, Operations and Maintenance:* Long term reliability of Operations and Maintenance funding for the 31 In-lieu and Treaty Fishing Access sites is in jeopardy. Under the current annual O&M service rate and under current financial market conditions the existing O&M funds will exhaust in 2022, a full twenty-three years short of the projected life of the originally structured O&M account. There are some immediate actions the Administration can and should take to provide stability for the sites. First, the 26 Treaty Fishing Access Sites should be added to the Federal property management inventory system and in doing will require additional annual operations and maintenance funding currently provided under contract by the Columbia River Inter-Tribal fish Commission. Second, the Administration should allocate \$900,000 annually for O&M. These additional funds will ensure sufficient O&M at the newly added sites.

*A Request for Review of Salmon Mass-Marking Programs:* CRITFC aspires to a unified hatchery strategy among Tribal, Federal and State co-managers. To that end, we structure hatchery programs using the best available science, regional expertise. A Congressional requirement, delivered through prior appropriations language, to visibly mark all salmon produced in federally funded hatcheries circumvents local decisionmaking and should be reconsidered. We have requested that Federal mass-marking requirements, and correlated funding, be reviewed for compatibility with our overall objective of ESA delisting and with prevailing laws and agreements: *U.S. v Oregon*, Pacific Salmon Treaty and the Columbia Basin Fish Accords. Salmon managers should be provided the latitude to make localized, case-by-case decisions whether to mark fish and, if so, in the appropriate percentages.

*In summary*, through the combined efforts of the four Columbia River Treaty Tribes, supported by a staff of experts, we are proven natural resource managers. Our activities benefit the region while also essential to the U.S. obligation under treaties, Federal trust responsibility, Federal statutes, and court orders. We ask for your continued support of our efforts. We are prepared to provide additional information you may require on the Department of Interior's BIA budget.

[This statement was submitted by the Honorable Leland Bill, Chairman.]

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PREPARED STATEMENT OF THE CONFEDERATED TRIBES OF GRAND RONDE

Chairman Murkowski, Ranking Member Udall, Members of the subcommittee:

My name is Reynold Leno and I am the Tribal Council Chairman of the Confederated Tribes of Grand Ronde. Thank you for providing me with the opportunity to raise an issue of great importance to Grand Ronde and similarly situated Tribes in Indian Country—the lack of adequate law enforcement funding for our reservations. In particular, my remarks will highlight the continued impacts termination has had

on Grand Ronde's ability to secure Federal funding for much needed law enforcement services.

Grand Ronde is located in rural northwest Oregon and is comprised of 5,389 members. The Tribe's Reservation is located in the outlying areas of Polk and Yamhill Counties.

The Tribe was terminated by the Federal Government in 1954 then restored in 1983. The burden of rebuilding the reservation fell on the shoulders of the Tribe. Grand Ronde, like other terminated Tribes, did not receive any of the Federal investments in services and infrastructure available to Indian Country in the years before restoration. Since restoration, the Tribe has put forth significant effort into rebuilding its Tribal community, including the development of various types of Tribal housing, government buildings, an education complex, a health and wellness center, fire and police stations, management of over 10,000 acres of timber lands, and operation of a successful casino. The Tribe has made substantial contributions into the infrastructure of the surrounding community as well, including roads, water systems, fire protection, and more.

While Grand Ronde has made great strides in rebuilding its Reservation community, the Tribe continues to suffer the effects of the 29 years of termination, and it continues to be disenfranchised when seeking funding for infrastructure needs such as law enforcement. The Grand Ronde community has grown significantly over the last two decades, and along with that population growth has come an increase in crime. The Grand Ronde Tribal Police Department and the Polk County Sheriff's Office handled nearly 900 cases in 2015 and more than 1,000 cases in 2016 in the Grand Ronde area. Cases logged by the Grand Ronde Tribal Police Department alone, through early May, suggest we are on track to handle an estimated 1,200 cases in 2017. Drug-related crime is a historic and persistent concern for our Tribal community, as is the growth of sex crimes.

Due to the high crime in the community and inadequate County resources, since 1997 the Tribe has funded or provided criminal law enforcement on and near its reservation and the surrounding community. Because of the Tribe's remote location, there is a history of inadequate police coverage. To address this, the Tribe entered into Enhanced Service Agreements with Polk County between 1997 and 2012, under which the Tribe paid the County hundreds of thousands of dollars per year to provide coverage in the Grand Ronde community. In 2012, following the passage of Oregon Senate Bill 412—State law which allows Tribal police officers to act as peace officers under Oregon law—the Tribe started its own police department and began enforcing criminal law in the Grand Ronde area. Grand Ronde now has primary responsibility for law enforcement in the area.

The Grand Ronde Police Department has been slowly making strides in its law enforcement and community safety programs, and is beginning to see what we hope are positive trends in certain crime rates. Unfortunately, we continue to see sex crimes on the rise, especially those involving youth. Drugs remain a persistent concern in our community. Any reduction in force would result in a loss of any gains made, much less reduce our capacity to keep our youth safe and keep drugs off of our lands.

The Tribe has never received operational funding from the Bureau of Indian Affairs, and its requests for funding have been denied. The Tribe has utilized COPS grants and State grants to fund some law enforcement and emergency preparedness functions, but does not have an identified source of funding for continuing police operations, for which it requires BIA funding. Due to the high crime rates in the remote and rural area—which also contains one of the largest tourist destinations in the State—it is imperative that, in the absence of Polk County enhanced services, there be police protection to ensure the safety of the community. In order for the Tribe to provide adequate law enforcement, it needs BIA funding.

The Tribe has requested that the Bureau of Indian Affairs enter into a 638 contract with the Tribe under which the Tribe would perform law enforcement services. The request was denied on the grounds that the Bureau of Indian Affairs isn't currently providing law enforcement services to the Tribe and thus there is no program to transfer to the Tribe in a 638 contract. Had Grand Ronde not been terminated in 1954, we believe the Bureau of Indian Affairs would have provided law enforcement services on the Reservation, thus allowing the Tribe today to qualify for a 638 contract to fund its law enforcement.

As a Tribe terminated in the 1950s, Grand Ronde is at a severe disadvantage as it is unable to secure law enforcement funding through the Public Law 638 program, as it was not federally recognized during the self-determination era when these Federal programs were established. Tribes that have been terminated and subsequently restored are at a significant disadvantage when it comes to accessing Federal funding for law enforcement.

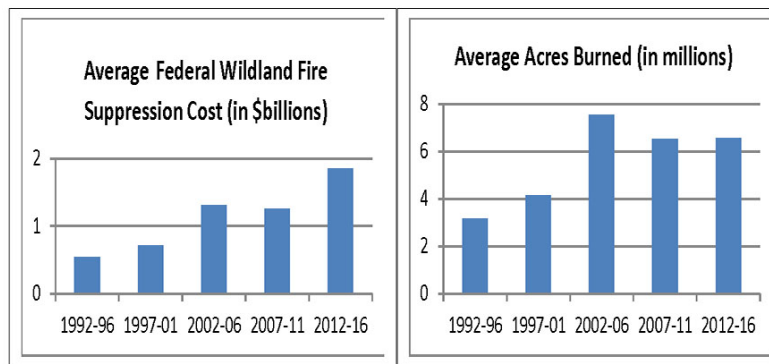


There is a lack of law enforcement funding for Indian Country. Grand Ronde is not alone—those Tribes who have been restored following the termination era face additional challenges in securing funding. BIA funding should be made available to those Tribes who have been terminated and restored and who provide criminal law enforcement in their respective communities.

PREPARED STATEMENT OF THE  
CONGRESSIONAL FIRE SERVICES INSTITUTE  
INTERNATIONAL ASSOCIATION OF FIRE CHIEFS  
NATIONAL ASSOCIATION OF STATE FORESTERS  
NATIONAL VOLUNTEER FIRE COUNCIL

Our organizations request that you include \$87 million for the State Fire Assistance (SFA) program and \$16 million for the Volunteer Fire Assistance (VFA) grant program in the fiscal year 2018 Department of Interior and Related Agencies Appropriations bill. SFA provides financial and technical support to States to enhance firefighting capacity, supports community-based hazard mitigation, and expands outreach and education to homeowners and communities concerning fire prevention. VFA provides grants to volunteer fire departments protecting communities with 10,000 or fewer residents to purchase equipment and training for use in wildland fire suppression. Both programs are administered by the U.S. Forest Service and require a 50 percent match from the State or local entity in order to receive Federal funding.

Wildland fire is a significant and growing problem across the Nation. Over the past 25 years there has been a substantial increase in the number of acres burned by wildland fire, as well as the amount of money spent by the Federal government to suppress wildland fire. In the west, the plains and the southeast where wildland fire has long been present, the fire season starts earlier and ends later than it used to, if it ends at all. Meanwhile, wildland fire is becoming increasingly common in areas of the country where it has historically not been problematic.



Local fire departments and State forestry agencies are the first line of defense against wildland fire. Eighty percent of the initial attack on wildland fire is performed by volunteer fire departments, and State foresters are responsible for wild-fire protection on two thirds of America's forested lands. In 2015, eighty percent of the fires started in areas where State and local departments had primary jurisdiction, and almost half of the total acres burned in 2016 were on State and private lands.

SFA and VFA are critical in building State and local capabilities to prepare for, mitigate against, and respond to wildland fire. In 2015, SFA and VFA funding trained nearly 150,000 firefighters, provided over \$15 million in new or upgraded equipment, and engaged more than 15,000 communities to develop and implement community wildfire protection plans.

Unfortunately, even as State foresters and local fire departments are grappling with the serious and growing threat posed by wildland fire, Federal support has stagnated. Funding for Federal grants to help local fire departments respond to

wildland fire has decreased over the past decade, averaging \$13 million from fiscal year 2013–2017 compared with \$18.7 million in fiscal year 2008–2012.

Our organizations note and appreciate that Congress increased funding for VFA to \$15 million and for SFA to 77 million in fiscal year 2017. We are disappointed in the Administration's proposal for reductions in these programs. We urge you to provide \$16 million for VFA in fiscal year 2018, matching the level of funding provided in fiscal year 2010. Providing \$87 million for SFA would at least partially track the suppression budget increase on Federal lands. These programs provide the bulk of America's initial attack. If we want to quickly suppress those fire starts which will become large devastating wildfires, investing in SFA and VFA makes great sense in protecting our Nation's forests.

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PREPARED STATEMENT OF THE CONSORTIUM OF AQUATIC SCIENTIFIC SOCIETIES

DEAR CHAIRMAN MURKOWSKI AND RANKING MEMBER UDALL:

The Consortium of Aquatic Scientific Societies (CASS) is comprised of six professional societies representing diverse knowledge of the aquatic sciences. CASS members include the: American Fisheries Society, Association for the Sciences of Limnology and Oceanography, Coastal and Estuarine Research Federation, Phycological Society of America, Society for Freshwater Science, and Society of Wetland Scientists. Our collective membership totals almost 20,000 individuals that span the private sector, academia, non-governmental organizations, and various Tribal, State, and Federal agencies. The CASS organizations represent professionals who combine deep subject-matter expertise, a commitment to independent objectivity, and the critical review of environmental information, along with a passion for the natural places and resources that form the foundation of American greatness. We support the development and use of the best available science to sustainably manage our freshwater, estuarine, coastal, and ocean resources to the benefit of the U.S. economy, environment, and public health and safety.

CASS writes in strong support of the Environmental Protection Agency (EPA) and EPA programs that support the research, conservation, restoration, and sustainable use of aquatic ecosystems required by all U.S. citizens, who rely on clean and abundant water for their health and well-being. On March 16, the Trump Administration released a budget blueprint that identified drastic cuts to the EPA that would eliminate many critical programs that support sustainable use and economic development of aquatic resources. The Administration's internal spend plan memo from David A. Bloom, Acting CFO, dated March 21, directly targets many programs that protect and restore water resources. Among the programs listed for elimination: Great Lakes, Chesapeake Bay, Puget Sound, and other geographic restoration programs; nonpoint source pollution grant funds; the National Estuary Program; and research grant programs on safe and sustainable water resources and climate change. We urge you to reject these recommendations and instead provide your full support to EPA and its aquatic science and management programs.

CASS recognizes that the Appropriations Committees face difficult decisions given fiscal constraints; we support EPA and the programs noted above because they are vital to our Nation's economic and environmental well-being, and are an efficient and effective use of funds appropriated by the Federal Government. They support a clean and adequate water supply, sustainable fish populations for food and recreation, natural and human communities that are resilient to hazards and changing climates, healthy and diverse aquatic ecosystems, and abundant outdoor recreation opportunities that protect America's conservation heritage and provide enormous economic and cultural benefit. The Federal funding provides an enormous return on investment that sustains and creates jobs and protects lives and natural resources. We hope that the Committee will continue its support for these vital EPA programs.

Respectfully,

Joe Margraf, *President*, American Fisheries Society; Tim Nelson, *President*, Phycological Society of America; Linda Duguay, *President*, Association for the Sciences of Limnology and Oceanography; Emily Bernhardt, *President*, Society for Freshwater Science; Robert R. Twilley, *President*, Coastal and Estuarine Research Federation; and Gillian Davies, *President*, Society of Wetland Scientists.

## PREPARED STATEMENT OF THE CORPS NETWORK

DEAR CHAIRWOMAN MURKOWSKI AND RANKING MEMBER UDALL:

I write on behalf of The Corps Network, to respectfully urge your strong support for continued funding for the Department of Interior (DOI) and US Forest Service (USFS) in fiscal year 2018, and thank you for your efforts to increase funding for key DOI and USFS accounts in fiscal year 2017. As you craft the fiscal year 2018 Interior Appropriations bill, we encourage you take into account the significant leveraging of limited Federal resources our Corps accomplish in partnership with land management agencies, and ensure they have adequate funding to expand on these cost-effective public-private partnerships and engage the next generation of youth and veteran outdoor stewards, entrepreneurs, recreationists, and sportsmen and women.

Corps of The Corps Network support DOI and USFS budgets for youth, operation, management, maintenance, and construction which are used to engage Corps, and our youth and veteran Corpsmembers, on important projects; the Centennial Initiative; funding for Wildland Fire Management through both DOI and USFS; and language encouraging partnerships with Corps and expanding direct hire authority for USFS. By partnering with Corps, agencies achieve more with their budgets and accomplish cost-effective projects to help address the multi-billion-dollar maintenance backlog; remediate wildfires and invasive species; improve access to public lands; build and maintain multi-use trails and increase recreation opportunities; and ensure productive fish and wildlife habitat for enthusiasts, hunters, and fishers.

These accounts also support the 21st Century Conservation Service Corps (21CSC) initiative, which has received bipartisan support in Congress from Reps. Martha McSally (R-Arizona) and Seth Moulton (D-Massachusetts) and Senators John McCain (R-Arizona) and Michael Bennet (D-Colorado), as well as Army General (Ret.) Stanley McChrystal and President Bush's Domestic Policy Advisor, John Bridgeland, and the past five Secretaries of the Interior. The 21CSC initiative has private sector support from Coca-Cola, the North Face, American Eagle Outfitters, Thule, KEEN, and REI. In addition, there are over 80 different national and regional corporations and organizations supporting 21CSC like the American Recreation Coalition, Outdoor Industry Association, the Vet Voice Foundation, and the National Parks Conservation Association.

Thank you again for your efforts to ensure these accounts were strong in the Consolidated Appropriations Act 2017. With additional support from the 2017 Act, Corps will help accomplish millions in critical projects while also leveraging limited Federal funds. For example, Corps have utilized around \$150 million in project funding from DOI and USFS over the past 3 years and turned that into millions more in matched funds and service projects, with the added benefit of engaging youth and veterans in meaningful hands-on work experiences to develop in-demand skills on the path to careers while building respect for our country, hard work, and the outdoors. Corps bring at least 25 percent match to these projects, making Federal funds go further than they otherwise would.

Last year, our Corps around the country accomplished: 1.6 million acres of wildlife habitat improved and made accessible; 1.5 million trees planted; 365,000 acres of invasive species removed; 32,000 acres of fire fuel reduced; 22,000 miles of multi-use trails constructed and improved; 16,000 recreation facilities improved; 8,200 acres of erosion, landslide, and flood prevention; 2,600 miles of fish and waterway habitat restored; 500 wildfires and disasters responded to; and 190 historic structures preserved.

The Corps Network represents America's 135 Conservation Service Corps. Corps provide youth and veterans the opportunity to serve their country, advance their education and obtain in-demand skills. Serving in crews and individual placements, Corpsmembers perform important conservation, recreation, infrastructure, wildfire, disaster response, and community development service projects on public lands and in rural and urban communities. Corps enroll over 25,000 youth and veterans annually in all 50 States and DC, Puerto Rico, and American Samoa. Corps engage an additional 100,000 volunteers, and complete thousands of service projects valuing hundreds of millions of dollars each year.

Project sponsors consistently express a high degree of satisfaction with the quality of work and productivity of Corps. Virtually all Federal project partners (99.6 percent) say they would work with Corps again and an independent study commissioned by the National Park Service found a 50-80 percent cost savings in using Corps on projects.

## FISCAL YEAR 2018 INTERIOR APPROPRIATIONS PRIORITIES

The Corps Network respectfully urges the committee to support these programs that will allow public land management agencies to engage Corps:

- U.S. Forest Service—National Forest System: \$1.5 billion in fiscal year 18;
- U.S. Forest Service—Capital Improvement and Maintenance: \$364 million in fiscal year 18;
- U.S. Forest Service—Wildland Fire Management: \$2.8 billion in fiscal year 18;
- Department of Interior—Wildland Fire Management: \$943 million in fiscal year 18;
- National Park Service—Operation: \$2.4 billion in fiscal year 18;
- National Park Service—National Recreation & Preservation: \$62 million in fiscal year 18;
- National Park Service—Centennial Initiative: \$20 million in fiscal year 18;
- Fish and Wildlife Service—Resource Management: \$1.3 billion in fiscal year 18;
- Bureau of Land Management—Management of Lands and Resources: \$1 billion in fiscal year 18;
- Bureau of Reclamation—Water & Related Resources: \$1.2 billion in fiscal year 18;
- Bureau of Indian Affairs—Natural Resource Management: \$200 million in fiscal year 18;
- Department of Interior & US Forest Service—21st Century Conservation Service Corps (21CSC) Report Language: “21st Century Conservation Service Corps and Public Lands Corps.—The Department of Interior, its subdivisions, and the Forest Service are directed to continue their partnerships with the 21st Century Conservation Service Corps (also referred to as 21CSC), and Public Lands Corps, in order to accomplish access, conservation, wildfire, maintenance backlog, and infrastructure projects and engage additional youth and veterans as detailed and authorized in the Public Lands Corps Act of 1993 (16 USC Chapter 37, Subchapter II).”
- US Forest Service—Direct Hire Authority:
  - “(a) The Secretary of Agriculture may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than fiscal year 2017 Budget Justification USDA Forest Service sections 3303 and 3328 of such title, a qualified candidate described in subsection (b) directly to a position with the United States Department of Agriculture, Forest Service for which the candidate meets Office of Personal Management qualification standards.
  - (b) Subsection (a) applies to a former resource assistant (as defined in section 203 of the Public Land Corps Act (16 U.S.C. 1722)) who—
    - (1) completed a rigorous undergraduate or graduate summer internship with a land managing agency, such as the Forest Service Resource Assistant Program
    - (2) successfully fulfilled the requirements of the internship program; and
    - (3) subsequently earned an undergraduate or graduate degree from an accredited institution of higher education.
  - (c) The direct hire authority under this section may not be exercised with respect to a specific qualified candidate after the end of the two-year period beginning on the date on which the candidate completed the undergraduate or graduate degree, as the case may be.

All these programs help Corps leverage limited Federal dollars to accomplish more projects than land management agencies normally would, while engaging thousands of youth and veterans in improving and restoring our nation’s lands, water, and recreation assets. The construction and operation accounts are important as they are the main source of project funding, and help the agencies address their backlog and needed projects. We also believe it’s important that land management agencies have adequate operating funds so there are staff in place to help develop and process agreements in a timely manner with partners like Corps, and ensure that if land managers have needs, they can easily hire local youth who have experience working in resource management. The Centennial Initiative is an innovative approach to addressing the myriad of issues in the national parks and can be targeted toward addressing the deferred maintenance backlog.

To expand on this work, we support inclusion of language to encourage continuation of public-private partnerships through DOI and USFS with our innovative 21st Century Conservation Service Corps (21CSC) Initiative. These partnerships are included as a priority for the Administration in the fiscal year 18 National Park Service Budget Justification for example: “Under the umbrella of the 21st Century Conservation Corps (21st CSC) NPS engages 16–30 year old Americans, including

low-income and disadvantaged individuals and veterans through compensated natural and cultural conservation work projects that assist the Service in maintaining its resources in an cost effective manner while providing the participants with developmental job skills training and education.”

The USFS has been a major supporter of our 21CSC Initiative as well, explaining in the fiscal year 18 Budget Justification: “Our 21st Century Service Corps (21CSC) partnership provides an enormous return on investment, allowing the Forest Service to address critical conservation restoration needs and simultaneously have a deep and lasting impact on the people who participate, thereby building the next generation of natural resource professionals. From fiscal year 2014 through fiscal year 2016, the agency has employed 30,000 youth and veterans on more than 2,000 distinct projects; expanded YCC jobs by 58 percent to 1,500 in fiscal year 2016; implemented a Resource Assistants Program for students, recent graduates and others that is building a diverse pool of qualified and experienced candidates for permanent positions; and orchestrated growth in the 21CSC organization, recognizing and approving 201 partner organizations.”

Corps also partner with USFS and DOI on critical wildfire remediation and fighting and see firsthand the damage that is done to the system, and communities, by an outdated budget structure for wildfire needs. We support adequate funding for wildfire remediation, but also changes to the budgeting process as included in the Wildfire Disaster Funding Act—a bipartisan proposal that would fund wildfire suppression in a similar manner to how the government currently funds the response to other natural disasters. As the USFS noted in past budgets, “It is subsuming the agency’s budget and jeopardizing our ability to successfully implement our full mission.” Sweeping funds to battle wildfires from other USFS accounts hurts the whole system.

As you can see, our Corps partner with DOI and USFS in a critical capacity to help them better manage our natural resources while providing high quality service and work experience outdoors to engage thousands of youths and veterans. We understand the fiscal constraints placed upon the committee which is why ensuring more partnerships and opportunities for our cost-effective public private partnerships is more important than ever. We again respectfully urge your support for these programs. Thank you for your time and consideration.

[This statement was submitted by Mary Ellen Sprenkel, President & CEO.]

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#### PREPARED STATEMENT OF DANCE/USA

Madam Chairman and distinguished Members of the subcommittee, I am grateful for the opportunity to submit testimony on behalf of Dance/USA, its Board of Directors and its 500 members. We strongly urge the Subcommittee on Interior, Environment, and Related Agencies in the Committee on Appropriations to designate a total of \$155 million to the National Endowment for the Arts (NEA) for fiscal year 2018. This testimony and the funding examples described below are intended to highlight the importance of Federal investment in the arts, so critical to sustaining a vibrant cultural community throughout the country.

The NEA makes it possible for everyone to enjoy and benefit from the performing arts. Before the establishment of the NEA in 1965, funding for the arts was limited to major cities. The NEA has helped to strengthen regional dance, opera, theater and other artistic disciplines that Americans enjoy. NEA funding provides access to the arts in regions with histories of inaccessibility due to economic or geographic limitations. The NEA envisions a “nation in which every American benefits from arts engagement, and every community recognizes and celebrates its aspirations and achievements through the arts.” The agency has helped the arts become accessible to more Americans, which in turn has increased public participation in the arts.

The NEA is a great investment in the economic growth of every community. Despite diminished resources, including a budget that is \$17 million less than it was in 2010, the NEA awarded more than 2,400 grants in 2016 reaching nearly 16,000 communities. These grants nurture the growth and artistic excellence of thousands of arts organizations and artists in every corner of the country, resulting in jobs and economic activity. NEA grants also preserve and enhance our nation’s diverse cultural heritage. The modest public investment in the nation’s cultural life results in both new and classic works of art, reaching the residents of all 50 States and in every congressional district.

In 2016, small-sized organizations (organizations with budgets under \$350,000 per year) received 30 percent of the NEA’s direct grants and 40 percent of NEA supported activity took place in high poverty neighborhoods.

The return of the Federal Government's small investment in the arts is striking. The Bureau of Economic Analysis (BEA) and the NEA developed an "Arts and Cultural Production Satellite Account" which calculated the arts and culture sector's contributions to the gross domestic product (GDP) at 4.2 percent (or \$729.6 billion) of current-dollar GDP in 2014. Additionally, the nonprofit performing arts industry generates \$135.2 billion annually in economic activity, supports more than 4.13 million full-time equivalent jobs in the arts, and returns \$9.59 billion in Federal taxes (Arts and Economic Prosperity IV, Americans for the Arts). It is estimated that the North American opera industry injects over \$1 billion directly into the economy each year.

On average each NEA grant leverages \$9 from private and public funds. Few other Federal investments realize such economic benefits, not to mention the intangible benefits that only the arts make possible. The NEA continues to be a beacon for arts organizations across the country.

The return on investments is not only found in dollars. In 2012, 2.2 million people volunteered 210 million hours with arts and cultural organizations, totaling an estimated value of \$5.2 billion—a demonstration that citizens value the arts in their communities.

#### NEA GRANTS AT WORK

Past NEA funding has directly supported projects in which arts organizations, artists, schools and teachers collaborated to provide opportunities for adults and children to create, perform, and respond to artistic works. NEA funding has also made the art form more widely available in all States, including isolated rural areas and inner cities.

The more than 2,400 grants awarded to nonprofit arts organizations and arts programs supported projects that encourage artistic creativity and bring the arts to millions of Americans.

NEA grants are awarded to dance organizations through its core programs: Art Works; Challenge America Fast Track Grants; and Federal/State Partnerships. In fiscal year 2016, the NEA awarded 162 grants to the dance field through the Art Works category, totaling \$4,238,630.

Diavolo | Architecture in Motion  
\$20,000  
Los Angeles, CA

To support Diavolo | Architecture in Motion's education and outreach programs during the company's Unites States tour. The company will partner with venues on the tour to present Young People's Concerts, community workshops, master classes, and residencies. The Young People's Concert (YPC) is an interactive student matinee show that includes repertoire excerpts, teamwork discussions, fitness exercises, and active adult participation. YPC will be updated to feature the latest Diavolo works, new interactive community engagement techniques, revised study guides, and repairs to set pieces. The company will offer workshops and support training for additional teachers for these workshops.

Dance Exchange  
\$10,000  
Takoma Park, MD

To support the creation and presentation of Off-site/Insight: Stories from the Great Smoky Mountains, an Imagine Your Parks project. The intergenerational dance performance will unearth stories of the Great Smoky Mountains National Park, the surrounding region, and the people who have made the park what it is today. Dance Exchange will work with the National Park Service Staff to learn about the local ecology and park history. In collaboration with the Appalachian Highlands Science Learning Center, Dance Exchange will lead moving Field Guides, a series of workshops that will engage communities in creating a dance that enlivens the stories of those who have walked, explored, and preserved the region. The project will culminate in a public event that features live performances that illuminate stories about the park.

Island Moving Company  
\$10,000  
Newport, RI

To support the production of a new work using the Open for Dancing community engagement model. This distinctive model is a forum for the creation of a new, site-specific work, and uses the artistic process to weave audiences, participants, and artists together to form a unique, communal relationship. A new tall ship, the Oli-

ver Hazard Perry, is in the final stages of outfitting in Newport, RI. Before it takes to the seas with its education training programs, the company will mount "Second Star on the Right," a retelling of Peter Pan performed on the decks and rigging of the ship. The company will include non-dancers in the creative process. Free performances will be offered.

Ballet Memphis  
\$10,000  
Cordova, TN

To support the presentation of "Places," a performance of new dance works, which explores themes of the past, present, and future. Choreographer Joshua Peugh will create a new work focusing on the past to music by the Memphis soul group STAX. Choreographer Jennifer Archibald will create work focusing on the present. And choreographer Gabrielle Lamb will create her third work on Ballet Memphis by looking at the future and will explore how people respond to their surroundings and an ever-changing landscape. The project will include an open rehearsal and outreach activities with community groups. The performances will take place at Playhouse on the Square in the city's art district and will include one "pay what you can" community day.

#### THE NON-PROFIT PROFESSIONAL DANCE COMMUNITY

America's dance companies perform a wide range of styles and genres. These include aerial, ballet, modern, culturally specific, jazz, and tap companies. Over two-thirds of America's professional dance companies are less than 45 years old; as an established art form with national identity and presence, dance has burst onto the scene almost entirely within living memory. And yet, America can boast some of the greatest dance companies of the world and can take credit for birthing two indigenous dance styles—tap and modern dance.

One key to this spectacular achievement has been the creation of a national marketplace for dance. When the National Endowment for the Arts instituted its Dance Touring Program in the 1970s, great dance became accessible to every community in America. What used to be a handful of professional companies and a scattering of regional dance has become a national treasure spread across cities and through communities, schools and theaters in all 50 States. Based on data from over 1,772 tax-exempt dance groups from across the United States, Dance/USA estimates that dance companies:

- Employed over 15,896 individuals (based on data from 296 reporting companies) in a mix of full-time and part-time positions and supported by almost 23,000 volunteers (based on 276 reporting companies);
- Paid approximately \$754.3 million in expenses (based on 745 reporting companies);

Dance/USA, the national service organization for the professional dance field, believes that dance is essential to a healthy society, demonstrating the infinite possibilities for human expression and potential, and facilitating communication within and across cultures. Dance/USA sustains and advances professional dance by addressing the needs, concerns, and interests of artists, administrators, and organizations. Dance/USA's membership currently consists of nearly 500 aerial, ballet, modern, culturally specific, jazz, and tap companies, dance service and presenting organizations, individuals, and related organizations. Dance/USA's member companies range in size from operating budgets of under \$100,000 to over \$50 million.

#### CONCLUSION

Despite overwhelming support by the American public for spending Federal tax dollars in support of the arts, the NEA has never recovered from a 40 percent budget cut in the mid-nineties, leaving its programs seriously underfunded. The continued bipartisan support for the NEA has continued to support artists and audiences, allowing dance and the arts to address critical issues, making communities healthier and more vibrant. The "Dear Colleague" letter in the U.S. House of Representatives received a record 154 signatures in support of the NEA.

We urge you to continue toward restoration and increase the NEA funding allocation to \$155 million for fiscal year 2018.

On behalf of Dance/USA, thank you for considering this request.

[This statement was submitted by Amy Fitterer, executive director, Dance/USA.]

## PREPARED STATEMENT OF THE DEFENDERS OF WILDLIFE

Madam Chairman, Ranking Member and Members of the subcommittee, thank you for the opportunity to submit testimony for the record. Founded in 1947, Defenders has nearly 1.2 million members and supporters and is dedicated to the conservation of wild animals and plants in their natural communities.

North America is fortunate to have some of the most abundant and diverse wildlife on Earth, more than 200,000 known species in the U.S. alone. This unique and irreplaceable heritage is treasured by all Americans both for its aesthetic value as well as for the very tangible benefits it provides as a resource. For example, a third of our food is pollinated by birds, bats, and insects; wildlife-associated recreation generated \$145 billion in economic benefits in 2011;<sup>1</sup> bats provide at least \$3.7 billion in pest control services to the agricultural industry annually;<sup>2</sup> and the value of ecosystem services from habitat in the contiguous 48 States is estimated at \$1.6 trillion annually.<sup>3</sup> Budget cuts since fiscal year 2010 to Federal programs that conserve wildlife and habitat have severely undermined sound management. Inadequate funding will likely lead to irreparable harm to vulnerable species and habitat. Our Nation's wildlife is a treasure and well worth the investment to properly care for it.

Four riders that would have undermined protections for imperiled species and the Endangered Species Act (ESA) and sound management of our national wildlife refuges were included in the fiscal year 2017 Senate Interior appropriations bill. We strongly opposed these riders and while all should rightfully have been removed from the final omnibus, we appreciate that all but one were stricken.

## FISH AND WILDLIFE SERVICE

The U.S. Fish and Wildlife Service (FWS) is our Nation's premier wildlife conservation agency. FWS needs adequate funding if it is to recover threatened and endangered species and protect migratory birds and fish, species of global conservation concern and other trust species, and stop or prevent wildlife crimes.

*Cooperative Recovery.*—Defenders supports continued funding for the Cooperative Recovery program at no less than the fiscal year 2017 level. This initiative is supporting more efficient and strategic efforts across landscapes to recover threatened and endangered species on National Wildlife Refuges and surrounding lands and has already supported delisting of two species.

*Renewable Energy.*—Defenders supports funding at no less than the fiscal year 2017 level for renewable energy related Planning and Consultation and Service Science programs. The Service supports approvals of renewable energy projects while ensuring they comply with relevant environmental laws, and conducts research to assess potential impacts of energy development on sensitive lands and wildlife and to identify mitigation strategies.

*Ecological Services.*—Defenders supports no less than the fiscal year 2017 level of \$240 million for Ecological Services so that high priority work to protect imperiled species can continue:

- Listing:* The FWS needs no less than the fiscal year 2017 level of \$20.5 million for listing so that it can continue to make progress with its 7-year listing workplan that allows the agency to prioritize over 350 species for listing decisions. This workplan is supported by a wide range of stakeholders.
- Recovery:* Defenders appreciates the \$2 million increase that was provided for recovery in the fiscal year 2017 omnibus bill and urges no less than the fiscal year 2017 level of \$84 million for fiscal year 2018. Currently, more than 400 listed U.S. species do not have recovery plans and FWS receives less than 25 percent of the funding needed each year to implement all recovery actions identified in recovery plans.
- Planning and Consultation:* Defenders appreciates the \$4 million increase that was provided for planning and consultation in the fiscal year 2017 bill and urges no less than the fiscal year 2017 level of \$103.1 million for fiscal year 2018. This continued level of funding is needed to support crucial Section 7 consultations under the ESA so that projects can move forward while minimizing harm to listed species. FWS's consultation program already operates on an inadequate budget. Thus, some nationwide consultations are already delayed (e.g.,

<sup>1</sup>The 2011 National Survey of Fishing, Hunting, and Wildlife Associated Recreation, USFWS, 12/12.

<sup>2</sup><http://www.sciencemag.org/content/332/6025/41.summary?sid=853248fd-6760-4341-93d0-2aeab9ea450>.

<sup>3</sup>The Economics Associated with Outdoor Recreation, Natural Resources Conservation and Historic Preservation in the United States, Southwick Associates, 9/29/11.



pesticide consultations) and resources to monitor for permit compliance are almost nonexistent.

—*Conservation and Restoration.* Defenders urges no less than the fiscal year 2017 level of \$32.4 million to support continued conservation for candidate species as they await listing as well as work with stakeholders on a variety of efforts that benefit trust resources such as coordinating with partners to prepare for oil spill and hazardous materials releases.

—Defenders appreciates that the fiscal year 2017 bill maintained funding for the Wolf Livestock Loss Demonstration Program that assists livestock owners co-existing with wolves, and we urge continued funding at no less than \$1 million.

*National Wildlife Refuge System.*—Our National Wildlife Refuge System is the largest land and water system in the world dedicated to wildlife conservation. Refuges provide enormous benefits to the American people, generating \$2.4 billion each year for local economies. Defenders appreciates the \$2.5 million increase that was provided in the fiscal year 2017 bill. Nevertheless, the Refuge System Operations and Maintenance budget is now \$80 million below the level needed to keep pace with inflation plus salary increases relative to the fiscal year 2010 level of \$503.2 million. The workforce has declined through attrition during that time by 442 positions. Funding of \$586 million for Operations and Maintenance would put the System on track for adequate funding in 4 years.

*Migratory Bird Management.*—U.S. bird populations have experienced precipitous declines in recent years. Defenders supports continued funding at no less than the fiscal year 2017 level of \$48.1 million, which includes funding for needed upgrades in aviation management and survey and monitoring programs, and for building resilience of bird species and their habitats through the Joint Ventures.

*Office of Law Enforcement (OLE).*—Defenders supports no less than the fiscal year 2017 level of \$75.1 million, a level that is still far from adequate. Currently, the OLE employs fewer than 200 special agents, the expert investigators that work to stop wildlife crimes both domestically and internationally. Moreover, only one in five current ports of entry are staffed with wildlife inspectors who work to intercept illegal wildlife shipments.

*International Affairs.*—Defenders appreciates the \$1.1 million increase provided in the fiscal year 2017 bill and urges continued funding at no less than the fiscal year 2017 level of \$15.8 million which will continue to advance the National Strategy for Combating Wildlife Trafficking.

*Landscape Conservation Cooperatives (LCCs).*—Defenders supports maintaining funding at no less than the fiscal year 2017 level of \$13 million for the LCCs which have been working to address complex challenges such as climate change across large landscapes.

*Science Support.*—Defenders supports continued funding at no less than the fiscal year 2017 level of \$17 million to address questions about climate adaptation and other landscape-level ecological changes, conservation of monarch butterflies and other declining species, strategies for addressing White-Nose Syndrome that is devastating bat populations, and other agency management challenges.

*Other key grant programs.*—Defenders supports no less than the fiscal year 2017 levels for the Multinational Species Conservation Fund, the Neotropical Migratory Bird Fund, the Cooperative Endangered Species Fund, and State and Tribal Wildlife Grants.

#### FOREST SERVICE AND BUREAU OF LAND MANAGEMENT

The U.S. Forest Service (FS) and the Bureau of Land Management (BLM) are essential to the conservation of wildlife and habitat in the U.S., yet funding is inadequate to address significant challenges to sustain these resources. Development and uses on public lands must proceed in a manner that maintains the ecological integrity of our lands and waters, conserves wildlife and habitat, and contributes to efforts to recover our most imperiled wildlife. We urge strong oversight to ensure that energy development is done in an environmentally sensitive fashion and in low conflict areas. Given their large land ownerships, it is imperative that both agencies embrace landscape level conservation and management efforts.

*FS Wildlife and Fisheries Habitat Management/Integrated Resource Restoration (IRR).*—Defenders opposes expanding the IRR program beyond the current pilot program and in fact recommends the termination of the program given concerns that wildlife program activities have been marginalized under IRR and that timber targets have detracted from integrated restoration. Wildlife and Fisheries Habitat Management has been flat-funded at \$140.5 million since fiscal year 2014. We support funding the program at least at the fiscal year 2010 level of \$143 million to

carry out critical conservation and recovery activities and to begin to address the loss of biologists that has occurred in recent years.

*FS Land Management Planning, Assessment and Monitoring.*—Numerous out of date forest plans lack contemporary conservation strategies for at-risk species, and often require costly amendment. Integrating the assessment, planning and monitoring programs will lead to more efficient land management planning, reducing timelines and costs. Defenders supports continued funding at no less than the fiscal year 2017 level of \$182.9 million.

*FS Collaborative Forest Landscape Restoration Program.*—We support continued funding at the fiscal year 2017 level of \$40 million for this cost-effective program established to restore forest and watershed health, improve wildlife habitat, and reduce the costs of fire suppression in overgrown forests and the risk of uncharacteristic wildfires.

*FS Forest and Rangeland Research (FS R&D).*—We were disappointed that FS R&D was cut by \$4.5 million in the final fiscal year 2017 bill and we urge a return to the fiscal year 2015 level of \$226 million which included \$27.1 million for Wildlife and Fish R&D. Adequate funding for this program is crucial in providing relevant tools and information to support sustainable management of National Forest System lands as well as non-Federal forest lands. Generally, we are concerned that the FS may lack adequate applied scientific capacity both in R&D and the National Forest System to implement critical conservation and management actions.

*BLM Wildlife and Fisheries Management.*—Defenders appreciates the increase of \$13.9 million for Wildlife and Fisheries in the fiscal year 2017 bill, which includes an increase of \$8.9 million for implementation of management prescriptions to conserve the greater sage-grouse. Defenders supports no less than the fiscal year 2017 level of \$115.8 million.

*BLM Threatened and Endangered Species Management.*—Funding for this program is far below the level needed to fund work the agency is required to do to recover ESA listed species on BLM lands. Defenders supports \$22.6 million for the program, an increase of \$1 million over fiscal year 2017, which simply restores the budget to the fiscal year 2010 level and will better help recover listed species.

*BLM Renewable Energy.*—Defenders supports funding at no less than the fiscal year 2017 level of \$29.1 million to allow BLM to continue facilitating renewable energy development on public lands, while avoiding areas with natural resource conflicts, including sensitive wildlife species.

*BLM Resource Management Planning, Assessment and Monitoring.*—Defenders appreciates the increase of \$4 million that was provided in the fiscal year 2017 bill for a total of \$52.1 million. We urge continued funding at no less than that level to support new high priority planning efforts, data collection and monitoring crucial to the sage-grouse conservation strategy and other key initiatives, and continued development of a new geospatial initiative to better monitor ecological conditions and trends on the landscape.

#### U.S. GEOLOGICAL SURVEY

The U.S. Geological Survey provides the basic science for conservation of wildlife and habitat.

*National Climate Change and Wildlife Science Center/Climate Science Centers.*—Defenders was disappointed in the \$1.1 million cut included in the final fiscal year 2017 bill. We urge funding at no less than the fiscal year 2016 level of \$26.4 million to support scientific needs in planning for climate change adaptation and building resiliency of ecosystems.

*Ecosystems.*—Defenders urges continued funding at no less than the fiscal year 2017 level of \$159.7 million to help to support development of crucial scientific information for sound management of our Nation's biological resources.

#### LAND AND WATER CONSERVATION FUND (LWCF)

Defenders was disappointed in the \$50 million cut to LWCF in the final fiscal year 2017 bill. We support funding at no less than the fiscal year 2016 level of \$450 million to help to save some of the 6,000 acres of open space, including wildlife habitat, that are lost each day in the U.S.<sup>4</sup>

[This statement was submitted by Mary Beth Beetham, Director of Legislative Affairs.]

<sup>4</sup>[http://www.fs.fed.us/openspace/coop\\_across\\_boudaries.html](http://www.fs.fed.us/openspace/coop_across_boudaries.html).

## PREPARED STATEMENT OF THE DINE GRANT SCHOOLS ASSOCIATION

The Dine Grant Schools Association (DGSA) is comprised of the school boards of six Bureau of Indian Education (BIE)-funded schools which are operated pursuant to the Tribally Controlled Schools Act (Public Law 100–297) and located on the Navajo Nation in Arizona and New Mexico. These schools are: Dzilth-Na-O-Dith-Hle Community Grant School; Kinteel Residential Campus, Inc.; To'hajiilee Day School; Na' Neelzhiin Ji'Olta (Torreon Day School); Hunters Point Boarding School; and Chilchinbeto Community School.

As Tribal school boards, we have both the greater freedom and the tremendous responsibility to ensure that our students receive the kind of world-class, culturally relevant education that will help them reach their fullest potential. We take this responsibility seriously and we would like to thank this Subcommittee for playing an important role in our students' success. Further, as the BIE seeks to transition from running schools to supporting the Tribal school boards who take on this critical responsibility, the perspective of school boards who are already doing this successfully is more important than ever. This testimony highlights the needs and the best practices of Dine Grant Schools Association member school boards. Our highest funding priorities are: Tribal Grant Support Costs; Facilities Operations and Maintenance; and ISEP formula funds in the BIE budget as well as Education Construction and Repair in the Bureau of Indian Affairs budget.

*Success through language, culture, community involvement, and high standards.* Successful students know who they are, that they are valued, and that great things are expected of them. Our schools incorporate Navajo language and culture into our curricula. We set rigorous standards that our students must strive to meet and that give them a sense of accomplishment at their achievements.

*Why Federal funding matters.* It is difficult to concentrate on lessons if you are too cold or the roof is leaking or the water pipes don't work. It is difficult to take Partnership for Assessment of Readiness for College and Careers (PARCC) online practice tests or take distance learning Advanced Placement classes on dial up speed Internet connections. It is difficult to ride the bus, sometimes on unimproved roads, to a crumbling school whose replacement has been identified as a priority, yet no improvements are made because the extensive waiting list for construction puts it on hold for years. These challenges to learning are prevalent throughout Indian Country. What has been different these past several years is Congress's sea change in understanding the extent of these challenges and bipartisan resolve to address them. For this, we are deeply grateful. As we work to provide a world-class education and bright future for our students, we consider Members of Congress to be our partners in this endeavor. Below is a description of the programs that make the greatest difference in our ability to educate our students.

## TRIBAL GRANT SUPPORT COSTS

Since the 1988 Elementary and Secondary Education Act reauthorization, tribally-operated elementary and secondary schools have received funding for the administrative expenses incurred for the operation of BIE-funded schools through an Administrative Cost Grant, now called Tribal Grant Support Costs (TGSC). Tribal Grant Support Costs are the Contract Support Costs for tribally controlled schools. These funds are used for essential services such as contract/grant administration; program planning and development; human resources; insurance; fiscal, procurement, and property management; required annual audits; recordkeeping; and legal, security and other overhead services.

*Impact.* In fiscal year 2016, Tribal Grant Support Costs were fully funded for the first time and in fiscal year 2017, Congress increased this amount at the BIE's recommendation to \$80 million. In previous fiscal years when TGSC appropriations had been insufficient to meet the level of need without other sources of funding, we had been forced to re-direct more and more funds from our education program budgets to cover essential administrative costs. Our schools were forced to make difficult decisions—such as delaying purchase of new textbooks and other materials, paying non-competitive teacher salaries, reducing the number school days—to fit within these reduced budgets. Even with these cost-saving measures, some schools were still struggling with further reductions in management and business-office personnel at the risk of prudent internal controls and meeting the federally-mandated requirements for fiscal processes and operation of education grants/programs.

*Request.* Consistent, full funding of Tribal Grant Support Costs is a primary prerequisite for Tribes to continue to operate schools and for more Tribes to decide to take on this responsibility. As proponents of this model, we hope to be joined by even more schools in the coming years. We are grateful for Congress's commitment to full funding and willingness to work with Tribal school boards and the BIE to

arrive at an amount that fulfills this obligation, particularly as more schools convert from BIE-operated to tribally-controlled schools.

#### FACILITIES OPERATIONS AND MAINTENANCE

*Facilities Operations* funding is for the ongoing operational necessities such as electricity, heating fuels, custodial services, communications, refuse collection and water and sewer service. This budget category saw a \$7 million increase in fiscal year 2016 followed by a \$3 million increase in fiscal year 2017.

*Facilities Maintenance* funds are intended to provide for the preventative, routine, and unscheduled maintenance for all school buildings, equipment, utility systems, and ground structures. This budget category saw a \$7 million increase in fiscal year 2016 followed by a \$3 million increase in fiscal year 2017.

There are numerous studies which attest to the fact that there is a close correlation between poor or inadequate facility conditions and poor student and staff performance. According to the fiscal year 2017 budget justification, 55 of the 183 BIE-funded schools and dormitories (one-third) are still rated in “poor” condition in the Bureau’s Education Facility Condition Index (FCI). Further, the fiscal year 2017 budget justification elaborates that there is \$388.9 million in deferred maintenance backlogs! It is clear that there is a long way to go with regard to upkeep of our schools. Part of the maintenance problem will be solved by replacing aging, deteriorated schools, but Federal resources for maintenance are needed to preserve that investment and to ensure our schools’ facilities remain fully functional learning environments throughout the length of their design life.

*Impact.* Our schools are making every effort to make do with very modest facilities funding. Since we cannot delay paying our utilities or avoid taking actions that would impact student safety, we often have to resort to using our other education or academic program monies—just like what happened when Tribal Grant Support Costs were not fully funded. We caution that insufficient funding for Facilities Operations and Maintenance means delaying routine, as well as unscheduled, maintenance of buildings, equipment, utility systems and grounds—thereby jeopardizing student and staff safety. Attempts to moderate electrical and/or heating costs, or reduce custodial and refuse services and similar cost-cutting measures would only make our already compromised learning conditions more uncomfortable and unhealthy for students and staff. If we cannot provide a decent learning environment, how can we expect our students to focus on achieving academic success?

*Request.* The recent increases for these two budget categories are important improvements; however, the fiscal year 2017 budget justification States that the \$66.2 million requested (and provided in the fiscal year 2017 Omnibus appropriations) for Facilities Operations and the \$59 million requested (and provided in the fiscal year 2017 Omnibus appropriations) for Facilities Maintenance would fund 78 percent of calculated Facilities Operations and Maintenance need across BIE-funded schools. We respectfully ask that the Subcommittee consider providing full funding.

#### INDIAN SCHOOL EQUALIZATION PROGRAM (ISEP) FORMULA FUNDS

The Indian School Equalization Program (ISEP) Formula is the core budget account for Educational and Residential programs of the BIE elementary and secondary schools and dormitories. These funds are used for instructional programs at BIE-funded schools and include salaries of teachers, educational technicians, and principals. The amount provided to each school is determined by a statutorily-mandated formula established by regulation.

During the eight-year period of fiscal year 2003 to fiscal year 2010, the ISEP Formula account increased by almost \$45.5 million; but in only two of those years—fiscal year 2009 and fiscal year 2010—was the increase actually an increase in program funding. For the other years, the requested increases were limited to amounts needed for fixed costs and related changes, as opposed to actual program increases. Funding for ISEP began to fall in fiscal year 2011, and the fiscal year 2015 level was actually \$5 million less than in fiscal year 2010. In fiscal year 2016, Congress provided an increase for fixed costs followed by a \$ 6.5 million program increase in fiscal year 2017.

*Impact.* For most BIE-funded schools, the chronic shortfall in the other key school accounts has a negative impact on ISEP Formula funding, because ISEP Formula funds are often diverted to make up the shortfalls in other accounts, such as Tribal Grant Support Costs and Facilities Operations and Maintenance, when a Tribe or Tribal school board has no other source of funding to satisfy those shortfalls. This means fewer funds are available for instructional activities. We are tremendously grateful that Congress has increased funding for these critical accounts so ISEP Formula funds can be used for their intended purpose.

*Request.* The \$6.5 million program increase for a total of \$400.2 million that Congress provided in fiscal year 2017 will be very helpful; however, it still does not acknowledge the shortfalls that have been building for years. We respectfully request a total of \$431 million for this critical budget category.

#### EDUCATION CONSTRUCTION AND REPAIR

This funding category within the BIA Construction budget includes Replacement School Construction; Facilities Component Replacement; Facilities Improvement and Repair; and Employee Housing Repair. According to the Department of the Interior, the current backlog of construction projects is estimated to be as high as \$1.3 billion. The BIE has stated that its “next-step” is to “develop a long-term school construction funding plan that will address the needs of all BIE funded schools determined to be in poor condition.” We were encouraged by the substantial increase that this Subcommittee provided for Education Construction in fiscal year 2016 and then maintained in fiscal year 2017. We were encouraged to see the language in the fiscal year 2017 Omnibus joint explanatory statement directing the BIE to “submit an allocation plan to the Committees for campus-wide replacement and facilities replacement within 30 days” of the Omnibus’s enactment. Finally, we were overjoyed to see that the National Review Committee identified one of our member schools, Dzilth-Na-O-Dith-Hle Community Grant School, for school replacement planning, design and construction funding.

*Impact.* Facilities within the BIE system are woefully outdated and, in some cases, dangerous for students and staff. The lack of an appropriate learning environment in many BIE system schools puts Native students at an unfair disadvantage.

*Request.* We ask that Congress and the BIE consult with Tribes and Tribal school boards when developing this long-term school replacement and repair plan. Further, we ask that once developed, Congress implement this plan by providing consistent funding for Education Construction and Repair each fiscal year. Adequate and predictable funding will mean that aging schools can finally be replaced in an orderly, scheduled fashion and our students can focus on their most important job: learning.

#### CONCLUSION

Thank you for the opportunity to provide testimony on these critical matters. As we work to provide a world-class education and bright future for our students, we greatly appreciate that the Members of this subcommittee and your colleagues in the Congress have joined as our partners in this endeavor.

Questions regarding this document may be directed to: Jerry Chavez, President, Dine Grant Schools Association: [chavez.jerry45@yahoo.com](mailto:chavez.jerry45@yahoo.com).

[This statement was submitted by Jerry Chavez, President.]

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#### PREPARED STATEMENT OF THE DUCKWATER SHOSHONE TRIBE

The requests of the Duckwater Shoshone Tribe (hereinafter “Tribe”) for the fiscal year 2018 Indian Health Service (IHS) and Bureau of Indian Affairs (BIA) appropriations are as follows:

- Fully Fund Contract Support Costs for the IHS and BIA.
- Protect the IHS budget from sequestration.
- Permanently reauthorize the Special Diabetes Program For Indians.
- Appropriate additional funding to the IHS Hospitals and Clinics line item, and direct the IHS to allocate such additional funding specifically for pharmacy programs and physician services.
- Increase funding for Road Maintenance in the BIA budget.
- Increase funding for the Office of Indian Energy and Economic Development (funded by the Community and Economic Development activity in the Indian Affairs budget).
- Increase funding for Welfare Assistance in the BIA budget.

The Duckwater Shoshone Tribe is a federally recognized Indian Tribe located in a remote, high desert valley in the State of Nevada, in the very northern tip of Nye County. We are approximately 72 miles southwest of Ely and 40 miles southwest of Eureka. The Tribe is governed by a democratically elected, five-member Tribal council and is primarily an agricultural community. We offer a range of services to our Tribal members, including healthcare and natural resources and environmental health programs. The Tribe operates a Tribal health clinic under a self-governance agreement with the Indian Health Service (IHS) under Title V of the Indian Self-Determination and Education Assistance Act.

## FULLY FUND CONTRACT SUPPORT COSTS (CSC)

The Tribe wishes to thank the subcommittee for their leadership in making funding of IHS and BIA contract support costs for fiscal year 2016, and now fiscal year 2017, an indefinite amount and also making it a separate account in the IHS and BIA budgets. This shift makes an enormous difference in helping ensure that the Indian Self-Determination and Education Assistance Act (ISDEAA) is fully funded and implemented as Congress intended. It also significantly enhances the Federal-Tribal government-to-government relationship. The Tribe is also thankful that the subcommittees listened to Tribal comments about how the bill proviso in the fiscal year 2016 enacted bill effectively denied the CSC carryover authority authorized by the ISDEAA, and appreciates that the proviso was absent from the Consolidated Appropriations Act for fiscal year 2017.

The Tribe nevertheless believes it is important that the indefinite appropriation of CSC funding be mandatory and permanent. Under the ISDEAA, the full payment of CSC is not discretionary, but is a legal obligation of the Federal Government which has been affirmed by the U.S. Supreme Court. Funding of CSC on a discretionary basis has in the very recent past placed the House and Senate Appropriations Committees, in their own words, in the “untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs.” The Tribe is determined to work together with the appropriate congressional committees to find a solution for achieving this goal.

## EXEMPT IHS FROM SEQUESTRATION

The Tribe is asking for this subcommittee’s support, and the support of your colleagues, for amending the Balanced Budget and Emergency Deficit Control Act to exempt the IHS from potential sequestration of funds. We are glad that Congress has seen its way fit to fully exempt Veterans Health Administration’s programs from sequestration and to limit state Medicaid grants and Medicare payments to a 2 percent reduction. However, we do not see why Indian health, as a Federal trust responsibility, is not afforded this same treatment. Indeed, a number of Members of this subcommittee and other members of Congress have publicly stated that it was an oversight that IHS was not included in the exempt category when the Balanced Budget and Emergency Deficit Control act was enacted.

The Tribe is also greatly concerned that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal year 2017 spending cap. When put into the context of the President’s “skinny” fiscal year 2018 budget outline proposal, which raises defense spending by \$54 billion and lowers non-defense discretionary spending by a like amount, the Tribe fears that the stage is set for significant sequestration of funds. Whatever the outcome, Indian health should be made exempt from sequestration.

## SPECIAL DIABETES PROGRAM FOR INDIANS (SDPI)

The Tribe, like others throughout Indian Country, continue to support a permanent reauthorization and increased funding for the SDPI, which provides crucial support for diabetes prevention and treatment programs. While we understand that an SDPI reauthorization bill is not under purview of this subcommittee, the SDPI and the programs carried out with SDPI funding certainly affect the scope and range of our healthcare efforts and our IHS programs, which this subcommittee funds. The Tribe would greatly appreciate any help the Interior Appropriations Subcommittee Members can provide with your colleagues on this matter.

The SDPI program has been funded at \$150 million for many years and we often come to the brink of the expiration of its short authorization period before it is extended. It is set to expire again on September 30, 2017. A permanent reauthorization with annual funding of \$200 million would provide stability for our diabetes programs in terms of planning and recruiting and retaining personnel. The program is required to track outcomes, and it has shown identifiable significant outcomes—both in terms of access to treatment and prevention.

## INCREASED IHS FUNDING FOR PHARMACY AND PHYSICIAN SERVICES

Pharmacy programs within the IHS, and the funding the Tribe receives through its Hospitals and Clinics funding for carrying out a pharmacy program, are woefully inadequate for serving the needs of the Tribe’s pharmacy patients. The funding has failed to keep up with the skyrocketing costs of prescription drugs, even with access to discounted goods and services on Federal Supply Schedules (FSS) and the McKesson Prime Vendor contract. The Tribe previously used its buy back authority to procure pharmacy services from the IHS through McKesson, which was extremely

expensive, and moreover, McKesson has been experiencing a limited supply of pharmaceuticals. The Tribe's current funding is insufficient to keep up with rising pharmacy costs. The Tribe has a similar concern about the funding made available through the IHS that the Tribe can then allocate to procuring physician services. The Tribe has been experiencing great difficulty over the past several fiscal periods in recruiting and retaining physicians for carrying out its primary healthcare programs.

While the Tribe has authority under its ISDEAA self-governance agreement to redesign its compacted programs and reallocate funding in any manner in which the Tribe deems to be in the best interests of the health and welfare of its own Tribal community, the reality is that there is just not enough funding for the Tribe to provide necessary services and still have adequate funding for pharmaceuticals and to pay physicians to locate to our remote area. We thus ask for the subcommittees' support for increasing the IHS appropriation for Hospitals and Clinics funding, and to direct the IHS to allocate additional funding toward pharmacy and physician services.

#### FUNDING FOR ROAD MAINTENANCE

"Road Maintenance," which is funded under the "Tribal Government" activity in the BIA budget, is critically important to our Tribe. We are located in a rural area with few resources, few well-paved state or county connecting roads, and limited Tribal Transportation Program formula funds. As the Indian Affairs fiscal year 2017 Budget Justification explains, "The amount received in the TPA [Tribal Priority Allocation] portion of the budget has been approximately \$24 million per year, which is less than 9 percent of the deferred maintenance of \$289 million for fiscal year 2015." As has been noted in any number of Congressional hearings, written testimony, and Federal reports, the roads in Indian Country are some of the most dangerous and poorly funded roads in the Nation. We consider Road Maintenance funding to be a matter of public safety and we respectfully ask the subcommittee to increase appropriations for this critical budget sub activity.

#### ECONOMIC DEVELOPMENT

Being a rural Tribe means that our members have less access to both employment and job creation opportunities. We also struggle with high energy prices both for individual members and for our Tribal government buildings. These conditions are two factors hampering our ability to thrive as a community and we have been exploring a number of options to alleviate them. Through targeted studies, we have determined that we have viable wind and solar resources that can be developed. Developing these resources would provide our Tribe with greater energy certainty, lower energy prices, and economic opportunities for our Tribal members. We ask that this subcommittee increase funding for the Office of Indian Energy and Economic Development which is funded through the "Community and Economic Development" activity in the Indian Affairs budget, particularly the "Job Placement and Training" sub activity, which funds technical and vocational training, and the "Minerals and Mining" sub activity, which promotes and provides technical assistance for the development of renewable energy, conventional energy, and mineral resources. If we in Indian Country are to build a strong economic future for our communities, we must pursue an all of the above energy strategy which for us, includes wind and solar.

#### ADULT WELFARE ASSISTANCE

Rural areas, both in Indian Country and in non-Tribal areas, often experience higher than average rates of unemployment due to a lack of opportunities. As a Tribe, we are working hard to help create opportunities for our Members both in terms of job placement and job creation. Unfortunately, there are some circumstance when welfare assistance is temporarily needed for some Tribal members. The "Welfare Assistance" sub activity funded under the "Human Services" activity in the BIA budget provides these critical resources for our people. We, like the BIA and Congress, believe that welfare assistance should be a temporary safety net and ultimately, a bridge to better circumstances and opportunities, but we believe that it must exist. We ask the Subcommittees to increase funding for Welfare Assistance as a way to strengthen and stabilize families so that they are able to pursue opportunities and ultimately become self-sufficient.

Thank you for your consideration of the concerns and requests of the Duckwater Shoshone Tribe.

[This statement was submitted by Rodney Mike, Tribal Chairman.]

PREPARED STATEMENT OF THE DZILTH-NA-O-DITH-HLE COMMUNITY GRANT SCHOOL  
(DCGS)

Thank you for the opportunity to submit testimony on behalf of the Dzilth-Navajo Community Grant School (DCGS) on the Navajo Reservation in Bloomfield, New Mexico. Our school, which has been in continuous service since 1968, operates a K–8 educational program and a dormitory program for students in grades 1–12, serving around 260 students in both programs. DCGS is a tribally controlled grant school located approximately 170 miles northwest of Albuquerque. DCGS is primarily funded through appropriations received from the Bureau of Indian Education (BIE), and pass-through funding from the Department of Education.

Our all-Navajo Board operates the DCGS through a Grant issued by the BIE under the Tribally Controlled Schools Act. The DCGS goal is to make a difference in the educational progress of our students and we believe that all of our students are capable of achieving academic success. Yet, we suffer from underfunding of practically every one of our educational and related programs that affects our ability to fully meet our school goals and our ability to successfully operate our programs under the Indian Self-Determination policy.

Locally controlled schools like DCGS educate our students to be contributing members of our community and to help our people. This focus has helped improve our students' performance. If we were able to operate our school without funding shortfalls and constant worries, we think our students would reach even more amazing heights. Funding increases are desperately needed and are having a significant impact.

At the outset, we would like to associate ourselves with the testimony of the Diné Bi Olta School Board Association, and fully support their recommendations. We ask the Subcommittee to pay particular attention to their suggestions regarding the BIE budget model, and BIE program management. Thank you.

Our recommendations can be summarized as follows:

- Ensure local control of schools and education resources through the transition.
- Fully fund school construction.
- Provide \$109 million for facilities operation and \$76 million for facilities maintenance (full funding).
- Fund Student Transportation at \$73 million, and BIA Road Maintenance at \$40 million.
- Continue to fully fund Tribal Grant Support Costs.
- Protect BIE and Indian programs from sequestration or shutdown.

1. Ensure Local Control of Schools and Education Resources

We have told this Subcommittee before about DCGS's concern about the BIE's "Blueprint for Reform," which aims to reorganize the BIE's administrative structure. We have been concerned that reform would centralize decisionmaking in the Headquarters office—rather than looking to schools and local communities. While we do not doubt the BIE's commitment to a high-quality education for Indian students, we firmly believe that our parents and our elected school board are best-suited to make decisions affecting our students—a belief reflected by Congress in the passage of the Tribally Controlled Schools Act. We believe the new Administration will continue to implement the Blueprint, but we ask that this Subcommittee and your colleagues work with the BIE and Tribal schools to ensure BIE decisions are best for students and schools.

2. Full Funding for School Construction

DCGS is proud to have been a successful applicant for the current round of school construction funding at BIE. As our school facilities were outdated and insufficient for our needs, we are looking forward to being able to offer an improved school for our students. This funding will enable us to replace our buildings that 7 years ago had a backlog of maintenance projects that would have cost \$7.7 million to complete; a new school is transformative for our community.

DCGS is nearing completion of its planning phase for the new school and, while there is work to do still, we believe that we can be a model of success in planning. We have worked closely with BIA facilities on moving this project along, and have made great progress. We have hired a project manager for the construction of the school, secured an engineering firm for design, are in the middle of our planning with staff and have conducted several interviews to make sure our staff has input on the design needs and planning process. The assessment of necessary prerequisites for construction is complete, including all field work for the facility condition assessment. The remaining hurdle is that we are waiting for completion of the



Historic Preservation Assessment by the Navajo Nation. We have requested that the BIE assist the Nation in completing this step, as the project is otherwise on time and on-budget. If necessary, we hope this Subcommittee will recognize that there must be flexibility in timelines for funding availability in these projects, and work with us and the BIE on these matters.

According to the Department of Interior's 2013 figures, the backlog of construction projects for schools was estimated to be as high as \$1.3 billion. That figure has grown with further backlog and the shift of more schools onto the necessary construction list. We were encouraged by the substantial increase that this Subcommittee provided for Education Construction in fiscal year 2016 and then maintained in fiscal year 2017. We believe BIE schools are due for a wholesale school replacement effort like that provided for Department of Defense schools where 134 of their schools were rebuilt over 5 years, beginning in 2011. DCGS supports the call for full funding for school construction funds to immediately address this need. We urge the Committee and the BIE to engage in consultation with Tribal schools and Tribes to begin the effort towards modernization of all BIE schools.

### 3. Full Funding for Facilities Operation and Maintenance

To enable Tribal schools to keep their buildings in working order (and so they last as long as possible), we must receive adequate operation and maintenance funding. As we have said in years past, we are forced to sacrifice instruction and other funds to keep ancient heaters working or to keep water and sewer systems functional. We owe it to our students and to our communities to make sure our buildings are safe and sanitary, and full operations and maintenance funding allow us to do so. Schools still only receive partial funding for these purposes. DCGS requests that Congress fund BIE facilities operations at \$109 million and BIE facilities maintenance at \$76 million.

### 4. Increase Funding for Indian School Equalization Programs

The most critical stream of funding for community grant schools like ours is funding in the Indian School Equalization Program (ISEP). The ISEP funds are those that schools use for the day-to-day operation, whether that is paying teachers and staff, purchasing curriculum and supplies, or operating student programs. In years past, our ISEP funds were put under pressure by unfunded needs elsewhere in our schools, which might have involved paying utilities or repairing one of our school buses with ISEP funds. The National Congress of American Indians has recommended that Congress appropriate \$431 million for ISEP funding, which we think should be this Subcommittee's baseline for funding this budget year. We have repeated this in past years, but we want you to know that we really do mean it: ISEP is our schools' lifeblood, and we are still struggling to make up for losses over time.

### 5. Increase funding for Student Transportation

As a rural school, one of our most challenging tasks is getting our children to school and back home—we must battle poor roads, increasing costs of maintenance, and high fuel costs as part of this, but we must keep the buses running. We request at least \$73 million for student transportation in the BIE system. We also request that this Subcommittee fund BIA Road Maintenance at a sustainable level. We echo NCAI's recommendation that the Subcommittee appropriate at least \$40 million for road maintenance in fiscal year 2018. Such funding will enable us to maintain our six school buses, and will protect other funds that would otherwise be used for this purpose.

### 6. We support full funding for Tribal Grant Support Costs.

Tribal Grant Support Costs (TGSC) (formerly known as Administrative Cost Grants) are the BIE analogue to Contract Support Costs, and are necessary for schools like DCGS to operate our schools. Not only do the TGSC funds pay for the administration of the school, but also fund all indirect costs like payroll, accounting, insurance, background checks and other legal, reporting, and recordkeeping requirements.

TGSC has been fully funded for the last 2 years, and we are very grateful to this Subcommittee for that. In years past schools had only received, at most, two-thirds of the TGSC needed to cover overhead costs. DCGS welcomes this long overdue change, and applauds this Subcommittee's decision to treat schools' support costs the same as contractors with the BIA and the Indian Health Service. We are able to better serve our students with these funds.

Like all our funding, TGSC is critical, and we appreciate very much the Subcommittee's support in full funding. This year, we request continued full funding of TGSC, which enables DCGS and other schools to realize self-determination in education. We believe last year's funding of \$80 million must be increased to meet the need as additional BIE-operated schools convert to Tribal operation under the Tribally Controlled Schools Act.

#### 7. Protect BIE and other Indian Programs from Sequestration or Shutdown

You will likely hear from several other witnesses today that Indian-related programs must be protected from budget fights that result in sequestration, rescission, or government shutdown. We join those in urging this Subcommittee to include language in budget and appropriations bills that continued funding for Native-related programs through these challenges. Schools receive advance year funding—and thus are a bit shielded from shutdowns or short term continuing resolutions—but our communities feel the reverberations from these incidents directly. Funding for our programs is scarce already—reductions for sequestration and stop-work orders from shutdowns hit reservation communities especially hard, and our students feel the same stress that is affecting their parents and neighbors.

Since Tribal programs are part of treaty and trust rights—programs that were paid for with land and lives—we think it appropriate that Congress make Native-related appropriations mandatory. Upholding the trust responsibility is a solemn duty of the U.S., and exempting Native-related programs and funding from budget challenges would be a good step in fulfilling that charge.

Lastly, we would like to raise our concern to this Subcommittee with language in the President's signing statement for the fiscal year 2017 Omnibus Appropriations bill. In that signing statement, he singled out School Improvement Programs serving the BIE, Tribal technical assistance and contracting programs with the Department of Defense, and Native American and Alaska Native Housing Block Grants as an example of programs that “allocate benefits on the basis of race, ethnicity, and gender,” and ones that the Administration will treat “in a manner consistent with the requirement to afford equal protection of the laws.” This Subcommittee is well aware that Native American programs—like all of those at the BIE and BIA—are not provided on the basis of race or ethnicity. These programs grow from the political relationship between Tribal governments and the United States, and embody the trust and treaty duties we mentioned earlier. We worry that miscategorization of programs serving Indians and Alaska Natives as based on race or ethnicity undermines the responsibility shared by all branches of the Federal Government to live up to the United States' promises. We hope this Subcommittee plays an important oversight role to ensure the Administration fulfills its trust and treaty obligations as well.

We look forward to working with the Subcommittee on furthering the important work of our school and enriching our students. Thank you for the opportunity to submit testimony.

[This statement was submitted by Ervin Chavez, School Board President & Faye BlueEyes, Administrative Services Director.]

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#### PREPARED STATEMENT OF THE ECOLOGICAL SOCIETY OF AMERICA

On behalf of the Ecological Society of America (ESA), the world's largest society of professional ecologists representing over 10,000 members across the country, I write to urge you to provide \$1.2 billion for the US Geological Survey (USGS) for fiscal year 2018 and to reject proposed cuts to the agency's fiscal year 2017 funding. ESA is concerned with the administration's proposal to cut the USGS fiscal year 2018 budget by nearly 15 percent to \$900 million, a funding reduction that would significantly restrict the agency's ability to fulfill its mission and provide important impartial scientific information to decision makers and American citizens. We urge you to preserve funding for the USGS so the agency can continue its critical work of maintaining our Nation's natural resources, ensuring environmental health, and protecting public health.

The USGS plays a unique role within the Department of the Interior, conducting research across a broad array of scientific disciplines and providing data that informs responses to many of the Nation's greatest challenges. To highlight just a few examples, USGS science:

- Reduces risks from natural hazards—including earthquakes, landslides, volcanic eruptions, flooding, drought, and wildfires—that jeopardize human lives and result in billions of dollars in damages annually.

- Informs management of freshwater resources—both above and below the land surface—for drinking water, agriculture, and commercial, industrial, recreational, and ecological purposes.
- Informs sound management of natural resources on Federal and State lands, including control of invasive species and wildlife diseases that cause billions of dollars in economic losses. This information is shared with other Interior bureaus and State agencies to allow for adequate monitoring and management.
- Helps predict the impacts of land use and climatic conditions on the availability of water resources and the frequency of wildfires. The Landsat satellites have collected the largest archive of remotely sensed land data in the world, which informs agriculture production and our Nation's response to and mitigation of natural hazards.
- Provides vital geospatial and mapping data used in economic development, environmental management, infrastructure projects, and scientific applications by States, Federal agencies, and the private sector.
- Helps make decisions about the Nation's energy future by assessing mineral and energy resources—including rare earth elements, coal, oil, unconventional natural gas, and geothermal. The USGS is the sole Federal source of information on mineral potential, production, and consumption.

Few modern problems can be addressed by a single scientific discipline. The USGS has a unique capacity to deploy truly interdisciplinary teams of experts to gather data, conduct research, and develop integrated decision support tools that improve ecosystem management, ensure accurate assessments of our water quality and quantity, reduce risks from natural and human-induced hazards, deliver timely assessments of mineral and energy resources, and provide emergency responders with accurate geospatial data and maps.

The Society is appreciative of the strong bipartisan, bicameral support USGS has received from House and Senate appropriators over the years. We respectfully request that you continue this trend by providing \$1.2 billion for the US Geological Survey for fiscal year 2018 and rejecting proposed cuts to the agency's fiscal year 2017 funding.

[This statement was submitted by David M. Lodge, President.]

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#### PREPARED STATEMENT OF THE ECOLOGICAL SOCIETY OF AMERICA

The Ecological Society of America (ESA) appreciates the opportunity to provide testimony in support of fiscal year 2018 appropriations for the Environmental Protection Agency. ESA is the Nation's largest professional society of ecologists, representing over 10,000 members across the country. We write to urge you to support robust funding for the Environmental Protection Agency (EPA) for fiscal year 2018, specifically at least \$715 million for Science and Technology within EPA.

The EPA is vital to protecting both the environment and human health, and the agency's Science and Technology programs are critically important to its ability to successfully address environmental problems. Strong investments in the EPA are essential to ensuring the health of our Nation's citizens and environment.

#### EPA SCIENCE AND TECHNOLOGY PROGRAMS REDUCE ENVIRONMENTAL RISKS FACING AMERICANS

Since its formation in 1970, the EPA has reduced environmental risk to Americans, enforced laws safeguarding human health and the environment, and helped the Nation serve as a leader in protecting the environment.

Science and Technology funding supports programs and research that contribute to clean air, clean water, sustainable communities, homeland security, and human health. Through the Office of Research and Development (ORD), the EPA conducts cutting-edge research programs, including important ecological research and monitoring, that provide the scientific foundation for the agency's decisionmaking and other programs. EPA research projects focus on issues of national significance and help to solve complex environmental problems—often with public health implications—with new scientific understanding and technologies. From detecting and addressing harmful algal blooms to helping communities rehabilitate contaminated sites, EPA research funded by Science and Technology appropriations delivers solution-oriented results with broad and significant impacts.

PROPOSED CUTS WOULD HAVE CONSEQUENCES FOR HUMAN AND ENVIRONMENTAL  
HEALTH

ESA is very concerned with the administration's proposed cuts to the EPA. The President's budget proposal requests only \$5.7 billion for the agency, a reduction of 31 percent from the fiscal year 2017 enacted amount of \$8.1 billion. This significant cut would be achieved by eliminating 3,800 agency jobs and over fifty agency programs, including categorical grant programs and regional environmental programs, climate science research, and partnership programs. The administration's budget also proposes to reduce funding for EPA Science and Technology considerably to only \$451 million, a 36 percent cut from net fiscal year 2017 funding.

ESA is extremely troubled by these proposed changes and the devastating impacts they would have on the agency's ability to fulfill its mission and conduct the scientific research necessary to inform its operations and decisions. We urge you to reject cuts to EPA programs and research as you proceed with fiscal year 2018 appropriations.

STRONG INVESTMENTS IN THE EPA PROTECT OUR CITIZENS AND OUR ECOSYSTEMS

The EPA is an essential agency that plays a key role in addressing ecological problems and other environmental issues that affect public health. We appreciate your past support for this critical agency, and we urge you, in the interest of ensuring the health of our Nation's citizens and ecosystems, to continue this support and provide robust funding for the EPA in fiscal year 2018, in particular \$715 million for EPA Science and Technology.

Thank you for your consideration of this request.

PREPARED STATEMENT OF THE ENTOMOLOGICAL SOCIETY OF AMERICA

The Entomological Society of America (ESA) respectfully submits this statement for the official record in support of funding for entomology-related activities at the U.S. Department of Agriculture Forest Service and the U.S. Environmental Protection Agency (EPA). For fiscal year 2018, ESA requests the Forest Service be funded at least at the fiscal year 2016 enacted level of \$5.68 billion in discretionary funds. Within the Forest Service, ESA requests the Forest and Rangeland Research budget be supported at \$291.982 million to preserve valuable invasive species research and development. The Society also supports continued investment in Forest Health Management programs across the Forest Service in fiscal year 2018. In addition, ESA recommends \$8.267 billion for EPA, including support for Pesticides Licensing Program Area activities within its Science & Technology and Environmental Program & Management budgets, and continued support for State & Tribal Assistance Grants for Pesticide Program Implementation. Finally, ESA strongly supports EPA's commitment to work with other Federal agencies to monitor and improve pollinator health, including involvement by EPA to examine the potential impact of pesticides on pollinator health.

Advances in forestry and environmental sciences, including the field of entomology, help to protect our ecosystems and communities from threats impacting our Nation's economy, public health, and agricultural productivity and safety. Through improved understanding of invasive insect pests and the development of biological approaches to pest management, entomology plays a critical role in reducing and preventing the spread of infestation and diseases harmful to national forests and grasslands. The study of entomology also contributes to the development of Integrated Pest Management (IPM) techniques, which use science-based, environmentally friendly, comprehensive methods to take preventative action against pests, often resulting in lower costs and a more targeted use of pesticides. In addition, entomology improves our knowledge of pollinator biology and the factors affecting pollinator health and populations, helping to ensure safe, reliable crop production that meets the needs of a growing world population.

The U.S. Forest Service sustains the health, diversity, and productivity of 193 million acres of public lands in national forests and grasslands across 44 States and territories. Serving as the largest supporter of forestry research in the world, the agency employs approximately 35,000 scientists, administrators, and land managers. In addition to activities at the Federal level, the Forest Service provides technical expertise and financial assistance to State and private forestry agency partners.

The Forest Service's Forest and Rangeland Research budget supports the development and delivery of scientific data and innovative technological tools to improve the health, use, and management of the Nation's forests and rangelands. Within

Forest and Rangeland Research, the Invasive Species Strategic Program Area provides scientifically based approaches to reduce and prevent the introduction, spread, and impact of non-native invasive species, including destructive insects, plants, and diseases that can have serious economic and environmental consequences for our Nation. For example, Forest Service scientists are working to prevent the devastation of ash trees across North America by the emerald ash borer, an invasive beetle that was accidentally introduced from Asia. Emerald ash borer was first detected in 2002 and, since then, has killed countless millions of ash trees. This biological invasion threatens to eliminate all ash trees from North America, and is the costliest invasion from a forest insect to date. Emerald ash borer is just one of the exponentially growing list of invasive insects and diseases that harm our Nation's forests and our Nation's economy. Forest health is also affected by invasive weeds, and those weeds are often best controlled by beneficial insects used as biological control agents, resulting in permanent and often spectacular control. ESA respectfully requests that Forest and Rangeland Research be fully funded at \$292 million for fiscal year 2018.

Also under the purview of the Forest Service is the Forest Health Management program, which conducts mapping and surveys on public and private lands to monitor and assess risks from potentially harmful insects, diseases, and invasive plants. The program also provides assistance to State and local partners to help prevent and control outbreaks that threaten forest health. According to a 2011 study, invasive forest insects cost local governments alone an average of over \$2 billion per year; direct costs to homeowners from property loss, tree removal, and treatment averages \$1.5 billion per year.<sup>1</sup> Initiatives within the Forest Health Management program can help control these costly pests. The program's "Slow the Spread" activities, for example, have led to a 60 percent reduction in the rate of the spread of an invasive species known as gypsy moth, resulting in an estimated benefit-to-cost ratio of 3:1. Without the program, it is estimated that 50 million additional acres would have been infested by the moth.<sup>2</sup> To support these important functions, ESA requests that the subcommittee oppose any proposed cuts to Forest Health Management program in fiscal year 2018.

EPA carries out its mission of protecting human health and the environment by developing and enforcing regulations, awarding grants for research and other projects, conducting studies on environmental issues, facilitating partnerships, and providing information through public outreach. Through these efforts, EPA strives to ensure that our Nation enjoys clean water, clean air, a safe food supply, and communities free from pollution and harmful chemicals.

EPA's Pesticides Licensing Program Area, supported by EPA's Science & Technology and Environmental Program & Management budgets, serves to evaluate and regulate new pesticides to ensure safe and proper usage by consumers. Through the mandate of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA utilizes scientific expertise and data, including knowledge gained from entomological sciences, to set maximum tolerated residue levels and to register pesticide products as effective and safe. By controlling insects that act as vectors of diseases of humans and domesticated animals, and invasive insect species that endanger our environment, pesticides registered by EPA help protect public health and the Nation's food supply. EPA's activities in this area also include the development of educational information and outreach to encourage the use of IPM and other reduced-risk methods of controlling pests. For example, EPA continues to support work protecting children from pesticide exposure used in and around schools, helping to promote cost-effective strategies that reduce student exposure to pesticides and pests. IPM strategies used in schools reduce student exposure to pesticides as well as allergens from pests themselves. Therefore, ESA supports continuing the modest funding that EPA has invested in school IPM.

Among EPA's State & Tribal Assistance Grants, categorical grants in the area of Pesticides Program Implementation help to facilitate the translation of national pesticide regulatory information into real-world approaches that work for local communities. For example, these grants fund efforts to reduce health and environmental risks associated with pesticide use by promoting, facilitating, and evaluating IPM techniques and other potentially safer alternatives to conventional pest control methods. ESA requests that the subcommittee support a modest increase for Pesticides Program Implementation grants.

<sup>1</sup> Aukema, J.E.; Leung, B.; Kovacs, K.; [et al.]. 2011. Economic impacts of non-native forest insects in the continental United States. *PLoS ONE* 6(9): e24587.

<sup>2</sup> Forest Service Fiscal Year 2017 Budget Overview: <http://www.fs.fed.us/sites/default/files/FY-2017-FS%20-budget-overview.pdf>.

ESA is in favor of increased funding for scientifically based studies of pollinator populations and health. Pollinators play a vital role in our Nation's agriculture industry; for example, bees pollinate more than 90 crops in the United States and are essential for the production of an estimated 70 percent of all the food we eat or export. To ensure a healthy bee population, more research is needed to fully understand the complexities of Colony Collapse Disorder (CCD) and to examine the diverse factors that endanger bee health. Pesticides represent just one potential risk to bees, but both the risks and benefits must be balanced, and those risks and benefits will vary among different crops and different crop-producing regions of the United States. EPA is well-positioned to help identify methods for protecting bee health; the agency has previously awarded agricultural grants to three universities to aid in the development of IPM practices that lower pesticide risks to bees while protecting valuable crops from pests. For this reason, ESA supports EPA's participation in multi-agency efforts to investigate pollinator health and implementing plans to prevent pollinator population decline.

ESA, headquartered in Annapolis, Maryland, is the largest organization in the world serving the professional and scientific needs of entomologists and individuals in related disciplines. Founded in 1889, ESA has nearly 7,000 members affiliated with educational institutions, health agencies, private industry, and government. Members are researchers, teachers, extension service personnel, administrators, marketing representatives, research technicians, consultants, students, pest management professionals, and hobbyists.

Thank you for the opportunity to offer the Entomological Society of America's support for Forest Service and EPA programs. For more information about the Entomological Society of America, please see <http://www.entsoc.org/>.

[This statement was submitted by Susan Weller, PhD, President.]

#### PREPARED STATEMENT OF THE FEDERATION OF STATE HUMANITIES COUNCILS

Madam Chairwoman and members of the subcommittee, I thank you for this opportunity to submit testimony on behalf of the 56 State and jurisdictional humanities councils. Our request for fiscal year 2018 is \$155 million for the National Endowment for the Humanities and \$46 million for the Federal/State Partnership, which funds the councils.

The State humanities councils are full partners of the NEH, using the Federal/State Partnership funding to bring public programs to communities throughout the nation. Councils use these funds to leverage additional support from foundations, corporations, private individuals, and State governments. On average, councils leverage \$5.00 in local contributions for every dollar of Federal funding awarded through their grants. Over the past few years, they have further extended their resources by forming partnerships with more than 9,000 organizations throughout their States. Each year, councils continue to expand their programming to meet growing needs in their States. Councils in many States help to revitalize communities, especially in rural areas, through programs that strengthen local institutions and increase tourism. Teacher institutes conducted by councils increase the quality of humanities education and re-inspire teachers. Family reading programs contribute to school readiness and long-term academic success, particularly for children in low-income families. Council-conducted community conversations help residents understand all sides of divisive issues.

The preamble to the legislation that created the National Endowment for the Humanities and its sister agency, the National Endowment for the Arts, proclaims that "Democracy demands wisdom and vision in its citizens." This lofty assertion calls for citizens to develop the ability to carefully evaluate and shape decisions about issues they confront in their personal and community lives. It requires citizens to understand their own and their nation's history in order to fully understand the forces that brought us to our present moment. It asks that citizens recognize and accommodate differences in viewpoint and experience as a necessary prelude to shaping strong communities. These are all values advanced through the humanities and the programs supported by the National Endowment for the Humanities and the State humanities councils.

The first statement of the preamble offers another bold assertion: "The arts and the humanities belong to all the people of the United States." This includes people without easy access to major educational and cultural institutions but whose stories are an essential part of our national narrative. It includes people in all income categories, all racial and ethnic groups, and all levels of educational achievement. It includes those who live in towns of 400 people as well as those who live in cities with populations in the millions. The State humanities councils play a key role in

fulfilling the promise of the preamble's statement by extending the reach of the NEH into communities in all corners of every State. California Humanities, for example, helped tell the story of Boonville, with a population of just over a thousand people, through a radio documentary, while also training librarians to facilitate community conversations in such urban areas as San Diego, Sacramento, and Riverside City. In 2017–18, the Kentucky Humanities Council will bring the Smithsonian's "Hometown Teams" exhibit to the small communities of Hazard, Carlisle, and Hodgenville, while preparing for the 36th Annual Kentucky Book Fair to be held at the Kentucky Horse Farm in November. The Rhode Island Council for the Humanities makes it possible for both residents and tourists to learn about historical sites in Rhode Island through a smartphone app that tells stories by and about Rhode Islanders, and through their "Catalyzing Newport" project that engages visiting scholars to help citizens address local and national challenges. Senior citizens throughout North Dakota who are interested in writing can join their neighbors in writing and storytelling workshops. The council's annual GameChanger festival brings citizens together to share ideas about a major event or issue that has changed or has the potential to change our world.

Councils ensure that "the humanities belong to all the people" through their programming for such groups as veterans, residents of rural communities, children and families, and teachers, as well as through the many programs designed to strengthen and revitalize communities.

*Supporting veterans.* The State humanities councils and the NEH offer programs that not only help returning veterans find their place in their communities, but also help those communities understand the veterans' experiences. One of the most effective tools for processing the experience of war is reading and sharing stories, which is the basis of several council programs for veterans.

The Alaska Humanities Forum's "Duty Bound" is a thematic initiative that runs through their programs, activities, and publications, deepening the public's understanding of the experiences of Alaska's veterans. In a State that is home to 73,000 veterans, the council uses the humanities to promote conversations that increase understanding of those affiliated with the armed services and to help tell the stories of military personnel and veterans. One of the programs, "Danger Close: Alaska," brings together veterans and civilian writers to explore themes of war and military experience. These programs gave rise to a publication, "Duty Bound," which featured pieces by two of the participants in its premiere issue.

The Missouri Humanities Council also employs writing as a means of enabling veterans and their families to explore and understand the experience of war. Their Veterans Writing Workshop, conducted in partnership with two major libraries, a veterans' medical facility, and a university, are offered free and are taught by professional writers. Some of these writings are included in the council's annual anthology, *Proud to Be: Writing By American Warriors*, first published in 2012. The wife of a Vietnam veteran who took part in the program said, "Perhaps after reading what others shared, he feels it is now all right for him to do so as well. History will always be written by professionals, but a personal story of what a man experienced in his lifetime is priceless for our future generations."

"On Coming Home," a five-week reading and discussion program sponsored by Humanities Oregon, offers veterans from all eras an opportunity to come together around a meal to read, discuss, and share ideas about such themes as patriotism, family, loyalty, ethics, and home. Discussions, led by a veteran, are prompted by music, poems, and essays written by veterans from the Civil War through the recent wars in Iraq and Afghanistan.

California Humanities continues to share the powerful stories gathered through their "War Comes Home" initiative, which included a series of video-recorded interviews with veterans from several different eras and varying backgrounds; five public forums that looked at a variety of veteran-related themes; and a package of resources for teachers that included access to an online instructional toolkit and webinars. All materials are available on the council website for viewing by the public and as a source of instructional materials for teachers.

*Telling the story of rural communities.* Rural America represents a vital chapter of our national narrative, but it is a chapter too often overlooked. The State councils are a major force in helping rural communities define their own stories and share them with the rest of the country. Through the Museum on Main Street (MoMS) initiative, designed specifically for rural communities and made possible through a partnership between the councils and the Smithsonian Institution Traveling Exhibition Service (SITES), dozens of rural communities each year are able to host a Smithsonian exhibit, supplemented by an exhibition created by residents of the community, demonstrating how the themes of the exhibit play out at the local level.

Humanities Montana pays special attention to rural communities in its State through its “Hometown Humanities” program, which selects a town of fewer than 20,000 people each year as a partner in a year of programming. The council provides the community with at least 20 free programs of the town’s choosing, selected from the council’s catalog of programs. The council requires the community to form a leadership team of eight to twelve people drawn from the local library, schools, museums, local government, and others to develop the slate of programs, enhance existing cultural programs, and assess the effectiveness of the project as it unfolds.

This year councils in Alaska, Kentucky, Maryland, Missouri, Mississippi, Montana, North Dakota, New Mexico, Rhode Island, Vermont, West Virginia, and 24 other States collaborated with the National Archives to educate thousands of Americans, particularly in rural communities, about the Bill of Rights, in recognition of its 225th anniversary. The councils partnered with more than 1,300 libraries, community centers, schools, and other local institutions, which displayed the kiosk exhibit and supported educational activities.

*Promoting family literacy.* Many studies have shown that children exposed to books at an early age have a much higher chance of long-term academic success. Conversely, children who have had little exposure to the culture of reading in their homes can be at a serious educational disadvantage before they even enter school. Many councils help address this potential gap, especially for low-income families, through reading programs in local libraries. These programs have impact in several important ways—by bringing families together in a welcoming setting, helping to strengthen reading skills of parents, familiarizing families with the library, instilling a love of reading, and encouraging intergenerational discussion of ideas. In 1991 the Louisiana Endowment for the Humanities created a groundbreaking humanities-based program, “Prime Time,” currently conducted by councils in Alabama, Florida, Kentucky, Michigan, Mississippi, Nebraska, and Washington, which has been shown to produce long-term improvement in family engagement and student academic achievement. The program uses high-quality children’s literature and storytelling to generate discussion of such themes as courage and determination, dreams, loyalty, and fairness. Since 2015, the Mississippi Humanities Council has served 198 families and 346 children through their Prime Time program, providing both learning and enjoyment. One of the project’s storytellers offered this description of the project’s impact: “It was evident to me that people in the community are hungry for opportunities to enrich the lives of their children, but there are not many opportunities to do so. Prime Time seemed to fill a need for a sense of community and belonging as well as supporting the parents’ desire for their children to receive a good education.”

*Inspiring leaders of the future.* The future of our nation depends on investment in our children. That means providing the best possible educational resources and opportunities for students in both rural and urban settings. Humanities Tennessee’s “Letters About Literature” program is a contest for students in grade 4 through 12 to write a letter to an author, living or dead. Students are encouraged to think critically about something they have read and reflect on how it has changed their view of the world. In West Virginia, a professor at Bluefield State College reported that the West Virginia Humanities Council had provided mini-grants for the college’s Windows on the World presentations, which enriched not only the students at Bluefield State, but also high school students in the surrounding communities of Princeton, Montcalm, and Pikeview. “If we did not have the support of the NEH and West Virginia Humanities Council, our students would be deprived of these learning experiences and exposure to the world’s cultures, customs, and traditions. The Council helps us to prepare 21st century leaders who will be more worldly-wise.”

Councils in New Mexico and Maryland serve as the State coordinators for the very successful National History Day program, through which middle and high school students participate in a competition that encourages critical thinking, development of research skills, and a deep understanding of history. A History Day parent in Maryland reported that her daughter’s National History Day experience “encouraged her critical thinking skills and allowed her to fine-tune her writing skills, among many other positives, and as a result, was a contributing factor in her being accepted to Columbia University. I am proud to share that she is now a successful practicing attorney in the healthcare field.”

Since 1997, Vermont Humanities has sponsored a one-week summer literacy camp allowing up to 200 middle school children to read, share ideas, and participate in a variety of creative activities in communities around the State. Teachers and school administrators encourage students most in need of individual support to take part in the camp, which offers a safe and secure environment in which to engage with literature and ideas, develop new skills, and gain confidence. A director of one of



these camps told the council, "We know that the camp is a success because each year every camper wants to finish every reading, every project, and every activity."

The councils' profound understanding of the needs of their States and their extensive reach into communities large and small ensures that the humanities truly do belong to all the people of the United States. We thank you for understanding how critical that is to our democracy and for providing support for the NEH and the State humanities councils.

[This statement was submitted by Esther Mackintosh, President.]

PREPARED STATEMENT OF THE FLANDREAU SANTEE SIOUX TRIBE

Thank you Chairwoman Murkowski, Ranking Member Udall, and Members of the subcommittee. It is with pleasure that the Tribe submits our written testimony to you regarding various funding issues relevant to the Flandreau Santee Sioux Tribe located in South Dakota. I intend to primarily discuss the funding issues present for our Joint Venture Construction Program Health Care Facility and the Flandreau Santee Sioux Tribal Police, but will briefly discuss issues of other critical programs if time permits.

For decades, the health services provided to members of my Tribe have been grossly inadequate. We have utilized Public Law 93-638 contracting to operate the Tribal health clinic to the best of our abilities, but due to insufficient and untimely funding, unpaid contract support costs, and limited facilities, we are failing our people. We have lack of privacy issues in our current clinic coupled with inadequate space to fully perform necessary program functions.

The Joint Venture Construction Program found at Section 818(e) of the Indian Health Care Improvement Act authorizes the Indian Health Service to establish projects that allow American Indian and Alaska Native Tribes to construct tribally owned healthcare facilities in exchange for the IHS providing the post-construction funding for equipment, operations, and maintenance of for a minimum of 20 years.

Left without adequate means to self-fund the construction of a healthcare facility, in 2007, the Tribe made application to the Indian Health Services to participate in the Joint Venture Construction Program. The Tribe was awarded a commitment in 2009, but took several years to organize its efforts under the program. In 2012, the Tribe aggressively pursued the opportunity and hired a Minnesota architect and a South Dakota construction manager to plan the project. These groups worked extensively with the Indian Health Service to design a state-of-the-art facility which met all Federal requirements.

The Tribe and the Indian Health Service formalized the arrangement in July of 2014 by entering into a Joint Venture Agreement. There were new provisions to the Joint Venture Agreement itself that left the Tribe with fewer options to finance the construction. Construction was also pushed back over a year because of a miscommunication between the IHS Area Office in Aberdeen, and IHS Headquarters that kept us out of the President's budget. With financing in sight, the Tribe took the risk and began construction in March of 2016. Regardless of the obstacles faced, the Tribe was able to successfully sell bonds in June of 2016 and construction has continued under budget, and on time with an expected completion date in July of 2017.

The Tribe now faces its largest endeavor. Article VIII of the Joint Venture Agreement provides, "In exchange for the Tribe's design and construction of the Facility . . . , and the Tribe's purchase of the initial equipment for the Facility, the IHS agrees to provide the equipment, supplies, and staffing for the operation and maintenance of the Facility for an initial period of 20 years . . . subject to the provision of appropriations by Congress." The Tribe must have the funding promised by the IHS appropriated to assure our membership, and all of the non-Tribal members that we serve, that we can operate our new facility.

A continuing resolution for fiscal year 2018 would not allocate the additional funding promised, causing a possible default on our financial obligations, and resulting in a grossly underfunded facility. The Tribe pleads with this subcommittee to fulfill the contractual obligations of the Indian Health Service. We are in the process of needing to hire around fifty new employees to fully staff our facility, and can simply not afford to use Tribal funds dedicated to other critical programs to continuously supplement our clinic.

We further have issues with our Police Department funding that I would like to expound on. Public safety is of the utmost importance to all Tribes, especially in South Dakota where the State is becoming plagued by methamphetamine. We have had stagnant funding for the police, while all of our expenses are rising exponentially. The Tribal Police drive arrested individuals on the reservation 125 miles

away to be detained, which poses serious community exposure during transportation due to gaps in coverage. The facility 125 miles away was the only detention center willing to house our arrestees.

The Tribe has two police officers, and another who is in the police academy. With our current funding level, we cannot afford to provide the coverage that our community needs. Even a modest increase would have an incredible impact on our small, but equally troubled reservation.

We implore this subcommittee to consider all of the programs that our membership depends on, and to maintain or increase funding. We are trying to run professional government operations, and we are doing it in the absence of clarity. The Tribe is relying on its funding, and cannot provide adequate services in gridlock. The Tribe further demands parity with the States in all funding matters because of the Federal promise of promoting Tribal sovereignty and self-sufficiency.

Madame Chair, thank you for consideration of the Flandreau Santee Sioux Tribe's concerns.

PREPARED STATEMENT OF THE FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA

I am Kevin R. Dupuis, Sr., Chairman of the Fond du Lac Band of Lake Superior Chippewa. I would like to thank you for the opportunity to submit written testimony on fiscal year 2018 Appropriations for Indian programs funded through the Interior Department, Indian Health Service and Environmental Protection Agency. On behalf of the Band, I also want to express our appreciation for the work you have done over the years, including your recent work on fiscal year 2017 funding, to ensure that Federal funds are available to assist Tribes in meeting longstanding needs.

Our Reservation is in northeastern Minnesota. It is a small part of our aboriginal homeland and was established by the Treaty of September 30, 1854. We have approximately 4,200 members and provide health, education, social services, public safety and other governmental services to more than 7,300 Indian people who live on and near our Reservation. With the assistance of the Federal Government, as well as other public and private partners, we have been working to find effective solutions to end the legacy of poverty that has plagued our community, so that we are able to provide good jobs, grow the local economy, educate our children, prevent crime, and care for our elders and infirm. We are proud of what we have accomplished, but much still needs to be done and Federal funding is essential to these efforts. Because of this we are deeply troubled by the severe cuts that the President proposes be made in fiscal year 2018. Such radical cuts are counter-productive. The modest investment of Federal funds has allowed the Band to use Band resources and attract private partners to carry out projects that create jobs and benefit the local economy. We urge Congress to maintain Federal funding for these important programs.

*Bureau of Indian Education.*—The Band operates the Fond du Lac Ojibwe School. Our school serves an average of 340 children from pre-K through 12th grade. Our students come from very low-income households; more than 90 percent of our students qualify for free or reduced rate lunches. We rely on Federal funds from both the Interior Department and Education Department to run this school. We are making progress in improving the outcomes for our students. For example, high school graduation rates for American Indians in Minnesota have improved from 37.9 percent in 2003 to 52.6 percent in 2016, but are still well-below state-wide rates. We have always been handicapped by limited resources. Past Federal funding for education has never kept pace with need. As shown by data compiled by Minnesota, in 2016, there remain significant disparities between American Indians and the population statewide on education:

	Living below poverty (%)	3rd grade students at 3rd grade reading level (%)	8th grade students at 8th grade math level (%)	High School graduation rates (%)
Statewide .....	10.2	57.3	58	82.2
MN Indian .....	25.1	35.8	30.3	52.6

From: Minnesota Compass, <http://www.mncompass.org/education/overview>.

We very much appreciate Congress's decision to increase overall education funding for fiscal year 2017 by \$39 million above the fiscal year 2016 funding level. But we are deeply troubled by the President's budget blueprint for fiscal year 2018. This blueprint proposes a 12 percent cut to the Interior Department budget, without saying how those cuts might affect Indian education. The threat to our school is com-

pounded by the Blueprint's proposed 13 percent cut in Education Department funding (another critical source for our school) combined with the plan to move Federal money to school choice. The drastic cuts that the President proposes will only hurt our students.

Because education is so critical to success later in life, we urge Congress to increase Federal funding for Indian education programs. At a minimum, funding for these programs should be maintained at fiscal year 2017 levels. The key elements of Indian education funding through Interior are:

- ISEP* which is the primary source of school funding provided through Interior. It covers salaries for teachers, teacher aides, and administrative personnel and is essential to our ability to recruit and retain qualified teachers.
- Tribal Grant Support Costs* which helps pay for accounting, insurance, background checks, legal and record-keeping.
- School Facility Operations and Maintenance* which keeps the building safe, pay for preventative maintenance, and cover insurance and utility costs.
- Student Transportation* which allow us maintain, repair, and replace buses.
- Early Childhood Development funds (FACE)*, which is critical to providing preschoolers with skills to be school-ready.
- Johnson O'Malley*, which assists Indian children in public schools.

*BIA: Public Safety and Justice.*—We appreciate Congress's decision to increase funding for BIA's Public Safety and Justice by \$8 million above fiscal year 2016 levels. Although we are a small community in a Public Law 280 State, we are on the front lines combating major crimes. We face a serious drug epidemic which includes opioids, meth, heroin, as well as prescription drug abuse. Because of that epidemic, our law enforcement department is called upon to respond to a growing number of substance abuse related crimes as well as drug overdoses and deaths. These include a troubling number of offenses involving juveniles. Our law enforcement also responds to many other matters, including domestic disputes, disturbances, disorderly conduct, property damage, theft, trespass, suspicious activity, unwanted persons, medical emergencies, fire, neglected children, missing persons, suicide threats, and traffic-related issues. The demand on our law enforcement has increased over the years. In 2016 our law enforcement responded to more than 8,200 incidents and calls for service—an increase from past years where the numbers were: 8,000 in 2015; 6,000 in 2014; 5,342 in 2013; 5,100 in 2012; and 4,900 in 2011.

We address law enforcement by a combination of Tribal and available Federal funds and cooperative agreements with local law enforcement agencies. We now have 19 full time officers, and 3 administrative staff. We are hiring two more full-time officers so we will have a total of 21 officers. To effectively meet need, we should have 23 to 25 full time officers, with 3 full time investigators. As present, we have only 1 investigator which is not enough. We need to be able to do more drug investigations so we can reduce the amount of drugs entering our community. We also have unmet need for equipment. We lack basic equipment for our investigation unit—from binoculars to more sophisticated surveillance equipment like video cameras and digital recorders. Our patrol cars are aging and need more-costly service repairs. Federal funding is essential to meet those needs. We urge Congress to increase funding for Tribal law enforcement.

*BIA: Trust-Natural Resources Management.*—We appreciate Congress's decision to increase by \$9 million funding for BIA Trust-Natural Resources in fiscal year 2017. We urge Congress to substantially increase funding for this program in fiscal year 2018 as funding levels have never met need. Natural resource management is vital in Indian country where the basic subsistence needs of many Indian people (especially those living in poverty) depend on natural resources. This is certainly true at Fond du Lac. By Treaties in 1837, 1842 and 1854, the United States acquired our aboriginal territory but, to ensure that we could sustain ourselves and our families, expressly promised that we retained rights to hunt, fish and gather natural resources within and outside our Reservation. Our members depend on and exercise these treaty-protected rights to put food on the table and for ceremonial practices that serve as the foundation for our culture. The stewardship of those natural resources—through scientific study, resource management, and enforcement of Band laws that regulate Tribal members who hunt, fish and gather those resources—are an important source of employment for many of our members. Funding for Trust-Natural Resources Management allows us to protect, enhance, and restore natural resources.

The funding for these programs has also led to other successes. For example, with modest funding from the Interior Department (along with Tribal funds), we developed a solar energy facility which we are using for our hotel and casino. And with help from Federal funds, we have been developing biomass heating systems for our

community buildings. These small Federal investments have big cost savings and go a long way to help us be self-sufficient.

Forest resources are an important asset to the Fond du Lac Band. The Interior Department just recently highlighted the importance of protecting forests from wild-fire. Yet fire preparedness funding is below the most efficient level (MEL) and while we do not yet know the details of the President's proposed fiscal year 2018 budget cuts, proposals have been made in the past to reduce fuels funding from Indian forestry. These funds should not be cut. Fire preparedness and fuels funding create (and maintain) jobs in Indian forestry and protect Indian and non-Indian lands.

*U.S. Fish and Wildlife Service.*—The FWS is a valued partner in the Band's wild-life and fisheries research and restoration programs. We request that the overall budget of the FWS be increased, with a particular increase to the Native American Liaison and Tribal Wildlife Grant programs.

*Environmental Protection Agency (EPA).*—We are very concerned about the overall reductions being made to EPA funding and urge Congress not to permit any more reduction. We rely on EPA grants to clean up brownfields and administer clean water and clean air programs. These programs are important to protecting the health of our community, so that we have safe water to drink and can continue to rely on fish, wild rice, and game to put food on the table. These federally-assisted programs are also good for the economy. The small amount of Federal funds that help us protect the environment boosts tourism and creates jobs.

—*Great Lakes Restoration Initiative (GLRI).*—We appreciate Congress's decision to maintain funding for GRLI in fiscal year 2017 at fiscal year 2016 levels, and urge Congress to continue to fund this important initiative at this level. It is critically important for all communities along the Great Lakes—States and Tribes—to be able to clean up past pollution and respond to damaging invasive species. The work funded by the initiative is also good for the economy. It protects major commercial fisheries as well as the recreation and tourism industries which depend on the lakes. Tribes and States are already investing their own funds to restore and protect the lakes, but cannot do the work without Federal help.

—*Water Quality.*—We have a federally approved water quality standards program that has seen annual funding declines, while the need and Band's responsibilities have increased. Given the current threats to water resources in our region, we urge that Tribal section 106 funding be doubled so that we can do the work needed to protect the water we drink and which are critical to the fish and game that are central to our and the State's economy.

—*Air.*—In conjunction with our water quality monitoring responsibilities, the Band has a long-standing air monitoring program that has also faced a steady decline in Federal funding. We request that air quality program funding for Tribes be increased.

—*Wetlands.*—One-half of our reservation is made up of wetlands. Proper management and restoration of this valuable resource is impossible without adequate and consistent Federal funding. We request sustained wetland monitoring and protection program funding.

*Indian Health Service.*—We very much appreciate Congress's decision to increase funding for IHS in fiscal year 2017, as this is essential to address the high rates of medical inflation and the substantial unmet need for healthcare among Indian people. Indians at Fond du Lac, like Indians throughout the Nation, continue to face disproportionately higher rates of diabetes and its associated complications, than the rest of the population. As reported by Minnesota, in 2015, the rate of diabetes among American Indians was 18.4 percent, more than double the rate of the population statewide. See Minnesota Compass, <http://www.mncompass.org/health/overview>. Heart disease, cancer, obesity, chemical dependency and mental health problems are also prevalent among our people. All Indian Tribes should receive 100 percent of the Level of Need Formula, which is absolutely critical for Tribes to address the serious and persistent health issues that confront our communities. The Band serves over 7,300 Indian people at our clinics, but the current funding level meets only 33 percent of our healthcare funding needs.

To make progress in reducing the disparities in Indian health, we urge Congress to continue to increase funding for IHS by a minimum of 37 percent in fiscal year 2018, including increases of: \$169.1 million for full funding of current services; \$145.8 million for binding fiscal obligations; and \$28.5 million for Contract Support Costs. We also urge an increase of \$1.6 billion for program expansion increases, with the top priorities given to Hospitals & Health Clinics; Purchased/Referred Care; Mental Health; Alcohol & Substance Abuse; and Dental Health. Expanded resources for treatment and community education capacity are especially needed to combat the epidemic of drug abuse. Additional funding for the Methamphetamine,

Suicide Prevention Initiative should be made available to Tribes and the IHS so that this “new sickness” can be addressed. Best practices in pharmacy inventory and prescription monitoring need to be modeled and replicated throughout Indian Country.

Finally, we have deep concerns about any legislation that cuts or changes the way in which Medicaid is paid to IHS-funded healthcare providers. Medicaid is a key source of funding for our healthcare programs—funding that is not available from IHS but which is available to us when we serve Medicaid-eligible Indian people. Medicaid fills a critical gap for the Indian health system, covering needed surgeries, preventative care, and dental care which saves lives. If Medicaid dollars are cut, or block-granted to the States, or allocated per capita, then substantially larger increases will be needed in IHS funding. Miigwech. Thank you.

PREPARED STATEMENT OF THE FRIENDS OF RACHEL CARSON NATIONAL WILDLIFE  
REFUGE

Ms. Chairman and Honorable Members of the subcommittee: I am Bill Durkin, President of the Friends of Rachel Carson National Wildlife Refuge in Biddeford, Maine.

I have been a member of the Friends of Rachel Carson NWR for the past 28 years. The group was founded in 1987; we are a small group supporting the refuge in Southern Maine. I have given numerous written statements over the years and we really appreciate your support in the past. This year, our refuge is not requesting any appropriations directly for Rachel Carson National Wildlife Refuge; this is a request for general funding of the National Wildlife Refuge System of \$586 million. This year we ask to appropriate \$60 million in the National Wildlife Refuge Fund. I also urge the sub-committee to fund the Land, Water and Conservation Fund at full funding at \$900 million with a \$150 million of that request for the National Wildlife Refuge Systems purchase of easements and in holdings. I thank you all for your consideration.

The Rachel Carson National Wildlife Refuge is named in honor of one of the Nation's foremost and forward-thinking biologists. After arriving in Maine in 1946 as an aquatic biologist for the U.S. Fish and Wildlife Service, Rachel Carson became entranced with Maine's coastal habitat, leading her to write the international best-seller *The Sea Around Us*. This landmark study, in combination with her other writings, *The Edge of the Sea* and *Silent Spring*, led Rachel Carson to become an advocate on behalf of this Nation's vast coastal habitat and the wildlife that depends on it. Her legacy lives on today at the refuge that bears her name and is dedicated to the permanent protection of the salt marshes and estuaries of the southern Maine coast. The refuge was established in 1966 to preserve migratory bird habitat and waterfowl migration along southern Maine's coastal estuaries. It consists of 11 refuge divisions in 12 municipalities protecting approximately 5,600 acres within a 14,800 acre acquisition zone.

Consisting of meandering tidal creeks, coastal upland, sandy dunes, salt ponds, marsh, and productive wetlands, the Rachel Carson NWR provides critical nesting and feeding habitat for the threatened piping plover and a variety of migratory waterfowl, and serves as a nursery for many shellfish and finfish. Located along the Atlantic flyway, the refuge serves as an important stopover point for migratory birds. Previous years' appropriations have allowed the USFWS to conserve several properties within the refuge.

1. We are requesting an overall funding level of \$586 Million in fiscal year 2018 for the Operations and Maintenance Budget of the National Wildlife Refuge System, managed by the U.S. Fish and Wildlife Service. All of the refuges are in dire need of staffing and upkeep. The National Wildlife Refuge System is responsible for 568 million acres of lands and waters, but currently receives less than a \$1. per acre for management costs. The refuges cannot fulfill its obligation to the American public, our wildlife and 47 million annual visitors without adequate funding. Refuges provide unparalleled opportunities to hunt, fish, watch wildlife and educate children about the environment. An investment in the Nation's Refuge System is an excellent investment in the American economy, generating \$2.4 billion and creating about 35,000 jobs in local economies. Without increased funding for refuges, wildlife conservation and public recreation opportunities will be jeopardized. We fully supported the U.S. Fish and Wildlife's request of \$586 Million for Operation and Management for the National Wildlife Refuge System.

2. Appropriate \$60 million in the National Wildlife Refuge Fund in fiscal year 2018 which offsets losses in local government tax revenue because lands owned by

the Refuge System are exempt from taxation. The Refuge Fund is an annual appropriation that supplements the Refuge Revenue Sharing Program. The Revenue Sharing Program offsets lost local tax revenue by providing payments to local governments from net income derived from permits and wildlife refuge activities.

3. We request \$150 million in LWCF funding for Refuge land acquisitions/conservation easements and we call for full funding of LWCF at \$900 million. The Land and Water Conservation Fund is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through active recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. The quality of place is greatly enhanced. As you know, LWCF uses no tax payer dollars. Created by Congress in 1964 and authorized at \$900 million per year (more than \$3 billion in today's dollars), the LWCF is our most important land and easement acquisition tool. In the President's budget, he has included full funding for LWCF programs at the \$900.M level, and I support the administration's commitment to fully funding the program. This wise investment in the Land and Water Conservation Fund is one that will permanently pay dividends to the American people and to our great natural and historical heritage. The Refuge System needs \$150 million in LWCF for fiscal year 2018, including these high priority requests:

- \$10 million for Everglades Headwaters NWR and Conservation Area (Florida)
- \$2 million for Clark River NWR (Kentucky)
- \$5.5 million for Silvio O. Conte NWR (Connecticut, New Hampshire, Vermont, Massachusetts)
- \$3 million for Cache River NWR (Arizona)
- \$2 million for Bear River Watershed Conservation Area (Wyoming, Idaho, Utah)
- \$2 million for Blackwater NWR (Maryland)
- \$1.4 million for Balcones Canyonlands NWR (Texas)
- \$6.2 million for Hakalau Forest NWR (Hawaii)
- \$2 million for the Northern Tallgrass Prairie (Minnesota, Iowa)
- \$750,000 for Maine Coastal Islands NWR (Maine)

I again extend our appreciation to the subcommittee for its ongoing commitment to our National Wildlife Refuge System and respectfully request the Interior, Environment and Related Agencies Appropriations Subcommittee allocate \$586 million for the Refuge System's fiscal year 2018 Operations & Maintenance Budget, \$60 million in the National Wildlife Refuge Fund and \$150 million in Refuge LWCF monies. We need Congress to standby their commitment that was made in 1964 : stabilize the LWCF at \$900 million.

Thank you again, Mr. Chairman, for the opportunity to present this testimony in support of protecting wildlife and it's habitat. Enjoy your next walk out on a National Wildlife Refuge.

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PREPARED STATEMENT OF THE GEOLOGICAL SOCIETY OF AMERICA

SUMMARY

The Geological Society of America (GSA) urges Congress to provide \$1.2 billion for the U.S. Geological Survey (USGS) in fiscal year 2018. As one of our Nation's key science agencies, the USGS plays a vital role in understanding and documenting mineral and energy resources that underpin economic growth; researching and monitoring potential natural hazards that threaten U.S. and international security; and determining and assessing water quality and availability. Approximately two thirds of the USGS budget is allocated for research and development. In addition to underpinning the science activities and decisions of the Department of the Interior, this research is used by communities across the Nation to make informed decisions in land use planning, emergency response, natural resource management, engineering, and education. Despite the critical role played by the USGS, funding for the agency has stagnated in real dollars for more than a decade. Given the importance of the many activities of the Survey that protect lives and property, stimulate innovations that fuel the economy, provide national security, and enhance the quality of life, GSA believes that growth in Federal funding for the Survey is necessary for the future of our Nation and urges Congress to reject the cuts proposed in the Administration's fiscal year 2018 request.

*The Geological Society of America, founded in 1888, is a scientific society with over 26,000 members from academia, government, and industry in all 50 States and more than 100 countries. Through its meetings, publications, and programs, GSA enhances the professional growth of its members and promotes the geosciences in the service of humankind.*

U.S. GEOLOGICAL SURVEY CONTRIBUTIONS TO NATIONAL SECURITY, HEALTH, AND WELFARE

The USGS is one of the Nation's premier science agencies. Approximately two thirds of the USGS budget is allocated for research and development. In addition to underpinning the science activities and decisions of the Department of the Interior, this research is used by communities and businesses across the Nation to make informed decisions in land use planning, emergency response, natural resource management, engineering, and education. USGS research addresses many of society's greatest challenges for national security, health, and welfare. Several are highlighted below.

- Natural hazards—including earthquakes, tsunamis, volcanic eruptions, wildfires, and landslides—are a major cause of fatalities and economic losses. Recent natural disasters provide unmistakable evidence that the United States remains vulnerable to staggering losses. Landslides, which occur in every State, cause more than \$3 billion in damage each year. An improved scientific understanding of geologic hazards will reduce future losses through better forecasts of their occurrence, which allows for effective planning and mitigation.
  - Decision makers in many sectors rely upon USGS data. For example, USGS volcano monitoring provides key data to enable decisions on the safety of aviation. Data from the USGS network of stream gages is used by the National Weather Service to issue flood and drought warnings. Earth and space observations provide data necessary to predict severe space weather events, which affect the electric power grid, satellite communications and information, and space-based position, navigation, and timing systems. GSA urges Congress to support efforts for USGS to modernize and upgrade its natural hazards monitoring and warning systems to protect communities from the devastating personal and economic effects of natural disasters, including additional 3-D elevation mapping and earthquake early warning systems.
  - A recent report by the National Research Council, *Emerging Workforce Trends in the Energy and Mining Industries: A Call to Action*, found, "Energy and mineral resources are essential for the Nation's fundamental functions, its economy, and its security." Recent studies have shown that rare earth elements are essential to the production, sustainment, and operation of U.S. military equipment. Reliable access to the necessary material is a *bedrock requirement* for the Department of Defense. In addition, many emerging energy technologies—such as wind turbines and solar cells—depend upon rare earth elements and critical minerals that currently lack diversified sources of supply. GSA supports increases in minerals science, research, information, data collection and analysis that will allow for more economic and environmental management and utilization of minerals. In addition, GSA supports increases in research to better understand domestic sources of energy, including conventional and unconventional oil and gas and renewables.
  - The flooding in the Western United States is a testament to our dependence on water. The availability and quality of surface water and groundwater are vital to the wellbeing of both societies and ecosystems. Greater scientific understanding of these resources through monitoring and research by the USGS is necessary to ensure adequate and safe water resources for the health and welfare of society.
  - USGS research on climate impacts is used by local policymakers and resource managers to make sound decisions based on the best possible science. The Climate Science Centers, for example, provide scientific information necessary to anticipate, monitor, and adapt to climate change's effects at regional and local levels, allowing communities to make smart, cost-effective decisions.
  - The Landsat satellites have amassed the largest archive of remotely sensed land data in the world, a tremendously important resource for natural resource exploration, land use planning, and assessing water resources, the impacts of natural disasters, and global agriculture production. GSA supports interagency efforts to plan a path forward for future support of Landsat.
- Activities from hazard monitoring to mineral forecasts are supported by the Core System Sciences, Facilities, and Science Support arenas. These programs and services, such as geologic mapping and data preservation, provide critical information,

data, and infrastructure that underpin the research of the USGS. Increases are particularly needed in Facilities to address many deferred maintenance issues.

Knowledge of the earth sciences is essential to scientific literacy and to meeting the environmental and resource challenges of the twenty-first century. It is also fundamental to training the next generation of Earth science professionals. GSA is very concerned that cuts in Earth science funding will cause students and young professionals to leave the field, potentially leading to a lost generation of professionals in areas that are already facing worker shortages. Investments in these areas could lead to job growth, as demand for these professionals now and in the future is assessed to be high.

*Emerging Workforce Trends in the Energy and Mining Industries: A Call to Action, found*, “In mining (nonfuel and coal) a personnel crisis for professionals and workers is pending and it already exists for faculty.” Another recent study by the American Geosciences Institute, *Status of the Geoscience Workforce Report 2016*, found an expected deficit of approximately 90,000 geoscientists by 2024. Strong investments in geoscience research are needed to prepare citizens for these job opportunities.

Thank you for the opportunity to provide testimony about the U.S. Geological Survey. For additional information or to learn more about the Geological Society of America—including GSA Position Statements on water resources, mineral and energy resources, natural hazards, and public investment in Earth science research—please visit [www.geosociety.org](http://www.geosociety.org) or contact Kasey White at [kwhite@geosociety.org](mailto:kwhite@geosociety.org).

[This statement was submitted by Kasey White, Director for Geoscience Policy.]

#### PREPARED STATEMENT OF THE HEALING LODGE OF THE SEVEN NATIONS

The requests of The Healing Lodge of the Seven Nations (hereinafter “HL7N”) for the fiscal year 2018 Indian Health Service (IHS) budget are as follows:

- Support increased funding of \$2,523,000 for the IHS facilities appropriation, as sufficient to help ensure HL7N can obtain and utilize IHS funding for the construction of a new behavioral health family and wellness center and a gymnasium expansion project, both of which are critically needed for the American Indian and Alaska Native youth.
- Safeguard the IHS from sequestration.
- Ensure full funding of contract support costs.

#### *HL7N Is A Youth Regional Treatment Center*

HL7N is one of the 12 Youth Regional Treatment Centers (YRTCs) within the Indian healthcare system, located in Spokane Valley, Washington. As a YRTC, HL7N is a self-determination contractor with the Indian Health Service (IHS) under the Indian Self-Determination and Education Assistance Act (ISDEAA). Our purpose is to provide residential substance use disorder services to American Indian and Alaska Native youth between the ages of thirteen and seventeen. HL7N was formed in 1988 by seven Indian Tribes in the Pacific Northwest (Confederated Tribes of the Colville Reservations, Coeur d’Alene Tribe, Kalispel Tribes of Indians, Kootenai Tribe of Idaho, Nez Perce Tribe, Spokane Tribe of Indians and Confederated Tribes of Umatilla Indian Reservation) to create a centrally located, safe and caring healing center for Tribal adolescents and their families. The HL7N business complex is nestled in a quiet wooded area consisting of 38 acres owned by the IHS and thirteen acres owned by HL7N.

HL7N operates a 45-bed adolescent residential chemical dependency treatment center, with programs ranging between 90–120 days that are designed around individual youth’s needs and are grounded in Native American traditional, cultural and spiritual values and practices. Our addiction treatment programs use evidence-based treatment models to create a holistic approach towards healing. The success of this program is based on shared beliefs and daily practices that provide structure and consistency; on values and practices that foster respect, honesty, generosity, strong cultural identification; and hope for positive life changes. The work done by HL7N not only treats addiction, but strengthens families, empowers communities and ultimately saves lives.

#### *Increased Funding For IHS Facilities*

HL7N currently provides treatment for addictive, substance-related conditions within the adolescent population, which suffers from severe cannabis use, opioid dependence, alcohol abuse and addiction, and benzodiazepine dependency. Additionally, more and more youth are presenting with higher mental health disease, which is a serious concern for the future health of the adolescents if not addressed promptly.



ly and appropriately. In a recent study conducted by Harvard University, the Cambridge Institute and HL7N involving youth residing on regional reservations of the HL7N Tribes, the study found that 29 percent of the youth received a diagnosis of at least one psychiatric disorder; 13 percent had multiple diagnoses; and 60 percent diagnosed with a depressive disorder also present with a substance use disorder. Typically, Tribal youth have multiple limitations, which include substance use and addictive disorders, criminal activity, psychological problems, impaired functioning, and disaffiliation from mainstream values, coupled with historical and inter-generational trauma. These challenges for our youth support the need for the increased availability of culturally relevant mental health services.

HL7N does not currently have adequate facility space and funding to devote to such treatment services. The number of adolescents denied for admissions to HL7N—due to higher mental health issues—unfortunately grew from 25 percent to 31 percent in 2016, creating an increased concern by the regional Tribes over the lack of culturally appropriate inpatient substance abuse and mental health treatment access. With 29 years of successful experience in working with American Indian and Alaska Native adolescents, the HL7N proposes to establish an innovative adolescent program focused on outpatient and inpatient treatment designed to address their chronic, unmet behavioral healthcare needs.

HL7N is planning the construction of a new, “shovel ready” infrastructure project to add a 4,072 square foot Behavioral Health Family and Wellness Center, for the provision of mental health and chemical dependency clinical services, primarily serving American Indian/Alaska Native youth. The cost of this construction project is estimated at \$1,655,000. The facility will be built on IHS property permanently assigned to HL7N and consist of a single story office building, with office accommodations and family focused counseling rooms to include tele-medicine capability.

HL7N is also planning to construct an addition to its existing YRTC gymnasium in order to add showers, dressing rooms, fitness room and restrooms for the adolescents. This project is expected to cost \$868,000. This “shovel ready” infrastructure project will consist of the construction of a 2,366 square foot addition to the existing gymnasium for the purpose of improving youth’s mental and physical health through physical exercise. This expansion will help increase moderate intensity physical activity as an intervention in mental health and substance addiction treatment. The addition of a shower system will also help HL7N to identify any contraband (drugs) that may be brought back by youth who are returning from outings. Gone undetected, such drugs could be used and/or distributed to other youth, which is extremely detrimental to their treatment process and recovery. Once constructed, the facility maintenance costs will be covered by the HL7N’s existing ISDEAA annual funding agreement and other of HL7N’s financial resources.

*HL7N thus appeals to this Subcommittee to support increased funding for the IHS facilities appropriation, as adequate for the IHS to be able to fund HL7N’s new behavioral health facility and its gymnasium expansion.* Funding these facilities will help in fulfilling the Federal Government’s commitment and obligations to improve the health of American Indian and Alaska Native adolescents. Equally important, the youth deserve a chance to achieve recovery and learn to better manage their mental health issues, while striving to become contributing members of society.

#### *Fully Fund Contract Support Costs (CSC)*

We wish to thank this Subcommittee for its leadership in making funding of IHS contract support costs for fiscal year 2016, and now fiscal year 2017, an indefinite amount, and also for making it a separate account in the IHS budget. This shift makes an enormous difference in helping ensure that the ISDEAA is fully funded and implemented as Congress intended. It also significantly enhances the Federal-Tribal government-to-government relationship. For IHS, the fiscal year 2017 estimate for contract support costs is \$800 million. We also wish to provide our thanks for listening to the tribes who explained why the proviso in the IHS fiscal year 2016 enacted funding, which effectively denied the CSC carryover authority granted by the ISDEAA, was inappropriate. We very much appreciate that this proviso was absent from the Consolidated Appropriations Act for fiscal year 2017 and recommend that it not be resurrected in fiscal year 2018 or thereafter.

Our long-term goal, however, remains that the indefinite appropriation of CSC funding be mandatory and permanent. Full payment of CSC under the ISDEAA is mandatory, as affirmed by the United States Supreme Court. HL7N is committed to working together with the appropriate Congressional committees to determine how best to achieve this goal.

*Protect IHS Funding From Sequestration*

We request that you support an amendment to the Balanced Budget and Emergency Deficit Control Act to exempt the IHS from potential sequestration of funds, as Congress has rightfully done to fully exempt the Veterans Health Administration's programs from sequestration. We believe that Indian health should be afforded the same treatment as the VA, and most especially so in light of the Federal Government's trust responsibility to tribes. We are aware that a number of members of this Subcommittee and other members of Congress have publicly stated that it was an oversight IHS was not included in the exempt category when the Balanced Budget and Emergency Deficit Control act was enacted. We would like to correct that oversight.

We also express our concern that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal year 2017 spending cap. When considered in light of the President's "skinny" fiscal year 2018 budget outline proposal, which raises defense spending by \$54 billion and lowers non-defense discretionary spending by a similar amount, we fear a significant sequestration of funds in fiscal year 2018. It is thus even more imperative that Indian health be made exempt from sequestration.

Thank you for your consideration of the concerns and requests of The Healing Lodge of the Seven Nations.

[This statement was submitted by Sam Penney, President, Board of Directors.]

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 PREPARED STATEMENT OF PAUL HENDRICKSON

Sirs and Madams:

The National Endowment for the Arts is a crucial American cultural institution. I have been a recipient of the NEA Literature Fellowship twice, and on each occasion the grant afforded me the opportunity to continue working on the nonfiction book project I was then engaged in. It would have been impossible otherwise. In both instances, the books went on to get finished, won critical acclaim, made me proud. (One became a bestseller.) I am proud to be an American who can apply to a governmental institution that supports arts and culture. Please do not let the current administration eliminate it.

Yours sincerely,

PAUL HENDRICKSON,  
*Senior Lecturer, Department of English, University of Pennsylvania.*

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 PREPARED STATEMENT OF THE HUALAPAI TRIBE OF THE GRAND CANYON

The Hualapai Tribe of the Grand Canyon is deeply concerned with proposed funding cuts to the US Environmental Protection Agency which provide needed resources for protecting the environment and human health of our people. The Federal government has treaty and trust responsibilities to protect all Indian Tribes natural resources, and to ensure the safety and health of all human beings living in the United States of America and Tribal Nations. My Tribe will be adversely affected by budget cuts to future State and Tribal Assistance Grant (STAG) funding and it is of vital importance for you to hold harmless funding which is provided to Tribes for Tribal environmental protection programs.

The Hualapai Tribe depends on funding from the Environmental Protection Agency (EPA) to address their environmental priorities and needs. Funding is already limited for Tribal environmental programs to protect our natural resources and the safety and the health of our people. Specific programs which would cause great impact to Tribal environmental programs if they were not funded or had a 30 percent cut in funding include the Clean Water Act State Revolving Fund for Sanitation Facilities, Safe Drinking Water Act State Revolving Fund for Drinking Water Systems, Indian Environmental General Assistance Program, Clean Water Act Section 106 and 319 activities and Clean Air Act Section 103 and 105 activities.

The Hualapai Tribe has the same capacity as States with respect to the Clean Water Act's Section 106—Water Pollution Control Program. The 1987 Clean Water Act Amendments (i.e., Section 518 of the Clean Water Act, 33 U.S.C. 1251 et seq.,) added a new section titled "Indian Tribes" which authorizes U.S. Environmental Protection Agency (EPA) to treat federally recognized Indian Tribes as States for certain provisions, including financial assistance under such programs as the Water Pollution Control Program. Section 518 is commonly known as the "Treatment as a State (TAS) section". The Hualapai Tribe has water quality standards; Treatments

as a State (TAS) recognition: conducts annual water quality assessments and every 5 years submits a 305b report; conducts a triennial review of our water quality standards; Developing and administering Non-Point Source and National Pollutant Discharge Elimination System (NPDES) Permit Programs; ensuring the protection and anti-degradation of our water resources. Unfortunately we are not funded at a regular and consistent rate (target) like States. Adequate funding to maintain our program would be \$490,000 a year.

The Tribe has been able to utilize EPA funding to create environmental laws and ordinances to preserve and protect the natural resources of the Hualapai Tribe. Provide access to safe drinking water and sanitation services to homes in our community, monitor Air quality and visibility at the southwestern rim of the Grand Canyon and the community of Peach Springs, Construction of brush barriers to reduce erosion and sediment deposition in the headwaters of different watersheds on the reservation, Initiate clean up and enforcement of fuel spill releases and the development of emergency response plans.

My Tribal community relies upon healthy and safe ecosystems to sustain our health, traditional lifeways, treaty rights, and ceremonial and cultural practices. Because of our remote, marginal location, our Tribal lands are more vulnerable to droughts, fires, and floods. Moreover, my sovereign Tribal government must contend with complicated jurisdictional issues arising from relationships with State and local governments. We are responding to these complex, serious challenges with well-managed, cost-effective environmental programs that reinforce Tribal sovereignty, protect important resources, and underscore the value of Tribal self-determination.

Therefore, I request that you hold harmless funding which is provided to Tribes for Tribal environmental protection programs including the Clean Water Act State Revolving Fund for Sanitation Facilities, Safe Drinking Water Act State Revolving Fund for Drinking Water Systems, Indian Environmental General Assistance Program, Clean Water Act Section 106 and 319 activities and Clean Air Act Section 103 and 105 activities. I would also like to request that you come to our Reservation to see the positive impact that EPA funding has provided to our people and our lands. As you know Tribes and their people pay Federal taxes like all other citizens and should be afforded Federal funding opportunities.

I look forward to meeting with you in the future and sharing our experiences in protecting our homelands and human health.

[This statement was submitted by Dr. Damon Clarke, Chairman, Hualapai Tribal Council.]

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PREPARED STATEMENT OF THE HUMANE SOCIETY OF THE UNITED STATES, HUMANE SOCIETY LEGISLATIVE FUND, AND DORIS DAY ANIMAL LEAGUE

Thank you for this opportunity to offer testimony to the Interior, Environment, and Related Agencies Subcommittee on matters of importance to our organizations. We urge the Subcommittee to address the following requests in the fiscal year 2018 Department of Interior, Environment, and Related Agencies budget:

- Environmental Protection Agency, CompTox Program: increase over fiscal year 2017 level
- Bureau of Land Management, Wild Horse and Burro Program: 1) \$80,400,000, contingent on implementing National Academy of Science recommendations for fertility control; 2) language to protect wild horses and burros from slaughter; 3) replacement of language from General Provisions, Section 115, "Transfer of Animals to Other Agencies," with fiscal year 2017 omnibus language from General Provisions, Section 116, "Humane Transfer of Excess Animals"
- Fish and Wildlife Service, Multinational Species Conservation Fund: \$11,000,000, with no funds from conservation programs to promote trophy hunting, trade in animal parts, or other consumptive uses of wildlife
- Fish and Wildlife Service, Office of International Affairs: support President's request
- Fish and Wildlife Service, Office of Law Enforcement: support President's request

We also request that the budget exclude any language that would in any way impede the Fish and Wildlife Service's efforts to combat wildlife trafficking, or that would undermine the Endangered Species Act.

ENVIRONMENTAL PROTECTION AGENCY—COMPTOX PROGRAM

Thousands of chemicals are currently used, and hundreds of new ones are introduced each year, for which EPA needs to conduct toxicity assessments. EPA is also

tasked with evaluating and registering pesticides and, more recently, evaluating chemicals for possible endocrine activity. To address these needs, EPA established the National Center for Computational Toxicology (NCCT) to predict hazard and prioritize chemicals for further screening and testing, developing and using high-throughput assays and predictive tools which are less expensive and time consuming and more predictive of relevant biological pathways.

Through EPA's CompTox program, EPA has screened more than 2,000 chemicals (industrial, food additives, pesticides, and consumer products) and evaluated them in more than 700 high-throughput assays. Additionally, EPA is using ToxCast data to prioritize chemicals for evaluation in the Endocrine Disruptor Screening Program. Tox21, a collaboration among EPA, the National Institute of Environmental Health Sciences, the National Center for Advancing Translational Sciences, and the Food and Drug Administration, is currently screening 10,000 chemicals to improve the effectiveness of drug development. NCCT also works with other divisions of EPA's Office of Research and Development to develop predictive tools and systems biology databases. These projects are reducing animal use while improving the speed and accuracy of chemical evaluation relevant to several programs. With the passage in 2016 of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, there is a marked need to ensure these tools are augmented and taken up by the agency.

Congress appropriated increases for the program's budget in fiscal years 2016 and 2017. However, the President's budget has significantly slashed this progress. We support an increase over and above fiscal year 2017 to the CompTox program in fiscal year 2018. This will increase the likelihood of realizing the goals presented in the CompTox program, and assure a more predictable and relevant chemicals safety assessment.

#### BUREAU OF LAND MANAGEMENT—WILD HORSE AND BURRO PROGRAM

The HSUS is one of the leading advocates for the protection and welfare of wild horses and burros in the United States, with a long history of working collaboratively with the BLM—the agency mandated to protect America's wild horses and burros—on the development of effective and humane management techniques.

For years, The HSUS has strongly supported significantly reducing the number of wild horses and burros annually gathered and removed from our rangelands, noting that removing horses from the range without implementing any program for suppressing population growth is an unsustainable method for managing our Nation's wild horses. This approach leads BLM into a continuous cycle of roundups and removals, even as long-term, cost-efficient, and humane management strategies, such as fertility control, are readily available.

BLM has long removed many more wild horses and burros from the range than it could expect to adopt. Consequently, the cost of caring for these animals off the range has skyrocketed. According to BLM, caring for one wild horse in a long-term holding facility over the course of its life costs approximately \$46,000. Today, there are almost 50,000 wild horses and burros in these pens, and the agency spends more than 63 percent of its annual Wild Horse and Burro budget on holding costs. While the number of animals removed from the range has declined in recent years, it has been roughly equivalent to the number of animals BLM has adopted out, preventing a reduction in the program's carrying cost.

Furthermore, BLM's wild horses and burros management program has negative effects that go beyond a simple cost-benefit analysis. For instance, the recommendations in the National Academy of Sciences (NAS) 2013 report "Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward", commissioned by the BLM itself, stated that BLM's own practices of managing wild horses "below food-limited carrying capacity" by rounding up and removing a significant proportion of the herd's population every three to 4 years is facilitating high horse population growth rates on the range.

To move the agency away from this failed paradigm, Appropriations language in the past few years has requested that BLM create a long-term, humane, and financially sustainable management path that incorporates fertility control tools. This approach is supported by the NAS report, which called for increased use of on-the-range management tools, including the fertility control vaccine Porcine Zona Pellucida (PZP). Further, studies have shown that incorporating fertility control into the management of wild horses and burros would significantly lower the program's carrying costs. A 2008 paper determined that on-the-range contraception could reduce total wild horse and burro management costs by 14 percent, saving \$6.1 million per year. In addition, the results of a paper describing an economic model commissioned by The HSUS indicates that treating wild horses on one hypothetical Herd Management Area (HMA) with PZP could save BLM approximately \$5 million

dollars over 12 years, while achieving and maintaining Appropriate Management Levels of 874 horses. Since BLM estimates that more than 72,000 wild horses roam in the United States, PZP use could save tens of millions of dollars if applied broadly across all HMAs.

However, instead of pursuing Congressional recommendations to increase the use of fertility control tools, BLM has consistently failed to implement any humane management plan. In fact, in 2016 the agency treated with fertility control only 467 horses from the estimated rangeland population of 72,000—less than 1 percent of the population.

Now, the President's fiscal year 2018 budget calls for the agency to further reduce its use of fertility control and requests the ability for the agency to send wild horses and burros to slaughter. This will not solve rangeland population conflicts; rather, it will simply repeat the past failures of attempting to lower rangeland populations by removing animals. Twenty years of history has shown that this does not maintain stable populations. Moreover, the overwhelming majority of the American public opposes horse slaughter, and will not accept this as a solution for managing our wild horses.

For these reasons, we ask that you continue to fund the BLM Wild Horse and Burro Program at the fiscal year 17 level, which is \$80,400,000, contingent on the agency's use of the funding to immediately begin implementing the currently available NAS-recommended fertility control methods.

We also request inclusion of the same language barring wild horses and burros from being sent to slaughter that figured in the fiscal year 2016 omnibus: "Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros that results in their destruction for processing into commercial products," (Division G, p. 714, line 23).

The President's fiscal year 2018 budget proposes language allowing the transfer of horses and burros to Federal, State, and local agencies. This language is contained in General Provisions, Section 115, entitled, "Transfer of Animals to Other Agencies." We request that you replace this language with similar language from the fiscal year 2017 omnibus, from General Provisions, Section 116, entitled "Humane Transfer of Excess Animals."

#### FISH AND WILDLIFE SERVICE—MULTINATIONAL SPECIES CONSERVATION FUND

The FWS Multinational Species Conservation Fund (MSCF) supports conservation programs for African and Asian elephants, rhinos, tigers, great apes, and sea turtles. We request \$11 million for this program, roughly the same amount as in the fiscal year 2017 omnibus, and \$2 million more than the President's request. The HSUS joins a broad coalition of organizations in support of the MSCF, while asking that the sales of semi-postal stamps benefiting this program remain supplementary to annually appropriated levels.

While we wholeheartedly support continued funding for the MSCF, we are concerned about past incidents and oppose any future use of funds from these conservation programs to promote trophy hunting, trade in animal parts, and other consumptive uses—including live capture for trade, captive breeding, entertainment, or for the public display industry—under the guise of conservation. The use of MSCF grants must be consistent with the spirit of its authorizing law.

#### FISH AND WILDLIFE SERVICE—OFFICE OF INTERNATIONAL AFFAIRS

We support the fiscal year 2018 budget request of \$14.2 million for the FWS Office of International Affairs. This program supports efforts to conserve our planet's wildlife diversity by protecting species and habitat, combating wildlife trafficking, and building capacity for landscape-level wildlife conservation. The Office's Wildlife Without Borders programs address grassroots conservation problems, and we support this work to conserve some of the world's most iconic species in their native habitats.

#### FISH AND WILDLIFE SERVICE—OFFICE OF LAW ENFORCEMENT

The global trafficking of wildlife has reached emergency levels, with impacts on national security, international human rights, and the survival of protected wildlife species. In particular, African elephants face an unprecedented crisis, with one elephant killed every 15 minutes in Africa. A host of other species, such as rhinos, pangolins, tigers, and sharks, is threatened by poaching and trafficking as well. The United States is the world's second-largest market, behind China, for ivory product sales. In response, FWS issued a rule in July 2016 to curtail the domestic trade in ivory. The rule also increases scrutiny of imports of African elephant trophies, and

extends Endangered Species Act protection to live African elephants in captive facilities in the United States.

It is imperative that the Nation stay firm in its effort to curtail the U.S. ivory trade and to combat wildlife trafficking. To that end, the Administration's fiscal year 2018 FWS budget includes \$73 million for the Office of Law Enforcement; we ask the Subcommittee to fund the Office at this level. The request provides the Service with resources critical to curbing transnational wildlife crime. In addition, we ask that the bill not include language that would weaken the enforcement or implementation of the rule combating ivory trade in the United States.

#### ENDANGERED SPECIES ACT

The Endangered Species Act (ESA) is fundamental to the protection of our planet's most imperiled animals. This law, which is supported by 90 percent of American voters, has prevented the extinction of 99 percent of the species under its care, including the bald eagle. Under the ESA, the responsibility to list and delist species lies with Federal agencies, which must make these listing decisions based on the best available science. The authority to make these science-based management decisions should remain with Federal agencies.

We ask that the fiscal year 2018 budget exclude any language that prevents Federal agencies from making listing or delisting decisions based on sound science, or that otherwise undermines the ESA.

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#### PREPARED STATEMENT OF THE INTERSTATE MINING COMPACT COMMISSION

My name is Gregory E. Conrad and I serve as Executive Director of the Interstate Mining Compact Commission. I appreciate the opportunity to present this statement to the Subcommittee regarding the views of the Interstate Mining Compact Commission's 26 member States on the fiscal year 2018 budget request for the Office of Surface Mining Reclamation and Enforcement (OSMRE) within the U.S. Department of the Interior. In its proposed budget, OSMRE is requesting \$60.1 million to fund Title V grants to States for the implementation of their regulatory programs, a reduction of \$8.4 million below the fiscal year 2017 enacted level.

The Compact is comprised of 26 States that together produce some 95 percent of the Nation's coal, as well as important noncoal minerals. The Compact's purposes are to advance the protection and restoration of land, water and other resources affected by mining through the encouragement of programs in each of the party States that will achieve comparable results in protecting, conserving and improving the usefulness of natural resources and to assist in achieving and maintaining an efficient, productive and economically viable mining industry.

OSMRE has projected an amount of \$60.1 million for Title V grants to States in fiscal year 2018, an amount which is matched by the States. These grants support the implementation of State regulatory programs under the Surface Mining Control and Reclamation Act (SMCRA) and as such are essential to the full and effective operation of those programs.<sup>1</sup> Pursuant to these primacy programs, the States have the most direct and critical responsibilities for conducting regulatory operations to minimize the impact of coal extraction operations on people and the environment. The States accomplish this through a combination of permitting, inspection and enforcement duties, designating lands as unsuitable for mining operations, and ensuring that timely reclamation occurs after mining.

In fiscal year 2017, Congress approved \$68.5 million for State and Tribal Title V grants pursuant to the Omnibus Appropriations Bill. This continued a much-needed trend whereby the amount appropriated for these regulatory grants aligned with the demonstrated needs of the States. The States are greatly encouraged by the amount approved by Congress for Title V grant funding over the past several fiscal years. These grants had been stagnant for many years and the gap between the States' requests and what they received was widening. This debilitating trend was compounding the problems caused by inflation and uncontrollable costs, thus undermining State efforts to realize needed program improvements and enhancements and jeopardizing their efforts to minimize the potential adverse impacts of coal extraction operations on people and the environment.

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<sup>1</sup> OSMRE recognizes the significant role played by the States in its budget justification document on page 50 where it notes that "primacy States have the most direct and critical responsibilities for conducting regulatory operations to minimize the impact of coal extraction operations on people and the environment. The States have the capabilities and knowledge to regulate the lands within their borders."

In past budget requests, OSMRE displayed a pattern of proposing inadequate funding for State Title V regulatory programs. Congress consistently rejected the proposed reductions and funded the programs at amounts that more closely aligned with the States' projected needs. OSMRE's fiscal year 2018 budget proposal once again moves the grants marker in the wrong direction with a cut in regulatory grants that is double what the previous administration had proposed in fiscal year 2017. OSMRE indicates that this significant reduction is based on "a downward trend in State grant execution and a historical return of unexecuted appropriated funds at the end of the grant cycle each year." We are uncertain what OSMRE is alluding to with regard to the "downward trend in State grant execution". Nothing in OSMRE's annual oversight evaluations of State programs has identified this as a problem in need of attention.

Furthermore, it should be kept in mind that, given fiscal constraints on State budgets, some States have only recently been able to move beyond hiring and salary freezes and restrictions on equipment and vehicle purchases, all of which have inhibited the States' ability to spend the full amount of their Federal grant money in recent years. With many States now recovering enough to utilize their full grant amount, it is imperative that funding be maintained at the current level of \$68.6 million, as fully justified by the States' estimates of program needs. Those estimates reflect the ongoing work associated with State program implementation including permit reviews, inspections and enforcement at all inspectable units. Even with the downturn in coal production, the States' workload has not decreased—and in some cases has increased given the tenuous condition of some coal companies. In the latter situation, higher levels of vigilance are the order of the day in order to insure contemporaneous reclamation and abatement of violations.

OSMRE goes on to note that it will "continue to support State regulatory grant requests by re-distributing the available prior year funds as needed." We believe this plan to be shortsighted in that it fails to consider the improving fiscal conditions in many States and the damaging precedent set by appropriating suboptimal grant amounts. Furthermore, there is no guarantee that these carryover funds will be available into the future or that they would not be reprogrammed for other purposes.

Clear indications from Congress that reliable, consistent funding will continue into the future has done much to stimulate support for these programs by State legislatures and budget officers who, in the face of difficult fiscal climates and constraints, have had to deal with the challenge of matching Federal grant dollars with State funds. This is particularly true for those States whose match is partially based on permit fees from the mining industry, where significant reductions in permitting activity translate to fewer permit fees (but not in the amount of regulatory work for State regulatory agencies). Recall that any cut in Federal funding generally translates to an additional cut of an equal amount for overall program funding for many States, especially those without Federal lands, since these States can generally only match what they receive in Federal money.

We are encouraged with language in OSMRE's budget justification document that indicates OSMRE "will continue to practice cooperative conservation through working in partnership with States and Tribes to carry out the mission of the SMCRA" and that the agency is "shifting its role from direct enforcement to oversight", thereby "refocusing actions on mission accomplishment while fostering a better working relationship with the States." However, the proof is in actual implementation of these laudable goals. The States' tendency to be rather circumspect about OSMRE's approach to oversight is based on the agency's aggressive treatment of the States over the past 8 years, particularly with regard to the reflexive use of Ten-Day Notices as an oversight tool and the failure to engage the States in a meaningful way regarding crucial programmatic areas such as policies on Clean Water Act implementation and stream protection. Based on our experience with program operations, some of the very areas OSMRE identifies as reasons for its oversight activity are either dependent on State involvement (training) or have seen little in the way of progress over the years (State program amendment review and approval). Specific program areas where OSMRE intends to provide its expertise and assistance are often also reliant upon or must defer to State experience including blasting and bonding.

The overall performance of the States as detailed in OSMRE's annual State program evaluation reports, together with the fact that nationwide, 90 percent of the sites inspected did not have off-site impacts, demonstrates that the States are implementing their programs effectively and in accordance with the purposes and ob-

jectives of SMCRA.<sup>2</sup> In our view, this suggests that OSMRE is adequately accomplishing its statutory oversight obligations with current Federal program funding and that any increased workloads are likely to fall upon the States, which have primary responsibility for implementing appropriate adjustments to their programs identified during Federal oversight.

To the extent that OSMRE seeks to enhance State primacy, we would support a renewed focus on processing State program amendments. Additionally, if OSMRE is looking for ways to improve and enhance the overall implementation of SMCRA at both the State and Federal level, we would urge the agency to move forward with the findings and recommendations that IMCC has presented to OSMRE to address the continuing fiscal impacts on program implementation, particularly with respect to duplicative inspection and enforcement requirements.

For all the above reasons, we urge Congress to approve not less than \$68.6 million for State and Tribal Title V regulatory grants, the same amount enacted by Congress over the past few fiscal years. In doing so, Congress will continue its commitment to ensuring the States have the resources they need to continue their work on the forefront of environmental protection and preservation of public health and safety.

OSMRE's proposed budget reduces expenditures for the National Technical Training Program (NTTP) and the Technical Information and Professional Service (TIPS) by 15 percent. While there may be room for some adjustments to these two programs, we caution against cuts that would impact the effectiveness of these worthwhile programs. The States rely heavily on the NTTP and TIPS training classes for their new employees and for refresher courses for more seasoned employees. Any adjustments to these two programs should involve the States working through the NTTP/TIPS Steering Committee.

With regard to funding for State Title IV Abandoned Mine Land (AML) program grants, the States and Tribes should receive a mandatory appropriation of \$321.5 million in fiscal year 2018. In its proposed fiscal year 2018 budget, OSMRE seeks to eliminate \$90 million for the AML economic development pilot projects due to the fact that this funding "overlaps with existing mandatory AML grants". We believe that funding for pilot projects is separate and distinct from other AML funding sources. As the Subcommittee noted with regard to the fiscal year 2017 Omnibus Appropriations bill, this funding is targeted for economic and community development and reuse goals. We strongly support continued funding (from the General Fund) for these pilot projects, along with expansion of the program to include three additional States (Virginia, Ohio and Alabama). We also recommend concerted action to reauthorize fee collection under Title IV of SMCRA. A resolution concerning reauthorization, along with proposed legislative adjustments, is attached.

IMCC also supports a continuation of funding for the watershed cooperative agreements at \$1.5 million. Much valuable work has been accomplished through this program, especially given the matching funds that come from other sources besides OSMRE's share for these worthwhile projects. We also support funding for the Applied Science program, which has supported a range of beneficial research projects addressing advanced technologies and practices specific to coal mined sites.

We appreciate the opportunity to submit this statement on the Office of Surface Mining's proposed budget for fiscal year 2018. We also endorse the statement of the National Association of Abandoned Mine Land Programs (NAAML), which goes into greater detail regarding the implications of OSMRE's funding for the States and Tribes related to the AML program. We would be happy to answer any questions.

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#### PREPARED STATEMENT OF THE INTERTRIBAL TIMBER COUNCIL

##### INTRODUCTION AND SUMMARY

Mr. Chairman, Members of the subcommittee, I am Phil Rigdon, President of the Intertribal Timber Council (ITC) and Deputy Director of Natural Resources for the Yakama Nation. The ITC offers the following recommendations for fiscal year 2018 Indian forestry-related activities in the Bureau of Indian Affairs (BIA), the Depart-

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<sup>2</sup>The Congress agreed with this assessment when it commented as follows on OSM's proposed increase in fiscal year 2017: "The Committee continues to reject the proposal to increase inspection and enhanced Federal oversight of State regulatory programs. Delegation of the authority to the States is the cornerstone of the surface mining regulatory program, and State regulatory programs do not require enhanced Federal oversight to ensure continued implementation of a protective regulatory framework." (H. Report 114-632 at pages 38-39).



ment of Interior (DoI) Office of Wildland Fire Management (OWFM), and the USDA Forest Service (USFS):

NOTE: Comments are based on funding levels presented in the fiscal year 2017 Consolidated Appropriations Act, Public Law 115–31.

#### BIA

1. Increase BIA Forestry (TPA) by \$5 million for the hiring of 67 additional foresters to increase Tribal trust timber harvest pursuant to tribally approved forest plans, improving Tribal employment, economies, and forest management;
2. Increase BIA Forestry Projects Forest Development by \$5 million (\$2 for thinning, \$3 million for replanting) to reduce BIA backlogs, provide hundreds of immediate jobs, and strengthen long-term Tribal economies;

#### OWFM

3. Provide \$49.5 million in OWFM Burned Area Rehabilitation for Indian trust forests burned in 2015.
4. Direct a reassessment of wildfire suppression priorities to include Indian trust forests as a second priority behind only protection of life as a suppression priority.
5. Increase Fuels Management funding to \$206 million; allow RTRL funds on Tribal lands.

#### USFS

6. Encourage expanded support for the ITC *Anchor Forest* initiative, and direct USFS to initiate implementation of the “Anchor Forest Final Report”, including harvest.
7. Continue encouraging the USFS to improve implementation of the TFFPA.

#### BIA

1. *Increase BIA Forestry (TPA) by \$5 million for the hiring of 67 additional foresters to increase Tribal trust timber harvest within tribally approved forest plans, improving Tribal employment, economies, and forest and woodland management.*

Indian forests and woodlands comprise 18.6 million acres, or one third, of the total 57 million acres of Indian land held and managed in trust by the U.S. Department of the Interior’s BIA. Forests are a principal Tribal renewable resource, and more than 300 Indian Tribes have forest resources. Across the country, Indian forests provide more than \$40 million in annual Tribal governmental revenues, 19,000 jobs in and around Tribal communities, and wildlife habitat, clean water and air, and sources of food and medicine for Indian people.

Six million acres of Tribal trust forests support commercial use. Sustainable annual harvest targets set by Tribal governments total approximately 750 million board feet. But lack of BIA trust management capacity, combined with increasingly complex Federal regulation, has caused actual annual harvest levels to fall steadily over the past forty years, to a current level only about half that amount. Since 1991, this decline has cost Tribes \$700 million in foregone stumpage revenue and tens of thousands of forestry-related jobs. For fiscal year 2015, BIA could only process 46 percent of the tribally approved annual allowable cut, costing Tribes more than \$60 million in foregone revenue.

The 2013 Indian Forest Management Assessment Team Report, the third statutorily required (Public Law 101–630, Section 312) decadal independent review on Tribal forests and forestry (IFMAT III), finds that Federal funding for BIA forestry is only one third of that per-acre for the U.S. Forest Service, that BIA technical forestry staffing is chronically insufficient, that each BIA forester administers more acres than any other Federal forester, and that BIA professional forester staffing should be increased by 65 percent.

Over the past 2 years I cited an example on my reservation—the Yakama Nation—where 33 of the 55 BIA Forestry positions had not been filled for a long time. Today, it is basically unchanged, despite repeated Tribal pleas. Our harvest targets are not being met, our forest health is suffering, and economic opportunities are being lost.

Data from IFMAT III indicates \$5 million added to BIA funding for 67 foresters (@ \$75,000 each) could increase Tribal harvest by up to 295 million board feet, generate \$3 in stumpage revenue for every \$1 invested, and create more than 15,000 rural jobs.

Please note that additional BIA funding for foresters is essential to increasing the Tribal harvest. Even in this era of Tribal assumption of forest management functions pursuant to the Indian Self-Determination Act, the BIA remains responsible for a wide range of critical forestry functions in its capacity as trustee. These func-

tions include environmental clearances and approval and oversight for timber sales, and the lack of forestry staff to perform these and other trust functions directly constrains harvest levels.

In addition to significantly increasing harvest, jobs and revenue, increased BIA funding for forestry staff would improve compliance with approved Tribal forest management plans, bringing the forest into a better managed State, improving forest health and reducing fire, insect and disease threats and their associated Federal costs.

*2. Increase BIA Forestry Projects Forest Development by \$5 million (\$2 for thinning, \$3 million for replanting) to reduce BIA backlogs, provide immediate jobs, and strengthen long-term Tribal economies.*

For decades, insufficient BIA support has allowed significant thinning and replanting backlogs to accrue on Tribal trust forest land. In recent years, the thinning backlog has remained around 10 percent of Tribal trust forest acreage, and the replanting backlog has stayed around 4 percent. With these backlogs, parts of our forests are either underproductive or out of production altogether, depriving our communities of vitally needed jobs and income. The backlogs also contribute to poor forest health, particularly for thinning, where dense stands grow slowly and are especially susceptible to fire, disease and insects.

In fiscal year 2016, Congress initiated an effort to significantly reduce the BIA's thinning backlog. The Committee has maintained this effort with \$2 million in fiscal year 2017, which is greatly appreciated. For fiscal year 2018, we request its continuation with a \$2 million increase, and that this forest development initiative be extended to replanting with a \$3 million increase. Both will immediately provide hundreds of reservation jobs, with replanting offering needed entry-level opportunities. Increased thinning can also produce immediate increases in forest product values and Tribal revenues, and over the long term, thinning and replanting both strengthen our forest economies and improve forest resiliency, in keeping with the Federal Government's trust obligation.

DOI OFFICE OF WILDLAND FIRE MANAGEMENT

*3. Provide \$49.5 million in OWFM Burned Area Rehabilitation for Indian trust forests burned in 2015.*

The Interior Department's Office of Wildland Fire Management has done next to nothing to rehabilitate the nearly 500,000 acres of Tribal trust timber burned during the catastrophic 2015 wildfire season. Approximately 1.5 billion board feet of timber was killed, worth more than \$200 million in Tribal revenue. Nearly 100,000 acres need reforestation. Tribal losses of their forest resource, revenue and jobs are severe and will extend decades into the future. BIA has estimated recovery costs of \$55 million over 5 years, including \$9 million for fiscal year 2016 and \$12.6 million for fiscal year 2017. To date, the Interior Department has only provided \$5.5 million toward the recovery of our trust forests burned in 2015, and that includes \$2 million provided by Congress in fiscal year 2016 to BIA Forestry Projects—not OWFM.

It is outrageous that Federal wildland fire policy essentially sacrifices our trust forest assets to protect private property (see next item), and now, having allowed this important trust asset to be significantly damaged, the Federal Government is giving only lip service to its rehabilitation. For fiscal year 2018, to try to get us back on track and assure the recovery of this trust asset, we ask that the full balance of the BIA's rehabilitation budget for these 2015 burned lands be provided in the OWFM BAR appropriation, specifically designated for recovery of Tribal forests burned in 2015.

*4. Direct a reassessment of wildfire suppression priorities to include Indian trust forests as a second priority behind only protection of life as a suppression priority.*

In late summer 2015, when a wave of lightning-caused wildfires swept across the Northwest, including on Indian reservations, fire crews attacking reservation fires were diverted to fight off-reservation fires threatening private property, and the fires on our trust forests exploded. Despite the Federal trust obligation and liability for the management and protection of Tribal trust forests, despite the Tribal communities' reliance on our trust forests for jobs, revenue, water, and a broad array of other economic, ecological and cultural benefits, Federal wildfire policy basically sacrifices Indian trust property to save private property. That should not be the case. We understand the protection of life needs to be a first priority in wildfire suppression, but we believe our forest property, which the U.S. has a trust obligation to protect, should be considered a priority over private property in Federal wildfire suppression priorities. While burned Tribal forests and our dependant economies

will take decades to recover, burned private structures, often insured, can be rebuilt in months. As the ITC requested last year, we again request the Committee to direct the reevaluation of Federal fire suppression priorities to consider the protection of Indian trust resources as second only to protection of life.

5. *Increase Fuels Management funding to \$206 million; allow RTRL funds on Tribal lands.*

For fiscal year 2018, ITC urges, as it has for many recent years, that DOI Fuels Management funding be restored to its fiscal year 2010 \$206 million level. Proactive reduction of fuels is a proven method to reduce risk to our Nation's forests and is a sound investment to reduce the expense of future suppression. Within the fiscal year 2018 Fuels Management budget, ITC also strongly supports the continuation of \$10 million for Reserved Treaty Rights Lands (RTRL) landscape restoration. Currently, Tribes can use these funds for proactive fuels and forest health projects on neighboring Federal forests to protect Tribal treaty assets. To make these RTRL funds more flexible and efficient, we ask that they be authorized for use on both Tribal lands and off-reservation lands.

USFS

6. *Encourage expanded support for the ITC Anchor Forest initiative, and direct USFS to initiate implementation of the "Anchor Forest Final Report", including harvest.*

ITC requests that the Committee include report language to encourage and expand the Forest Service's continued support of the ITC's *Anchor Forest* initiative, in which Tribes and other forest stakeholders pursue long-term collaboration to maintain ecological functions and sustain economically viable infrastructure for management, harvesting, transportation, and processing of forest products as a cost effective management strategy. The final report of the ITC's *Anchor Forest* pilot study of forest lands in central and eastern Washington State, published in March 2016 and available on line at the ITC website, was developed with the participation of Tribal, Federal and State governments, the conservation community, and local forestland owners and businesses. Tribes in the Lakes States, the Plains States, Alaska, and the Southwest are expressing interest in the *Anchor Forest* concept, and we urge Committee report language supporting expanded application of the *Anchor Forest* concept.

ITC also asks that the Committee direct the USFS to actively initiate implementation of the "Anchor Forest Final Report", including harvest. The USFS contributed to and actively participated in that *Anchor Forest* study. The study is now complete and published, but USFS has not thus far undertaken any activities to implement its findings and recommendations. To help bring life to the *Anchor Forest* concept and sustain local forest jobs and infrastructure, please direct USFS to begin implementing its portion of the "Anchor Forest Final Report", including harvest.

7. *Continue encouraging the USFS to improve implementation of the TFPA.*

Finally, ITC requests the subcommittee express continued support for implementation of the Tribal Forest Protection Act, as it did in fiscal year 2015. The Tribal Forest Protection Act (TFPA, PL 108-278) authorizes Tribes to conduct fuels and health projects on USFS and BLM lands to protect Tribal trust and cultural resources. The Committee's support helped prompt a series of successful regional TFPA workshops and the initiating of a good number of TFPA agreements. There is strong continuing interest in additional workshops and TFPA projects, and the ITC urges the Committee to express continued support for the TFPA program.

INTERTRIBAL TIMBER COUNCIL BACKGROUND.

The ITC is a 41 year old association of forest owning Tribes and Alaska Native organizations dedicated to improving the sustainable ecological and economic management of our 18.6 million acres of timberland and woodland held in BIA trust. We invite you to come visit.

That concludes my statement. Thank you.

PREPARED STATEMENT OF THE JAMESTOWN S'KLALLAM TRIBE

On behalf of the Jamestown S'Klallam Tribe, I am pleased to submit this written testimony on our funding priorities and requests for the fiscal year 2018 Bureau of Indian Affairs (BIA), Indian Health Service (IHS) and the Environmental Protection Agency (EPA) budgets. A fundamental goal for our Tribe is achieving economic self-sufficiency/self-reliance through opportunities that enable us to generate our own

unrestricted revenues to address the unfulfilled Federal obligation and unmet needs of our community. When Tribes are allowed to conduct activities on their own land subject to their own taxes and regulations that are not impeded by State and local tax infringement, Indian reservation economies flourish. We have shown time and again that the Federal investment in our communities is a good investment and continued program and financial support is invaluable to protecting our resources and bolstering Tribal local and State economies.

Decades of unfulfilled Federal obligations has devastated Tribal communities who continue to face persistent shortfalls and overwhelming unmet needs. Unless Congress acts, sequestration cuts will return in fiscal year 2018. These budgetary rescissions are permanent, unsupportable reductions to Tribal base programs and the cumulative effect over the years has devastated Tribal communities and stifled Tribal self-sufficiency. Until Tribes attain exclusive taxing jurisdiction within their Tribal lands, Federal support at sustainable levels remains critical to ensure the delivery of essential governmental services to our Tribal citizens. The Federal trust obligation must be honored and vital programs and services for Tribes must be sustained and held harmless in any budgetary deals enacted to reduce the national deficit.

#### TRIBAL SPECIFIC APPROPRIATION PRIORITIES

1. \$8.3 million for Tribal/City of Sequim Wastewater Connection
2. \$127,994 Tribal increase for the Indian General Assistance Program (GAP) EPA
3. \$150,000 to restore funding for the Dungeness Floodplain Restoration & Ecosystem Restoration Puget Sound Geographic and National Estuarine Program (NEP) EPA

*\$8.3 million—Waste Water System.*—Basic sanitation facilities in our community is an essential prerequisite to ensuring public health and community wellness, as well as, economic viability. Specifically, in order to engage in economic development and expand our Tribal business portfolio, the Tribe needs to invest in a waste water system. Our Tribal government cannot operate without adequate infrastructure for sanitation facilities and clean water. After years of careful planning and research, we have entered into a partnership with the City of Sequim to connect Tribal businesses and governmental facilities in Blyn to the City of Sequim Wastewater Treatment Plant. The installation of the project pipeline is approximately \$8.3 million but this investment will not only address environmental/public health concerns, it will accrue sustainable long term economic benefits.

*\$127,994 million increase—Indian General Assistance Program (GAP)—EPA.*—Our Treaty, Point No Point, guarantees our Tribe and its citizens the right to hunt, fish, and gather shellfish in our usual and accustomed areas but that right is meaningless if there are no elk to hunt, fish to catch, or clams and berries to harvest. Our Tribe has been recognized on numerous occasions for our leadership, stewardship, and management practices in the area of Natural Resources protection and development. We have made tremendous strides in advancing techniques that identify and reduce pollution, improve water quality, assess the status of public health needs, restore habitat, and replenish depleted fish and shellfish stocks, that are on the brink of extinction, including, ESA listed summer chum. Preservation of Tribal Treaty Rights begins with Tribal capacity building which is critical to sustain the positive environmental and economic achievements, including, the generation of employment opportunities, the building and upgrading of ecological infrastructure, the establishment of domestic and international trade relationships, and the bolstering of Tribal, local and State economies.

*\$150,000—Geographic/Ecosystems Program (Dungeness Floodplain Restoration & Ecosystem Restoration Puget Sound).*—The Dungeness River is the Tribe's ancestral river. In 1855, a dike was built on the Dungeness estuary marshlands and, this act, coupled with a plethora of other man-made impacts, has caused serious degradation to the Dungeness River Salmon habitat. These environmental impacts have been devastating and have led to declines in the Salmon populations because of the loss of habitat. The Geographic/Ecosystems program provides funding for our Tribe to protect and restore the Puget Sound ecosystem. The success of this program is evidenced in the many achievements our Tribe has seen to date, including, commercial shellfish bed upgrades, construction of storm water infrastructure across Puget Sound, salmon recovery and water quality improvement, successful research projects, such as, biotoxin research results on shellfish, successful levee and log jam design projects, and, many education and engagement campaigns. This program is also multi-jurisdictional in that Federal and State agencies, Tribes, regional fishery organizations and other partners take a synergistic and economically sustainable

approach to addressing environmental issues. The benefits of this program extend well beyond the reservation boundaries and into the local surrounding communities.

#### NATIONAL REQUESTS AND RECOMMENDATIONS FOR THE BIA AND IHS

1. Contract Support Costs Mandatory Funding
2. Increase Funding for Tribal Base Budgets/Recurring Programs

*Contract Support Costs Mandatory Funding.*—The Tribe appreciates the continued bipartisan support of the Interior Appropriations Subcommittee for full funding of Contract Support Costs (CSC) for both the IHS and BIA. The Consolidated Appropriations Act provided full funding of CSC in fiscal year 2016 at an indefinite amount, and ensured that funding for CSC was not at the expense of amounts appropriated for critical programmatic services. Our Tribe maintains, however, that the indefinite appropriation of CSC funding must be made mandatory and permanent to ensure that these legally mandated obligations are properly executed.

*Increase Funding for Tribal Base Budgets/Recurring Programs.*—Recently, agencies are opting to fund Tribal programs and services with grant dollars as opposed to providing base recurring funding. Grant funding undermines core Self-Governance tenets and hinders the ability of Tribes to redesign programs and services to better address their community's needs. Grant funding does not work well as the main funding source because it is a short term investment that is used to support ongoing and critical needs. Grants create uncertainty in planning, make Tribes compete for limited funding, require extensive regulation, impose overly burdensome reporting requirements and restrict the use of indirect costs. We would urge Congress to increase funding for Tribal base budgets by funding Tribal Priority Allocations and other Recurring Programs because it will benefit all Tribes as opposed to creating more grants that only benefit a few.

#### NATIONAL REQUESTS AND RECOMMENDATIONS FOR THE BIA

1. Economic Development TPA \$25 million
2. Natural Resources TPA \$10 million
3. Indian Guaranteed Loan Program \$12.6 million

*\$25 million—Economic Development (TPA).*—Increased funding for Economic Development will allow us to continue to diversify our successful business portfolio and expand our revenue generating opportunities. Chronic underfunding and the severe lack of private investment have left the economic potential of our Tribe unrealized. Tribes are forced to rely on their own economic ventures to generate revenue to support programs and services for Tribal citizens. Yet, Tribes are expected to meet these economic challenges with fewer resources and greater restrictions placed on vital economic financing tools and incentives that are easily accessible and lucrative to other governments.

*\$10 million—Natural Resources (TPA).*—The Federal investment in Tribal Natural Resources will foster Tribal self-sufficiency and support Tribal economies by cultivating cross jurisdictional partnerships with State and local governments that create jobs and promote and advance trade. This investment also advances a number of ancillary but equally important cultural and religious practices, creates community cohesiveness and improves the environmental conditions on our Tribal homelands and in surrounding communities.

*\$15 million—Indian Guaranteed Loan Program/Surety Bonds.*—Loan guarantees are an attractive financial tool because Tribes are able to leverage limited Federal funding and promote economic growth by investing in projects that are capable of generating their own revenue streams. The program, however, has been consistently targeted for cuts despite its positive return on the Federal investment. If not for the Loan Guarantee Program, many Tribes would not be able to secure loans from typical sources that are available to other entities and businesses. Federal credit programs should facilitate Tribal access to private capital markets where Tribes frequently encounter market resistance to conventional lending.

*Office of Self-Governance (OSG).*—OSG provides administrative support to half of all Tribes nationwide. However, a current funding shortfall of .4 million will result in the loss of critical staff unless this Subcommittee provides a budget line item increase for OSG or the Bureau is directed to transfer recurring funding internally.

#### NATIONAL REQUESTS AND RECOMMENDATIONS FOR THE IHS

1. Support Mandatory Appropriations for IHS
2. Fully Fund the Indian Healthcare Improvement Act Provisions in the ACA
3. Increase Funding for Purchased and Referred Care \$562.2 million

*Support Mandatory Appropriations for IHS.*—Tribal healthcare programs should be funded similarly to every other government health programs in this country through mandatory funding. The Interior, Environment and Related Agencies Appropriations Bill, which includes funding for IHS, has not been enacted in a timely manner for the past twenty years, creating significant challenges to Tribes' ability to provide critical healthcare services to their Tribal citizens. When it comes to IHS funding, delays could mean the loss of life. Late funding not only affects quality of care, it constrains Tribal healthcare providers' ability to plan, budget, recruit and retain staff, and construct and maintain facilities. Providing predictable, timely and sufficient funding will ensure the Federal Government is upholding its trust responsibility to American Indians and Alaska Natives.

*Fully Fund the IHCA Provisions in the ACA.*—Although the IHCA provides the authority and, with it, the opportunity to provide essential healthcare to Tribal citizens, it did not provide the necessary funds to the IHS to carry out these new statutory obligations. There are twenty three unfunded provisions in the Indian Health Care Improvement Act (IHCA). Many of the provisions that remain unfunded would strengthen the Tribal healthcare workforce, provide greater access to behavioral health and support innovative initiatives for healthcare delivery to Tribal citizens. Funding these provisions is a necessary precursor to increase Tribal capacity, infrastructure and most importantly access to healthcare services. A significant Federal investment is needed to achieve a fully funded Indian Health Service and now is the time to act on opportunities made possible in the newly expanded authorities granted under the IHCA.

*\$562.2 million—Purchased and Referred Care (PRC).*—Most IHS and Tribally-operated direct care facilities do not provide the required emergency and specialty care services so Tribes are forced to turn to the private sector to fulfill this need. PRC funds are used to purchase essential healthcare services, including inpatient and outpatient care, routine emergency ambulatory care, transportation and medical support services, such as diagnostic imaging, physical therapy, laboratory, nutrition and pharmacy services.

#### NATIONAL REQUESTS AND RECOMMENDATIONS

The Jamestown S'Klallam Tribe continues to support the requests and recommendations of the Self-Governance Communication and Education Tribal Consortium, the National Congress of American Indians and the National Indian Health Board.

#### REGIONAL REQUESTS AND RECOMMENDATIONS

The Jamestown S'Klallam Tribe support the requests and recommendations of the Affiliated Tribes of Northwest Indians, Northwest Portland Area Indian Health Board, and the Northwest Indian Fisheries Commission.

[This statement was submitted by W. Ron Allen, Tribal Chairman/CEO.]

#### PREPARED STATEMENT OF THE KENAI PENINSULA BOROUGH (ALASKA)

MAY 25, 2017.

Hon. LISA MURKOWSKI,  
Hon. TOM UDALL,  
*Subcommittee on Interior, Environment, and Related Agencies,*  
*Committee on Appropriations.*

Dear Senators Murkowski and Udall,

Since 1977, Congress has appropriated and the U.S. Treasury has distributed payments in lieu of taxes (PILT) on Federal lands nationwide. The Federal Government owns about 65 percent of the lands in the Kenai Peninsula Borough, with the borough budgeted to receive \$2.6 million in Federal PILT funds in fiscal year 2017 and estimating the same amount in fiscal year 2018. This letter is to state our support for full finding of the PILT program in the Federal fiscal year 2018 budget, and to provide you with an example of how important those dollars are to the borough, in particular to help fund a new effort to provide emergency response services for traffic accidents along the Seward, Sterling and Hope highways on the peninsula.

The Kenai Peninsula Borough lacks the authority to provide borough-wide emergency services (fire and ambulance services). Rather, such services are provided through local service areas, such as the Nikiski Fire Service Area and the Central Emergency Service (CES) Area, and through volunteer squads, such as in the small communities of Cooper Landing, Hope and Moose Pass. That mix of service areas

and volunteer organizations leaves more than 90 miles of State highway through the peninsula with uncertain coverage and emergency response authority. Volunteers respond to accidents as best they can, assisted by personnel from CES stations (Sterling and Soldotna) who respond as they are able—under the authority of mutual-aid agreements—while still managing their primary responsibilities at home, all the while as people injured in traffic accidents wait for help to arrive.

The borough's solution was to create an emergency services area that stretches literally—and only—along the State highway right of way. There are no residents in the right of way, and no private property. As such, there was no way under existing State statute to create a traditional service area. But the legislature this session looked favorably upon our proposal to amend statute to allow creation of such a service area along a State highway. A unique solution, but I believe it will work.

As we wait for the governor to sign the measure into law, I have proposed to the borough assembly the use of Federal PILT funds to pay for the emergency response services. As a significant portion of the State highway is on or adjacent to Federal lands, there is no property to tax as normally would be the case in a municipal service area. Yet the need for the services clearly exists—almost 200 people were injured in more than 100 traffic accidents along the affected stretches of the Seward, Sterling and Hope highways the past 2 years. It is the only road connection between the Kenai Peninsula and the rest of Alaska, a heavily traveled corridor with more than 8,000 vehicles a day during the peak season. This seems to me to be a perfect use of Federal PILT dollars, since many of the travelers are utilizing this corridor to access Federal public lands.

I write to share with you our plans for the Federal funds, should you or any of your colleagues ever wonder what Alaska municipalities do with the money, separate from depositing the check into the general fund.

The Kenai Peninsula Borough appreciates the longstanding program's contribution toward public services for our residents and visitors alike.

Sincerely,

MIKE NAVARRE,  
*Mayor.*

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PREPARED STATEMENT OF THE LAC DU FLAMBEAU BAND OF LAKE SUPERIOR  
CHIPPEWA INDIANS

The Lac du Flambeau Band of Lake Superior Chippewa Indians appreciates the opportunity to provide written testimony concerning IHS, BIA and EPA funding for fiscal year 2018. The Band is located in Vilas, Oneida and Iron Counties Wisconsin. Our Tribe of 3,400 members is the largest employer in Vilas County. Together with Tribal enterprises, the Tribe employs 800 individuals, with nearly 25 percent or 190 employees paid in full or in part with appropriations made under this subcommittee's jurisdiction. Within our 86,600-acre reservation, there are 260 lakes, 71 miles of streams and rivers, approximately 42,000 acres of forested land and roughly 42,000 acres of water and wetlands. Our reservation has one of the densest concentrations of fresh water in the country and our lands and waters are sacred to the Band and its members. We are working hard to build and maintain a stable, healthy Tribal community, amid many challenges. Like many rural areas, we are dealing with opioid abuse and the challenges of creating and maintaining jobs for our citizens and residents.

It has taken many years for the Tribe to reduce our unemployment rate, which spiked considerably after the 2008–2010 economic downturn. Federal expenditures by our Tribe in fiscal year 2016 totaled about \$20 million, of which IHS, BIA and EPA funding amounted to \$12 million or about 60 percent. It is critical to our Tribe that Federal funds within this subcommittee's jurisdiction increase in 2018 to help us address our great health, educational, social and natural resource needs. Our testimony today addresses IHS, BIA and EPA programs that are vital to the Lac du Flambeau Band. The Tribe thanks the subcommittee for its leadership and commitment to Indian Tribes which honors the Nation's trust responsibility to the Indian people. The Tribe appreciates that Congress provided increased funds in fiscal year 2017 for BIA, BIE and IHS programs.

As you have done for fiscal year 2017, we ask that you reject President Trump's "America First" Budget for fiscal year 2018, which calls for unwarranted reductions in non-defense agency appropriations, including unwarranted cuts to the Department of Health and Human Services, Department of the Interior, and Environmental Protection Agency (EPA). The America First budget proposal, if enacted, would cause great harm to the Band and to most Native Americans who, more than

most Americans, rely heavily on Federal appropriations across multiple Federal agencies, not just Interior and DHHS.

The Tribal Government does not want to inform any one of the hundreds of our loyal Tribal employees whose jobs depend, in whole or part on Federal funds, that the Tribe must lay them off in 2018 because the Federal Government did not honor its commitments to Indian people in accordance with the trust responsibility and the special government-to-government relationship. Please continue to educate your Senate colleagues concerning the trust obligation and the important work that Indian Tribes carry out with Federal funds. What our Tribe has worked decades to build will be at risk if program funding drops, layoffs occur and families move off the Reservation.

We are grateful that the final spending measure for fiscal year 2017 that Congress just passed. Native Americans, many of whom are low income wage earners, live a fragile existence. Adverse changes can tip them further into poverty and unemployment, which can lead to substance abuse and premature death. We have seen this on our Reservation. Please recognize the interconnectedness of IHS, BIA and EPA programs which help promote healthy Tribal members and healthy communities; essential building blocks for stable communities where Tribal parents can raise Native youth in safety and security so that may realize their fullest potential and contribute to their community's and the Nation's future.

#### I. INDIAN HEALTH SERVICE PROGRAMS

The Tribe greatly appreciates the \$232 million increase Congress provided for fiscal year 2017 for the IHS, allocated among such accounts as Hospitals and Clinics, Purchased/Referred Care (P/RC), Mental Health, Alcohol and Substance Abuse, Dental Health, Contract Support Costs (CSCs), construction and maintenance and improvement. The Tribe operates the Peter Christensen Health Center, Dental Program, a Family Resource Center, a Domestic Abuse Program, a Youth Center and Child Support Agency. Our programs ensure the support and preservation of family life and wellbeing by providing such services as outpatient mental health, outpatient alcohol and other drug abuse, and psychological consults. The Health Center provides quality healthcare and offers a full range of family medical services by Board Certified family physicians, advanced practice nurse practitioner and physician-assistants. The program also provides podiatry, optometry, pharmacy and a range of community-based services. Together, our health programs employ a staff of 140 individuals, about three-quarters of our workforce supported in part by funds appropriated by this subcommittee. The Tribe asks that Congress increase IHS funding in 2018 and reject the Administration's unwise cuts.

Our rationale for this funding increase is borne of necessity. We are seeing how important proactive and preventive health services are for our community. Wisconsin is seeing a large increase in babies born with Neonatal Abstinence Syndrome (NAS), a result of women taking prescription drugs such as Vicodin or heroin while pregnant. Recent data shows that Vilas County has the second-highest percent of NAS babies in the State, 2-3/100 babies. Early treatment is critical. We urge the subcommittee to increase funds for preventive health programs, which can save lives and empower our Tribe to help our citizens address addictions and mental health issues, especially targeting our Tribal youth. Please prioritize increases in fiscal year 2018 IHS funding for Hospitals and Clinics, mental health, substance abuse treatment and P/RC funds so that we can take a proactive stance by investing wisely in preventive health services.

#### II. BIE AND BIA APPROPRIATIONS

##### *Indian Education*

Congress provided \$34.7 million for Adult Scholarships and \$2.9 million for special higher education scholarships for fiscal year 2017. We recommend this subcommittee include a similar increase for fiscal year 2018. As Congress noted last year: "Indian education remains among the Committee's top priorities because it is a fundamental trust responsibility and because elementary and secondary students in particular have fallen far behind their peers." We oppose cuts to the BIE and Department of Education in fiscal year 2018 which threaten to undermine educational services for Native youth and adults. Together, these programs provide critical educational resources and services for Tribal members that are crucial to meeting the unique educational and cultural needs of our students. If our children are to excel in life, they must be educated in stimulating environments by well educated professionals, transported in modern buses over all-season roads and delivered to safe, loving homes. Our Tribe is doing its part. Education at Lac du Flambeau begins early. We operate the Little Dream Daycare and Zaasijiwan Head Start and Early



Head Start programs. We also operate a Home-Based program that serves up to 24 families. Our early education programs include multiple activities designed to promote learning, school readiness and social/emotional wellness. We realize that good nutrition, learning through play and time outdoors in the fresh air are central to health.

The Lac du Flambeau Public School and Lakeland Union High School educate our Tribal youth. The High School's 2015/2016 student body was 20 percent Native American and 86 percent of high school graduates went on to attend 4- and 2-year colleges/technical schools, 9 percent entered the workforce or pursued other activities and 5 percent entered the military. For this reason, we oppose any effort to eliminate the Johnson O'Malley Program, the goal of which is to address the unique cultural needs of Indian students attending public schools through a supplemental program of services planned, developed and approved by the Local Indian Education Committee, comprised of parents of eligible Indian students. The \$14 million JOM Program must be increased, so that Indian children are provided the supplemental programs that honor and celebrate their Native heritage and help them grow into confident, well-adjusted adults who contribute to their families.

#### *Road Maintenance Program*

The Tribe appreciates Congress including a \$3.2 million increase in funding for the Road Maintenance Program for fiscal year 2017. We believe a \$10 million increase is justified for fiscal year 2018. The Tribe receives less than \$90,000 to maintain nearly 180 miles of BIA-owned roads. Our budget requirements for road maintenance are closer to \$2 million annually. As the subcommittee noted, appropriations for fiscal year 2016 permitted only 16 percent of BIA-owned roads to be maintained in "fair" condition. According to the CDC, motor vehicle crashes are the leading cause of death among Native Americans aged 1–44. Native American infants are eight times more likely to be killed in a motor vehicle crash than a non-Native infant. Poorly maintained roads contribute to motor vehicle crashes. Poor roads contribute to absenteeism at work and school and delay police and EMT responders. A year's entire road maintenance budget can be consumed in the winter months removing snow and salting/sanding roads to ensure freedom of movement. Transportation barriers undermine Federal and Tribal efforts to improve Native health, educate our youth and attract businesses and jobs to remote, rural communities like ours. The "historical" formula for the BIA Road Maintenance Program makes little sense to us. We ask the subcommittee to include report language for fiscal year 2018 that directs the BIA to explain the allocation methodology, verify each Tribe's road inventory that generate Road Maintenance dollars, and make publicly available to Tribes their relative share of funds.

### III. NATURAL RESOURCES (EPA AND BIA)

The Tribe has a vibrant Natural Resources program, including a Fish Hatchery for several species of fish, Fisheries Management, Waterfowl habitat protection (Great Lakes Restoration Initiative, Conservation Law Enforcement, Wildlife), Water Resources, Historic Preservation and Land Management. Our Natural Resources Department employs fish biologists, wildlife biologists, fish hatchery operators, hydrologists, technicians and administrators, many of whom are paid in full or in part with EPA and BIA funds and critical to our work protecting the resources that were promised to us in our Treaties. We urge the subcommittee not to jeopardize our Natural Resources programs that are critical to protecting our culture, our health and our economy, part of Wisconsin's \$19 billion hunting, fishing, recreation and tourism industry. A 31 percent reduction in EPA funding and cuts to BIA Natural Resources programs would be devastating to our Program. Even with existing funding, we struggle to meet the demands we face to maintain clean air, water and lands from the many contaminants that threaten our community. The highest concentrations of mercury tainted lakes are in the State's northern most counties, including Vilas and Oneida. Minnesota and Wisconsin lead the Nation with mercury-contaminated lakes. At present, there are more than 500 fish health mercury advisories in place in Wisconsin. This presents a direct threat to our culture because we cannot eat contaminated fish that are otherwise a staple of our diet.

#### *A. Great Lakes Restoration Initiative*

Thank you for funding the Great Lakes Restoration Initiative at \$300 million in fiscal year 2017. Do not terminate this vital program. For the indigenous people of Wisconsin, the Great Lakes represent the lifeblood of our culture and the foundation of our economies. The protection and preservation of the Great Lakes is a necessity.

*B. Trust-Natural Resources Management*

In fiscal year 2017, Congress appropriated \$200.9 million for the BIA's Trust-Natural Resources Management programs, a \$9.1 million increase from fiscal year 2016. Our Tribe alone needs nearly a \$500,000 increase for our Tribal Fish Hatchery Operations and Tribal Management/Development Program for fiscal year 2018. The Fisheries and Fish Culture Program raises all fish necessary for stocking reservation waters and we benefit from programs carried out by GLIFWC. Our fisheries program also generates Tribal revenues.

*C. EPA Tribal General Assistance Program*

Weeks ago, Congress approved \$3.527 billion for State and Tribal Assistance Grants, including \$2.461 billion for Infrastructure assistance grants and \$1.066 billion for categorical grants (maintaining Tribal air quality management grants and Tribal general assistance program (Tribal GAP) grants at \$12.8 million and \$65.4 million, respectively). The Tribal GAP program provides base environmental funding to assist Tribes in building their environmental capacity to assess environmental conditions, utilize available data and build their environmental programs to meet their local needs. This is a foundational program for Tribes to address the broad range of challenges we face regarding our natural resources. Our Natural Resources Program would suffer in the face of a 31 percent cut.

*D. Circle of Flight: Wetlands Waterfowl Program*

We urge the subcommittee to continue to provide support for the BIA Circle of Flight Program (about \$707,000). This modest BIA program supports Tribal efforts throughout the Great Lakes Region to restore and preserve wetlands and waterfowl habitat within Tribal territories and enhances wild rice gathering, providing expanded hunting and fishing opportunities for economic development.

*E. Underground Storage Tank Fund (LUST)*

We remain concerned that annual reductions to the Underground Storage Tank fund (LUST) permits ongoing contamination of ground waters that threaten Tribal and other communities. We encourage the subcommittee to instruct EPA to give greater consideration to Tribal cleanup standards and help Indian Tribes remediate unsafe conditions on reservations.

Thank you for affording us the opportunity to submit written testimony.

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PREPARED STATEMENT OF THE LEAGUE OF AMERICAN ORCHESTRAS

The League of American Orchestras urges the Senate Interior, Environment, and Related Agencies Appropriations Subcommittee to support fiscal year 2018 funding for the National Endowment for the Arts (NEA) at a level of \$155 million. The bipartisan support in Congress for the ongoing work of the NEA was affirmed when a \$2 million increase for the agency was included in the final fiscal year 2017 omnibus appropriations bill. Further increases in funding in fiscal year 2018 will enable the agency to help more communities fulfill the NEA's mission to provide all Americans with diverse opportunities for arts participation.

The League of American Orchestras leads, supports, and champions America's orchestras and the vitality of the music they perform. Its diverse membership of more than 2,000 organizations and individuals runs the gamut from world-renowned symphonies to community groups, from summer festivals to student and youth ensembles, from businesses serving orchestras to individuals who love symphonic music. Orchestras contribute to civic vitality, educate citizens of all ages, and unite people through creativity and artistry.

In fiscal year 2016, the NEA's Grants to Organizations included 112 direct grants to orchestras in the *Art Works* and *Challenge America* categories. These grants expand the capacity of orchestras to present concerts and programs that are greatly valued by communities of all sizes, due in no small part to the powerful leveraging capacity of one dollar of direct NEA funding to yield up to \$9 in private and other public funds. The following eight orchestral awards from fiscal year 2016 and fiscal year 2017 total \$122,500 in direct Federal support and offer an inspiring glimpse into the unique community partnerships that result from the Federal investment in the NEA.

NEA FUNDING BROADENS ACCESS FOR UNDERSERVED COMMUNITIES

One of the most valuable services the NEA provides is to improve public access to the arts. The *Challenge America* grant category offers support primarily to small and mid-sized organizations for projects that extend the reach of the arts to popu-

lations whose opportunities to experience the arts have been limited by geography, economics, or disability. The Billings Symphony Orchestra & Chorale (BSO&C), with its four full-time and four part-time staff and approximately 70 orchestra musicians, used its *Challenge America* grant to present guest artist Rex Richardson as trumpet soloist for several events, including a free concert and education and engagement programs in downtown Billings and in the town of Hardin. Among the schools Mr. Richardson visited were Hardin Middle School (a 100 percent Title I school that combines with several schools from the neighboring Crow Indian Reservation), Senior High School (a Title I school in Billings), and Montana State University-Billings. Mr. Richardson's master clinic for the Hardin middle school brass students proved to be an especially rewarding experience for an autistic high school band student who was unable to travel with the band to a State basketball tournament. Mr. Richardson deputized this young man to help with one group of middle school students while he worked with another; the orchestra's director of education reported "This young man's smile never left his face because he was given a chance to work with someone of Mr. Richardson's caliber and was also given the chance to help other younger students while the rest of his band members were away." Approximately 800 Montanans, including this high school student, had truly memorable experiences thanks to NEA support.

The Spokane Symphony, with a staff of 25, received an NEA *Art Works* grant for "Music Heals," a unique collaboration with the Spokane Indian Reservation inspired by the words of a Spokane Tribal Elder: "We won't heal until we all remember to sing, drum, and dance." The intergenerational program brought together students in the Wellpinit School District, Spokane Tribal Elders, and the community through music education in traditional instruments and interactive performances with the orchestra. By uniting music education and traditional Native American musical arts and storytelling, this collaboration encouraged students to participate in life-changing music-making. The orchestra performed on the grounds of the Spokane Tribe for a collaborative concert and cultural exchange with students performing on hand-made flutes and drums alongside members of the orchestra.

With a full-time administrative staff of seven and upward of 100 part-time professional musicians, the West Virginia Symphony Orchestra (WVSO) serves more than 35,000 West Virginians a year, many of whom live in isolated communities. An *Art Works* grant helped support the WVSO's statewide touring and community engagement project, bringing award-winning educational programs to communities such as Beckley, Elkins, Fairmont, and Parkersburg. The WVSO used music as a point of entry to help learners gain a better understanding of music, math, and other disciplines. Helping to shape the next generation of creative thinkers, productive citizens, and community leaders through the arts can make a difference in communities where unemployment and poverty rates are high and educational attainment rates low. NEA support is essential for the WVSO's statewide touring and engagement work.

Another orchestra taking to the open road to engage with communities well beyond their concert hall is the Utah Symphony. The Great American Road Trip (GART) is a follow up to the symphony's 2014 Mighty 5® Tour, and this venture will take the orchestra on a 1,200-mile tour of Utah this late summer. Free outdoor performances and educational activities in rural communities will offer opportunities to pay homage to Utah's landscape and to the country's Native American heritage. Thanks to support from the NEA, the Utah State Legislature, and Signature Sponsor the George S. and Dolores Doré Eccles Foundation, this tour will strengthen existing collaborations with other organizations and individuals in outlying communities, build new partnerships, and most importantly, enable the orchestra to fulfill its mission to "connect the community through great live music." NEA support is an important component in allowing the Utah Symphony, with its 67 full-time and 15-part time staff, two librarians, and 86 musicians, to make music accessible to the people throughout Utah, and this critical investment has long-lasting impact that creates both an artistic legacy and broader community engagement.

#### NEA FUNDING SUPPORTS EDUCATING OUR COUNTRY'S YOUTH

With six full-time and four part-time/contract staff members and 62 musicians, the Chattanooga Symphony & Opera (CSO) maximized its *Art Works* grant to support "Sound Beginnings," a series of educational programs that includes sending principal musicians from the orchestra to perform at no charge as many as 60 times for more than 25,000 students in a 12-county area. Additionally, nearly 7,000 third grade students in Hamilton County schools attended the CSO's Young People's Concerts free of charge this year. During the course of its varied educational offerings, the CSO learned that many families often felt uncomfortable attending cultural

events because their children with special needs might respond to music differently. With assistance from the Tennessee Arts Commission's Accessibility Office, the CSO immediately began efforts to offer programs for families and children with autism, Down Syndrome, and other disabilities. The resulting Saturday morning, "Sensory Friendly Concert" series in a variety of Chattanooga locations provided a welcoming and inviting way for these previously underserved children and families to interact with music and the CSO. One first-time attendee wholeheartedly affirmed the value of this series: "We just wanted to say thank you for doing these sensory friendly concerts. Our son loves music but would never be able to sit quietly through a concert with drums, etc. This way he (we all!) were able to enjoy the beautiful music! Thank you again!" With such enthusiasm from families and the community for this program, the CSO plans to continue—and perhaps expand—this series in the upcoming season.

The Anchorage Symphony Orchestra (ASO), with just four full-time employees and more than 100 musicians, brings orchestral music to thousands of students far beyond its immediate region. An *Art Works* grant helped to support ASO's Young People's Concerts (YPCs), a collaboration with Anchorage School District music educators to encourage participation in school instrumental music programs among elementary school students. Each year, the ASO pays for buses to bring approximately 7,000 students from communities 75 miles north and 50 miles south of Anchorage to attend the concerts, and it waives the \$5 admission fee for any student who cannot afford it. Although the ASO is pleased to introduce many of these students to a professional orchestra for the first time, its main goal is to plant the seed for extended musical participation. During a recent conversation, Dr. Bruce Wood, Director of the Anchorage School District's Music and Fine Arts Department, shared that a stunning ninety-three percent (93 percent) of ASD sixth graders elect to start band and orchestra. He wrote, "I consider the Young People's Concerts as vital to a healthy music education for the children of the Anchorage School District."

#### NEA FUNDING SUPPORTS AMERICAN ARTISTRY AND THOUGHTFUL COMMUNITY ENGAGEMENT

The NEA provided *Art Works* funding to Pacific Symphony for its annual American Composers Festival, supporting four live concert performances that featured the musical works of California-based composers Frank Ticheli (a past composer-in-residence), John Adams (celebrating his 70th birthday), and Peter Boyer with his "Ellis Island: The Dream of America." Pacific Symphony's project focused not just on this showcase of California artists, but on taking a closer look at its culturally diverse Orange County home base. With a staff of 50 full-time employees and 88 musicians, the Symphony offers a variety of low-cost participatory programs, community-wide engagement, and free public performances. Recent projects include a side-by-side amateur instrumental program, an annual Community Ensembles Festival paired with free outdoor Plazacasts of live concerts, and an annual "Lantern Festival" celebrating Chinese New Year, which attracted 4,200 residents and visitors thanks to a partnership with the Irvine Chinese School and Bowers Museum. Pacific Symphony's programs have been intentionally designed to engage new audiences, offer unusual platforms and locations for engagement, and strategically build upon one another.

The Portland Symphony Orchestra (PSO) in Maine is using an *Art Works* grant to help showcase local talent and creative assets. With 16 staff members and 84 musicians, the PSO delivers programs that serve more than 100,000 people each season, and thanks to an fiscal year 2017 *Art Works* grant, will be offering a special program this fall to celebrate the tenth and final season of its music director, Robert Moody. The program will feature *The Book of Matthew*, which American composer Mason Bates has re-written for choir and organ. The residents of Maine will be the first to hear this new version, which will feature Maine's top vocal ensemble, Choral Arts, as well as the Kotzschmar Organ. The program will also feature Leonard Bernstein's Symphony No. 1 "Jeremiah," and end with Karl Jenkins's *The Armed Man*—a work that will be performed for the first time in Maine with an orchestra. The overall program is inspired by Bernstein's famous quote in the wake of President Kennedy's death: "This will be our reply to violence: to make music more intensely, more beautifully, more devotedly than ever before." Jenkins's piece ends powerfully with a hope for peace in a new millennium, bringing a note of optimism to a thought-provoking program that also honors the 100-year anniversary of the Armistice. With increased support from the NEA, the PSO can continue to present programming that shares world-class artistry and provokes thoughtful dialogue and meaningful reflection with Maine residents.

Thank you for this opportunity to convey the tremendous value of NEA support for the communities served by orchestras throughout our country. Orchestras provide countless innovative collaborations, thoughtful programming for underserved communities, and lifelong learning opportunities in service to adults and children in communities of all sizes. As orchestras continually strive to share the power and benefits of music to more people, we applaud the NEA's national leadership in promoting excellence and engagement with high-quality artistry. We urge you to increase our Nation's creative potential and access to the arts by approving \$155 million in funding for the National Endowment for the Arts in fiscal year 2018.

[This statement was submitted by Jesse Rosen, President and CEO.]

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PREPARED STATEMENT OF THE LITERARY NETWORK

The Literary Network (LitNet) is a coalition of 68 literary organizations from across the country. Our members represent independent presses, literary journals, educational institutions, and hundreds of thousands of writers and individuals who love and appreciate the written word.

Since 1965, the National Endowment for the Arts has supported art and arts education initiatives in every congressional district in the United States, and the agency serves as an important economic driver for those communities. Every \$1 of NEA funding leverages \$9 in private and public dollars and fuels a dynamic cultural economy that generates millions of American jobs.

Literature inspires, enriches, educates, and entertains. It reminds us that there is beauty and joy in language, that others have insights worth paying attention to, that in our struggles we are not alone. By helping writers and translators create new work and connect with audiences through publishers and other literary organizations and programs, the National Endowment for the Arts celebrates literature as an essential reflection of our Nation's rich diversity of voices. In the past 50 years, the NEA has given over \$162 million to literary nonprofits and individual writers across the United States.

On September 29th, 1965, President Johnson signed the National Arts and Humanities Act of 1965, and never have these words from that act rung truer than today:

“The world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit.”

The President's proposed fiscal year 18 budget will cut the budget of the National Endowment for the Arts from approximately \$150 million to \$29 million, effectively scaling down the program to nonexistence past 2018. This is unacceptable. By eliminating this funding, the administration is waging an assault on free expression, on the impact the arts have on the economy, and the role arts play in education, healing, and innovation. The fiscal year 17 budget of the National Endowment for the Arts makes up merely .004 percent of the Federal budget. This is just 46 cents for every American, less than the cost of a single stamp. Last year, the NEA made more than 2,400 grants in almost 16,000 communities in every congressional district across the country.

The U.S. Bureau of Economic Analysis reports that the arts and culture sector is a \$704 billion industry, or 4.2 percent of the Nation's GDP—a larger share of the economy than transportation, tourism, and agriculture. The nonprofit arts industry alone produces \$135 billion in economic activity annually. The arts employ more than 4 million people in the creative industries nationally, prepare our students for the innovative thinking required in the 21st century workplace, and spur tourism. Arts organizations are spirited and entrepreneurial businesses. They employ people locally, purchase goods and services from within their communities, and market and promote their regions. The arts creates jobs that cannot be shipped overseas.

As advocates for the literary arts, we understand the power in language, literature, and the arts, and the strength gained in sharing our thoughts and ideas in words. Art enriches our lives and opens doors to knowledge and understanding, and it is thanks to the National Endowment for the Arts that there are programs across the country that value and celebrate art and artists for their ability to touch on all aspects of the human experience.

Your support for the arts is essential to our education system, economy, and our pride as a nation. We hope you will keep this in mind as you consider legislation that funds the National Endowment for the Arts.

826 National	LitTAP
Academy of American Poets	Loft Literary Center
Alice James Books	Los Angeles Literary Alliance
American Poetry Review	Maine Writers & Publishers Alliance
Asian American Writers' Workshop	Mass Poetry
American Literary Translators Association	Miami Book Fair
Association of Writers & Writing Programs	Milkweed Editions
Authors Guild	Minerva Rising Press
Bellevue Literary Press	National Book Foundation
BOA Editions	O, Miami
CantoMundo	One Story
Cave Canem Foundation	The Operating System
Center for the Art of Translation	PEN America
Coffee House Press	PEN Center USA
Community of Literary Magazines and Presses	Pen/Faulkner Foundation
Community-Word Project	Pittsburgh Arts & Lectures
Copper Canyon Press	Poetry Foundation
Creative Nonfiction Foundation	Poetry Slam
Downtown Writers Center, YMCA of Greater Syracuse	Poetry Society of America
Epiphany Magazine	Poets & Writers
Fishtrap	Poets House
Four Way Books	Rain Taxi
Graywolf Press	Sarabande Books
Grubstreet	Seattle Arts & Lectures
Hugo House	Seattle City of Literature
Just Buffalo Literary Center	Small Press Distribution
Kundiman	Split This Rock
Lambda Literary	Teachers & Writers Collaborative
Letras Latinas, Institute for Latino Studies, University of Notre Dame	University of Arizona Poetry Center
Lighthouse Writers Workshop	Urban Word NYC
Literary Arts	Utah Humanities
Literary Freedom Project	Wick Poetry Center
	Wordsmitten Media
	Words Without Borders
	Writers in the Schools
	Zyzzzyva

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PREPARED STATEMENT OF THE LOWER ELWHA KLALLAM TRIBE

Chairman Blunt, Members of the subcommittee and the distinguished Gentleman from the 6th District in Washington State representing my Tribe, Congressman Derek Kilmer. I am Frances Charles, Chairwoman of the Lower Elwha Klallam Tribe, an elected position that I have been honored to hold for the past 12 years. Thank you for providing me this opportunity to testify on the Bureau of Indian Affairs (BIA), Indian Health Service (IHS), and Environmental Protection Agency (EPA) budgets for fiscal year 2018. My testimony identifies our most urgent Tribal-specific funding needs at the Lower Elwha Klallam Tribe. We are also supporting some Regional and National budget requests which will benefit the Lower Elwha citizens and community.

TRIBAL-SPECIFIC REQUESTS FOR LOWER ELWHA KLALLAM TRIBE

*Bureau of Indian Affairs*—\$5.43 Million

1. *\$4.972 Million*—Dam Removal and Fisheries Restoration—Public Law 102-495, Elwha River Ecosystem and Fisheries Restoration Act
  - a. *\$702,000*—Salmon Hatchery O&M
  - b. *\$270,000*—Flood Control Levee O&M
  - c. *\$4 million*—Land Acquisition
2. *\$267,000*—Tribal Court Enhancement and Implementation of Tribal Law and Order Act (TLOA) and Violence Against Women Act (VAWA)
3. *\$191,000*—Tiwahe Initiative—Tribe seeks to assert jurisdiction in its own court system over all cases arising under the Indian Child Welfare Act (ICWA) and to become a licensing agency for foster homes

*Indian Health Service*—\$500,000—Mental Health and Chemical Dependency programs

*Environmental Protection Agency*—\$356,000—Environmental Programs

1. \$125,000—General Assistance Grant (GAP)
2. \$81,000—Clean Water Act § 106 Grant
3. \$150,000—Puget Sound Partnership Tribal Capacity Grant

*Contract Support Costs—Past, Present and Future*

As a Self-Governance Tribe, Lower Elwha has been impacted by the Federal Government's refusal to pay full contract support costs (CSC) for contracted and compacted programs for the past two decades. In 2014 and 2015, the Supreme Court determined that Tribes were entitled to CSC. The game-changer going forward was the ground-breaking decision by Congress in Public Law 114–113, Consolidated Appropriations Act, 2016, to create a new account in the appropriations bill specifically for CSC in 2016 and 2017 as well as language establishing an indefinite appropriation for CSC in both agencies. Under the new budget structure the full CSC that Tribes are entitled to will be paid and other programs will not be reduced if payments are underestimated in the President's budget. Tribes agree that this structure achieves the Nation's legal obligation to fully pay CSC without imposing any corresponding reduction in direct services to any Tribe. We also continue to request to fully fund CSC on a mandatory basis in fiscal year 2018–2021 and make it a permanent, indefinite appropriation.

*The Lower Elwha Klallam Tribe*

The Lower Elwha Indian Reservation is located at the mouth of the Elwha River along the Strait of Juan de Fuca on the northern Olympic Peninsula, about 8 miles west of the City of Port Angeles, Washington. The Lower Elwha Tribe has roughly 1,000 members and a total land base—Reservation and adjacent trust lands—of about 1,000 acres. We are a salmon people with fishing rights in a large expanse of marine and fresh waters, reserved in the 1855 Treaty of Point No Point. To date, our economic development opportunities have been limited and we believe our long-term prospects are tied to natural resources restoration and preservation in an ecologically rich region where an extraction-based economy is well past its prime.

#### LOWER ELWHA TRIBAL-SPECIFIC FUNDING REQUESTS

*\$5.43 Million—Bureau of Indian Affairs*

1. *\$4.972 Million—Dam Removal and Fisheries Restoration.*—We were the leading advocate for the removal of the two hydro-electric dams on the Elwha River. In accordance with Congress's direction in the Elwha River Ecosystem and Fisheries Restoration Act of 1992 (Elwha Act), Public Law 102–495, we are working closely with the National Park Service and other agencies to remove the last remnants of the dams and restore the once famously abundant runs of native Elwha River salmon and steelhead. Unfortunately, removal of the dams caused a short-term threat to the salmon runs (due to sediment released from behind the former dams) and has adversely impacted our small Tribal land base and our Tribal budgets. We are strongly committed to the restoration of fisheries, fish habitat, streams and rivers, and the Port Angeles Harbor. We urgently need increased Self-Governance funds to support the operation of dam removal mitigation and restoration features and to revive our other Self-Governance activities from which we have been forced to transfer funds to support dam removal mitigation.
  - a. *\$702,000—Salmon Hatchery O&M Costs.*—Fish Hatchery Operations Budget for the ongoing operation and maintenance (O&M) of our state-of-the-art hatchery, which went online in 2011. This is a significant increase of \$601,929 annually, but one that is amply justified by the crucial role that our hatchery serves in dam removal and fishery restoration. Our hatchery is a genetic preserve for native Elwha salmonids, which have been on the verge of extirpation from the impacts of the dams and which have been further threatened by the enormous sediment load unleashed by the removal of the dams. The National Marine Fisheries Service would not have approved dam removal under the Endangered Species Act without the hatchery's native salmonid programs. The Tribe should not have to bear the O&M cost of this important restoration facility that in fact benefits the entire region.

- b. *\$270,000—Flood Control Levee O&M Costs.*—The levee on our lands had to be expanded prior to dam removal in order to protect Tribal lands from the newly unleashed Elwha River and to conform to new Federal standards—clearly it is a mitigation feature of the dam removal project. In the 1992 Elwha Act, Congress intended that courts not be asked to address problems where legislative solutions would be far more effective in covering all the bases. Twenty-five years of inflation since 1992 more than justifies this increase in the current annual operations allocation of \$10,400.
- c. *\$4 million for Land Acquisition.*—Section 7(b) of the Elwha Act authorized \$4 million so that the Secretary could acquire trust lands for the Tribe in Reservation status in Clallam County, Washington, for economic development and housing. But those funds have never been appropriated. In 1934, an Interior Department report concluded that the Reservation should be 4,000 acres, but currently we have only 1,000 acres, several hundred of which (on the river's side of the levee) have to be maintained in undeveloped status as floodplain habitat. In addition, we need legislative direction to ensure that former hydro-project lands are transferred to the Tribe as contemplated in Section 3(c)(3) of the Elwha Act. The Elwha people have struggled for a century from the harm to their culture and economies caused by the Elwha River dams. We had to endure the destruction of not only the fisheries but the treaty fishers themselves and the attendant loss of our traditional and cultural livelihood; we have lost an opportunity—which will only return after another generation—to teach our children the ways of their ancestors and the Elwha life as designed by the Creator.
2. *\$267,000—Funding for Tribal Court Enhancement and to Implement TLOA and VAWA.*—Although the Interior Department and the Tribe have identified Tribal Court enhancement as a high priority, Lower Elwha has been unable to adopt the enhanced sentencing provisions authorized by the 2010 Tribal Law and Order Act (TLOA) or to exercise expanded Domestic Violence Criminal Jurisdiction under the 2013 Violence Against Women Act (VAWA) because of the lack of adequate base funding for its Tribal Court development. Requested funding will enable our Tribe to do so by providing for: (a) mandatory criminal defense representation (including basic legal assistance for domestic violence victims); (b) legal representation for parents in abuse/neglect cases; (c) detention services; (d) probation services that focus on solutions and restorative justice by sharing coordinated case management and re-entry referrals; and, (e) basic court security. Full funding for TLOA-mandated provisions and increased base funding for our Tribal Court will enable Elwha to benefit from: BIA regional assessments using Tribal Court Program Standards; specific technical assistance and training identified through these assessments; targeted training initiatives for specific Tribal court personnel (judges, prosecutors, public defenders clerks); development of Tribal Court bench books; identification of funding sources for pilot court programs; and captured data covering criminal pre-trial to post-conviction matters, including any collateral civil legal issues.
3. *\$191,000—Funding for ICW-related services from BIA's Tiwahe (Family) Initiative.*—Lower Elwha faces a community crisis with the increasing number of child abuse/neglect cases, which stem from inordinately high rates of drug/substance abuse by parents or caregivers. This crisis severely impacts services in all facets of Tribal government. A coordinated community response must be based on multi-disciplinary, culturally informed case planning and service delivery, coupled with a strong commitment to restorative justice ideals and (in criminal cases) solutions-based sentencing. A major obstacle to implementing this approach is our lack of infrastructure to assume jurisdiction over all local cases clearly arising under the Indian Child Welfare Act; 85 percent of our current ICWA cases remain in the State court system. In addition, because we are dependent on an inadequate State system for licensing foster care providers, we are often unable to make proper placements to assist our families. For the past three fiscal years, the Tribe's base Federal funding (BIA Self-Governance ICWA) has remained flat-lined at a mere \$45,000. We seek \$191,000 additional annual funding from the BIA's Tiwahe (Family) Initiative, which would enable the Tribe to assert jurisdiction in its own court system over all cases arising under the ICWA and to become a licensing agency for foster homes.



*Indian Health Service Elwha Tribal-Specific Funding Requests—\$500,000 for Elwha Health Department Programs*

The drug abuse and mental health crisis threatens to destroy the potential and the cultural connections of many Tribal members and families. In fiscal year 2016, the Tribe's Mental Health and Chemical Dependency programs served 275 American Indian/Alaskan Native (AI/AN) patients, with the potential to reach approximately 1,500 within Clallam and Jefferson County. The Tribe currently subsidizes its chemical dependency program with third-party revenue and gaming revenue to fund prevention health initiatives and chemical dependency programs, yet these critical health epidemics remain severely underfunded. To remedy this, the Center for Medicare and Medicaid Services formula must be expanded to inpatient chemical dependency treatment programs at the current encounter rate of \$391/per day, with annual increases.

*Environmental Protection Agency Elwha Tribal-Specific Funding Requests—\$356,000 for Elwha Tribal Environmental Programs (General Assistance Grant, \$125,000; Clean Water (Sec. 106) Grant: \$81,000; and Puget Sound Partnership Tribal Capacity Grant: \$150,000)*

Lower Elwha's environmental programs have developed a strong pragmatic capability to protect human and basic environmental health over the past two decades, for not only the Tribal community but also the greater Port Angeles and northern Olympic Peninsula communities. By focusing on collaboration with local governments and other stakeholders, we have maximized the efficiency of our small but skilled staff. This would not be possible without the basic EPA funding that we seek to continue. This funding supports: basic staff salaries, including for our highly experienced program director (General Assistance Grant); water quality monitoring in significant local rivers and lakes (Clean Water Grant); Tribal participation and influence in local, State, and Federal processes that involve environmental planning and review activities (General Assistance and PSP Tribal Capacity Grants). In particular, EPA funding is critical to our participation in the cleanup of toxic contamination of Port Angeles Harbor, which was nominated for Superfund but deferred to State cleanup authority; under this deferral arrangement, the Tribe has a unique and important role in this cleanup as the sole local representative working directly with the responsible State agency to ensure that the cleanup will protect the health not only of Tribal members but all residents of the greater Port Angeles area.

*Regional and National Budget Requests*

The Lower Elwha Klallam Tribe supports the fiscal year 2018 Regional Budget Priorities of the Northwest Indian Fisheries Commission, Affiliated Tribes of Northwest Indians, and the Northwest Portland Area Indian Health Board. We also support the fiscal year 2018 National Budget Priorities of the National Congress of American Indians and National Indian Health Board.

Thank you for considering the requests of the Lower Elwha Tribe.

[This statement was submitted by Honorable Frances G. Charles, Chairwoman.]

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PREPARED STATEMENT OF THE MESCALERO APACHE TRIBE

Background of the Mescalero Apache Tribe: As Europeans began to encroach on our ancestral homelands, the Mescalero Apache Tribe (Tribe) entered into the Treaty with the Apaches with the United States on July 1, 1852. The Mescalero Apache Reservation (Reservation) was created by a succession of Executive Orders in the 1870's and 1880's. The Reservation spans 720 square miles (460,405 acres) across south-central New Mexico and is home to approximately 4,900 Tribal citizens and 200 non-Indian residents.

My testimony focuses on four priorities: increased funding and services to address methamphetamine and substance abuse; construction dollars for Tribal corrections and justice systems facilities; increased funding, streamlined regulations, and access to capital for housing; and parity in funding for Tribal forest management and wild-fire prevention.

*Substance Abuse and Prevention:* In December of 2015, the DEA and Bureau of Indian Affairs (BIA) dismantled three drug trafficking organizations distributing methamphetamine on the Mescalero Apache Reservation and across southeastern New Mexico. It was clear to the Federal investigators of this sting that drug cartels targeted the Reservation as a safe haven for their criminal enterprise.

Leading up to the sting, our Reservation suffered a spike in drug-related crimes. The Federal sting was spurred by the brutal beating of a 13-year-old girl on the Reservation. Two male subjects were high on meth. The girl survived, but is still recovering from her injuries.

To this day, our Reservation continues to reel from the infliction of this poison on our people. Meth and other illegal and legal prescription drugs have devastated our community. For more than a decade now, meth has plagued our Reservation with violent crime and suicide, as well as other health issues, including birth defects traced to women using meth while pregnant.

Like other Indian nations, the Mescalero Apache Tribe is fighting to maintain our culture, language and identity, and this influence is coming in and attacking us. I look at other reservations across the country, and we're all facing this as a group. It's in big cities, small towns and villages. Mescalero is certainly not immune.

Methamphetamine has a disproportionate devastating impact on Tribal communities, accounting for up to 40 percent of violent crime in Indian Country. The epidemic of substance abuse is the root cause of many social and economic issues facing Tribes. Inadequate funding for alcohol and substance abuse services has a ripple effect on our healthcare, education, and justice systems. Congress must provide sustainable funding to help families prevent and survive these challenges.

*REQUEST:* The President's Budget requests an increase of \$678,000 for the IHS Substance Abuse program. The Mescalero Apache Tribe instead supports the recommendation put forth by the National Indian Health Board that the IHS Alcohol and Substance Abuse program be funded at \$397 million for fiscal year 2018. This is \$178.5 million above the fiscal year 2017 enacted level, and better reflects the dire situation of substance abuse facing Indian Tribes. In addition, while beyond the purview of this subcommittee, we ask that you work with your Appropriations Colleagues at Labor HHS and CJS to steer 10 percent of funding from the recently enacted CARA Initiative to address the scourge of addiction in Native communities.

*Public Safety Facility Construction:* A January 2017 DOJ Inspector General Report states that, "Violent crime rates in Indian country are more than 2.5 times the national rate and some reservations face more than 20 times the national rate of violence. However, many Tribal nations do not have the resources to develop the necessary correctional infrastructure."

Congress approved the transfer of funding for the Tribal public safety & justice construction program from the BIA to DOJ in fiscal year 1999. From fiscal year 1999–fiscal year 2002 the DOJ construction program received approximately \$35 million annually. The Tribal Law and Order Act of 2010 amended the Tribal Justice Systems Infrastructure Program (TJSIP)(42 U.S.C. 13709) to authorize funding for Indian Tribes to construct multi-purpose justice centers that house police, courts, corrections, and alternatives to correction all within one facility. The Act authorized appropriations at \$35 million annually. In recent years, DOJ's Tribal corrections construction and maintenance program has averaged less than \$7 million. In fiscal year 2014, without any Tribal consultation, the Office of Justice Programs (OJP)—Bureau of Justice Assistance determined that it "is no longer awarding grants for new construction projects. Currently, TJSIP funds are only available for renovation and/or expansion of existing facilities." See *DOJ-Inspector General Report at 82 (Jan. 2017)*.

The Mescalero Apache Tribe acknowledges that we cannot arrest our way out of the problem of violent and drug-related crime facing our community. However, any functioning justice system must employ incarceration as an option in order to deter crime and remove dangerous individuals from the public. For nearly two decades now, the Mescalero Apache justice system has operated without a local corrections center to incarcerate offenders sentenced by our Tribal Court.

The Tribe has sought funding for an adult/youth correctional facility since 1998 to replace the dilapidated BIA jail, which was just over 4,100 square feet with a small fenced area for impounded vehicles. In 2003, the BIA—without consultation—closed the jail on what was supposed to be a temporary basis. It was never reopened. In 2009, the Tribe, participating in the BIA's High Priority Performance Goal (HPPG) initiative, applied for and received an ARRA planning and design grant for a new justice center. The plan was completed in 2012 for a Mescalero Apache Justice Center that would house the Court, the Prosecutor's Office, Probation Offices, and the Public Defender's Office in addition to separate cells for male, female and juveniles. The Tribe has not been able to secure funding to continue the project.

*REQUEST:* We urge the subcommittee to either return the justice system construction program to the BIA or respectfully request that you work with your col-

leagues on the CJS Appropriations Subcommittee to restore and fully fund justice systems construction at the authorized level of \$35 million.

The Tribe generally supports the President's fiscal year 2018 Budget request to direct 7 percent of ALL OJP funding to Indian Country's justice needs, and a separate request for \$30 million for Tribal COPS. We ask that any overall increase in funding be directed to TJSIP program with direction to BJA to restore the new facilities construction program.

*Indian Housing Needs:* fiscal year 2018 testimony before the subcommittee acknowledges Indian Country's unmet need of approximately 68,000 housing units (new and replacement) that will cost in excess of \$33 billion. Mescalero's housing needs conservatively stand at 300 new homes.

While HUD, through its NAHASDA Indian Housing Block Grant program (IHBG), is the primary source of funding for housing on Indian lands, BIA's HIP is separate and distinct. HIP is a home improvement and replacement program that serves the most needy individual throughout Indian Country. HIP is a secondary, safety-net housing program that seeks to eliminate substandard housing and homelessness on Indian reservations.

*REQUEST:* The fiscal year 2017 Omnibus provided \$9.7 million for HIP an increase of \$1.7 million. This was welcome news as the program has suffered sustained cuts over the past decade. We urge the subcommittee to oppose the President's fiscal year 2018 Budget proposal to eliminate the HIP program, and instead build on the progress made in fiscal year 2017 and restore HIP funding to the fiscal year 2007 level of \$18.6 million.

The Mescalero Apache Tribe also attempts to serve our Reservation housing needs by utilizing the USDA Single Family Housing Repair Loan and Grant Program and HUD's Indian Block Grant program. (On June 21st, the Tribe will be recognized for the success we have had with the USDA program as we serve low-income homeowners with remodeling activities.) The Tribe also received one tax credit project from the State of New Mexico's Low Income Housing Tax Credit (LIHTC) program. And we have HIP and IHBG homes on the Reservation. Each of these agencies imposes a different environmental review process and requirements. The Tribe has a housing project that has been held up for several years due to delays in the multiple environmental review processes. The project came to a standstill and remains stalled.

*REQUEST:* We urge the subcommittee to add report language to streamline and unify environmental review requirements for all Federal Indian housing-related programs.

Finally, while outside the purview of this subcommittee, we urge you to reach out to your Appropriations Committee colleagues to reject any proposed cuts to the HUD Section 184 Indian Loan Guarantee Program and Title VI loan program. In addition, we ask that you work to improve the LIHTC program to guarantee that at least 10 percent of tax credits are allocated to the housing crisis on Indian lands. These programs represent vital access to outside investment capital and enable Tribes to leverage our limited Indian Housing Block Grant funds.

*Forest Management and Wildfire Prevention:* The Lincoln National Forest (LNF) and nearby BLM lands were carved out of the initial Reservation boundaries promised to the Tribe. The Mescalero people have maintained strong cultural ties to these lands. To this day, we continue to gather plants important to our traditions and conduct ceremonies on these Federal lands.

Since 1960, the Tribe has leased approximately 860 acres of LNF lands under two special use permits to establish, manage, and operate Ski Apache. The Tribe has made significant improvements to the Resort, including a recent \$15 million investment to triple the ski lift capacity and \$2.6 million for world-class zip lines to provide year-round recreation. Ski Apache employs 350 people and contributes many millions of dollars to the local economy in tourists and lodgers. To protect these investments and our sacred lands, the Tribe has a considerable interest in maintaining a healthy forest and preventing wildfires and resulting flooding.

However, Tribal forestry programs receive far less funding than our State and Federal counterparts. The 2013 IFMAT Report acknowledges that BIA allocations to Tribes average only \$2.82/acre; whereas, National Forests receive \$8.57/acre and State forests in the western U.S. average an astounding \$20.46/acre. At one-fourth to one-tenth of the funding our State and Federal counterparts receive, Tribes are

able to accomplish vastly more reductions in hazardous fuels and have healthier, functioning forest ecosystems. This work is not sustainable.

Nature provided us a preview of what will happen if the Mescalero forestry program is allowed to die. The Little Bear Fire started modestly on June 4, 2012, caused by lightning in the White Mountain wilderness in LNF. Over the ensuing five days, LNF deployed few assets and the fire jumped the fireline blazing through the Ski Apache Resort and onto Tribal lands. Within two weeks, the Little Bear Fire burned 35,339 acres in LNF, 8,522 acres of private land, 112 acres of State land and 357 acres of the Reservation. The fire also destroyed more than 255 buildings and homes in the region and 44,500 acres of prime watershed. The overall estimated cost of the fire, including suppression and damages, exceeded \$100 million.

A comparison of the impacts of the Little Bear Fire on the healthier Mescalero Tribal forests and much less healthy LNF demonstrates the need for continued funding of smart fuels management projects. In 2008, the Tribe completed an important, cost-effective hazardous fuels reduction project on the Eagle Creek portion of the Reservation. As the Little Bear Fire moved across the landscape, the previously treated Eagle Creek project area was used as a defensible space to turn the Little Bear Fire away from the steep, densely forested terrain of the North Fork of the Rio Ruidoso, and prevented complete devastation of the Village of Ruidoso source waters. The Little Bear Fire is proof positive that hazardous fuels reduction projects work to save lives, protect property, and maintain healthy forests.

Hazardous fuels funding levels must be restored to enable Tribes to continue to protect our communities. Each year, more forests throughout the country are burning, more critical watersheds are jeopardized, and more communities are placed at risk. Congress must acknowledge and fulfill the legal treaty and trust obligations of the United States to help protect and care for Indian lands and our forests as permanent homes. Tribal forestry programs must be funded accordingly. The United States must fully fund hazardous fuels treatment for Indian lands and nearby Federal lands separately from the national firefighting budgets. The fiscal year 2018 Omnibus took positive steps by increasing BIA Forestry funding to \$54.1 million, including a \$2 million increase for forest thinning projects.

*REQUEST:* We urge the subcommittee to build on this progress and support the Intertribal Timber Council's request to fund BIA Forestry at \$79.1 million (+\$25 million) as a first step towards the additional \$100 million needed for Tribal forest funding parity with other Federal forestry programs recommended in the IFMAT III report. We ask that you oppose the President's request to cut BIA Forestry funding by \$2.8 million.

[This statement was submitted by Danny Breuninger, President.]

#### PREPARED STATEMENT OF THE METLAKATLA INDIAN COMMUNITY

The requests of the Metlakatla Indian Community for the fiscal year 2018 Interior, Environment, and Related Agencies budget are as follows:

- Appropriate \$1,000,000 through the BIA Safety of Dams (SOD) program to address the hazard mitigation needs and initial planning phases for improvements at Chester Lake Dam.
- Move forward with full and mandatory funding for Contract Support Costs (CSC).
- Funding for Tribal courts in Public Law 83-280 States.
- Shield IHS funding from sequestration.
- Support for additional funding for Village Built Clinics.

The Metlakatla Indian Community (MIC) is located on the Annette Island Reserve in southeast Alaska, a land base of 87,000 acres. Through our Annette Island Service Unit we provide primary health services at our outpatient facility through funding from the IHS as a co-signer to the Alaska Tribal Health Compact under the Indian Self-Determination and Education Assistance Act. We have significant fish and forestry resources, but as noted elsewhere in this testimony, we require more resources to fully manage them.

#### *Chester Lake Dam*

Chester Lake is the sole municipal water supply, so maintaining this reservoir is essential to the survival of the Tribe. Measures to secure and improve this water supply are a high priority to Tribal leaders. It is this consideration that led the Emergency Preparedness Task Force to enforce the cessation of hydropower operations from Chester Lake during the extremely low water period from July to September in 2016.

This had the effect of making the Tribe rely more heavily on diesel power generation and the Purple Lake Dam. The Bureau of Indian Affairs (BIA) Safety of Dams Downstream Hazard Classification Study 2016 was performed in summer 2016 to determine if the dam's hazard classification needed to be re-evaluated and to begin potential work to make improvements to this reservoir.

This process is part of the oversight provided by BIA SOD to ensure the safety of dams in Indian Country. In March 2017, SOD informed MIC that the Chester Lake Dam qualified to have its hazard classification upgraded from low to high hazard, thereby requiring additional comprehensive evaluation of the Dam, its status and steps to take to prevent any kind of an emergency or hazard to the community health and wellness.

The MIC has determined, through this process, that \$1,000,000 in infrastructure funding is necessary to make safety improvements at Chester Lake Dam, as well as carry out necessary planning and studies for expansion of the dam's storage and hydropower production capacity. The total cost of this project will be approximately \$12 million, but the initial funding will allow for immediate safety measures to be implemented to protect the drinking water supply while planning for the Phase 2 improvements that will increase not only water storage capacity but also expanded hydropower production from Chester Lake Dam.

#### *Contract Support Costs (CSC)*

Our great thanks for this subcommittee's leadership in making funding of IHS and BIA contract support costs (CSC) for fiscal year 2016, and now fiscal year 2017, an indefinite amount and also having made it a separate account in the IHS and BIA budgets. This shift makes an enormous difference in helping ensure that the Indian Self-Determination and Education Assistance Act (ISDEAA) is fully funded and implemented as Congress intended in these two agencies. It also significantly enhances the Federal-Tribal government-to-government relationship. For IHS, the fiscal year 2017 estimate for contract support costs is \$800 million, and for the BIA it is \$278 million.

Thank you also for listening to Tribes who explained why the problematic IHS-supported fiscal year 2016 enacted bill proviso which effectively denied the CSC carryover authority granted by the ISDEAA. We appreciate that this proviso is absent from the Consolidated Appropriations Act for fiscal year 2017.

Our objective, though, continues to be the indefinite appropriation of CSC funding as mandatory and permanent. Full payment of CSC is not discretionary; it is a legal obligation under the ISDEAA, affirmed by the U.S. Supreme Court. Funding of CSC on a discretionary basis has in the very recent past placed the House and Senate Appropriations Committees, in their own words, in the "untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs." We remain committed to working with the appropriate congressional committees to determine how best to achieve this objective.

#### *Tribal Court Assistance for Tribes Subject to Public Law 83-280*

We appreciate the much-needed support in the fiscal year 2017 appropriations bill for Tribes who are affected by Public Law 83-280 and who are striving to serve their communities with competent and appropriate judiciary systems.

The fiscal year 2017 Explanatory Language accompanying the Consolidated Appropriations Act, fiscal year 2017 would increase BIA Tribal Justice Support funding for Tribes affected by Public Law 83-280 (first enacted during the early 1950s termination era) who are working to exercise their rightful jurisdiction on domestic violence and other matters, and to increase available remedies and services for crime victims. It is very important for the future of Tribal nations affected by Public Law 83-280 to continue development of robust criminal jurisdiction systems. We quote below the fiscal year 2017 language:

"Funding for Tribal justice support is restored to \$17,250,000, of which not less than \$10,000,000 is to address the needs of Tribes affected by Public Law 83-280. The Committees remain concerned about Tribal court needs as identified in the Indian Law and Order Commission's November 2013 report, which notes Federal investment in Tribal justice in "Public Law 280" States has been more limited than elsewhere in Indian Country. The Committees expect the Bureau to work with Tribes and Tribal organizations in these States to fund plans that design, promote, sustain, or pilot courts systems subject to jurisdiction under Public Law 83-280. The Bureau is also directed to formally consult and maintain open communication throughout the process with Tribes and Tribal organizations on how this funding supports the technical infrastructure and future Tribal court needs for these jurisdictions."

*Shield IHS Funding From Sequestration*

We have requested in our previous years' testimony that the IHS budget be protected from sequestration. We again ask this subcommittee's support of an amendment to the Balanced Budget and Emergency Deficit Control Act to exempt the IHS from sequestration of funds, just as Congress has done for the Veterans Health Administration's health programs. We are very concerned that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal year 2017 spending cap, and when considered along with the President's "skinny" fiscal year 2018 budget outline proposal, which significantly lowers non-defense discretionary spending, we fear a significant sequestration of funds in fiscal year 2018. IHS funding for healthcare services should be made exempt from sequestration.

*Village Built Clinics*

We thank Congress so much for the \$11 million for Tribal health clinic leases in the fiscal year 2017 Consolidated Appropriations bill, and in particular for Senator Murkowski's determination in advocating for these very small clinics which are the health lifeline in rural Alaska villages. We ask everyone to put yourself and your family in the position of living in a tiny, incredibly remote village with no roads and challenging weather and needing the healthcare that can be provided by trained community members and the health professionals who rotate in and out of those communities and utilize the small clinics as headquarters. We are also pleased that the House Natural Resources Subcommittee on Indian, Insular, and Alaska Native Affairs hearing on Indian infrastructure needs in Indian Country, with the support and participation of Representative Don Young, included a discussion of the needs of Village Built Clinics. It was an appropriate subject as many of the Village Built Clinics are in disrepair and there is great need for a reserve fund for their upkeep and expansion. In 2015, the Alaska Native Health Board estimated that \$14 million annually was needed to fund a replacement reserve to address the crisis state of the clinics.

We support increased funding for Village Built Clinics and request that the funding be: (1) recurring, (2) a separate line item in the IHS budget, and (3) displayed in the Budget Justification to better enable planning and certainty. The fiscal year 2017 funding is supplemental to the approximately \$4.5 million already being provided to those life-saving small clinics and should be so reflected. In 2015, the Alaska Native Health Board estimated that \$12.5 million was needed in addition to the existing \$4.5 million base. Accordingly, the \$11 million increase in fiscal year 2017 was a major step forward but still does not cover the full amount of need. In addition, without a separate line item for Village Built Clinics, much of the funding could be distributed to other types of facility leases, leaving the Village Built Clinics coming up short.

We are glad to provide any additional information you may request. Thank you for your consideration of the concerns and requests of the Metlakatla Indian Community.

[This statement was submitted by Audrey Hudson, Mayor.]

PREPARED STATEMENT OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Chairwoman Murkowski, Ranking Member Udall, and Members of the subcommittee:

The Metropolitan Water District of Southern California (Metropolitan) encourages the subcommittee's support for fiscal year 2018 Federal funding of \$1.5 million in financial assistance from the Bureau of Land Management's (BLM) Soil, Water and Air Program for the Colorado River Basin Salinity Control Program (Salinity Control Program) to prevent further degradation of Colorado River water quality and increased economic damages.

The salt concentration in the Colorado River causes over \$382 million in damages to water users each year. While this figure is significant, had it not been for the efforts of the Salinity Control Program, damages would be much higher. Salinity Control Program actions have reduced salinity concentrations of Colorado River water over 90 milligrams per liter (mg/L) from what they would have been without the actions. That reduction has avoided additional damages of over \$200 million per year. Modeling by Reclamation indicates that the economic damages will rise to approximately \$614 million by the year 2035 without continuation of the program.

Metropolitan is the regional water supplier for most of urban Southern California, providing supplemental water to retail agencies that serve approximately 19 million

people. Water imported via the Colorado River Aqueduct has the highest level of salinity of all of Metropolitan's sources of supply, averaging around 630 mg/L since 1976. This salinity level causes economic damages to all sectors. For example, high salinity leads to:

- A reduction in the useful life of water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and an increased use of water softeners in the household sector;
- An increase in the cost of cooling operations, additional need for and cost of water softening, and a decrease in equipment service life in the commercial sector;
- An increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;
- A decrease in the life of treatment facilities and pipelines in the utility sector;
- Difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins, and fewer opportunities for recycling due to groundwater quality deterioration;
- Increased cost of desalination and brine disposal for recycled water in the municipal sector; and
- A reduction in the yield of salt sensitive crops and increased water use for leaching in the agricultural sector.

Concern over salinity levels in the Colorado River has existed for many years. To deal with the concern, the International Boundary and Water Commission signed Minute No. 242, Permanent and Definitive Solution to the International Problem of the Salinity of the Colorado River in 1973, and the President signed the Colorado River Basin Salinity Control Act of 1974 (Act) into law. To further foster interstate cooperation and coordinate the Colorado River Basin States' efforts on salinity control, the seven Basin States formed the Colorado River Basin Salinity Control Forum.

The Forum is charged with reviewing the Colorado River's water quality standards for salinity every 3 years. In so doing, it adopts a Plan of Implementation consistent with these standards. The Plan of Implementation, as adopted by the States and approved by EPA in 2014, calls for 67,000 tons of additional salinity control measures to be implemented by Reclamation, the Natural Resources Conservation Service (NRCS) and the BLM by 2018.

EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. In implementing the Colorado River Basin Salinity Control Act in 1974, Congress recognized that most of the salts in the Colorado River originate from these federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to the quality of waters being delivered to Mexico. Title II of the Act deals with improving the quality of the water delivered to users in the United States. This testimony deals specifically with Title II efforts.

In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003, BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin and to pursue salinity control studies and to implement specific salinity control practices. BLM is now working on creating a comprehensive Colorado River Basin salinity control program as directed by Congress.

Meaningful resources have been expended by BLM in the past few years to better understand salt mobilization on rangelands. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in additional economic damages to water users downstream.

Implementation of salinity control practices through BLM is a cost effective method of controlling the salinity of the Colorado River and is an essential component to the overall Colorado River Basin Salinity Control Program. Continuation of adequate funding levels for salinity within the Soil, Water and Air Program will assist in preventing the water quality of the Colorado River from further degradation and significant increases in economic damages to municipal, industrial and irrigation users. A modest investment in source control pays huge dividends in improved drinking water quality to nearly 40 million Americans.

Metropolitan urges the subcommittee to support funding for fiscal year 2018 of \$1.5 million from the Bureau of Land Management's (BLM) Soil, Water and Air Program for the Colorado River Basin Salinity Control Program.

[This statement was submitted by Jeffrey Kightlinger, General Manager.]

PREPARED STATEMENT OF THE NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION

On behalf of the National American Indian Court Judges Association (NAICJA), this testimony addresses important programs in the Department of Interior, Indian Health Service, Bureau of Indian Affairs, and Environmental Protection Agency as they concern Tribal justice system funding. Specifically, NAICJA joins the National Congress of American Indians (NCAI) in requesting:

Program	NCAI Fiscal Year 2018 Request
DOI: Bureau of Indian Affairs	Provide increases via Tribal base funding instead of through grants
DOI: Bureau of Indian Affairs	\$82 million in additional funding for base funding for Tribal courts

NAICJA is a national, non-profit association comprised of Tribal justice personnel, including Tribal leaders, judges, justices, court administrators, court clerks, Indian law practitioners and scholars, and others devoted to supporting and strengthening Tribal justice systems. NAICJA's mission, as a national representative membership organization, is to strengthen and enhance Tribal justice systems through education, information sharing, and advocacy. Established in 1969, NAICJA has a long history of dedication to providing educational support for Tribal court judges and court-related personnel.

Tribal justice systems are the primary and most appropriate institutions for maintaining order in Tribal communities. The vast majority of the approximately 350 Tribal court systems function in isolated rural communities. These Tribal justice systems face many of the same difficulties faced by other isolated rural communities, but these problems are greatly magnified by the many other complex problems that are unique to Indian country.

Tribal justice systems are faced with a wide range of difficult criminal and civil justice problems on a daily basis, including lack of jurisdiction over non-Indians, complex jurisdictional relationships with Federal and State criminal justice systems, inadequate law enforcement, great distance from the few existing resources, lack of detention staff and facilities, lack of sentencing or disposition alternatives, lack of access to advanced technology, and lack of substance abuse testing and treatment options, among other issues.

Part of the Federal trust responsibility to Indian Tribes includes basic governmental services in Indian Country, funding for which is appropriated in the discretionary portion of the Federal budget. Tribal governments exist to protect and preserve their unique cultures, identities, and natural environments for posterity. As governments, Tribes must deliver a wide range of critical services, such as education, workforce development, and first-responder and public safety services, to their citizens. The Federal budget for Tribal governmental services reflects the extent to which the United States honors its promises to Indian people.

Yet Tribal justice systems historically have been under-funded and continue to be under-funded in most Tribal communities. In 1991, the United States Civil Rights Commission found that "the failure of the United States Government to provide proper funding for the operation of Tribal judicial systems . . . has continued for more than 20 years."<sup>1</sup> The Commission also noted that "[f]unding for Tribal judicial systems may be further hampered in some instances by the pressures of competing priorities within a Tribe."<sup>2</sup> Moreover, they opined that "[i]f the United States Government is to live up to its trust obligations, it must assist Tribal governments in their development. . . ."<sup>3</sup> The Commission "strongly support[ed] the pending and proposed congressional initiatives to authorize funding of Tribal courts in an amount equal to that of an equivalent State court" and was "hopeful that this increased funding [would] allow for much needed increases in salaries for judges, the

<sup>1</sup>United States Commission on Civil Rights, *The Indian Civil Rights Act: A Report of the United States Commission on Civil Rights* 71 (June 1991).

<sup>2</sup>*Id.*

<sup>3</sup>*Id.*



retention of law clerks for Tribal judges, the funding of public defenders/defense counsel, and increased access to legal authorities.”<sup>4</sup> The Indian Law and Order Commission (ILOC) noted that in addition to funding shortfalls, short-term, competitive funding approach is deficient because it reflects Federal priorities rather than Tribal ones, favors hired grant-writers, requires Tribes to compete against each other, and offers only 3-year programs that often leave Tribes with staff turnover and short-term programs.<sup>5</sup>

#### *Allocate \$82 Million for Tribal Base Funding*

In September 2015, the Bureau of Indian Affairs submitted a report to Congress that revealed that the BIA is funding most Tribal courts at a dismal 6 percent of estimated need.<sup>6</sup> The BIA estimates that full funding for Tribal courts would cost over \$860 million. For Tribal courts operating in Public Law 280 jurisdictions, funding has been even lower. BIA estimates that it would cost an additional \$16.9 million for Tribes in mandatory Public Law 280 jurisdictions to be funded at 6 percent of need noting that “while \$16.9 million would not be widely viewed as robust or perhaps even adequate, it would match existing levels of funding in non-Public Law 280 States, which reflect a constrained fiscal environment.”

The critical financial need of Tribal courts ultimately led to the passage of the Indian Tribal Justice Act (the “Act”).<sup>7</sup> Congress found that “[t]ribal justice systems are an essential part of Tribal governments and serve as important forums for ensuring public health, safety and the political integrity of Tribal governments.”<sup>8</sup> Affirming the findings of the Civil Rights Commission, Congress further found that “Tribal justice systems are inadequately funded, and the lack of adequate funding impairs their operation.”<sup>9</sup> In order to remedy this lack of funding, the Act authorized appropriation base funding support for Tribal justice systems in the amount of \$50,000,000 for each of the fiscal years 1994 through 2000.<sup>10</sup>

To carry out the provisions of the Indian Tribal Justice Act, Congress authorized annual appropriations of over \$58 million annually for each of the fiscal years 1994–1999 with \$50 million annually for base support funding for Tribal justice systems. In today’s dollars this would be \$82 million per year, which would be less than 10 percent of the overall need estimated by BIA. Unfortunately, a total of only \$5 million of the more than \$58 million per year appropriated was actually appropriated through 1999.<sup>11</sup> Since Congress enacted the Indian Tribal Justice Act in 1993, the needs of Tribal court systems have continued to increase, but there has been no corresponding increase in funding for Tribal court systems.<sup>12</sup>

Despite numerous congressional reauthorizations of the Act over the past couple of decades—most recently in the Tribal Law and Order Act (TLOA)<sup>13</sup>—funds have never been appropriated to implement the Act. The Act does not differentiate between Tribes subject to Public Law 280 jurisdiction or not. The promise of this much-needed base funding must be fulfilled. We ask Congress to commit to fully funding Tribal courts within the next 5 years by incrementally increasing funding each year.

#### *Conclusion*

Thank you for your consideration of this testimony. For more information, please contact A. Nikki Borchardt Campbell at [nikki@naicja.org](mailto:nikki@naicja.org) or Ansley Sherman at [ansley@naicja.org](mailto:ansley@naicja.org).

<sup>4</sup> Id.

<sup>5</sup> Indian Law and Order Commission, *A Roadmap for Making Native America Safer: Report to the President & Congress of the United States* 83 (2013) [hereinafter ILOC Report].

<sup>6</sup> “Report to the Congress on The Budgetary Cost Estimates of Tribal Courts in Public Law 83–280 States,” Bureau of Indian Affairs, Office of Justice Services (Sept. 16, 2015).

<sup>7</sup> Public Law No. 103–176 (codified at 25 U.S.C. § 3601 *et seq.*)

<sup>8</sup> 25 U.S.C. § 3601(5).

<sup>9</sup> 25 U.S.C. § 3601(8).

<sup>10</sup> 25 U.S.C. § 3621(b).

<sup>11</sup> United States Commission on Civil Rights, *A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country* 79 (2003) [hereinafter “A Quiet Crisis”].

<sup>12</sup> In 2000, Congress reaffirmed the Congressional commitment to provide this increased funding for Tribal justice systems when it reauthorized the Act for seven more years of funding at the same level of more than \$58 million per year through the Indian Tribal Justice Technical and Legal Assistance Act. *See* Pub. L. No. 106–559 § 202.

<sup>13</sup> Tribal Law and Order Act, Public Law 111–211, Sec. 242 (2010).

## PREPARED STATEMENT OF THE NATIONAL ASSEMBLY OF STATE ARTS AGENCIES

Chairman Calvert, Ranking Member McCollum and Members of the subcommittee, thank you for the opportunity to submit this testimony regarding Federal appropriations for the National Endowment for the Arts in fiscal year 2018. My name is Pam Breau, and I am the Chief Executive Officer of the National Assembly of State Arts Agencies (NASAA), the organization representing the State and jurisdictional arts agencies of the United States. Today, I urge your committee to support funding the National Endowment for the Arts (NEA) at \$155 million in fiscal year 2018.

Last year, while considering funding for fiscal year 2017, this Committee voted unanimously to increase funding for the agency by \$500,000. The States and NASAA are extremely grateful to the subcommittee for this, particularly given the limitations Congress faces because of sequestration. As you look to the next budget, NASAA hopes you will consider increasing funding for the NEA, which makes a substantial impact in communities throughout the United States.

In asking for an increase in funding for the NEA, it is important to acknowledge the continued bipartisan support that this subcommittee and Congress have demonstrated for State arts agencies. Through a highly effective Federal-State partnership, the NEA distributes 40 percent of its programmatic funds to State and regional arts agencies each year, amounting to \$41 million in fiscal year 2016; these dollars help to leverage additional public and private investments in the arts, empower States and regions to address their unique priorities, and serve far more constituents than Federal funds alone could reach.

State arts agencies use their share of NEA funds, combined with funds from State legislatures, to support 21,000 grants to arts organizations, civic organizations, schools and artists in more than 4,400 communities across the United States. Twenty-six percent of State arts agencies' grant awards go to nonmetropolitan areas, supporting programs that strengthen the civic and economic sustainability of rural America. Thirty-nine percent of State arts agencies' grant awards go to arts education, fostering student success in and out of school and providing the critical thinking, creativity and communications skills needed to meet the demands of today's competitive work force. Congress's ongoing endorsement of the 40 percent formula is essential to State arts agencies, boosting their ability to drive innovation in their States.

Throughout the country, State arts agencies play significant roles in shaping education policy, stimulating economic growth and helping communities thrive as rewarding and productive places to live, conduct business, visit and raise families. Should Congress support an increase for the NEA, State arts agencies will be able to expand their meaningful role in helping every congressional district have full opportunities to experience the economic, civic and cultural benefits that the arts offer. An example area of focus for NASAA and State arts agencies is the NEA's work with the Department of Defense (to support arts therapy in healing programs for veterans at the Walter Reed National Military Medical Center and the National Intrepid Center of Excellence). Federal leadership has enabled State arts agencies to replicate this successful partnership at the State level. In a recent poll NASAA conducted of State arts agencies, more than 90 percent of respondents said that they are either currently undertaking or interested in pursuing arts therapy programs for veterans.

Thank you for your consideration. NASAA looks forward to continuing to work productively with this subcommittee, and we stand ready to serve as a resource to you. Thank you for your consideration.

[This statement was submitted by Pam Breau, Chief Executive Officer.]

## PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF CLEAN AIR AGENCIES

On behalf of the National Association of Clean Air Agencies (NACAA), thank you for this opportunity to testify on the fiscal year 2018 proposed budget for the United States Environmental Protection Agency (EPA), particularly grants to State and local air pollution control agencies under Sections 103 and 105 of the Clean Air Act (CAA), which are part of the State and Tribal Assistance Grant (STAG) program. Specifically, NACAA strongly opposes the administration's proposal to cut State and local air quality grants by 30 percent (from \$227.8 million in fiscal year 2017 to \$159.5 million in fiscal year 2018) and is very concerned about the significant hardship this will pose on the public's health and welfare. We ask that Congress, at a minimum, continue to fund these grants at last year's level. Additionally, NACAA

requests that grant funds for fine particulate matter monitoring remain under Section 103 authority, rather than being shifted to Section 105 authority.

NACAA is a national, non-partisan, non-profit association of State and local air pollution control agencies in 45 States, the District of Columbia and four territories. The members of NACAA have the primary responsibility under the Clean Air Act for implementing our Nation's clean air program. The air quality professionals in our member agencies have vast experience dedicated to improving air quality in the United States. These observations and recommendations are based upon that experience. The views expressed in this testimony do not necessarily represent the positions of every State and local air pollution control agency in the country.

#### STEEP CUTS WILL HAVE DEVASTATING IMPACTS ON STATE AND LOCAL PROGRAMS

For many years, State and local air pollution control agencies have struggled with insufficient resources and have done what they could to address their budget shortfalls. However, due to economic hardships, States and localities increasingly rely on Federal grants. Unfortunately, since grant levels have essentially remained flat in recent decades, taking inflation into consideration, grant funding has actually decreased by nearly 17 percent since 2000.

State and local agencies would find it difficult to accommodate any cuts to Federal air quality grants; additional cuts of 30 percent would be devastating. Such reductions would severely impede the ability of many agencies to continue essential programs and, in the most extreme cases, some smaller local agencies could conceivably have to close down entirely. With such cuts, many State and local air pollution control agencies will have trouble fully implementing the CAA's health-based air standards and delivering the clean and healthful air the public deserves. Additionally, these agencies and their regions could be subject to harsh sanctions under the CAA, including the withholding of millions of dollars in Federal highway funds, severe emissions "off-set" limits that could interfere with economic development, and the possibility of EPA imposing Federal Implementation Plans on States.

Maintaining funding for State and local agencies will not only protect public health, but will also allow them to continue to provide services to the public and the regulated community, such as more expedited permit processing, compliance assistance and streamlined regulatory operations. These services, if adequately funded, contribute to economic development and administrative efficiencies.

NACAA recently surveyed State and local air quality agencies to learn what a reduction of approximately 30 percent in Federal air quality grants would mean to their programs.<sup>1</sup> The results reveal a very disturbing picture: cuts of the magnitude proposed would likely have a devastating impact on their efforts to provide healthful air quality for the public. Indeed, if Congress enacts such cuts, we fear more people will die prematurely and get sick unnecessarily.

In responding to the NACAA survey, agency after agency painted a similar picture of severe curtailments to their programs in the face of the steep cuts being proposed: cancellation of programs, loss of staff and a diminished capacity to obtain and maintain healthful air quality. Nearly every respondent reported that cuts of this magnitude would severely reduce the benefits the agencies can provide. These include not only to the general public, with respect to decreasing air pollution, maintaining clean air and generally protecting public health, but also to the regulated community, in terms of permitting, compliance assistance and other services.

The respondents provided a long and varied list of ways in which a 30-percent reduction would impact State and local air quality, affecting nearly every function they perform. They identified many activities to be reduced and/or eliminated, including monitoring, inspections, enforcement, permit issuance, compliance assistance, data analysis, equipment maintenance and complaint response, along with losing staff who are needed to do all that work, among others.

The impacts of these reductions are far reaching. Numerous agencies reported that they would be operating at a bare minimum level and that the services they provide the public would be limited or even eliminated. Perhaps most importantly, efforts to obtain healthful air quality and maintain clean air would suffer as a result of these resource constraints on their programs.

Agencies also reported that their State or local governments, which already provide the lion's share of funding for clean air programs, would not be able to make up for the reductions in Federal grants through additional State or local appropriations, general funds, grants or other contributions. Additionally, several agencies

<sup>1</sup>NACAA Report, *Impacts of Proposed fiscal year 2018 Budget Cuts on State and Local Air Quality Agencies* (May 22, 2017), <http://www.4cleanair.org/sites/default/files/Documents/NACAAFundingReport-FY2018.pdf>.

noted that they could consider increasing fees to address the shortfall, but that gaining approval for additional fees is unlikely as well.

Finally, State and local air quality agencies reported that a 30-percent cut in grants could force them to turn some of their important Clean Air Act implementation work back to the Federal Government. Since local communities, including many regulated entities, generally prefer working with their local and State agencies (as opposed to EPA), the return of responsibilities to the Federal Government would be a tremendous loss. Additionally, since the proposed budget calls for sharp cuts to EPA's operating budget as well, the agency would not be in a good position to take on the tasks that the State and local agencies can no longer carry out.

While the responses taken as a whole provide an overall impression of the adverse impacts of the proposed grant reductions, reading what State and local agency officials said in their own words about their individual agencies offers a sense of the harm these critically important programs and public health would suffer. A sampling follows:

*"A cut in our Federal grant of 30 percent would impose serious and adverse impacts on our individual State and collective ability to effectively run our air pollution control programs. There would very likely be many more people in our State getting sick and possibly dying as a result of these budget cuts."*

*"We are insufficiently staffed to assure citizens are protected from asbestos. Asbestos is a carcinogen and was widely used in buildings . . . Our current staffing . . . is only able to inspect 8 percent of the structures. This inability to verify compliance places the public directly at risk."*

*"Without question, a cut of 30 percent to the already-reduced funding levels would devastate our program . . . [W]e would be forced to cut our staffing by at least one-third . . . a reduction in staffing along the proposed lines would significantly delay the issuance of permits for new construction."*

*"If you cut back on enforcement programs, such as inspections and compliance assistance, your regulated community tends to be out of compliance more of the time. This can result in increased emissions which affect the health of your citizens."*

*"Because we are at the Federal minimum for our air monitoring network and unable to fully meet our planning, inventory, and asbestos compliance requirements, a reduction of 30 percent would be devastating. We clearly would be unable to meet the federally-mandated responsibilities."*

*"The State and local funding cuts combined with the proposed 30 percent Federal funding cut will result in about a 72 percent reduction in [our] overall budget. This will significantly impact [our] ability to be here at all, and if we are still here, it will be at a 60–70 percent decreased staffing level leaving us with 7–10 FTEs to manage a 6 county area. At this level, we will not be able to meet the core requirements of the State contract and Federal grants."*

*"A reduction of Federal funds may result in an air quality monitoring network that does not meet Federal requirements."*

*"These cuts ignore reality; because we still have to meet all the existing Federal requirements . . . When we fail, due to a lack of resources, it will be local taxpayers who bear the burden of paying environmental groups' legal fees."*

*"We'd no longer do any air toxics work."*

#### AIR POLLUTION IS STILL A SIGNIFICANT THREAT TO HUMAN HEALTH IN SPITE OF IMPROVEMENTS

There are many important problems that fall under this subcommittee's jurisdiction, but it is unlikely that any pose more of a threat to public health than air pollution. In fact, tens of thousands of people in this country die prematurely each year and many others suffer serious health problems as a result of exposure to air pollution. These include, among other things, premature mortality; cancer; and cardiovascular, respiratory, neurological and reproductive damage.<sup>2</sup> This subcommittee has the opportunity to address very serious public health and welfare problems by providing adequate Federal funding for State and local air agencies' efforts.

According to EPA figures, about 120 million people in this country (about 40 percent of the population) lived in counties that exceeded at least one of the Federal health-based air pollution standards in 2015.<sup>3</sup> With respect to hazardous air pollut-

<sup>2</sup> *FY 2014–2018 EPA Strategic Plan* (April 10, 2014), page 8.

<sup>3</sup> *FY 2018 EPA Budget in Brief* (May 2017), page 11, <https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-budget-in-brief.pdf>.

ants (HAPs), EPA's National Air Toxics Assessment (NATA) indicate that in 2011 "all 285 million people in the U.S. ha[d] an increased cancer risk of greater than 10 in one million," while one-half million people have an increased risk of cancer of over 100 in a million, due to exposure to HAPs.<sup>4</sup>

While we have made great improvements in air quality in this country and even though the programs under the Clean Air Act have provided significant health and welfare benefits, air pollution remains a significant threat to human health and there is much work to be done.

NACAA RECOMMENDS THAT AUTHORITY FOR MONITORING GRANTS REMAIN UNDER SECTION 103

EPA has proposed to begin shifting funds for PM<sub>2.5</sub> monitoring from Section 103 authority, where no State or local matching funds are needed, to Section 105, which would require a match. We recommend that the funds remain under Section 103 authority. For individual agencies that have concerns about the matching requirements, this will ensure that they do not have to refuse essential monitoring funds because they do not have the resources for the match. In past years, Congress has been very responsive to our requests on this issue, for which we are very grateful, and we recommend that Congress again retain these grants under Section 103 authority.

CONCLUSION

NACAA strongly opposes the Administration's proposed decrease of 30 percent in grants to State and local air pollution control agencies under Sections 103 and 105 of the Clean Air Act for fiscal year 2018, as part of the State and Tribal Assistance Grant (STAG) program (decreasing grants from \$227.8 million in fiscal year 2017 to \$159.5 million). We recommend that Congress provide funding at last year's level, at a minimum. We further request that grants for PM<sub>2.5</sub> monitoring remain under Section 103 authority, rather than being shifted to Section 105 authority.

Thank you for this opportunity to testify on this important issue and for your consideration of the funding needs of State and local air quality programs.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES

As the subcommittee begins to develop legislation to fund USEPA in the fiscal year 2018 budget, the National Association of Clean Water Agencies (NACWA) thanks you for your past support for strong funding for clean and safe water and appreciates the opportunity to submit our appropriation testimony for fiscal year 2018. NACWA represents a growing network of nearly 300 public wastewater and stormwater agencies of all sizes nationwide. Below are our key appropriations priorities for fiscal year 2018.

*Agency:* USEPA

*Program:* Clean Water State Revolving Fund

*Funding Request:* \$2.8 B (2x fiscal year 2017 enacted level)

The Clean Water State Revolving Fund (CWSRF) is a critical tool which municipal clean water agencies around the U.S. leverage to help meet their Federal obligations under the Clean Water Act (CWA). The low-interest loans, and in limited cases grants and loan forgiveness, that the CWSRF provides help clean water agencies make critical infrastructure investments as affordably as possible for ratepayers. The CWSRF has been instrumental in many communities' successes in complying with National Pollutant Discharge Elimination System (NPDES) permits, implementing secondary (biologic) treatment of wastewater, and reducing the frequency and size of sewer overflows during wet weather events. The CWSRF is also essential for many communities working to implement new regulatory requirements ranging from updated water quality standards to tightening nutrient limitations. And, the CWSRF is increasingly used to help implement innovative stormwater and nutrient management projects and green infrastructure.

The CWSRF is increasingly crucial at a time when—even with tools like the CWSRF—sewer and water rates are increasing well above the rate of inflation. Key drivers of rising rates include Federal consent decrees requirements, associated capital construction and debt service, CSO and SSO controls, and sewer rehabilitation and replacement.

<sup>4</sup><http://www.epa.gov/national-air-toxics-assessment/2011-nata-assessment-results>.

As you know, recent water crises have focused increasing national attention on the state of our Nation's water infrastructure. NACWA has welcomed proposals to dramatically boost water infrastructure spending, and believes that the requested doubling of Federal appropriations would be an appropriate step in fiscal year 2018. Of course, we also recognize the limitations Congress faces. In light of this, at minimum we urge Congress to maintain level funding with the \$1.39 B enacted in fiscal year 2017 to help ensure these programs remain strong.

*Agency:* USEPA

*Program:* Integrated Planning

*Funding Request:* Provide at least \$6.5 M for Integrated Planning

NACWA utility members have been encouraged by the Integrated Planning Framework for Municipal Stormwater & Wastewater which EPA put forth in 2012. NACWA urges Appropriators to provide at least \$6.5 million to help advance this approach, which promises to aid municipalities in addressing their CWA obligations strategically. Integrated Planning allows for prioritizing clean water investments within a compliance schedule that focuses on the highest-impact investments first, generating greater "bang for the buck" and allowing communities to address environmental and public health issues holistically and cost-effectively. NACWA has been pleased to see bipartisan support for Integrated Planning from Congress. We urge funding for this program to help the Agency provide technical assistance to pilot communities as this approach becomes better accepted and understood across the United States.

*Agency:* USEPA

*Program:* Geographic Programs

*Funding Request:* \$473 M (Maintain fiscal year 2017 enacted levels across all Geographic Programs)

USEPA's Geographic Programs, including the Great Lakes Restoration Initiative (GLRI), Chesapeake Bay Program, Long Island Sound, among others, support watershed-based investments aimed at improving water quality and related goals. The goals and impacts of these programs cross multiple States, impact waters of national significance, and leverage significant State, local, and private dollars. In many cases, the geographic programs have helped forge partnerships between clean water agencies, upstream landowners, conservation groups, and other stakeholders to strategically address root problems and advance water quality, reduce historic contamination, restore habitat, and many other goals that advance the Clean Water Act goals of fishable and swimmable waters. NACWA was pleased to see funding ultimately maintained for these programs in fiscal year 2017 but is alarmed by the President's fiscal year 2018 Budget Proposal which proposes their elimination. We urge Appropriators to restore funding for these important and successful programs this year.

*Agency:* USEPA

*Program:* Categorical Grants: Nonpoint Source §319

*Funding Request:* \$165 million (Maintain fiscal year 2017 enacted level)

Nonpoint Source grants are provided to State, Tribes, and territories to aid implementation of EPA-approved Nonpoint Source Management Programs under Sec. 319 of the CWA. Activities provided under these programs include technical and financial assistance to municipalities, outreach and education, and technology transfer and training. These programs also help monitor and assess the impacts of nonpoint management projects, an area where continued research and documentation is in demand by public entities and the private sector.

The CWA has been remarkably successful in reducing point source discharges, and in many watersheds nonpoint sources remain the largest outstanding driver of water quality impairments. Nonpoint sources also contribute to acute public health risks such as harmful algal blooms and threats to drinking water. Continued progress on improving water quality under the CWA relies in large part on the ability to improve nonpoint source management. NACWA was alarmed to see this program proposed for elimination in the President's fiscal year 2018 Budget Proposal and we urge Appropriators to restore funding.

Agency: USEPA

Program: Categorical Grants: Pollution Control § 106

Funding Request: \$230 M (Maintain fiscal year 2017 enacted level)

Under Sec. 106 of the CWA, EPA provides Federal assistance to States and Tribes to aid in their role of enforcing the CWA. Strong State programs are essential to the cooperative Federalism approach of the Act. The clean water agencies represented by NACWA continually engage with their State programs offices on all aspects of CWA permitting, compliance and enforcement. NACWA is interested in efforts to help streamline programs but is concerned by proposed cuts to these grants in fiscal year 2018, as they may have near-term impacts on the functioning of State programs to the detriment of the regulated community.

Thank you for your thoughtful consideration, and please do not hesitate to contact NACWA for additional information.

[This statement was submitted by Kristina Surfus, Director of Legislative Affairs.]

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS

AUGUST 7, 2017

Senator Lisa Murkowski, *Chairman*,  
Subcommittee on Interior, Environment,  
and Related Agencies,  
Committee on Appropriations,  
U.S. States Senate,  
Washington, DC.

Senator Tom Udall, *Ranking Member*,  
Subcommittee on Interior, Environment,  
and Related Agencies,  
Committee on Appropriations,  
U.S. Senate,  
Washington, DC.

Dear Chairman and Ranking Member:

The National Association of Conservation Districts (NACD) represents America's 3,000 conservation districts and the 17,000 men and women who serve on their governing boards. Conservation districts are local units of government established under State law to carry out natural resource management programs at the local level. Districts work with millions of cooperating landowners and operators to help them manage and protect land and water resources on all private lands and many public lands in the United States.

Recent events across the country have shown the importance and continued benefit of proper management of our water and forest resources. For fiscal year 2018, NACD respectfully requests an appropriation of \$184.9 million for Environmental Protection Agency's 319 Nonpoint Source Grants. We also request maintaining level funding for the Forest Service's State and Private Forestry program at \$237 million in the fiscal year 2018 Interior appropriations bill.

The 319 Nonpoint Source Grants are critically important to stream bank stabilization, stormwater management, low-impact development, and other projects led by conservation districts to address water quality at the local level. Working lands are under increased pressure to produce food, feed, fuel, and fiber for the world's growing population. Because of this reality, it is more important than ever that we dedicate the resources necessary to ensuring local communities continue to have access to and realize the benefits of clean water.

State and Private Forestry is one of the few U.S. Forest Service (USFS) programs that provides technical and financial assistance to private landowners. For this reason, State and Private Forestry programs should be staffed and funded at levels that allow for strong public-private partnerships and ensure greater forest management and economic opportunity on private, non-industrial forest lands.

Thank you for your consideration of these requests. We look forward to working with you as we continue to serve the nation through natural resource conservation.

Sincerely,

BRENT VAN DYKE,  
*NACD President.*

## PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE ENERGY OFFICIALS

Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee, I am David Terry, Executive Director of the National Association of State Energy Officials (NASEO), which represents the 56 State and Territory Energy Offices. NASEO is submitting this testimony in support of funding for the ENERGY STAR program (within the Climate Protection Partnership Division of the Office of Air and Radiation) at the U.S. Environmental Protection Agency (EPA). NASEO supports funding of at least \$55 million, including specific report language directing that the funds be utilized only for the ENERGY STAR program. The ENERGY STAR program is successful, voluntary, and cost-effective. The program has a proven track record—it makes sense, it saves energy and money and Americans embrace it. With a slowly recovering economy, ENERGY STAR helps consumers and businesses control expenditures over the long term. The program is strongly supported by product manufacturers, utilities and homebuilders, and ENERGY STAR leverages the States' voluntary efficiency actions. Voluntary ENERGY STAR activities are occurring in public buildings, such as schools, in conjunction with State Energy Offices, in Alabama, Alaska, Arkansas, California, Colorado, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. The proposed elimination of this program in the President's budget is a grave mistake.

The ENERGY STAR program is focused on voluntary efforts that reduce the use of energy, promotes energy efficiency and renewable energy, and works with States, local governments, communities and business to achieve these goals in a cooperative, public-private manner. NASEO has worked very closely with EPA and approximately 40 States are ENERGY STAR Partners. With very limited funding, EPA's ENERGY STAR program works closely with the State Energy Offices to give consumers and businesses the opportunity to make better energy decisions and catalyzes product efficiency improvements by manufacturers without regulation or mandates. This program is voluntary.

ENERGY STAR focuses on energy efficient products as well as buildings (e.g., residential, commercial, and industrial). Over 1 billion ENERGY STAR certified products were shipped in 2015 across more than 85 product categories for a cumulative total of well over 5.2 billion products since 1992. The ENERGY STAR label is recognized across the United States. In 2014, 89 percent of households recognized the ENERGY STAR label when it was shown to them. This constitutes an increase of 48 percent since the Consortium for Energy Efficiency first conducted the National Awareness of ENERGY STAR survey in 2000. It makes the work of the State Energy Offices much easier, by working with the public on easily recognized products, services, and targets. In order to obtain the ENERGY STAR label a product has to meet established guidelines. ENERGY STAR's voluntary partnership programs include ENERGY STAR Buildings, ENERGY STAR Homes, ENERGY STAR Small Business, and ENERGY STAR Labeled Products. The program operates by encouraging consumers and working closely with State and local governments to purchase these products and services. Marketplace barriers are also eradicated through education. State Energy Offices are working with EPA to promote ENERGY STAR products, ENERGY STAR for new construction, ENERGY STAR for public housing, etc. A successful example of how State Energy Offices are leveraging this key national program is the Nebraska Energy Office, which since 2005, has utilized ENERGY STAR as the standard for certifying home and office electronics that are eligible under the State's successful and long-running Dollar and Energy Savings Loan program.

In 2016, millions of consumers and 16,000 voluntary partners, that included manufacturers, builders, businesses, communities and utilities, tapped the value of ENERGY STAR and achieved impressive financial and environmental results. Their investments in energy-efficient technologies and practices reduced utility bills by well over \$34 billion.

An estimated 500,000 homes were improved through the whole house retrofit program, Home Performance with ENERGY STAR (HPwES) through 2015. This work was performed by 48 locally sponsored programs and more than 2,100 participating contractors across the nation. Over 30 States, including California, Kentucky, Minnesota, Nevada, and Pennsylvania, operate or support the Home Performance with ENERGY STAR programs.



The State Energy Offices are very encouraged with progress made at EPA and in our States to promote programs to make schools more energy efficient, in addition to an expanding ENERGY STAR Business Partners program. In Kentucky, the State has partnered with school districts and engineering firms to advance ENERGY STAR rated schools, resulting in more than 325 ENERGY STAR rated schools in the State, a 67 percent increase since 2012. Over the past few years, Kentucky has moved aggressively to promote and build zero-net energy schools. Other States that have over 150 ENERGY STAR rated schools include Arizona, California, Colorado, Florida, Georgia, Indiana, Michigan, Minnesota, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Texas, Utah, Virginia, Washington and Wisconsin. Over 27 percent of Utah's K-12 schools are certified as ENERGY STAR.

EPA provides technical assistance to the State Energy Offices in such areas as ENERGY STAR Portfolio Manager (how to rate the performance of buildings), setting an energy target, and financing options for building improvements and building upgrade strategies. ENERGY STAR Portfolio Manager is used extensively by State Energy Offices to benchmark performance of State and municipal buildings, saving taxpayer dollars. Portfolio Manager is the industry-leading benchmarking tool used voluntarily by more than 325,000 commercial buildings. Portfolio Manager is used to measure, track, assess, and report energy and water consumption.

Additionally, the industrial sector embraces ENERGY STAR and companies such as GM, Eastman Chemical, Nissan, Raytheon, Boeing and Toyota are recognized for sustained energy excellence by the program. At the close of 2014, the number of industrial sites committed to the ENERGY STAR Challenge for Industry grew, while 306 sites met or exceeded their targets by achieving an average 20 percent reduction in industrial energy intensity.

The State Energy Offices are working cooperatively with our peers in the State environmental agencies and State public utilities commissions to ensure that programs, regulations, projects and policies are developed recognizing both energy and environmental concerns. We have worked closely with this program at EPA to address these issues. We encourage these continued efforts.

#### CONCLUSION

The ENERGY STAR program saves consumers billions of dollars every year. The payback is enormous. NASEO supports robust program funding of at least \$55 million in fiscal year'17. Funding for the ENERGY STAR program is justified. It's a solid public-private relationship that leverages resources, time and talent to produce tangible results by saving energy and money. NASEO endorses these activities and the State Energy Offices are working very closely with EPA to cooperatively implement a variety of critical national programs without mandates.

#### PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE FORESTERS

The National Association of State Foresters (NASF) appreciates the opportunity to submit written public testimony to the House Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies regarding our fiscal year (FY) 2018 appropriations recommendations. Our priorities focus primarily on appropriations for the USDA Forest Service (Forest Service) State and Private Forestry (S&PF) programs.

State Foresters deliver technical and financial assistance, along with forest health, water and wildfire protection for more than two-thirds of the Nation's 751 million acres of forests. The Forest Service S&PF mission area provides vital support to deliver these services, which contribute to the socioeconomic and environmental health of rural and urban communities. The comprehensive process for delivering these services is articulated in each State's Forest Resource Assessment and Strategy (State Forest Action Plan), authorized in the 2008 Farm Bill and continued in the Agriculture Act of 2014.

Your support of the following programs is critical to helping States address the many and varied challenges outlined in Forest Action Plans.

#### WILDLAND FIRE AND FOREST FUELS

*Wildland Fire Funding:* State Foresters ask for your continued support to pass legislation that fixes the broken wildfire funding system and addresses much-needed forest management reforms, either separately or in tandem.

The current wildfire suppression funding model continues to challenge the Forest Service's ability to achieve its overall mission and negatively impacts Agency programs of priority to State Foresters. Over time, the portion of the Forest Serv-

ice's budget dedicated to fire has grown from under 20 percent to more than 50 percent of the agency's total budget. As wildfire eats up a larger share of the agency's budget, less is available to other critical programs. Compounding the issue is the practice of fire transfers—occurring when appropriated suppression funds run out—that disrupts or cancels projects that conserve and enhance our Nation's public and private forests.

*—The Department of the Interior and the Forest Service need a long-term fire funding solution that would result in stable and more predictable budgets.*

In addition to the wildfire funding issue are the challenges posed by the Nation's unhealthy, overgrown and fire-prone Federal forests.

*—We support environmentally responsible forestry reforms on Federal lands as part of the funding remedy or as a separate effort.*

*State Fire Assistance (SFA):* More people living in fire-prone landscapes, high fuel loads, drought, and unhealthy landscapes are among the factors that led most State Foresters to identify wildland fire as a priority issue in their State Forest Action Plans. We now grapple with increasingly expensive and complex wildland fires—fires that frequently threaten human life and property. In 2016 there were 67,743 wildfires that burned 5.5 million acres.

*—Eighty 2 percent of the total number of fires were where State and local departments had primary jurisdiction. 46 percent of the total acres burned were on State and private lands. In 2015, 85 percent of all local and State crews and engine dispatched outside of their geographic area were responding to Federal fires, primarily on initial attack.*

*—Attacking fires when they are small is the key to reducing fatalities, injuries, loss of homes and cutting Federal fire-fighting costs.*

SFA and Volunteer Fire Assistance (VFA) are the fundamental Federal mechanisms for assisting States and local fire departments in responding to wildland fires and in conducting management activities that mitigate fire risk on non-Federal lands. SFA helps train and equip local first responders who are often first to arrive at a wildland fire incident and who play a crucial role in keeping fires and their costs as small as possible. A small investment of SFA funds supports State forestry agencies in accessing and repurposing equipment from the Federal Excess Personal Property and the Firefighter Property programs. In fiscal year 2015, these two programs delivered more than \$169 million in equipment for use by State and local first responders.

*—NASF supports funding the State Fire Assistance program at \$87 million and Volunteer Fire Assistance at \$15 million in fiscal year 2018. The need for increased funding for fire suppression on Federal lands has broad support and the administration's budget recommends a funding increase to meet the anticipated fire threat. Some of the largest and costliest Federal land fires begin on State, local and privately owned lands. The need to increase fire suppression funding for State, local and private lands, where over 80 percent of wildfires occur, is just as urgent and should reflect the increases on Federal lands.*

#### FOREST PESTS AND INVASIVE PLANTS

Also among the greatest threats identified in the State Forest Action Plans are native and non-native pests and diseases. These pests and diseases have the potential to displace native trees, shrubs and other vegetation types in forests; the Forest Service estimates that hundreds of native and non-native insects and diseases damage the Nation's forests each year. *They are also devastating the trees and forests of America's cities and towns.* For example, the cost of replacing a single street tree is approximately \$1000. The growing number of damaging pests and diseases are often introduced and spread by way of wooden shipping materials, movement of firewood, and through various types of recreation. In 2010, approximately 6.4 million acres suffered mortality from insects and diseases<sup>1</sup> and there is an estimated 81.3 million acres at risk of attack by insects and disease over the next 15 years.<sup>2</sup> These losses threaten clean and abundant water availability, wildlife habitat, clean air,

<sup>1</sup>Man, Gary. 2011. Major Forest Insect and Disease Conditions in the United States: 2010 Update. Last accessed on March, 5, 2015 at: [http://www.fs.fed.us/foresthealth/publications/ConditionsReport\\_2011.pdf](http://www.fs.fed.us/foresthealth/publications/ConditionsReport_2011.pdf).

<sup>2</sup>Tkacz, Bory, et al. 2014. NIDRM 2012 Report Files: Executive Summary. Last accessed on March, 5, 2015 at: [http://www.fs.fed.us/foresthealth/technology/pdfs/2012\\_RiskMap\\_Exec\\_summary.pdf](http://www.fs.fed.us/foresthealth/technology/pdfs/2012_RiskMap_Exec_summary.pdf).

and other environmental services. Furthermore, extensive areas of high insect or disease mortality can set the stage for large-scale, catastrophic wildfire.

The Cooperative Forest Health Management program supports activities related to prevention, monitoring, suppression, and eradication of insects, diseases, and plants through provision of technical and financial assistance to States and territories to maintain healthy, productive forest ecosystems on non-Federal forest lands. *Forest pests know no bounds. Controlling pests on private lands can stop millions of dollars in damage much of which would occur on public lands.* The Cooperative Forest Health Management program plays a critical part in protecting communities already facing outbreaks and in preventing exposure of more forests and trees to the devastating and costly effects of exotic and invasive pests and pathogens.

—*NASF supports funding the Forest Health Management—Cooperative Lands Program at \$48 million in fiscal year 2018.*

#### ASSISTING LANDOWNERS AND MAINTAINING WORKING FOREST LANDSCAPES—FOREST STEWARDSHIP PROGRAM

Working forest landscapes are a key part of the rural landscape, providing an estimated 900,000 jobs, clean water, wood products, and other essential services to millions of Americans. Private forests make up two-thirds of all the forestland in the United States and support an average of eight jobs per 1,000 acres.<sup>3</sup> However, the Forest Service estimates that 57 million acres of private forests in the U.S. are at risk of conversion to urban development over the next two decades. Programs like the Forest Stewardship Program and Forest Legacy Program are key tools identified in the State Forest Action Plans for keeping working forests intact and for providing a full suite of benefits to society. Almost 90 percent of those who have stewardship plans, implement them. *Almost 50 percent of the Nation's wood supply comes from small landowners who are the target of this program.* Last year this program assisted over 455,000 landowners in developing or revising their stewardship plans or leading them to resources who are able to assist. *Again fires and diseases know no bounds.* A robust program has positive impacts on the Nation's watersheds, wildlife habitat and neighboring public lands.

—*NASF supports funding the Forest Stewardship Program at \$29 million in fiscal year 2018. Increasing active management on Federal lands has broad support and has received increased funding in recent years through the Forest Products budget line item, while funding for Forest Stewardship has decreased. . The need to provide funding on State and private lands is just as urgent.*

#### FOREST LEGACY PROGRAM

This program provides critical Federal assistance to States and private landowners to *keep working forests working through permanent conservation easements and in some cases, fee acquisitions.* Each easement acquisition is required to have a long-term forest stewardship plan.

Working forests play an important role to sustain the economic, ecological, and social well-being of America's rural and urban areas through the jobs they support and the benefits they provide, such as wildfire threat reduction, clean air and water, wildlife habitat, and outdoor recreation space.

—*NASF supports funding the Forest Legacy Program at \$62 million in fiscal year 2018. NASF supports the program being fully funded from the Land and Water Conservation Fund and not be included in the discretionary budget cap. NASF also recommends report language requiring coordination with State Foresters prior to recommendation and selection of easements and acquisitions due to land management considerations and tax implications.*

#### URBAN AND COMMUNITY FOREST MANAGEMENT CHALLENGES

Urban and community forests are important to achieving energy savings, improved air quality, neighborhood stability, aesthetic value, reduced noise, and improved quality of life in municipalities and communities around the country. *There are demonstrable studies that show positive impacts urban trees and forests have on: childhood asthma, mitigating the impacts of auto exhaust, reducing home heating and air conditioning costs, providing economically viable solutions for storm water absorption, enhancing retail business and even reducing crime rates.* In fact, urban and community forests have been shown to provide environmental, social, and economic benefits to the more than 80 percent of Americans living in medium and large

<sup>3</sup> Forest2Market. *The Economic Impact of Privately-Owned Forests.* 2009.

size cities and towns.<sup>4</sup> Yet, urban and community forests face serious threats, such as development and urbanization, invasive pests and diseases, and fire in the wildland urban interface (WUI).

Since its expansion under the Cooperative Forestry Assistance Act of 1990 (CFAA), the Forest Service's Urban and Community Forestry (U&CF) Program has provided technical and financial assistance to promote stewardship of urban forests in communities of all sizes across the country. The program is delivered in close partnership with State Foresters and leverages existing local efforts that have helped thousands of communities and towns manage, maintain, and improve their tree cover and green spaces. The program directly serves more than 7,000 communities across the United States. The program has over a 2:1 match for Federal dollars provided for this program.

—*NASF supports funding the Urban and Community Forestry program at \$31 million in fiscal year 2018.*

#### IMPORTANCE OF FOREST INVENTORY DATA IN MONITORING FOREST ISSUES

The Forest Inventory and Analysis program (FIA) enables forest managers and the natural resource community to understand the scope and scale of trends and changes in forest conditions and to make projections of future conditions. Funding for FIA supports State and private lands, which account for two-thirds of America's forests and provide public benefits such as clean air and water, wildlife habitat, outdoor recreation, jobs and wood products.

NASF is concerned with the recent proposed and realized reductions to the USDA Forest Service Research and Development budget and recommends a total R&D funding level of \$303 million—\$83 million allocated to FIA.

—*NASF supports funding the Forest Inventory and Analysis program at \$83 million in fiscal year 2018.*

#### LANDSCAPE SCALE RESTORATION

National priority Landscape Scale Restoration (LSR) projects are a key way that States, in collaboration with the USDA Forest Service and other partners, address critical forest priorities across the landscape. LSR projects focus only on the most critical priorities identified in each State's Forest Action Plan and on achieving national goals as laid out in the State and Private Forestry national themes. As a result, LSR contributes to achieving results across the landscape and to making meaningful local, regional, and national impacts.

Competitive allocation of Cooperative Forestry Assistance Act funds was codified in the 2008 Farm Bill. The LSR budget line item was subsequently included in the fiscal year 2014 appropriations bill as the funding mechanism for a competitive process aimed at addressing critical priorities identified in State Forest Action Plans and based on the tenets of the State and Private Forestry redesign effort—conserve working forest landscapes, protect forests from harm, and enhance public benefit from trees and forests.

LSR allows State forestry agencies to target resources toward the highest priority forest needs in a State, group of States, or region, while also meeting national priorities.

Regional review teams comprised of State and Federal officials with knowledge of the on-the-ground realities within the region carry out a rigorous review process to select the LSR projects that will receive funding within their region. Selected LSR projects are, as a result, the best and most ground-truthed landscape-scale, cross-boundary, outcome-driven projects.

—*NASF supports funding the Landscape Scale Restoration program at \$23 million in fiscal year 2018. NASF does not support increases in this program coming at the expense of other programs described above. NASF also supports report language which would allow for additional funding over fiscal year 2017 levels for LSR to be allocated for the highest national priorities as identified in each of the State Forest Action Plans as determined by each State Forester.*

#### EPA CATEGORICAL NONPOINT SOURCE POLLUTION GRANTS (SECTION 319)

In addition to USFS programs, State foresters also receive critical program support through the EPA, most notably through the STAG (State and Tribal Assistance Grant) categorical grants for nonpoint source pollution (aka "319 funds"). Despite

<sup>4</sup>United States Census Bureau, *Growth in Urban Population Outpaces Rest of Nation*, *Census Bureau Reports*. Available at [https://www.census.gov/newsroom/releases/archives/2010\\_census/cb12-50.html](https://www.census.gov/newsroom/releases/archives/2010_census/cb12-50.html). Last Accessed March 5, 2015.

the need to make substantial changes in how the EPA functions and interacts with the States, these grants allow for the cooperation inherent in “cooperative Federalism”, are an appropriate function for the agency, and should be kept robustly funded. For many State forestry agencies, these funds are critical in supporting delivery of water quality best management programs and helping private forest owners protect water resources in their forests, leading to clean water outcomes that benefit all citizens.

—NASF supports maintaining level funding for the Nonpoint Source Pollution Grants—a level of \$170 million.

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PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE OUTDOOR  
RECREATION LIAISON OFFICERS

Thank you Chairwoman Murkowski, Senator Udall and other honorable Members of the subcommittee for the opportunity to submit written testimony pertaining to funding for the Land and Water Conservation Fund’s (LWCF) State Assistance Program in the fiscal year 2018 Interior Appropriations bill.

*Overview of Funding Request:* As outlined below, we encourage you to continue the Federal investment in the LWCF, especially as it relates to the State and local partnership created through the State Assistance Program. We would like to remind the subcommittee one of the key purposes of the Act was to help preserve, develop, and assure access to outdoor recreation facilities to provide recreation and strengthen the health of U.S. citizens in close to home venues. Therefore, we urge you to continue to make greater investments in States and local communities by:

- Appropriating a minimum of \$110 million for the State Assistance Program in fiscal year 2018.
- If overall allocations for LWCF are increased above fiscal year 2017 levels we request at least 40 percent of fiscal year 2018 LWCF appropriations be directed to the State Assistance Program.
- Continue the innovative, “Outdoor Recreation Legacy Partnership” (ORLP) competitive grant program in fiscal year 18 at \$12 million.

*About the National Association of State Outdoor Recreation Liaison Officers.* We are an organization of State and territorial officials, appointed by our Governors to be a liaison to the Federal Government for the administration of and advocacy for the Land and Water Conservation Fund’s State Assistance Program. We work in this capacity to ensure close-to-home access to parks and recreation opportunities in communities throughout the Nation and to ensure the program is administered effectively and efficiently.

*The State Assistance Program of the LWCF.* Originally the majority of the LWCF was set aside to be a partnership program between the Federal Government and State and local political subdivisions to provide outdoor recreation in close to home locations. These outdoor recreation facilities were meant to provide social, healthful and economic benefits and to improve the quality of life throughout the Nation. That is why in the original Act, 60 percent of the LWCF was dedicated to State and local grants.

However, after a ten year period a congressional conference committee eliminated the percent set aside for State and local grants, while incorporating a provision that required no less than 40 percent be dedicated to Federal land acquisition. Therefore, with the elimination of any percentage dedicated to State and local outdoor recreation grants the amount for State and local grants declined and the Federal percentage increased over the years. This is the primary reason there is a common misconception among many that LWCF is merely a Federal land acquisition program. We want to emphasize this was not true in the beginning of the program and it is certainly not true today. We are proud the dollar-for-dollar matching grant of the State Assistance Program requires a strong commitment from States and local governments to support construction of outdoor recreation projects and to operate and maintain them forever.

The State Assistance Program requires that the ongoing maintenance of these areas are the responsibility of the State and local partner in perpetuity. This is a real deal for the citizens of the Nation, as the Federal Government encourages the development of outdoor recreation through these 50 percent matching grants and the citizens benefit from convenient access to these close to home areas. One additional benefit is the areas developed and maintained through program remains the property of the State or local government, but the resources developed through the LWCF remain publicly accessible in perpetuity and are protected as such by the LWCF Act.

In summary, we thank the committee for their on-going support of LWCF which provides close-to-home recreation access for our Nation's citizens and we look forward to our continued partnership with the National Park Service in administering the program.

[This statement was submitted by Lauren S. Imgrund, Pennsylvania State Liaison Officer; President, National Association of State Liaison Officers.]

## PREPARED STATEMENT OF THE NATIONAL CONGRESS OF AMERICAN INDIANS

### INTRODUCTION

On behalf of the National Congress of American Indians (NCAI), we would like to acknowledge the steadfast work undertaken and attention paid by the Members of this subcommittee to uphold the Federal trust and treaty obligations funded in this appropriations bill. As the most representative organization of American Indian and Alaska Native Tribes, NCAI serves the broad interests of Tribal governments across the Nation. As Congress considers the fiscal year 2018 budget, we call on decision-makers to ensure that the promises made to Indian Country are honored in the Federal budget. This testimony addresses the Bureau of Indian Affairs (BIA), Indian Health Service (IHS), and Tribal programs in the Environmental Protection Agency (EPA). The fiscal year 2017 Omnibus included hard-fought increases for BIA, Bureau of Indian Education (BIE), IHS, and other core Tribal government programs. We are hopeful that the fiscal year 2018 final Interior appropriations bill will build on the investments made in Indian Country in the fiscal year 2017 Omnibus.

### FEDERAL TRUST RESPONSIBILITY

The relationship between Tribal nations and the Federal Government is unique and founded on mutual promises. Indian treaties have the same status as treaties with foreign nations, and because they are made under the US Constitution are "the supreme law of the land." Treaties and laws have created a fundamental contract between Indian Nations and the United States: Tribes ceded millions of acres of land that made the US what it is today, and in return Tribes have the right of continued self-government and the right to exist as distinct peoples on their own lands. That fundamental contract—the Federal trust relationship—ensures that Tribal governments receive funding for basic governmental services. As governments, Tribes must deliver a wide range of critical services, such as health, education, workforce development, first-responder, and public safety services, to their citizens. The obligations to Tribes and their citizens funded in the Federal budget reflect the trust responsibility. Importantly, these programs are not based on race or ethnicity but rather on the centuries-long political relationship between Tribal communities and the United States.

Due to fluctuations in Federal funding and the uncertain budget process, many Tribes have faced continued emergencies in meeting the public service needs of their citizens.<sup>1</sup> Funding decisions by the Administration and Congress are an expression of our Nation's policy priorities, and the Federal budget for Tribal governmental services reflects the extent to which the United States honors its obligations to Indian people.

### TRIBAL GROWTH BENEFITS STATES AND REGIONS

While the Federal treaty and trust relationship calls for Federal funding of education, healthcare, and other government services, upholding Indian treaty and trust obligations is also an important component of Tribal and surrounding regional economies.

Economists have found that Tribal economic growth leads to economic growth in surrounding regions. Tribal economic activity produces regional multiplier impacts for the off-reservation economy.<sup>2</sup> Economic research on Tribal colleges, timber, procurement, and casinos has shown direct, indirect, and induced impacts on gross regional product and employment.<sup>3</sup> Well-functioning governments are essential to

<sup>1</sup> See NCAI Resolution ATL-14-084.

<sup>2</sup> Croman, K. S., & Taylor, J. B. (2016). "Why beggar thy Indian neighbor? The case for Tribal primacy in taxation in Indian country." *Joint Occasional Papers on Native Affairs* (JOPNA 2016-1). Tucson, AZ and Cambridge, MA: Native Nations Institute and Harvard Project on American Indian Economic Development.

<sup>3</sup> Ibid.

market economies. Governments provide local and national public and quasi-public goods that the private sector would otherwise under provide,<sup>4</sup> such as public safety and justice—essential for conducting business on reservations and Tribal lands. In addition, Federal and Tribal governments fund public investments in core infrastructure, such as roads, bridges, and water and sanitation systems that provide high economic rates of return.<sup>5</sup> Such core infrastructure in Indian Country has faced insufficient public investment for decades. Additionally, noncore public investments, such as early childhood education, early childcare, healthcare, and a range of human services, provide at least as much of a near-term economic boost as core infrastructure.<sup>6</sup>

#### BUREAU OF INDIAN AFFAIRS

On May 23, the administration released its detailed fiscal year 2018 budget request. Themes in this budget include shifting Federal costs to other governments (including Tribes, States, and localities). The fiscal year 2018 budget for Indian Affairs would be \$2.48 billion, a decrease of \$371.7 million below the fiscal year 2017 Omnibus level, a decrease of about 13 percent. Compared to the fiscal year 2017 annualized CR, the cut is 10.9 percent. Operation of Indian Programs would receive \$2.1 billion in the President's budget, a decline of 11 percent compared to the fiscal year 2017 Omnibus level and 8 percent compared to the fiscal year 17 CR. Tribal Priority Allocations would be cut by 12.7 percent relative to the fiscal year 17 CR level. Bureau of Indian Education (BIE) would be cut by \$105.1 million, 11.8 percent less than the fiscal year 17 Omnibus and \$64.3 million and 7.6 percent less than the fiscal year 2017 CR.

The President's budget would eliminate many programs identified by Tribal leaders as critical to Tribes across the Nation, including: the Housing Improvement Program (HIP), \$8 million; Tribal Climate Resilience, \$9.9 million; Alaska Native Programs, \$1 million; Small and Needy Tribes, \$1.8 million; Special Higher Education Scholarships, \$2.7 million; Science Post Graduate Scholarship Fund, \$2.4 million; Juvenile Detention Center Education program, \$499,000; Replacement School Construction, \$45.4 million; Replacement Facility Construction, \$11.9 million. We request that Congress reject these eliminations, not only because the reductions undercut the Federal trust responsibility, but also run counter to the program areas identified as important by Tribal leaders themselves during budget consultations. Nine out of twelve regions during budget formulation in March 2017 identified scholarships as a top five program in need of increases (out of all the line items in the BIA budget). Half of all BIA regions identified HIP as a top five priority.

In addition to eliminations, the administration's budget also proposes drastic cuts to programs identified as critical to Indian Country. For instance, the President's budget cuts Human Services overall by \$35.2 million compared to the fiscal year 17 Omnibus (a 22 percent cut), in programs that provide social services, welfare assistance, and Indian Child Welfare Act protections. The reductions largely reflect elimination of funding for pilot programs for the Tiwahe initiative. Several of the top TIBC budget priorities reviewed in the BIA budget formulation are programs included in the Tiwahe initiative, including Social Services. Tribal leaders expressed strong support for programs that are a part of this initiative because of its goals of reducing poverty, domestic violence, and substance abuse, which in turn makes for safer communities. The integrated programming to addressing interrelated problems represents a promising approach to complex problems in Indian Country, breaking down silos to meet the needs of families and communities.

Many of the programs involved in this initiative have not had funding increases for years (except in the fiscal year 2017 Omnibus bill), and they remain top programs in fiscal year 2018 and 2019. Notably, all Tribes received recurring base increases under the initiative. Non-pilot Tribes stand to gain from learning best practices that will be documented and shared by the pilot Tribes in addressing issues that affect most Tribes throughout the Nation, such as intervention and prevention, improving case management, strengthening partnerships with providers, and increasing access to family and social services to ultimately improve health, safety, and well-being.

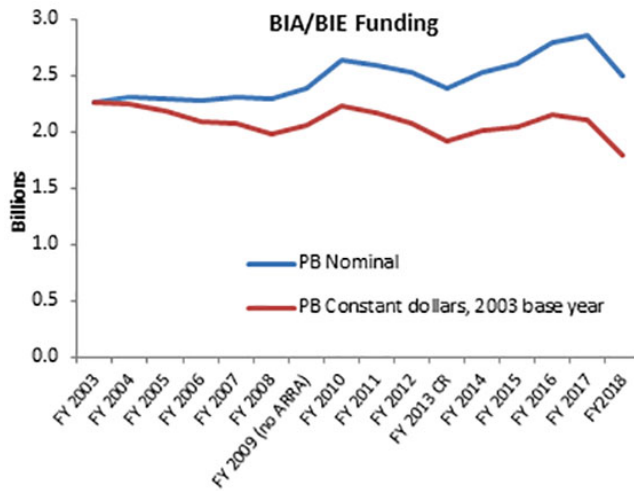
The President's budget proposes \$326 million for Law Enforcement, a reduction of \$21.4 million, or a 6 percent cut compared to the fiscal year 17 CR. Proposed reductions include \$3 million for the pilot program to reduce recidivism, which was

<sup>4</sup>Hackbart, M., & Ramsey, J. R. (2002). The theory of the public sector budget: An economic perspective. *Budget Theory in the Public Sector*, 172.

<sup>5</sup>Bivens, J. and Blair H. (2016). A public investment agenda that delivers the goods for American workers needs to be long-lived, broad, and subject to democratic oversight.

<sup>6</sup>Ibid.

completed in 2017 and \$10 million provided to conduct Tribal courts assessments located in Public Law 83–280 States. Tribal Courts would be reduced by \$6 million, which eliminates increases provided under the Tiwahe initiative. BIA recently conducted an analysis of law enforcement and detention needs pursuant to the Tribal Law and Order Act, and found that the total need for basic law enforcement and detention services in Indian country is \$1 billion. This estimate includes Tribes without regard to whether they are located in a Public Law 280 jurisdiction. Given the inadequacy of current funding levels, the BIA has had a policy for many years to generally provide law enforcement and detention funding only to Tribes in non-Public Law 280 jurisdictions. This has left Tribes in many areas completely without BIA support for Tribal police and detention needs. We ask Congress to commit to fully funding Tribal law enforcement and detention within the next 5 years by incrementally increasing funding each year.



If this budget were enacted for BIA, the overall funding provided for BIA would be lower than any level in the last 15 years, when adjusted for inflation. The 2017 BIA funding level is 6 percent below the comparable 2010 level after adjusting for inflation. In 2018, those cuts would grow to 20 percent. These reductions are untenable and absolutely break the trust responsibility to Indian Tribes. We urge this subcommittee to continue its bipartisan effort to meet the Federal obligations for Indian Country.

EDUCATION

The budget request would temporarily suspend funding for BIE school Construction and cuts construction funding from \$57.8 million to \$80.2 million, more than 40 percent below fiscal year 2017 funding levels; and cut the Indian School Equalization Program (ISEP), the core program for operation of BIE, by \$2.4 million to a proposed \$398.8 million. The budget request also would reduce funding for the Johnson O'Malley Program, another top ranked program by Tribes, by \$4.6 million, a reduction of more than 30 percent, to \$10.2 million. We urge this subcommittee to reject these proposed cuts to education, reductions which would significantly undermine opportunities for Native students.

ROAD MAINTENANCE

NCAI appreciates the increase of \$3.6 million for Road Maintenance for a total of \$30.3 million in the fiscal year 2017 Omnibus bill. The administration's budget would only fund Roads Maintenance at \$28.1 million. We urge Congress to restore funding at least to the fiscal year 2017 Omnibus level. Most BIA regions have identified that this program requires additional increases to meet unmet needs. Currently, BIA needs approximately \$290 million per year to maintain BIA-owned roads and bridges to an adequate standard.



## NATURAL RESOURCES

The fiscal year 2018 budget proposes untenable cuts for many Tribal natural resource programs: Rights Protection Implementation (-\$11 million or 28 percent compared to the fiscal year 2017 Omnibus), Tribal Management and Development (-\$2 million compared to the fiscal year 2017 Omnibus), Forestry (-\$5 million, a 10 percent cut), and Fish-Wildlife-and-Parks (-\$2.8 million, an 18 percent cut). Tribal representatives on the Tribal Interior Budget Council have expressed strong support for these programs throughout the 2018 budget consultation meetings and NCAI urges Congress to reject these deep cuts to Tribal natural resource programs.

## ECONOMIC CONTRIBUTIONS AND VALUE ADDED OF FEDERAL TREATY AND TRUST RESPONSIBILITY

Federal funding that meets Federal Indian treaty and trust obligations also provide significant contributions to the economy. In just the Department of the Interior, the Bureau of Indian Affairs (BIA) and Bureau of Indian Education (BIE) “contribute substantially to economic growth in Tribal areas. . . .”<sup>7</sup> In fiscal year 2012, Indian Affairs “contributed over \$14 billion in value added, \$18 billion in economic activity and supported nearly 93,000 jobs, many of them on Indian lands.”<sup>8</sup> Value added is the contribution of an activity to overall Gross Domestic Product (GDP). Indian Affairs specific funding to support Tribal governments provided value added of \$0.9 billion and economic contributions of \$1.2 billion. These estimates for GDP included energy, minerals, forestry, irrigation, support for Tribal government, and loan guarantees. Education and public safety also provide significant social and economic benefits that are difficult to measure. Justice service programs provide economic benefits of: protection of property rights, support of health and safety, lower medical costs from crime, human capital development, and other positive spillover effects.

## INDIAN HEALTH SERVICE

NCAI thanks the subcommittee for including increases for IHS in the fiscal year 2017 Omnibus bill of \$232.3 million over the fiscal year 2016 enacted amount. For fiscal year 2018, the Tribal Budget Formulation Workgroup requested \$7.1 billion for IHS. NCAI supports the requests of the Workgroup and the National Indian Health Board. NCAI appreciates the bipartisan support for the Indian Health Service budget in Congress and we look forward to ongoing support for the IHS budget in providing much needed increases for the IHS budget.

## ENVIRONMENTAL PROTECTION AGENCY

Tribes and States are the primary implementers of environmental programs. Program capacity building is a top environmental priority identified by Tribes as part of the EPA National Tribal Operations Committee National Tribal Caucus. The Indian General Assistance Program (IGAP) is unique among Federal programs in that it provides a foundation which Tribes can leverage to support other greatly-needed programs. GAP funding is particularly critical to Alaska Native villages, where it provides 99 percent of the overall funding to address their fundamental and often dire needs, such as safe drinking water and basic sanitation facilities. NCAI urges the subcommittee to protect this funding against cuts in fiscal year 2018.

## CONCLUSION

Thank you for this opportunity to share our concerns on programs that fulfill treaty and trust obligations in the Federal budget. We look forward to working with this subcommittee on a bipartisan basis once again this year.

## PREPARED STATEMENT OF THE NATIONAL GROUND WATER ASSOCIATION

The National Ground Water Association (NGWA) requests that \$5 million be allocated in the fiscal year 2018 Interior, Environment & Related Agencies appropriations bill to the United States Geological Survey (USGS) Groundwater and Streamflow Information Program to continue implementation and maintenance of a national groundwater monitoring network (NGWMN).

In addition to funding, NGWA is also requesting eligibility of the cooperative grant funding be expanded to Tribes, as well as State and local governments. Tribes

<sup>7</sup> U.S. Department of the Interior, Economic Report, fiscal year 2012, July 29, 2013.

<sup>8</sup> Ibid.

are currently able to provide data, but are not eligible to receive funding to help create and/or maintain a groundwater monitoring network.

NGWA is the world's largest association of groundwater professionals, representing public and private sector engineers, scientists, water well contractors, manufacturers, and suppliers of groundwater related products and services. NGWA maintains that management of groundwater resources should be a coordinated effort between Federal, State and local governments based on the strengths of each government level, the best science available, and the nature of the resource. The NGWMN is a great example of cooperation between levels of government, in order to manage and protect a vital natural resource.

Water is one of the most critical natural resources to human, ecosystem and economic survival. Nationally, over 40 percent of the drinking water supply comes from groundwater and, in some locations, it is relied on by 80 percent of Americans for drinking water. Groundwater also serves as a key source of agricultural irrigation water.

While the health of the American people and our Nation's economic prosperity depends on groundwater, no systematic nationwide monitoring network is in place to measure what is currently available and how groundwater levels and quality may be changing over time.

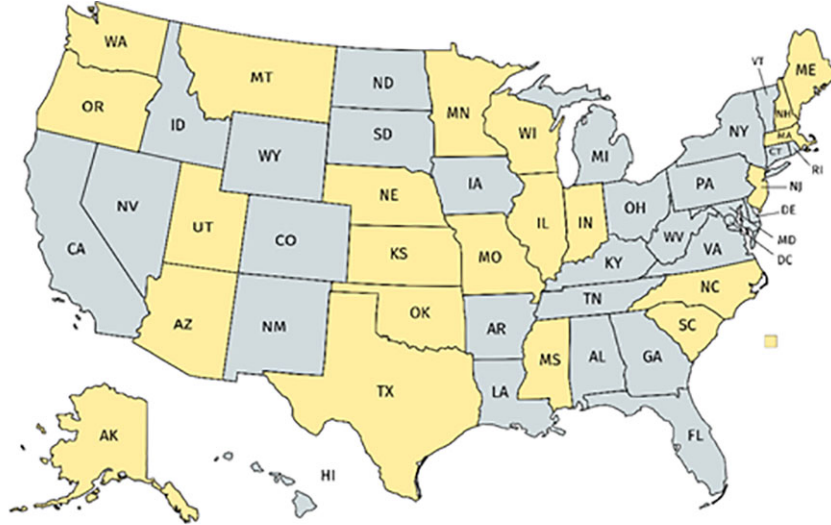
As with any valuable natural resource, our groundwater reserves must be monitored to assist in planning and minimizing potential impacts from shortages or supply disruptions. Just as one cannot effectively oversee the Nation's economy without key data; one cannot adequately address the Nation's food, energy, economic, and drinking water security without understanding the extent, availability and sustainability of a critical input—groundwater.

Congress acknowledged the need for enhanced groundwater monitoring by authorizing a national groundwater monitoring network with passage of Public Law 111–11 (Omnibus Public Land Management Act) in 2009, the SECURE Water Act, and viability of the network was proven through the completion of pilot projects in six State—Illinois, Indiana, Minnesota, Montana, New Jersey, and Texas. These States voluntarily pilot tested concepts for a national groundwater monitoring network as developed by the Federal Advisory Committee on Water Information's (ACWI) Subcommittee on Ground Water (SOGW).

Following completion of the pilots and reports on the viability of the NGWMN, congressional support for the network has enabled national implementation of the program:

- Fiscal year 2015: \$2.6 million
- Fiscal year 2016: \$3.6 million
- Fiscal year 2017: \$4.1 million

However, national implementation has not yet been achieved. To date, only 22 grants have been awarded to State and local agencies, with the third round of awards currently pending.



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While continuing support for the NGWMN is requested at this time, it is important to note that the requests will be finite once all States are connected to the network. From there, the costs of ongoing maintenance of the network are expected to be minimal.

Once implemented nationwide, the NGWMN would provide consistent, comparable nationwide data that would be accessible through a public web portal for Federal, State, local government and private sector users. In these tight fiscal times, the proposed network would build on existing State and Federal investments, maximizing their usefulness and leveraging current dollars to build toward systematic nationwide monitoring of the groundwater resource.

Funding from the NGWMN will be used for two purposes:

1. Provide grants to regional, State, and Tribal governments to cost share increased expenses to upgrade monitoring networks for the 50 States to meet the standards necessary to understand the Nation's groundwater resources. Activities funded include: site selection, web services development, well drilling, well maintenance, among others.
2. Support the additional work necessary for USGS to manage a national groundwater monitoring network and provide national data access through an Internet web portal.

A selection of State projects funded is listed below to demonstrate to type of work being funded by Congress in the first rounds of cooperative agreements.

- Alaska Department of Natural Resources received funding to become a data provider, serving water level data to the portal. In addition, funding is received to do well maintenance and well drilling.
- Minnesota Pollution Control Agency received funds to re-establish web services to provide data to the network and expand coverage across all of the States principal aquifers.
- South Carolina Department of Natural Resources received funding to set-up web services to provide water level data to the NGWMN.
- Texas Water Development Board received funding to select and classify water quality wells and incorporate them into the NGWMN.

A complete list of all cooperative agreements funded is available for fiscal year 2015 and fiscal year 2016. Each recipient of funding must also provide USGS a report, following the conclusion of the funding period.

Though the amount of funding requested is small in the context of the Department of Interior's annual budget request, funding is vital considering that, for a small investment, we can begin finally to put in place adequate monitoring of the

hidden resource that provides over 40 percent of the Nation's drinking water supply and serves as a key driver for our agricultural economy.

Thank you for your consideration of this request. With questions or in request of additional information, please contact Lauren Schapker, NGWA Government Affairs Director, at [lschapker@ngwa.org](mailto:lschapker@ngwa.org).

The National Ground Water Association is a not-for-profit professional society and trade association for the groundwater industry. NGWA is the largest organization of groundwater professionals in the world. Our more than 11,000 members from all 50 States and 72 countries include some of the leading public and private sector groundwater scientists, engineers, water well contractors, manufacturers, and suppliers of groundwater related products and services. The Association's vision is to be the leading community of groundwater professionals that promotes the responsible development, use and management of groundwater resources.

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PREPARED STATEMENT OF THE NATIONAL HUMANITIES ALLIANCE

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

On behalf of the National Humanities Alliance, with our nearly 200 member organizations, I write to express strong support for the National Endowment for the Humanities (NEH).

OVERVIEW

For fiscal year 2018, we respectfully urge the subcommittee to fund the National Endowment for the Humanities at \$155 million.

We would like to thank the subcommittee for appropriating \$149.8 million to the NEH for fiscal year 2017, thereby increasing the Endowment's funding by nearly \$2 million for the second consecutive year. These increases are critical steps in rebuilding the capacity of the NEH, which has been severely eroded in recent years. Despite the recent increases, the Endowment's current funding is 20 percent below its fiscal year 2010 level, when adjusted for inflation. Modestly increasing the NEH's budget to \$155 million would allow the Endowment to regain its capacity to support the humanities at a time when the humanities are increasingly called upon to meet national needs.

While we recognize the seriousness of the fiscal situation faced by Congress and the Administration, and we understand the difficult choices that are before this subcommittee, we believe that expanding the capacity of the NEH should continue to be a priority. In the remainder of this testimony, I will highlight some of the many ways that the NEH serves national needs and helps accomplish critical national goals.

NEH SERVES NATIONAL NEEDS

The National Endowment for the Humanities' funding is distributed to the Federal/State Partnership, which supports humanities councils in every State and territory; Competitive Grants divisions, which award peer-reviewed grants in research, education, preservation, digital humanities, challenge grants, and public programs; and the Common Good Initiative, which harnesses the power of the humanities to address society's pressing challenges. I will highlight just five examples of how NEH grants serve clear national needs.

1. *The NEH's Standing Together program aids veterans' reintegration into civilian life and deepens public awareness of the experience of war.*

For the past 4 years, the NEH has supported innovative programs that harness the power of the humanities to serve veterans. Increased appropriations over the past 2 years have been critical to expanding these programs, although much unmet demand continues to exist. In fiscal year 2017, the NEH introduced the Dialogues on the Experience of War program, which supports community discussion groups for veterans and their families. The NEH awarded one of these grants to a faculty member at the University of Oklahoma to develop a course for past, current, and future (ROTC) service members. Through an exploration of the history and literature of war, the course encourages veterans to express thoughts on the experience of war.

Other efforts funded through the Standing Together initiative include writing programs for veterans suffering from PTSD; intensive college-preparation programs; and training for Veterans Affairs staff to help them understand the experiences of veterans.

2. *The NEH plays a key role in the preservation of native languages and cultures.*

The NEH supports the documentation and teaching of native languages, history, and culture. A 2016 grant to the North Slope Borough Department of Inupiat History allowed it to work together with the Inupiat Heritage Center Museum to properly conserve seven paintings depicting the traditions and history of the Inupiat people. These paintings, in conjunction with an ongoing oral history project, help pass the Inupiat culture to the next generation. Another 2016 grant was awarded to the Cankdeska Cikana Community College in Fort Totten, North Dakota to develop a curriculum on Dakota literature and oral history, preserve the Dakota language, and increase outreach efforts to the broader community.

The NEH's Office of Challenge Grants, meanwhile, awarded funding to the Northwest Indian College in Bellingham, Washington to develop programs to preserve the culture and revitalize the language of the Salish people. These are just three examples of NEH's long-term commitment to sustaining, revitalizing, and preserving Native American languages and cultures.

3. *The NEH is the only entity, Federal or private, with a national mandate to ensure that support for the humanities serves all Americans.*

Through NEH on the Road, the NEH brings museum exhibitions to underserved regions, making use of existing exhibitions from larger museums to efficiently provide high-quality exhibitions to communities across the country. More than half of the communities served have fewer than 50,000 residents. For example, in Red Cloud, Nebraska, a community of only 1,020, more than 3,000 people saw *Our Lives, Our Stories: America's Greatest Generation*. The exhibit traveled to 23 other locations including Excelsior Springs and Fulton, Missouri and Fairmont, West Virginia. Additionally, between 2012 and 2023, *For All The World To See: Visual Culture and The Struggle for Civil Rights*, will travel to a total of 50 sites, including in Boise, Idaho, Park City, Utah, and Belton, Texas.

To ensure a wide reach, the NEH has also dedicated funding lines for innovation in humanities curricula in community colleges, HBCUs, Hispanic-Serving Institutions, and Tribal Colleges. A recent grant to Columbus State Community College in Columbus, Ohio, funds the development of a course on the history of Western medicine, disease, and public health, the first such general education course taught at a community college. This course is specifically designed for students interested in medical fields to afford an understanding of the social, political, and cultural dimensions of disease.

4. *The NEH safeguards our historical and cultural legacies*

With small grants to historical societies, historic sites, archives, and town and county record offices around the country, the NEH ensures that local historical documents and artifacts are preserved under the proper conditions and accessible in the long-term. For example, the NEH recently awarded a grant to Scarborough Library at Shepherd University to assess the preservation of memorabilia, photographs, books, scrapbooks, correspondence, and maps related to the history of Shepherdstown, West Virginia. A 2016 grant of just \$2,035 funded the purchase of equipment to monitor the environmental conditions for the collections at the Hockaday Museum of Art in Kalispell, Montana, thereby enabling the preservation of the history and art of Glacier National Park.

In a massive undertaking, the NEH is also enabling the digitization of historical newspapers from around the country through the National Digital Newspaper Program. For example, in 2016, NEH awarded a grant to the Alaska Division of Libraries, Archives, and Museums to digitize 100,000 pages of historic Alaska newspapers published between 1866 and 1922. To date, the NEH has provided support for the digitization of approximately 11 million pages of newspapers published between 1690 and 1963 —making these resources accessible for scholars, students, and anyone interested in researching local history or genealogy.

NEH also supports the publication of the documents associated with important historical figures and events and ensures that these documents are widely accessible. For example, a 2016 grant to the University of Tennessee supported the publication of the papers of President James Polk and the development of

an online portal that provides free and convenient access to students, teachers, and the public. Another recent grant supported the University of Southern Mississippi's digitization and online publication of 483 interviews documenting the Civil Rights Movement in Mississippi.

5. *With a modest investment, the NEH stimulates private, local investment in the humanities and cultivates tourism.*

NEH matching grants over the last 50 years have generated more than \$4 billion in non-Federal donations to humanities projects and institutions. The NEH's investments in museums, historic sites, research, and the preservation of historic artifacts have played a key role in developing local cultural heritage tourism economies, which attract 78 percent of all leisure travelers. Over several decades, for example, the NEH has supported the development of new exhibitions at Thomas Jefferson's Monticello. These grants have had an outsized impact on the local economy as Monticello welcomes nearly 400,000 annual visitors, 93 percent of whom are from outside Virginia and 50 percent of whom stay in a hotel for at least one night adding at least \$13.1 million to the local economy.

In addition to these highlighted programs, each year the NEH awards hundreds of competitive, peer-reviewed grants to individual scholars and a broad range of nonprofit educational organizations around the country. Grantees include universities, two- and four-year colleges, humanities centers, research institutes, museums, historical societies, libraries, archives, scholarly associations, K-12 schools, local education agencies, public television/film/radio producers, and more. Through its competitive grants programs, the NEH supports the preservation of collections that would be otherwise lost, path-breaking research that brings critical knowledge to light, programs for teachers that enrich instruction in schools, and public programs that reach individuals and communities in every district in the country.

Overall, the NEH's support is crucial for building and sustaining humanities' infrastructure in all 50 States, serving American citizens at all stages of life.

#### CONCLUSION

We recognize that Congress faces difficult choices in allocating funds in this and coming years. We ask the subcommittee to consider modestly increased funding for the humanities through the NEH as an investment in opportunity for all Americans, innovation and economic growth, and strengthening our communities. Thank you for your consideration of our request and for your past and continued support for the humanities.

*Founded in 1981, the National Humanities Alliance advances national humanities policy in the areas of research, preservation, public programming, and teaching. Nearly 200 organizations are members of NHA, including scholarly associations, humanities research centers, colleges, universities, and organizations of museums, libraries, historical societies, humanities councils, and higher education institutions.*

[This statement was submitted by Stephen Kidd, Executive Director.]

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#### PREPARED STATEMENT OF THE NATIONAL INDIAN CHILD WELFARE ASSOCIATION

The National Indian Child Welfare Association (NICWA) is a national American Indian/Alaska Native (AI/AN) nonprofit organization. NICWA has provided leadership in the development of public policy that supports Tribal self-determination in child welfare and children's mental health systems for over 30 years. This testimony will provide funding recommendations for the following programs administered by the Bureau of Indian Affairs (BIA) in the Department of the Interior: Indian Child Protection and Family Violence Prevention grant programs (\$43 million), Social Services (\$50 million), Welfare Assistance (\$80 million), Indian Child Welfare Act On or Near Reservation Program grant program (Tribal Priority Allocation—\$20 million), and Indian Child Welfare Act Off-Reservation Program grant program (\$5 million).

In order for AI/AN children to have the full protections and supports they need, Congress must appropriate adequate funds to the basic child welfare programs and services that Tribal communities, like all communities, need. States also rely on Tribes to help them provide appropriate child welfare services to AI/AN children

and families that fall under their jurisdiction.<sup>1</sup> This includes partnering on investigations of child abuse and neglect reports, building case plans for families, providing culturally based family services, and securing appropriate out-of-home placements. Investments in these programs will reduce preventable trauma to children and families, reduce future expenditures for more expensive and intrusive services, and decrease long-term involvement with the child welfare system.

The recommendations below suggest funding increases that will provide Tribal communities with sufficient child welfare funding, avoid unnecessary restraint on local Tribal decisionmaking, and support established State and Tribal partnerships dedicated to the protection of AI/AN children.

#### PRIORITY PROGRAM RECOMMENDATION

*BIA Indian Child Protection and Family Violence Prevention Act Recommendation:* Appropriate for the first time \$43 million for the three discretionary grant programs under this law—\$10 million for the Indian Child Abuse Treatment Grant Program, \$30 million for the Indian Child Protection and Family Violence Prevention Grant Program, and \$3 million for the Indian Child Resource and Family Service Centers Program to protect AI/AN children from child abuse and neglect. Despite overwhelming need these grant programs have never been appropriated funds since their inception in 1990.

The Indian Child Protection and Family Violence Prevention Act (ICPFVPA), Public Law No. 101–630 (1990), was enacted to fill gaps in Tribal child welfare services—specifically child protection and child abuse treatment—and to ensure better coordination between child welfare and domestic violence programs. The act authorizes funding for two Tribal programs: (1) the Indian Child Protection and Family Violence Prevention Program, which funds prevention programming as well as investigation and emergency shelter services for victims of family violence; and (2) the Treatment of Victims of Child Abuse and Neglect program, which funds treatment programs for victims of child abuse. It also authorizes funding to create Indian Child Resource and Family Service Centers in each of the BIA regional areas. These centers would provide training, technical assistance, and consultation to Tribal child protection programs.

There is an incredible need for family violence prevention and treatment resources in AI/AN communities. As recently recognized by Congress in the Violence Against Women Reauthorization Act of 2013, AI/AN women are more likely than any other population to experience intimate partner violence. In fact, more than one in three AI/AN women experience intimate partner violence at some point in their lives.<sup>2</sup> Further, AI/AN children experience child abuse and neglect at an elevated rate. They are victims of child maltreatment at a rate of 13.8 per 1,000, compared to the national rate of 9.2 children per 1,000.<sup>3</sup> These problems are intricately intertwined. Studies show that in 49–70 percent of cases, men who abuse their partners also abuse their children,<sup>4</sup> while child abuse investigations reveal violence against the mother in 28–59 percent of all cases.<sup>5</sup>

Child abuse prevention funding is vital to the well-being and financial stability of AI/AN communities. Beyond the emotional trauma that maltreatment inflicts, victims of child maltreatment are more likely to require special education services, more likely to be involved in the juvenile and criminal justice systems, more likely to have long-term mental health needs, and have lower earning potential than their peers.<sup>6</sup> Financially, child maltreatment costs Tribal communities and the United

<sup>1</sup> U.S. Government Accountability Office. (2005). *Indian Child Welfare Act: Existing information on implementation issues could be used to target guidance and assistance to States*. Retrieved from <http://www.gao.gov/new.items/d05290.pdf>.

<sup>2</sup> Black, M. C., & Breiding, M. J. (2008). Adverse health conditions and health risk behaviors associated with intimate partner violence—United States, 2005. (Table. 1) *Morbidity and Mortality Weekly Report*, 57(5), 113–117.

<sup>3</sup> U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2015). *Child maltreatment 2015*. Rockville, MD: Author.

<sup>4</sup> White Eagle, M., Clairmon, B., & Hunter, L. (2011). *Response to the co-occurrence of child maltreatment and domestic violence in Indian Country: Repairing the harm and protecting children and mothers [Draft]* (pp. 19–20). West Hollywood, CA: Tribal Law and Policy Institute.

<sup>5</sup> Carter, J. (2012). *Domestic violence, child abuse, and youth violence: Strategies for prevention and early intervention*. San Francisco, CA: Family Violence Prevention Fund.

<sup>6</sup> Fang, X., Brown, D. S., Florence, C. S., & Mercy, J. A. (2012). The economic burden of child maltreatment in the United States and implications for prevention. *Child Abuse & Neglect*, 36, 156–65. doi: 10.1016/j.chiabu.2011.10.006.

States \$210,012 per victim.<sup>7</sup> Child abuse prevention funding is an investment Tribal communities believe in, but need support to fulfill.

#### OTHER PROGRAM RECOMMENDATIONS

*BIA Welfare Assistance Program:* Increase appropriation levels to \$80 million to support Tribal services that assist families in crisis, prevent child neglect, sustain kinship placements for children placed outside their homes, support adults in need of care, and provide final expenses.

The Welfare Assistance line item provides five important forms of funding to AI/AN families: (1) general assistance, (2) child assistance, (3) non-medical institution or custodial care of adults, (4) burial assistance, and (5) emergency assistance.

AI/AN child welfare programs and social service agencies need to have the resources necessary to support families in times of crisis and uncertainty. AI/AN adults—including parents and kinship caregivers—are unemployed on reservations at a rate more than two times the unemployment rate for the total population.<sup>8</sup> Thirty-four percent of AI/AN children live in households with incomes below the poverty line as compared to 20.7 percent of children nationwide.<sup>9</sup> The crippling of Native economies before the self-determination era left Tribal communities overwhelmingly impoverished, with few economic opportunities and high unemployment. The barriers to employment vary region to region in Indian Country, but include geographic remoteness, a weak private sector, poor basic infrastructure, and even a lack of basic law enforcement infrastructure. These conditions make the programs funded under welfare assistance an important safety net for AI/AN families.

The General Assistance Program provides short-term monetary assistance for basic needs like food, clothing, shelter, and utilities to individuals who are actively working towards financial stability and ineligible for all other financial assistance programs. The Emergency Assistance Program provides a one-time emergency payment of less than \$1,000 to individuals experiencing property damage beyond their control. These programs are essential to families experiencing unexpected job loss or financial crisis. They often provide the assistance necessary to help a family make ends meet and keep their children safely in their home.

The Child Assistance Program provides payments for AI/AN children on Tribal lands who must be cared for outside their homes in foster care, adoptive, or guardianship placements and who are not eligible for other Federal or State child placement funds.

The current funding for the Welfare Assistance Program does not begin to meet the needs in Tribal communities. This leaves families in poverty and caregivers willing to take children who have been abused or neglected into their homes without sufficient financial support.

*BIA Indian Child Welfare Act Program:* Increase appropriations to the Indian Child Welfare Act On or Near Reservation Program grant program to \$20 million and the Off Reservation grant program to \$5 million.

The Indian Child Welfare Act (ICWA) was a response to national findings that public and private child welfare agencies were systematically removing AI/AN children from their homes and communities at horrendous rates, often without due process and under questionable circumstances. To prevent these troubling practices, which unfortunately still occur today, Congress provided protections to AI/AN families in State child welfare and judicial systems under ICWA. It also recognizes the authority of Tribal nations to provide child welfare services and adjudicate child welfare matters. To effectuate these provisions, ICWA authorized grant programs to fund child welfare services on or near reservations and for ICWA support in off-reservation, urban Indian programs.

At the time that ICWA was passed in 1978, Congress estimated that between \$26 million—\$62 million would be required to fully fund Tribal child welfare programs on or near reservations.<sup>10</sup> Even after an important fiscal year 2015 increase as part

<sup>7</sup>Fang, X., Brown, D. S., Florence, C. S., & Mercy, J. A. (2012). The economic burden of child maltreatment in the United States and implications for prevention. *Child Abuse & Neglect*, 36, 156–65.

<sup>8</sup>Stegman, E., & Ebarb, A. (2010). *Sequestering opportunity for American Indians/Alaska Natives* (Para. 1). Retrieved from Center for American Progress website: <http://www.americanprogress.org/issues/poverty/news/2013/11/26/80056/sequestering-opportunity-for-american-indians-and-alaska-natives>.

<sup>9</sup>U.S. Department of Health and Human Services, Health Resources and Services Administration, Maternal and Child Health Bureau. (2013). *Child health USA 2012* (p. 9). Rockville, MD: Author.

<sup>10</sup>S. Rep. No. 95–597 (p. 19) (1977).



of the Tiwahe Initiative, current funding levels fall far short of this estimate—especially after adjusting for inflation.

*Appropriate \$5 million for the authorized, but unfunded, Off-Reservation ICWA Program to ensure all AI/AN children receive effective services as required by ICWA.*

According to the 2010 Census, 67 percent of AI/AN people lived off-reservation. These children and families are best served when State child welfare systems are not only working with the child's Tribe, but also with urban Indian child welfare programs. These programs provide assistance to States and the child's Tribe, and provide culturally appropriate child welfare services. For this reason, ICWA authorizes child welfare funding for urban Indian programs. From 1979–1996, funding was allocated to urban organizations serving Native children and families. When funded, off-reservation programs provided important services such as recruitment of Native foster care homes, child abuse prevention efforts, and culturally appropriate case management and wraparound services. When funding stopped, the majority of these programs disintegrated even as the population of AI/AN children off-reservation increased. This funding must be reinstated.

*BIA Social Services Program:* Provide \$50 million to fortify child protective services and ensure meaningful technical assistance to Tribal social service programs across Indian Country.

The Social Services Program provides a wide array of family support services, filling many funding gaps for Tribal programs and ensuring Federal staff and support for these programs. Importantly, the Social Services Program provides the only BIA and Tribal-specific funding available for ongoing operation of child protective services in Indian Country. It also funds BIA social workers at regional and agency offices, and funds training and technical assistance to Tribal social service programs and workers.

The Social Services Program is drastically underfunded and as a result, AI/AN children and families suffer. Recent increases as part of the Tiwahe Initiative are to be commended and their momentum must be continued. This recommended increase will ensure that basic child protective services are provided in Tribal communities across the country, that Tribes have access to meaningful training and technical assistance, and that the BIA has the resources necessary to fill service gaps. The Tribal Interior Budget Council estimated an unmet need of \$32 million on top of the fiscal year 2015 enacted level during Tribal budget formulation for fiscal year 2017.

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PREPARED STATEMENT OF THE NATIONAL INSTITUTES FOR WATER RESOURCES

Chairman Murkowski and Ranking Member Udall:

Good afternoon. I am Stephen Schoenholtz, Director of the Virginia Water Resources Research Center at Virginia Tech. Thank you for this opportunity to testify on behalf of National Institutes for Water Resources (NIWR), in support of the Water Resources Research Act program, a program funded as part of the U.S. Geological Survey's (USGS) budget. I specifically want to thank you for the subcommittee's strong continuing support for the Water Resources Research Act, and request that the subcommittee fund the WRRRA program in fiscal year 2018 at \$9 million.

The Water Resources Research Act, enacted in 1964, is designed to expand and provide more effective coordination of the Nation's water research. The Act establishes water resources research institutes (Institutes) at lead institutions in each State, as well as for Washington D.C., Guam, Puerto Rico, the Virgin Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, and American Samoa.

Congress created the Institutes to fulfill three main objectives:

- Develop, through research, new technology and more efficient methods for resolving local, State, and national water resources challenges;
- Train water scientists and engineers through on-the-job participation in research; and
- Facilitate water research coordination and the application of research results through dissemination of information and technology transfers.

Since 1964, the Water Resources Research Institutes have fulfilled these three objectives in partnership with the U.S. Geological Survey. The Institutes, managed by a director in each State, promote water-related research, education, and technology transfer at the national, State, and local level through grants and sponsored projects. The program is the only federally-mandated research network that focuses on applied water resource research, education, training, and outreach.

The Water Resources Research Institutes program is a State-based network dedicated to solving problems of water quantity (supply) and quality in partnership with universities, local governments, the water industry, non-governmental organizations, and the general public. Each State contributes a minimum of a 2:1 match if non-Federal funds to Federal funds, thus ensuring that local and regional priorities are addressed and the impact of Federal dollars is maximized. The Institutes are a direct, vital link between Federal water interests and needs and the expertise located within the States' research universities.

The Water Resources Research Institutes program also provides a mechanism for ensuring State, regional, and national coordination of water resources research, education of future water professionals, and proper transfer and utilization of results and outcomes. In fact, the Institutes collaborate with 150 State agencies, 180 Federal agencies, and more than 165 local and municipal offices.

For more than five decades, the Institutes, in partnership with USGS, have provided significant research results and services to our Nation and proven successful at bringing new water professionals into the work force. Although these projects primarily focus on State needs, they also address water issues relevant to our Nation. The following are several examples of research conducted by Institutes across the country.

My Institute, the *Virginia Water Resources Research Center (VWRRC)*, is a research unit in the College of Natural Resources and Environment at Virginia Tech. Planning and sustainable management of surface water and groundwater supplies has become a significant issue for Virginia. In 2015, the Virginia General Assembly directed their Joint Legislative Audit and Review Commission to assess accuracy and effectiveness of Virginia's planning and permitting program for sustainable water supply. The VWRRC was contracted by JLARC to form an advisory committee and to conduct research on the State's sustainability model for groundwater in eastern Virginia and for surface water throughout the State. A resultant report produced by the VWRRC in 2016 was used by JLARC to inform the General Assembly of the effectiveness of current efforts to sustainably manage water supplies and to recommend considerations for improvements.

In 2015, Alaska's Sagavanirktok (Sag) River flooded the Dalton Highway, cutting off the only overland passage to the Prudhoe Bay Oilfields for a period of approximately 3 weeks. Following that event, the *University of Alaska Fairbanks Water and Environmental Research Center* has been continuously working with the Department of Transportation and Alyeska Pipeline Services Company to understand Sag River flood dynamics and reduce the risk of highway and/or pipeline damage from future flooding events.

Researchers with the *New Mexico Water Resources Research Institute* developed an innovative desalination technology to remove organic substances and salts from water produced from oil and gas exploration. Water in this system can be potentially recycled in the industrial process making it more cost-effective. The technology also uses bacteria to convert biodegradable pollutants into electricity, which offsets operation energy use or supplies additional energy for other systems for operators.

Researchers at the *Nevada Water Resources Research Institute* are studying issues associated with water reuse—a water supply strategy of particular importance to water-scarce regions. Work includes identifying contaminants, evaluating existing and emerging treatment technologies, assessing potential public health and environmental health impacts, and outreach to the public.

Research being funded through the *Maine Water Resources Research Institute* will help determine what remediation efforts might be required by drinking water utilities in the wake of an increase in the rate and intensity of precipitation events and associated rapid runoff. These extreme events wash organic matter into lakes that can ultimately cause a buildup of organic carbon that can trigger disastrous algal blooms, taste and odor problems, and may form unhealthy by-products. Their work will inform the development of management and adaptation strategies to ensure sustained high water quality.

There are two grant components of the USGS Water Resources Research Institutes program.

The State Water Research Grants provide competitive seed grant funding opportunities for State water institutes for research priorities that focus on State, local, and community water resources problems. The study areas span the spectrum of water supply, water quality, and public policy issues of water management. These seed grants are used to develop future research proposals and secure additional external funding.

The National Competitive Grants program promotes collaboration between the USGS and university scientists in research on significant regional and national

water resources issues and promotes dissemination of results of the research funded under this program.

With our funding and educational services, water-related professionals and researchers provide solutions to the many complex water management challenges we face, including toxicity in urban stormwater runoff, managing aquifer recharge in drought-stricken communities, and monitoring and alleviating human and ecological health impacts associated with water reuse.

Our Nation faces growing challenges in providing water for agriculture, human consumption, industrial use, and natural resource applications. Institutes also use their base grants to help train new scientists, disseminate research results to water managers and the public, and promote intrastate and regional collaboration. The Water Resources Research Institutes serve to build the STEM workforce as we enter a period in which there will be a disproportionate number of retirements in all sectors.

For fiscal year 2018, the National Institutes for Water Resources recommends the subcommittee provide \$9,000,000 to the USGS for the Water Resources Research Institute program. We respectfully submit that, even in times of fiscal challenges, investing in programs at USGS focused on data collection and the reliability and quality of water supplies is critically important to the health, safety, quality of life, and economic vitality of communities across the Nation.

Thank you, on behalf of all the Institute directors, for the opportunity to testify and for the subcommittee's strong support of the Water Resources Research Institutes program.

[This statement was submitted by Dr. Stephen H. Schoenholtz, Director, Virginia Water Resources Research Center.]

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PREPARED STATEMENT OF THE NATIONAL OPERA CENTER OF AMERICA  
(OPERA AMERICA)

Madam Chairman and distinguished Members of the subcommittee, I am grateful for the opportunity to submit testimony on behalf of OPERA America, its Board of Directors and its more than 2,000 organizational and individual members. We strongly urge the Subcommittee on Interior, Environment, and Related Agencies in the Committee on Appropriations to designate a total of \$155 million to the National Endowment for the Arts (NEA) for fiscal year 2018. This testimony and the funding examples described below are intended to highlight the importance of Federal investment in the arts, so critical to sustaining a vibrant cultural community throughout the country.

The NEA makes it possible for everyone to enjoy and benefit from the performing arts. Before the establishment of the NEA in 1965, funding for the arts was mostly limited to larger cities. The NEA has helped to strengthen regional dance, opera, theater and other artistic disciplines that Americans enjoy. NEA funding provides access to the arts in regions with histories of inaccessibility due to economic or geographic limitations. Not only has every congressional district received direct funding from the NEA, but 40 percent of the NEA's budget is automatically distributed to State arts councils, reaching tens of thousands of audience members and communities across the country.

The NEA envisions a "nation in which every American benefits from arts engagement, and every community recognizes and celebrates its aspirations and achievements through the arts." The agency has helped the arts become accessible to more Americans, which in turn has increased public participation in the arts.

Opera is a continuously growing art form that can address the diverse needs and backgrounds of our communities. New opera companies are being established in communities that have never before had access to live performances. OPERA America's membership includes approximately 160 professional U.S. company members representing 48 States (including DC).

Opera audiences are growing more diverse. From 2008 to 2012, the percentage of African American attendees increased by 59 percent, Hispanic attendance grew by 8.3 percent, and those of other non-white groups grew by 19.4 percent. During this time period, younger audiences have also increased. The 18-24 age bracket grew by 43.2 percent and those in the 25-34 bracket grew by 33.8 percent.

Since 1900, nearly 1,000 new operatic works have been produced by professional opera companies in North America. Of that 1,000, 589 operas premiered between 1995 and 2015. In the 2015-2016 season, 33 North American operas premiered. The growth in number and quality of American opera corresponds directly to the investment of the NEA's earlier investment in the New American Works program of the former Opera-Music Theater Program.

Beyond the opera house, opera companies are finding new and exciting ways to bring the essence of opera to other local theaters and community centers, frequently with new and innovative works that reflect the diverse cultures of the cities they serve. Strong partnerships with local schools extend the civic reach of opera companies as they introduce children to a multi-media art form and discover promising young talent.

The NEA is a great investment in the economic growth of every community. Despite diminished resources, including a budget that is \$17 million less than it was in 2010, the NEA awarded more than 2,400 grants in 2016 in nearly 16,000 communities. These grants nurture the growth and artistic excellence of thousands of arts organizations and artists in every corner of the country. NEA grants also preserve and enhance our Nation's diverse cultural heritage. The modest public investment in the Nation's cultural life results in both new and classic works of art, reaching the residents of all 50 States and in every congressional district.

In 2016, small-sized organizations (organizations with budgets under \$350,000 per year) received 30 percent of the NEA's direct grants and 40 percent of NEA supported activity took place in high poverty neighborhoods.

The return of the Federal Government's small investment in the arts is striking. The Bureau of Economic Analysis (BEA) and the NEA developed an "Arts and Cultural Production Satellite Account" which calculated the arts and culture sector's contributions to the gross domestic product (GDP) at 4.2 percent (or \$729.6 billion) of current-dollar GDP in 2014. Additionally, the nonprofit performing arts industry generates \$135.2 billion annually in economic activity, supports more than 4.13 million full-time equivalent jobs in the arts, and returns \$9.59 billion in Federal taxes (Arts and Economic Prosperity IV, Americans for the Arts). It is estimated that the North American opera industry injects over \$1 billion directly into the economy each year.

On average each NEA grant leverages at \$9 from private and public funds. Few other Federal investments realize such economic benefits, not to mention the intangible benefits that only the arts make possible. The NEA continues to be a beacon for arts organizations across the country.

The return on investments is not only found in dollars. In 2012, 2.2 million people volunteered 210 million hours with arts and cultural organizations, totaling an estimated value of \$5.2 billion—a demonstration that citizens value the arts in their communities.

#### NEA GRANTS AT WORK

Past NEA funding has directly supported projects in which arts organizations, artists, schools and teachers collaborated to provide opportunities for adults and children to create, perform, and respond to artistic works. NEA funding has also made the art form more widely available in all States, including isolated rural areas and inner cities.

The more than 2,400 grants awarded to nonprofit arts organizations and arts programs supported projects that encourage artistic creativity and bring the arts to millions of Americans.

NEA grants are awarded to opera organizations through its core programs: Art Works; Challenge America Fast Track Grants; and Federal/State Partnerships. In fiscal year 2016, the NEA awarded 66 grants to the opera field through the Art Works category, totaling \$2,133,000.

The Industry  
\$12,000  
Los Angeles, CA

To support the premiere of a new multidisciplinary opera, "Galileo," by composer Andy Akiho. Adapted from Bertolt Brecht's play, "Life of Galileo," the work will connect Brecht's text to a contemporary aesthetic, exploring new ways of realizing his theatrical theories. To draw out the mythical, promethean strands of the play's themes, the opera will be staged around an enormous bonfire on a stretch of public beach in Santa Monica, near the Santa Monica Mountains National Park. Director Yuval Sharon will create a new version of Brecht's original work which composer Andy Akiho will set to music. The project's multidisciplinary collaborations with a Los Angeles-based theater and dance company will continue the organization's mission of creating new works that honor the origins of the genre while pushing to expand its traditional boundaries.

Opera Theatre of Saint Louis  
\$90,000  
St. Louis, MO

To support the creation and production of a new performing edition of “The Grapes of Wrath,” by composer Ricky Ian Gordon and librettist Michael Korie. Based on John Steinbeck’s 1939 novel of the same name, the story follows the Joad family’s fight for survival from the Dust Bowl in Oklahoma to California during the Great Depression. The opera premiered in 2007 as a large-scale production that included three acts, nearly 50 featured singers, and a four-hour run-time. The composer and librettist developed a shorter, two-act version that required fewer performers on stage and will be more accessible to a greater number of opera companies for future productions.

Intermountain Opera Bozeman  
\$10,000  
Bozeman, MT

To support performances of Donizetti’s “The Daughter of the Regiment,” with related audience engagement activities. Educational and outreach activities include a public workshop, a performance for elementary school students, a class for students at Bozeman High School, a class for adults at Montana State University (MSU), and master classes for MSU vocal students.

Opera Memphis  
\$30,000  
Memphis, TN

To support 30 Days of Opera. The fifth year of the initiative will be comprised of a month of admission-free opera performances featuring an original children’s opera, “pop-up” style opera performances, and masterclasses. Activities will include both structured concerts and educational workshops, as well as collaborative performances with community organizations.

Despite overwhelming support by the American public for spending Federal tax dollars in support of the arts, the NEA has never recovered from a 40 percent budget cut in the mid-nineties, leaving its programs seriously underfunded. The continued bipartisan support for the NEA has continued to support artists and audiences, allowing opera and the arts to address critical issues, making communities healthier and more vibrant. The “Dear Colleague” letter in the U.S. House of Representatives received a record 154 signatures in support of the NEA.

We urge you to continue toward restoration and increase the NEA funding allocation to \$155 million for fiscal year 2018.

On behalf of OPERA America, thank you for considering this request.

[This statement was submitted by Marc A. Scorca, president and CEO, OPERA America.]

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PREPARED STATEMENT OF THE NATIONAL PARKS CONSERVATION ASSOCIATION

Chairman Murkowski, Ranking Member Udall and Members of the subcommittee, thank you for the opportunity to submit testimony on behalf of National Parks Conservation Association (NPCA). Founded in 1919, NPCA is the leading national, independent voice for protecting and enhancing America’s National Park System for present and future generations. I appreciate the opportunity to provide our views regarding the National Park Service (NPS) fiscal year 2018 budget.

National parks protect America’s heritage and deliver robust economic returns of \$10 in economic benefits nationally for every dollar invested in the NPS. The economic value of parks has grown along with visitation so that last year, national parks supported nearly \$35 billion in economic activity and 318,000 jobs. NPCA and other polling indicates the vast popularity of national parks and strong bipartisan support for adequately funding them. And of course they are deeply loved by the American people in part because they protect our cultural and natural heritage.

We acknowledge the tremendous challenge the subcommittee faces in setting thoughtful spending priorities, so we are grateful for your consistent support for national parks. NPCA and our partners in the National Parks Second Century Action Coalition commend your subcommittee for providing needed increases for the National Park Service the last four fiscal years, with a particularly noteworthy increase in fiscal year 2016. This will be helpful for parks to try to keep up with their funding challenges. As they are still behind where they need to be to meet their mission, we urge you to do your best to build on this support as the System enters its next century of service to the American people.

*Top three fiscal year 2018 Priorities:* NPCA requests appropriated funding for NPS with a focus on these accounts:

1. \$2,535,436,369 for 'Operation of the National Park System'
2. \$303,089,287 for 'National Parks Construction'
3. \$30,000,000 for 'National Park Partnerships'/Centennial Challenge

These amounts represent a similar increase as that enacted for the system's centennial year.

However, we must note there are other programs critical to NPCA. My testimony outlines these and several other issues:

- The Budget Control Act and need for another budget deal;
- Park operations and construction funding and their connection to the maintenance backlog;
- The Centennial Challenge program;
- The Land and Water Conservation Fund and Historic Preservation Fund;
- National Heritage Areas;
- The Federal Lands Recreation Enhancement Act;
- Policy riders;
- And the administration's workforce reduction effort.

*Budget Control Act (BCA) and budget process:* We've been dismayed to see the many challenges to the budget and appropriations process in recent years, and the threat and harm they have brought to national parks. We were deeply discouraged in fiscal year 2013 when the BCA, due to the failure of the Joint Select Committee on Deficit Reduction to identify offsets, mandated sequester cuts that were so damaging to national park operations that they resulted in shuttered facilities and thousands of ranger positions going unfilled. We were consequently pleased with the 2-year budget deals that have provided needed relief from that indiscriminate and damaging instrument with spending levels that are already austere absent the sequester.

One of our largest concerns now is the need for another budget deal to prevent the sequester, and we urge the committee to work with your colleagues to ensure a deal. We are urging Congress to reach such a deal as a central component of our fiscal year 2018 advocacy.

*The President's fiscal year 2018 budget:* Not helpful to fiscal year 2018 is the extraordinarily damaging president's budget, which if enacted would be the largest cut to the park service since WWII. It seeks to cut more than 1,200 staff (FTEs), cut park operations by 8 percent, reduce deferred maintenance funding despite claims to the contrary, and much more. The deep cut to EPA threatens the health of park air and waters. We urge the subcommittee to wholeheartedly reject that deeply flawed proposal.

*The Interior allocation:* NPCA believes the allocation provided to the subcommittee in recent years has been insufficient and emblematic of the austere constraints on domestic discretionary investments. In part to address this concern, we continue to urge legislation to address the dysfunctional system of catastrophic wild-fire funding that burdens the Interior allocation. We support a clean fire funding fix, a bipartisan solution that would 1) access disaster funding, 2) minimize transfers, and 3) address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier conditions.

Further, we feel that the Interior subcommittee allocation is unlikely to ever be sufficient to meet the full needs of the Land and Water Conservation Fund (LWCF), the National Park System backlog, or the Payments in Lieu of Taxes (PILT) and Secure Rural Schools (SRS) programs, all of which should receive mandatory funding support outside of the Interior bill.

*Park operations and the maintenance backlog:* The subcommittee's recent increases for maintenance accounts will be very helpful for national parks—but we regret to acknowledge that more is needed. After adjusting for inflation, fiscal year 2017 levels for park operations is still \$96 million, or 4 percent below levels in fiscal year 2010, when NPCA analysis indicated an annual operations shortfall of approximately a half billion dollars. Many parks remain understaffed: between fiscal year 2010 and fiscal year 2016, FTEs for the park service were reduced by 2,515 FTEs—an 11.3 percent reduction in staff (from fiscal year 2018 NPS budget justifications). As you know, these losses can be damaging, with impacts such as less day-to-day maintenance, less scientific inventory and monitoring, reduced hours or even closed public facilities, fewer visitor programs, and other challenges to parks fulfilling their mission. The challenge is compounded by a 13 percent increase in visitation over the last 2 years, with some parks struggling with much more than that average.

Support for our request would help address the \$11.3 billion deferred maintenance backlog. The backlog continues to threaten the protection of nationally significant resources and, eventually the experience of visitors. Recent increases have been helpful but are still insufficient to meet the need. While the backlog is one of our highest funding priorities, we do not want a focus on the backlog to cause other needed work to fall further behind; therefore, we respectfully request broad investments in park operations to address cyclic maintenance and repair and rehabilitation, but also, importantly, the many operating needs beyond maintenance.

*Construction and the backlog:* The NPS construction account is a principal mechanism for addressing major repair needs, yet even after the fiscal year 2016 increase in that account, it remains \$286 million, or 58 percent below levels of 15 years ago after adjusting for inflation. This is why the requested increase for this account is so important to address needed projects throughout the park system.

*Dedicated backlog funding:* We respect that it can be very difficult to identify budgetary offsets for mandatory programs, yet urge Congress to recognize that a more realistic long-term solution is needed to address the maintenance backlog. Under current allocations established by the BCA, it is difficult to see how this subcommittee will be able to address even the highest priority non-transportation facilities' needs. We were grateful for the recent opportunity to testify to the House Natural Resources Committee on this issue on March 16th, 2017 and recommend review of NPCA's testimony submitted for that hearing.

We are heartened at the bipartisan introduction of the National Park Service Legacy Act, S. 751 and H.R. 2584. We're grateful of the support of several Interior appropriators for those bills. We urge the members of the committee to cosponsor the bill and work with other members of Congress and the administration to ensure its passage as a standalone bill or as a component of a larger infrastructure package or other appropriate bill.

*Centennial Challenge:* We commend this subcommittee for restoring the Centennial Challenge program in fiscal year 2015, and for the increases for the program in fiscal year 2016 and 2017. This support has leveraged more than two dollars for every dollar invested for signature projects across the National Park System that enhance the visiting experience. Many more philanthropic opportunities await, so we hope the subcommittee can support the request for an increase in this exciting program that enjoys strong bipartisan support. We commend Congress for passage of the Centennial Act in the last Congress to dedicate funding to that program and to a newly established endowment. Given the extraordinary philanthropic interest in the program, sustained or increased appropriations would help leverage additional philanthropic dollars—a wise investment. We understand the intent of the committee in the fiscal year 2018 omnibus report in directing Centennial Challenge dollars to focus on deferred maintenance. While we commend you on the increase and concur that maintenance is a pressing need as outlined above, we fear this could have the effect of competing with investments in the many philanthropic-driven projects that improve the visiting experience in other ways beyond maintenance.

*Land and Water Conservation Fund (LWCF):* The acquisition of inholdings is directly related to better managing the places in which our nation already has made a significant investment. Thus we urge support for the NPS Federal land acquisition and management portion of LWCF, a critical tool for protecting our national parks. We were pleased the fiscal year 2016 omnibus included better funding for the LWCF program and a 3-year reauthorization. However, we were also disappointed to see a cut to LWCF in fiscal year 2017, leaving insufficient funds for several proposed projects. We urge the subcommittee to reject the president's draconian request for this account and restore appropriated funding. Additionally, we request support for permanent reauthorization of the program through support for H.R. 502, which now has more than 160 bipartisan cosponsors.

*Historic Preservation Fund (HPF):* The HPF provides the primary source of funding for State Historic and Tribal Historic Preservation Offices in all 50 States. The HPF also supports the Historic Tax Credit program, responsible for the rehabilitation of over 40,000 buildings, the creation of 2.5 million jobs and the leveraging of \$117 billion in private investments in historic preservation projects. We commend the committee on the increase for the fund in fiscal year 2017 to \$81 million and request continued support for the program at that level.

*National Heritage Areas (NHAs):* NPCA is a strong supporter of the National Heritage Area program. The 49 existing NHAs have generated \$12 billion in economic activity and \$1.2 billion in tax revenues, and generated over 900,000 volunteer service hours. This mighty program with a modest budget (\$19.8 million in fiscal year 2017) deserves support from both Congress and the president. Furthermore, support for H.R. 1002 would establish a program structure and provide uniform standards for designating, funding and assessing all NHAs.

*Federal Lands Recreation Enhancement Act (FLREA):* We appreciate this subcommittee has supported short-term extensions of FLREA. Reauthorization is critical for NPS to retain needed fee revenue. As NPCA continues to support a long-term reauthorization of FLREA with the respective authorizing committees, we ask the subcommittee to continue support for annual extensions.

*Policy Riders:* Efforts to attach environmentally damaging policy riders only further threatens the appropriations process, so we were grateful that the final fiscal year 2017 bill was largely free of the many proposed riders that would have threatened parks, their ecosystems, and the health of visitors and wildlife within them. We urge continued rejection of efforts to attach damaging riders.

*The Administration's Workforce Reduction Effort:* We are deeply concerned about the administration's effort to reduce the size of the Federal workforce as it relates to the park service and the agencies that support it, particularly EPA, which ensures the health of park water and air. As noted earlier, parks are already understaffed. We are concerned not only about the potential for this process to further reduce park service staff but also to eliminate or merge important programs and offices. We ask the committee to monitor this exercise and remind the administration that these actions are within your jurisdiction. One option for such a statement would be through report language similar to that provided in the Agriculture section of the fiscal year 2017 omnibus report.

*In conclusion:* NPCA has emphasized to this subcommittee over the years the importance of providing more adequate funding for America's treasures. As the subcommittee has acknowledged, the National Park Service and System are deeply popular with the American public and are important for local economies. As we emphasize the importance of providing staff to serve record numbers of visitors, and staff and resources to address the repairs backlog, we should not forget the profound importance of park sites in preserving and interpreting our natural and cultural heritage—a heritage that defines America's very identity. This subcommittee has recognized these places as priorities; we again commend you for supporting their needs and urge your continuing support.

This subcommittee and its House counterpart have also emphasized the importance of a sustainable funding model for NPS. As you know, NPCA has long explored concepts that supplement but do not supplant the Federal responsibility to appropriate funding for our nation's parks. In this spirit, we again urge cosponsorship of the maintenance backlog legislation, S. 751.

Again, respectfully recognizing what we expect will be another constrained allocation, we urge you to provide the best funding level possible for NPS to help the agency recover from underfunding.

Thank you for the opportunity to testify.

[This statement was submitted by John Garder, Director of Budget and Appropriations.]

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PREPARED STATEMENT OF THE NATIONAL RECREATION AND PARK ASSOCIATION

Thank you Chairwoman Murkowski, Senator Udall, and other honorable Members of the subcommittee for the opportunity to submit written testimony pertaining to funding for the Land and Water Conservation Fund's (LWCF) State Assistance Program and in the fiscal year 2018 Interior Appropriations bill.

*Overview of Funding Request:*

As outlined below, we encourage you to renew the Federal investment in the LWCF. However, given that the purpose of the Act is to help preserve, develop, and assure access to outdoor recreation facilities to strengthen the health of U.S. citizens, we urge you to make a greater investment in States and local communities by:

- Allocating a minimum of 40 percent of fiscal year 2018 LWCF appropriations to the State Assistance Program;
- If not at least 40 percent overall, than a minimum of \$110 million in overall funding for the State Assistance Program, which is consistent with the amount appropriated for fiscal year 2017;
- Continuing the innovative, "Outdoor Recreation Legacy Partnership" (ORLP) competitive grant program in the amount of \$12 million; and,
- Find a permanent solution to fully fund the LWCF at its authorized amount of \$900 million, again, with a minimum of 40 percent of annual funding allocated to the State Assistance Program.



*About the National Recreation and Park Association:*

The National Recreation and Park Association (NRPA), is a nonprofit organization dedicated to the advancement of public parks, recreation and conservation efforts nationwide. Our members touch the lives of every American in every community every day. Through our network of more than 50,000 professional members and advocates we represent park and recreation departments in cities, counties, townships, special park districts, and regional park authorities, along with citizens concerned with ensuring close-to-home access to parks and recreation opportunities exist in their communities. Everything we support and do leverages their role in conservation, health and wellness, and social equity to improve the communities in which they work, play and live.

*40 Percent Allocation of Total LWCF Appropriations to the State Assistance Program:*

The LWCF State Assistance Program provides dollar-for-dollar matching grants to States and local communities for the construction of outdoor recreation projects. The land purchased with LWCF State Assistance funding remains the property of the State or local government, and the resources developed through the LWCF remain publicly accessible in perpetuity.

The LWCF provides numerous benefits to local communities across America, and it does so through a dedicated funding source—namely oil and gas leasing revenues from the Outer Continental Shelf (OCS). The Bureau of Ocean Energy Management (BOEM) anticipates that a minimum of \$4 billion will be generated from these leases in 2017 alone, with only a small fraction (approximately 10 percent using final fiscal year 2017 funding levels) provided overall to the LWCF. Unfortunately an even more miniscule amount is provided to the State Assistance Program. This is in large part due to the fact that current law mandates that a minimum of 40 percent of the total LWCF annual appropriations must be provided to the Federal land acquisition program without specifying an amount for the State Assistance Program. As a result, States and local communities have historically received a very disproportionate share of the total LWCF appropriations, with less than 15 percent of total LWCF funding going to the State Assistance Program since 1998.

With this as background, we thank you very much for your efforts in fiscal year 2016, which led to the highest total appropriation for LWCF in years. You also realized that a higher percentage of overall LWCF dollars should be allocated to the States for the purpose of meeting the ever increasing need for safe and accessible close-to-home recreation. The \$110 million for State Assistance in fiscal year 2016 represents approximately one-quarter of overall LWCF appropriations for the year.

For fiscal year 2017, while the overall appropriation for LWCF was reduced compared to the previous year, we're grateful that the State Assistance Program was maintained at the same \$110 million total amount.

While this amount signifies a major improvement over the long-term average of, again, less than 15 percent of total LWCF spending, we call upon the subcommittee to seek a permanent solution to funding the LWCF at its authorized amount of \$900 million, with the State and Local Assistance Program receiving at least 40 percent of overall LWCF expenditures each year. With four-out-of-five Americans now living in our larger communities, and the fact the original LWCF Act called for 60 percent to State Assistance, it's reasonable that the formula grants to the States for outdoor recreation should receive a more equitable distribution of LWCF dollars annually.

We agree on the importance of preserving and providing access to our national treasures for all to enjoy—and congratulate and recognize the National Park Service as it enters its second century. However, we'd like to remind you that many treasured public areas are NOT located on Federal property.

For the reasons outlined below, we are asking you to empower States and local communities to do more to preserve, develop, and assure access to outdoor recreation facilities to strengthen our Nation by allocating 40 percent of total LWCF appropriations to the State Assistance Program in fiscal year 2018.

*LWCF State Assistance's Return on Investment and Return on Objective:*

One of the key aspects of the LWCF State Assistance Program is the ability to create jobs. The outdoor recreation industry, as such is supported by LWCF State Assistance, is an economic powerhouse in the United States. According to the Outdoor Industry Association, the industry generates \$887 billion in consumer spending and supports over 7 million jobs annually.<sup>1</sup> In fact, our own research has determined that America's local and regional public park agencies generated nearly \$140

<sup>1</sup> Outdoor Industry Association, "The Outdoor Recreation Economy Report 2017".

billion in economic activity and supported nearly 1 million jobs from their operations and capital spending alone in 2013.<sup>2</sup>

Considering there are 7,800 State and over 100,000 locally managed parks throughout the country, it is obvious that outdoor recreation is most prevalent at the State and local level, and it is the LWCF State Assistance Program which serves as the catalyst for so many of the places, spaces, and opportunities for outdoor recreation which stimulates the outdoor economy.

When viewed through the lens of the importance of the American outdoor recreation industry, the LWCF State Assistance Program has, for more than four decades, achieved a proven return on investment (ROI) demonstrated by the fact that \$4 billion in Federal support has been matched and leveraged to provide more than \$8 billion in total public investment. But the benefits of this program, don't stop there, as the State Assistance Program has not only provided a ROI, but has also done a tremendous job of providing an outstanding "return on objective" for the American taxpayer by ensuring access for all to nearby public spaces, in perpetuity.

Not everyone has the ability to visit one of our treasured national parks, and even those who do so are unable to on a regular basis. Their visits are often destination vacations or once-in-a-lifetime trips. To the average American, however, the neighborhood park—down the street, open and accessible to the public, and without an admission fee—is the most important public space in their lives. The State Assistance Program has played a critical role in the creation of these important places, with more than 40,400 grant projects covering nearly every county across America.

The LWCF State Assistance Program is dedicated to ensuring that Americans have access to close-to-home public recreation opportunities. It is a means by which the subcommittee can provide investment to critically important local park infrastructure, including: a new soccer field at Sisterhood Park in Anchorage, Alaska; enhancements at Bluewater Lake State Park near Perwitt, New Mexico; and an accessible playground at Fall Creek Falls State Park in Spencer, Tennessee. Each of the aforementioned communities benefited from State Assistance grant funding since 2013.

*LWCF State Assistance Provides Health and Environmental Benefits:*

In addition to creating jobs and ensuring access for all, the LWCF State Assistance Program delivers tangible health benefits, contributing to the physical, mental and overall social health and well-being of Americans. The CDC reports obesity is now a leading cause of chronic disease and identifies increased access to parks, green space, and recreation opportunities is essential to becoming a healthier Nation and reducing unsustainable healthcare costs.

The LWCF State Assistance Program also significantly contributes to protecting the environment and promoting environmental stewardship. LWCF State Assistance projects have a historical record of contributing to reduced and delayed storm water runoff volumes, enhanced groundwater recharge, storm water pollutant reductions, reduced sewer overflow events, increased carbon sequestration, urban heat island mitigation and reduced energy demands, resulting in improved air quality, increased wildlife habitat, and increased land values on the local level.

*Maintaining The Outdoor Recreation Legacy Partnership Competitive Grant Program:*

While the LWCF has indeed benefited virtually every community in the country, many of our Nation's cities and urbanized counties face distinct challenges that require additional resources. Recognizing this fact as well as the importance of public parks and recreation to larger urban renewal and community development efforts, Congress established the Urban Parks and Recreation Recovery Program (UPARR) to provide matching grants directly to localities in metropolitan areas. Over the course of two decades UPARR provided \$272 million for nearly 1,500 projects in 380 communities. This enabled neighborhoods across the country to restore both outdoor and indoor recreation facilities; support innovative recreational programming and enhance delivery of services and programs that provided constructive alternatives to at-risk youth. Despite its successes, UPARR has not been funded since fiscal year 2002, yet many of the urban open space and recreation challenges still exist today.

With UPARR now dormant for over a decade, we appreciate greatly your recognition for the need to target some State Assistance dollars to assist our most underserved, urban communities. Your support has led to the development of what is now known as the Outdoor Recreation Legacy Partnership (ORLP) program. This national competitive grant program complements the traditional State Assistance formula grants program by focusing on national priorities, specifically helping urban

<sup>2</sup>NRPA, "The Economic Impact of Local Parks" published 2015.

communities to acquire or develop land to create or reinvigorate public parks and other outdoor recreation spaces in ways that significantly improve local communities and encourage people to connect (or re-connect) with the outdoors.

NRPA is pleased to have worked with NPS to help develop the pilot for this initiative and believes it will prove successful in highlighting the innovative projects and partnerships the State Assistance Program provides across America. This year, NPS intends to award as many as 40 ORLP grants to support the revitalization and protection of close-to-home parks and recreation opportunities in underserved areas.

We ask that you maintain funding for the ORLP at \$12 million for fiscal year 2018. Also, as this program is included as part of the overall funding for the State Assistance Program, we ask the subcommittee to ensure that any continued funding for the ORLP does not negatively impact the total amount provided to the critical formula grants to the States for conservation and outdoor recreation.

Madam Chair and Members of the subcommittee, few programs can address so many national priorities as effectively as the LWCF State Assistance Program. This subcommittee and Congress have the rare opportunity to achieve national goals, all without costing the individual American taxpayer a penny, and can do so by adopting three simple recommendations: Allocate a minimum of 40 percent of total LWCF funding to the State Assistance Program; and continue the innovative ORLP grant program to help address the need for improved recreational infrastructure in larger metropolitan communities. Finally, we call upon the subcommittee to find a permanent solution for fully funding the LWCF with a minimum of 40 percent of annual support going to the State Assistance Program.

Thank you again for the opportunity to share NRPA's recommendations and your consideration of our request.

[This statement was submitted by Kevin O'Hara, Vice President for Urban and Government Affairs.]

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PREPARED STATEMENT OF THE NATIONAL TRIBAL CONTRACT SUPPORT COST  
COALITION

This testimony is offered on behalf of the National Tribal Contract Support Cost Coalition. The Coalition is comprised of 21 Tribes and Tribal organizations situated in 11 States. Collectively, they operate contracts to administer almost \$500 million in Indian Health Service (IHS) and Bureau of Indian Affairs (BIA) programs on behalf of over 250 Native American Tribes.<sup>1</sup> The Coalition was created to assure that the Federal Government honors the United States' contractual obligation to add full contract support cost funding to every contract and compact awarded under the Indian Self-Determination and Education Assistance Act. Our Counsel litigated the Supreme Court *Cherokee* and *Arctic Slope* cases against the Indian Health Service, and co-litigated the *Ramah* class action case against the Bureau of Indian Affairs, all of which held that IHS and BIA contracts with Indian Tribes are true, binding contracts which must be paid in full no less than any other government contract.

Over the past year, both IHS and BIA have worked closely with Tribes and Tribal organizations on finalizing and publishing new CSC policies setting forth internal guidelines for calculating and reconciling CSC payments. Many Tribes across the country submitted comments, and some are reflected in the final results. In this respect, Tribal consultation worked, and both agencies are to be applauded for their inclusive processes. But the agencies' results differ substantially, and it is on this difference that we wish to focus, especially the unnecessarily restrictive and complex approach taken by IHS.

On the one hand, you have the BIA Manual revisions. The Coalition applauds the BIA approach, which genuinely embraced the Committee's instructions to be simple and straightforward, and to streamline the process for determining and reconciling contract support cost requirements. Tribes and agency personnel, alike, can easily understand the BIA's new policy, and the BIA's simple approach will lead to accu-

<sup>1</sup> The NTCS is comprised of the: Alaska Native Tribal Health Consortium (Alaska), Arctic Slope Native Association (Alaska), Central Council of Tlingit & Haida Indian Tribes (Alaska), Cherokee Nation (Oklahoma), Chickasaw Nation, Chippewa Cree Tribe of the Rocky Boy's Reservation (Montana), Choctaw Nation (Oklahoma), Confederated Salish and Kootenai Tribes (Montana), Copper River Native Association (Alaska), Forest County Potawatomi Community (Wisconsin), Kodiak Area Native Association (Alaska), Little River Band of Ottawa Indians (Michigan), Pueblo of Zuni (New Mexico), Riverside-San Bernardino County Indian Health (California), Shoshone Bannock Tribes (Idaho), Shoshone-Paiute Tribes (Idaho, Nevada), Southeast Alaska Regional Health Consortium (Alaska), Spirit Lake Tribe (North Dakota), Tanana Chiefs Conference (Alaska), Yukon-Kuskokwim Health Corporation (Alaska), and Northwest Portland Area Indian Health Board (43 Tribes in Idaho, Washington, Oregon).

rate CSC estimates over time. It also does not require extensive training, and therefore has already led to improved agency business practices.

On the other hand, you have the IHS. While IHS deserves genuine praise for consulting extensively with Tribes beginning last spring, the ultimate result was both complex and controversial. Despite compromises reached with Tribes on most issues, the agency's adherence to certain legal positions that the Office of General Counsel prefers to litigate left two large issues in dispute. As a result, the new IHS policy adopts the agency's position on the "duplication" and "allocation" issues, and notes the Tribal position in footnotes. IHS's intransigence on these issues has left their resolution to the courts, and there are now at least three ongoing cases against IHS involving one or both of these issues.<sup>2</sup>

The final IHS policy also remains terribly over-complicated: not only does it refer to the statute instead of explaining key concepts in plain language, but it also contains several complex calculations, requires Tribes to submit additional documentation to the agency each year, and necessitates two separate CSC negotiation processes each year. Indeed, the policy is so complicated that the agency has only one staff person across the entire country that can answer policy questions and guide the agency's interpretation of its new policy. This person is currently serving a dual role as an Acting Director at Headquarters, further delaying decisions and complicating negotiations for individual Tribes. The agency's approach to training on the new policy is quite telling—instead of partnering with Tribes that asked to be involved in any agency training programs, the agency instead developed and released a series of YouTube videos that completely ignore the Tribal position on the "duplication" and "allocation" issues.

The policy is so complicated that IHS personnel have been unable to get a firm grasp on CSC calculations. We understand that in 2017, IHS misstated the total CSC requirement across Indian country by over \$90 million. We believe the actual total CSC need for IHS in 2017 is around \$703 million, not the \$800 million included in the President's budget for that year and defended by IHS throughout 2016. We believe the total CSC need in fiscal year 2018 will be about \$725 million, still far below the agency's prior estimate.<sup>3</sup> Clearly, the agency's failure to simplify the CSC calculation process is impacting IHS, too.

IHS's overly complex CSC policy isn't just impacting CSC calculations and estimates; it is also overly complicating what IHS calls the post-year reconciliation process. Since the adoption of the updated policy, IHS has gone back to Tribes to "reconcile" CSC calculations for 2014, 2015 and 2016. In some instances IHS is demanding that Tribes repay millions of dollars—including dollars that were spent years ago—while other Tribes are still waiting to be paid the full CSC they were promised as much as 3 years ago. If the new policy remains unchanged, IHS must do a better job of committing the necessary staff to work with Tribes to perform these calculations on a timely basis and to resolve matters quickly.

In sum, while both agencies have made real progress in improving their management of their CSC accounts, we respectfully urge the subcommittee to repeat its instructions to IHS to further simplify its calculation and reconciliation processes, and to instruct the agencies not to seek to reduce Tribal contract support cost entitlements.

To further simplify and streamline contracting activities, we also respectfully suggest that the subcommittee urge the agencies to explore using multi-year arrangements for fixed rates or fixed lump-sum amounts subject to inflationary adjustments.

We also respectfully suggest that the subcommittee remind both agencies to interpret and apply the Act's CSC provisions liberally in favor of the Tribes. After all, that is the law, both as stated in section 108 of the Indian Self-Determination Act and in two Supreme Court decisions.

On another note, we thank the subcommittee for removing the "notwithstanding" clause from the 2017 appropriation addressing certain earmarked funds, including substance abuse and suicide prevention initiative (SASP) funds and domestic violence prevention initiative (DVPI) funds. Between 2008 and 2012, IHS agreed to award these funds through Self-Determination Act agreements, and to calculate contract support cost requirements on those funds. But starting in 2012 IHS reversed course, refusing to calculate CSC requirements and demanding that these funds be

<sup>2</sup>In one case, the Federal district court last September ruled in favor of the Tribal position on both issues. IHS's reaction was unfortunate: instead of revising the CSC policy accordingly, IHS declared it will appeal the decision to the Tenth Circuit Court of Appeals.

<sup>3</sup>We caution that our own estimate for 2018 will vary depending on where this Committee decides to make increases, since most CSC calculations are a function of the size of the IHS programs the Tribes administer.

awarded through separate grant instruments. This change caused Tribes to cut vital program operations to fund the administrative costs of these programs, including for grant administrators, while adding extraordinary complexity through the parallel grant funding and reporting process. Nationwide, IHS's change in position reduced behavioral health program funding amounts by 25 percent.

IHS relied on the old "notwithstanding" clause to force Tribes into grant instruments and to dodge the Indian Self-Determination Act's mandate to add contract support costs to these program funds. We hope that in 2017 and beyond, the elimination of that clause will lead IHS to return to its former pre-2012 practice. We respectfully suggest that the subcommittee ask IHS to report on its progress in eliminating the grant funding mechanism and in adding contract support costs to administer these precious funds.

The National Tribal Contract Support Cost Coalition thanks the subcommittee for this opportunity to testify.

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PREPARED STATEMENT OF THE NATIONAL TRUST FOR HISTORIC PRESERVATION

Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee, I appreciate this opportunity to present the National Trust for Historic Preservation's recommendations for fiscal year 2018 appropriations. My name is Tom Cassidy and I am the Vice President of Government Relations and Policy. The National Trust is a privately-funded nonprofit organization chartered by Congress in 1949. We work to save America's historic places to enrich our future.

The Nation faces a challenging fiscal environment. The National Trust recognizes there is a need for fiscal restraint and cost-effective Federal investments. However, funding levels proposed in the administration's budget request threaten to sharply curtail the ability of Federal agencies to fulfill their responsibilities to manage preservation, conservation and recreation programs on Federal lands. We look forward to working with this subcommittee as you address the ongoing needs for investments to sustain our Nation's rich heritage of cultural and historic resources that generate lasting economic and civic vitality for communities throughout the Nation.

*National Park Service: Historic Preservation Fund.* The Historic Preservation Fund (HPF) is the principal source of funding to implement the Nation's historic preservation programs. The Committees have done remarkable work to provide strong funding levels to further the purposes of the Historic Preservation Fund in recent years, and we look forward to working with you to continue this progress. We urge you to reject the administration's proposed cut of \$29.8 million from the HPF. This would result in the lowest funding level for SHPOs since 2009 and the lowest funding level for THPOs since 2011, when there were 118 THPOs compared to approximately 175 today. In addition, the elimination of four separate competitive grant programs funded last year would result in a sharp decrease in the delivery of preservation services and projects throughout the Nation.

We support maintaining at least the fiscal year 2017 enacted level of \$80.91 million for the Historic Preservation Fund, including a minimum of \$47.9 million for State Historic Preservation Offices (SHPOs) and \$10.4 million for Tribal Historic Preservation Offices (THPOs). We also urge you to maintain at least level funding of \$13 million for competitive grants to preserve the sites and stories of the Civil Rights movement, \$4 million for grants to Historically Black Colleges and Universities, and continue to fund \$500,000 for the successful competitive grants program for the survey and nomination of properties associated with communities currently underrepresented in the National Register of Historic Places and National Historic Landmarks. Recent studies have documented that less than 8 percent of such listings identify culturally diverse properties. We also support continuation of the Save America's Treasures program, which received \$5 million in fiscal year 2017.

The National Park Service distributes HPF grants that are matched by State Historic Preservation Offices (SHPOs) and Tribal Historic Preservation Offices (THPOs). Inadequate HPF funding limits support for preservation activities such as survey, nomination of properties to the National Register of Historic Places, public education, project review required by the National Historic Preservation Act and for the Federal Historic Rehabilitation Tax Credit (HTC). The HTC is the largest Federal investment in historic preservation. It has catalyzed rehabilitation of more than 42,250 buildings. Since its creation more than 30 years ago, the HTC has created more than 2.4 million jobs and leveraged more than \$131 billion in private investment.

*National Park Service: Operation of the National Park System.* The National Park Service (NPS) is responsible for 413 units of the National Park System ranging from the battlefields where our ancestors fought and died to recent additions like the Bir-

mingham Civil Rights National Monument and the Reconstruction Era National Monument. Over the past 20 years, more than 40 new parks have been added to the park system, many of which preserve historic places and themes that have been underrepresented within the system. We strongly oppose the President's proposed budget cuts for National Park Service Operations. The administration's request of \$2.225 billion—a cut of nearly \$200 million from fiscal year 2017—would result in decreased stewardship of historic and cultural resources and reductions in visitor services at a time when our national parks are more popular than ever. We encourage the subcommittee to provide at least level funding from fiscal year 2017 of \$2.45 billion.

*National Park Service: Deferred Maintenance.* The National Park Service is responsible for maintaining a system comprised of more than 84 million acres that tells the stories of remarkable people and events in our country's history. Unfortunately, after 100 years of operation and inconsistent public funding, the National Park System faces a deferred maintenance backlog estimated at almost \$12 billion, of which 47 percent is attributed to historic assets. Deferred maintenance in our national parks puts historic and cultural sites at risk of permanent damage or loss, and in the absence of funding, the condition of these assets will continue to deteriorate and become more expensive to repair and preserve in the future.

—*Construction.* We concur with the recommendation in the President's budget blueprint "that the National Park Service assets are preserved for future generations by increasing investment in deferred maintenance projects." Similarly, we support the administration's budget request for a \$7.2 million increase over fiscal year 2017 enacted for the Line Item Construction program, which addresses the deferred maintenance for the NPS' highest priority non-transportation assets with projects larger than \$1 million.

—*Repair and Rehabilitation; Cyclic Maintenance.* We strongly oppose the administration's proposed reductions for Repair and Rehabilitation and Cyclic Maintenance. These investments support a service-wide deferred maintenance strategy that directs funds to high priority mission critical and mission dependent assets required to maintain historic structures and that are essential to abate the continued growth of the deferred maintenance backlog. After years of level funding or modest increases for both Repair and Rehabilitation and Cyclic Maintenance, we were pleased to see increases for fiscal year 2016 and fiscal year 2017 and thank the Committee for its commitment to addressing the deferred maintenance backlog. Additional investments will contribute to the successful preservation of historic sites and other resources in the National Park System.

Finally, we strongly support the creation of a reliable, dedicated Federal funding source distinct from annual appropriations to address the deferred maintenance backlog, as outlined in bipartisan legislation introduced (S. 751/H.R. 2584) in the Senate and House.

*National Park Service: Leasing Historic Structures in National Parks.* We appreciate the Committees' strong support of expanded use of historic leasing authorities by the NPS. We look forward to working with the subcommittee and the Service as it completes the report called for in last year's Omnibus.

*National Park Service: National Heritage Areas.* We recommend funding for the Heritage Partnership Program and our National Heritage Areas (NHAs) at the fiscal year 2017 enacted level of \$19.8 million. The administration's proposal to eliminate NHA funding would severely impair the sustainability of the program and render many NHAs unable to function.

*National Park Service: Philanthropy and Partnerships.* The National Trust supports the Centennial Challenge, which provides Federal funding to match donations for signature National Park Service projects and programs, and urge the Committee to consider funding this initiative at least at the fiscal year 2017 enacted level. This funding will allow the NPS to leverage private contributions to enhance visitor services and improve cultural and natural resources across the parks in the Service.

As part of our commitment to assist the NPS reduce the maintenance backlog of historic properties, the National Trust launched the HOPE (Hands-On Preservation Experience) Crew initiative in 2014 to train young adults in preservation skills while helping protect and restore historic sites. Youth and veterans are trained in the preservation skills necessary to perform preservation work in the parks and other Federal lands through a cooperative agreement between the NPS, other Federal land management agencies, and several NGOs including the Student Conservation Association and The Corps Network. Since 2014, HOPE Crew has trained over 600 young people and veterans at 100 projects nationwide, resulting in 80,000 hours and \$14.3 million in preservation work to protect places that are significant to their communities, including rehabilitating structures at Martin Luther King, Jr. National Historic Site, Little Big Horn Battlefield National Monument, Golden Gate

National Recreation Area, and Shenandoah National Park. Projects like these help reduce the maintenance backlog while providing job skills and education for the next generation of stewards of America's most important historic sites.

*Bureau of Land Management: Cultural Resources Management.* The cultural resources program funds National Historic Preservation Act (NHPA) Section 106 review of 13,000 land-use proposals each year, compliance with the Native American Graves Protection and Repatriation Act and Government-to-Government consultation with Indian Tribes and Alaska Native Governments. We recommend \$17.3 million, a modest increase of \$1.2 million above the fiscal year 2017 enacted level. This account has been level funded for years. Increased funding is necessary to fulfill BLM's statutory requirements for Section 106 reviews of land use proposals and NHPA's Section 110 requirements for inventory and protection cultural resources. The increase would support surveys of sensitive areas, site protection and stabilization projects for sites vulnerable to unauthorized activities and damage due to fire, erosion and changing water levels. Funding would also support updated predictive modeling and data analysis to enhance the BLM's ability to address large-scale, cross-jurisdictional land-use projects.

The BLM oversees the largest, most diverse and scientifically important collection of historic and cultural resources on our Nation's public lands, as well as the museum collections and data associated with them. Since fiscal year 2003, the cultural resources program has lost 19 FTEs while the demand for Section 106 compliance has remained even or increased. The loss of personnel has diminished the BLM's ability to review land proposals like transmission lines, energy development and recreation permits. The administration's proposed overall reduction of 1,062 FTE from BLM would sharply erode the agency's capacity to fulfill its mission and responsibilities. We urge the Committee to reject this proposed dramatic reduction in staffing.

*Bureau of Land Management: National Landscape Conservation System.* The BLM's National Landscape Conservation System (National Conservation Lands) includes 36 million acres of congressionally and presidentially designated lands, including National Monuments, National Conservation Areas, Wilderness, Wilderness Study Areas, National Scenic and Historic Trails, and Wild and Scenic Rivers. We encourage the Committee to provide \$50.6 million to the base program for the National Landscape Conservation System, an increase of \$13.8 million above the fiscal year 2017 enacted level. The increase in base funding will prevent critical damage to the resources found in these areas, ensure proper management and provide for a quality visitor experience. This funding level would enable BLM to hire essential management and law enforcement staff, monitor and protect natural and cultural resources, close unauthorized routes that damage fragile cultural sites and undertake needed ecosystem and species restoration projects. We also support maintaining funding for wilderness management of at least \$18.2 million and providing level funding of \$779,000 for national monument management on Oregon and California Grant Lands. We urge you to reject the administration's proposed cuts to these programs, which would result in reduced visitor services, decreased maintenance and care of trails, and fewer educational and interpretive resources.

As the Nation's newest system of protected lands, the National Conservation Lands encompass some of our country's most significant historic and cultural resources, yet the BLM's ability to steward these resources is undermined by insufficient funding. The National Conservation Lands are just one-tenth of BLM managed lands but they host one-third of all BLM's visitors. Without sufficient funding, the BLM struggles to complete essential resource protection, such as signing trails, inventorying and protecting cultural sites from looting and vandalism.

*Department-Wide: Land and Water Conservation Fund.* The National Trust supports robust funding for the Land and Water Conservation Fund (LWCF), and we urge the Committee to reject the drastic cut proposed for the program in the administration's budget request. We encourage the Committee to restore funding to the fiscal year 2016 enacted level of \$450 million, which is just half of the \$900 million from offshore mineral leasing revenues dedicated to LWCF annually. Many of the Nation's most significant historic and cultural landscapes have been permanently protected through LWCF investments, including Martin Luther King Jr. National Historic Site, Canyons of the Ancients National Monument and Harpers Ferry National Historic Park. In total, more than \$550 million has been invested to acquire historic sites and 137,000 acres in 162 NPS units. Within LWCF funding, we encourage the Committee to provide at least level funding of \$10 million for the American Battlefield Protection Program.

*Independent Agencies: National Endowment for the Arts and National Endowment for the Humanities.* We urge the Committee to reject the administration's proposed elimination of funding for the National Endowment for the Arts (NEA) and National

Endowment for the Humanities (NEH) and instead maintain the fiscal year 2017 enacted level of \$149.8 million for each program. NEA and NEH funding is critical to communities around the country. It supports efforts by the National Trust's Historic Sites and others to tell a fuller American story and engage visitors with history in compelling ways. For example, support from the NEA has created programs like Art and Shadows at the Shadows-on-the-Teche in Louisiana that put regionally-based artists in residence at the site, resulting in programming that attracted new audiences and served as a prototype for broader arts-focused programming that now draws people from around the country to the town's downtown commercial district. NEH support has brought teachers from around the country to learn about history in the places that it was made and carry those experiences back to their classrooms, such as exploring the intellectual underpinnings of the Constitution at James Madison's Montpelier or discovering the rich, but largely unknown, African American history in the President's neighborhood at Decatur House.

Thank you for the opportunity to present the National Trust's recommendations for the fiscal year 2018 Interior, Environment and Related Agencies appropriations bill.

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PREPARED STATEMENT OF THE NATIVE VILLAGE OF EYAK

The Requests of the Native Village of Eyak (Eyak) for the fiscal year 2018 Indian Programs Appropriations and our comments are as follows:

- CSC Funding*.—Continue to fund Contract Support Costs at 100 percent and appropriate funding on a permanent and mandatory basis;
- Sequestration*.—Shield the IHS/BIA from sequestration and provide advance appropriations to Native programs;
- VBC Funding*.—Direct the IHS to fully fund Village Built Clinic (VBC) leases, make it a line item in the budget and allocate \$17 million to IHS for VBC leases;
- Joint Venture Program*.—Increase funding and reopen the Joint Venture application program in 2018;
- Natural Resource Funding*.—Increase funding for Tribal natural resource management programs; and
- Tribal Court Funding*.—Increase funding for Tribal courts located in Public Law 280 States.

Thank you Chairman Calvert, Ranking Member McCollum and Members of the subcommittee for holding this hearing for public witness on Indian programs. Of course, we also thank our own House Natural Resources Committee, Chairman Emeritus Young for his advocacy with this subcommittee.

My name is Mark Hoover and I am a Council Member on the Eyak Traditional Council, a Tribal government located in Cordova, Alaska. We are a federally recognized Tribe on the southeast shores of Prince William Sound in the North Gulf coast of Alaska. We emphasize self-determination as an avenue to improve the lives and health of our Tribal citizens by creating opportunities, strengthening partnerships and capacity, promoting our culture, and protecting our traditional land and resources..

*Contract Support Costs (CSC)*.—Eyak would first like to thank the subcommittee for its leadership in understanding the reason for and committing to fully funding the IHS and BIA contract support costs for fiscal year 2016, and fiscal year 2017, and making funding indefinite and also a separate account in the IHS and BIA budgets. For too many years, the IHS and the BIA have vastly underpaid contract support costs owed to Tribes and Tribal organizations and this transformation makes a tremendous difference in helping to ensure that the Indian Self-Determination and Education Assistance Act (ISDEAA) is fully funded and implemented as Congress so intended. We thank you for listening and responding to Tribes and our requests.

Eyak requests that Congress continue to fully fund CSC and ensure appropriations are ultimately made permanent and mandatory. Under the ISDEAA, the full payment of CSC is not discretionary; it is a legal obligation affirmed by the United States Supreme Court. Eyak maintains its commitment to working with Congress on how to best achieve that goal.

*Sequestration*.—Eyak requests the support of the Subcommittee in amending the Balanced Budget and Emergency Deficit Control Act to exempt Indian programs, such as the IHS and BIA budgets, from sequestration. While we support Congressional efforts to fully exempt Veterans Health Administration (VA) programs from sequestration and to limit State Medicaid grants and Medicare payments to a 2 percent reduction, Indian healthcare, as a Federal trust responsibility, should be af-



forded equal treatment to VA programs. A number of members of this Subcommittee and other members of Congress have voiced support for this position and have stated that it was an oversight that Indian budgets were not also included in the exempt category of the Balanced Budget and Emergency Deficit Control Act.

Eyak is concerned that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal year 2017 spending cap. When put in the context of the President's fiscal year 2018 budget proposal to raise defense spending by \$54 billion and lower non-defense discretionary spending by a corresponding amount, we are worried that a significant sequestration of funds is likely to occur which would severely impact Tribal program budgets. Indian program budgets should be exempt from sequestration.

*Village Built Clinics.*—Eyak would like to thank Congress for its appropriation of \$11 million for Tribal health clinic leases in the fiscal year 2017 Consolidated Appropriations bill. These small chronically underfunded remote clinics serves as an essential lifeline for rural Alaskan villages where there is no road system to connect villages to urban centers. We sincerely appreciate your support and thank you for your leadership on this issue.

Eyak also appreciates the House Natural Resources Subcommittee on Indian, Insular, and Alaska Native Affairs holding a hearing on Indian infrastructure needs in Indian Country, and the support and participation of Chairman Emeritus Young in the discussion that focused on the considerable unmet needs of Village Built Clinics. Many of the Village Built Clinics are in extreme disrepair and there is a considerable need for a reserve fund for upkeep and expansion of these essential facilities. In 2015, the Alaska Native Health Board estimated that an additional \$14 million annual appropriation would be needed to fund a replacement reserve to tackle the clinic crisis. Eyak supports increased funding for Village Built Clinics and requests that funding be a separate line item in the IHS budget, recurring funding, and displayed in the Budget Justification to enable better planning and certainty for Tribes.

The \$11 million increase in fiscal year 2017 funding for Village Built Clinics was a major advancement, but that amount does not meet the full need. In 2015, the Alaska Native Health Board estimated that in addition to the existing \$4.5 million base, \$12.5 million is still needed to fund the Village Built Clinics. The fiscal year 2017 funding served as a supplement to the approximately \$4.5 million already being provided to these essential village clinics. Without a separate line item for Village Built Clinics, much of the funding could be distributed to other types of facility leases, leaving the Village Built Clinics falling far short of the necessary funding.

*Joint Venture Program.*—Eyak urges Congress to increase funding for the IHS Joint Venture (JV) program and respectfully requests that the application period reopen in 2018, so that new Tribes can join the program. The JV program leverages both Tribal and IHS funding to enable construction and staffing of safe and modern health facilities for Native people. This unique Federal-Tribal partnership allows the IHS to provide funding for staffing, equipping, and operations, while a participating Tribe covers costs of design and construction. Joint Venture projects have proven to be a successful and vital component of improving access to care and reducing health disparities throughout Indian Country. Eyak would like to invest in a new health facility in the near future and is ready to take this next step in our self-determination efforts as we continue to provide and expand quality and affordable community healthcare.

*Natural Resource Funding.*—Eyak respectfully asks that Congress increase funding for Tribal natural resource management programs to assist Tribes in the management, development, and protection of Tribal natural resources. Tribal natural resource programs provide many benefits to a Tribe such as revenue generation, job creation, and the protection of cultural and traditional resources. It is a program that helps fulfill the Federal trust responsibility by allowing Tribes to manage their own natural resources in compliance with various regulations and requirements related to land and natural resource management. Increasing funding for these fundamental programs is essential.

*Tribal Court Funding.*—Eyak welcomes the fiscal year 2017 increase for Tribal courts located in P 83–280 (Public Law 83–280) States and asks that this increase continue in fiscal year 2018. We see no greater need across Indian Country than to protect our Tribal citizens through public safety and justice initiatives. Eyak has a very active Tribal court, but like other Tribes who reside in Public Law 280 States, we consistently struggle with funding. As we work to build, maintain and improve our village infrastructure, a crucial part of that is a well-functioning Tribal judicial system.

The BIA has had a long-standing and unjustified policy of not funding Tribal courts in Public Law 280 States. The fiscal year 2017, BIA Tribal Justice Support

appropriation was \$17.2 million, or about \$7 million over fiscal year 2016 levels and it would provide increases resources for Tribal courts in Public Law 280 States. The BIA fiscal year 2017, explanatory language for the Consolidated Appropriations Act explains: "Funding for Tribal justice support is restored to \$17,250,000, of which not less than \$10,000,000 is to address the needs of Tribes affected by Public Law 83-280. The Committees remain concerned about Tribal court needs as identified in the Indian Law and Order Commission's November 2013 report, which notes Federal investment in Tribal justice in "Public Law 280" States has been more limited than elsewhere in Indian Country. The Committees expect the Bureau to work with Tribes and Tribal organizations in these States to fund plans that design, promote, sustain, or pilot courts systems subject to jurisdiction under Public Law 83-280. The Bureau is also directed to formally consult and maintain open communication throughout the process with Tribes and Tribal organizations on how this funding supports the technical infrastructure and future Tribal court needs for these jurisdictions."

Eyak sincerely thanks Congress and especially Senator Murkowski, for underscoring the significant financial need of Tribal courts in Public Law 280 States. We respectfully request that Congress increase funding for our Tribal courts to meet the substantial financial need and we also request that Congress continue to urge the BIA to fund Public Law 280 courts in order to promote safe and healthy Tribal communities.

In conclusion, and on behalf of the Native Village of Eyak, we thank you for the opportunity to present testimony on some of the high priority needs regarding funding for Indian related programs. Eyak recommends: continued funding for Contract Support Costs at 100 percent on an indefinite and mandatory basis; exempt the IHS/BIA from sequestration and provide advance appropriations for Native programs; fully fund Village Built Clinic leases at \$17 million and make it a line item in the budget; increase funding and reopen the IHS Joint Venture program; increase funding for Tribal natural resource programs; and increase funding for Tribal courts located in Public Law 280 States. We appreciate your commitment to Native American people and thank you for your consideration of Eyak's concerns and requests.

#### PREPARED STATEMENT OF THE NATURAL SCIENCE COLLECTIONS ALLIANCE

The Natural Science Collections Alliance appreciates the opportunity to provide testimony in support of fiscal year 2018 appropriations for the Smithsonian Institution and Department of the Interior. We encourage Congress to use 2017 enacted levels as the basis for 2018 funding decisions and to include new investments that address agency backlogs in the preservation and curation of scientific and cultural collections within Interior and the Smithsonian Institution.

*The Natural Science Collections Alliance is a non-profit association that supports natural science collections, their human resources, the institutions that house them, and their research activities for the benefit of science and society. Our membership consists of institutions that are part of an international community of museums, botanical gardens, herbaria, universities, and other institutions that contain natural science collections and use them in research, exhibitions, academic and informal science education, and outreach activities.*

Scientific collections, and the collections experts who make, care for, and study those collections, are a vital component of our Nation's research infrastructure. Whether held at a museum, government managed laboratory or archive, or in a university science department, these scientific resources contain genetic, tissue, organismal, and environmental samples that constitute a unique and irreplaceable library of Earth's history. The specimens, their associated data, and collections experts drive cutting edge research on significant challenges facing modern society, such as improving human health, enhancing food security, and understanding and responding to environmental change. Collections inspire novel interdisciplinary research that precipitates innovation and addresses some of the most fundamental questions related to biodiversity.

The institutions that care for scientific collections are important research centers that enable other scientists to study the basic data of life; conduct modern biological, geological, anthropological, and environmental research; integrate across these diverse disciplines; and provide undergraduate and graduate students with hands-on training opportunities. In-house institutional staff expertise is vital to the development and deployment of this critical research infrastructure.

According to the Federal Interagency Working Group on Scientific Collections, "scientific collections are essential to supporting agency missions and are thus vital

to supporting the global research enterprise.” In recognition of the importance of collections, the Office of Science and Technology Policy issued a memo that directed Federal agencies to budget for the proper care of collections. “Agencies should ensure that their collections’ necessary costs are properly assessed and realistically projected in agency budgets, so that collections are not compromised.”

Preservation of specimens and the strategic growth of these collections are in the best interest of science and the best interest of taxpayers. Existing scientific collections that are properly cared for and accessible are a critical component of the U.S. science infrastructure and can be readily integrated into new research on significant questions. Specimens that were collected decades or centuries ago are now routinely used in cutting edge research in diverse fields related to genomics, human health, biodiversity sciences, informatics, environmental quality, and agriculture.

The Smithsonian Institution is a valuable Federal partner in the curation and research on scientific specimens. The scientific experts at the National Museum of Natural History care for an astounding 140 million specimens and ensure the strategic growth of this national treasure. To increase the availability of these scientific resources to researchers, educators, other Federal agencies, and the public, Smithsonian is working on a multi-year effort to digitize its collections. That effort will substantially increase awareness of the availability of these collections via the Internet.

Smithsonian has also been working to strengthen curatorial and research staffing and to backfill positions left open by retirements and budget constraints. The current staffing level is insufficient to provide optimal care for the collections. Future curatorial and collections management staffing levels may be even more in jeopardy given the proposed funding cuts at science agencies that support staff positions embedded at Smithsonian, such as the U.S. Geological Survey.

Interior is an important caretaker of museum collections; the Department has an estimated 146 million items, comparable in size only to the Smithsonian Institution. Although many of the department’s collections are located in bureau facilities, numerous artifacts and specimens are also housed by non-governmental facilities, such as museums and universities.

In addition, the United States Geological Survey (USGS) furthers the preservation, inventory, and digitization of geological scientific collections, such as rock and ice cores, fossils, and samples of oil, gas, and water. The National Geological and Geophysical Data Preservation program helps States with collections management, improves accessibility of collections data, and expands digitization of specimens to ensure their broader use. One example of the pay offs of this program is the potash mineral deposit discovered in Michigan that is worth an estimated \$65 billion. Rock samples from Michigan were entered into a national database, where private companies discovered their existence and are now assessing the potential for mining.

Another USGS program is supporting public access to biodiversity information. The Biodiversity Information Serving Our Nation system is the only web-based Federal resource for finding species in the United States and contains 250 million records. It also serves as the U.S. connection to the Global Biodiversity Information Facility. USGS also supports the documentation and conservation of native pollinators through its Native Bee Inventory and Monitoring Lab.

Another USGS program that furthers the curation of and research with biological collections is proposed for elimination. USGS has more than a million specimens of birds, mammals, amphibians, and reptiles that are housed at the Smithsonian. This arrangement goes back to 1889, but is suggested for termination by the Administration. We urge Congress to continue this valuable program. For more on this program, see <http://nscalliance.org/wordpress/wp-content/uploads/2011/02/nsca-usgs-smithsonian-report.pdf>.

The Bureau of Land Management has a large backlog of cultural resources to inventory on public lands. Presently, 90 percent of public lands have not been assessed for heritage resources. Such assessments need to be conducted before unique resources are lost to looting, vandalism, fire, or environmental change.

The National Park Service needs to continue its investments in scientific collections, including cataloging of millions of museum objects. The Park Service curates a wide range of specimens and artifacts, from historical and cultural items to preserved tissues from protected species and living microorganisms collected from national parks. Several parks have made progress on addressing planning, environmental, storage, security, and fire protection deficiencies in museum collections, but much work remains to be done. The President’s budget request would undo past progress, with the percentage of museum objects in ‘good’ condition decreasing from 75 percent to 70 percent by the end of fiscal year 2018.

## CONCLUSION

Scientific collections are critical infrastructure for our Nation's research enterprise. Research specimens connect us to the past, are used to solve current societal problems, and are helping to predict threats to human health, methods for ensuring food security, and the impact of future environmental changes. Sustained investments in scientific collections are critical for our Nation's continued scientific leadership.

Please support adequate funding for the Department of the Interior's Capital Working Fund, as well as programs within Interior bureaus and the Smithsonian Institution that will support these organizations' efforts to preserve scientific collections—a truly irreplaceable resource.

Thank you for your thoughtful consideration of this request.

[This statement was submitted by Joseph Cook, Ph.D., President.]

## PREPARED STATEMENT OF THE NATURE CONSERVANCY

Chairman Murkowski, Ranking Member Udall and Members of the subcommittee, thank you for the opportunity to submit recommendations for fiscal year 2018 appropriations. The Nature Conservancy is an international, non-profit conservation organization working around the world to protect ecologically important lands and waters for nature and people. Our mission is to conserve the lands and waters upon which all life depends.

As we enter the fiscal year 2018 Budget cycle and another year of a challenging fiscal environment, the Conservancy continues to recognize the need for fiscal austerity. The Conservancy also wishes to thank this subcommittee for the final fiscal year 2017 funding levels for Department of the Interior conservation programs. Our budget recommendations this year reflect a balanced approach with funding levels consistent with fiscal year 2017 and fiscal year 2016 funding levels. Of particular note, we wish to work with this subcommittee and the authorizing Committees on identifying permanent funding solutions for wildfire funding, the Land and Water Conservation Fund, the Payment in Lieu of Taxes Program and Secure Rural Schools. The Conservancy greatly appreciates the Committee's past support of a much-needed fire funding fix and more recent efforts to ensure wildfire suppression has supplemental funding above the 10-year average in fiscal year 2017. However, agencies continue to need a long-term solution to address the impacts of the increasing 10-year average on programs necessary to maintain our public lands. We respectfully request a bipartisan fire funding solution be included as part of the fiscal year 2018 Interior, Environment, and Related Agencies' appropriations bill. A fire funding solution must fund wildfires like natural disasters by 1) accessing disaster funding, 2) minimizing transfers, and most importantly, 3) address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier condition. We also strongly support the emphasis on funding for sage grouse conservation in fiscal year 2017 and urge congress to continue support for ongoing sage grouse conservation efforts.

*Land and Water Conservation Fund (LWCF).*—The fiscal year 2017 Omnibus dedicated \$400 million in discretionary appropriations for the Land and Water Conservation Fund. LWCF has strong bipartisan support and the Conservancy recognizes Congress's commitment to funding important on-the-ground conservation and recreation projects. The Nature Conservancy supports funding LWCF through a blend of current and permanent funding and looks forward to working with Congress to find a permanent funding solution for LWCF. Additionally, the Conservancy supports the balanced approach in the budget on both "core" and "collaborative" LWCF projects.

*Forest Legacy.*—We support a minimum of \$62 million for the Forest Legacy Program in current discretionary funding and the \$38 million in permanent, mandatory funding, totaling \$100 million for Forest Legacy Programs.

*Endangered Species.*—The Conservancy supports continuing funding of at least \$31 million, consistent with fiscal year 2017 levels, for the Cooperative Endangered Species Conservation Fund (CESCF), and requests the subcommittee consider additional funding level request for permanent funding. We also request your continuing support for Habitat Conservation Plan (HCP) funding, specifically HCP Land Acquisition Grants where the need has greatly outpaced available resources in recent years.

*State and Tribal Wildlife Grants.*—The Conservancy supports the fiscal year 2017 Omnibus funding level of \$62.5 million for this program. Strong Federal investments are essential to ensure strategic actions are undertaken by State, Tribal and

Federal agencies and the conservation community to conserve wildlife populations and their habitats and to prevent species from being listed as threatened or endangered.

*Wildlife Conservation Programs.*—The variety of wildlife conservation programs conducted by the US Fish and Wildlife Service (FWS) continue a long and successful tradition of supporting collaborative conservation in the U.S. and internationally. We urge the Committee to continue funding such established and successful programs as the North American Wetlands Conservation Act (NAWCA), Neotropical Migratory Bird Conservation Fund (NMBCA), the Migratory Bird Joint Ventures, FWS Migratory Bird Management Program and the FWS Coastal Program at no less than fiscal year 2017 Omnibus funding levels. We support, at a minimum, sustained funding for the Partners for Fish and Wildlife Program and the Cooperative Landscape Conservation and Adaptive Science programs. The latter will help support DOI in addressing large-scale conservation challenges across all ownerships, supporting collaborative problem solving for some of our nation's most challenging conservation issues. We also request strong funding this year for the National Fish Habitat Initiative.

*International Programs.*—The international conservation programs appropriated annually within the Department of Interior are relatively small but are effective and widely respected. They encompass the U.S. Fish & Wildlife Service's (FWS) Multi-national Species Conservation Funds, the FWS Wildlife Without Borders regional and global programs, and the U.S. National Park Service International Program. We urge that fiscal year 2018 levels for these programs remain equivalent to fiscal year 2017 Omnibus levels at a minimum.

*National Wildlife Refuge System.*—The Conservancy supports stronger funding for the Refuge System's Operations and Maintenance accounts. Found in every U.S. State and territory, national wildlife refuges conserve a diversity of America's environmentally sensitive and economically vital ecosystems, including oceans, coasts, wetlands, deserts, tundra, prairie, and forests. The Conservancy requests \$568 million in for fiscal year 2018. This represents the funding necessary to maintain management capabilities for the Refuge System.

*Hazardous Fuels and Restoration.*—Strategic, proactive hazardous fuels and restoration treatments have proven safer and more cost-effective in reducing risks to communities and forests by removing overgrown brush and trees, leaving forests in a more natural condition resilient to wildfires. The Conservancy recommends investing in the USDA Forest Service's Hazardous Fuels program at a \$479 million level and DOI's Fuels Management program at a level of \$178 million, in addition to investing \$30 million into a new Resilient Landscapes program designed to restore and maintain fire adapted landscapes and habitats and repeating the Committee's fiscal year 2012 instructions for allocating funds to priority landscapes in both WUI and wildland settings. Additionally, the CFLR program must continue to be funded and expanded to \$60 million and the Legacy Roads and Trails program funded at \$50 million.

*Sage Grouse Conservation.*—The Conservancy requests continued investment to support ongoing efforts to restore and conserve sagebrush habitat and the greater sage-grouse across Federal, State, Tribal and private lands. We support the continued support for sage grouse conservation provided through the fiscal year 2017 Omnibus. These resources are needed to implement on-the-ground projects and monitor habitat treatments, address rangeland fire and broader wildland fire prevention, suppression and restoration efforts, and support the partnership and science necessary for effective conservation. The BLM is facing perhaps the single most challenging effort in its history in conserving key sagebrush habitat, addressing identified threats to sage-grouse and promoting sustainable economic development across some 165 million acres in coordination with State and local managers and private land owners. Additional resources for the FWS will be used, inter alia, for developing voluntary prelisting conservation agreements with private landowners who are ready and willing to undertake critical conservation work for the sagebrush steppe ecosystem on large blocks of private lands.

*BLM Land Management and Renewable Energy Development.*—The Conservancy supports continued funding at fiscal year 2017 levels for BLM's initiatives to implement smart land management approaches, which include Rapid Ecoregional Assessments, Resource Management Planning, Regional Mitigation Planning, coordination with LCCs, and the Assessment, Inventory, and Monitoring Strategy. Many BLM programs contribute to these cross-cutting initiatives including: National Landscape Conservation System—(\$50.65 million); Resource Management Planning program (\$65.2 million); Wildlife and Fisheries management (\$108.7 million request); and Threatened & Endangered species management (\$21.6 million request). Additionally, the Conservancy supports continued funding for BLM's renewable energy de-

velopment program at \$29 million which includes implementation of the Western Solar Energy Program. Collectively, these efforts will help BLM manage its lands efficiently and effectively for energy development, species and habitat conservation, recreation, and other uses to maximize the public benefit from these lands.

*Environmental Protection Agency's Geographic Programs.*—EPA's geographic programs, including the Great Lakes Restoration Initiative, Chesapeake Bay, Puget Sound, Long Island Sound, and Gulf of Mexico programs, make a significant contribution to protecting habitat and water quality in the large landscapes where they work. These programs have a proven record of supporting the States' voluntary restoration efforts, and the Conservancy urges the Committee to continue strong funding for these programs at the fiscal year 2017 appropriated levels.

*Colorado River Basin Recovery Programs.*—The Upper Colorado River Endangered Fish Recovery Program and San Juan River Basin Recovery Implementation Program take a balanced approach to recovering four endangered fish species in the Colorado River basin. The Upper Colorado and San Juan recovery programs are highly successful collaborative conservation partnerships involving the States of New Mexico, Colorado, Utah, and Wyoming, as well as Indian Tribes, Federal agencies, and water, power and environmental interests. These programs provide critically important Endangered Species Act (ESA) compliance for over 2,450 Federal, Tribal, State, and private water projects across the Upper Colorado River Basin. Through these efforts, water use and development has continued in growing Western communities in full compliance with the ESA, State water and wildlife law, and interstate compacts. Implementation of the ESA has been greatly streamlined for Federal agencies, Tribes and water users. The Conservancy supports \$1.532 million for the Fish and Wildlife Service for the Colorado River Basin recovery programs, including recovery funds for both the Upper Colorado River Endangered Fish Recovery Program and San Juan River Basin Recovery Implementation Program, as well as fish hatchery needs associated with the recovery plans.

*National Streamflow Network.*—The National Streamflow Network provides continuous streamflow information at over 8,200 locations across the country and is managed within the U.S. Geological Survey's Groundwater and Streamflow Information Program. Water managers, scientists, and other decisions makers, including within the Conservancy, rely on data from the National Streamflow Network to plan for floods, droughts, and other extreme events; design infrastructure, including the operation of Federal reservoirs; facilitate energy generation; protect aquatic species and restore habitat; and manage Federal lands. The Conservancy supports funding in fiscal year 2018 to fully implement the National Streamflow Network.

*Water Infrastructure Finance and Innovation Program.*—Subtitle C of Title V of the Water Resources Reform and Development Act of 2014 provides authority for low-cost credit that can leverage private investment for water infrastructure. The criteria include whether a project protects against extreme weather events or helps maintain the environment. The Nature Conservancy supports funding at EPA of \$25,000,000 to carry out this program.

Thank you for the opportunity to submit The Nature Conservancy's recommendations for the fiscal year 2018 Interior, Environment and Related Agencies Appropriations Bill.

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PREPARED STATEMENT OF THE NATURE CONSERVANCY

USDA FOREST SERVICE

Thank you to Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee for the opportunity to submit recommendations for fiscal year 2018 appropriations. The Nature Conservancy is an international, non-profit conservation organization whose mission is to conserve the lands and waters upon which all life depends.

America's public forests have tremendous national importance but their health puts them at severe risk unless we invest in proper stewardship and forestry. America's forests store and filter more than half of our nation's water supply, provide jobs to nearly one million forest product workers, generate \$13.6 billion in recreation based economic activity from USDA Forest Service lands alone, are habitat to thousands of forest-dependent wildlife and plant species, offer a million square miles to sportsmen and families for outdoor recreation, and are a major carbon sink that sequester 15 percent of all fossil fuel emissions in the U.S.

However, megafires, pests, drought, and sprawl place forests at risk; an area larger than the State of Oregon is in immediate need of restoration to return forest

health—and that is on USDA Forest Service lands alone. Unfortunately, forest restoration is significantly obstructed by ballooning fire suppression costs.

The current wildfire suppression funding model and cycle of transfers and repayments has negatively impacted the ability to implement forest stewardship, among many other activities. Additionally, the increasing ten-year average to has not met annual suppression needs since before fiscal year 2002. We experienced once again how the ten-year average would not have been sufficient to meet the fiscal year 2016 suppression needs. Thankfully, Congress rightfully protected the agency (and the Department of the Interior) from transfers by allocating levels above the ten-year average. The Conservancy also appreciates Congress' efforts to ensure the USDA Forest Service and the Department of the Interior receive supplemental funding for suppression in fiscal year 2017. However, agencies continue to need a long-term solution to address the impacts of the increasing ten-year average on programs necessary to maintain our public lands.

The Conservancy greatly appreciates the Committee's past support of a much-needed comprehensive fire funding fix, and respectfully request a bipartisan fire funding solution that would (1) access disaster funding, (2) minimize transfers, and most importantly and (3) address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier conditions.

Investing in the following Forest Service programs are critical to meeting forest restoration goals:

*Increase funding for Collaborative Forest Landscape Restoration (CFLR) to \$60 million.*—The CFLR program is demonstrating that collaboratively-developed forest restoration plans can be implemented at a large scale with benefits for people and the forest. This is a model approach that brings citizens, local government and Federal staff together to determine effective management that is locally appropriate and provides jobs, sustains rural economies, reduces the risk of damaging fires, addresses invasive species, improves wildlife habitat, and decommissions unused, eroding roads. The funding increase will guarantee the existing signature projects covering over 17 million acres can continue, and additional critical projects across America's forests can begin.

*Fund the Forest Service Hazardous Fuels programs at no less than \$479 million.*—Strategic, proactive hazardous fuels treatments have proven safer and more cost-effective in reducing risks to communities and forests by removing overgrown brush and trees, leaving forests in a more natural condition resilient to wildfires. Drought conditions increase the need for investment in this program to restore and maintain fire adapted landscapes and habitats. The Conservancy recognizes the Committee's continued support for this program through its increased funding levels, particularly over the last few years.

The Conservancy additionally recommends funding for programs that support critical restoration programs on national forests. Effective and durable restoration requires integrated approaches that address threats and improve forest health and habitat values while supporting forest-dependent communities.

—*Wildlife & Fisheries Habitat Management maintained at a \$140 million funding level* to restore, recover, and maintain wildlife and fish and their habitats on all national forests and grasslands.

—*Vegetation & Watershed Management funded at \$185 million* to promote restoration through watershed treatment activities, invasive plant species control, and reforestation of areas impacted by wildfire and other natural events.

—*Legacy Road and Trail Remediation (LRT) maintained at \$50 million* to restore river and stream water quality by fixing or removing eroding roads, while providing construction jobs, supporting vital sportsmen opportunities, and reducing flooding risks from future extreme water flow events.

—*Land Management Planning, Inventory and Monitoring funded at \$201 million, including consolidating the two previously separate budget items.* Consolidation will be more efficient for land managers, while supporting the collaborative, community and science based planning featured by the Forest Service 2012 Forest Planning regulation.

*Fund Forest Health programs at a total of \$111 million (\$63 million for Federal and \$48 million for Cooperative).*—Forest health protection programs work to protect forests by minimizing the impacts caused by invasive species. Across the nation large-scale, non-native insect, disease, and invasive plant outbreaks are damaging forest health. These programs help reduce invasions of non-native pests that destroy iconic American trees such as ash, hemlock, and California oaks.

*Fund State Fire Assistance (SFA) at \$86 million.*—SFA provides aid to communities for fuels treatments, firefighter capacity building, fire prevention education,

and pre-fire planning. The SFA program is an important complement to the Hazardous Fuels program for Federal lands.

*Fund Landscape Scale Restoration (LSR) at \$24 million.*—Through LSR, non-Federal lands have access for competitively selected projects that leverage State funding, restore forests of national importance, and, whenever possible, complement CFLR and other landscape scale restoration efforts.

*Fund Forest & Rangeland Research at \$293 million.*—Forest and Rangeland Research offers vital scientific basis for policies that improve the health and quality of urban and rural communities. This program is vital for the long-term health and utility of our American forests and rivers, particularly as we face an uncertain climatic future.

*Maintain funding for the Joint Fire Science Program at \$7 million and maintain funding under Wildland Fire Management.*—This key, yet small, program has proven a great success in supporting practical science that reduces fire risk and enhances economic, ecological, and social outcomes nationwide.

*Fund Forest Legacy at a minimum of \$62 million for the Forest Legacy Program in current discretionary funding and the \$38 million in permanent, mandatory totaling \$100 million.*—The Forest Legacy program, in partnership with States, supports efforts to acquire conservation easements and fee simple interests on privately owned forest lands from willing sellers. These acquisitions leverage non-Federal dollars and support long-term sustainable forestry while protecting other ecological, watershed and recreational values for local communities at risk of development or conversion to other uses.

Thank you for the opportunity to share The Nature Conservancy's forest restoration priorities.

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PREPARED STATEMENT OF THE NAVAJO-HOPI LAND COMMISSION OF THE 23RD NAVAJO NATION COUNCIL

*Requests:*

1. Continue to provide necessary funding to complete relocation in an effective and timely fashion.
2. Provide additional funding to fulfill Congress' mandate to provide adequate infrastructure for relocatees.
3. Increase oversight of the relocation and rental payment processes.
4. Provide \$20 million for critical needs in the Former Bennett Freeze Area.
5. Support incentives for private sector investment and the streamlining of regulations in the Former Bennett Freeze Area.
6. Expand BIA efforts to mitigate hardship in the Former Bennett Freeze Area, including establishing a DOI Task Force to assess opportunities to aid redevelopment.

*Introduction.* Chairman Murkowski, Ranking Member Udall, and honorable Members of the subcommittee, thank you for this opportunity to provide testimony on behalf of the Navajo-Hopi Land Commission (NHLC) of the 23rd Navajo Nation Council. My name is Walter Phelps, Chairman of the NHLC and a Council Delegate of the Navajo Nation. The NHLC is entrusted with addressing both the ongoing effects of the Federal relocation of 15,000 Navajo people off their ancestral lands and the realities of 12,000 Navajos living in the former Bennett Freeze area, where a strict 41-year construction freeze has left despair and desperate need for rehabilitation and reconstruction. It has been over 40 years (or over two generations) since the Navajo Hopi Land Settlement Act of 1974. Relocation has left the Navajo Nation with a population of relocatees, a significant number of whom have yet to receive the full benefits Congress intended; a population within Hopi-Partitioned Lands that struggles living outside the jurisdiction of the Nation; and a population in the 1.6-million acre Former Bennett Freeze Area (FBFA) that remains severely economically depressed.

*A Special Thank You to this subcommittee.* The Navajo Nation is deeply appreciative of the effort and the energy this subcommittee has put into addressing how to bring about a humane closure to relocation. The increased funding that the subcommittee has provided has dramatically accelerated the provision of benefits to Navajo families who have been waiting for years, if not decades.

NAVAJO RELOCATION

*Office of Navajo and Hopi Indian Relocation (ONHIR).* After the passage of the relocation Act, ONHIR was established by Congress to carry out relocation activities pursuant to the Act, and operate as trustee and Federal land administrator to the



Navajo Nation. Unfortunately the work of OHNIR proceeded at a glacial pace. The Department of Interior's (DOI) Office of Inspector General (OIG) published a report on ONHIR that identified two causes for the delay in completing relocation: (1) ONHIR's failure to complete eligibility determinations; and (2) the complicated and lengthy administrative appeals process. ONHIR's routine denials of applications and reliance on the adversarial process have historically diverted funds away from building homes for certified applicants.

Now we look to ONHIR's future. *The core principle that all parties have agreed upon is that every eligible Navajo should receive the benefits they were promised under the law. ONHIR is responsible for the delivery of these benefits and should operate, in some fashion, until its mission is completed.* Nonetheless, the Navajo Nation has engaged in dialogue with the Bureau of Indian Affairs (BIA) and OHNIR on what closure of OHNIR and the transition of remaining functions to the BIA may look like. Many of those functions could be transferred in the relatively near future as a part of phasing out ONHIR. The Navajo Nation, perhaps more than any other party involved, desires to bring closure to the relocation process, which has marked a sad chapter in American and Navajo history. However, we believe that the Federal Government has a responsibility to bring this closure about in a conscientious and compassionate manner and live up to the promise of a thorough and generous relocation.

*Completion of Promised Infrastructure.* The Navajo Hopi Land Settlement Act required the Relocation Commission to prepare a report that includes a plan that shall "assure that housing and related community facilities and services, such as water, sewers, roads, schools, and health facilities, for such households shall be available at their relocation sites . . ." (Public Law 93-581, Section 13). In 1981 the Relocation Commission released its report and plan to Congress. In the "Report and Plan," the Relocation Commission acknowledged its obligations:

Congress was greatly concerned that relocation of Indian families be to areas where community facilities and services exist or will exist. The Commission's plan for relocation shall, ordered Congress: Assure that housing and related community facilities and services, such as water, sewer, roads, schools, and health facilities, for such households shall be available at their relocation sites. . . .

(See Executive Summary, p. 4). Despite this commitment, the Report and Plan principally focuses on what facilities, services, and infrastructure may already exist (usually Navajo and BIA), without providing much detail about what the Relocation Commission would provide. Indeed, there is language that pushes off such Relocation Commission commitments to a later time. The Relocation Commission did not adequately address the requirements of the original Act in assuring "that housing and related community facilities and services, such as water, sewer, roads, schools, and health facilities, for such households shall be available at their relocation sites. . . ." These unfulfilled obligations are further compounded by the fact that the citizens and residents of the Navajo Nation are the most underserved communities in the United States of America with respect to infrastructure.

*Requests:*

1. Continue to provide necessary funding to complete relocation in an effective and timely fashion.

We recognize and appreciate the increased funding that ONHIR has received in recent years and request that OHNIR's funding is kept intact.

2. Provide additional funding to fulfill Congress' intent to provide infrastructure for relocatees.

When Congress passed the relocation act it directed the Commission to "[a]ssure that housing and related community facilities and services, such as water, sewers, roads, schools, and health facilities, for such households shall be available at their relocation sites. . . ." (Public Law 93-581, Section 13). Unfortunately, two generations later many relocatees lack the most basic infrastructure, let alone what that they were promised at their relocation sites. Indeed, many of the relocatees are the most underserved populations in the country with respect to infrastructure. The Navajo Nation is currently reviewing what ONHIR constructed and what ONHIR should have constructed. We ask the subcommittee to adequately fund the infrastructure list that is being developed by the Nation to ensure that the infrastructure mandate is carried out "with the same vigor as a sympathetic and generous Congress conceived it." (1981 Report and Plan to Congress, Executive Summary, p. 4).

3. Increase oversight of the relocation and rental payment processes.

We are requesting report language encouraging DOI to conduct a study and furnish a report regarding lease payments due from the Navajo Nation to the Hopi Tribe (see formerly 25 U.S.C. § 640d-15(a)). The BIA delays for years in making these rental determinations, resulting in huge interest payment obligations on the part of the Navajo Nation.

FORMER BENNETT FREEZE AREA

*The Former Bennett Freeze Area.* The 40-year development freeze imposed by Commissioner of Indian Affairs Robert Bennett in 1966 affected a 1.6-million acre area that encompasses nine Navajo Chapter communities in the western portion of the Navajo Nation. For the FBFA to recover and redevelop, there must be a sustained reconstruction program implemented over a decade or more. This would be consistent with the findings of this subcommittee's July 1993 field hearing. The nine Navajo chapters in the FBFA have extended lists of projects they need to adequately serve their communities, including housing and related infrastructure, solid waste transfer station facilities, fire departments, telecommunications infrastructure, assisted living centers for seniors, and community facilities such as cemeteries and recreation parks. Funding for road repair and maintenance is also an enormous challenge. Although the Federal Government bears great responsibility to the harm that those in the FBFA continue to suffer, the NHLC recognizes that full redevelopment ultimately lies in our own hands. In addition to seeking funds, we ask this subcommittee to the support private sector partnerships and incentives needed for transformational change.

*Requests:*

1. Provide \$20 million for critical needs in the Former Bennett Freeze Area.

Critical needs of the FBFA include housing, safe drinking water, electricity, timely emergency response services, telecommunications infrastructure, and community facilities. We request the subcommittee allocate \$20 million for housing and related improvements in the FBFA out of the BIA Trust Natural Resources Account (Natural Resources Subactivity).

2. Support incentives for private sector investment and the streamlining of regulations.

The NHLC asks the subcommittee to support new incentives to encourage private sector investment in the FBFA (and other relocation-impacted areas). Although legislation to advance incentives may not strictly fall within this subcommittee's jurisdiction, as efforts are made to advance and pass such legislation, this subcommittee may well be asked to be of assistance.

3. Expand BIA efforts to mitigate hardship in the relocation and redevelopment processes.

We ask that the subcommittee direct the BIA to expand efforts to rehabilitate the former Bennett Freeze. Specifically, we request that the subcommittee include report language that would establish a DOI taskforce to undertake a review of Interior programs that would benefit the FBFA and assist the Navajo Nation in creating jobs and supporting workforce development with a goal of strengthening this area (as well as the relocation-impacted Navajo chapter communities). Such taskforce should include the BIA, Bureau of Reclamation, U.S. Geological Survey, Fish and Wildlife Service, and Office of Surface Mining and should examine programs such as the Economics and Resource Planning Team and Rural Tribal Water Projects.

*Conclusion.* All parties would agree that the relocation has gone on for far too long. Recent discussions regarding the closure of ONHIR and transition of remaining functions have given us the glimpse of an end to this sad and painful history. The NHLC is committed to working with you to find ways to bring about the end of the relocation era in a compassionate manner. Thank you for the opportunity to present this testimony.

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PREPARED STATEMENT OF THE NEZ PERCE TRIBE

Honorable Chairman and Members of the subcommittee, as Chairman of the Nez Perce Tribal Executive Committee, I would like to thank you for the opportunity to provide testimony on behalf of the Nez Perce Tribe (Tribe) as the Committee evaluates and prioritizes fiscal year 2018 appropriations for Indian Health Service (IHS), Bureau of Indian Affairs (BIA), Environmental Protection Agency (EPA), U.S. Forest

Service (FS), and U.S. Fish and Wildlife Service (FWS) in relation to the needs of Tribal nations.

First, on behalf of the Tribe, I want to acknowledge and thank this subcommittee for your efforts on a longstanding, bipartisan basis to understand the needs of Indian Country and advocate for increased appropriations to the many programs in your jurisdiction that benefit our citizens, our Tribal governments, and all members of our communities.

As with any government, the Tribe performs a wide array of work and provides a multitude of services to its Tribal membership as well as the community at large. The Tribe has a health clinic, a Tribal police force, a social services department, a comprehensive natural resources program that does work related to forestry, wildlife management, land services and land management, habitat restoration, air quality and smoke management, water quality and sewer service, and also has one of the largest fisheries departments of any Tribe in the Nation working on the recovery of listed species under the Endangered Species Act (ESA). The Tribe has a comprehensive administrative framework that provides extensive services on the Nez Perce Reservation. These programs are necessary and vital for a sovereign nation that preserves and protects the Treaty rights of the Nez Perce People and provides day-to-day governmental services to its members and surrounding communities. The Tribe has long been a proponent of self-determination for Tribes and believes our primary obligation is to protect the Treaty-reserved rights of the Tribe and our members. All of the work of the Tribe is guided by this principle. As a result, the Tribe works extensively with many Federal agencies and proper funding for those agencies and their work with, for, and through Tribes is of vital importance. This work cannot be accomplished unless the U.S. continues to affirm and follow through on its trust responsibility to Indian Tribes by properly funding programs. The Tribe supports the National Congress of American Indians' publication titled "Investing in Indian Country for a Stronger America," a comprehensive guide on recommendations for fiscal year 2018 funding of Tribal programs.

#### ENVIRONMENTAL PROTECTION AGENCY

The Tribe has submitted comments on the budget request for programs within this subcommittee's jurisdiction for a number of years. We wish to note that although prior testimony has put funding for BIA and IHS first, this year, given indications that the fiscal year 2018 budget request will severely reduce EPA funding and given the breadth and array of our work with that agency, we place it first for your consideration.

The Tribe works closely with EPA on a large number of programs that are essential to the health and safety of the 18,000 Tribal and non-Tribal citizens residing within the Nez Perce Reservation and that also protect the Treaty-reserved resources of the Tribe that the U.S. has a trust obligation to preserve. These programs include: the Clean Water Act 106 Program; the Clean Water Act 319 Program; Nonpoint Source (NPS) Pollution Prevention Program; the Indian General Assistance Program; the Brownfield Program; the Underground Storage Tank Program; the Delegation of Nez Perce Federal Implementation Plan; the Clean Air Act 103 Grant-Nez Perce Tribe Air Quality Project; and the EPA Region 10 Pesticide Circuit Rider Program. In total, the Tribe currently implements over \$1.5 million in programmatic funding under these programs. The Tribe recommends the Indian General Assistance Program be funded at \$75 million, the Tribal allocation under the Clean Water Act 106 program be increased to 20 percent, \$13 million for Tribal Air Quality Management, \$80 million for the Brownfields program, and \$13 million be provided in lieu of the percent cap on Tribal funding for NPS pollutant control.

#### INDIAN HEALTH SERVICE

The Tribe currently operates Nimiipuu Health, a healthcare clinic on the Nez Perce Reservation. The main clinic is located in Lapwai, Idaho, with a satellite facility located 65 miles away in Kamiah, Idaho. Nimiipuu Health provides services to at least 3,950 patients each year. Annually, this computes to 40,000 medical provider visits which do not include pharmacy or laboratory visits. This workload is very costly. Our expenditure total for fiscal year 2016 was \$14,418,561 and Purchased/Referred Care (P/RC) costs for outpatient services for fiscal year 2016 totaled \$4,028,595. The clinic spent an additional \$331,133.67 on P/RC using monies received from settling IHS contract support cost litigation.

For fiscal year 2018, the Tribe supports continuing the \$5 billion in funding enacted for fiscal year 2017. This funding amount will allow Tribes to pay costs, maintain current services, and allow IHS, Tribal, and urban programs and facilities to keep up with medical and non-medical inflation and population growth. The Tribe

recommends an increase of \$51.9 million in funding for PR/C which will help to meet the PR/C spending needs of Tribal health facilities.

The Tribe supports \$800 million for fiscal year 2018 contract support costs as was provided in fiscal year 2017. In addition, because full funding of these obligations is so important to Indian Country, the Tribe supports reclassifying contract support costs for the BIA and IHS as mandatory and not discretionary beginning in fiscal year 2018. However, this change in funding should not be accomplished or be offset by reducing other funding for these agencies that would adversely affect services or programs. Finally, this funding should not be unnecessarily reduced by excessive set-asides for administration. The Tribe also recommends permanent, mandatory funding of the Special Diabetes Program at \$150 million per fiscal year.

#### BUREAU OF INDIAN AFFAIRS

The Tribe supports funding for contract support costs of at least the \$273 million provided for in fiscal year 2017 and as stated above, the reclassification of these costs from discretionary to mandatory, as well as a 5 percent increase in overall funding for the BIA. The Tribe also requests the fiscal year 2018 Interior appropriations bill include a "Carcieri fix" to address legal issues that have arisen related to the transfer of land into trust which has created uncertainty over the status of lands. This uncertainty only stifles and impedes economic development in Indian Country.

In relation to the BIA Public Safety and Justice account, the Tribe advocates for at least the \$353 million in funding for law enforcement and \$31 million for Tribal courts that was enacted in fiscal year 2017. The Nez Perce Reservation spans 1,200 square miles covering five counties and has a mixture of Tribal and non-Tribal residents. The Tribe provides a full service law and justice program. The Tribe has a fully trained and staffed police force, a fully staffed Tribal court, a prosecutor, a public defender, and other personnel to perform related administrative functions. Currently, the Tribe contributes \$1,797,467 annually to cover the shortfall in BIA funding for the Tribe's law enforcement, \$390,927 for judicial services/probation, \$365,601 for prosecutorial services, \$164,860 for public defender services and \$300,000 for prisoner boarding. This supplemental funding is derived from Tribal taxes on goods and fuel and Tribal gaming revenues that would otherwise be used for other Tribal governmental services. The funding for these programs needs to be increased to account for shortfalls in funding the Tribe has to absorb in order to continue the operation of these vital services on the Reservation.

In relation to education, the Tribe requests that funding for the Johnson O'Malley program be increased from the static levels of \$14.8 million provided in fiscal years 2016 and 2017, and total funding of \$35 million be provided for Scholarships and Adult Education and Special Higher Education Scholarships. These increases will help address the rising costs of attending college. The Tribe also supports \$2.5 million, if not an increase, for Tribal Education Departments along with increases for Tribal Colleges and Universities that support institutions like Northwest Indian College that operates a satellite campus on the Nez Perce Reservation.

The Tribe also relies on the BIA for funding for our work related to endangered species and protection of the Tribe's Treaty resources including Chinook and steelhead salmon. The funding has also been used to supplement research efforts of the Tribe relative to other sensitive species. Particularly helpful and important to the Tribe is the BIA Endangered Species Program for which the Tribe recommends a \$1 million increase. This account provides Tribes with technical and financial assistance to protect endangered species on trust lands. Also, the Tribe recommends an increase of \$2.8 million for BIA Natural Resource Tribal Priority Allocations which will help increase Tribal land and management capabilities.

In addition, the funding provided under the BIA Rights Protection implementation monies are critical to support the exercise of treaty reserved, off-reservation hunting and fishing for Tribes. The Tribe supports total funding in the amount of \$40 million. BIA single-line dollars provide the foundation for core program administration and treaty rights protection activities, such as harvest monitoring. These efforts are central to the Tribe's fisheries management responsibilities as established by the Treaties and further delineated in court decisions regarding implementation of hunting and fishing Treaty rights. It is important to understand that this funding is not for equipment but is used for job creation.

The Tribe also supports \$15 million in funding for the BIA Wildlife and Parks Tribal Priority Allocations. As stated earlier, the Tribe has invested a significant amount of personnel and resources in the restoration of salmon through our fisheries programs. The States of Oregon, Washington and Idaho, as well as sports fisheries, directly benefit from this work. These programs have been successful with

funding under the Tribal Management and Development Program which is critical for the Tribe's management of fish and wildlife. We support funding in the amount of \$14 million for the Tribal Management and Development Program.

U.S. FISH AND WILDLIFE SERVICE AND U.S. FOREST SERVICE

The Tribe relies heavily on funding sources within the FWS and the FS. First, the operations of Kooskia National Fish Hatchery are funded by FWS. The Tribe manages this facility pursuant to the terms of the Snake River Water Rights Act of 2004 (Act). FWS requires full funding for the operations of this important facility to ensure the U.S. meets its obligations under this Act. Second, the FWS administered State and Tribal Wildlife Grants program is an important and cost effective expenditure for the government and is one of the few sources of funds Tribes can tap into for wildlife research. Since 2005, we have received five such grants that have allowed us to work on diverse issues such as gray wolf monitoring, bighorn sheep research, rare plant conservation, and Condor habitat research. Continued funding for the State and Tribal Wildlife Grant program will allow recipient Tribes to build capacity and maintain involvement in key conservation issues. The Tribe strongly urges this subcommittee to increase funding for these competitive grants to \$66 million and increase the Tribal share by \$2 million as they provide a large return for a small investment.

Related to forest management, the Tribe supports the inclusion of language in the fiscal year 2018 Interior appropriations bill for wildfire disaster funding that treats wildfires like other natural disasters and emergencies to help prevent funds from having to be diverted from forest management. We thank the subcommittee for your efforts on this critical issue.

The Nez Perce Reservation and its usual and accustomed areas are rich in natural resources and encompass 11 national forests. The Tribe works closely with each forest's administration to properly manage its resources on behalf of the Tribe. These range from protecting and properly managing the products of the forest to providing habitat for the vast wildlife in each one such as elk, deer, bighorn sheep and wolves. Increased funding is necessary so that the FS can meet these trust obligations and continue to work with Tribes on a government-to-government basis without being hampered by lack of funding to fill positions.

With regard to management of bighorn sheep, the Tribe would like to note that the subcommittee has included report language over the last several years that encourages research related to disease transmission between domestic sheep and bighorn sheep. The Tribe encourages this type of research mandate to be restricted to laboratory settings and not be allowed to occur in the field where impact and harm would be more difficult to control. The bighorn sheep populations within the Tribe's aboriginal territories are too fragile and too important to be put at risk.

Thank you for the opportunity to testify today. As you can see, the Tribe does a tremendous amount of work in a variety of areas. It is important that the U.S. continue to fund this work and uphold and honor its trust obligations to Tribes.

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PREPARED STATEMENT OF THE NORTHWEST INDIAN FISHERIES COMMISSION

Chair Lisa Murkowski, Ranking Member Tom Udall and Members of the subcommittee, for the record my name is Lorraine Loomis and I am chair of the Northwest Indian Fisheries Commission (NWIFC). The NWIFC is comprised of the twenty Tribes that are party to *United States v. Washington*<sup>1</sup> (*U.S. v. Washington*), which upheld the Tribes' treaty-reserved right to harvest and manage various natural resources on and off-reservation, including salmon and shellfish.

On behalf of the NWIFC, I am here today to speak specifically to our fiscal year 2018 natural resources management and environmental program funding requests for the Bureau of Indian Affairs (BIA) and Environmental Protection Agency (EPA). These programs are necessary to meet the many natural resources management responsibilities required of the Tribes, including the management of Pacific salmon fisheries that contributes to a robust natural resource-based economy and the continued exercise of Tribal treaty rights to fish.

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<sup>1</sup>*United States v. Washington*, Boldt Decision (1974) reaffirmed Western Washington Tribes' treaty fishing rights.

## SUMMARY OF FISCAL YEAR 2018 APPROPRIATIONS REQUESTS

## BUREAU OF INDIAN AFFAIRS

Provide \$56.5 million for Rights Protection Implementation (collective request)  
 Provide \$17.146 million for Western Washington Fisheries Management  
 Provide \$3.082 million for Washington State Timber-Fish-Wildlife  
 Provide \$4.844 million for U.S./Canada Pacific Salmon Treaty  
 Provide \$2.4 million for Salmon Marking  
 Provide \$5.442 million for Climate Change  
 Provide \$10.378 million for Hatchery Operations and Maintenance  
 Provide \$273.0 million for Contract Support  
 Provide \$30.355 million for Cooperative Landscape Conservation  
 Provide \$830,000 for Watershed Restoration

## ENVIRONMENTAL PROTECTION AGENCY

Provide \$96.4 million for General Assistance Program  
 Provide \$50.0 million for Puget Sound Geographic Program  
 Provide \$5.0 million for Beyond GAP

## JUSTIFICATION OF REQUESTS

## BUREAU OF INDIAN AFFAIRS

*Rights Protection Implementation Subactivity*

The 41 Tribes in the Great Lakes and Pacific Northwest with similar treaty-reserved rights have collectively identified that no less than \$52.0 million for Rights Protection Implementation (RPI) is necessary to support essential Tribal treaty-reserved resource management. The NWIFC has also identified an additional need of \$4.5 million for RPI Climate Change, bringing our total request for RPI to \$56.5 million. The fiscal year 2017 enacted level provides \$39.661 million for RPI.

A summary of the accounts of interest to us within RPI is further identified below. However, please note that a breakdown of these accounts is not provided in the BIA's fiscal year 2018 Greenbook.

*Provide \$17.146 million for BIA Western Washington Fisheries Management.*—We respectfully request \$17.146 million; an increase of \$8.614 million over the fiscal year 2016 enacted level of \$8.532 million. Funding for this program supports the Tribes to co-manage their treaty-reserved resources with the State of Washington, and to continue to meet court mandates and legal responsibilities. For example, funding supports harvest planning, population assessments, data gathering for finfish, shellfish, groundfish, wildlife, and other natural resource management needs.

*Provide \$3.082 million for BIA Washington State Timber-Fish-Wildlife (TFW).*—We respectfully request \$3.082 million; an increase of \$346,000 over the fiscal year 2016 enacted level of \$2.736 million. Funding for this program is provided to improve forest practices on State and private lands, while providing protection for fish, wildlife and water quality. This funding supports the Tribes' participation in the Timber, Fish and Wildlife Agreement—a collaborative intergovernmental and stakeholder processes between the State, industry, and Tribes.

*Provide \$4.844 million for BIA U.S./Canada Pacific Salmon Treaty.*—We respectfully request \$4.844 million; an increase of \$564,000 over the fiscal year 2016 enacted level of \$4.28 million. The Pacific Salmon Treaty (PST) Act of 1985 charges the U.S. Section of the Pacific Salmon Commission (PSC) with the responsibility for implementation of the PST, a bilateral treaty with Canada. Tribes assist the Federal government in meeting its obligations to implement the treaty, by participating in various fisheries management exercises including cooperative research and data gathering activities. This funding request will provide sufficient resources to support Tribes to continue effective participation in the bilateral PST process.

*Provide \$2.4 million for BIA Salmon Marking.*—We respectfully request \$2.4 million; an increase of \$1.332 million over the fiscal year 2016 enacted level of \$1.068 million. Since 2003, Congress has required that all salmon released from federally funded hatcheries are marked for conservation management purposes and has provided funding to implement this mandate. This funding allows Tribes to mark salmon at Tribal hatcheries and to use these marked fish to scientifically monitor salmon populations in western Washington.

*Provide \$4.5 million for BIA Climate Change.*—We respectfully request \$4.5 million for Climate Change for our member Tribes; an increase of \$2.118 million over our fiscal year 2016 allocation. The fiscal year 2016 appropriations provided a collec-

tive (Great Lakes and Northwest) total of \$5.442 million, of which our member Tribes received \$2.382 million. Funding for this program will provide Tribes the capacity to identify, respond and adapt to the impacts of our changing climate. There is a need to assess the potential impacts to Tribal treaty-reserved resources in the face of climate change, which brings different challenges for every Tribal community. It is important that Tribes be provided the maximum flexibility to develop watershed and site-specific science-based activities to meet their particular needs.

*Fish, Wildlife & Parks Projects/Fish, Wildlife and Parks Subactivity*

*Provide \$10.378 million for Hatchery Operations and Maintenance.*—We respectfully request \$10.378 million specifically for Hatchery Operations and Maintenance; an increase of \$2.0 million over the \$8.378 million provided for these programs in fiscal year 2016. Funding is provided to Tribal hatcheries to support the rearing and releasing of salmon and steelhead for harvest by Indian and non-Indian fisheries in the U.S. and Canada. Hatcheries are a necessary component of fisheries management because habitat degradation has greatly diminished natural spawning populations. As such, hatcheries are now essential for maintaining the treaty right to harvest fish. Without hatcheries, Tribes would lose their most basic ceremonial and subsistence fisheries that are central to our Tribal culture. Hatcheries also play a large role in recovering Pacific salmon, many of which are listed under the Endangered Species Act.

Funding for Fish Hatchery Maintenance is provided to Tribes nationwide based on the ranking of annual project proposals. A comprehensive needs assessment study for our western Washington Tribes was conducted in fiscal year 2006 by the BIA at the request of Congress, which identified a need of over \$48.0 million in necessary hatchery maintenance and rehabilitation costs.

*Other Subactivities and Accounts*

*Provide \$273.0 million for BIA Contract Support.*—We respectfully request \$273.0 million, which would maintain funding at the fiscal year 2017 enacted level. We also support the reclassification of Contract Support Costs (CSC) as mandatory funding beginning in fiscal year 2018. Funding for this function is provided to Tribes and Tribal organizations to ensure they have the capacity to manage Federal programs under self-determination contracts and self-governance compacts. These funds are critical as they directly support our governmental functions, which allow us to fully exercise our right to self-govern.

*Provide \$30.355 million for BIA Cooperative Landscape Conservation.*—We respectfully request \$30.355 million; an increase of \$20.399 million over the fiscal year 2017 enacted level of \$9.956 million. Funding for this program will support Tribal capacity to participate in and provide input on climate change issues that impact fisheries and other treaty-reserved resources. It will also allow Tribes to provide their perspective on climate change adaptation and resiliency necessary to protect their treaty-reserved rights, which is informed by both traditional ecological knowledge and scientific research.

*Provide \$830,000 for BIA Watershed Restoration.*—We respectfully request \$830,000 for the western Washington treaty Tribes. Funding has historically been contained in the Forestry Subactivity—Forestry Projects—Watershed Restoration account and supports our Salmon and Steelhead Habitat Inventory and Assessment Program (SSHAP). SSHAP is a vital program to the western Washington Tribes, because it provides essential environmental data management, analysis, sharing, and reporting to support Tribal natural resource management. It also supports our Tribes' ability to adequately participate in watershed resource assessments and salmon recovery work.

ENVIRONMENTAL PROTECTION AGENCY

*Provide \$96.4 million for EPA General Assistance Program (GAP).*—We respectfully request \$96.4 million; an increase of \$30.924 million over the fiscal year 2017 enacted level of \$65.476 million. GAP is important because it provides the capacity for Tribes across the Nation to develop and operate essential environmental protection programs. These programs help our member Tribes address environmental issues such as water pollution, which impacts Tribal health and safety, as well as treaty-reserved resources.

*Provide \$50.0 million for EPA Puget Sound Geographic Program.*—We respectfully request \$50.0 million; an increase of \$22.0 million over the fiscal year 2017 enacted level of \$28.0 million. This Geographic Program provides essential funding that will help protect and restore Puget Sound—an estuary of national significance. Funding for this program is essential for Tribes because it supports our participation in a broad range of Puget Sound recovery work, including, scientific research,

resource recovery planning, implementation, and policy discussions on issues that affect our treaty rights.

*Provide \$5.0 million for EPA "Beyond GAP".*—We respectfully request \$5.0 million for EPA "Beyond GAP" and accompanying legislative language that would specifically allow Tribes to use this funding for implementing Tribal programs. We also request an increase to the Tribal allocations in EPA CWA §104, §106 and §319, and CAA §103 and §105 programs to allow for media-specific implementation priorities. This "Beyond GAP" request would advance the EPA/Tribal partnership from solely funding capacity building to funding environmental programs capable of implementing a broad range of management activities necessary to protect health and safety, as well as treaty-reserved resources.

#### CONCLUSION

We respectfully urge the Subcommittee to continue to support our efforts to protect and restore our treaty-reserved rights that in turn will provide for thriving communities and economies. Thank you.

[This statement was submitted by Lorraine Loomis, Chair.]

#### PREPARED STATEMENT OF THE NORTON SOUND HEALTH CORPORATION

The requests of the Norton Sound Health Corporation (NSHC) for the fiscal year 2018 Indian Health Service (IHS) budget are as follows:

- Continue support and funding for the IHS Joint Venture program, which should be expanded to allow behavioral health programs to participate, and provide increased funding for staffing and for the IHS facilities appropriation, as sufficient to help ensure Norton Sound can construct and fully staff a new Wellness and Training Center, which is needed for providing critical substance use disorder and behavioral health services.
- Direct IHS to accept small ambulatory clinic funding applications for new health clinics that are construction-in-progress or consider negotiating staffing funds for new facilities.
- Expand and streamline funding for sewer and water projects.
- Make funding for Village Built Clinics recurring every year, which should be shown as a line item in the IHS budget and displayed in the Budget Justification.
- Ensure full funding of contract support costs.
- Increase funding for behavioral healthcare services.
- Shield IHS funding from sequestration.

The Norton Sound Health Corporation (NSHC) is the only regional health system serving Northwestern Alaska, along the Bering Strait Region. We are not connected by road to any other part of the State, and are 500 air miles from the City of Anchorage (roughly the distance from Washington, D.C. to Portland, Maine). Our service area encompasses 44,000 square miles. The system includes a regional hospital, which we own and operate under an Indian Self-Determination and Education Assistance Act (ISDEAA) agreement, and 15 village-based clinics.<sup>1</sup>

*Remove Restrictions on Joint Venture Construction Projects To Include Behavioral Health Facilities, and Increase Funding For IHS Joint Venture and Facilities Construction Funding.* Substance use disorders and the costs associated with substance use in NSHC's region is at a crisis level. Substance abuse is present in 95 percent of law enforcement calls and incarcerations, in 92 percent of child protective services cases, and in 95 percent of referrals to women's shelters. The related healthcare costs, not only for substance-related treatment, but also connected with school and vocational drop-outs, suicides, and lost productivity continue to skyrocket.

While general outpatient services are a critical tool for addressing these concerns, many times patients need an even higher level of care in order to receive the deep clinical counseling required to combat a lifetime of substance abuse. In response to a community survey, in which NSHC's communities identified a significant need for addressing substance use and treatment options in a culturally sensitive manner, NHSC is developing a new Wellness and Training Center in order to provide a full continuum of treatment locally. The services will include detoxification, intensive outpatient services, day treatment and sober housing. Because people are literally dying in our region from addiction, this project is critical to help NSHC promote

<sup>1</sup>We serve the communities of: Brevig Mission, Council, Diomed, Elim, Gambell, Golovin, King Island, Koyuk, Mary's Igloo, Nome, St. Michael, Savoonga, Shaktolik, Shishmaref, Solomon, Stebbins, Teller, Unalakleet, Wales, and White Mountain.



healing and to put the brakes on the rampant substance use in our region. This multipurpose building will also house our Health Aide Training Program, one of only four Health Aide Training sites in Alaska. Over seventy Health Aides are employed by Norton Sound Health Corporation and deliver nearly 70 percent of the healthcare in the region. Their training needs are comprehensive and must be maintained. This new training space will allow for increased classroom sizes to sustain the quality program.

NSHC has finished designing the new Wellness and Training Center and is ready to begin site work and pad preparation this year, with construction to start in 2018. The Center will be located near the Norton Sound Regional hospital in Nome, Alaska. We have funded the design work and initial phases of the project through grant funding and donations, as well \$1.9 million of NSHC's own funding. Although NSHC has pledged another \$2.5 million toward construction, the total cost of the construction project remains at \$11.8 million. NSHC has also with its own funds started construction of two ancillary health clinics in the villages of Savoonga and Gambell.

It was understood that the Small Ambulatory Clinic Fund, if approved, would support construction funding for both Gambell and Savoonga health clinics. The IHS has now reneged on its funding for these projects, claiming that because construction has already started, the projects are not eligible for funding as small ambulatory clinic projects or joint venture construction projects under the Indian Health Care Improvement Act (IHCIA). IHS has also denied funding for the Wellness and Training Center because it would include a behavioral health component, even though the new Title VII to the IHCIA has emphasized the need for behavioral health components to Tribal health programs. There is nothing in the IHCIA that prohibits the IHS from funding these construction projects under applicable IHCIA authorities just because they have already been started, nor is there any limitation in the law that a Tribal wellness center may not include a behavioral health component. Behavioral health facilities, like any healthcare facility in Indian country, are in desperate need of additional funding for staffing and operating their programs.

NSHC thus requests that the Subcommittees take up this issue with IHS regarding their restrictive policies on eligibility for the fiscal year 2017 funds, and include fiscal year 2018 report and/or statutory language requiring the IHS to fund these projects from fiscal year 2018 funds provided to implement these IHCIA authorities. NSHC also asks that the Subcommittees continue to fund and support the IHS Joint Venture program, as it is critically important for helping to address the significant backlog of facilities needs that continues to exist throughout Indian country. We also request that staffing funds be made available for clinics built by Tribes and Tribal organizations, as recurring money for staffing would go a long way toward supporting Tribal efforts to construct and operate new facilities in place of aging ones. We also ask the Subcommittees to support increased funding for the IHS facilities appropriations, as the amount of funding being appropriated for facilities construction and for maintenance and improvement of existing facilities is not currently adequate to cover the very substantial facility requirements that exist in Indian country and throughout the Alaska Tribal health system. Without facilities in which to provide healthcare, we cannot meet our communities' needs for quality and available local treatment.

*Funding For Water & Sewer Projects.* Five villages within the Bering Strait region are still to this day completely unconnected to any running water and sewer. Those villages are Diomedede, Wales, Shishmaref, Stebbins and Teller. In three other of NSHC's communities, 30–50 percent of the homes still lack such connections, and ongoing sewer and water upgrades and maintenance backlogs remain concerns in seven other of our communities.

Multiple Federal programs help to fund water and sewer projects, including grant programs through the U.S. Department of Agriculture and Environmental Protection Agency (EPA), as well as through the IHS. However, Federal funding streams must be coordinated in order to complete construction of a system in a community. For example, the EPA's Safe Drinking Water Act funding can only be used for community water facilities and water service lines, but not for interior plumbing. IHS housing support funds can be used for water and sewer facilities to non-HUD "like new" native owned/occupied homes, but regulations currently prevent connection to newer HUD-built homes. The regulatory structure is thus complex and makes for complicated planning and funding challenges.

NSHC believes it would be beneficial to streamline and align Federal agency authorities through the IHS. Establishing a program within the IHS that would allow Tribes to enter into contracts with the private sector, use Federal sewer and water funding from multiple agencies to support the complete construction of running water and sewer in a community would lead to a clear path toward water and sewer

development, rather than the piecemeal approach that exists today. We thus request the subcommittees' support for establishing such a program within the IHS, and for expanding the current funding within the IHS budget that is allocated toward water and sewer projects. In this day and age, we should not have communities, nor homes within communities, that are unconnected to safe water and sewer.

Additionally, we want to bring to the Subcommittees attention that as we consider reforms to regulatory structure for water and sewer projects, we are experiencing in our communities in Alaska the very real problem of climate change. Increasing temperatures are changing Alaska: thawing permafrost and eroding costal and river shorelines are damaging and shortening the operating life of critical sanitation infrastructure in Native communities. The State of Alaska and the Federal General Accounting Office have identified 31 threatened Native communities, 12 of which are looking at relocating their villages. Funding for programs impacted by climate change, such as those related to addressing flooding and erosion, must not be cut, and we ask the Subcommittees to help encourage the Federal funding agencies to be more responsive to the need for research and development, in order to address the sewer and water needs in these communities that are threatened by climate change.

*Village Built Clinics.* NSHC has testified for several years now about the chronic underfunding of our Village Built Clinics (VBCs). We cannot overstate the importance of the VBCs in Alaska. Anyone can try to imagine living in a very remote village with no roads and unpredictable weather, while a need for healthcare services arises, and can appreciate how the VBCs are necessary to ensure there is an available, local source of healthcare in such situations. We thus want to thank Congress for funding the \$11 million increase for Tribal health clinic leases in the fiscal year 2017 Consolidated Appropriations bill. However, we now ask for the Subcommittees' support to make VBC funding recurring every year, and request that additional funding be provided. In 2015, the Alaska Native Health Board estimated that \$12.5 million was needed in addition to the existing \$4.5 million base. Accordingly, the \$11 million increase in fiscal year 2017 was a major step forward, but still does not cover the full amount of need. In addition, without a separate line item for VBCs, much of the funding could be distributed to other types of facility leases, leaving the VBCs even more short on necessary funding. We thus also request that VBC funding be shown as a line item in the IHS budget and displayed in the Budget Justification in order to assist with planning and certainty for our VBCs.

*Funding For Contract Support Costs.* We wish to express our gratitude for the Subcommittees' leadership in making funding of IHS contract support costs (CSC) for fiscal years 2016 and 2017 an indefinite amount, and for making CSC a separate account in the IHS budget. This has made a tremendous difference in our ability to implement our healthcare programs under the Indian Self-Determination and Education Assistance Act (ISDEAA). Our objective, though, continues to be the indefinite appropriation of CSC funding as mandatory and permanent. Full payment of CSC is not discretionary; it is a legal obligation under the ISDEAA, affirmed by the U.S. Supreme Court. NSHC remains committed to working together with the appropriate Congressional committees to determine how best to achieve this objective.

*Additional Issues.* We have in the past testified in support of the Obama Administration's and the Senate Subcommittee's recommendation for \$25 million for an IHS Behavioral Health Integration Initiative. The final bill does not contain that amount, although there is an overall fiscal year 2017 \$12 million increase for the Mental Health Account (from \$82 million to \$94 million). We hope that fiscal year 2018 funding will be provided to build on this Initiative. We have also several times in the past requested that the IHS budget from sequestration. We again ask the Subcommittees' support for this request.

Thank you for your consideration of the concerns and requests of the Norton Sound Health Corporation.

[This statement was submitted by Christopher Bolton, Chief Operating Officer.]

PREPARED STATEMENT OF THE OFFICERS OF THE ENVIRONMENTAL COUNCIL OF THE STATES

DEAR CHAIRMAN MURKOWSKI, RANKING MEMBER UDALL, AND MEMBERS OF THE SUBCOMMITTEE:

The undersigned Officers of the Environmental Council of the States (ECOS), on behalf of the organization, submit this testimony on the President's proposed fiscal year 2018 budget for the U.S. Environmental Protection Agency (EPA), and specifically regarding the Categorical Grants within the State and Tribal Assistance Grants (STAG Categorical Grants).

States are collectively and independently reviewing the President's proposal. We appreciate the interactions and outreach by the Administration to seek State input on the budget to date, and look forward to further engagement on the budget with the administration and congressional delegations. It will be important that budget adjustments are made thoughtfully and with caution to assure sustained support to programs that advance the well-being of our communities and to the many partnerships we employ to deliver programs that drive critical environmental and public health protection.

The administration's proposed funding of \$597 million for the STAG Categorical Grants continues a national conversation about how to deliver environmental programs in our country efficiently and with a focus on results and outcomes.<sup>1</sup> ECOS is committed to, with our Federal, State, and local partners, assessing how we, collectively, perform environmental protection work today in the most efficient, least duplicative, manner possible.

CORE STATE ENVIRONMENTAL WORK

Through authorization and delegation over the last 45 years, States have become the primary implementers of Federal environmental statutes, today with 96 percent of the delegable authorities under Federal law. The STAG Categorical Grants fund core State environmental work, which include all aspects of operating delegated Federal programs such as issuing permits, conducting inspections, setting standards, collecting and managing data, bringing enforcement actions, providing compliance assistance and inspections, evaluating information submitted by regulated entities, citizen complaint response, external engagement and communication, developing regulations, drafting policies, classifying waterbodies, preparing for and responding to accidental or intentional releases of contaminants, and cleaning up and restoring sites. The STAG Categorical Grants make up on average 27 percent of State Environmental Agency Budgets.<sup>2</sup> Decreases in STAG Categorical Grants will have impacts on State environmental agencies that must be thoughtfully considered.

SUPERCORE STAG CATEGORICAL GRANTS

While all the STAG Categorical Grants are important to States, ECOS identified several STAG Categorical Grants as "supercore" because they directly support core State environmental responsibilities. Supercore STAG Categorical Grants sustain State performance of core legal obligations and health protection responsibilities. They are:

- Hazardous Waste Financial Assistance (RCRA Core Funding)
- Water Pollution Control (Clean Water Act Section 106)
- State and Local Air Quality Management (Clean Air Act Sections 103, 105, 106)
- Nonpoint Source Control (Clean Water Act Section 319)
- Public Water System Supervision (PWSS) (Safe Drinking Water Act Section 1443(a))
- Environmental Information (E-Permitting, Modernization of Data Systems)
- Multipurpose Grants (created in fiscal year 2016 Omnibus for State defined high priority activities)

The new Multipurpose Grants are the type of flexible, State-priority informed funding that States have been seeking for a long time. In 2016 all 56 States, territories, and the District of Columbia accepted the share of the \$19,800 million in Multipurpose Grants funding for which they were eligible. Projects undertaken included National Ambient Air Quality Standards implementation activities, process or system improvement efforts (many involving electronic data management sys-

<sup>1</sup> ECOS notes that some funding for States is contained in other parts of the EPA proposed budget. For purposes of this testimony, however, ECOS focuses on the STAG Categorical Grants.

<sup>2</sup> <https://www.ecos.org/news-and-updates/green-report-on-status-of-environmental-agency-budgets/>.

tems), water pollution control, drinking water, and pesticides. Most importantly, the selected projects were important to the respective States, territories, and the District of Columbia.

#### STATE REVOLVING FUNDS

We acknowledge the administration's clear signal in favor of water infrastructure investment, with level funding proposed for the STAG State Revolving Loan funds (SRF). States recognize the significant need for investment in clean and safe water infrastructure nationally; ECOS recently documented that just the top 20 ready to go in 2017 water and wastewater projects per State total over \$14.4 billion.<sup>3</sup> SRF funds are not cost-free to States—there is a 20 percent State match required. And while States can set-aside up to 31 percent of drinking water SRF funds to support State programs and activities to ensure safe drinking water, and 4 percent of clean water SRF funds for administrative costs, the overwhelming majority of SRF funds are distributed out to communities and are not for supporting the core State environmental work discussed above.

#### RESCISSIONS

States have voiced concerns that funds must be dispersed in a timely manner to allow efficient and effective use by States. States are currently working with EPA to address this real issue and improve administrative processes. We urge Congress to consider this ongoing concern and work as a basis to not include rescissions of unobligated STAG funds in the fiscal year 2018 enacted budget. For rescissions which are necessary in future years, we suggest rescissions should be taken equitably across Federal and State grant accounts.

#### THE IMPORTANCE OF FLEXIBILITY

States are managing State level cuts to their budgets, and historic flat Federal STAG funding, by leaning business processes and by strategically applying practices that improve efficiency, such as targeting inspections to priority areas and implementing technological advancements. Within each State, needs and priorities can vary in part from priorities set by EPA at the Federal level. State commissioners require maximum flexibility to direct the Federal resources in ways that suit their unique needs and circumstances. While the States may agree with and appreciate funding for specific efforts, States need flexibility to budget for and implement work activities most effectively. Directed funding undermines State flexibility and needed support for on-going every day implementation of the Nation's environmental laws. The States, as co-regulators with EPA, wish to preserve and expand State flexibility to address State and regional priorities within EPA's national framework. Fewer funding directives and instructions help streamline State-EPA discussions about the work to be accomplished and allow States to move more quickly to turn appropriated Federal dollars into positive environmental and public health results.

#### EPA'S SCIENTIFIC RESEARCH ROLE

State environmental agencies significantly value much of the research that EPA performs. States recently submitted to EPA for consideration a comprehensive inventory of current State research priorities.<sup>4</sup> Ensuring that EPA has sufficient funding to directly assist States with key research needs is important, part of effective government, and much more efficient than multiple States seeking to answer common environmental science questions. ECOS hopes to work with the administration and Congress to see that appropriated EPA research dollars respond to identified State environmental agency research needs.

#### A CALL TO REVISIT COOPERATIVE FEDERALISM

The amount of Federal funding appropriate for environmental programs delegated to States is closely related to how we collectively view cooperative Federalism. States are committed to engaging the Congress, the administration, and all other parties and interests in how we can more fully define how cooperative Federalism today impacts policy, operations, and fiscal positions, and how we ensure effective public health and environmental protections. We believe that we can build on the foundations of national statutes, learn from the innovations and successes of State

<sup>3</sup> <https://www.ecos.org/documents/ecos-inventory-of-states-2017-ready-to-go-water-and-waste-water-projects/>.

<sup>4</sup> <https://www.ecos.org/wp-content/uploads/2017/04/ERIS-Survey-Summary-One-Pager.pdf>.

programs, and confidently meet the challenge of providing 21st century environmental protection with the best of 21st century methods and relationships.

#### CONCLUSION

ECOS values our work with the Appropriations Committee and Subcommittee, and appreciates consideration of our views. We are confident the funding appropriated will be well used, and that States will continue their dedicated efforts to deliver the clean environment all Americans want and deserve in the most efficient, modern, and results-oriented way possible. We welcome the opportunity to answer any questions or provide any further information. Questions about our testimony can be directed to ECOS' office at 50 F Street NW, Suite 350, Washington D.C. 20001, via email to [adunn@ecos.org](mailto:adunn@ecos.org).

We thank you for the opportunity to share our perspectives, and are willing to provide the subcommittee with any input in the future.

John Linc Stine, Commissioner, Minnesota Pollution Control Agency, ECOS President.

Todd Parfitt, Director, Wyoming Department of Environmental Quality, ECOS Vice President.

Becky Keogh, Director, Arkansas Department of Environmental Quality, ECOS Secretary/Treasurer.

Martha Rudolph, Director of Environmental Programs, Colorado Department of Public Health and Environment, ECOS Past President.

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#### PREPARED STATEMENT OF THE OGLALA SIOUX TRIBE

##### SUMMARY

The Oglala Sioux Tribe requests:

- An additional \$200 million for BIA law enforcement, including officer training, Tribal court personnel, and construction and maintenance of Tribal detention facilities;
- \$85.3 million for substance use disorder programs;
- \$6.2 billion for the Indian Health System;
- Funding for road construction;
- \$25 million for water infrastructure;
- Funding for education and recreation facilities, youth safe houses, community centers, including \$620,000 for juvenile detention education in BIA-funded facilities; and
- Funding for child protective services.

##### INTRODUCTION

Thank you Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee for your work on behalf of Indian Country. It is truly appreciated. While we know you have made progress through your hard work, the chronic underfunding of Indian Country programs and treaty obligations over the years is taking an enormous toll. It is quite literally costing lives as needs such as healthcare, behavioral health, and law enforcement go underfunded. Without adequate funding to operate fundamental government services, such as our court system and child protective services, we face the dilemma of how to continue administering these services ourselves. Underfunding, therefore, threatens our ability to exercise our rights to self-determination and sovereignty.

The Sioux Treaty of 1868 promised certain benefits and annuities each year to the bands of the Great Sioux Nation. Congressional ratification of that treaty cemented into law the United States' obligation to make appropriations for the Oglala Sioux Tribe. We ask you to fulfill those treaty obligations.

##### LAW ENFORCEMENT AND THE METH EPIDEMIC

In May 2016, our Tribe declared a State of Emergency on the Pine Ridge Reservation because of the shortage of Tribal Police officers and law enforcement resources. This shortage has resulted in a sharp increase in crime and an inability of our Tribal Police to guarantee the health and safety of our citizens, which results in intergenerational cycles of trauma as children are exposed to high rates of violence and substance abuse. We understand that funding in the Office of Justice Service's account for criminal investigations and police services flows more heavily to criminal

investigators rather than police officers. We need adequate funding for each of these important positions. Decades of underfunding Tribal public safety programs has fueled an unprecedented spike in violent crime and drug trafficking, consistent with the methamphetamine and heroin epidemic throughout the Great Plains Region. With only four officers covering our approximately 3 million acres per 12-hour shift, our Tribe simply does not have the necessary resources for public safety purposes. Each officer is personally responsible for 700,000 acres, without adequate support or backup and at great personal risk. The BIA has acknowledged that we need a minimum of about 95 more officers, but funds are not available to address this need.

Our criminal justice system is in critical need of funding. The Kyle Justice Center has been at the top of BIA's construction priority list for over 15 years. This short-term holding facility, court, and 911 call center is desperately needed but sits 100 percent complete for design. It is shovel ready. Additionally, our Tribal Court is so severely lacking in funding that we fear facing the dilemma of whether we can continue to exercise this fundamental aspect of our sovereignty.

A Tribe's ability to exercise its sovereignty and protect its citizens should not be dependent on its wealth. In order to fulfill these basic treaty rights, we request an additional \$200 million for BIA law enforcement, including officer training, Tribal Court personnel, and the construction and maintenance of Tribal detention facilities. We also request \$85.3 million for IHS substance use disorder programs.

#### INDIAN HEALTH CARE IN THE GREAT PLAINS

One of the United States' most sacred treaty obligations is providing for Indian healthcare. In the Great Plains, this moral and legal responsibility has been very nearly abandoned. Our citizens are among the poorest and most disenfranchised in the country. The "Washington Post" recently reported on a study that demonstrates that Oglala Lakota County has among the lowest life expectancy in the country.<sup>1</sup> Last year the Senate Committee on Indian Affairs held an oversight hearing and a field hearing on the poor quality of care received at IHS facilities in the Great Plains. Despite increased oversight and accountability efforts, our healthcare crisis continues to unfold. At the root of the Great Plains Health Care crisis is the glaring fact that IHS is only funded at about 60 percent of need. IHS must be able to recruit and retain high-quality employees, and that requires funding for salaries, housing, and training in addition to increased employee accountability. Additionally, there must be adequate facilities. Our Pine Ridge Hospital struggles with inadequate space to serve its user population. The IHS Service Unit profile States that the active user population exceeded the designed user population in 2000, and that the Service Unit currently services a user population of 51,227 in a space that is already undersized to serve the Health Systems Planning estimated user population of 22,000 patients.

#### ROAD MAINTENANCE

Current funding, \$24 million nationwide, for the BIA Road Maintenance program has been flat for over 22 years. This results in a compounding deferred maintenance backlog. In the Great Plains Region alone, a conservative estimate for deferred maintenance is \$10.6 million; nationally, it is \$289 million. Funding levels for maintenance on the Reservation of \$598 per mile are staggeringly low compared to the average \$6,000 per mile that South Dakota spends on road maintenance. Further, snow and ice control can consume up to 50 percent of an annual budget, a financial dilemma our Tribe faces every winter. Funding is so tight that routine bridge maintenance is not performed until it reaches a state of emergency. Further, a specific road issue is the Allen Road between Allen and Highway 18. The Tribe paid to build this road, but it has no monies to maintain it. The State receives funding for the road, but it is not maintaining it. A private citizen has been plowing this road for free in an effort to keep it safe for school buses. This is unacceptable. The Tribe should be provided adequate funding so that we can maintain this road; we stand ready to do the work provided we have the funding.

#### WATER INFRASTRUCTURE

Our Tribe is the lead sponsor of the Mni Wiconi Project, authorized by the Mni Wiconi Project Act of 1988, Public Law 100-516, as amended. The Project is a monumental clean drinking water project that provides Missouri River water to the Pine

<sup>1</sup>Joel Achenbach, "U.S. Life Expectancy Varies by More Than 20 Years From County to County," *Washington Post* (May 8, 2017); Laura Dwyer-Lindgren, et al. "Inequalities in Life Expectancy Among US Counties, 1980 to 2014: Temporal Trends and Key Drivers," *JAMA Intern. Med.* (May 8, 2017).

Ridge Reservation, the Lower Brule Sioux Reservation, Rosebud Sioux Reservation and the West River/Lyman-Jones Water District. Funding is needed to complete the necessary community systems upgrades on Pine Ridge. The Act provides that the Oglala Sioux Rural Water Supply shall include the purchase, improvement, and repair of existing water systems. However, the Bureau of Reclamation, which funds the Project, will not accept the community systems into the Project until they are upgraded to a certain standard. Funding for these upgrades is necessary.

The Tribe is working with several Federal agencies to implement its plan to complete the upgrades. The Tribe, however, needs almost \$25 million to upgrade 19 existing systems and transfer them into the Mni Wiconi Project, as intended by the Act. Once transferred they will be operated and maintained through authorized funding under the Mni Wiconi Project Act. Additional monies provided to the IHS's Sanitation Facilities Construction account as well as to the EPA's Revolving Funds are needed to allow for the IHS and EPA to better contribute and participate in the joint Federal agency effort to complete the upgrades of the systems in a timely manner so those on the Pine Ridge Reservation can finally receive the clean drinking water they were promised so long ago under the Mni Wiconi Project Act.

#### EDUCATION FACILITIES AND PROGRAMMING

Total replacement of the Wounded Knee and Little Wound Schools is required. The Wounded Knee School project has been on the BIA's Office of Facility Maintenance and Construction list for many years, and Little Wound was built in the 1950s. School replacement and repairs must include adequate funding for operations and maintenance, necessary components of school infrastructure, so that the investment in construction can be safeguarded and our students can be safe in their learning environment. Currently, these crucial components are funded at less than 50 percent of the need.

Our youth need safe houses where they can go and where they can get assistance identifying physical and mental health resources available to them. They also need youth centers as safe places to congregate and build a sense of community. Children also need places to play. Currently, our children ask to be driven all the way to Rapid City just so they can play in the park. Our communities need playgrounds, skate parks, and other community spaces. Thus, we request funding for the construction, operation, maintenance, and personnel of youth safe houses, youth centers, and recreational facilities (such as skate parks, athletic fields, basketball courts, art centers, music centers, etc.) to provide spaces where youth can be secure outside their homes.

Also, \$620,000 is needed for juvenile detention in BIA-funded facilities. This essential funding provides critical educational services to detained and incarcerated youth. From 2012 to 2016, this need was not funded, and we thank you for supporting the reinstatement of this much-needed source of funds for the education and rehabilitation of some of our most vulnerable youth.

#### HOUSING

Pine Ridge has a terrible housing shortage. Many of our citizens—infants, elders, veterans, families—live in conditions that no American should have to endure. Families live packed into two-bedroom homes or families of six try to survive in a one-bedroom. Overcrowding affects the physical, social, and mental state of our people, and it is often impossible to study, to be healthy, and to maintain a strong family unit in such environments. We also have difficulty recruiting and retaining quality IHS staff because of our housing shortage. We currently need 4,000 new units and 1,000 homes repaired. Many homes are also in desperate need of repair, with citizens living in conditions that are not only overcrowded but also unsafe. Our citizens depend on the Housing Improvement Program (HIP), which assists families under 150 percent of the Department of Health and Human Services Poverty Guidelines that live in substandard housing and have no other resource for housing assistance. HIP funds are separate from the Native American Housing Assistance and Self-Determination Act (NAHASDA) and are not used on homes built by the Department of Housing and Urban Development (HUD). These essential HIP funds are used to build new or replacement homes and to renovate homes for our people who have nowhere to go. Also, expanding the Tiwahe Initiative so we may be included is important not only for its comprehensive approach to social services, but also because HIP targets housing improvements at established Tiwahe sites.

#### CHILD PROTECTIVE SERVICES

The Child Protection Services (CPS) and Indian Child Welfare Act (ICWA) Program perform an integrated child and family services system to address child wel-

fare and comprehensive family support services for the families on the reservation. The program administers a Social Security Act, Title IV–B grants through block grants and Title IV–E through the State/Tribal Agreement and the Social Security Act. There are 16 full-time positions funded by the State through the State/Tribal Agreement. With the number of cases and the backlog of pending cases, we need four more full time support staff with an annual rate of \$38,000 plus fringe benefits for a total of \$162,640 for personnel services. CPS is funded through the BIA and currently funds only one full-time director with fringe benefits. CPS needs funding for an administrative staffer. Foster care payments received are welfare assistance funds. With the increase in client caseloads, we need at least \$100,000 for foster care payments. The program also has an unmet need for operating costs and staff training for both CPS and ICWA. The total for child welfare services including maintenance payments for foster care, guardianship, and adoption is projected to cost \$402,600 annually. The ICWA program funds three full-time employees with fringe benefits, with no funding for operating costs, including staff travel. Further, there is an unmet need of \$75,000 for our cases as we anticipate an average of 17 children served every quarter. These are enrolled Tribal members throughout the United States for which intervention takes place.

CPS also needs funding for four additional program vehicles with an average cost of \$20,000 each. Currently, we only have three vehicles that the staff share. With the constant repairs and maintenance for these older vehicles, we need more new vehicles as staff is on-call staff 24/7.

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#### PREPARED STATEMENT OF THE OREGON WATER RESOURCES CONGRESS

The Oregon Water Resources Congress (OWRC) is concerned about continuing reductions to the U.S. Environmental Protection Agency's (EPA) Clean Water State Revolving Fund Loan Program (CWSRF) and is requesting that appropriations for this program be increased to at least \$2 billion in fiscal year 2018. The CWSRF is an effective loan program that addresses critical water infrastructure needs while benefitting the environment, local communities, and the economy.

OWRC was established in 1912 as a trade association to support the protection of water rights and promote the wise stewardship of water resources statewide. OWRC members are local governmental entities, which include irrigation districts, water control districts, drainage districts, water improvement districts, and other agricultural water suppliers that deliver water to roughly 1/3 of all irrigated land in Oregon. These water stewards operate complex water management systems, including water supply reservoirs, canals, pipelines, and hydropower production.

#### FISCAL YEAR 2018 APPROPRIATIONS

We recognize that our country is facing difficult economic times and that we must make strategic investments with scarce resources. The CWSRF is a perfect example of the type of program that should have funding increased because it creates jobs while benefitting the environment, and is an efficient return on taxpayer investment. Oregon is facing record levels of unemployment and the CWSRF funded projects provide much needed construction and professional services jobs. Moreover, as a loan program, it is a wise investment that allows local communities to leverage their limited resources and address critical infrastructure needs that would otherwise be unmet.

Nationally, there are large and growing critical water infrastructure needs. In EPA's most recent needs surveys, "The Clean Watersheds Needs Survey 2012: Report to Congress and Drinking Water Infrastructure Needs Survey and Assessment: Fifth Report to Congress", the estimated funding need for drinking water infrastructure totaled \$384 billion (in 2011 dollars) and wastewater infrastructure needs totaled \$271 billion (in 2012 dollars). Appropriations for water infrastructure, specifically CWSRF, should not be declining but remaining strong in order to meet these critical needs. In 2015 appropriations for the CWSRF program was approximately \$1.448 billion and declined to \$1.394 billion in fiscal year 2016. We are concerned as we see this negative downward trend continuing while the infrastructure needs only become more critical.

We also continue to be highly supportive of expanding "green infrastructure," in fact, irrigation districts and other water suppliers in Oregon are on the forefront of "green infrastructure" through innovative piping projects that provide multiple environmental benefits, which is discussed in greater detail below. However, continually reducing the amount of funds available for these types of worthwhile projects is counterproductive to the Administration's desire and has created increased uncertainty for potential borrowers about whether adequate funding will be available in



future years. CWSRF is often an integral part of an overall package of State, Federal and local funding that necessitates a stronger level of assurance that loan funds will be available for planned water infrastructure projects. Reductions in the CWSRF could lead to loss of grant funding and delay or derail beneficial projects that irrigation districts have been developing for years.

Additionally, OWRC is pleased that EPA continues “strategic partnerships” with the USDA’s Natural Resources Conservation Services (NRCS) and other Federal agencies to improve water quality and address nonpoint source pollution. Oregon had two priority watersheds eligible for funding through the National Water Quality Initiative in 2014 and anticipates that additional watersheds will be included in the future. As Oregon is a delegated State, OWRC also feels strongly that the Oregon Department of Environmental Quality (DEQ) is best situated to develop and implement activities to improve these and other impaired waterways in the State. DEQ and its administration of the CWSRF has been an extremely valuable tool in Oregon for improving water quality and efficiently addressing infrastructure challenges that are otherwise cost-prohibitive.

OWRC was very satisfied to see the passage of the Water Infrastructure Improvements for the Nation Act (WIIN) by Congress in December last year. An integral piece of the funding puzzle for our member districts was reinstated by this act, irrigation district eligibility for principal forgiveness. The CWSRF is often an integral part of an overall package of State, Federal and local funding that necessitates a stronger level of assurance that loan funds will be available for planned water infrastructure projects. Irrigation districts are often located in rural communities and have a small number of farmers with limited capacity to take on loan debt. Even a small reduction in the principal repayment obligations can make the difference in whether or not a district can move forward with a project. Reductions in eligibility for principal forgiveness in the CWSRF could lead to loss of grant funding and delay or derail beneficial projects that irrigation districts have been developing for years.

#### CWSRF NEEDS

The appropriations for the CWSRF program over the past few years has been far short of what is needed to address critical water infrastructure needs in Oregon and across the Nation. This has led to fewer water infrastructure projects, and therefore a reduction in improvements to water quality. DEQ’s most recent “Proposed Intended Use Plan Update #1—State fiscal year 2017,” lists 15 projects in need of a total of \$86,148, 504 in Oregon alone. The Federal capitalization grant funding awarded fiscal year 2016 will total \$14,974,000, which is wholly inadequate to address and complete these much needed projects.

Unfortunately, due to recent cutbacks and lack of availability principal forgiveness for irrigation districts (which was recently reinstated with the passage of the WIIN Act), only two irrigation districts submitted applications for funding in 2017: Middle Fork Irrigation District (MFID), and Central Oregon Irrigation District (COID). MFID requested \$20,000,000 for the design and construction of multiple projects to improve water quality and quantity associated with its irrigation diversions in the Middle Fork Hood River watershed. COID requested \$1,140,000 for design and construction to pipe approximately 3,000 linear feet of open canal and to upgrade their fish screen at the inlet on the Deschutes River. OWRC is hopeful that with an increase in money available, more districts will apply for funding to complete projects that will not only benefit the environment and the patrons served by the water delivery system, but also benefit the economy.

#### CWSRF AND IRRIGATION DISTRICTS

OWRC and our members are highly supportive of the CWSRF, including promoting the program to our members and annually submitting Federal appropriations testimony to support increased funding for the CWSRF. We believe it is an important funding tool that irrigation districts and other water suppliers are using for innovative piping projects that provide multiple environmental and economic benefits.

Eight OWRC member districts have successfully received loans from the CWSRF over the last several years and many more will apply if eligible to receive some principal forgiveness. Numerous irrigation districts and other water suppliers need to pipe currently open canals, which reduces sediment and water temperature and provides other water quality improvements as well as increasing water availability for fish and irrigators by reducing water loss from the delivery system. In 2009, four irrigation districts received over \$11 million funding in Oregon from the American Recovery and Reinvestment Act (ARRA) through the CWSRF for projects which cre-

ated valuable jobs while improving water quality. These four projects were essential to DEQ not only meeting but exceeding the minimum requirement that 20 percent of the total ARRA funding for the CWSRF be used for “green” projects. Without the irrigation district projects, it is likely that Oregon’s CWSRF would not have qualified for ARRA funding.

#### THE IMPORTANCE AND SUCCESS OF LOCAL WATERSHED PLANNING

Oregon’s success in watershed planning illustrates that planning efforts work best when diverse interests develop and implement plans at the local watershed level with support from State government. Oregon has recently revised their CWSRF rules; thus making conservation easier and its benefits to be better achieved in the State. As the national model for watershed planning, Oregon does not need a new Federal agency or Executive Branch office to oversee conservation and restoration efforts. Planning activities are conducted through local watershed councils, volunteer-driven organizations that work with local, State and Federal agencies, economic and environmental interests, agricultural, industrial and municipal water users, local landowners, Tribes, and other members of the community. There are over 60 individual watershed councils in Oregon that are already deeply engaged in watershed planning and restoration activities. Watershed planning in Oregon formally began in 1995 with the development of the Oregon Plan for Salmon Recovery and Watershed Enhancement, a statewide strategy developed in response to the Federal listing of several fish species. This strategy led to the creation of the Oregon Watershed Enhancement Board (OWEB), a State agency and policy oversight board that funds and promotes voluntary and collaborative efforts that “help create and maintain healthy watersheds and natural habitats that support thriving communities and strong economies” in 1999.

#### CONCLUSION

In conclusion, we applaud the CWSRF program for allowing Oregon’s DEQ to make targeted loans that address Clean Water Act issues and improve water quality but also help incentivize innovative water management solutions that benefit local communities, agricultural economies, and the environment. This voluntary approach creates and promotes cooperation and collaborative solutions to complex water resources challenges. We respectfully request the appropriation of at least \$2 billion for the U.S. Environmental Protection Agency’s Clean Water State Revolving Loan Fund for fiscal year 2018.

[This statement was submitted by April Snell, Executive Director.]

#### PREPARED STATEMENT OF THE OREGON WATER RESOURCES CONGRESS

The Oregon Water Resources Congress (OWRC) is writing to express its strong support for the U.S. Fish and Wildlife Service Fisheries Restoration Irrigation Mitigation Act (FRIMA) Program and is requesting that appropriations for this program be increased to \$15 million in fiscal year 18, which is what FRIMA was originally authorized for. The FRIMA program is an essential costshare funding program that helps water users and fishery agencies better protect sensitive, threatened, and endangered fish species while ensuring water supply delivery to farms and communities.

OWRC was established in 1912 as a trade association to support the protection of water rights and promote the wise stewardship of water resources statewide. OWRC members are local governmental entities, which include irrigation districts, water control districts, drainage districts, water improvement districts, and other agricultural water suppliers that deliver water to roughly 1/3 of all irrigated land in Oregon. These water stewards operate complex water management systems, including water supply reservoirs, canals, pipelines, and hydropower production.

#### FISCAL YEAR 2018 APPROPRIATIONS

The FRIMA program meets a critical need in fishery protection and restoration, complimenting other programs through the U.S Fish and Wildlife Services (FWS). Fish passage and fish screens installations are a vital component to fishery protection with several benefits:

- Keeps sensitive, threatened and endangered fish out of canals and water delivery systems.
- Allows fish to be safely bypassed around reservoirs and other infrastructure.
- Eliminates water quality risks to fish species.

There are over 100 irrigation districts and other special districts in Oregon that provide water supplies to over one million acres of irrigated cropland in the State. Almost all of these districts are affected by either State or Federal Endangered Species Act listings of Salmon and Steelhead, Bull Trout or other sensitive, threatened or endangered species. The design and installation of fish screens and fish passage to protect the myriad of fish species is often cost-prohibitive for individual districts to implement without outside funding sources.

Oregon irrigation districts anticipate no less than \$25 million in funding will be required to meet current fish passage and fish screen needs. Limited cost-share funds are available from the Oregon Watershed Enhanced Board (OWEB) program in Oregon, but the primary cost-share for fish screen and fish passage projects has been provided by the districts and their water users. Project needs include both construction of new fish screens and fish passage facilities as well as significant upgrades of existing facilities to meet new requirements (new species, new science) of the National Oceanic and Atmospheric Administration (NOAA) Fisheries Service and the FWS. Upgrades are often needed to modernize facilities with new technologies that provide better protection for fish species as well as reduced maintenance and increased lifespan for the operator.

#### BACKGROUND OF THE FISHERIES RESTORATION IRRIGATION MITIGATION ACT (FRIMA) PROGRAM

FRIMA, originally enacted November 2000, created a Federal partnership program incentivizing voluntary fish screen and fish passage improvements for water withdrawal projects in Idaho, Oregon, Washington and western Montana. The funding goes to local governments for construction of fish screens and fish passage facilities and is matched with non-Federal funding. Irrigation districts and other local governments that divert water for irrigation accessed the funding directly, while individual irrigators accessed funding through their local Soil and Water Conservation District (SWCD), which are local governments affiliated with the Natural Resources Conservation Service (NRCS).

FRIMA was reauthorized as part of the Water Infrastructure Improvements for the Nation Act (WIIN) of 2016 for only \$18 million, well short of the estimated \$500 million in fish screening and passage needs in the Pacific Northwest alone. The original legislation in 2000 (Public Law 106-502) was supported and requested by the Pacific Northwest Partnership, a coalition of local governmental entities in the four Northwest States. As one of the members of that coalition, we appreciate and strongly support your efforts to reauthorize the FRIMA program. The FRIMA legislation authorized \$25 million annually, to be divided equally among the four States from 2001 to 2012, which was when the original authorization expired. The actual funding appropriated to the FRIMA program (through congressional write-ins) ranged from \$1 million to \$8 million, well short of the \$25 million it was authorized for and far short of what is needed to address fish passage and screening needs across the region. However, that small amount funding was used to leverage other funds and assisted the region in making measurable progress towards addressing fish screens and fish passage needed to protect sensitive, threatened, and endangered fish species.

FRIMA funding was channeled through FWS to State fishery agencies in the four States, distributed using an application and approval process based on a ranking system implemented uniformly among the States, including the following factors: fish restoration benefits, cost effectiveness, and feasibility of planned structure. All projects provided improved fish passage or fish protection at water diversion structures and benefitted native fish species in the area, including several State or federally listed species. Projects were also subject to applicable State and Federal requirements for project construction and operation.

#### PROGRAM BENEFITS

FRIMA projects provide immediate protection for fish and fills a large unmet need in the Pacific Northwest for cost-share assistance with fish screening and fish passage installations and improvements. A report by FWS covering program years fiscal year 2002-2012 provides State-by-State coverage of how the congressional provided funding has been used in the program. Compared to other recovery strategies, the installation of fish screens and fish passage infrastructure has the highest assurance for increasing numbers of fish species in the Pacific Northwest. Furthermore, the installation of these devices have minimal impacts on water delivery operations and projects are done cooperatively using methods that are well accepted by landowners and rural communities.

The return of the FRIMA program will catalyze cooperative partnerships and innovative projects that provide immediate and long-term benefits to irrigators, fishery agencies, and local communities throughout the Pacific Northwest. This program is also a wise investment, with past projects contributing more than the required match and leveraging on average over one dollar for each Federal dollar invested. FRIMA provides for a maximum Federal cost-share of 65 percent, with the applicant's costshare at 35 percent plus the on-going maintenance and support of the structure for passage or screening purposes. Applicants operate the projects and the State agencies monitor and review the projects.

#### OREGON'S PROJECT BENEFITS

Twenty-six fish screens or fish passage projects in Oregon were previously funded using FRIMA for part of the project financing. These projects have led to:

- Installation of screens at 17 diversions or irrigation pumps.
- Removal or modification of 12 fish passage barriers.
- Three-hundred sixty-five miles being re-opened to fish passage.

In addition, the Oregon Department of Fish and Wildlife (ODFW) has used some of the FRIMA funding to develop an inventory of need for fish screens and passages in the State. Grants ranged from just under \$6,000 to \$400,000 in size with a local match averaging 64 percent of the project costs, well over the amount required under the Act (35 percent). In other words, each Federal dollar invested in the FRIMA program generates a local investment of just over one dollar for the protection of fish species in the Pacific Northwest.

The following are examples of how Oregon used some of its FRIMA money:

*Santiam Water Control District Project:* Fish screen project on a large 1050 cubic feet per second (cfs) multipurpose water diversion project on the Santiam River (Willamette Basin) near Stayton, Oregon. Partners are the Santiam Water Control District, ODFW, Marion Soil and Water Conservation District, and the City of Stayton. Approved FRIMA funding of \$400,000 leveraged a \$1,200,000 total project cost. Species benefited included winter steelhead, spring Chinook, rainbow trout, and cutthroat trout.

*South Fork Little Butte Creek:* Fish screen and fish passage project on a 65 cfs irrigation water diversion in the Rogue River Basin near Medford, Oregon. Partners are the Medford Irrigation District and ODFW. Approved FRIMA funding of \$372,000 leveraged a \$580,000 total project cost. Species benefited included listed summer and winter steelhead, coho salmon, and cutthroat trout.

*Running Y (Geary Diversion) Project:* Fish screen project on a 60 cfs irrigation water diversion in the upper Klamath Basin near Klamath Falls, Oregon. Partners are the Wocus Drainage District, ODFW, and Jeld-Wen Ranches. Approved FRIMA funding of \$44,727 leveraged a total project cost of \$149,000. Species benefited included listed red-band trout and short-nosed sucker.

*Lakeshore Gardens Project:* Fish screen project on a 2 cfs irrigation water diversion in the upper Klamath Basin near Klamath Falls, Oregon. Partners are the Lakeshore Gardens Drainage District and ODFW. Approved FRIMA funding of \$5,691 leveraged a total project cost of \$18,970. Species benefited included red-band trout, short-nosed sucker and Lost River sucker.

#### CONCLUSION

Increasing appropriations for FRIMA will fill a vital funding gap for fish screens and fish passage projects that are needed to better protect sensitive, threatened, and endangered fish species, which also benefits the economy, local communities, and the environment we share. FRIMA funds projects that are ready to be constructed and will provide immediate improved protections for fish and immediate jobs for the construction of the projects. Dollar-for-dollar, providing screening and fish passage at diversions is one of the most cost-effective uses of restoration dollars, creating fishery protection at low cost, with low risk and significant benefits. The return of the FRIMA program will catalyze cooperative partnerships and innovative projects that provide immediate and long-term benefits to irrigators, fishery agencies, and local communities throughout the Pacific Northwest. We respectfully request the appropriation of at least \$15 million for U.S. Fish and Wildlife Service Fisheries Restoration Irrigation Mitigation Act program for fiscal year 2018.

[This statement was submitted by April Snell, Executive Director.]

## PREPARED STATEMENT OF THE PARTNERSHIP FOR THE NATIONAL TRAILS SYSTEM

Madame Chairwoman and Members of the subcommittee:

The Partnership for the National Trails System appreciates your support over the past 20 years, through operations funding and dedicated Challenge Cost Share funds, for the national scenic and historic trails administered by the National Park Service. We also appreciate your increased allocation of funds to support the trails administered and managed by the Forest Service and for the trails in the Bureau of Land Management's National Landscape Conservation System.

2018 will be the 50th year since Congress established the National Trails System as a bold experiment in public/private collaboration for public benefit. While most of the trail making is done by tens of thousands of citizen stewards increased funding is needed to close gaps in these trails. To continue the progress that you have fostered and to begin the next 50 years with an increased investment in the National Trails System, the Partnership requests that you provide annual operations funding for each of the 30 national scenic and historic trails for fiscal year 2018 through these appropriations:

- National Park Service*: \$16.233 million for administration of 23 trails and for coordination of the long-distance trails program by the Washington office. Construction: \$357,200 for the Ice Age Trail and \$250,000 for the Pacific Crest Trail.
- USDA Forest Service*: \$85 million for trails construction and maintenance (CMTL) with \$7.796 million of it to administer 6 trails and \$1.3 million to manage parts of 16 trails administered by the NPS or BLM. \$600,000 for Iditarod Trail construction and maintenance.
- Bureau of Land Management*: \$2.812 million to administer three trails and for coordination of the National Trails program and \$7.14 million to manage portions of 13 trails administered by the Park Service or the Forest Service and for operating five National Historic Trail interpretive centers. Construction: \$300,000 for the Iditarod Trail. Maintenance: \$300,000 for the Iditarod Trail and \$250,000 for the Pacific Crest Trail.
- We ask you to create a \$1.5 million National Trails System Challenge Cost Share Program for the National Park Service.
- We ask you to restore the Bureau of Land Management's Challenge Cost Share Program with \$3 million and allocate \$500,000 of it for the national scenic and historic trails.

We ask you to appropriate \$900,000,000 from the Land and Water Conservation Fund and allocate \$54,832,000 of it to these agencies to purchase 72 tracts along five national scenic and seven national historic trails described in the National Trails System Collaborative Landscape Planning proposal:

- Bureau of Land Management*: \$2,895,000
- U.S. Fish and Wildlife Service*: \$12,719,000
- U.S. Forest Service*: \$18,331,000
- National Park Service*: \$20,887,000.

## NATIONAL PARK SERVICE

The \$16.233 million we request for Park Service operations includes increases for some of the trails to continue the progress and new initiatives made possible by the additional funding Congress provided several years ago. An increase of \$570,000 for the Old Spanish Trail will enable the Park Service to begin implementing the Trail's new Comprehensive Administrative Strategy working with the Old Spanish Trail Association to increase volunteer participation in signing, interpreting, and educating the public about the trail. The Park Service will be better able to collaborate with the Bureau of Land Management in administering the trail and to consult with other agencies to protect the cultural and natural resources along it from destruction by energy projects.

We request an increase of \$660,000 to expand Park Service efforts to protect cultural landscapes at more than 200 sites along the Santa Fe Trail, to develop GIS mapping, and to fund public educational and community outreach programs of the Santa Fe Trail Association. Increases of \$313,224 for the Oregon Trail and \$255,192 for the California Trail will enable the Park Service to work with the Oregon-California Trails Association to develop digital and social media to connect with youth in the cities along these trails providing information about their many layers of history and to better protect the historical and cultural heritage sites and landscapes along them from destruction by energy development in the West. We request an increase of \$300,000 to \$833,000 for the Ala Kahakai Trail to enable the Park Service to work with E Mau Na Ala Hele, the Ala Kahakai Trail Association, and other com-

munity organizations to care for resources on the land and with the University of Hawaii to conduct archaeological and cultural landscape studies along this trail.

The \$1,020,000 we request for the 4,200 mile North Country Trail will enable the Park Service to provide greater support for the regional GIS mapping, trail building, trail management, and training of volunteers led by the North Country Trail Association. The \$1,278,000 we request for the Ice Age Trail includes a \$443,000 increase to build partner and citizen capacity for building new and maintaining existing trail, protecting the natural and cultural resources on the lands purchased for the trail, and to provide the Park Service with a planner to accelerate planning of the land protection corridor for the trail.

*Construction:* We request that you provide \$357,200 for the Ice Age Trail to build 30 miles of new trail and several trailhead parking lots and \$250,000 for the Pacific Crest Trail for trail construction projects.

*Challenge Cost Share* programs are one of the most effective and efficient ways for Federal agencies to accomplish a wide array of projects for public benefit while also sustaining partnerships involving countless private citizens in doing public service work. We request that you restore the Bureau of Land Management Challenge Cost Share program, appropriate \$3 million to fund it, and allocate \$.5 million of that to fund projects along the national scenic and historic trails. We ask you to create a National Park Service National Trails System Challenge Cost Share program with \$1.5 million funding to continue the steady progress toward making these trails fully available for public enjoyment as a wise investment of public money that will generate public benefits many times greater than its sum.

#### USDA—FOREST SERVICE

We ask you to appropriate \$85 million for trails construction and maintenance (CMTL) to begin to address the considerable maintenance backlog on the trails in the National Forest System. Within this appropriation we request that you provide \$7.796 million as a separate budgetary item specifically for the Arizona, Continental Divide, Florida, Pacific Crest, and Pacific Northwest National Scenic Trails and the Nez Perce National Historic Trail within the over-all appropriation for Capital Improvements and Maintenance for Trails. Recognizing the on-the-ground management responsibility the Forest Service has for 1024 miles of the Appalachian Trail, more than 650 miles of the North Country Trail, and sections of the Ice Age, Anza, Caminos Real de Tierra Adentro and de Tejas, Lewis & Clark, California, Iditarod, Mormon Pioneer, Old Spanish, Oregon, Overmountain Victory, Pony Express, Trail of Tears and Santa Fe Trails, we ask you to appropriate \$1.3 million specifically for these trails.

The Partnership's request of \$7.796 million includes \$1.5 million to enable the Forest Service and Florida Trail Association to continue trail maintenance, to control invasive species, do ecosystem restoration, and otherwise manage 4,625 acres of new Florida Trail land. The \$7.996 million request also includes \$2.1 million for the Pacific Crest Trail, \$2 million for the Continental Divide Trail, \$1 million for the Pacific Northwest Trail, \$826,000 for the Nez Perce Trail, and \$570,000 for the Arizona Trail. Some of the additional funds requested will enable the Forest Service to develop Comprehensive Management Plans for the latter three trails. We also request \$600,000 of additional funding for construction and for maintenance of sections of the Iditarod Trail.

#### BUREAU OF LAND MANAGEMENT

Although considerably more money is needed to fully administer the National Conservation Lands System and protect its resources, we request that you appropriate \$84 million in base funding for the System. We ask that you appropriate as new permanent base funding \$250,000 for National Trails System Program Coordination, \$1,000,000 for the Iditarod Trail, \$230,000 for El Camino Real de Tierra Adentro Trail, \$1,332,000 for the Old Spanish Trail, and \$4,000,000 for the Bureau to manage 4,645 miles of thirteen other national scenic and historic trails. We request \$300,000 to construct new sections of the Iditarod Trail and to maintain these trails: Iditarod Trail—\$300,000 and Pacific Crest Trail—\$250,000. We also request \$3,140,000 to operate five historic trails interpretive centers.

To promote greater management transparency and accountability for the National Trails and the whole National Landscape Conservation System (NLCS), we urge you to request expenditure and accomplishment reports for each of the NLCS Units for fiscal year 2017 and fiscal year 2018 and to direct the Bureau to include unit-level allocations within major sub-activities for each of the scenic and historic trails, and wild and scenic rivers—as the Bureau has done for the national monuments, wilderness, and conservation areas—within a new activity account for the National Land-

scape Conservation System in fiscal year 2019. The Bureau's lack of a unified budget account for National Trails prevents the agency from efficiently planning, implementing, reporting, and taking advantage of cost-saving and leveraging partnerships and volunteer contributions for every activity related to these national resources.

LAND AND WATER CONSERVATION FUND

The Partnership strongly supports full funding of the Land and Water Conservation Fund at the authorized \$900 million for the component Federal and State programs funded under LWCF. Within this amount we request that you appropriate \$54,832,000 for the National Trails System Collaborative Landscape Planning proposal to acquire 72 parcels along these 12 national scenic and historic trails:

*Bureau of Land Management: \$2,895,000 | 12 parcels | 1,845 acres*

*Nez Perce National Historic Trail (ID) \$2,295,000* to protect riparian ecosystems and migratory corridors with habitat for sage grouse, pronghorn antelope, and elk, and historic and cultural resources.

*Pacific Crest National Scenic Trail (OR) \$600,000* for trail and resource protection within the Cascade Siskiyou National Monument in Southern Oregon.

*U.S. Fish and Wildlife Service: \$12,719,000 | 7 parcels | 6,462 acres*

*Appalachian National Scenic Trail (PA) \$1,800,000* for protection of a keystone habitat for bog turtles, black bear, Indiana bats, northern flying squirrels, and bald eagles along the Kittatinny Ridge.

*California National Historic Trail (ID) \$1,570,000* to protect the largest breeding concentration of Sandhill Cranes and a haven for other waterfowl near Grays Lake NWR from agricultural development;

*Captain John Smith Chesapeake National Historic Trail (VA) \$8,500,000* to preserve and provide access to the site of a historic encounter between John Smith and indigenous peoples and protect a major eagle and migratory bird stopover habitat at Fones Cliff in the Rappahannock NWR;

*Lewis and Clark National Historic Trail (WA) \$849,000* to preserve a wealth of unique ecosystems and enhance ecosystem connectivity between State-protected lands and the Steigerwald NWR.

*U.S. Forest Service: \$18,331,000 | 41 parcels | 8,704 acres*

*Appalachian National Scenic Trail (NC, TN, VA, VT) \$7,626,000* to protect the largest remaining inholding of the Green Mountain NF, relocate trail segments, preserve trail viewsheds, and provide ecological connectivity and watershed protection near or adjacent to the Pisgah NF State-protected lands;

*Continental Divide National Scenic Trail (MT, CO) \$1,065,000* to protect alpine headwaters of the Rio Grande River and high-altitude habitat for Elk, deer, and Canada Lynx within the Helena National Forest;

*Florida National Scenic Trail (FL) \$90,000* to fill trail gaps and provide connectivity between protected areas along the Withlacoochee River and adjacent to Suwannee River State Park;

*Pacific Crest National Scenic Trail (CA, WA) \$9,550,000* to protect inholdings of the Shasta-Trinity NF, maintain public access to at-risk trail segments along riparian corridors, and preserve iconic viewscapes at Pine Mountain.

*National Park Service: \$20,887,000 | 12 parcels | 7,466 acres*

*Ala Kahakai National Historic Trail (HI) \$6,000,000* to protect 444 archaeological sites at an ancient coastal indigenous gathering area that hosts a wealth of native plants and wildlife both above and below ground in lava tubes;

*Appalachian National Scenic Trail (MA, NY, ME) \$5,657,000* to protect the remaining 8 miles of shoreline and enable public access for Bald Mountain Pond, to enable multiple trail re-routings, to preserve delicate habitats for threatened and endangered species, to support connectivity of riparian and forest habitats, and to preserve iconic scenic viewsheds;

*North Country National Scenic Trail (MI, WI) \$5,900,000* to fill over nine miles of trail gaps, protect over 2,500 acres along the Sturgeon River downstream from the Ottawa National Forest, and to preserve public access to a 3,000-ft pristine shoreline of Lake Superior that provides critical habitat for endangered and migratory species;

*Overmountain Victory National Historic Trail (TN) \$330,000* to protect the historically significant Shelving Rock Encampment Site, preserve original trail roadbed, and facilitate interpretation;

*Washington-Rochambeau Revolutionary Route National Historic Trail (NY)* \$3,000,000 for preservation of a Revolutionary War-era supply depot site and cemetery.

PRIVATE SECTOR SUPPORT FOR THE NATIONAL TRAILS SYSTEM

*Public-spirited partnerships between private citizens and public agencies have been a hallmark of the National Trails System since its inception.* These partnerships create the enduring strength of the Trails System and the trail communities that sustain it by combining the local, grass-roots energy and responsiveness of volunteers with the responsible continuity of public agencies. They also provide private financial support for public projects, often resulting in a greater than equal match of funds.

The private trail organizations' commitment to the success of these trail-sustaining partnerships grows even as Congress' support for the trails has grown. In 2016 the trail organizations fostered 1,029,569 hours of documented volunteer labor valued at \$24,256,645 to help sustain the national scenic and historic trails. The organizations also raised private sector contributions of \$13,184,886 for the trails.

[This statement was submitted by Gary Werner, Executive Director.]

PREPARED STATEMENT OF THE PERFORMING ARTS ALLIANCE

Mr. Chairman and distinguished Members of the subcommittee, we thank you for the opportunity to submit this testimony on behalf of the Performing Arts Alliance (PAA). We urge the subcommittee to appropriate \$155 million to the National Endowment for the Arts for fiscal year 2018. PAA member organizations include the following national associations:

- Alternate ROOTS
- American Composers Forum
- Association of Performing Arts Presenters
- Chamber Music America
- Chorus America
- Dance/USA
- League of American Orchestras
- National Alliance for Musical Theatre
- National Association of Latino Arts and Cultures
- National Performance Network
- Network of Ensemble Theaters
- New Music USA
- OPERA America
- Theatre Communications Group

The Performing Arts Alliance (PAA) is a national network of more than 33,000 organizational and individual members from the professional, nonprofit performing arts fields. We envision a United States in which the diverse ecology of the performing arts is deeply-valued and supported, adequately and equitably resourced, and where participation is accessible to all. The National Endowment for the Arts plays a key role in achieving this vision, and we submit this testimony to highlight the importance of Federal investment in the arts.

The National Endowment for the Arts (NEA) holds a significant Federal leadership role for the arts and culture in America. Through partnerships with State arts agencies such as the North Dakota Council on the Arts in Bismarck, North Dakota and direct grants awarded to nonprofit arts organizations and local arts agencies such as the Yoknapatawpha Arts Council in Oxford, Mississippi, NEA funding reaches every congressional district. Grants support programs, projects, and collaborations that are helping people experience high-quality artistic presentations, access arts education and opportunities for artistic development, and are helping communities unite.

The following examples of recent NEA grantees within the PAA network are a sample of the significant ways performing arts organizations are serving their communities with NEA support.

—*NEA support helps arts organizations provide broad access to high-quality arts experiences.*

Alberta Bair Theater in Billings, Montana received fiscal year 2017 Challenge America support to present the classical music duo Black Violin and the renowned Dance Theatre of Harlem to rural communities throughout south central Montana and northern Wyoming. The theater offered mainstage performances, public discus-



sions, school matinees, and master classes. Challenge America funding extends the reach of the arts to underserved populations, including those whose opportunities to experience the arts are limited by geography, ethnicity, economics, or disability.

Also with the support of fiscal year 2017 Challenge America funding, Carnegie Hall, Inc. in Lewisburg, West Virginia celebrated the cultural history of Southern traditional music through multi-disciplinary exhibitions. TA member of Chamber Music America, the organization served rural audiences in Greenbrier County with two exhibitions: the Music Makers Foundation's "We Are The Music Makers" and the West Virginia Music Hall of Fame's "Music of the Coalfields." The project included live performances, classes and a film screening.

Chattanooga Symphony and Opera Association in Chattanooga, Tennessee is offering sensory-friendly concerts that are making classical music accessible for families and children who are differently-abled both intellectually and physically. With fiscal year 2017 Art Works support, the symphony collaborates with certified music therapists to design and present these performances for community members with autism and Down syndrome.

*—NEA funding supports lifelong learning in the arts which includes outreach programs, teacher training, and university partnerships.*

Chamber Music America member Community Music Works in Providence, Rhode Island received fiscal year 2016 Art Works support for an ongoing outreach program that provides free lessons in instrumental music, music theory, and improvisation to local at-risk children and youth. The organization also provides leadership development and performance opportunities for advanced students.

Portland, Oregon-based Network of Ensemble Theaters (NET) received fiscal year 2016 Art Works support for its ongoing "Intersection: Ensembles + Universities" symposium. NET's national symposium is connecting colleges, universities, and training programs with professional ensembles to seed new opportunities for sharing resources, learning, collaborations, and performance, building up the field of ensemble theater artists.

The Kentucky Center for the Performing Arts in Louisville, Kentucky is collaborating with Morehead State University and the Kentucky Department of Education to provide arts-based professional development to classroom teachers and school administrators in the rural eastern part of the State. A member of the Association of Performing Arts Professionals, the Kentucky Center received fiscal year 2017 Art Works support to help educators and administrators create curriculum, lesson plans, and assessment strategies. It is also training educators to use a virtual teaching platform to video record lessons and instructional feedback.

*—NEA grants support projects that provide valuable opportunities for artistic development.*

One of the guiding principles of the NEA's Art Works program is "art is work for the artists and arts professionals who make up the field." Opportunities for training and creating work are important to artists at all stages of their careers as well as artists who are still students.

Oregon Ballet Theatre (OBT) in Portland, Oregon received fiscal year 2017 Art Works support for its *Choreography XX* residency program. It supported three North American female choreographers with a four-week intensive residency to create world-premiere ballets with OBT dancers. The new ballets were presented free of charge to the public at Portland's Rose Garden amphitheatre.

Young composers are able to train with established professionals during this year's Santa Fe Chamber Music Festival in Santa Fe, New Mexico. The Festival is offering a week-long composition workshop for young artists with the FLUX String Quartet with fiscal year 2017 Art Works support. In addition, Young artists present their talents to the community in a professional setting during the Kauffman Center for the Performing Arts' Future Stages Festival. Located in Kansas City, Missouri, the free community festival is supported by fiscal year 2017 Art Works funding.

The Old Globe Theatre's New Voices program and Festival supports the development of new works by both established and emerging playwrights. Based in San Diego, California, The Old Globe Theatre's program is supported by fiscal year 2017 Art Works funding. The project will commission new works from artists and offer developmental readings and workshops. The program includes a specific focus on Latinx artists and communities to promote Latin-American stories and experiences.

*—NEA funds support the development of works that address social issues and create safe spaces for community dialogue.*

Cornerstone Theater Company is addressing food insecurity in its production of "The Hunger Bridge Show." The Los Angeles-based company received fiscal year

2017 Art Works support for this project which will be informed through discussions with community members about their needs, fears, and hopes, around issues of hunger and food.

Sandglass Theatre in Putney, Vermont received fiscal year 2017 Art Works support for “Babylon,” an original work exploring the escalating global crisis of refugees and asylum seekers. The production has been developed through interviews with resettled refugees and looks at their relationship to their lost homelands, to their new homelands and languages, and to other migrants who are fleeing violence. Sandglass is a member of the National Performance Network.

Working Classroom in Albuquerque, New Mexico is providing artists residencies in the Youth Arts Center where professional guest artists are collaborating with students from historically underserved communities, training them in the techniques and aesthetics of their practice. With fiscal year 2017 Art Works support, the project explores issues of social justice, education, and equity, and artists and students are co-creating mural art, theater works, and animated projects around these themes.

—*NEA grants support projects that share a diversity of traditions, helping people connect across cultures and communities.*

The Bunnell Street Arts Center based in Homer, Alaska is presenting the “Decolonizing Alaska” tour of works by Alaskan artists with the support of fiscal year 2017 Challenge America funding. The touring exhibit features painting, dance, fiber art, and beading from the Inupiaq, Yu’pik, Denai’ana, and Athabascan Alaskan traditions. Artists on the tour are offering workshops and discussions to explore their work one-on-one with community members.

Strathmore Hall Foundation in North Bethesda, Maryland is presenting Step Afrika! in community and main stage performances and in-school residencies with the support of fiscal year 2016 Art Works funding. Step Afrika! will share the history of stepping, the percussive movement tradition drawn from African cultures, in workshops serving local, low-income, African-American and Hispanic youth. Workshops and residencies aim to teach teamwork, discipline, motivation, and commitment.

The artistic programming supported by the National Endowment for the Arts gives vitality to our Nation’s communities in numerous ways beyond the examples provided here. Federal investment in the NEA places value on the role of arts and culture in our society, realizing significant returns that are both measurable and intangible. We celebrate the NEA’s fiscal year 2017 budget increase and urge you to support \$155 million in fiscal year 2018. Thank you for considering our request.

[This statement was submitted by Amy Fitterer, Chair, and Cristine Davis, General Manager.]

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#### PREPARED STATEMENT OF POETS & WRITERS

With the NEA’s sustained support, Poets & Writers has grown into the Nation’s largest organization serving creative writers. Grants from the NEA helped to launch two of our key programs: *Poets & Writers Magazine*, which celebrates its thirtieth anniversary this year and which has over 100,000 readers; and our website, *pw.org*, which we launched in 1996 and which now draws over 140,000 visitors per month.

Writers from Jonathan Franzen to Tracy K. Smith, Michael Cunningham to Claudia Rankine, Audrey Niffenegger to Ocean Vuong, have told us that Poets & Writers helped them get started, taught them how to submit work to literary journals, find an agent, or connect with others in the literary community through the resources we provide.

We also help an ecosystem of literary organizations—small presses, literary magazines, reading series, writer’s groups—that rely on Poets & Writers to reach their constituents. The poet Jane Hirshfield described Poets & Writers as “a kind of Osmocote or Greensand slow-release fertilizer for America’s literary landscape.”

Without the consistent support the NEA has provided, our ability to provide trustworthy information and advice, to encourage writers, and to nurture the Nation’s literary community would not be possible.

I hope that the subcommittee will vote to increase support for the NEA. So much good is done with a relatively small amount of funding.

[This statement was submitted by Elliot Figman, Executive Director.]

## PREPARED STATEMENT OF THE PUBLIC LANDS FOUNDATION

Madam Chairman:

We thank you for this opportunity to present your committee with our views regarding the Department of the Interior (DOI) budget request for fiscal year 2018. Our comments focus primarily on the budget request as it may relate to the Bureau of Land Management. As a national, non-profit organization with more than 700 members, comprised principally of retired, but still dedicated, BLM employees, the Public Lands Foundation (PLF) has a unique body of experience, expertise and knowledge of public land management. As retirees, we believe we offer an objective and non-bureaucratic view of what is currently happening on the National System of Public Lands (NSPL). The PLF supports the BLM and its programs, but we are independent in our views and requests. We strive to improve the effectiveness of the BLM by (1) encouraging professionalism of its employees, (2) increasing the public's understanding of and support for the proper management of the NSPL, and (3) promoting scientific management of lands administered by the BLM. We are strong advocates for keeping public lands in public hands.

*Overview*

The BLM manages the most diverse landscapes in the Nation's portfolio; providing stewardship to more than 245 million acres of land and 700 million acres of mineral estate from the north slope of Alaska to Jupiter Inlet in Florida, and from tundra, to old growth forests, to desert landscapes. These lands consist of many attributes; habitat for thousands of species of plants and animals, clean water, cultural resources, scenic beauty, solitude, and special places. They also provide the opportunity to provide the Nation with wealth from its many resources including oil and gas, coal, renewable energy, non-energy minerals, all types of recreation, forage for livestock, timber, and wild horses and burros. The economic value of these lands to the American people is immense; according to the "Department of the Interior Economic Contribution" report of July 2014, these lands generate combined revenues in excess of \$107 billion and over 446,000 jobs. These lands are important economically to the United States as a whole; they are vital to the many rural communities throughout the West that are intermixed with these lands and whose citizens work and recreate on the lands. However, these uses and values can only be achieved when there is some balance in the programs to provide for the diversity of uses and maintenance of healthy, resilient landscapes.

*Budget Overview*

The PLF recognizes and appreciates the difficult decisions that must be made by the Congress and the administration to allocate scarce dollars to programs that generate the best economic and social returns. A large part of managing the Nation's public lands involves managing wildfire. Agencies in the Department of the Interior and the Forest Service do a great job of suppressing nearly all of the wildland fire starts, catching around 98 percent of the fires with initial attack. However, the one or 2 percent of fires that escape initial attack become very expensive and over the past several years have quickly consumed the agencies suppression budget requiring them to "borrow" from other accounts. This transfer of funds, often in the hundreds of millions of dollars, diminishes the agencies capabilities to implement planned fuel reduction and projects in other program areas. The PLF supports the President's proposal to fund suppression at the full 10-year average for this fiscal year; however, we also support the on-going bipartisan efforts to develop a long-term solution to the wildland fire funding and severity issues and encourage this Committee to support passage of legislation that would reduce or eliminate fire borrowing.

We support the requests for funding to provide vital energy needs from traditional energy sources and renewable energy sources. Environmentally sound development of the Nation's energy resources and the infrastructure to deliver the energy can contribute significantly to the country's energy independence. BLM has the experience and the procedures to streamline and increase energy permitting. However, we are concerned about the emphasis in the President's Budget Blueprint to reduce "unproductive compliance efforts." Specific compliance efforts deemed to be unproductive are not identified. We hope oil and gas inspection and enforcement is not in this category. Following a GAO report in 2011, BLM began conducting inspection and enforcement activities on high risk oil and gas wells in order to ensure accurate reporting and payment of royalty fees. This program recovers more revenue than it costs, thereby ensuring a fair return to the American taxpayer and must be continued at its current level.

The President's Blueprint proposes elimination of discretionary grants for mine hazard remediation that overlap with mandatory grants. We support the goal to

eliminate redundancy. However, we must stress that continuation of mine hazard remediation is critical for BLM. Investing in hazard remediation not only saves lives, it also reduces expensive settlement and litigation that come with injuries of fatalities related to mine hazards. If the goal is a fair return on taxpayer investment, this program must be adequately funded.

We are pleased to see the emphasis on partnerships. BLM has been successful for many years in generating partnerships, providing for on the ground work which otherwise would not be accomplished. BLM has a process to ensure projects support the Bureau's highest priorities. In addition, each dollar of challenge cost share money generates at least a dollar of matching funds.

We are also gratified to see BLM specifically mentioned as a priority for infrastructure maintenance. Facilities contained on the 245 million acres of BLM administered land are important to the taxpayer and need to be maintained. BLM has historically not always been included in meeting these maintenance needs. We would like to see infrastructure maintenance specifically include land restoration, forest thinning, brush control, weed control, etc. both as a means of improving resource conditions and stimulating local rural economies. These are the same lands that provide access to public land recreation. Adequate attention must be given to the value of public lands, especially rivers and trails as means to access our Nation's public lands.

The President's Budget Blueprint fails to mention youth engagement. This has been a longstanding theme throughout several administrations. BLM has made great progress in its "Engaging the Next Generation" program. The PLF supports efforts to get youth involved in the outdoors and to gain an appreciation for the resources the Nation offers. Many of the members of PLF gained an appreciation for land management either from working on ranches and farms or by involvement in activities, such as the ones proposed in this budget. We hope some of the participants in these programs may decide to go into careers in natural resource management and fill the jobs of the many employees nearing retirement.

One of the biggest challenges that the BLM faces is finding a workable and acceptable solution to the Wild Horse and Burro problem. There is probably no BLM issue that receives more passionate input from the public and local governments than this program. The BLM has tried several approaches to resolve the problem of rapidly expanding horse populations yet continues to be stymied in finding and effectively implementing a solution that the public will accept. The budget proposes to continue research on more effective fertility control methods and other actions suggested by the National Academy of Science study, but results from these actions are years off and will involve study and preparation of lengthy National Environmental Policy Act documents and, likely, result in litigation. Meanwhile the herds continue to grow, doubling every four to 5 years. In addition, the cost to feed and care for these animals for their relatively long life consumes a major part of the program budget. The recent recommendation of the Wild Horse and Burro Advisory Board to allow euthanasia is an indication of how critical the situation is. The BLM needs support to make use of all the authorities and tools provided in the statutes in order to effectively manage this program. We urge congress to remove the prohibition on "sale without limitation." This would at least be a step in the right direction.

Finally we are extremely concerned over how a \$1.6 billion reduction (11.7 percent) for the DOI would translate to BLM. BLM has been underfunded for its entire existence, spending only about \$4 per acre to manage the vast amounts of public lands. A budget cut of this magnitude would severely impact BLM's ability to provide adequate service to American citizens and limit its ability to protect taxpayer investments.

The PLF strongly supports the dedicated professional employees of the BLM and other agencies. The nature of the BLM mission is employee intense. Some of the work can be done by contractors, but much of it requires BLM employees that are professionally trained in their respective fields. These public employees enter these fields because of their commitment to the lands and resources. Over the years these committed public servants have done their best to implement the laws and policies of the administration and Congress, yet they are often maligned and even physically confronted by those that disagree with those laws and policies. We ask that this subcommittee do what it can within its powers to support the dedicated employees in the resource management agencies.

Madam Chairman, we appreciate the hard choices that this subcommittee has before it. Perhaps the creation of a BLM Foundation would help leverage scarce budget dollars. The BLM is the only major land management agency without a congressionally chartered foundation in place to support its efforts. A BLM Foundation

could help bring additional resources to key initiatives. We hope that our comments will be of help as you work through the fiscal year 2018 budget process.

[This statement was submitted by Jesse J. Juen, President.]

PREPARED STATEMENT OF THE PUEBLO OF ACOMA, NEW MEXICO

*Requests:*

1. Full funding and parity for the IHS through an exemption from sequestration and budget cuts.
2. Increased funding for preventative health services to reduce incident rates of chronic illness.
3. \$450,000 to maintain and repair 383.8 miles of roads on the BIA roads inventory.
4. \$30 million for the construction, project management, and inspection of the Mesa Hill Bridge.
5. Increased Federal funding to maintain and construct Acoma Pueblo's irrigation infrastructure.
6. \$8 million for the construction of a 35,000 square-foot innovative learning facility.
7. Maintain the \$1 million set-aside for NAGPRA-related law enforcement going forward.

*Introduction.* Thank you Chairman Murkowski, Ranking Member Udall, and members of the subcommittee for the opportunity to submit outside witness testimony on the critical funding needs of American Indian and Alaska Native programs under the fiscal year 2018 Federal budget. Thank you for your hard work and for the dedicated efforts of your staff in advancing the interests of Indian Country within the Federal Government.

My name is Kurt Riley and I am the Governor of the Pueblo of Acoma, located in north-central New Mexico. Our Pueblo has maintained independent political relationships with foreign governments since at least the 16th century, when we treated with the Spanish conquistadores during their early explorations of the southwest. The Spanish Crown and the United States each recognized the Pueblos' right to self-rule and declared that all Pueblos be presided over by Tribal Governors with full ownership of their land. In the spirit of this intimate and time-honored connection to our lands, I invite you to join me on a guided tour through Acoma Pueblo as I offer the following budget recommendations for fiscal year 2018.

After following Interstate 40 an hour west of Albuquerque, we take Exit 100 and enter the sovereign territory of the Pueblo of Acoma. It is a land of turquoise skies, sunlit earth, and resilient people. The quiet of the plateau settles around you as we navigate down Veterans Boulevard to the Acoma-Cañoncito-Laguna Indian Health Services Facility (ACL Hospital). Though we had to drive just a few miles from I-40 to reach the hospital, many Native patients must travel substantial distances to access an Indian Health Service (IHS) facility. It is our sense that the IHS has made a calculation that it is more economically efficient to fund a handful of centralized facilities than to maintain higher healthcare services and programs at the smaller facilities located in Native communities. Although that might be economical in the short-term, it comes at the long-term price of providing accessible quality care, thus creating one more hurdle on the path to wellness.

The ACL Hospital provides critical healthcare services to the I-40 corridor and surrounding Native communities; however, the quality and quantity of services being offered here has declined in recent years. The ability of Acoma Pueblo and our Federal partners to address the critical needs of the Acoma people is severely hindered by the lack of full funding for IHS programs. In 2015, for example, IHS spending for medical care per user was only \$3,136, while the national average spending per user was \$8,517—an astonishing 63 percent difference. Indian health programs also suffer from the cumulative effects of sequestration under the Budget Control Act of 2011 (Public Law 112–25). The disruption and ongoing unmet needs correlates directly with the staggeringly high rates of diabetes, chronic illness, and premature deaths that haunt our communities. *We request that Congress exempt the IHS from sequestration and provide full funding for the IHS in fiscal year 2018 to provide an expanded range of health services in Native and rural communities.*

As we walk through the corridors of the hospital, I welcome you to look inside the rooms. Each patient is a testament to the resiliency of the Native spirit. They draw on their identity as Pueblo people for strength in overcoming the generations of hardship that manifests itself today in the adverse health outcomes currently plaguing Indian Country, particularly in regards to behavioral and mental health.

Acoma Pueblo strives to promote the physical, mental, and spiritual well-being of our people. *To achieve this end, additional funding for preventative health services is needed to reduce future incident rates of serious illness in Native communities.* It is our hope that the next time you visit ACL Hospital, these rooms will be empty thanks to the combined effect of improved access to quality care and preventative health services in Indian Country provided for in the fiscal year 2018 budget.

Before we leave the hospital grounds, I would like to direct you to Mockingbird Drive. This area contains additional treatment centers as well as a residential area for the medical professionals and administrative staff serving our people. The name of the road is all too appropriate, as we are unable to meet the housing needs of these individuals and their families. Only 40 housing units are available; the majority of the staff must struggle to find alternative local housing, which is further complicated by the critical housing shortages at Acoma Pueblo. Limited or non-existent housing opportunities impair our ability to recruit and retain qualified medical professionals. *We urge Congress to provide sufficient funding for the renovation and construction of adequate housing units at IHS facilities.*

Take a right down Pueblo Road—one of our main thoroughfares—and we will make our way south, deeper into Acoma territory. Do you feel the bumps and buckling asphalt beneath your tires? The slight vibration in the steering wheel as we hit another divot in the road? Acoma Pueblo has approximately 662 miles of roadways within its exterior boundaries; however, only 363.8 miles are included on the BIA roads inventory. This means that almost half of our Tribal roads do not receive inventory-related funding from the BIA. Of those that do, the amount is insufficient to support the roads' maintenance needs. For fiscal year 2016, we received \$70,000 in BIA Tribal Program Allocation Funds (TAP) to maintain roads on the inventory, which translates into roughly \$192 per mile. *An annual funding allocation of at least \$450,000 is needed to maintain the entire 363.8 miles of Federal and Tribal roads included on the BIA inventory.*

Stop! With only minimal safety features in place, it is easy to see how you almost missed the level railroad crossing that bisects our Pueblo. While the endless sky of New Mexico makes for wonderful vistas from the mesas, down on the ground it poses significant threats to our Tribal members' safety. The flat terrain, misjudgments on the speed and distance of trains, and the lack of fixed schedules for freight trains all contribute to unsafe railroad crossings. Nonetheless, our people must face the daily challenge of traversing the tracks because our hospitals and business centers are located on the north side of the tracks while our community service facilities are located in the south. Despite the significant threat to public safety posed by this situation, we have been repeatedly denied funding to construct the proposed Mesa Hill Bridge across the tracks. *This is a shovel-ready project for which we request \$30 million to cover the costs of construction, project management, and inspection.*

As we cross the tracks—safely this time—the rich lands of our Pueblo unfold. We strive to maintain our traditional lifestyle while also incorporating innovative practices that benefit our community. Alongside the road, for example, you will see traditional dirt irrigation ditches. Hundreds of years ago, our ancestors engineered complex irrigation systems to support the permanent settlement of communities in an otherwise arid landscape. These remarkable networks have sustained local water delivery and agriculture for generations. However, the effects of time, human activity, and changes in the natural environment have resulted in the need for extensive repairs and new construction. Congress enacted the Pueblo Irrigation Infrastructure Act as Section 9106 of the Omnibus Public Land Management Act of 2009 to support the irrigation infrastructure of the Rio Grande Pueblos, including Acoma Pueblo. With funding through the Bureau of Reclamation under this Act, Acoma has completed a survey of all irrigation ditches and farming lands in our community. *The estimated cost to line eight miles of traditional dirt irrigation ditches with concrete is \$2,500,000. Substantial Federal funding is also needed to repair, construct, and restore an additional 36 miles of irrigation infrastructure at Acoma Pueblo.*

Acoma Pueblo is a rural, isolated community facing significant challenges stemming from the lack of economic development and a woefully inadequate municipal infrastructure. As we drive down Pinsbarri Drive (Indian Service Route 32), you will see the Acoma Community Center, Haakú Learning Center, and Sky City Community School where we strive to provide our Tribal members with the tools to overcome these tremendous barriers. Technological advances and the expansion of broadband connections are rapidly changing the educational landscape in rural communities. Acoma Pueblo, like much of Indian Country, lacks access to a reliable broadband network to take advantage of these life-changing opportunities. We request funding to support the design and construction of an Acoma Library and Tribal Education Center with the broadband infrastructure and on-site resources to con-

nect our Tribal members with previously unheard-of access to continuing education in their home community. *\$8 million is needed for the construction of a 35,000 square-foot facility to include a library, state-of-the-art interactive learning center and outdoor learning facilities.*

Unlike our broadband network, the connection to our culture and identity as Acoma people is strong and unbroken. Along this journey, you have seen it in the ceremonial features of the land, heard it in the wisdom of our Tribal leaders, and felt it in the resonant power of our items of cultural patrimony. At the junction of Kaatsiima Drive and Indian Service Route 38 is the Haakú Museum. This 40,000 square-foot facility focuses on the preservation of Acoma history and cultural expression. The items on display transmit our worldviews and values from generation to generation. When these items are removed from the community through illegal trafficking or theft, an irreplaceable aspect of our cultural identity is lost as well.

While you contemplate the profound beauty and complexity of the items on display, I would like to take this opportunity to thank you for providing expanded funding for NAGPRA-related law enforcement activities in the 2017 Omnibus. Because of the dedicated efforts of this subcommittee and other champions of Indian Country, we have made significant progress in protecting our cultural patrimony. BIA and Tribal officials will now have an enhanced capacity to combat and deter the trafficking of Tribal cultural patrimony. Acoma Pueblo is confident that the movement to protect cultural heritage that began with the PROTECT Patrimony Resolution will only continue to grow stronger going forward. *We strongly encourage Congress to maintain the \$1 million allocation for NAGPRA-related law enforcement activities in fiscal year 2018 and beyond and to continue to support programs that protect and repatriate items of Tribal cultural patrimony.*

To complete our tour of Acoma Pueblo you will need to strap on your hiking boots. We will be climbing 365 feet up into the New Mexico firmament to visit Acoma Sky City, our ancestral home. The Acoma people have lived at this mesa-top settlement for at least 1000 years. It is the heart of our community—preserving and enriching our religious, cultural, and social life. As we climb the natural stairs to the top, I encourage you to feel the smooth, warm sandstone of the mesa beneath your hands; countless generations of Acoma people have worn handholds into the rock to stabilize and guide those that follow. With each step you take, you are shaping that same path today. While the climb is steep and challenging, together we can make it and the view from the top is an unforgettable reward.

Thank you for the opportunity to submit written testimony on these important considerations for the fiscal year 2018 budget. We look forward to working with you, and we hope to have the opportunity to show you first-hand the magnificence of our lands as well as the challenges facing our community during a future visit to the Pueblo of Acoma. *Dá'wá'éh; thank you.*

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#### PREPARED STATEMENT OF THE PUYALLUP TRIBE OF INDIANS

The Puyallup Tribe appreciates the opportunity to provide written testimony concerning the fiscal year 2018 appropriations for American Indian and Alaskan Native programs. The Puyallup Tribe is an independent sovereign nation having historically negotiated with several foreign nations including the United States in the Medicine Creek Treaty of 1854. This relationship is rooted in Article I, Section 8, of the United States Constitution, Federal laws and numerous Executive Orders. The governing body of the Puyallup Tribe of Indians is the Puyallup Tribal Council which upholds the Tribe's sovereign responsibility of self-determination and self-governance for the benefit of the 5,006 Puyallup Tribal members and the 25,000 plus members from approximately 355 federally recognized Tribes who utilize our services. The Puyallup Reservation is located in the urbanized Seattle-Tacoma area of the State of Washington. The 18,061-acre reservation is a "checkerboard" of Tribal lands, Indian-owned fee land and non-Indian owned fee land. Our reservation land includes parts of six different municipalities (Tacoma, Fife, Milton, Puyallup, Edgewood and Federal Way).

#### DEPARTMENT OF INTERIOR—BUREAU OF INDIAN AFFAIRS

*Public Safety & Justice:* The Tribe's top priority remains public safety and justice programs. Funding for detention facilities is of great importance to the Puyallup Tribe. In fiscal year 2009, the Puyallup Tribe received a Department of Justice grant, in the amount of \$7.9 million to construct a 28 bed adult corrections facility. Construction on the facility was completed in February 2014 and came online in May 2014. Over the past years the Puyallup Tribe has worked closely with the BIA-Office of Justice Services to identify the operating and staffing costs associated this

facility. The agreed upon estimated cost of operating the facility was set at \$2.6 million annually. The BIA base funding offered to the Tribe \$704,198 or 27 percent of actual need, with no increases to base funding in fiscal year 2016 or 2017. We are request support from the subcommittee to include committee report language that would direct Office of Justice Services to submit a plan for funding the staffing and operations of the detention facilities in Indian country. In light of glaring funding shortfalls, we are shocked the administration seeks to cut Public Safety funds.

In addition, we operate a Tribal Court program through a Public Law 93-638 contract with the B.I.A. In fiscal year 2015, our base funding was increased from \$45,000 to \$194,996 and remains this amount for fiscal year 2017. While this increase to our Tribal Court Base funding is appreciated, it does not equal the amount of Tribal funds necessary to fully operate the Tribal Court program. In fiscal year 2016, the Tribe has allocated \$1.172 million of Tribal funds for the Tribal Court budget. The Puyallup Tribe greatly supports the \$10 million in funding support for Tribal Courts in Public Law 280 States that Congress provided in fiscal year 2017. This funding will assist with the implementation of the Tribal Law and Order Act and the Violence Against Women Act for Tribes like Puyallup. We request similar funding for fiscal year 2018 and therefore oppose the administration's proposal to eliminate Tribal Court funds for Tribes in Public Law 280 States.

*Natural Resources Management:* The Puyallup Tribe has treaty and governmental obligations and responsibilities to manage its natural resources for uses beneficial to the Tribal membership and the regional communities. Despite our diligent program efforts, the fisheries resource is degrading and economic losses are incurred by Native and Non-native fishermen and surrounding communities. Our resource management responsibilities cover thousands of square miles in the Puget Sound region of the State of Washington.

For fiscal year 2018, a minimum funding level of \$8.5 million is necessary for the Rights Protection Implementation—BIA Western Washington (Bolt) Fisheries Management program. However, we agree with the Northwest Indian Fisheries Commission and the National Congress of American Indians that an overall \$52 million increase for the Rights Protection Implementation funding is necessary to ensure compliance with Federal court orders through effective Tribal self-regulatory and co-management systems. This increase in funding would provide new monies for harvest management, habitat protection, stock enhancement, shellfish, enforcement, wildlife and other natural resource management needs. As the aboriginal owners and guardians of our lands and waters it is essential that adequate funding is provided to allow Tribes to carry-out our inherent stewardship of these resources. The administration's 30 percent cut is unjustified.

The Puyallup Tribe continues to operate a number of salmon hatcheries that benefit Indian and non-Indian commercial and sport fisheries in the Pacific Northwest/Puget Sound. We work cooperatively with the Northwest Indian Fisheries Commission, neighboring Tribes, Federal agencies and State fishery managers to insure the success and sustainability of our hatchery programs. The Tribe supports the Congress past funding of for Fish Hatcheries Operations and Fish Hatchery Maintenance, including the recent \$1 million increase for fish hatchery operations.

The Timber, Fish and Wildlife (TFW) Supplemental and U.S./Canada Pacific Salmon Treaty programs has allowed for the expansion of Tribal participation in the State forest practice rules and regulations and participation in inter-tribal organizations to address specific treaties and legal cases which relate to multi-national fishing rights, harvest allocations and resource management practices. We request that the subcommittee support the funding recommendations of the NWIFC for the fiscal year 2018 TFW Supplemental program and the U.S./Canada Pacific Salmon Treaty program.

The Puyallup Wildlife Management program has been the lead agency in management activities to benefit the South Rainier elk herd since 2004. The South Rainier elk herd is the primary stock of elk harvested by the Puyallup Tribe. The Tribe has not only established more reliable methods for population monitoring, but has also been proactive in initiating habitat enhancement projects, research and land acquisition to ensure sustainable populations of elk for future generations. Funds that are available to the Tribe have been on a very competitive basis with a limited amount per program via USFWS Tribal Wildlife grants and the B.I.A. Unresolved Hunting and Fishing Rights grant program. We request subcommittee support to provide base funding to the Tribes' Wildlife Management Program in the amount of \$150,000 through the B.I.A. Unresolved Hunting and Fishing Rights program in fiscal year 2018 appropriations.

*Education:* The Puyallup Tribe operates the pre-K to 12 Chief Leschi Schools which included a School student enrollment of approximately 910 students, including ECEAP and FACE programs. With an increasing number of pre-kindergarten



enrollment, Chief Leschi Schools will exceed design capacity in the near future. Additional education facility space will be necessary to provide quality educational services to the students and Tribal community. Additionally, the cost of operation and maintenance of the Chief Leschi School facilities continues to increase in the areas of supplies, energy and student transportation costs.

We greatly appreciate the \$39 million increase for Bureau of Indian Education (BIE) that Congress was able to provide in fiscal year 2017, but more is needed. The Tribe will continue to work with Congress, BIE and the National Congress of American Indians to increase funding in fiscal year 2018, including; Tribal Grant Support Cost for Tribally Operated Schools—\$78 million; Student Transportation—\$73 million; School Facilities Accounts—\$109 million in facilities operations and \$109 million in facilities maintenance, Indian School Equalization Program (ISEP)—\$431 million and Construction/Repair of BIE Schools- \$263.4 million. The administration's proposed cuts to BIE funding of \$105 million for fiscal year 2018 are most unwise and will further exacerbate the education disparities faced by Native American children.

*Operations of Indian Programs & Tribal Priority Allocations:* Again, the Puyallup Tribe greatly appreciates Congress increases for B.I.A. Operations of Indian Programs. Within the Operations of Indian Programs is the Tribal Priority Allocations (TPA). The TPA budget functions include the majority of funding used to support on-going services at the "local tribal" level, including; natural resources management, child welfare, other education, housing and other Tribal government services. Nevertheless, these functions have not received adequate and consistent funding to allow Tribes the resources to fully exercise self-determination and self-governance. Further, the small increases "TPA" has received over the past few years has not been adequate to keep pace with inflation. We therefore oppose the administration's ill-conceived proposed reductions to OIP programs.

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES—INDIAN HEALTH SERVICE

The inadequate funding of the Indian Health Service is the most substantial impediment to the current Indian Health system. The Puyallup Tribe has been operating healthcare programs since 1976 through the Indian Self-determination Act, Public Law 93-638. The Puyallup Tribal Health Authority (PTHHA) operates a comprehensive ambulatory care program to the Native American population in Pierce County, Washington. The current patient load exceeds 9,000, of which approximately 1,700 are Tribal members. For that reason, we cannot understand the administration's proposed reductions to IHS funding of \$107 million for fiscal year 2018.

There are no Indian Health Service hospitals in the Portland Area so all specialties and hospital care have been paid for out of our contract care allocation. The Purchased/Referred Care (PRC) allocation to PTHHA remains inadequate to meet the actual need. In fiscal year 2004, the Puyallup Tribe subsidized PRC with a \$2.8 million-dollar contribution. Today, the Tribal PRC subsidy has grown to in excess of \$6 million. Given that the PTHHA service population is only comprised of 17 percent Puyallup Tribal members, Tribal budget priorities in fiscal year 2011 thru 2016 has made continued subsidies to the PTHHA financially difficult for the Puyallup Tribe. The Tribe greatly supports the \$3.694 billion funded for IHS Indian health services in fiscal year 2017, including the \$928 million for Purchased/Referred Care, a \$14 million increase. Without similar funding increases for fiscal year 2018, we cannot see how our Tribe will meet increasing healthcare costs and expand healthcare services and programs for a growing population.

As the first ISDA contracted health clinic in the country, we greatly appreciate Congress' strong support for fully funding Contract Support Costs at \$800 million. The Puyallup Tribe fully supports funding increases for existing IHS programs and will work with Congress to continue efforts to increase funding for IHS and the critical programs administered by this Agency.

For all of the above reasons, we urge the subcommittee to reject the administration's unwise proposed reductions to fiscal year 2018 appropriations for Tribal programs and continue its bipartisan tradition to make informed decisions about Tribal needs based on well documented information.

PREPARED STATEMENT OF THE RAMAH NAVAJO SCHOOL BOARD, INC.

Honorable Chairman and Committee members. I am Marlene Martinez, the President of the Ramah Navajo School Board, Inc. (RNSB). Ahé hee'. Thank you for the opportunity to provide oral testimony for the consideration of the Congress. We have a relationship that extends back to 1970 (over 47 years) when the Founders of Ramah Navajo School Board, Inc. ("RNSB") came before you to request your help to establish the first tribally controlled and operated school in the Nation. We are proud to inform you this day that the RNSB still operates and manages the Pine Hill Schools under the Indian Self-Determination and Education Assistance Act.

Our purpose here today is to report to you the dire condition of our school buildings that is nearing the end of its useful life. After nearly half a century, the BIA School facilities at the Pine Hill Schools (1) are aging and showing significant wear and tear; (2) have deteriorated beyond repair; (3) have inoperable and failed heating systems; (4) have dilapidated and unsafe water systems; and (5) are unusable because of dangerous mold conditions due to leaking roofs.

In just the past 5 years, it has gotten to the point where the students have been sent home early during schools hours due to cold classrooms or a water line break on campus that causes no water or low water pressure situations. The lack of water or low water pressure is due to a dilapidated water system; it is corroded and near a total collapse. All the while the students are also exposed to a dangerous environment due to mold, cold classrooms, and leaking roofs in certain classrooms, or playing on a wet basketball court in the gymnasium, and walking on crumbling sidewalks. See Tab-1 "Office of Inspector General Report of Findings". The conditions at the Pine Hill Schools have been detrimental to student learning, scholastic achievement, and environmental safety. Valuable time for student instruction has been interrupted and lost, and those conditions are directly attributable to the underachievement for many of the students.

An investigative report conducted in 2014 by an Albuquerque news channel, through Larry Barker, labeled the Pine Hill Schools as See Tab-2 "The most dangerous school in America?" This is absolutely unacceptable and contrary to congressional intent. That labeling came as result of an investigative report by the Office of the Inspector General (OIG) that cited the Pine Hill Schools with numerous facility violations, which if not corrected could have resulted in penalties against the RNSB or even the shutdown of the school. See Tab-1A "Corrective Action to OIG Findings Report". Of the approximately 30 findings RNSB has corrected and resolved 24 of them. Those that remain unresolved are the Library, Kindergarten, and Gymnasium buildings; and they require major work.

RNSB established a priority projects list with a set timeline of 1 year to resolve the leaking roofs and mold in the Library, Kindergarten, and Gymnasium buildings. This includes the installation of a new heating system in the High School building and an upgrade of the dilapidated water system.

The estimated cost of conducting the improvements and repairs See Tab-3 MAXIMO Priority Listing:

Priority Projects	Estimated Cost
1. Library Building Repair	
Mold abatement and Leaking Roof .....	\$823,478
2. Kindergarten Building Repair	
Mold Remediation, Leaking Roof, Replacements of Windows, Bathrooms, Carpets, HVAC .....	\$298,407
3. Gymnasium Building	
Mold Remediation, Repair of Leaking Roof, Replacement of Old Insulation, Floor, Showers, and Lockers .....	\$1,230,901
4. Heating System in the High School Building .....	\$450,000
In September 2016 BIA committed to designing and installing a heating system at the Pine Hill High School by mid-December 2016 so that the students could enjoy warm classrooms for once. But that did not happen, and that makes it six (6) years in a row the heating system has been inoperable. Instead, the project was still in the design stage as of April 2017; so very likely the construction may not be completed until late summer of 2017.	
Total Buildings and Heating System .....	\$2,802,786

Priority Projects	Estimated Cost
5. Water System Upgrade (Wells, Pumps, Waterlines, Tanks, Water Treatment) <i>See Tab-4 "Existing water system layout-blue line"</i>	
Pre-Engineering Report .....	\$ 150,000
Design and Engineering .....	500,000
Construction—Upgrade of Water System .....	3,500,000
	\$4,150,000
Total Water System Upgrade .....	\$4,150,000
	\$6,952,786
Total Medium Term Funding Requested .....	\$6,952,786
6. New School 186,500 SF .....	\$40,012,500
<i>Tab-5 "Conceptual Site Plan-New Building Layout &amp; Cost"</i>	
There is also the question of maintaining obsolete facilities that have surpassed its useful life. Therefore the reason and justification to build a new school is to re-invest in the long-term future of the children and youth of the Ramah Navajo Community.	

*Long Term Solution*

The above first five (5) items are considered medium-term solutions. Whereas, the long-term solution (Item No. 6) that RNSB seeks is Congressional appropriation for a whole new replacement school. A modern up to date new educational facility that meets the standards that permits a high-quality educational and living environment where RNSB students can thrive and prepare themselves for a promising future. Considering all costs for planning, designing and engineering the cost for a whole new replacement school is estimated at \$40,012,500.

It is obvious and evident that RNSB cannot rely on BIA to perform any required repair and maintenance, nor live up to its Trust responsibility. Therefore, RNSB requests the commitment of the Congress once again through the BIA and BIE: (1) to correct the above mentioned deficiencies; and (2) initiate new congressional appropriations for the planning, design, and construction of new educational facilities as soon as possible.

*Summary*

RNSB request the US Congress to direct the BIA and BIE to complete repairs and mold remediation to the Library, Kindergarten, and Gymnasium buildings, the installation of a heating system for the High School, and the upgrade of the water delivery system at the Pine Hill Schools. Furthermore, RNSB request the Congress to appropriate sufficient funds for planning, design and construction of a new school at Ramah Navajo. Thank you for your time and RNSB looks forward to the Congress favorable consideration.

Ahé hee'

We look forward to working with the subcommittee on furthering the important work of our school and enriching our students. Thank you for the opportunity to submit testimony. Please contact me at marlene@rnsb.k12.nm.us if you have any questions.

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PREPARED STATEMENT OF THE RECORDING ACADEMY

My name is Neil Portnow, I am the President/CEO of the Recording Academy, an organization that represents 23,000 individual music creators and professionals—songwriters, performers, studio professionals, and others creatively involved in making music. I appreciate the opportunity to submit this written testimony to the Senate Committee on Appropriations Subcommittee on Interior, Environment, and Related Agencies. The Recording Academy requests that the subcommittee funds the National Endowment for the Arts (NEA) for fiscal year 2018 at no less than \$155 million.

The NEA has been invaluable to the development of music creators across the country, while helping preserve America's rich music culture. Since 1966, the NEA has provided \$423.8 million in funding to domestic music programs—from teaching kids how to play an instrument to supporting festivals of international acclaim. The NEA is an essential part of the American music culture, and it must be funded to

ensure that all Americans, from inner cities to rural counties, can continue to enjoy and participate in our rich music heritage.

As you consider funding levels for fiscal year 2018, I encourage you to first reflect on what music means to our Nation. From folks songs of centuries past, to the iconic American Jazz scene, to today's global pop stars, music is woven throughout our cultural tapestry. It binds us together as one Nation with the power to bridge racial, religious, and regional divides. Music represents our shared history, our common values, and our dedication to build for ourselves a more perfect union. In times of triumph and tragedy, we turn to the abiding power of music to lift our spirits, soothe our souls, and remind us that everything will be okay.

Music and the arts give value to us as a Nation beyond defined borders, ensuring that America continues to be a beacon of innovation and hope for people here and all around the world. President John F. Kennedy summed it up best, "The life of the arts is very close to the center of a Nation's purpose, and is a test of the quality of a Nation's civilization." His words remain true today; and for less than \$1 per person, the NEA helps foster all of this and so much more.

I understand that you are tasked with a difficult and important responsibility; but as you finalize government spending for the next year, please remember why the arts must be protected today, tomorrow, and in the future. American culture makes America strong. Music and the arts further the very priorities the budget seeks to enhance. Our creative economy, with a \$26 billion trade surplus, serves as a powerful ambassador abroad; it teaches our shared values and history in compelling ways, and it connects us as a people and as a world.

At a SXSW panel sponsored by the Recording Academy in 2014, Homeland Security Committee Chairman Michael McCaul noted:

"Music can really make a difference in changing the attitudes and governance of some of these countries and really have a positive impact. While [drones] have been successful with high-value targets, they are not alone going to kill an ideology. . . . Music has a very strong role to play in diplomacy and in that soft power to try and change the world to make it a better place."

When we're talking about "hard power" as opposed to "soft power," what we're really talking about is the difference between coercion and control versus persuasion and influence. That is where American culture and creativity excel. American music, art, theater, and dance liberate us, teach us to think and be strong, and are great ambassadors around the world.

Simply put, we didn't win the Cold War with just missiles; we also won the Cold War with Elvis, tailfins, and Death of a Salesman. Earlier I quoted President Kennedy, whose leadership proved critical to the U.S. and the world during that divisive period in our history. In a speech just a month before his death, Kennedy said, "I see little of more importance to the future of our country and our civilization than full recognition of the place of the artist."

That is why I implore you and your colleagues in Congress to fully fund the National Endowment for the Arts at a level of no less than \$155 million for fiscal year 18. Help protect and renew America's commitment to the arts and to music. It's our collective responsibility to preserve what binds us and to ensure that the whole world continues to benefit from one of our most unique and economically and spiritually important assets—and exports: American music.

It is an investment worth making.

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#### PREPARED STATEMENT OF THE RED LAKE BAND OF CHIPPEWA INDIANS

Chairman Murkowski and Ranking Member Udall, thank you and the other distinguished Members of the subcommittee for this opportunity to provide testimony on behalf of the Red Lake Band of Chippewa Indians ("Red Lake"). Red Lake is a large Tribe with 12,000 members. Our 840,000-acre Reservation is held in trust by the United States. While it has been diminished in size over time, our Reservation was never broken apart or allotted, nor subjected to the criminal or civil jurisdiction of the State of Minnesota. Thus, we are responsible for a large land area over which we exercise full governmental authority and control, in conjunction with the United States. Due in part to our remote location, there are few job opportunities available for Tribal members. While unemployment in Minnesota is only 3.9 percent, ours remains close to 50 percent. The lack of good roads, reliable communications systems, and other necessary infrastructure continues to impede economic development and job creation at Red Lake. The budget appropriation process is a major avenue through which the United States fulfills its trust responsibility and honors its obligations to Indian Tribes. To that end, we request that your subcommittee provide

\$6.7 million in additional fiscal year 2018 funding for Red Lake programs as described below.

*Protect and Restore BIA and IHS Funding From Sequestration*

Sequestration has undermined specific Red Lake treaties that the United States Constitution considers the “supreme law of the land.” Our Tribal government delivers core government services that were previously administered by Federal agencies, based on Federal treaty and trust responsibilities owed to Red Lake. Because it would be unthinkable for the United States to fail to fully comply with contractual obligations to other treaty parties without consequence, the United States must likewise fully honor its obligations to Indian nations, like Red Lake.

In fiscal year 2013–2017, sequestration cut Red Lake’s BIA annual funding levels by more than \$900,000 each year forcing Red Lake’s already underfunded BIA programs to suffer from huge reductions. The BIA is obligated to provide adequate funding to meet basic public safety needs on our Reservation, but the BIA has repeatedly failed to do so. Each of our public safety programs is understaffed and undersupplied relative to the BIA’s own safety standards. In order to provide minimal public safety in fiscal year 2016, Red Lake had to spend \$2.9 million more than BIA provided. To cover this shortfall, we had to shift funds from other critical BIA programs, which were also impacted by sequestration, cutback on staff, and reduce hours for law enforcement and other public safety services. This resulted in noticeable and dramatic cuts in service delivery.

Sequestration has additionally taken over \$750,000 each year from IHS-funded medical services at Red Lake. This has cost the Tribe several medical positions, made patients wait even longer for treatment, delayed patient follow-up care, reduced medical transportation, diminished supply stocks, and delayed replacement of outdated equipment.

For Tribes like Red Lake who must rely on Federal funding for essential government services, sequestration has been a nightmare. Funding taken away by the draconian sequestration cuts of recent years should be restored in fiscal year 2018. We specifically ask for an addition of \$1,650,000 to Red Lake’s BIA and IHS base program funding in fiscal year 2018 to restore funds taken away by previous sequestration cuts, and we ask for another \$2,957,850 to be added to our BIA law enforcement budget to help Red Lake finally meet our BIA public safety shortfall.

*Protect Indian Country Funding from Proposed 13 Percent Cut*

The President’s fiscal year 2018 budget is simply terrible for Tribes. For at least a decade, BIA has fared poorly when Interior has internally allocated its budgeted funds among various agencies.

Tribes have suffered terrible funding cuts to most government service programs. The cuts have caused a crisis for many Tribes. The cuts include a crippling 16 percent to Tribal Government Funding (formerly referred to as “Tribal Priority Allocations” or “TPA”) in 1996, most Tribes’ base programs other than law enforcement have not increased in 20 years, Tribal programs were cut an additional 8 percent from the 14 separate, permanent rescissions enacted since 2000 to fund Federal deficit reduction, tax cuts, wars, and hurricanes. Tribal employee pay costs were only partially funded most of those years. As a result, Tribes’ core service funding is far less, in real terms, than 20 years ago. This has undermined the ability of Tribes to provide safety and security for people who struggle to survive under some of the worst living standards in America.

Red Lake’s critical government services programs are dangerously underfunded, and the BIA through which we receive our funding continues to be impacted by sequestration, rescissions, and inflation, despite the able work of this subcommittee to provide BIA funding increases in fiscal year 2014–2017 after 3 years of significant decreases in fiscal year 2011–2013.

*Fully Fund Pay Costs and Fixed Costs in fiscal year 2018 and Beyond*

Pay costs represent the only increase most Tribal programs receive. Since fiscal year 2001, the Interior Department, BIA, and Tribes, lost more than \$800 million from the partial funding of Pay Costs and other Fixed Costs. This has resulted in the loss of thousands of jobs. The fiscal year 2017 budget request included \$5.3 million for BIA Fixed Costs and Pay Costs—the lowest request in history (in fiscal year 2008 BIA Fixed Costs were \$41.3 million). Red Lake requests that you provide \$8 million specifically for Tribes’ Pay Costs in fiscal year 2018, and that you continue to tell OMB that Pay Costs must be fully funded in all future budget requests. We also ask that you fund \$2.1 million in fiscal year 2018, the total cumulative amount Red Lake has been shorted from the failure to fully fund Pay Costs since fiscal year 2001.

*Protect and Fully Fund Tiwahe and Recidivism Reduction Initiatives (RRI)*

Tiwahe and RRI are positively impacting Tribes. The Tiwahe Initiative provides resources to assist Tribes in addressing the inter-related problems of poverty, violence, substance abuse, and associated outcomes like youth suicide. Tiwahe encompasses several BIA programs including Social Services, ICWA, Courts, Job Placement and Training, and Housing. These programs historically have seen few funding increases. The RRI is a BIA Public Safety and Justice program within its Law Enforcement Special Initiatives line, and which is now part of the broader Tiwahe Initiative. Through Tiwahe and RRI, Red Lake was able to finally open a juvenile facility that sat vacant for a decade due to lack of funding. We are now providing vital services to youth who truly need them. Troubled youth are screened for a variety of issues including mental health, substance abuse, domestic abuse, crime, and recidivism. A host of services are provided including mental health, trauma, and substance abuse treatment. We have recently established a juvenile healing to wellness court, and in conjunction with Red Lake Schools, we established a “last chance” school for youth who are on the verge of expulsion because of societal problems affecting them. Additionally, Our Tribal Health Wellness Program works in concert with IHS Behavioral Health staff and the schools. To date, they have provided over 8,631 inpatient visits. Because of these initiatives, we are proud to report that, in the last 16 months, for the first time in years, we have had zero youth suicides. This is an outcome we want to maintain.

We’ve now confirmed our worst fears—the President wants to eliminate Tiwahe and RRI, just as we are beginning to make a difference in peoples’ lives. Tiwahe actually impacts 61 Tribes in its current pilot phase (56 in Alaska), and it will eventually expand to positively impact all Tribes. On top of that, an additional \$24 million in Tiwahe Social Services and IWCA funds were distributed to Tribes across the country. Red Lake has made real progress to address the needs of our youth and families, thanks to Tiwahe and RRI. We greatly appreciated your support for these initiatives in fiscal year 2015 and 2016, and for the additional \$16 million you provided in fiscal year 2017. You are helping our children and families to have better lives and safer communities. We ask that you continue to fully fund and consider increases for Tiwahe and RRI in fiscal year 2018.

*BIA Justice Services Programs: Law Enforcement, Courts, and Community Fire Protection*

The Tribal Law and Order Act (“TLOA”) was intended to empower Tribal law enforcement with resources needed to combat crime. However since TLOA’s implementation, BIA funding for Tribal law enforcement has decreased thus hindering the ability of Tribal law enforcement to reduce crime and protect Tribal members. Recent administration budget requests have furthermore failed to include any increases for Tribal law enforcement operations. We thank you for providing an additional \$5.6 million for Tribal law enforcement in fiscal year 2017, this increase is sorely needed. We request an additional \$10 million in fiscal year 2018 for Tribal law enforcement operations. Funding for Tribal Courts is grossly inadequate and remains a top priority of Tribes. We thank you for providing an additional \$2.6 million in fiscal year 2017 for Tribal Courts in support of the Tiwahe Initiative, and we ask that you provide an additional \$10 million in fiscal year 2018 for Tribal Courts. Community Fire Protection has also been neglected for decades. We are responsible for fighting fires on our Reservation and protecting peoples’ lives, on a yearly BIA-funded budget of \$42,500. We ask that you provide an additional \$10 million for Community Fire Protection in fiscal year 2017.

*Housing Improvement Program*

The Housing Improvement Program (“HIP”) has provided Red Lake with many successes. Recently, we were able to build 8 new HIP homes for our poorest elderly and disabled members who were ineligible for assistance from other Federal agencies. HIP funding was cut from \$19 million to \$8 million in recent years. The President’s proposal to eliminate the Housing program is unacceptable. We thank you for providing a \$1.7 million increase in fiscal year 2017 for Housing under the Tiwahe Initiative. To continue funding our initiatives, we request an additional investment of \$10 million in fiscal year 2018.

*Trust Natural Resources—Additional \$5 Million*

Thank you for providing an additional \$9 million for Trust Natural Resources programs in fiscal year 2017. Many natural resources recurring base programs, which fund Tribes’ day-to-day conservation responsibilities, have not been increased for years. As a result, Tribes have been unable to adequately manage their resources. On our Reservation, most resource management activities are funded under the BIA

budget categories of Tribal Management Development, Natural Resources TPA, Wildlife and Parks TPA, and Forestry TPA. We urge you to increase funding for each of these programs by at least \$5 million above the fiscal year 2017 enacted levels.

*Indian Health Service (IHS)—\$7.1 Billion*

Thank you for providing \$5.040 billion in fiscal year 2017 for IHS, an increase of \$232.3 million over fiscal year 2016. There is a tremendous unmet need for IHS and Tribal health programs, stemming from years of chronic under funding. IHS mandatory increases for inflation, population growth, pay costs, and CSC surpass the requested increase. Per capita expenditures for IHS in 2015 were only \$3,688 person, compared to \$9,523 for the general population, a great disparity. For fiscal year 2018, the IHS Tribal Budget Formulation Workgroup requested \$7.1 billion for IHS, and we ask that you provide this amount.

*EPA Programs*

As Red Lake is home to the 6th largest natural, freshwater lake in the United States and approximately 60 percent of the Indian trust land in EPA Region 5, spanning a geographic area the size of West Virginia, water, wetlands, animals, and plants are vital to our Tribe. While we utilize various vital EPA programs, including: General Assistance (“GAP”), Clean Water Act Sections 106 Pollution Control and 319 Nonpoint Source, Brownfields, and Clean Air Act Section 105, Red Lake only has funding to support 50 percent of the staff needed. To better support our environmental needs, Red Lake requests increases in funding for these programs. If funding is not at least maintained at current levels we will be forced to let staff go and the vital natural resource protection programs they manage will be eliminated.

*Dissuade the President’s Signing Statement*

With respect to President Trump’s signing statement, the language suggests the Trump administration is improperly applying an Equal Protection Clause analysis to funds for Native American housing and perhaps other funds. Tribes have a government-to-government relationship with the United States and, in the context of the Federal trust responsibility, the Federal courts have declared that Tribes are to be treated as a political class, not as a racial class, thus precluding any Equal Protection Clause analysis. Red Lake asks that this subcommittee help Indian Country dissuade the administration from its errant views on this issue.

Thank you for allowing me to present, for the record, some of the most immediate needs of the Red Lake in fiscal year 2018, and for your consideration of these needs.

[This statement was submitted by Honorable Darrell G. Seki Sr., Chairman.]

PREPARED STATEMENT OF MATT REECK

Dear Senate Appropriations Committee,

I am writing to you today to ask you to continue to support the NEA. Along with the NEH, the total amount of discretionary spending would amount to \$300 million of the \$1.1 trillion documented in the proposed 2018 budget.

I would like to tell you how important translation and art remain for us today, and to share how important the NEA has been for me personally.

I won the award to translate an Urdu novel by the Indian writer Paigham Afaqui. The award allowed me the degree of financial security needed to dedicate the large amounts of time needed for this work. Translation as a whole is an essential part of understanding other cultures, and while the United States dedicates just a fraction (3 percent) of its total number of published books to translation, it is inconceivable to imagine growing up in an America without translation.

If we think about the significant books that shaped our lives, and that shape the lives of hundreds of millions of fellow Americans, books translated into English will be at the top of the list. The New York Times bestseller list routinely has foreign works translated into English. Even The Bible is available to us only through translation. More broadly, translation is part of the vital creative history of human societies. This is made clear by the fact that when we travel abroad, we visit cultural places and we are interested in learning about the cultural histories that the creative arts produce.

Translation is vital to us. Without it, we would not know the world as well as we do. Translation of creative works allows us to see past stereotypes that our ignorance creates. With translation of creative works, we appreciate the human dimensions of life that are shared across all geographic, linguistic, religious, or political

divides. Translation represents one of the best ways to bridge the divides that continually risk separating humans. Translation effects considerable positive change in a world that needs more understanding, compassion, and sympathy.

The NEA's historical role in supporting translation and the creative arts is a proud part of our American legacy. It recognizes that valuable human labor comes in many forms: not just in the corporate boardroom, in the factory, and in the fields, but translation and the creative arts are legitimate and important forms of intellectual and imaginative labor. People all over the world look up to America because of its creativity and intellectual vigor. Clearly the NEA plays a large role in supporting the arts and intellectual life that has historically marked America as being in a class apart and ahead of other nations.

Personally, the grant I received has been a significant part of my life. My career as a translator was strengthened by the prestige that the award conferred upon me. Respected and dedicated men and women from across America choose the award's winners, and the award means instant recognition. It is a major award, and a major part of the professional pedigree that is essential for translators and creative artists. To take it away would mean decimating an important, historical profession.

I am proud to be American. I am proud of our history of creativity in thinking and the arts. I am proud of our openness toward other societies and their ways of thinking and self-expression. The NEA safeguards these values as much as any organization I can think of.

Please maintain funding for the NEA, a vital part of our American dream.

Sincerely yours,

MATT REECK.

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#### PREPARED STATEMENT OF RESTORE AMERICA'S ESTUARIES

Restore America's Estuaries is a nonpartisan, nonprofit organization that has been working since 1995 to restore our Nation's greatest estuaries. Our mission is to restore and protect estuaries as essential resources for our Nation. Restore America's Estuaries is an alliance of community-based coastal conservation organizations across the Nation that protect and restore coastal and estuarine habitat. Our member organizations include: American Littoral Society, Chesapeake Bay Foundation, Coalition to Restore Coastal Louisiana, Save the Sound—a program of the Connecticut Fund for the Environment, Galveston Bay Foundation, North Carolina Coastal Federation, EarthCorps, Save The Bay—San Francisco, Save the Bay—Naragansett Bay, and Tampa Bay Watch. Collectively, we represent over 250,000 members nationwide.

As you develop the fiscal year 2018 Interior, Environment and Related Agencies appropriations bill, Restore America's Estuaries and our members encourage you to provide the following funding levels within the Department of Interior, U.S. Fish and Wildlife Service (USFWS) and the U.S. Environmental Protection Agency (USEPA) for core programs that significantly support coastal community and ecosystem resilience and local economies:

—\$15 million for USFWS Coastal Program

(Interior: USFWS: Resource Management: Habitat Conservation: Coastal Program)

—\$26.723 million for USEPA National Estuary Program

(USEPA: Water: Ecosystems: National Estuary Program/Coastal Waterways)

These non-regulatory investments strengthen and revitalize America's coastal communities by protecting and restoring habitat, improving local water quality, and enhancing resilience. Healthy coastlines protect communities from flood damage and extreme weather, improve commercial fisheries, safeguard vital infrastructure, and support tourism and recreational opportunities.

#### USFWS COASTAL PROGRAM

The Coastal Program (CP) is a voluntary, incentive-based program that provides technical and financial assistance to coastal communities and landowners to protect and restore fish and wildlife habitat on public and private lands in 24 priority coastal ecosystems throughout the United States, including the Great Lakes. The Coastal Program works collaboratively within the USFWS to coordinate strategic priorities and make landscape-scale progress with other Federal, State, local, and non-governmental partners and private landowners. Since 1985, the Coastal Program has:



- Partnered with more than 5,000 Federal, Tribal, State, and local agencies, non-governmental organizations, corporations, and private landowners.
- Restored 557,790 acres of wetland and upland habitat and 2,625 miles of stream habitat.
- Protected more than 2.1 million acres of coastal habitat.
- Provided technical assistance to a diverse range of conservation partners.

Our coastal communities and ecosystems are on the front lines of changing coastal conditions and increasing extreme weather. Support for the USFWS Coastal Program helps interested communities and partners address the new set of challenges facing coastal communities. The Coastal Program is the USFWS's key conservation tool delivering on-the-ground habitat restoration and technical assistance. Despite the Program's relatively small cost, it has a tremendous impact. In 2015 alone, the Coastal Program, along with 455 local partners, completed 266 projects restoring or protecting more than 90,000 acres of wetlands and uplands and 194 miles of stream habitat. A recent estimate by USFWS Coastal Program staff shows that the program leverages, on average, \$8 non-Federal dollars for every Federal dollar spent. This makes the Coastal Program one of the most cost-effective habitat restoration programs within the U.S. Fish and Wildlife Service.

The Coastal Program stimulates local economies by supporting jobs necessary to deliver habitat conservation projects, including environmental consultants, engineers, construction workers, surveyors, assessors, and nursery and landscape workers. These jobs generate indirect economic activities that benefit local hotels, restaurants, stores, and gas stations. In total, the Coastal Program estimates that the average project supports 60 jobs and stimulates 40 businesses resulting in nearly thirteen dollars in economic returns for each dollar of Federal investment. Additionally, restoration jobs cannot be outsourced and \$0.90 of every dollar spent on restoration stays within the State.

In Puget Sound, Washington, the Coastal Program invested \$20,000 to support a project to clean up and remove old and abandoned fishing gear from the water, resulting in a direct economic impact to the local economy of \$51,000. Lost and abandoned fishing gear like nets, lines, crab and shrimp traps pose many problems for people, fish and marine animals. Each year, derelict crab pots are estimated to trap and kill 372,000 Dungeness crabs, resulting in losses to the fishery of \$1.2 million—30–40 percent of the value of the annual commercial catch of Dungeness crab in Puget Sound. This project removed 84 gillnets—preventing the loss of approximately 370,000 crabs and returning an estimated value of well over \$1.5 million to the crab fishery alone.

In San Diego Bay, California, the Coastal Program provided funding and technical assistance to project partners to restore 300 acres of wetland, mudflat, and upland habitat to benefit more than 90 species of resident and migratory birds. Project partners transformed highly degraded salt ponds into lush habitat by breaching levees, regrading soils, and planting native vegetation. Just days after the completion of the project, tens of thousands of birds descended on the newly-restored habitat to rest, roost, and feed. Not only did this project restore a "Globally Important Bird Area," as designated by the American Bird Conservancy, but it also created 130 jobs and generated \$13.4 million for the local economy.

At recent funding levels of approximately \$13.4 million, the Coastal Program is able to provide technical assistance and support to partners, but can only provide limited project dollars. A modest increase over the amount included in the fiscal year 2017 Omnibus would help the Coastal Program increase their capacity to leverage willing and interested partners to deliver highly-effective and site specific habitat conservation and restoration programs that prevent Federal listing of species, promote species recovery, enhance coastal resilience, and boost local economies.

*Restore America's Estuaries urges your continued support and funding for the USFWS Coastal Program and asks that you provide \$15 million for fiscal year 2018.*

#### USEPA NATIONAL ESTUARY PROGRAM

The National Estuary Program (NEP) is a non-regulatory network of voluntary community-based programs that safeguards the health of important coastal ecosystems across the country. The program utilizes a consensus-building process to identify goals, objectives, and actions that reflect local environmental and economic priorities.

Currently there are 28 estuaries located along the Atlantic, Gulf, and Pacific coasts and in Puerto Rico that have been designated as estuaries of national significance. Each National Estuary Program demonstrates real environmental results through on-the-ground habitat restoration and protection and their efforts are tai-

lored to the specific local environmental and economic realities. Collectively, NEPs have restored more than 1.5 million acres of land since 2000.

NEPs work to ensure that Federal agencies work together with State, regional, NGO, and private partners to better manage ocean and coastal resources for the benefit of the Nation. Community partners are involved throughout the decision-making process to reduce conflicts, redundancies, and inefficiencies that waste time and money, and to ensure that restoration and conservation efforts are stakeholder-driven. NEPs play a key role in implementing national policies that result in better, more cost-effective coastal management that benefits States and local communities.

*Restore America's Estuaries urges your continued support of the National Estuary Program and asks that you provide \$26.723 million for USEPA National Estuary Program/Coastal Waterways.* Within this amount for fiscal year 2018, no less than \$600,000 should be directed to each of the 28 NEPs in the field.

#### CONCLUSION

Restore America's Estuaries greatly appreciates the support this Subcommittee has provided in the past for these important programs. These programs effectively accomplish on-the-ground restoration work which results in major benefits:

1. *Economic Growth and Jobs.*—Coastal habitat restoration creates between 17 and 33 direct jobs for each million dollars invested, depending on the type of restoration. That is more than twice as many jobs as the oil and gas sector and road construction industries combined. The restored area supports increased tourism and valuable ecosystem services, including flood mitigation, shoreline protection, and enhanced fisheries, among others.
2. *Leveraging Private Funding.*—In 2015, Federal investment in the USFWS Coastal Program leveraged non-Federal dollars at a ratio of 34 to 1. The NEPs leveraged non-Federal dollars at a ratio of 15 to 1. In a time of shrinking resources, these are rates of return we cannot afford to ignore.
3. *Resiliency.*—Restoring coastal wetlands knocks down storm waves and reduces devastating storm surges before they reach the shore, protecting lives, property, and vital infrastructure for the nearly 40 percent of Americans that live in coastal communities.

We greatly appreciate you taking our requests into consideration as you move forward in the fiscal year 2018 appropriations process. We stand ready to work with you and your staff to ensure the health of our Nation's estuaries and coasts.

[This statement was submitted by Jeffrey R. Benoit, President and CEO.]

#### PREPARED STATEMENT OF RIVERSIDE-SAN BERNARDINO COUNTY INDIAN HEALTH, INC.

Riverside-San Bernardino County Indian Health, Inc., located in Southern California, appreciates the opportunity to submit written testimony concerning the 2018 appropriations for the Indian Health Service.

Riverside-San Bernardino County Indian Health, Inc. is a consortium of nine California Tribes located in Riverside and San Bernardino counties. Our member Tribes are the Pechanga Band of Luiseno Indians, the Cahuilla Band of Indians, the Santa Rosa Band of Cahuilla Indians, the Ramona Band of Cahuilla Indians, the Soboba Band of Luiseno Indians, the Torres-Martinez Desert Cahuilla Indians, the Agua-Caliente Band of Cahuilla Indians, the Morongo Band of Mission Indians, and the San Manuel Band of Mission Indians. We also serve members of three other local Tribes: the Twenty-Nine Palms Band of Mission Indians, the Cabazon Band of Mission Indians, and the Augustine Band of Cahuilla Indians.

Nearly two-thirds of our patient population is comprised of members from these local Tribes or other non-consortium Tribes who live in our two-county service area. Overall, we serve over 15,000 Native Americans and 3,000 related family members, and experience over 100,000 patient visits each year.

Our consortium operates 7 health clinics at different locations under a self-governance compact with the Indian Health Service. We are proud to offer a broad range of services at our clinics, including medical, dental, optical, behavioral health, pharmacy, laboratory, environmental health, community health representative, outreach and health education services.

We are thankful for the support of Congress and the funding provided to improve the health status of our people. We are especially thankful for your invitation to submit written testimony. In doing so you honor the Nation-to-Nation relationship between the Federal government and Indian Tribes. Thank you for taking so seri-

ously IHS's mission to honor the government's trust responsibility to provide culturally-competent and high-quality healthcare for all Native Americans.

#### ENSURING FUNDS FOR TRIBALLY-OPERATED PROGRAMS

This subcommittee has been a steady supporter of tribally-operated healthcare programs because tribally-driven healthcare works. The success of the IHS self-governance and self-determination contracting programs shows the monumental impacts Tribes have when they are able to take control of the healthcare system serving their members. Indeed, the programs that struggle the most in the IHS system are, unfortunately, those that are still operated by IHS.

Despite the advances achieved through Tribal self-determination, history teaches that when budgets stay flat or drop, healthcare suffers—as occurred with the 2013 sequester. The same can happen when budget increases go to bureaucratic oversight or special IHS projects that never filter down to Tribes. This is the case with the Joint Venture Construction Program, which provides a boon for a few individual sites but provides no benefit to other Tribes. For example, California Tribes have submitted 50 applications to the Program over the past 10 years, but only 1 has been granted. In addition, there are no Capital Projects for any of the California Tribes on the National IHS Capital Project List. While we do not doubt that these projects are highly deserving, we ask the subcommittee to ensure that general healthcare increases are not ignored.

Budgetary instability, coupled with excessive bureaucracy, is also a problem when IHS chooses to classify funds as “non-recurring,” including such funds as “grant” funds. This designation forces Tribes to compete with one another and injects budgetary uncertainty from year to year. Worse yet, the unnecessary designation of funds as “grants” forces us to follow an entirely separate award process and reporting mechanism whose only purpose seems to be to keep grant administrators employed.

As this subcommittee knows, the Methamphetamine and Suicide Prevention Initiative (now called the “Substance Abuse and Suicide Prevention program”) and Domestic Violence Prevention Initiative funds used to flow easily through our Self-Governance Compact. But 4 years ago former IHS Director Yvette Roubideaux unilaterally changed that nicely-working process, without any consultation and over Tribal objections. Now we work under extremely burdensome reporting conditions, IHS carves aside funds for bureaucratic oversight, and we too are forced to carve out funds to meet new administrative burdens instead of serving our community. Even desperately needed Special Diabetes funds are set aside to fund Area diabetes coordinators who do nothing to enhance our programs on the ground.

We have seen a pattern in recent years where IHS reclassifies funds previously considered to be annually “recurring” monies, into the “non-recurring” categories. At first, IHS claimed this was necessary to provide full contract support cost funding in 2014 and 2015, which made no sense. But even long after Congress eased the burden on program funding by moving contract support costs into a separate appropriation, the agency continues its practice. The result is IHS seizes greater discretion over how it spends these funds to the detriment of the Tribes. As a result, Tribal budgets cannot grow to meet the increased needs of our members or even to keep pace with our expanding population. Worse yet, IHS denies us the contract support costs to which we are entitled to administer these funds, forcing us to divert more program dollars away from services.

We ask this subcommittee to instruct IHS (1) to restore funds moved from the recurring to non-recurring category, (2) to direct that these and new funds shall be distributed as “tribal shares” through self-governance compacts and self-determination contracts (and not through grants or other non-recurring funding mechanisms), and (3) to direct IHS to pay contract support costs on these funds. This is especially important given Congress's removal this year of the “notwithstanding” clause IHS had relied upon to argue that these funds were not subject to the requirements of the Indian Self-Determination and Education Assistance Act (ISDA). The ISDA works; much of IHS's bureaucracy does not. IHS should not be permitted to undermine the ISDA—the best thing Congress ever did to improve the state of Indian health.

#### PRC FUNDING FORMULAS THAT ACCOUNT FOR GEOGRAPHIC NEED

We are grateful that Congress has recognized that “IHS does not provide the same health services in each area” and that “[h]ealth services provided to a community depend upon the facilities and services available in the local area. . . .” House Committee Report on Dep't of the Interior, Environment and Related Agencies Appropriations Act, 2017, H.R. REP. NO. , Division G, at \*54, *available at* <https://>

rules.house.gov/sites/republicans.rules.house.gov/files/115/OMNI/DIVISION%20G%20-%20INT%20SOM%20FY17%20OCR.pdf. We in California have never had access to a Tribal hospital and we lack access to the specialty services that come when such facilities are available in other IHS Areas. As a result, we spend far more dollars than we receive for Purchased/Referred Care (PRC) because we must refer our patients to a private provider for specialty care instead of, for example, sending them to an IHS-funded facility as exists in Phoenix or Anchorage.

The IHS PRC distribution formula needs to be adjusted to address this location factor, so it favors Areas where Tribal and IHS specialty providers and hospitals simply do not exist. Today IHS uses a 3-tier system: Tier 1 is base PRC funding based on the prior year's allocation, and Tier 2 is for medical inflation and population growth. Although Tier 3 is for Areas lacking hospitals and for cost of living adjustments, in 7 of the last 15 years Tier 3 was never reached.

We ask that the "no access to hospitals" factor be moved to the Tier 2 allocation category so that programs lacking access are not disproportionately impacted by PRC shortages. Two GAO reports have also recommended similar changes to make the formula more equitable.

#### EXEMPT IHS FUNDS FROM ANY BLOCK GRANT PROPOSALS

We understand that many health reform proposals being considered in Congress would transform the Medicare and Medicaid payments for Tribal health providers, or turn these programs and Federal grant programs into block grants to be provided to individual States. Our Tribes are sovereign and have a Nation-to-Nation relationship with the Federal government. No State should be placed in the middle of that relationship. Health reform funds for Tribal programs must be exempt from any block grants made to States.

#### REAUTHORIZE THE SPECIAL DIABETES PROGRAM FOR INDIANS

Our patient population has a high incidence of diabetes and the Special Diabetes Program for Indians has been a great success for our organization. That said, this funding has consistently been in jeopardy due to the need for annual or bi-annual reauthorizations and separate appropriations. The Special Diabetes initiative has been one of the most successful of all Indian health programs. We therefore ask Congress to make the next reauthorization permanent and to increase the annual amount to \$200 million.

We thank the subcommittee for providing Riverside-San Bernardino County Indian Health, Inc. the opportunity to submit written testimony regarding fiscal year 2018 funding needs. The needs of the Indian health system are great, but Tribes have proven they can efficiently maximize the resources provided. We ask that you continue to increase funds for the IHS budget for fiscal year 2018, and reject the administration's proposed reductions to IHS appropriations, so that Native Americans one day will receive the same quality healthcare afforded to all other Americans.

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#### PREPARED STATEMENT OF LAUREN RUSSELL

I am writing in support of fully funding the National Endowment for the Arts (NEA) at the fiscal year 2017 level of \$150 million. This year I was one of 37 poets awarded an NEA Creative Writing Fellowship. This was both a huge honor and an important charge. While providing some financial cushion that will allow me more freedom to write over the next couple years, the fellowship is also a big reminder that literature, and the people who make it, matter.

In this same grant cycle, the NEA donated to small presses and community arts organizations all over the country. Though less than a drop in the bucket for the Federal Government, a grant of \$10,000 or \$15,000 can keep a small press or community theater going. These small, community-based organizations are essential to keeping art alive. As a poet, I feel this impact acutely. American poetry depends on the NEA's investment in small presses and nonprofit journals, since many mainstream publishers are unlikely to take a risk on publishing "unmarketable" contemporary poets. A threat to the NEA is truly a threat to poetry in America.

The NEA is ensuring that people from diverse backgrounds have access to the arts. In fiscal year 2016, the NEA recommended more than 2,400 grants in nearly 16,000 communities in every congressional district in the country. Forty percent of the NEA's grant making budget is awarded directly to the States through their State and regional arts agencies. The NEA designates that a portion of every State and regional partnership grant be allocated to serving underserved communities.

The remaining 60 percent are awards made directly to organizations and individuals that apply through the NEA's funding categories. Forty percent of NEA-supported activities take place in high-poverty areas. Thirty-six percent of NEA grants go to organizations that reach underserved populations, including people with disabilities, people in institutions, and veterans. Thirty-three percent of NEA grants serve low-income audiences. Though the NEA's fiscal year 2016 appropriation of \$147.9 million dollars made up only about .004 percent of the Federal budget, it has a huge impact on communities and individuals across the country. Please fund it fully.

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PREPARED STATEMENT OF THE SAC AND FOX NATION

On behalf of the Sac and Fox Nation thank you for the opportunity to present our requests for the fiscal year 2018 Budgets for the Bureau of Indian Affairs (BIA), the Indian Health Service (IHS), and for Tribal Environmental Funding (EPA). The Sac and Fox Nation is home of Jim Thorpe, one of the most versatile athletes of modern sports who earned Olympic gold medals for the 1912 pentathlon and decathlon.

As a Self-Governance Tribe, the Sac and Fox Nation has been impacted by the Federal Government's refusal to pay full contract support costs (CSC) for contracted and compacted programs since the statute was enacted. In 2014 and 2015, the Supreme Court determined that Tribes were entitled to CSC. Under the new budget structure, CSC accounts for BIA and IHS were created in the appropriations bill specifically for 2016 and 2017 as well as language establishing an indefinite appropriation for CSC in both agencies. So far, the full CSC that Tribes are entitled to is being paid and other programs will not be reduced if payments are underestimated in the President's budget. Tribes agree that this structure achieves the Nation's legal obligation to fully pay CSC without imposing any corresponding reduction in direct services to any Tribe. We continue to request full funding for CSC on a mandatory basis in fiscal year 2018–2021 and make it a permanent, indefinite appropriation.

In general, all Tribal programs including BIA and IHS line items should be exempt from any budget recessions, sequestrations and unilateral budget reductions that are not equally assessed to other funding beneficiaries.

#### 1. TRIBAL SPECIFIC REQUESTS

A. *\$20,000 Tribal General Assistance Program (GAP)—EPA.*—Historically, EPA has not provided a nationally consistent approach for building Tribal environmental protection program capacity under General Assistance Program (GAP) or a mechanism to measure the progress Tribes are making toward their defined program development goals. The EPA has decided to enforce a new interpretation of the GAP which prohibits Tribal Nations from using any GAP money for labor, handling, sorting, weighting and transportation of waste and recyclables. This means that the Tribal Nations recycling programs are in jeopardy because there will no longer be funds to carry out these functions. This program benefits the Tribal Complexes but also provides for drop off points for members and the community along with special community outreach events dealing with waste and other recyclables. Specifically, we would like to ask for a reversal of this interpretation or a line item dedicated to funding recycling departments work to allow these programs to continue. For Sac and Fox, \$20,000 would be sufficient to perform these services for our Tribal citizens.

B. *\$4.95 million to Fully Fund Operations and Maintenance of the Sac and Fox Nation Juvenile Detention Center (SFNJDC)—Bureau of Indian Affairs—Public Safety and Justice—Office of Justice Services—Detention/Corrections Facility Operations and Maintenance Account.*—The Tribal Law and Order Act (TLOA) requires the Department of the Interior (DOI) Indian Affairs (IA) to develop guidelines for approving correction centers for long term incarceration, as well as work with the Department of Justice on a long-term plan for Tribal detention centers. In the absence of appropriations to fully fund and fully implement the Tribal Law and Order Act (TLOA), the intent of Congress and the effectiveness and benefits of TLOA to Tribal courts, law enforcement and detention programs in Indian Country are less of a reality and more of what Tribes have experienced in the past—an unfulfilled trust obligation.

In 1996, the Sac and Fox Nation Juvenile Detention Center (SFNJDC) opened its doors as the first regional juvenile facility specifically designed for American Indians/Alaska Natives (AI/AN), as well as the first juvenile facility developed under Public Law 100–472, the Self-Governance Demonstration Project Act.

At that time, the Bureau of Indian Affairs made a commitment to fully fund the SFNJDC operations; however this commitment was never fulfilled. Even though the Nation continues to receive and use Federal dollars to address the issue of juvenile delinquency and detention for Tribes in the Southern Plains Region and Eastern Oklahoma Region, it has never received sufficient funds to operate the facility at its fullest potential.

Full funding would allow the Nation to provide full operations including (but not limited to):

- Juvenile detention services to the 46 Tribes in Oklahoma, Kansas and Texas;
- Rescue more of our at-risk youth and unserved youth in need of a facility like the SFNJDC;
- Re-establish programs we have lost due to inadequate funding such as: On-site Mental Health Counseling; Transitional Living, Vocational Training, Horticulture, Life Skills, Arts and Crafts, Cultural Education and Activities, Spiritual Growth and Learning;
- Offer job opportunities in an area that is economically depressed; and,
- Fully staff and expand staff training to address high volume of staff turnover which will allow for continuity in operations and service delivery.

The current funding level represents only approximately 10 percent of what is needed to fully fund the SFNJDC operations and maintenance. Additional funding in the amount of \$4.95 million, over what Sac and Fox already receives in base funding (\$508,000), would fully fund the facility at a level to address the need of juvenile delinquency in the tristate area and create opportunities for employment for more Tribal members.

The SFNJDC is a 50,000+ square foot, full service, 24 hour, 60 bed (expandable to 120 beds) juvenile detention facility that provides basic detention services to all residents utilizing a classification system based on behavioral needs to include special management, medium and minimal security.

Through a partnership with the local High School, students are afforded an education at the public school level, including a graduation ceremony and issuance of a certificate upon successfully achieving the State requirements. Additionally, the Sac and Fox Nation has an on-site Justice Center providing Law Enforcement and Tribal Court services and the Nation also operates an on-site health clinic which provides outstanding medical services that include contract service capabilities for optometry, dental and other health-related services.

The lack of adequate funding from the BIA and decreases in base funding have mushroomed into underutilization and erosion of the programs our facility was built to offer. The SFNJDC has the facility, staffing, ability, commitment and capacity to provide superior detention and rehabilitation services to Native American youth, as well as any youth in the tristate area in need of our services. We do not understand the Federal Government's desire to fund the construction of more detention facilities while our beds remain empty.

## 2. NATIONAL REQUESTS—BUREAU OF INDIAN AFFAIRS

A. *Fully fund all provisions of the Tribal Law and Order Act that authorizes additional funding for law and order programs that affect Tribal nations*

B. *Extend the Bureau of Prisons Pilot Project for Violent Offenders*

C. *Public Safety and Justice*

a. *+\$83 million to increase base funding for Tribal Courts including courts in Public Law 280 jurisdictions, and to incrementally move towards fully meeting the need for Tribal court funding;*

b. *+\$200 million BIA law enforcement and detention including an increase in funds for officer recruitment and training and for Tribal detention facilities operations and maintenance.*

D. *\$620,000 Juvenile Detention Education* these critical funds were reinstated in fiscal year 2016 at \$500,000, reflecting the bipartisan support for funding to address juvenile justice issues. Funding the program at \$620,000 level is essential funding that will be used to provide educational services to detained and incarcerated youth at BIA-funded juvenile detention facilities. One of the best methods to rehabilitate is through education, and eliminating this program creates additional costs by increasing the rate of criminal recidivism.

E. *Fully Fund Fixed Costs and Tribal Pay Costs.*—Partially funding or failing to fund Pay Costs for Tribes has devastated Tribal communities by causing critical job losses. Over 900 Tribal jobs have been lost and an estimated 300 more jobs will be permanently lost on an annual basis if 100 percent Pay Costs is not provided. The Tribal losses are being further exacerbated by recent projections of costs that have been significantly underestimated.

F. *Increase Tribal Base Funding (instead of through grants).*—Provide increases via Tribal base funding instead of through grants to Tribal governments. Grant funding, particularly inside the BIA, is not consistent with the intent of Tribal self-determination. Tribal leaders have grown increasingly frustrated by the increase in Indian Affairs funding offer through grants. Allocating new funds via grants marginalizes and impedes the Tribal Self-Determination and Self-Governance.

G. *Office of Self-Governance (OSG).*—Provide increased funding to the OSG to fully staff the office for the increase in the number of Tribes entering Self-Governance.

### 3. NATIONAL REQUESTS—INDIAN HEALTH SERVICE

A. *+\$314.9 million Mandatory Funding (maintain current services).*—Provide an increase of \$314.9 million over the fiscal year 2017 budget request. Current services calculate mandatory cost increases are necessary to maintain those services at current levels. These “mandatories” are unavoidable and include medical and general inflation, pay costs, contract support costs, phasing in staff for recently constructed facilities, and population growth.

B. *+\$474.4 million Purchased and Referred Care (PRC).*—Provide an increase of \$474.4 million pays for urgent and emergent and other critical services that are not directly available through IHS and Tribally-operated health programs when: no IHS direct care facility exists, or the direct care facility cannot provide the required emergency or specialty care, or the facility has more demand for services than it can currently meet.

C. *+\$6 million to restore funding for OTSG to implement the Self-Governance statute in IHS.*—As of 2017, there are 354 Self-Governance (SG) Tribes. This represents slightly over 62 percent of all federally-recognized Tribes. The Self-Governance process serves as a model program for Federal Government outsourcing, which builds Tribal infrastructure and provides quality services to Indian people.

Thank you for allowing me to submit these requests on these fiscal year 2018 Budgets.

[This statement was submitted by Principal Chief Kay Rhoads, Second Chief Jacklyn K. King, Secretary Mary F. McCormick, Treasurer Jared A. King, and Committee Member Robert E. Williamson.]

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#### PREPARED STATEMENT OF THE SANTA CLARA PUEBLO

*Introduction.* Thank you Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee for the opportunity to offer outside witness testimony on the critically important topic of Federal funding for American Indian and Alaska Native programs in the Department of the Interior, National Forest Service, Indian Health Service, Bureau of Indian Affairs, and the Environmental Protection Agency. Indian country is appreciative of your hard work and the tremendous support you have provided for Native programs. My name is J. Michael Chavarria and I am the Governor of the Pueblo of Santa Clara, located in north-central New Mexico. As a Tribal leader, I have developed a deep understanding of our community’s pressing needs, as well as of the immense potential of the Santa Clara People to succeed if given the appropriate level of resources and support. To further these twin objectives of progress and achievement, I offer the following fiscal year 2018 budget recommendations for the subcommittee.

*Federal Trust Responsibility and Tribal Consultation.* The Federal budgeting process plays an essential role in fulfilling the Federal Government’s trust responsibility to Indian Tribes by ensuring that critical programs and services receive adequate funding. A critical component of the Federal trust responsibility is the mandate to consult with Tribes whenever a Federal action may impact our communities. Indeed, as you well know, the programs we are gathered to discuss today are premised on the government-to-government relationship that exists between the Federal Government and Tribes, and are not based on the racial status of Indian nations and peoples.<sup>1</sup>

<sup>1</sup>As the late Justice Antonin Scalia once wrote in an opinion he authored while serving on the United States Court of Appeals for the District of Columbia: “As the Supreme Court has said in rejecting equal protection challenges to legislation affecting a group which . . . might otherwise qualify as a ‘suspect class’: [T]he Constitution itself provides support for legislation directed specifically at the Indian Tribes . . . [T]he Constitution therefore ‘singles Indians out as a proper subject for separate legislation.’” *United States v. Antelope*, 430 U.S. 641, 649 n. 11 (quoting *Morton v. Mancari*, 417 U.S. 535, 552 (1974)) (emphasis added).

## I. PUBLIC SAFETY AND LAW ENFORCEMENT

*Closure of the Turning Points Rehabilitation Program in Yuma, Arizona.* The Pueblo of Santa Clara is deeply alarmed by the overnight shutdown of the Emerald Corporation's Turning Point Program in Yuma, Arizona, on April 7, 2017. Our Pueblo—as well as other District III and District IV Tribes under the BIA Office of Justice Services—has seen many positive benefits from the program, including a rehabilitation rate of 76 percent for substance abusers participating in the program and a reduced crime rate of approximately 50 percent over the past 4 years. Yet, we received no advance notice of the shutdown. The unannounced closure has resulted in an immediate increase in detention costs and left our law enforcement officials and Tribal Court scrambling to find appropriate placements. Santa Clara requests sufficient funding to implement a similar rehabilitation program at an alternative center so these essential services can continue to be provided to our Tribal members. We also request greater Tribal involvement in the Office of Justice Services' budgeting process as it relates to incarceration and rehabilitation services.

*Dedicated Funding for the DOJ Tribal Access Program.* The Tribal Access Program (TAP) administered by the U.S. Department of Justice provides Tribes with access to critical information systems and training for law enforcement purposes. Launched in August 2015, the program uses a collaborative partnership approach to enable Tribes to identify and share best practices regarding the use of national crime information databases to strengthen public safety. Over 50 Tribal governments have submitted letters of interest in joining the TAP; however, due to funding restrictions only 11 Tribes were able to participate in the initial phase of the program. We request a dedicated funding stream of \$6 million in fiscal year 2018 to provide for the wider rollout and long-term viability of the Tribal Access Program to support Tribes in their public safety efforts.

## II. NATURAL RESOURCES MANAGEMENT

*Increased Support for the Tribal Forest Protection Act (TFPA).* Effective natural resources management is key to both the economic well-being of Pueblo people and to their cultural survival. We are pleased to see that the fiscal year 2017 Omnibus provides increased funding for wildfire suppression and prevention, including full funding of the Interior and Forest Service's 10-year average for wildfire suppression costs. We believe that collaborative and effective forest management techniques are essential in preventing catastrophic fires and floods on Pueblo lands. The Tribal Forest Protection Act (Public Law 108-278) empowers Tribal governments to act as caretakers of both Tribal lands and adjacent Federal lands, and it advances Tribal and Federal interests in the development of land resource and management plans. We encourage increased Federal support for the TFPA to advance efficient and effective natural resources management.

*Self-Governance Compacting of National Park Service Functions.* Santa Clara is a self-governance Tribe, meaning that we have assumed control of Federal programs and funds for many functions at our reservation. As a self-governance Tribe, we can similarly assume functions at National Park Service units. With the transfer of the Valles Caldera, which is adjacent to our reservation and holds many sites sacred to us, to the National Park Service we are interested in assuming certain National Park Service functions. Santa Clara urges the subcommittee to continue funding for compacting Tribal self-governance programs.

*Catastrophic Fire and Flood Mitigation Efforts.* The stewardship of land, minerals, water and other natural resources is key to both the economic well-being of Pueblo people and to their cultural survival. As Tribal leaders, we strive to balance these interests through beneficial partnerships and the effective management of our natural resources. Nature, however, chooses her own course. In the summer of 2011, the Pueblo of Santa Clara was devastated by the Las Conchas Fire, at that time the largest wildfire in New Mexico history. When combined with the destructive effects of the Oso Complex Fire of 1998 and the Cerro Grande Fire of 2000, we have lost more than 80 percent of our forestlands and an immeasurable part of our heritage to the flames. The Bureau of Indian Affairs (along with numerous additional Federal agencies outside of this subcommittee's purview) played an essential role in coordinating the Pueblo's disaster mitigation efforts. We urge Congress to continue to support the Bureau of Indian Affairs programs that work with Tribes on disaster prevention and recovery efforts.

*Indian Environmental General Assistance Program at the EPA.* EPA funding and grants enable the Pueblo of Santa Clara to administer or support an array of projects that improve the quality of life in our community and safeguard the natural resources that provide us with physical and spiritual sustenance. Without these funds our Pueblo would face tremendous hurdles in delivering essential services



such as clean drinking water and hazardous waste management to our people. Among the most widely utilized EPA sources of funding is the Indian Environmental General Assistance Program (GAP), which assists Tribes in developing the capacity to manage their own environmental protection programs. Cuts to the GAP will directly impact front-line environmental staff working for Tribal governments and place our natural and cultural resources in unacceptable risk. We support the GAP's spirit of greater local control, cooperative Federalism, and exercise of Tribal self-determination in allowing Tribes to manage their resources. We strongly urge Congress to provide full-funding for the Indian Environmental GAP to assist Tribes in the development and implementation of sustainable environmental protection measures in Indian Country.

### III. PROTECTION FOR TRIBAL CULTURAL PATRIMONY ? THANK YOU FOR YOUR SUPPORT FOR CULTURAL PROPERTY LAW ENFORCEMENT!

*Bureau of Indian Affairs Cultural Items Unit.* Items of cultural patrimony are not simple tangible objects or works of art. They are living vessels of our cultural heritage, carrying the ceremonies and traditions of our people down through the generations. Trafficking in sacred cultural items removes those items from our communities and causes irreparable harm to our way of life. Led by the New Mexico Congressional Delegation, Congress adopted the PROTECT Patrimony Resolution on December 1, 2016, supporting efforts to stop the illegal trafficking of our cultural heritage. In the fiscal year 2017 appropriations bill, and again in the fiscal year 2017 omnibus, this Committee successfully supported \$1 million for Bureau of Indian Affairs law enforcement to address implementation of the Native American Graves Protection and Repatriation Act (NAGPRA) and halt the illegal trafficking in sensitive cultural materials. This will make a huge difference in Tribal efforts to stop the looting and marketing of items of tremendous cultural importance that are not properly for sale, but rather our community property that needs to remain within a Tribe. We urge Congress to continue to support programs that protect our communities and work to bring these sacred items home and to maintain the \$1 million funding for fiscal year 2018 and beyond.

*Historic Preservation.* As Pueblo People, we are our culture. Tribal sacred sites are important to us as a people and as a nation. In recent years, an increasing number of Tribes have chosen to establish Tribal Historic Preservation Offices (THPOs) to protect these sites for future generations. Federal funding for these programs has remained flat and tied to the on-reservation status of sacred sites, meaning that the same amount of funds is now spread thinly across far more recipients. As a result, it is difficult for THPOs to perform key duties and preservation compliance responsibilities. Tribes need funding to establish or expand THPOs equivalent to State programs under the National Historic Preservation Act. We request an increase in funding for the Tribal historic preservation programs and for protection of cultural sites in the Interior budget.

### IV. HEALTHCARE AND RELATED INFRASTRUCTURE

Like the veins and arteries of a human being that carry life-giving oxygen throughout the body, the healthcare facilities and related municipal infrastructure of a Tribe form the core of any vibrant and economically productive community. Yet, despite its major contributions to local and regional economies and cultures, Indian Country remains plagued by limited access to quality healthcare and antiquated infrastructure systems. Insufficient roads, eroding water supply systems, critical housing shortages, and facilities marred by environmental health hazards inhibit the ability of Tribal governments function properly and obstruct the provision of essential services to their people. We request that specific set-asides and increased support for Indian Country infrastructure development under the fiscal year 2018 budget to strengthen our communities and build towards a more promising future.

*Adverse Health Outcomes Associated with Inadequate Housing.* Access to affordable, structurally sound housing provides shelter from the proverbial storm and supports the physical and mental health of individuals and families. Reliable affordable housing reduces certain stressors that have been proven to contribute to negative health outcomes for low-income families by freeing up family resources for essential needs like education, food, and healthcare, as well as alleviating stressors associated with overcrowding—an endemic problem throughout Indian Country. Many of these languishing housing-related issues could be addressed by the reauthorization of the Native American Housing and Self-Determination Act (NAHASDA); however, the legislation has been unjustly obstructed for over 5 years, despite wide Congressional support. Santa Clara requests that Congress provide increased funding to the In-

dian Health Service (IHS) to address the adverse health outcomes associated with critical housing shortages in Indian Country.

*Full Funding for the IHS.* Indian health programs have suffered from annual budget cuts due to sequestration under the Budget Control Act of 2011 (Public Law 112-25). While other critical healthcare agencies such as the VA were exempt from Federal sequestration in 2013, the IHS was not. The disruption in Federal funding resulted in a loss of over \$219 million from the IHS budget, which translates into immediate and long-lasting negative health impacts through lost resources for primary and preventative healthcare services, staff recruitment and training, and other programs serving Indian Country. These losses are exacerbated every year due to the lack of full funding for the IHS. We urge Congress to provide the IHS with full funding and parity with other healthcare agencies through an exemption from sequestration, as well as any other reductions or cuts to the Federal budget.

*Increased Support for Preventative Healthcare Services.* Our Pueblo's healthcare infrastructure faces an array of challenges that pose significant threats to the safety and well-being of our people: facilities are in critical need of maintenance and repair, equipment is outdated, access to telehealth services is severely limited, and professional medical staff are difficult to recruit and retain. We also face disproportionately high rates of chronic illness that are compounded by the limited access to care in our home communities. Concerted efforts are needed to address the root of our Tribal health problems by expanding the availability and delivery of preventative services in Indian Country, particularly in the fields of behavioral and mental health. Preventative care reduces future incident rates of chronic illness and promotes the long-term vitality of our people.

We urge Congress to provide additional funding and support for expanded access to preventative care as a wise policy choice for Indian Country and for America.

Thank you for the opportunity to submit written testimony. The Pueblo of Santa Clara looks forward to working with you on addressing these complex, multi-faceted needs going forward.

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PREPARED STATEMENT OF THE SEATTLE INDIAN HEALTH BOARD

Chairman Murkowski, Ranking Member Udall, Members of the Senate Appropriations Committee's Subcommittee on Interior, Environment, and Related Agencies, my name is Esther Lucero. I am the Chief Executive Officer for the Seattle Indian Health Board (SIHB). I am of Navajo and Latina descent. I strongly identify as an urban Indian, as I am the third generation in my family to live outside of our reservation. I appreciate the opportunity to present testimony today.

The Seattle Indian Health Board is a contractor and grantee as an Urban Indian Health Program (UIHP) with the Indian Health Service (IHS) under authority of the Indian Health Care Improvement Act (IHCA) as well as a HRSA 330 funded Federally Qualified Health Center (FQHC). Our goal is to improve the health of American Indians and Alaska Natives (AI/ANs) living in cities through the provision of culturally relevant health and human services. The Health Board has been in continuous operation since 1970. We offer a comprehensive array of primary healthcare services including medical, dental, mental health, substance abuse, nutrition, pharmacy, and traditional health services to more than 4,000 AI/AN people annually who represent more than 250 different Indian Tribes. We operate the Thunderbird Treatment Center, a 65-bed residential treatment center, one of the largest in Washington State.

Beyond our clinical services, the Health Board operates an AI/AN, ACGME accredited family medicine physician residency training program. We also manage the Urban Indian Health Institute (UIHI), one of the IHS' 12 Tribal epidemiology centers (TECs), and the only one with a focus on the health of urban Indians providing services to UIHPs across the Nation.

I would like to thank the subcommittee for maintaining your commitment to receiving written testimony, particularly given the time constraints in expediting the fiscal year 2018 budget request. This opportunity to provide testimony regarding UIHPs is never taken for granted.

I am acutely aware of the subcommittee's demonstrated commitment to improving the health and wellness of American Indian and Alaska Native (AI/AN) people. Last year was my introduction to this committee. I was taken aback by how you intently listened to some of the key issues in our community including; the 40 percent homelessness experienced by members of our elder program, and how the Opioid addiction crisis impacts Urban AI/AN communities in Seattle. I would especially like to thank you for the \$232 million increase to the IHS budget, and for the \$3 million increase for the UIHPs in fiscal year 2017. These increases will be beneficial in in-

creasing the impact of IHS Hospitals, Tribal 638 Clinics, and the Urban Indian Health Programs, which, together make up the I/T/U system of care for AI/AN people.

Thank you for ensuring the completion of the Report to Congress entitled: New Needs Assessment of the Urban Indian Health Program and the Communities It Serves. Some of the highlights of this report include the suggestion that the percentage AI/AN living in urban environments is increasing beyond the 71 percent I cited in my testimony last year. It gives examples of increased collaborations between UIHPs and Tribal Communities, clearly an effort to bridge past resource allocation hardships, maximize current resources and leverage services to best meet the needs of AI/AN people. It also identified the need for expansion of the UIHP to meet the ever-growing urban AI/AN population. Still, this report would have been more impactful if it moved beyond demographics, health disparities, and program assessments to define clear recommendations and follow-up measures to be monitored by this committee to ensure that not only are we assessing UIHPs, but also taking clear steps to build upon their successes and minimize their struggles to reach and better the health outcomes of our AI/AN community.

Despite the subcommittee's continued commitment to improve the I/T/U system of care, I am here today seeking your support for increased funding for the Urban Indian Health Program and the entire I/T/U, because even with the increases we have received over the last 3 years, the UIHP line-item is still less than one-percent of the overall IHS budget. We have an increasing need for services, and we are still trying to address a lifetime of a grossly underfunded system. This is of concern given the movement to repeal and replace the Affordable Care Act (ACA), which currently houses the IHCLA and the permanent reauthorization for UIHP funding, and names Tribal Epicenters as Public Health Authorities. The threats to our culturally relevant system of care grow exponentially with the targeted effort to reduce/eliminate funding for Medicaid and Medicaid Expansion, two resources that have provided supplemental revenue for UIHPs that are lucky enough to also be FQHCs. For us, Medicaid dollars allowed us to launch a pilot Opioid Addiction program that includes 5 waived primary care providers to prescribe Suboxone, mental health professionals to conduct group mental health visits, provide increased access to outpatient chemical dependency treatment, and offer access to traditional health services. A \$10 million increase in fiscal year 2018 would bring us to a place where \$5 million would bring us closer to meeting the growing need for services and another \$5 million to meet capacity and infrastructure demands to meet that need. This increase, coupled with protections from sequestration, might provide UIHPs with some sense of stability. In addition, if Medicaid and Medicaid Expansion were preserved and UIHPs became eligible for 100 percent FMAP, then we are looking at expanded and impressive programs to support a population that historically has provided significant returns on investment.

In conclusion, we thank the subcommittee for recognizing that there is a funding disparity in the IHS budget to address the health needs of AI/ANs living in urban areas. We would like to reconcile the discrepancy between \$8,517 average spent per capita for healthcare per American citizen versus the \$3,136 spend on AI/ANs in the IHS system of care. As UIHPs, we are a vital component to the I/T/U system of care, it is very important that we are given the opportunity to work with our Tribal communities to best meet the needs of all AI/AN people, particularly when they migrate or relocate to urban environments. We ask that the budget formulation process better reflect the healthcare needs of the urban AI/AN community and that a feasible budget is established to adequately combat the health disparities experienced by our AI/AN population regardless of where they reside.

Thank you for your consideration of these requests.

[This statement was submitted by Esther Lucero, Chief Executive Officer.]

## PREPARED STATEMENT OF THE SHOALWATER BAY TRIBE

The requests of the Shoalwater Bay Indian Tribe (Tribe) for the fiscal year 2018 Interior, Environment, and Related Agencies budget are as follows:

- Appropriate \$480,000 through the Tribe's self-government agreement with the BIA to address initial planning efforts in the first phase of a necessary Tribal relocation.
- Move forward with full and mandatory funding for Contract Support Costs (CSC).
- Funding for Tribal courts in Public Law 83–280 States.
- Shield IHS funding from sequestration.

## BACKGROUND

Good afternoon Chairman Calvert and members of the Sub-Committee. Thank you for inviting the Shoalwater Bay Indian Tribe to provide testimony at this hearing on fiscal year 2018 funding for programs affecting Indian Tribes which are funded through your Subcommittee. My name is Charlene Nelson, and I am the Chairwoman of the Shoalwater Bay Indian Tribe which is located 2,800 miles west by northwest of where we are meeting today on the beautiful north shore of Willapa Bay, facing out to the Pacific Ocean.

My own personal history matches closely with many of you serving on this Subcommittee, as I understand you consistently are tasked with determining how to fund and shape Federal programs that positively impact the health, environment, and learning of American people. I worked for decades in the field of education. As a former commercial fisherman in Alaska, I came to understand the economic potential of a healthy environment. Prior to my service on Tribal Council, I worked in the Tribe's Health and Women's Wellness Program, learning firsthand that vibrant and successful Indian communities are not possible without first attending to human health.

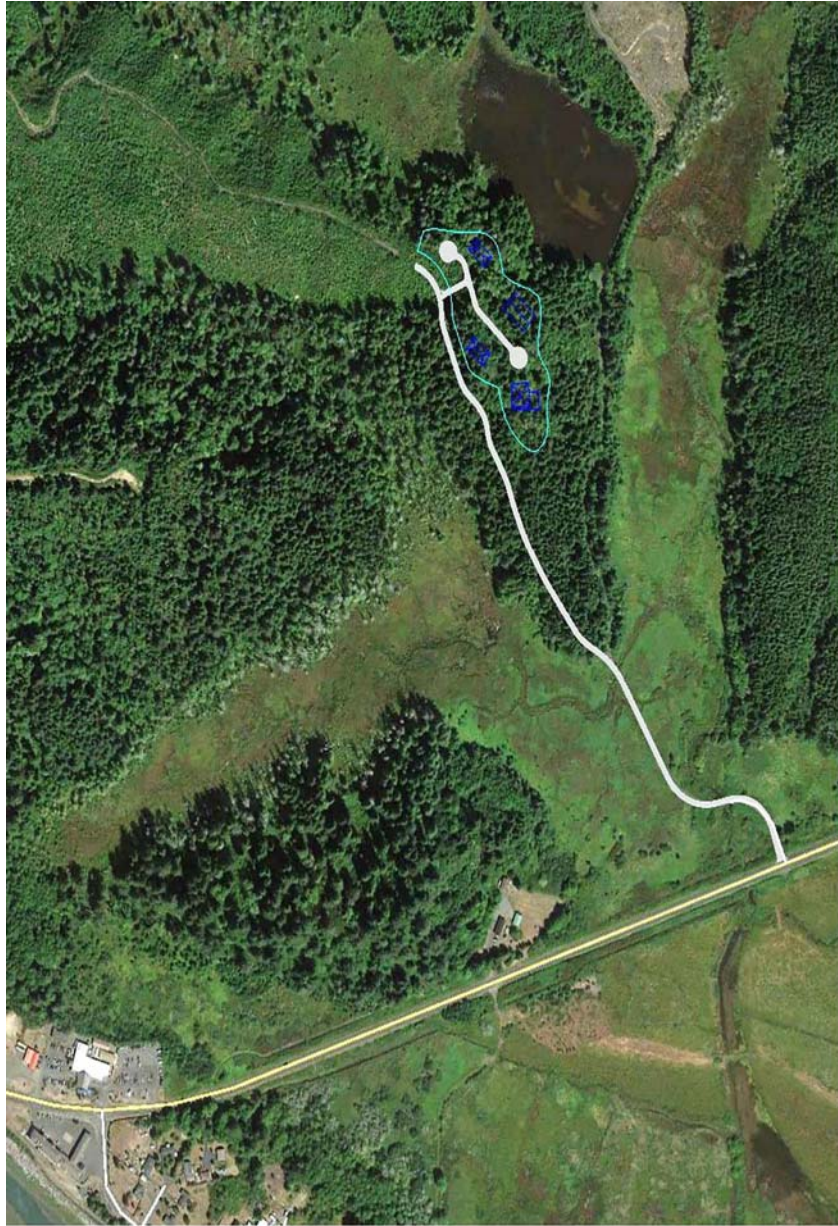
## RELOCATION ASSISTANCE

I am here today to talk to you about survival. In this case, the survival of our Tribe, its lands, homes, businesses, and its people. This is my second stint as Chairwoman of the Shoalwater Bay Tribe. During my prior period chairing the Tribe, I spent the vast majority of those 10 years spearheading an effort to help the Tribe and surrounding area survive the threat of coastal erosion. As a result of those efforts, the Army Corps of Engineers worked with the Tribe to construct an erosion control embankment south and west of the Reservation. The embankment went into service 4 years ago and this winter it took a beating and is now a new concern of the Tribe and the Corps. The embankment has temporarily halted the erosion that directly threatened the Reservation and State Highway 105, which connects the surrounding Tokeland community to schools, grocery stores, healthcare, banks, and housing.

But through the process of fighting for the Tribe's survival from coastal erosion, we learned a great deal. We learned, among many other things, that essentially the entire Reservation, with one small exception on Eagle Hill, is no higher than 6 feet above the ordinary high water mark of the Willapa Bay tides. The low elevation of the entire reservation puts it squarely within a tsunami zone that ensures, in the case of a tsunami event, that the Reservation would be wiped out. Think about that for a moment—an entire Tribe wiped out in an instant.

Attached to this testimony is a map entitled Exhibit A that lays out the Tribe's intentions: to begin the preliminary engineering, planning and initial funding to construct a road to an upland elevation, out of the tsunami zone, to begin the relocation process of the Tribe. The cost to carry out this initial phase of work is \$480,000, and the Tribe is seeking this Subcommittee's support in developing a funding vehicle to support these efforts through the Tribe's existing BIA self-governance compact.

Exhibit A shows a part of the Reservation at the bottom left intersection, as well as Highway 105 in yellow. The new road, to the north east of the main reservation, will provide access to a higher elevation land base that the Tribe owns that is safe from the threats of coastal erosion and tsunami.



**EXHIBIT A – Phase 1 Upland Development Project**

Tribal Lake Road (Main  
Entrance) and Tribal  
Administration Site



This relocation project will require a number of partners, the Tribe, State, Interior Corps of Engineers. While our request today is for planning money for the Tribe from the BIA, other, temporary efforts are under serious consideration. For instance, realizing how dire the situation is, the State and Corps of Engineers have under serious and immediate consideration a joint project for a dynamic revetment to help protect the berm which is endangered because the wave action is now split where it hits the shore and part goes north and part comes toward the berm. We appreciate these efforts but the Tribe also needs the resources to be actively involved in what ultimately is our own relocation.

#### CONTRACT SUPPORT COSTS (CSC)

Our great thanks for this Subcommittee's leadership in making funding of IHS and BIA contract support costs (CSC) for fiscal year 2016, and now fiscal year 2017, an indefinite amount and also making made it a separate account in the IHS and BIA budgets. This shift makes an enormous difference in helping ensure that the Indian Self-Determination and Education Assistance Act (ISDEAA) is fully funded and implemented as Congress intended in these two agencies. It also significantly enhances the Federal-Tribal government-to-government relationship. For IHS, the fiscal year 2017 estimate for contract support costs is \$800 million, and for the BIA it is \$278 million.

Thank you also for listening to Tribes who explained why the problematic IHS-supported fiscal year 2016 enacted bill proviso which effectively denied the CSC carryover authority granted by the ISDEAA. We appreciate that this proviso is absent from the Consolidated Appropriations Act for Fiscal Year 2017.

Our objective, though, continues to be the indefinite appropriation of CSC funding as mandatory and permanent. Full payment of CSC is not discretionary; it is a legal obligation under the ISDEAA, affirmed by the U.S. Supreme Court. Funding of CSC on a discretionary basis has in the very recent past placed the House and Senate Appropriations Committees, in their own words, in the "untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs." We remain committed to working with the appropriate Congressional committees to determine how best to achieve this objective.

#### TRIBAL COURT ASSISTANCE FOR TRIBES SUBJECT TO PUBLIC LAW 83-280

We appreciate the much-needed support in the fiscal year 2017 appropriations bill for Tribes who are affected by Public Law 83-280 and who are striving to serve their communities with competent and appropriate judiciary systems.

The fiscal year 2017 Explanatory Language accompanying the Consolidated Appropriations Act, fiscal year 2017 would increase BIA Tribal Justice Support funding for Tribes affected by Public Law 83-280 (first enacted during the early 1950s termination era) who are working to exercise their rightful jurisdiction on domestic violence and other matters, and to increase available remedies and services for crime victims. It is very important for the future of Tribal nations affected by Public Law 83-280 to continue development of robust criminal jurisdiction systems. We quote below the fiscal year 2017 language:

"Funding for Tribal justice support is restored to \$17,250,000, of which not less than \$10,000,000 is to address the needs of Tribes affected by Public Law 83-280. The Committees remain concerned about Tribal court needs as identified in the Indian Law and Order Commission's November 2013 report, which notes Federal investment in Tribal justice in "Public Law 280" States has been more limited than elsewhere in Indian Country. The Committees expect the Bureau to work with Tribes and Tribal organizations in these States to fund plans that design, promote, sustain, or pilot courts systems subject to jurisdiction under Public Law 83-280. The Bureau is also directed to formally consult and maintain open communication throughout the process with Tribes and Tribal organizations on how this funding supports the technical infrastructure and future Tribal court needs for these jurisdictions."

#### SHIELD IHS FUNDING FROM SEQUESTRATION

We have requested in our previous years' testimony that the IHS budget be protected from sequestration. We again ask this Subcommittee's support of an amendment to the Balanced Budget and Emergency Deficit Control Act to exempt the IHS from sequestration of funds, just as Congress has done for the Veterans Health Administration's health programs. We are very concerned that the current fiscal year 2018 funding cap for non-defense discretionary spending is lower than the fiscal

year 2017 spending cap, and when considered along with the President's "skinny" fiscal year 2018 budget outline proposal, which significantly lowers non-defense discretionary spending, we fear a significant sequestration of funds in fiscal year 2018. IHS funding for healthcare services should be made exempt from sequestration.

PREPARED STATEMENT OF THE SHOSHONE-PAIUTE TRIBES OF THE DUCK VALLEY  
INDIAN RESERVATION

The Shoshone-Paiute Tribes of the Duck Valley Indian Reservation appreciate the opportunity to submit written testimony concerning the fiscal year 2018 Budget for the BIA, BLM and IHS. The Shoshone-Paiute Tribes are grateful for this subcommittee's long standing support of Indian Tribes and for sharing its understanding of Indian country with your Senate colleagues.

The Duck Valley Reservation is a large, rural and very remote reservation comprising 450 square miles adjacent to Nevada and Idaho. The Reservation is 140 miles from Boise, Idaho, and 100 miles from Elko, Nevada. Many of our 2,000 Tribal members make their living as farmers and ranchers, though a number of them are employed by the Tribes. We assume most duties of the BIA and IHS under self-governance compacts, although the BIA continues to provide law enforcement and detention services on our Reservation.

In too many instances, however, our success in these areas is largely dependent on Federal appropriations which, in turn, determine whether economic and social conditions on the Duck Valley Indian Reservation improve or worsen. While we contribute Tribal resources to these endeavors as best we can, we look to our Federal partner for support. If we fall short in available funding, our Tribal citizens suffer. Without sustained growth in these Federal programs, we cannot meet the needs of our Reservation.

As Congress has done for fiscal year 2017, we ask that the subcommittee reject the Administration's ill-conceived fiscal year 2018 budget, which calls for unwarranted reductions in non-defense agency appropriations, including an unwarranted \$12.6 billion cut to the Department of Health and Human Services and \$1.5 billion cut to the Department of the Interior. If enacted the budget would cause great harm to the Duck Valley Indian Reservation and to most Native Americans who, more than most Americans, rely heavily on Federal appropriations across multiple Federal agencies, not just Interior and DHHS.

We encourage this subcommittee to build on the increases in the fiscal year 2017 appropriation for these essential Tribal programs.

Our priorities for fiscal year 2018 include:

1. *Increase BIA Road Maintenance Program funds (Eastern Nevada BIA Roads Program of the Western Regional Office).* We respectfully ask for at least a \$10 million increase in the BIA Road Maintenance Program to the Indian Affairs budget so that the BIA Eastern Nevada Agency Roads Department can purchase a road grader, backhoe, a front-end loader, a D7 Caterpillar dozer and a ten-wheel dump truck. We appreciate the fiscal year 2017 increase, but it alone will not provide sufficient funds to replace heavy road maintenance equipment. The 1980's blade road grader has broken down again and needs replacing. Likewise, the 1980's backhoe is also outdated, and parts are a challenge to find. The employees are embarrassed to haul the backhoe in for repairs when needed because it is so old and worn (40 years old—like the grader). The dozer is a 1960's model, and the front-end loader and backhoe are from the 1970's. They need a dump truck because they do not have one. A modern ten-wheel dump truck is needed. Our Region has the largest percentage of BIA-owned roads at 21 percent. The requested increase we request will help our Region tremendously. It has been over 25 years since BIA sought supplemental funds for heavy equipment.

The BIA Eastern Nevada Agency covers the roads maintenance need for the 600 miles of public roads on the Duck Valley Reservation and the road maintenance needs on five other reservations which are hundreds of mile apart throughout north-eastern Nevada. The approximately \$70,000 received annually to maintain all of these roads is woefully inadequate. Increased Road Maintenance funding will improve road safety.

2. *Increase funding for the BIA Public Safety and Special Initiatives Program.* The BIA struggles to provide adequate law enforcement on our Reservation. For that reason, we applaud the final fiscal year 2017 enacted appropriations levels for Public Safety and Justice totaling \$385.735 million, and urge the Committee to continue support modest increases for the next year. We reject the Administration's unwise cuts to BIA Public Safety funding. We are one of three Tribes in a pilot program



funded under the BIA's "Law Enforcement Special Initiatives" program. Under this program, we receive \$250,000 in additional recurring funding to reduce recidivism on the Duck Valley Reservation. The Special Initiatives program is essentially funded at the same level for fiscal year 2017 as it was for fiscal year 2016.

We request an increase of funding to the Special Initiatives Program to assist the Tribes with the cost of placing and providing utilities to a number of buildings that the Tribes received from FEMA that will be used to support the Tribes' recidivism pilot program. The buildings will be used for education, support of family members visiting and supporting incarcerated youth, year-round equine activities (which are integral to Native American culture) and emergency medical services, all of which are important components of the Tribes' recidivism pilot program. The cost for the facilities infrastructure work is approximately \$2.5 million.

We further urge the subcommittee to include statutory language to make clear that "Law Enforcement Special Initiatives" funds may be used for the purchase or lease of temporary trailers or modular units to house personnel associated with law enforcement, corrections, probation, Tribal courts and other professionals serving Tribal offenders. For rural communities like Duck Valley, housing is often the linchpin to program success. This request will give us the flexibility we need to use Special Initiatives funding for housing law enforcement personnel.

3. *Fund the Owyhee Initiative within the Bureau of Land Management (BLM).* The Owyhee Initiative is a joint effort by ranchers, recreationalists, county and State officials, and the Shoshone-Paiute Tribes to protect what the Tribes know as sacred lands, and to manage and appropriately use public lands in the tri-state area of Nevada, Oregon and Idaho. In 2009, Congress passed the Omnibus Public Land Management Act, Public Law 111-1. Since 2010, we have worked jointly with BLM to protect cultural resources and increase public understanding and appreciation of these resources as a part of the Cultural Resources Protection Plan authorized in the legislation referred to as the Owyhee Initiative. Increased recreational use and encroachment by visitors within the Owyhee River Wilderness Area and other Federal lands, however, threaten important cultural resources. The BLM's Boise District manages 3 million acres of land in this rough remote area and they have 3-4 Rangers in their entire district. Let us help understaffed BLM officials perform their duties and help us put our members to work.

One-time BLM funding a number of years ago allowed us to purchase two Cessna planes and ATV equipment and hire one Chief Ranger to patrol public lands and report violations of cultural and religious sites to BLM officials. Our Chairman also flies patrols. We work closely with BLM and Owyhee County officials to coordinate compatible recreation use within BLM lands in Owyhee County, especially within the wilderness areas where we seek to protect cultural resource sites important to our Tribes. The Ranger and our Chairman also spot and report wildfires to BLM officials before the fires can do great damage to sensitive, remote public lands.

We seek recurring BLM funds to continue this important work to protect cultural sites and establish a Reserve Ranger Program to engage Tribal youth in cultural and related activities during the summer. The Chief Ranger is near retirement. It is essential that we hire and train replacement staff, including a pilot, to continue this important work. We need funds to hire an Assistant Director, one adult Tribal Ranger and two part-time Youth Rangers, train a qualified applicant as an additional pilot, purchase two more ATVs and two camp trailers to permit Tribal personnel to remain in the field and overhaul the two Cessna planes per FAA regulations. We hope to construct a hanger at the Owyhee Airport to centralize our operation and increase surveillance flights. We contribute nearly 50 percent of the required budget but cannot sustain this important program without Federal support. Our plan requires \$600,000 to fully fund the above activities. Modest Federal appropriations can go a long way at Duck Valley.

We also support the additional funding for BLM Cultural Resources Management and other BLM accounts used to manage and protect archaeological and historic properties on public lands. BLM lands contain the remnants of campsites, villages, hunting blinds and rock inscriptions that tell the story of the Shoshone-Paiute and other Tribes. After speaking with Shoshone-Bannock Tribal officials, together with northern tier Nevada Tribes (including the Te-Moak, Battle Mountain, South Fork and Goshute Tribes), we seek BLM funds to form a Tribal work group to spread best practices for cultural resources management and protection that we have learned over the last 20 years. We would be a good candidate for a BLM grant. It would be a wise investment to fund a multi-Tribal task force to propose and design strategies for on the ground protection of Native American cultural resources for the Upper Great Basin and High Plateau of the tri-state area of Nevada, Oregon and Idaho.



4. *Telecommunications (fiber optics)*. The Tribes continue to need fiber infrastructure over five miles for connectivity among Fish, Wildlife & Parks, Tribal Headquarters, Detention Center, Fire Station and the Owyhee Community Health Facility. The health center serves as the Wide Area Network (WAN) hub for the Tribes' and health center's computer network. Connectivity among these facilities and programs would alleviate the long-term monthly recurring cost we pay to an Ethernet Circuit provider (\$96,000 annually). We require \$500,000 in Federal funding to construct new fiber networks and cover construction inspection fees. We urge the subcommittee to increase appropriations within the BIA and IHS budgets so that Duck Valley can improve our telecommunications networks. Education IT is not the only program in need of an upgrade.

5. *East Fork Owyhee Salmon Steelhead Recovery and Reintroduction Project*. We return Chinook salmon and steelhead trout to Duck Valley through an innovative "trap-and-haul" program. Dam construction along the Columbia and Snake Rivers eliminated salmon from our Reservation for 87 years. Duck Valley is unique in that it supports two major tributaries to the Snake River. In 2014, we financed a pilot study that found that habitat in the East Fork of the Owyhee River supports a summer rearing capacity of between 3,300 and 43,000 juvenile steelhead trout and from 3,600 to 41,000 Chinook salmon. In 2015 and 2016 we returned nearly 200 Chinook salmon each summer to Duck Valley and spear fished nearly all of them. It is a joyous event to have salmon return to the Reservation. With \$210,000 in funding for the next 3 years we can complete our habitat surveys of the East Fork Owyhee River, including obtaining data on non-summer river conditions, as well as an assessment of the Bruneau River habitat. We propose to transport adult fish from Lower Granite Dam or Hells Canyon Dam and release the fish above China Dam into the East Fort Owyhee River to spawn. Emigrating juvenile fish would later be captured and released downstream from passage carriers on the Snake River to complete their migration to the Pacific Ocean. Adult salmon originating from the East Fork Owyhee River would later be captured in the lower Snake River and transported upstream. These programs are also jobs programs for our members and we value this work.

In fiscal year 2017, Congress appropriated \$200.9 million for the BIA's Trust-Natural Resources Management programs, a \$9.1 million increase from fiscal year 2016. We urge the subcommittee to support an increase in fiscal year 2018 to the BIA's Trust-Natural Resources Management program budget, including the Tribal Management/Development Program and Fish, Wildlife & Parks program. Tribes contract a significant part of the Natural Resources Management funds. An increase to the BIA's budget can help us with this innovative project to return salmon and steelhead trout to the Duck Valley Reservation.

6. *Native Plant Program/Greenhouse*. In cooperation with BLM, the Tribes gather, propagate and make available seed and other native plant materials that are indigenous to the region. Through a series of assistance agreements with BLM, we built three greenhouses and are growing seedlings (including sagebrush and bitterbrush seedlings) for planting on adjacent public lands. This program assists BLM and other agencies in their efforts to restore lands damaged by wildfires and helps employ Tribal members. The Tribes plan to have 80,000 containerized grasses and shrub seedlings available for sale, together with willow and other riparian plant cuttings and local vegetables for sale and distribution through our "Honor Our Elders" program. The Tribes have already sold plants to a mining company and gifted plants to BLM for reclamation work. We seek Interior Department appropriations of \$450,000 in fiscal year 2018 to build additional greenhouses and a facility to house equipment to dry, clean and store seed and to hire part-time greenhouse staff for marketing and finances. The Tribes request \$200,000 in each of fiscal year 2019 and fiscal year 2020 for staff and operations to expand our program and be a reliable supplier of native plants and seedlings on BLM-managed public lands.

7. *IHS*. The Tribe appreciates the \$232 million increase Congress provided for fiscal year 2017 for the Indian Health Service (IHS), and we request an increase in, especially in the area of clinical services, including Purchased/Referred Care, Contract Support Costs (CSC) and facilities construction. The Tribes continue to support full funding of CSC for IHS and BIA, and thank this subcommittee for its work to date to fully fund contract support costs without jeopardizing program funding. We respectfully urge the subcommittee to continue with its current approach of employing a separate and indefinite appropriation.

We urge the Committee to build on the fiscal year 2017 budget to meet Tribal health and safety needs that strengthen our community in fiscal year 2018 and be-

yond. The Shoshone-Paiute Tribes of Duck Valley Indian Reservation thank you again for this opportunity to submit written testimony.

PREPARED STATEMENT OF THE SOCIETY OF AMERICAN FORESTERS

The Society of American Foresters (SAF), with 12,000 forestry and natural resources professionals, promotes science-based, sustainable management and stewardship of the Nation's public and private forests. SAF appreciates this opportunity to submit written public testimony on fiscal year 2018 appropriations because sufficient funding for the USDA Forest Service (USFS) and the Department of the Interior (DOI) is vital to conserving and improving the health and productivity of our Nation's forests.

The American public relies on the 751 million acres of public and private forests in the United States to provide clean and abundant air and water, forest products, fish and wildlife habitat, recreational opportunities, forage and range resources, energy, and scenic beauty. Managing these natural assets for multiple uses is increasingly difficult with the unprecedented threats posed by wildfire, drought, insects, disease, and invasive species. Maintaining a balance demands that land managers and partner organizations work together to identify innovative ways to work across boundaries, maximize values, and improve the health of our forests nationwide.

SAF's priorities in the fiscal year 2018 budget process include a range of programs within USFS and DOI. Recognizing fiscal constraints, these requests will assist forest managers and scientists in sustaining our Nation's forests and providing a multitude of benefits for generations to come.

SAF TOP FEDERAL PRIORITIES FOR FISCAL YEAR 2018

1. Adopt a long-term solution to wildfire suppression funding that: (1) allows access to disaster funding; (2) minimizes budget transfers; and (3) addresses the compounding erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier conditions.
2. Increase funding levels for USFS Forest and Rangeland Research to no less than \$303 million, with no less than \$83 million for the Forest Inventory and Analysis Program.
3. Support Bureau of Land Management Public Domain Forestry and Oregon & California Railroad Grant Lands funding levels at no less than \$10 million and \$113.7 million, respectively.

SAF is the premier national scientific and educational organization representing forestry and related natural resources professionals in the United States. Founded in 1900 by Gifford Pinchot, our members include public and private sector natural resource professionals, researchers, CEOs, administrators, investment advisors, educators, and students. Just as forests are fundamental to our Nation, so too are the professionals who study, manage, and protect these precious resources. SAF is eager to work with Congress, Federal agencies, and partners to identify reasonable solutions to increase the pace and scale of management on Federal lands, find new ways to work with private landowners, keep forests as forests, provide incentives for active management, and deliver practical innovations to meet future challenges and market demands.

SAF is pleased with the continued commitment to increasing the pace and scale of management on Federal lands with the USFS harvest target of 3.2 billion board feet, up from 2.7 billion board feet in recent years. With up to 82 million acres in the National Forest System (NFS) still in need of restoration, SAF urges this subcommittee to encourage the agency to use all available tools to increase restoration levels by implementing more projects on Federal lands. USFS should expand collaboration with rural communities, partners, and industry to meet and exceed management goals outlined in forest plans. Authorizations in the 2014 Farm Bill facilitate quicker responses to areas devastated by insects and disease, expand the use of Stewardship Contracting, and take advantage of Good Neighbor Authority and other mechanisms that work across boundaries to achieve shared objectives. Investments in NFS Forest Products and Integrated Resource Restoration Pilots also help to improve forest and community resilience. However, decreases in Capital Improvement and Maintenance and the Administration's proposed elimination of the Collaborative Forest Landscape Restoration Program could impede fulfillment of targets critical to economic sustainability and growth of local communities.

Likewise, SAF encourages this subcommittee to recognize the importance of USFS State and Private Forestry (S&PF) programs. The Urban and Community Forestry, Landscape Scale Restoration, Forest Stewardship, and Forest Health Management programs provide important technical and financial assistance to private land-

owners and the resource managers responsible for managing more than 60 percent of America's forests. Investments in these programs are leveraged by landowners, State and local agencies, and a variety of non-governmental organizations to help to build healthy and thriving forest resources that benefit all citizens. Eliminating, consolidating, or drastically cutting funding for these programs would have profound adverse impacts on people and communities across the country—particularly in rural communities—and will jeopardize the essential benefits all citizens rely on forests to provide.

*Wildfire Funding.*—While wildfires predominantly threaten western landscapes and communities, recent destructive fires in the east remind us that wildfire is a serious threat throughout the country. Regardless of fire location, the financial impacts weigh heavily on every citizen.

All agencies and programs funded through the Interior Appropriations Bill suffer as wildfire suppression costs continue to rise under the current funding model. The rolling 10-year average has not met annual suppression cost needs since before fiscal year 2002, and the resulting shortfalls—both anticipated and actual—significantly disrupt important forest management projects across the country. Funds for management are then diverted into suppression, exacerbating an already serious issue. We thank the subcommittee for fully funding the 10-year average and providing supplemental funds, if necessary, in fiscal year 2017. However, agencies and first responders need a long-term solution that results in stable and predictable budgets.

*SAF respectfully requests a solution that: (1) allows access to disaster funding; (2) minimizes transfers; and (3) addresses the compounding erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier conditions.*

*Hazardous Fuels.*—A comprehensive approach to averting wildfire threats and improving forest resilience is imperative. The Hazardous Fuels and Fire Risk Management line items in the USFS and DOI budgets are integral to restoring forest health and reducing the costs of wildfire suppression. Through restoring and maintaining fire-resilient landscapes and communities, these programs support the goals of the National Cohesive Wildland Fire Management Strategy. SAF appreciates this subcommittee's consistent support for wildfire management and encourages it to allocate funds to address wildfire risks inside and outside the wildland-urban interface. In addition to preventing and mitigating wildfire risks, these programs serve as an important source of jobs, maintain critical forest products processing capability, especially in rural communities, and expand markets for the use of biomass residuals as renewable energy through efforts like the USFS Woody Innovations Grant Program.

*SAF supports funding the USFS Hazardous Fuels Program at \$479 million and DOI Hazardous Fuels and Resilient Landscapes at \$178 million. We also ask that the subcommittee include report language encouraging Federal agencies to coordinate their fuels plans with other planning efforts such as State forestry and conservation plans to facilitate cross-boundary activities and increase the effectiveness of this program.*

*Forestry Research.*—Investments in forestry research are essential for the future health and sustainability of the Nation's forests, which include 11 million private forest landowners. Although this testimony focuses on USFS Forest and Rangeland Research programs, SAF also recognizes and supports the full array of forestry research efforts led by the Bureau of Land Management, US Fish and Wildlife Service, US Geologic Survey, and others including land-grant institutions and other universities. USFS Research and Development (USFS R&D) research conducted at the five USFS research stations, the International Institute of Tropical Forestry, and in the Forest Products Laboratory is crucial. Federal forestry research develops new products and practical innovation; identifies forest ecosystem disturbance response and forest resilience; helps responses to shifting social demands and demographic changes; and quantifies the contributions of forests to air and water quality. Without USFS leadership, investigation of these critical research needs would largely be left unfulfilled. Clear and relevant research helps eliminate uncertainties and builds consensus on management actions potentially avoiding litigation and enabling more projects to move forward.

If forest research capacity in the US continues to decline, forest managers will not be able to meet current and future challenges with existing science and technical information. Continuing the trend of reductions in the USFS R&D budget will result in significant gaps in knowledge and in poor management of resources at a time of

unprecedented threats posed by wildfire, drought, insects, disease, and invasive species.

*SAF supports a funding level of \$303 million for USFS R&D, with particular emphasis on prioritization of research projects uniquely suited to R&D expertise furthering agency and partner objectives.*

*FIA Funding.*—SAF strongly supports the funding increases for the USFS R&D Forest Inventory and Analysis (FIA) program in the fiscal year 2017 Omnibus Bill and in the Administration’s fiscal year 2018 Budget. FIA is the backbone of US forestry—providing the only national census of forests across all ownerships. Through FIA, USFS, with State forestry agency, university, and private sector partners, collects and analyzes forest data to assess trends on issues such as forest health and management, fragmentation and parcelization, and forest carbon sequestration. The data and information collected by FIA serve as the basis for identifying trends in forest ownership; assessing fish and wildlife habitat; evaluating wildfire, insect, and disease risk; predicting the spread of invasive species; determining capital investment in existing forest products facilities and selecting locations for new forest product facilities; and identifying and responding to priorities identified in State Forest Action Plans. The critical need for current information about the condition of our forests, with greater emphasis on the role of forests in maintaining and improving air quality, underlies the need for FIA program capacity to be increased in fiscal year 2018 and beyond.

*SAF requests additional investment in FIA with a funding level of at least \$83 million. We urge the subcommittee to ensure that this increase does not come at the expense of other research programs, and provide direction for future increases to allow the program to keep pace with ever-growing and diverse information needs.*

*Fire Science Program.*—SAF has concerns with the reduction in funding in the fiscal year 2017 Omnibus Bill and the proposed elimination of the Joint Fire Science Program (JFSP) in the Administration’s fiscal year 2018 Budget. Transfer of the JFSP from the Wildland Fire Management Budget to the USFS R&D may create efficiencies, but the reduction from \$6.9 million to \$3 million in the fiscal year 2017 bill or integrating those functions in the National Fire Plan Research and Development (NFP R&D) will negatively impact the joint research program with over 200 Federal agency, university, and nongovernmental partners. Including funding for JFSP activities within NFP R&D in the USFS R&D budget with a reduction in funding for all will reduce JFSP effectiveness and hinder exploration of fire research questions important to the USDA and DOI.

*SAF urges the subcommittee to restore the JFSP funding level to \$6.9 million and maintain the Wildland Fire Management budget line.*

*Public Domain Program.*—Finally, SAF is encouraged by the recognition of the important work of the BLM Public Domain Forestry (PD) program. SAF asks this committee to consider amending the extension of the Forest Ecosystem Health and Recovery Fund authorization in the 2015 Omnibus Bill to beyond 2020. SAF is concerned with the proposed funding reduction for the Oregon & California Railroad Grant Lands (O&C) in the President’s proposed budget. While funding for the O&C timber program is important, SAF urges this subcommittee to provide the needed funds to support efficient, effective implementation and monitoring to achieve all of the objectives outlined in plans, including necessary forest health and fuels treatments.

*SAF supports the funding level of \$10 million for the PD program and \$113.7 million for the O&C program. We also urge this subcommittee to extend authorization of the Forest Ecosystem Health and Recovery Fund beyond 2020.*

Thank you for your consideration of these important requests. SAF and its extensive network of forestry and natural resources professionals stand ready to assist with further development and implementation of these efforts and ideas.

[This statement was submitted by Frederick Cabbage, President.]

## PREPARED STATEMENT OF THE SOUTHCENTRAL FOUNDATION

My name is Katherine Gottlieb and I am the President and Chief Executive Officer of Southcentral Foundation (SCF). SCF is the Alaska Native Tribal health organization designated by Cook Inlet Region, Inc. and eleven federally-Recognized Tribes—the Aleut Community of St. Paul Island, Igiugig, Iliamna, Kokhanok, McGrath, Newhalen, Nikolai, Nondalton, Pedro Bay, Telida, and Takotna—to provide healthcare services to beneficiaries of the Indian Health Service (IHS) pursuant to a contract with United States Government under the authority of the Indian Self Determination and Education Assistance Act (ISDEAA) Public Law 93–638.

SCF provides a variety of medical services, including dental, optometry, behavioral health and substance abuse treatment to over 65,000 Alaska Native and American Indian people. This includes 52,000 people living in the Municipality of Anchorage, the Matanuska-Susitna Borough to the north, and 13,000 residents of 55 rural Alaska villages. Our services cover an area exceeding 100,000 square miles. SCF employs nearly 2,000 people to administer and deliver these critical healthcare services.

SCF is a member of the Alaska Tribal Health System (ATHS) which is comprised of 229 federally Recognized Alaska Tribes and Tribal organizations who have all contracted with the IHS to carry out the management and administration of Federal Indian programs. Collectively, the Tribes and Tribal organizations form an integrated statewide network with more than 7,000 employees providing services to over 150,000 Alaska Native and American Indian people. Additionally, the ATHS is a critical component of the Alaska Public Health System serving thousands of non-Native people in rural Alaska. We believe Alaska is the only State where all Tribes have assumed such broad responsibility to own and manage our healthcare system and is shining example of how true Indian self-determination can work.

Thank you for the opportunity to submit written testify on behalf of the SCF and the 150,000 Alaska Native and American Indian people we serve.

SCF requests that in fiscal year 2018 Congress: (1) focus on general IHS program increases, especially related to population growth and inflation; (2) support increases in behavioral health funding; (3) exempt IHS from any across-the board reductions; (4) support increases for Indian Self-Determination Act section 105(l) lease payments; and (5) exempt Tribal programs from any healthcare reform efforts that would exacerbate already grave funding deficiencies.

## 1. FOCUS ON GENERAL IHS PROGRAM INCREASES

We thank this subcommittee for the increases enacted for the IHS budget in fiscal year 2017. However, we ask that in fiscal year 2018, the subcommittee focus on general program increases, which are shared equally by all Tribal programs, rather than increases for targeted programs—such as for leases, accreditation, or health professions—that may only go to a few Tribes and/or may come with funding restrictions that limit our ability to target them where needed most. Of the approximate \$128 million in fiscal year 2017, only \$51 million can be attributed to the IHS general services account. If all of that were used for inflation and pay cost increases (a result that is entirely up to the agency and far from certain), each program would receive approximately a 1.5 percent increase in funding. Although that falls behind the actual inflation rate and does not take into account population growth, that increase is much appreciated and provides huge benefits to our programs. We ask this subcommittee continue to consider these general needs going forward.

We also continue to support increases targeted at Purchased and Referred Care (PRC). For many years, PRC funding has not kept pace with the rising cost of healthcare, meaning these dollars provide fewer and fewer services each year and we must sometimes deny care. We also ask this subcommittee to continue to support PRC increases that also support increased services for our growing population.

## 2. INCREASE BEHAVIORAL HEALTH FUNDING

This subcommittee is likely already aware of two problems that disproportionately affect our population: substance abuse, especially opioid addiction, and suicide. For this reason, SCF maintains its support for the Substance Use and Suicide Prevention Program (a combination of the Methamphetamine and Suicide Prevention Initiative and Domestic Violence Prevention Initiative). We implemented these programs through our Behavioral Health Services and our Family Wellness Warriors Initiative—program that aims to address the spiritual, emotional, mental and physical effects of domestic violence, and abuse and neglect, and to break the cycle of addiction. Funding for this program and prior behavioral health initiatives has been very instrumental in this effort.

We also thank this subcommittee for eliminating in fiscal year 2017 the “notwithstanding” clause that had been included in prior appropriations measures. With that done, we ask the subcommittee to direct IHS to now treat these funds just like other IHS program funds operated under the Indian Self-Determination Act instead of as grant funding—these dollars will go much further once funding isn’t taken off the top for IHS’s administrative overhead and once we are no longer forced to use a portion to comply with unnecessary and onerous grant requirements.

That said, we must emphasize that behavioral health funding is critical for our most vulnerable population—our youth. At SCF, we run several programs that provide mental healthcare for Alaska Native youth, and that focus on building academic, vocational, and leadership skills through culturally-appropriate methods. These programs not only address past trauma, but ensure our youth stay on the path towards becoming tomorrow’s future leaders instead of falling prey to addiction. We ask this subcommittee to continue supporting these measures.

### 3. EXEMPT IHS FROM ACROSS-THE-BOARD REDUCTIONS

As this subcommittee is well aware, across-the-board reductions have devastating impacts on Tribal programs. Since 2013, Tribes have testified about the long-lasting consequences of sequestration and the fact that it took years for the IHS budget—and funding for Tribal programs—to recover to pre-sequestration levels. This reduction had real-world consequences, resulting in reduced programming, cuts to patient care, and stagnation of services at a time of growing need. The administration has proposed a similar across-the-board reduction in fiscal year 2018—requesting a 16 percent cut overall for the Department of Health & Human Services (DHHS). We ask that IHS be exempt from any such cuts—it is already the smallest part of the DHHS budget and is only funded at approximately 1/5 of the total Tribal needs budget of \$30.1 billion. Any further funding reduction would only serve to ensure Tribal health funding falls even farther behind that provided for the general population.

### 4. SUPPORT INCREASES FOR INDIAN SELF-DETERMINATION ACT SECTION 105(L) LEASE PAYMENTS

A number of Tribes and Tribal organizations have approached IHS to negotiate leases under section 105(l) of the Indian Self-Determination Act (ISDEAA) for the use of tribally owned or leased buildings where IHS programs are carried out. But, IHS correctly points out that there is no budget line from which to pay such leases. We appreciate the \$11 million provided for tribally-leased facilities in fiscal year 2017 (which includes \$2 million from Direct Operations), but we understand these funds were intended to bring up the Village Built Clinic (VBC) lease amounts closer to the actual cost of operating those facilities. Thus, any 105(l) leases funded out of this increase in fiscal years 2017 and 2018 will only serve to keep VBC lease payments deficient. Since agency 105(l) lease payments should also not come out of program funds, SCF requests that the subcommittee create within the Direct Operations account a new subaccount to pay required 105(l) Tribal lease payments.

In the face of two court rulings addressing IHS’s legal obligations to fund ISDEAA 105(l) leases, the President’s Budget asks Congress to legislatively override section 105(l) by inserting a “notwithstanding” clause which would make all lease payments entirely discretionary with IHS. In this manner, IHS would secure to itself the right to use Tribal facilities to run IHS programs without any requirement to pay for those facilities. It is also legally questionable because without paying for these facilities, IHS would essentially be augmenting the appropriation through volunteered services, bypassing the Appropriations Clause. We respectfully urge the subcommittee to reject IHS’s effort to repeal a key provision of the ISDEAA. If amendments are to be considered to the ISDEAA, it is the role and jurisdiction of the authorizing committees to consider the matter in the ordinary course.

### 5. PRESERVE FUNDING FOR TRIBAL PROGRAMS IN HEALTH CARE REFORM EFFORTS

We know that health reform legislation is a Congressional priority and we too know the current system still leaves many underserved. However, we must stress that the answer is not to cut funding from Tribal programs, but rather to focus on expanding coverage. In Alaska, expanded coverage has helped to alleviate some of the stress on Tribal programs that serve these individuals free of charge whether they have insurance or not. We find the repeal of the essential health benefit requirements to be especially harmful as our patients with private insurance may be denied necessary life-saving care, especially if our PRC funds are insufficient to pick up the charges that the private insurers refuse to cover. As a result, our costs of providing care would drastically increase for all of our patients, from babies born

early or with complications to our elderly. We ask Congress to consider these implications before advancing this bill or similar legislation forward.

We strongly recommend that any legislation that would change how Tribal providers receive payment from Medicare and Medicaid or that further restrict eligibility rules be carefully reviewed—again, changes that would only serve to decrease the care provided to patients and at higher cost. We serve the entire State population, yet the healthcare reform proposal would eliminate the three-month retroactive payment option which would be a disadvantage to our rural residents who often do not have the means to register for these programs until they come to Anchorage and are receiving care. Proposals to block grant the Medicare and Medicaid programs or to increase individual co-pays would only shift the burden from these Federal programs back to an already-overtaxed IHS budget and to Tribal health providers. Any reduction in our third-party revenues—revenues which support roughly half of the healthcare services we provide—would ensure that Alaska Natives continue to receive the lowest per-capita healthcare funding in the country and exacerbate deficiencies in health status, contrary to decades of Federal policy. We ask that this subcommittee exempt Tribal programs from any changes to these programs, and to look for ways to expand coverage, rather than focusing on cutting costs by simply reducing the number of beneficiaries.

Thank you again for the opportunity to provide testimony on behalf of Southcentral Foundation and the 150,000 people we serve.

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PREPARED STATEMENT OF THE SQUAXIN ISLAND TRIBE

On behalf of the Squaxin Island Tribal Leadership and citizens, it is an honor to provide our funding priorities and recommendations for the fiscal year 2018 Budgets for the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS). Squaxin Island Tribe requests that Tribal program funding throughout the Federal Government be exempt from future sequestrations, rescissions and disproportionate cuts.

We applaud the subcommittee for its foresight, leadership and creativity in seeking a long-term resolution to fully fund Contract Support Cost (CSC) in the BIA and IHS. Although full funding in 2014 and 2015 was risky and did impact some other Tribal funding, in the fiscal year 2016 enacted spending bill you included an estimated amount to fully fund the CSC needs in 2016 and 2017. Under the new budget structure, going forward the full CSC that Tribes are entitled to will be paid and other programs will not be reduced if payments are underestimated in the President's budget. The Squaxin Island Tribe agrees that maintaining this structure achieves the Nation's legal obligation to fully pay CSC and those payments should not be achieved by reducing direct services to any Tribe.

THE FISCAL YEAR 2018 SQUAXIN ISLAND TRIBAL SPECIFIC REQUESTS:

1. \$500,000 Shellfish Management Program—BIA
2. \$2.5 Million to Build and Operate an Oyster and Clam Nursery for Southern Puget Sound—BIA
3. \$2.5 Million Increase for Northwest Indian Treatment Center (NWITC) Residential Program in IHS

REGIONAL REQUESTS:

1. Fully support the budget requests from the Affiliated Tribes of Northwest Washington (ATNI) and the Northwest Portland Area Indian Health Board (NPAIHB) and the Northwest Indian Fisheries Commission

NATIONAL REQUESTS AND RECOMMENDATIONS—BUREAU OF INDIAN AFFAIRS:

1. Continue to fully fund Contract Support Costs for BIA and authorize reclassification of BIA CSC to Mandatory [Permanent] Funding beginning in fiscal year 2018
2. BIA Rights Protection—Increase funding to \$56.5 million for the BIA Rights Protection Implementation.
3. Fully Fund Fixed Costs and Tribal Pay Costs.
4. Increase Tribal Base Funding (instead of through grants)
5. Fully fund all the provisions of the Tribal Law and Order Act of 2010 and the Violence Against Women Act

NATIONAL REQUESTS AND RECOMMENDATIONS—INDIAN HEALTH SERVICE:

1. Continue to fully fund Contract Support Costs for IHS
2. Authorize reclassification of IHS CSC to Mandatory [Permanent] Funding

*Squaxin Island Tribes supports the Regional Budget Priorities of the Northwest Indian Fisheries Commission, the Affiliated Tribes of Northwest Indians and the Northwest Portland Area Indian Health Board.*

*Squaxin Island Tribe supports the National Budget Priorities of the National Congress of American Indians and the National Indian Health Board.*

SQUAXIN ISLAND TRIBE BACKGROUND

We are Native People of South Puget Sound and descendants of the maritime people who lived and prospered along these shores for untold centuries. We are known as the People of the Water because of our strong cultural connection to the natural beauty and bounty of Puget Sound going back hundreds of years. The Squaxin Island Indian Reservation is located in southeastern Mason County, Washington and the Tribe is a signatory to the 1854 Medicine Creek Treaty. We were one of the first 30 federally-recognized Tribes to enter into a Compact of Self-Governance with the United States.

Our treaty-designated reservation, Squaxin Island, is approximately 2.2 square miles of uninhabited forested land, surrounded by the bays and inlets of southern Puget Sound. Because the Island lacks fresh water, the Tribe has built its community on roughly 26 acres at Kamilche, Washington purchased and placed into trust. The Tribe also owns 6 acres across Pickering Passage from Squaxin Island and a plot of 36 acres on Harstine Island, across Peale Passage. The total land area including off-reservation trust lands is 1,715.46 acres. In addition, the Tribe manages roughly 500 acres of Puget Sound tidelands.

The Tribal government and our economic enterprises constitute the largest employer in Mason County with over 1,250 employees. The Tribe has a current enrollment of 1,040 and an on-reservation population of 426 living in 141 homes. Squaxin has an estimated service area population of 2,747; a growth rate of about 10 percent, and an unemployment rate of about 30 percent (according to the BIA Labor Force Report).

TRIBAL SPECIFIC REQUESTS/JUSTIFICATIONS:

1. \$500,000—Shellfish Management—BIA

The Squaxin Island Tribe faces an ongoing budget deficit to maintain and operate the shellfish program at its current level of operation—a level that leaves 20 percent of treaty-designated State lands and 80–90 percent of private tidelands unharvested due to lack of funding. To address this shortfall and enable effective growth and development of the program, an annual minimum increase of \$500,000 is requested. Shellfish have been a mainstay for the Squaxin Island people for thousands of years and are important today for subsistence, economic and ceremonial purposes. The Tribe's right to harvest shellfish is guaranteed by the 1854 Medicine Creek Treaty. Today, we are unable to fully exercise our treaty rights due to lack of Federal support for our shellfish management program.

2. \$2.5 Million—Build and Operate an Oyster and Clam Nursery for Southern Puget Sound—BIA

A shellfish nursery is a capital project that is both proven and a cost effective technology that takes small oyster and clam seeds and provides a safe and controlled environment for the seeds to grow to a size that can survive integration onto a regular beach placement. Aquaculture is expected to provide almost two-thirds of the fish intended for global consumption by 2030. Aquaculture involves the breeding, rearing, and harvesting of freshwater and marine species of fish, shellfish, and aquatic plants. Producers farm in all types of water environments including ponds, rivers, lakes, oceans, and land-based, closed recirculating-water systems. The Squaxin Island Tribe is uniquely positioned to meet the demand for increased seed production in the shellfish industry. Ocean conditions are affecting the shellfish industry as a whole; ranking ocean acidification as the top concern. Ocean acidification is making it hard for the tiny organisms to make it through the most important stage of their life. They may eat as much algae as they can, but with current ocean conditions, such as the decreasing pH of the water, they cannot eat enough to get the energy they need to grow their shell and increase body mass. In addition, due to weather and/or other environmental factors, the regional shellfish growers in



southern Puget Sound continue to face a shortage of viable seed for their shellfish farms.

Our original treaty-designated reservation, Squaxin Island, is a restricted-access area, and therefore an ideal location for such a nursery because it will not be disturbed by residents or recreational boaters. This project would be a capital cost of approximately \$2.5 million. The Tribal in-kind contribution to the effort would include land and shoreline and operating costs. Comparable land and shoreline, if privately owned, would be easily valued in the higher millions. The Squaxin southern Puget Sound oyster and clam nursery will be an extension of another project that was created through a U.S. Department of Agriculture appropriation two decades ago for the Lummi Tribe, which created an oyster and clam hatchery in Northern Puget Sound.

3. \$2.5 Million Increase for Northwest Indian Treatment Center (NWITC) Residential Program—IHS “D3WXbi Palil” meaning “Returning from the Dark, Deep Waters to the Light”

The Squaxin Island Tribe has been operating the Northwest Indian Treatment Center (NWITC) since 1994. The Center, given the spiritual name “D3WXbi Palil” meaning “Returning from the Dark, Deep Waters to the Light”, is a residential chemical dependency treatment facility designed to serve Native American who have chronic relapse patterns related to unresolved grief and trauma. NWITC serves adult clients from Tribes located in Oregon, Washington and Idaho. Since the original Congressional set-aside in the IHS budget for alcohol and substance abuse treatment for residential facilities and placement contracts with third-party agencies in 1993, NWITC has not received an adequate increase in the base IHS budget. With the well-documented nation-wide rise in prescription opioid and heroin abuse, it is more critical than ever to increase the NWITC’s annual base in order to sustain the current services to the Tribes of the Northwest. An increase of \$2.5 million would restore lost purchasing power, ensure adequate baseline operating funds and allow NWITC to continue to meet the needs of Native Americans and their communities.

#### REGIONAL Requests:

1. Fully support the budget requests from the Affiliated Tribes of Northwest Washington (ATNI) and the Northwest Portland Area Indian Health Board (NPAIHB) and the Northwest Indian Fisheries Commission (NWIFC)

#### NATIONAL REQUESTS and Recommendations—Bureau of Indian Affairs:

1. Continue to fully fund Contract Support Costs for BIA and authorize reclassification of BIA CSC to Mandatory [Permanent] Funding beginning in fiscal year 2018
2. +\$4.5 million increase for Rights Protection Implementation to increase funding to \$56.5 million This Subactivity Account has a clear and direct relationship with the Federal trust obligation to Tribes. This program ensures compliance with Federal court orders by implementing effective Tribal self-regulatory and co-management systems. Contract agreements are designed to assure proper regulation and management of off-reservation fish, wildlife, shellfish, and plant gathering activities, provide conservation enforcement, and perform the necessary assessment and habitat protection activities that help ensure abundant and healthy populations of ceded territory resources. The benefits of these programs accrue not only to Tribes, but to the larger communities as well, because protection and enhancement of ceded territory natural resources and their habitats benefit all users of those resources.
3. Fully Fund Fixed Costs and Tribal Pay Costs—Partial funding or failing to fund Pay Costs for Tribes has devastated Tribal communities by causing critical job losses. Over 900 Tribal jobs have been lost and an estimated 300 more jobs will be permanently lost on an annual basis if 100 percent Pay Costs are not provided. The Tribal losses are being further exacerbated by recent projections of costs that have been significantly underestimated. We strongly urge full funding of fixed costs and Tribal pay costs.
4. Increase Tribal Base Funding (instead of through grants)—Grant funding, particularly inside the BIA, is not consistent with the intent of Tribal self-determination. Tribal leaders have grown increasingly frustrated by the increase in Indian Affairs funding offer through grants. Allocating new funds via grants marginalizes and impedes Tribal Self-Determination and Self-Governance. Provide increases via Tribal base funding instead of through grants to Tribal governments.

5. Fully fund all the provisions of the Tribal Law and Order Act of 2010 and the Violence Against Women Act

NATIONAL Requests and Recommendations—Indian Health Service:

1. Continue to fully fund Contract Support Costs for IHS and authorize reclassification of IHS CSC to Mandatory [Permanent] Funding beginning in fiscal year 2018
2. IHS mandatory funding (maintaining current services)—Provide an increase of \$314.9 million over the fiscal year 2017 budget request. If these mandatory requirements are not funded, Tribes have no choice but to cut health services, which further reduces the quantity and quality of healthcare services available to American Indian/Alaskan Native (AI/AN) people.
3. Purchased and Referred Care (PRC)—Provide an increase of \$474.4 million. The Purchased/Referred Care program pays for urgent and emergent and other critical services that are not directly available through IHS and Tribally-operated health programs when no IHS direct care facility exists, or the direct care facility cannot provide the required emergency or specialty care, or the facility has more demand for services than it can currently meet.

*Squaxin Island Tribe supports the National Budget Priorities of the National Congress of American Indians (NCAI) and the National Indian Health Board (NIHB).*

Thank you for inviting the Squaxin Island Tribe to testify on these fiscal year 2018 budgets.

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PREPARED STATEMENT OF THE STANDING ROCK SIOUX TRIBE

The Standing Rock Sioux Tribe appreciates the opportunity to submit written testimony concerning the President's fiscal year 2018 budget for the Indian programs within the Department of the Interior and the Indian Health Service. We would like to express our appreciation to this subcommittee for its support of Indian Tribes. Our testimony will focus on law enforcement, education, and healthcare.

The Standing Rock Sioux Tribe has a government to government relationship with the United States of America, reflected in our Treaties which were signed in 1851 and 1868. These Treaties underscore the ongoing promises and obligations of the United States to the Tribe, and our testimony today is submitted with those promises and obligations in mind.

The Standing Rock Sioux Reservation encompasses 2.3 million acres in North and South Dakota. The Reservation's population—approximately 8,500 Tribal members and 2,000 non-members—reside in eight districts, and in smaller communities. The Tribe's primary industries are cattle ranching and farming. The Tribe struggles to provide essential governmental services to our members. The Tribe's desire is to provide jobs and improve the economic standard of living on our Reservation. We operate two modest Tribal casinos, and a small number of additional Tribal businesses, including Standing Rock Propane and Standing Rock Telecommunications, which provide needed services on the Reservation. Casino revenue is used to help the Tribe supplement services and programs for our members, but those revenues are modest and our challenges and needs are far greater than our resources.

Despite the Tribe's best efforts, our unemployment rate remains above 50 percent. In fact, over 40 percent of Indian families on our Reservation live in poverty—more than triple the average U.S. poverty rate. The disparity is worse for children, as 52 percent of the Reservation population under age 18 lives below poverty, compared to 16 percent and 19 percent in North and South Dakota, respectively. The Federal programs established and promised by treaty to aid Tribes and their members are essential. We ask the government to honor its commitments by adequately funding these Federal programs enacted for our benefit, so that our members may enjoy a standard of living comparable to that enjoyed by the rest of the Nation.

Our specific requests are as follows:

*BIA—Public Safety and Justice.* Public safety is a priority for the Tribe. We applaud the final fiscal year 2017 enacted appropriations levels for Public Safety and Justice totaling \$385.735 million, and urge the subcommittee to reject the Administration's unwarranted reductions and continue to support increases for next year. As you know, funding is essential for public safety in Indian Country.

*Law Enforcement:* The Tribe has seen firsthand that adequate law enforcement funding was key to reducing crime. A number of years ago, the Standing Rock Sioux Tribe was selected to participate in the High Priority Program Goals

initiative, which dramatically increased law enforcement positions on our Reservation. This had a significant positive impact in reducing crime. Increased numbers of police officers allowed pro-active policing rather than reactive policing. This initiative enabled officers to be assigned within each Reservation community, which meant quicker response time to calls and more positive relationships between law enforcement officers and the communities they served. The increased law enforcement presence and patrols has deterred crime and resulted in our members feeling safer. The data confirms this. When compared to the number of violent crimes (homicide, rape, robbery, assault) that occurred between 2007 and 2009, the additional staffing reduced such crimes by approximately: 7 percent in 2010, 11 percent in 2011, and 15–19 percent in 2012. The initiative demonstrated the critical importance that adequate law enforcement staffing can have in our community.

HPPG ended after fiscal year 2013 and the Tribe's law enforcement personnel were reduced from the numbers that served us so well. We strongly support an increase in funding for fiscal year 2018 for BIA law enforcement personnel. It makes no sense that these programs would not be funded in perpetuity since they have been demonstrated to work to reduce crime in Indian country.

*Youth Corrections:* In December 2010, the Tribe successfully completed construction of a secure 18-bed juvenile detention facility so that Tribal youth offenders may remain on the Reservation and receive culturally appropriate services if they must be incarcerated. After more than 5 years after the completion of construction, the detention center has finally opened. This facility is called the "Youth Services Center". With limited funds, only the secure portion of the plan was completed so the facility is not being utilized as we envisioned for our youth. The Tribe contributed \$2 million of Tribal funds to supplement \$5 million in Justice Department funds to build this facility. Over time this Tribally-owned facility will save the BIA a great deal of money that now pays other contract facilities to house our youth offenders. Now that the Tribe is operating the detention center, our law enforcement can avoid taking youth offenders hundreds of miles to off-reservation facilities, and depriving our communities of law enforcement officers. We strongly suggest the BIA allow greater flexibility for Tribes to use these facilities in innovative ways by supplementing detention with alternatives to incarceration, such as probation with mandatory counseling and substance abuse counseling and treatment. The fiscal year 2017 enacted budget included \$96.507 million for the BIA Detention and Corrections. We request that you provide for at least this amount, and include an increase in fiscal year 2018 to keep pace with inflation and cost of living increases for staff.

*Adult Corrections:* The BIA Office of Justice Services operates an antiquated 48-bed adult detention center for male and female inmates in Fort Yates on our Reservation. The detention center is a linear style facility which, because of its design, is very staff intensive. The jail was built in the 1960's and has long outlived its utility. Renovated in the 1980's and again in the 1990's, the jail fails to comply with most contemporary detention standards. The jail population is frequently two to three times above the rated bed capacity. To alleviate jail crowding, BIA OJS contracts bed space for long term adult inmates in a facility that is a 772-mile round trip from the reservation. Our Tribal Court is forced to release prisoners early to alleviate jail crowding just to make room for more prisoners. This sends the wrong message to criminals. We request that the committee consider modernizing our detention center and provide for adequate Operation and Maintenance funding which is wholly inadequate and contributes to the premature deterioration of Tribally-owned and BIA-owned facilities.

*Tribal Courts:* We support an increase to the modest funding appropriated for the Tribal Courts Program. The Standing Rock Tribal Court is an independent branch of government consisting of a Supreme Court, Civil Court, Criminal Court, and Children's Court. Key positions in the Tribal Court require licensed attorneys: the Chief Judge, Associate Chief Judge, Chief Prosecutor, and Public Defender. The Supreme Court consists of three Justices, two of whom must be a licensed attorney. Our Tribe cannot effectively support these courts with our small BIA allocation, even when heavily subsidized by the Tribe. And yet in order to use our Tribe's authorities provided under the Violence Against Women Act of 2013, Sex Offender Registration and Offender Act, and the Tribal Law and Order Act, we must continue to meet appropriate standards. Our Tribal courts are also crowded, even when spread across three separate buildings. The main courthouse outgrew its ability to meet our needs years ago and the lack of space severely limits our ability to adequately handle the Tribal Court case

load of 2,000 to 3,000 cases per year. Funding is critical to providing a safe and secure center to house justice programs. We request funding to adequately fund the judicial services needed for our Tribal citizens and also additional resources to begin planning for an adequate facility to operate our judicial branch.

*Bureau of Indian Education (BIE).* We support an increase in fiscal year 2018 funding for BIE programs. Standing Rock relies on BIE funding for three Tribal grant schools—the Standing Rock Community School (K–12), Sitting Bull School (K–8), and Rock Creek School (K–8). The Standing Rock Community School is operated through a Joint Powers Agreement between the Standing Rock Tribal Grant School and the Fort Yates Public School District. The Fort Yates Public School District, like other public schools on the Reservation (Cannonball, Selfridge, McLaughlin, McIntosh, and Wakpala), depends on Federal impact aid to cover the costs of the public school's share of the school operations. The children in the schools on the Reservation are among the most at-risk students in the Nation. At seven out of eight Public and Tribal Grant Schools on our Reservation, 100 percent of the students are eligible for the Free or Reduced Lunch Program. At the remaining school, 90 percent of students are eligible for the Free or Reduced Lunch Program. The high rate of our student eligibility for the Free or Reduced Lunch Program documents that the majority of our families live at or below poverty level.

A critical source of funds for the operation of our Tribal grant schools are the Indian School Equalization Program (ISEP) Formula funds. The funds cover the costs of the schools' instructional programs, including salaries for teachers, teacher aides, school administrative staff and other operational costs. ISEP has not seen any meaningful increase in years, and as a result, there has been a significant negative impact on the effectiveness of the schools' instructional programs. Academic programs are marginal at best and provide limited services to the students. It has become more difficult to attract and retain qualified staff. If the schools serving Indian children are to be effective and if our students are to succeed, and be college and career ready, ISEP funding must be increased.

The Administration's near flat line funding for virtually all aspects of BIE programs does not account for population growth, increased costs, or inflation. Student Transportation funding, intended to cover the costs of buses, fuel, maintenance, vehicle replacements, and drivers, has remained at the same level for years. Proposed cuts to BIE funding are unjustified. The substantial increases in fuel costs alone make it impossible to cover such costs. For Standing Rock, funds are further strained because we are a rural community, where bus runs for many of our students may take 1½ to 2 hours each way and can include travel on unimproved roads. These factors result in higher maintenance costs and shorter vehicle life. A substantial increase in funds for Student Transportation is long overdue.

The same is true for School Facility Operations and Maintenance which is drastically under-funded. In fact, O&M budgets are currently constrained at 40 percent of need. This also holds true for School Improvement and Repair. We urge this subcommittee to strongly support an increase, not only for Facility Operations and Maintenance and School Improvement and Repair, but for School Construction as well. Indeed, one of our Tribal grant schools, the Rock Creek School, is more than 100 years old and badly needs to be replaced. Federal funds to replace ancient schools—like Rock Creek—are essential. Funding for School Facility Operations and Maintenance and School Improvement and Repair, as well as School Construction should be substantially increased. We are also very concerned about the list of new schools which have been slated to be constructed. Not a single school from the Great Plains made that list, although schools from our region comprise one-third of all BIE schools. It is clear that the Bureau of Indian Education has discretion to select these schools, and they have used that discretion to effectively shut out schools in our region for the next decade. We ask the subcommittee to investigate and reconsider the existing process which we see as unfair and unlikely to serve our children for decades.

We also urge the subcommittee to support an increase in funding for Scholarships. Because of the unmet need, the Tribe spends \$1 million in Tribal funds annually to supplement this program and gives grants of \$3,000-\$3,500 to aid our students attending colleges and vocational schools. But even with this, the majority of our scholarship recipients have unmet financial need varying from \$100 to \$17,000.

*Indian Health Service.* We greatly appreciate the \$232 million increase Congress provided in IHS funding for fiscal year 2017. We depend on IHS to care for our 16,000 enrolled Tribal members, many of whom suffer from diabetes, heart disease and hypertension. We are especially concerned about our region. Although we are not at risk of losing certification under the Center for Medicaid Services, we hope the IHS can continue to provide quality support and timely processing of the basics

such as Human Resources, Budget responses, and Procurement. We also fully support increased funding for behavioral health, especially the youth focused programming.

We recommend that Congress prioritize the IHS preventive healthcare service programs, such as the diabetes grant program, and increase funding for these programs above the modest increase provided for fiscal year 2017, while supporting and protecting the Administration's other IHS funding priorities, especially funding for healthcare personnel. In many instances, if additional funding for clinical services and preventive health programs can be made available, illnesses and injuries could be treated at their initial stages, or prevented altogether. This is especially important at Standing Rock, where many of our members' health problems could be addressed if timely preventive care were available. We also support fiscal year 2018 increases in Dental Health, Mental Health and Purchased/Referred Care which has been historically underfunded.

*Tribal Historic Preservation Offices.* We strongly support an addition of at least \$2 million for Tribal Historic Preservation Offices out of the National Park Service. This modest increase will help us to protect historic and culturally significant resources throughout the region. Like so many other programs funded under this budget, these programs provide jobs to Tribal members.

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PREPARED STATEMENT OF THE SUSTAINABLE URBAN FOREST COALITION

Dear Chairman Murkowski and Ranking Member Udall, and Honorable Subcommittee Members:

The Sustainable Urban Forests Coalition (SUFC) is comprised of more than 30 national organizations and corporations representing hundreds of thousands of professionals and millions of supporters who care and support sustainable trees and green infrastructure where people live. Collectively, we are asking for your support for several programs under the Interior subcommittee's jurisdiction that support urban and community forests and green infrastructure.

Our Nation's 138 million acres of urban and community forest lands affect over 80 percent of the U.S. population and are vital to creating and maintaining healthy, livable communities of all sizes by providing many scientifically proven social, economic, and environmental benefits to people. The ability to mitigate air pollution, reduce energy consumption, mitigate the heat island effect, improve human health, and reduce storm water runoff have directly or indirectly reduced costs in communities by millions of dollars. The collective value and benefits of community trees equals over \$10 billion nationwide. With a projected 90 percent of Americans living in urbanized areas by 2050, investing in trees to create livable communities needs to happen now.

A key goal in the 10-year National Urban and Community Forestry Action Plan (facilitated and stewarded by the National Urban and Community Forestry Advisory Council) is to improve the Nation's urban and community forest management, maintenance, and stewardship. The green jobs related to trees and landscapes is a \$9 billion-dollar industry and is poised to grow and create local jobs that cannot be outsourced.

SUFC is conscious of the Federal budget challenges, and greatly appreciates the fiscal year 2017 funding levels provided by this subcommittee. Respectfully, we ask you to reject the drastic cuts proposed in the President's fiscal year 2018 budget. We are deeply concerned by the zeroing out of important and effective programs like Urban and Community Forestry, Landscape Scale Restoration, and Community Forests and Open Space Conservation. Defunding or severely cutting these programs will have profound and lasting repercussions on people and communities across the country—particularly those in rural areas where these funds are essential.

USDA FOREST SERVICE: STATE AND PRIVATE FORESTRY

*Urban and Community Forestry Program (U&CF)*

U&CF directly assists State government, nonprofit organizations and partners that manage and steward our Nation's urban and community forests. Working with the State forestry agencies, the program provides technical, financial, research, and educational support and services to local government, nonprofit organizations, community groups, educational institutions, and Tribal governments.

U&CF helps cities and towns across the Nation prepare for storms and other disturbance events, contain threats from native and invasive pests, and improve tree infrastructure and forest cover. Properly managed community forests offer towns and municipalities a cost-effective way to manage stormwater runoff, reduce heating

and cooling costs, and attract more tourists and consumers. They help communities avoid storm and disaster costs through preparedness and training, and maximize the economic, social, and ecological benefits of their tree resources.

In fiscal year 2016, U&CF reached over 7,800 communities and 200+ million people in all 50 States, the District of Columbia, US Territories, and affiliated Pacific Island Nations. U&CF is a high-impact program and a smart investment as Federal support is often leveraged 2:1 (or in many cases significantly more) by States and partner organizations. U&CF engages citizens in cities and towns, brings together diverse partners, public and private resources, and demonstrates that Federal investment can have huge and lasting impacts on communities of all sizes.

SUFC is deeply concerned by the President's proposal to defund the U&CF program in fiscal year 2018. The 50 percent funding decrease originally proposed in the President's fiscal year 2017 budget would have had severe negative impacts in States and territories across the country. But now, zeroing out this important program would completely erode the capacity that has been developed in cities and towns of all sizes and jeopardize many local public and private partnerships and collaborative projects in which Federal assistance is essential.

—*SUFC recommends the Urban and Community Forestry Program be funded at \$31.3 million in fiscal year 2018.*

#### *Landscape Scale Restoration (LSR)*

The LSR program strategically prioritizes resources by competitively allocating Cooperative Forestry Assistance Act funds. It focuses on targeting Federal investments—leveraged by State and local resources—to areas of greatest need, highest value, or strongest innovation potential, as stipulated in each State Forest Action Plan. Urban and community forestry projects have been supported by LSR in the past. However, we want to ensure that LSR is not a substitute to the Urban and Community Forestry program, but a supplement.

—*SUFC recommends funding the Landscape Scale Restoration program at \$23.5 million in fiscal year 2018.*

#### *Community Forests and Open Space Conservation Program (CFP)*

CFP has made substantial progress in preserving forests by increasing opportunities for Americans to connect with forests in their own communities and fostering new public-private partnerships. CFP has supported nearly three dozen community forest projects in cities and towns across 17 States and territories. In the latest round of CFP grants, project partners leveraged \$10.6 million in Federal funds to secure \$34.5 million in non-Federal funding, resulting in more than 15,000 acres of community forests. This impressive leveraging ratio demonstrates the willingness of local entities to match Federal funding with significant commitments of funding and other resources.

—*SUFC recommends an increase in funds to \$5 million in fiscal year 2018.*

#### *Forest Health Management*

Forests across the country are threatened by insects and disease pathogens introduced from abroad as an unwanted side effect of international trade. The damage usually starts in urban forests because most imported goods enter this country through urban ports. As a result, municipal governments across the country are spending an estimated \$3 billion each year to remove trees on city property killed by non-native pests. Homeowners are spending an additional \$1 billion to remove and replace trees on their properties and are absorbing an additional \$1.5 billion in reduced property values. The pests do not stay in the cities, however. They spread to the rural and wildland forests and threaten their many values. While preventing introductions are the desired approach, it is essential that the U.S. Forest Service initiate programs countering these pests as soon as they are detected. Only such prompt and aggressive actions can protect urban, rural, and wildland forests from massive pest spread and tree devastation. This program provides essential expertise and assistance to State and municipal agencies and private landowners working to prevent these pests' spread and to develop effective strategies to minimize the damage they cause.

—*SUFC recommends \$48 million for cooperative lands programs under the Forest Health Management program.*

#### USDA FOREST SERVICE: FOREST AND RANGELAND RESEARCH

—*SUFC urges the subcommittee to provide \$303 million for the overall R&D program.*

*Urban and Community Forestry Research*

The Forest Service Research and Development (R&D) program provides critical financial support for urban forestry research activities to develop information and tools for understanding conditions and trends in our Nation's urban and community forests. U.S. Forest Service researchers have made huge strides in recent years through collaborative efforts to develop new tools, such as i-Tree, for mapping current tree cover, assessing trends, developing local strategies, and building greater understanding of the environmental, economic, and social services that trees and forests provide to communities.

—*We urge the subcommittee to continue including language in Interior Appropriations reports encouraging the Forest Service to maintain a strong and vibrant urban forest research program.*

*Non-native Insects and Diseases Research*

Among the major research challenges facing R&D is the destruction of our Nation's urban forests caused by non-native insects and diseases. People who value urban forests join supporters of rural and wildland forests in depending on Forest Service R&D to develop better tools for pest detection and protective strategies including chemical and biological controls and breeding of trees resistant to pests. Currently, however, R&D provides only about \$5 million for research on non-native insects and diseases—less than 2 percent of its total budget.

—*In the absence of a budget line item for invasive species research, we urge the subcommittee to include language in its Interior Appropriations report encouraging the Forest Service to increase funding for research targeting non-native insects and pathogens.*

*Urban Forests in Forest Inventory and Analysis (FIA)*

The collaborative efforts between SUFC and the U.S. Forest Service brought urban forest data into the mainstream of the agency's national data-collection program. FIA has long provided the Nation's forest census, but it had not historically included urban areas because of its definition of forests.

—*We ask the subcommittee to encourage the Forest Service to continue and strengthen its efforts to integrate urban forest data into FIA so that its critical data-collection efforts address all of our Nation's forests, including our current and expanding 138 million acres of urban forest.*

## ENVIRONMENTAL PROTECTION AGENCY

*Clean Water State Revolving Funds (CWSRF)*

Green infrastructure, including urban forests, can be a cost-effective and resilient approach to managing stormwater. The use of green infrastructure for stormwater control also provides many community co-benefits enumerated above. SUFC is pleased that EPA supports the use of green infrastructure for stormwater management and that green infrastructure is an eligible use under the CWSRF—a critical financing program for local communities investing in water infrastructure. CWSRF funding was maintained in the President's Preliminary fiscal year 2018 Budget proposal at the fiscal year 2017 level of \$1.394 billion.

—*SUFC supports robust funding for CWSRF along with efforts to expand the use of green infrastructure to 20 percent to meet Clean Water Act goals.*

## THE NATIONAL PARK SERVICE

*Outdoor Recreation Legacy Partnership Program (ORLPP)*

The State and Local Assistance Program provides matching grants to States and localities for protection and development of parks and recreation resources and is the primary Federal investment tool to ensure that families have easy access to urban forests in parks and open space, and neighborhood recreation resources. This nationally competitive program complements the existing State and local assistance program by creating opportunities for outdoor play as well as developing or enhancing outdoor recreation partnerships in cities.

—*SUFC requests \$110 million for the State and local assistance program, which includes \$12 million for ORLPP.*

Sincerely,

SUFC MEMBERS

Alliance for Community Trees	National Association of Conservation Districts
American Forests	National Association of State Foresters
American Planning Association	National Recreation and Parks Association
American Rivers	The Nature Conservancy
American Society of Consulting Arborists	Society of American Foresters
American Society of Landscape Architects	Society of Municipal Arborists
Arbor Day Foundation	Tree Care Industry Association
Center for Invasive Species Prevention	TREE Fund
The Davey Foundation	The Trust for Public Land
International Society of Arboriculture	Water Environment Federation
Keep America Beautiful	Wildlife Habitat Council
National Association of Clean Water Agencies	

SUPPORTERS

Alleghany Society of American Foresters	Los Angeles Beautification Team
California ReLeaf	Our City Forest
California Urban Forests Council	Parent Pioneers
Canopy	Pinchot Institute for Conservation
Casey Trees	Richmond Trees
Center for Climate Change and Health	Sacramento Tree Foundation
City of Seattle's Office of Sustainability and Environment	Save Our Forest/Fallbrook Land Conservancy
Colorado Tree Coalition	Solano Advocates Green Environments
Community Services Employment Training	Sonoma Ecology Center
Fathers and Families of San Joaquin	The Tree Foundation of Kern
Friends of Carmel Forest	Tree Fresno
Friends of the Urban Forest	Tree San Diego
From Lot to Spot	Victoria Avenue Forever
Greenspace—The Cambria Land Trust	West Coast Arborists
Huntington Beach Tree Society	Western Chapter-International Society of Arboriculture
Industrial District Green	Woodland Tree Foundation
Just One Tree	Woodstock Tree Board
Leibman Associates, Inc.	Your Children's Trees

PREPARED STATEMENT OF THE TANANA CHIEFS CONFERENCE

The Tanana Chiefs Conference (TCC) appreciates the opportunity to submit written testimony to the subcommittee regarding our priorities for fiscal year 2018 concerning appropriations for the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS). We are grateful for this subcommittee's bipartisanship—reflected as recently as the final fiscal year 2017 appropriations measure—and for the positive results the subcommittee has made possible in Alaska Native villages and throughout Indian country.

TCC is a non-profit intertribal consortium of 39 federally-recognized Indian Tribes and 41 communities located across Alaska's interior. TCC serves approximately 13,000 Alaska Natives in Fairbanks where TCC headquarters is located and in the rural villages in Alaska's vast interior, strung along the 1,400 mile Yukon River and its tributaries. Our service area encompasses 235,000 square miles, about the size of Texas. Our most eastern village is Eagle, about four miles from the Canadian border. Our most western village is Anvik, about 60 miles from the Bering Sea. Our 41 constituent villages are remote and they must overcome many challenges to build and sustain healthy communities. This subcommittee understands the critical element necessary to promote healthy communities and sustainable economies; community stability. With community stability, good results follow, like reduced crime, healthier families, better educated children, infrastructure and economic opportunity.



Our written testimony focuses on the following four areas important to the Tribal leadership and the Tribal communities TCC serves: (1) improve Tribal healthcare quality and access; (2) expand public safety, Tribal court and realty services; (3) help Alaska Natives carry out sustainable fish management practices; and (4) promote economic development and job creation in rural Alaska villages.

While TCC appreciates President Trump's recognition of the opioid epidemic and the need for public safety in his fiscal year 2018 "America First" Budget Blueprint, we cannot agree with his request to reduce spending for non-defense programs, including harmful and unwarranted cuts of 12 percent for the Department of the Interior and 16 percent for the Department of Health and Human Services, including hundreds of millions of dollars in cuts to vital Tribal programs.

This subcommittee has worked diligently, year after year, to increase funding in such critical areas as Tribal health, public safety, Contract Support Costs, education and construction in recognition of unmet Tribal needs and the resulting challenges Tribal communities face. We are very concerned that cuts to these programs may be combined with the loss of tens of millions in grants and awards to Tribes from HUD, USDA, DOJ and Education; grants that help us carry out our BIA- and IHS-funded programs. For rural interior Alaska Native communities, facing a State budget deficit for fiscal year 2018, Federal appropriations often make the difference between the success and failure of our efforts and, in turn, the wellness of our Tribal members.

#### 1. IMPROVE TRIBAL HEALTH CARE QUALITY AND ACCESS (IHS)

*Increase IHS Services Budget.* TCC greatly appreciates the \$232 million increase Congress included in the fiscal year 2017 budget for the Indian Health Service, especially the increases of \$78 million for Hospitals and Clinics programs, \$14 million for Purchased/Referred Care (P/RC), \$13 million for Alcohol and Substance Abuse, \$12 million for Mental Health, full reimbursement of Contract Support Costs (adding \$80 million), and \$22 million increase for IHS Facilities needs for a combined appropriation of \$5.04 billion for fiscal year 2017. Purchased/Referred Care (P/RC) funds are especially critical to us. We seek a significant increase in P/RC funds for fiscal year 2018. TCC is one of the only Tribal health entities in Alaska that does not have a regional hospital. Therefore, we rely heavily on P/RC funds to ensure that our patients receive comprehensive health services when we refer them to third-party service providers paid for with P/RC funds. For fiscal year 2018, we also request significant increases for Mental Health, Alcohol and Substance Abuse and Dental Health above the fiscal year 2017 enacted levels if we are to meet existing service requirements and expand patient health services to meet increasing healthcare needs.

TCC remains deeply appreciative of the subcommittee's creative solution to the contract support cost problem to achieve full funding without jeopardizing program funding. We respectfully urge the subcommittee to continue with its current approach of employing a separate and indefinite appropriation. At the same time, we believe each agency should add two FTEs to manage the CSC account, engage with Tribes and provide robust analysis. IHS's error in estimating 2016 and 2017 CSC requirements must not be repeated. Errors of that magnitude have direct consequences on the subcommittee's ability to appropriate funds that IHS, Tribes and Tribal organizations, such as TCC, require for the delivery of healthcare services.

*Increase Budget for the Small Ambulatory Program (SAP) and IHS' 105(l) Leasing Program.* We appreciate the appropriation of \$5 million for the Small Ambulatory Program (SAP) for fiscal year 2017. We ask the subcommittee to at least double this figure for fiscal year 2018 so that an additional 5–8 Tribes can construct small ambulatory health clinics in their communities. For our remote Native villages, a hub clinic is sometimes hundreds of miles away from a patient. Too often, patients must be transported by medivac at great cost. Village clinics play an integral role in providing routine healthcare as well as live saving emergency services. In addition, we request the subcommittee to direct the IHS, in report language, to explore whether a small clinic should be built in one of our Native villages.

We appreciate the \$11 million provided for tribally-leased facilities in fiscal year 2017 (which includes \$2 million from Direct Operations), but we understand these funds were intended to bring up the Village Built Clinic (VBC) lease amounts closer to the actual cost of operating those facilities. Thus, any 105(l) leases funded out of this increase in fiscal years 2017 and 2018 will only serve to keep VBC lease payments deficient. Since agency 105(l) lease payments should also not come out of program funds, TCC requests that the subcommittee create within the Direct Operations account a new subaccount to pay required 105(l) Tribal lease payments. The President's Budget asks Congress to legislatively override section 105(l) by inserting

a “notwithstanding” clause which would make all lease payments entirely discretionary with IHS. We urge the subcommittee to reject IHS’s effort to repeal a key provision of the ISDEAA. If amendments are to be considered to the ISDEAA, it is the role and jurisdiction of the authorizing committees to consider the matter in the ordinary course.

*Increase funding for the IHS Domestic Violence Prevention Program (DVPP).* We greatly appreciate Congress including a \$4 million increase for the Domestic Violence Prevention Program (DVPP) for fiscal year 2017. This increase will fund an additional 30 IHS, Tribal and urban Indian organizations (averaging \$133,000/award). As the CDC has noted, one out of every two AI/AN woman will experience domestic violence and one out of every three AI/AN women will be sexually assaulted in her lifetime. The DVPP provides culturally appropriate domestic violence and sexual assault prevention and intervention resources to Tribal communities. It is well documented that women in Alaska’s rural villages report rates of domestic violence that are 10 times higher than the rest of the country. We urge the subcommittee to support and significantly expand this successful and needed program in 2018.

## 2. EXPAND PUBLIC SAFETY, TRIBAL COURT AND REALTY SERVICES IN INTERIOR ALASKA

TCC cannot stress enough the importance our Native village leaders place on providing their communities with the resources they require to supplement limited public safety services. As a Public Law 280 State, the State of Alaska has jurisdiction over crimes in Native American communities. The BIA, with limited law enforcement funds, prioritizes public safety funds in non Public Law 280 States in the incorrect assumption that Public Law 280 States are investing the resources and personnel required to ensure public safety and law enforcement in Native and rural communities. This is not the case. The Alaska Department of Public Safety is stretched thin and too few State troopers make routine patrols in Native communities. TCC has limited recurring funds to pay for our Village Public Safety Officer (VPSO) program which works in conjunction with Alaska State Troopers. Our VPSOs are the “First Responders in the Last Frontier” and they respond to emergency calls, fire, EMS and search and rescue.

Due to limited BIA public safety funds, the role of Tribal Courts in Alaska Native villages is critical. It allows our villages to address public safety concerns at the community level—in a culturally appropriate way—that is more responsive to, and respectful of, local Tribal concerns. It seeks to heal and end criminal activity through a holistic approach, rather than through arrest, prosecution and incarceration, which perpetuates criminal and anti-social behavior and recidivism among Alaska Natives. We urge the subcommittee to reject the Administration’s proposal to cut Tribal Court funding for Public Law 280 States like Alaska and include an additional \$10 million in fiscal year 2018, within BIA’s Public Safety and Justice account for Tribal Courts (TPA) funding, and include report language that the increase should be used by BIA in Public Law 280 States, like Alaska.

We adamantly oppose any cuts to BIA Real Estate and Trust Services Funding as unfortunately proposed by the Administration. The money used to compact real estate services with Tanana Chiefs and other Tribal providers of real estate and trust services is administered with an efficiency that could never be matched. We have a realty and probate staff of only five people who manage a land area larger than most of the States. They serve nearly 7,000 landowning clients, many thousands of acres, and oversee a long list of services from Federal probate to transactional real estate to trespass investigation. This week we have one staff member more than one hundred miles from the nearest community, traveling a dozen of these miles on foot, investigating the ongoing theft of resources from a 160 acre Native Allotment, another employee supplying landowner information to the Bureau of Land Management as a wildfire spreads, and yet another taking a witness statement from a 96 year old client in the hospital. That is the snapshot of a moment in this department where virtually all services related to land ownership, transfer, development, and protection are overseen by a handful of dedicated professionals with limited funding. We currently have a backlog of over 300 cases and as the original Tribal landowners age and pass away, they leave in their wake a rapidly increasing client base adding to the growing pile. Continued fractionation of land ownership means that the number of people dependent on our services increases with each passing year. Meanwhile, the funding stays stagnant. We have responded to growing numbers by taking on incredible workloads. These programs cannot withstand funding cuts, and in fact, funding should reflect the increasing population of clients. Please add at least \$8 million to this account in fiscal year 2018.

## 3. HELP ALASKA NATIVES CARRY OUT SUSTAINABLE FISH MANAGEMENT PRACTICES

It is the priority of every Alaska Native to continue traditional hunting and fishing practices which promote the social, cultural and spiritual wellness of our people. We want to share a success story that was borne out of Tribal sacrifice to illustrate why increased funding for the Tribal Management/Development Program is warranted in fiscal year 2018. It concerns Chinook Salmon (King Salmon) management along the Yukon River and tributaries where our Native villages are located. During the 1990s, the average run of King Salmon in the Yukon River was just below 300,000 fish. Runs began to decline in the 2000s. In 2013, the run plummeted to a record low 60,000 fish. The Native Alaska villages along the Yukon knew that it would fall to them to make sacrifices. In 2014, the Native villages of the Yukon River came together in St. Mary's, Alaska and for future generations imposed a fish moratorium on King Salmon. In 2015, the villages agreed to further conservation efforts and continued the moratorium. The villages also formed the Yukon River Inter-Tribal Fish Commission (YRITFC), which TCC supports.

The self-imposed moratorium left Tribal members with little to no traditional King Salmon harvest. Due to their sacrifice, for the first time in over a decade, the United States met its escapement goal to Canada for King Salmon in 2014, and then exceeded their escapement goal in 2015, all to ensure the continued existence of the King Salmon in the Yukon River. In 2015, the run had rebounded to about 150,000 King Salmon. The sacrifice hurt Tribal members who depend on King Salmon for their subsistence. Forgoing fish camps in 2014 and 2015 was extremely difficult and a financial hardship on our members. It also harmed us culturally, for it is in fish camps that Alaska Native youth learn math, science, spirituality and how to fish from their elders. We cannot express how difficult a sacrifice this was for our members.

On July 17, 2016, Alaska Lt. Governor Byron Mallott, Alaska Fish & Game Commissioner, Sam Cotton, and Rural Affairs Director, Albert Kookesh, joined TCC officials and myself on a four-day trip to tour interior villages on the Yukon River and listen to community members to get a better understanding of how to improve the management of the Chinook run. We noted to the Alaska State officials who accompanied us on our tour to fish camps and the villages of Tanana, Rampart, Stevens Village, Beaver, Fort Yukon, Circle and Eagle, that the Tribal members always fed us fish. Even though they had little to share, they gave us their best. Now, we ask you to do your best; honor the Commission—and the Alaska Native stakeholders—in their efforts to save Yukon's King Salmon by increasing BIA's Tribal Management/Development Program in fiscal year 2018 to \$14.266 million, a modest increase of \$3 million, and direct that half the increase address subsistence management in Alaska by Tribal entities like the Yukon River Inter-Tribal Fish Commission. Please sustain this effort annually so that the Commission can ensure the viability of King Salmon in the Yukon River and our traditional subsistence practices. Alaska's interior, like the coast, is under environmental threat from floods, bank erosion and wildfires. The Commission has demonstrated that it stands shoulder to shoulder with State and Federal fish management officials as a capable steward.

## 4. PROMOTE ECONOMIC DEVELOPMENT AND JOB CREATION IN RURAL ALASKA VILLAGES

In 2016, through various support programs, we assisted nearly 200 Tribal members in Fairbanks and in our Native villages with CDL classes, employment training in facility maintenance, flooring and cabinet installation, plumbing, plastic and copper pipe fitting, wildland firefighting training, and cooking. We provided over 2,000 bus tokens to nearly 750 interior Tribal members in the city of Fairbanks who were searching for work, and gave nearly 2,000 free computer lab sessions to employment seekers. These are small, but helpful measures, and we ask this subcommittee to increase resources for BIA job training and retraining programs, and adult education programs in fiscal year 2018. There is great dignity in learning a trade and providing for your family. Such investments yield tremendous returns by allowing our members to compete more effectively for jobs. Please provide meaningful increases to the BIA budget to help promote job creation in our rural Native villages, where work is seasonal and unemployment remains high. Our current resources are simply inadequate to the task at hand.

Thank you for permitting TCC the opportunity to submit written testimony.

PREPARED STATEMENT OF ALEXANDRA TEAGUE, ASSOCIATE PROFESSOR, UNIVERSITY OF IDAHO

Dear Senate Subcommittee on Interior, Environment, and Related Agencies:

As a 2011 recipient of an NEA fellowship for poetry, I am writing to attest that this fellowship—which represents a miniscule fraction of the Federal Government’s budget—was life-changing for me and for the many students whom I have subsequently taught. After many years as an adjunct community college instructor, who struggled financially and to find time for my own writing, receiving an NEA fellowship allowed me to focus on writing my second book of poetry, *The Wise and Foolish Builders*, and to secure a tenure-track position at University of Idaho, a land-grant institution that serves many first-generation college students.

At University of Idaho, I have spent the past 6 years teaching a range of creative writing and literature classes that not only help build specialized creative writing skills, but as importantly, help students understand a wide range of others’ stories and perspectives, and to express their own thoughts and experiences. I regularly hear in my student evaluations that the critical thinking and communication skills that my students gain in these courses helps them more compassionately and complexly understand the world in which they live—and they apply these communication skills and perspectives to a wide range of future careers including high school and college teaching and law. Many of my students also go on to become published writers, whose stories of cancer survival, domestic abuse, and so many other subjects are vital for others to hear.

Literature literally saves lives: I cannot count the number of students in my 20-year teaching career who have told me about hearing someone else’s story through a literature or creative writing class that helped them understand some traumatic experience of their own and/or gave them a reason to keep going and overcoming the challenges they faced (whether mental health or financial or of many other sorts). In my career, I have taught formerly (and currently) homeless students; students whose children had tragically died; students who were the first in their family to even finish high school, much less college; students who were living in neighborhoods where drive-by shootings were a daily occurrence. If we care about this country and its people (which frankly I worry the Federal Government has ceased to), then we should care that we know how to communicate across difference and hear one another and give one another hope.

And that is what the NEA helps to support in so many ways, and at such a small financial cost in comparison to the vast social benefit. Please, from the bottom of my heart and my students’, if you have ever read a story that mattered to you—if you care at all about the written word or self expression—do not cut these vital fellowships.

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PREPARED STATEMENT OF THE THEATRE COMMUNICATIONS GROUP

Mr. Chairman and distinguished Members of the subcommittee, Theatre Communications Group—the national service organization for the American theatre—is grateful for this opportunity to submit testimony on behalf of our 521 not-for-profit member theatres across the country and the nearly 30 million audience members that the theatre community serves.

*—We urge you to support funding at \$155 million for the National Endowment for the Arts for fiscal year 18.*

The entire not-for-profit arts industry stimulates the economy, creates jobs, and attracts tourism dollars. The not-for-profit arts generate \$135.2 billion annually in economic activity, support 4.13 million jobs, and return \$22.3 billion in government revenue. Art museums, exhibits, and festivals combine with performances of theatre, dance, opera, and music to draw tourists and their consumer dollars to communities nationwide. Federal funding for the arts creates a significant return, generating nine dollars in matching funds for each Federal dollar awarded, and is clearly an investment in the economic health of America. In an economy where corporate donations and foundation grants to the arts are diminished and increased ticket prices would undermine efforts to broaden and diversify audiences, these Federal funds simply cannot be replaced. Maintaining the strength of the not-for-profit sector, along with the commercial sector, is vital to supporting the economic health of our Nation.

Our country’s not-for-profit theatres present new works and serve as catalysts for economic growth in their local communities. These theatres also nurture and provide artistic homes for the development of the current generation of acclaimed writ-

ers, actors, directors, and designers working in regional theatre, on Broadway, and in the film and television industries. Our theatres develop innovative educational activities and outreach programs, providing millions of young people, including “at-risk” youth, with important skills for the future by expanding their creativity and developing problem-solving, reasoning, and communication abilities—preparing today’s students to become tomorrow’s citizens. At the same time, theatres have become increasingly responsive to their communities, serving as healing forces in difficult times and producing work that reflects and celebrates the strength of our Nation’s diversity.

Here are some recent examples of NEA grants and their community impact:

The NEA has awarded a \$15,000 grant to *Touchstone Theatre* in Bethlehem, Pennsylvania to support its Young Playwrights’ Lab, bringing an eight-week playwriting residency to students in 3rd–12th grade. Through this grant, Touchstone partnered with 10 public schools in Allentown, Bethlehem, and Easton to offer an afterschool residency, reaching approximately 150 students. Twice a week for eight weeks during 90-minute sessions, two professional teaching artists guide students through theatre, journaling exercises, and workshops. Students learn to create dialogue, refine plot, and enhance their editing ability. The supportive workshop environment helps students improve communication and literacy skills, build self-esteem, and develop creative voices. At the end of the Lab, a handful of student-written plays are selected and professionally produced in the annual Young Playwrights’ Festival. All Young Playwrights’ Lab student participants receive complimentary tickets to attend the Young Playwrights’ Festival.

The *Coterie Theatre* in Kansas City, Missouri received a \$10,000 Art Works grant to support the development and production of *Imaginary Friends* by Laurie Brooks. The theatre commissioned Brooks to write a play for teens and families that is adapted from a short story by her brother, award-winning fantasy author Terry Brooks. The story centers on a young teen with a serious illness who must face a demon alone. In the play, playwright Brooks will further develop these themes and add a new work of fantasy to the canon of dramatic literature aimed at teens and pre-teens. *Imaginary Friends* will open on January 26, 2018 for 28 performances and is expected to reach over 5,800 students and educators as well as families and individuals. The Coterie has an established, diverse audience drawn from all demographic areas in a city that sits on the State line between Missouri and Kansas, with 50 percent of its audiences drawn from each side. As the theatre is centrally located, the play will reach urban, suburban, and rural communities alike. Approximately 200 in-school residencies will occur to prepare students for the play’s topics. Interactive forums after each performance will further explore the play’s themes.

With a \$10,000 Art Works grant from the NEA, *Idaho Shakespeare Festival* was able to grow its Access Program and open the door to enjoy the professional theatre arts for over 30,000 people ages 5 to 100, many of whom would otherwise not have been able to attend. The program includes a tour—with over 100 performances for elementary students across the State of Idaho—that features an engaging new script, full set, costumes, and sound. Additionally, the program creates access for students of all ages, the deaf and hard-of-hearing, elderly on fixed income, at-risk youth, refugees, wounded veterans (as well as their families), and volunteer service providers to attend the Festival’s mainstage season. By integrating those with special needs into its audience, Idaho Shakespeare Festival’s Access Program has significantly broadened the demographic makeup and interest of those able to experience performances.

*Perseverance Theatre*, which produces theatre by and for the people of Alaska, received a \$10,000 Art Works grant from the NEA for the world premiere of *They Don’t Talk Back*, by Frank Katasse of the Alaskan Tlingit Tribe, directed by Randy Reinholz of the Choctaw Tribe. The NEA’s funding helps local communities across Alaska connect with their past and with one another. The play explores issues of family, coming of age, and honoring one’s culture in the face of change as a young Tlingit man from Juneau returns to his family’s village. Contemporary characters are paired with traditional Tlingit music and storytelling. The themes of the play are lifelong love, the impact of military service on veterans and their families, and the challenges of keeping family ties strong in the modern world. *They Don’t Talk Back* will have 19 performances in Juneau and will have 9 more in Anchorage, reaching approximately 5,000 audience members across Alaska. Outreach activities will include four pay-what-you-can performances; a performance in honor of Alaska Legislative Appreciation Night; and discounted tickets for seniors, students, and military personnel.

These are only a few examples of the kinds of extraordinary programs supported by the National Endowment for the Arts. Indeed, the Endowment’s Theatre Pro-

gram is able to fund only 60 percent of the applications it receives, so 40 percent of applying theatres are turned away—in part because available funds are insufficient. Theatre Communications Group urges you to support a funding level of \$155 million for fiscal year 18 for the NEA; to maintain citizen access to the cultural, educational, and economic benefits of the arts; and to advance creativity and innovation in communities across the United States.

The arts infrastructure of the United States is critical to the Nation's well-being and economic vitality. It is supported by a remarkable combination of government, business, foundation, and individual donors and represents a striking example of Federal/State/private partnership. Federal support for the arts provides a measure of stability for arts programs nationwide and is critical at a time when other sources of funding are diminished. Further, the American public favors spending Federal tax dollars in support of the arts.

The NEA is currently funded at \$150 million in the fiscal year 17 budget, and despite the President's proposal for a mid-year cut, the subcommittee and Congress approved a \$2 million increase. We thank the subcommittee for its leadership in supporting the work of the NEA. Please stand firm against the President's proposal to eliminate the NEA. We urge the subcommittee to fund the NEA at a level of \$155 million to preserve the important cultural programs reaching Americans across the country.

Thank you for considering this request.

[This statement was submitted by Laurie Baskin, Director of Research, Policy & Collective Action.]

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PREPARED STATEMENT OF SARAH THOMAS

To the Senate Subcommittee on Interior, Environment, and Related Agencies:

I write to express my deep concern and outrage at the proposed budget cuts to the National Endowment for the Arts and the National Endowment for the Humanities, and to urge that you do not allow these cuts to decimate two institutions that are fundamental to our Nation's cultural enrichment, heritage, and status as a leader in the world.

George Washington knew the importance of the arts among other fields of knowledge, not just for personal growth but indeed for fostering national and universal understanding, transformation, and justice. He wrote that "the Arts and Sciences, essential to the prosperity of the State and to the ornament of human life, have a primary claim to the encouragement of every lover of his country and mankind."

When President Lyndon B. Johnson signed into existence the National Endowment for the Arts, he signaled their vital importance, saying: "Art is a nation's most precious heritage. For it is in our works of art that we reveal to ourselves and to others the inner vision which guides us as a nation. And where there is no vision, the people perish."

While our current President seems to think that the Nation can do without the arts, literature, and the humanities, his predecessors saw their importance to create a vibrant, just society aware of its heritage and inspired about its future. These funds contribute to educational and cultural institutions, individual artists, writers, and creators, without all of which our Nation would be impoverished and slide further away from the ideals on which it was founded.

I urge you to reconsider these unnecessary cuts (with a fraction of the profit made in a recent arms deal with Saudi Arabia, these institutions could be protected almost in perpetuity) and acknowledge the importance of the arts and humanities to our Nation's future. If you choose to eliminate them, you do so to the detriment of the Nation at large.

Sincerely yours,

SARAH THOMAS,  
*Assistant Professor of Hispanic Studies, Brown University.*

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PREPARED STATEMENT OF THE TRIBAL LAW AND POLICY INSTITUTE

On behalf of the Tribal Law and Policy Institute (TLPI), this testimony addresses important programs in the Department of Interior, Indian Health Service, Bureau of Indian Affairs, and Environmental Protection Agency as they concern Tribal justice system funding. Specifically, TLPI joins the National Congress of American Indians (NCAI) in requesting:

Program	NCAI Fiscal Year 2018 Request
DOI: Bureau of Indian Affairs	Provide increases via Tribal base funding instead of through grants \$82 million in additional funding for base funding for Tribal courts
DOI: Bureau of Indian Affairs	

TLPI is a 100 percent Native American operated non-profit corporation organized to design and deliver education, research, training, and technical assistance programs which promote the enhancement of justice in Indian country and the health, well-being, and culture of Native peoples.

Native American and Alaska Native Nations constitute a third sovereign within the American system of justice. The vast majority of the more than 350 current Tribal justice systems function in isolated rural communities. Tribal justice systems face complex jurisdictional limits over individuals in its territory, complex relationships with Federal and State criminal justice systems, inadequate law enforcement, lack of detention staff and facilities, lack of sentencing or disposition alternatives, lack of access to advanced technology, and lack of substance abuse testing and treatment options. Yet “the effective operation of Tribal courts is essential to promote the sovereignty and self-governance of the Indian Tribes.”<sup>1</sup> As the Supreme Court has recognized, “[T]ribal courts play a vital role in Tribal self-government, and the Federal Government has consistently encouraged their development.”<sup>2</sup>

Part of the Federal trust responsibility to Indian Tribes includes basic governmental services in Indian Country, funding for which is appropriated in the discretionary portion of the Federal budget. Tribal governments exist to protect and preserve their unique cultures, identities, and natural environments for posterity. As governments, Tribes must deliver a wide range of critical services, such as education, workforce development, and first-responder and public safety services, to their citizens. The Federal budget for Tribal governmental services reflects the extent to which the United States honors its promises to Indian people.

Yet Tribal justice systems historically have been under-funded and continue to be under-funded in most Tribal communities. In 1991, the United States Civil Rights Commission found that “the failure of the United States Government to provide proper funding for the operation of Tribal judicial systems . . . has continued for more than 20 years.”<sup>3</sup> The Commission also noted that “[f]unding for Tribal judicial systems may be further hampered in some instances by the pressures of competing priorities within a Tribe.”<sup>4</sup> Moreover, they opined that “[i]f the United States Government is to live up to its trust obligations, it must assist Tribal governments in their development. . . .”<sup>5</sup> The Commission “strongly support[ed] the pending and proposed congressional initiatives to authorize funding of Tribal courts in an amount equal to that of an equivalent State court” and was “hopeful that this increased funding [would] allow for much needed increases in salaries for judges, the retention of law clerks for Tribal judges, the funding of public defenders/defense counsel, and increased access to legal authorities.”<sup>6</sup> The Indian Law and Order Commission (ILOC) noted that in addition to funding shortfalls, short-term, competitive funding approach is deficient because it reflects Federal priorities rather than Tribal ones, favors hired grant-writers, requires Tribes to compete against each other, and offers only three-year programs that often leave Tribes with staff turnover and short-term programs.<sup>7</sup>

#### *Allocate \$82 Million for Tribal Base Funding*

In September 2015, the Bureau of Indian Affairs submitted a report to Congress that revealed that the BIA is funding most Tribal courts at a dismal 6 percent of estimated need.<sup>8</sup> The BIA estimates that full funding for Tribal courts would cost over \$860 million. For Tribal courts operating in Public Law 280 jurisdictions, funding has been even lower. BIA estimates that it would cost an additional \$16.9 mil-

<sup>1</sup>Sandra Day O'Connor, *Lessons from the Third Sovereign: Indian Tribal Courts*, 33 TULSA L.J. 1, 2 (1997).

<sup>2</sup>See *Iowa Mut. Ins. Co. v. LaPlante*, 480 U.S. 9, 14–15 (1987).

<sup>3</sup>United States Commission on Civil Rights, *The Indian Civil Rights Act: A Report of the United States Commission on Civil Rights* 71 (June 1991).

<sup>4</sup>Id.

<sup>5</sup>Id.

<sup>6</sup>Id.

<sup>7</sup>Indian Law and Order Commission, *A Roadmap for Making Native America Safer: Report to the President & Congress of the United States* 83 (2013) [hereinafter ILOC Report].

<sup>8</sup>“Report to the Congress on The Budgetary Cost Estimates of Tribal Courts in Public Law 83–280 States,” Bureau of Indian Affairs, Office of Justice Services (Sept. 16, 2015).

lion for Tribes in mandatory Public Law 280 jurisdictions to be funded at 6 percent of need noting that “while \$16.9 million would not be widely viewed as robust or perhaps even adequate, it would match existing levels of funding in non-Public Law 280 States, which reflect a constrained fiscal environment.”

The critical financial need of Tribal courts ultimately led to the passage of the Indian Tribal Justice Act (the “Act”).<sup>9</sup> Congress found that “[t]ribal justice systems are an essential part of Tribal governments and serve as important forums for ensuring public health, safety and the political integrity of Tribal governments.”<sup>10</sup> Affirming the findings of the Civil Rights Commission, Congress further found that “Tribal justice systems are inadequately funded, and the lack of adequate funding impairs their operation.”<sup>11</sup> In order to remedy this lack of funding, the Act authorized appropriation base funding support for Tribal justice systems in the amount of \$50,000,000 for each of the fiscal years 1994 through 2000.<sup>12</sup>

To carry out the provisions of the Indian Tribal Justice Act, Congress authorized annual appropriations of over \$58 million annually for each of the fiscal years 1994–1999 with \$50 million annually for base support funding for Tribal justice systems. In today’s dollars this would be \$82 million per year, which would be less than 10 percent of the overall need estimated by BIA. Unfortunately, a total of only \$5 million of the more than \$58 million per year appropriated was actually appropriated through 1999.<sup>13</sup> Since Congress enacted the Indian Tribal Justice Act in 1993, the needs of Tribal court systems have continued to increase, but there has been no corresponding increase in funding for Tribal court systems.<sup>14</sup>

Despite numerous congressional reauthorizations of the Act over the past couple of decades—most recently in the Tribal Law and Order Act (TLOA)<sup>15</sup>—funds have never been appropriated to implement the Act. The Act does not differentiate between Tribes subject to Public Law 280 jurisdiction or not. The promise of this much-needed base funding must be fulfilled. We ask Congress to commit to fully funding Tribal courts within the next 5 years by incrementally increasing funding each year.

#### CONCLUSION

Thank you for your consideration of this testimony. For more information, please contact Lauren van Schilfgaarde, Tribal Law Specialist, at [lauren@tlpi.org](mailto:lauren@tlpi.org).

#### PREPARED STATEMENT OF THE TRUST FOR PUBLIC LAND

Chairwoman Murkowski, Ranking Member Udall, and distinguished members of the Interior subcommittee:

Thank you very much for the opportunity to submit testimony on behalf of The Trust for Public Land in support of programs under your jurisdiction for the fiscal year 2018 appropriations process. The Trust for Public Land (TPL) is a national nonprofit land conservation organization working to protect land for people in communities across the Nation. We are extremely grateful for the support members of this subcommittee and other conservation leaders in Congress have shown for Federal conservation programs during these challenging fiscal times.

We recognize that the subcommittee will again face enormous challenges in meeting the broad range of priority needs in the Interior and Environment bill this year. The President’s Budget request for fiscal year 2018 has proposed drastic program reductions and has eliminated core Federal conservation programs that have long had an impact in communities across the country. Our work in many of your districts and elsewhere shows that there is tremendous support for conservation and access to recreation at the local, State and Federal level, and the programs under your jurisdiction play a critical role in bringing those community visions to reality.

Federal funding is an absolutely critical part of the conservation toolbox and provides manifold benefits to the American people. Given the limited public conserva-

<sup>9</sup>Public Law No. 103–176 (codified at 25 U.S.C. § 3601 *et seq.*)

<sup>10</sup>25 U.S.C. § 3601(5).

<sup>11</sup>25 U.S.C. § 3601(8).

<sup>12</sup>25 U.S.C. § 3621(b).

<sup>13</sup>United States Commission on Civil Rights, *A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country 79* (2003) \*hereinafter “A Quiet Crisis”\*.

<sup>14</sup>In 2000, Congress reaffirmed the Congressional commitment to provide this increased funding for Tribal justice systems when it reauthorized the Act for seven more years of funding at the same level of more than \$58 million per year through the Indian Tribal Justice Technical and Legal Assistance Act. See Pub. L. No. 106–559 § 202.

<sup>15</sup>Tribal Law and Order Act, Public Law 111–211, Sec. 242 (2010).



tion funding at all levels of government, TPL works to leverage Federal conservation dollars, bringing to bear private philanthropic support as well as State and local funding to forge solutions to sometimes complex conservation funding challenges. Aware of these realities, many of our recommendations are for programs to remain at the enacted level of fiscal year 2017. The major programs under your jurisdiction that we count on year in and year out are the entire suite of Land and Water Conservation Fund (LWCF) programs—including BLM, FWS, NPS and USFS acquisitions, NPS State and local grants, the Forest Legacy Program, Cooperative Endangered Species Conservation Fund, and American Battlefield Protection Program—as well as the USFWS North American Wetlands Conservation Act, USFS Community Forest Program, and National Endowment for the Arts.

*Land and Water Conservation Fund.*—After celebrating its 50th anniversary in 2014, Congress reauthorized LWCF in a bipartisan manner for three additional years until September 30, 2018. In the recent fiscal year 2017 appropriations bill, Congress furnished the program with \$400 million. The appropriations committees also included important conference report language that instructed the Federal land management agencies to continue ranking projects for fiscal year 2018 and to have those lists available to Congress upon request. We are extremely grateful to the members of the subcommittee for their critical role in all of these efforts, which have resulted in important conservation and outdoor recreation investments at the local, State and Federal levels. Investments in conservation and outdoor recreation make sound economic sense. The Outdoor Industry Association estimated this year that active outdoor recreation contributes \$887 billion annually to the U.S. economy, supports nearly 7.6 million jobs across the country, and generates \$65.3 billion in annual Federal tax revenue.

Most urgently, we urge you to reject the fiscal year 2018 President's Budget request for LWCF. The Budget reduces LWCF from the enacted level of \$400 million (itself a cut of \$50 million from enacted fiscal year 2016) to \$64 million. This is an 84 percent cut from the enacted level. It eliminates funding for the Forest Legacy Program, the Cooperative Endangered Species Conservation Fund, and the Highlands Conservation Act. It includes no funding for acquisition projects anywhere in the country, denying ongoing land protection efforts in Alaska, New Mexico, Montana, California, Mississippi, and many other States.

We urge the subcommittee to continue to invest in LWCF as it did in fiscal year 2017 and provide at least the enacted \$400 million for the entire program. Continued annual investment in the entire suite of LWCF programs as Congress provided in fiscal year 2017 is essential and we are ready to work with the subcommittee to ensure that dollars invested are well spent on our Nation's most urgent needs. We greatly appreciate the key role your subcommittee plays in ensuring that program dollars are used for high-priority strategic investments and appreciate that in challenging budgetary times you have maintained a commitment to this bipartisan program.

LWCF's programs bring specific and complementary conservation benefits to the American public. These key programs are:

*BLM/FWS/NPS/USFS Land Acquisitions.*—Every year tens of millions of Americans, as well as visitors to our country, enjoy our Federal public lands—national parks, forests, wildlife refuges and BLM conservation lands. Recent data shows that National Park Service units were visited by larger numbers than in the past 20 years. Strategic inholding and other acquisitions in these Federal areas through LWCF ensure recreation access and nature education; foster vital economic growth; protect clean water and other community resources; enhance the incomparable natural and scenic treasures that belong to all Americans; and frequently resolve complex land-use conflicts and produce management savings. Without adequate funding, the unfortunate alternative often is an irretrievable loss of public use and enjoyment of these areas and irreversible damage to the resources we all care about. We strenuously oppose the budget proposal eliminating all funds for land protection projects.

We applaud the inclusion of recreational access line items in the fiscal year 2016 and fiscal year 2017 omnibus appropriations bills for each of the four land management agencies—with particular emphasis on BLM and USFS—and support similarly focused funding in the fiscal year 2018 bill to address opening up and improving public access to the outdoors. The President's Budget eliminated recreational access funding for all four land management agencies. We urge you to restore it.

*USFS: Forest Legacy Program.*—For over 25 years, the Forest Legacy Program has been an extraordinarily effective program, providing assistance to States and localities seeking to preserve important working forests. It has protected over 2.5 million acres of forestland and has leveraged more than the required 25 percent match. Forest Legacy projects provide multiple public benefits through forest protection—

clean water, wildlife protection, climate change adaptation and mitigation, public access to recreation, economic development and sustainable forestry. Working with States, landowners and other partners, we have worked to submit a number of projects to protect recreation access for snowmobilers and hikers, ensure jobs in the woods, buffer important Federal and State conservation areas and provide strategic land conservation that fits a larger goal. Among these are projects to protect the recreational access and critical wildlife habitat in Montana and New Mexico, working forests along Hood Canal and Puget Sound in Washington, and forests along the Pascagoula River in Mississippi. We strongly oppose the administration's elimination of this program and instead urge your continued support for sustained investment in this strategic and successful program.

*USFWS: Cooperative Endangered Species Conservation Fund.*—We are grateful for the subcommittee's historic support for the Cooperative Endangered Species Conservation Fund (CESCF), which leverages State and private funds to protect threatened and endangered species habitat across the Nation. Two components of this program are funded via LWCF: the Habitat Conservation Plan (HCP) Land Acquisition program and the Recovery Land Acquisition (RLA) program. The CESCF has been critical to communities in Montana, Hawaii, and California where landowners and public wildlife managers are working together through integrated planning to foster species recovery and appropriate economic development. The land acquisition portion of this program was eliminated in the President's Budget. We support at least the enacted fiscal year 2017 level of \$30.8 million for the HCP and RLA land acquisition programs in fiscal year 2018.

*NPS: State and Local Assistance grants.*—Since 1965, the State and local assistance grant program has provided over \$4 billion in Federal funds for more than 42,000 projects in States and local communities for park protection and development of recreation facilities. This program reaches deep into communities across our Nation, supporting citizen-led efforts to conserve places of local importance and opportunities for close-to-home recreation. Through our Parks for People Program, The Trust for Public Land works with local communities to create, build, design, fund and care for parks, trails and playgrounds. As we continue our work with many of these communities to meet these needs, we hope the subcommittee will continue to provide funding to this important program. We also strongly support the allocation of a portion of LWCF State and local assistance funds to the nationwide competitive program, the Outdoor Recreation Legacy Program, which has now been included in four consecutive appropriations bills. Last year Congress demonstrated its commitment to this program by keeping the funding level at \$12 million, for which we are extremely grateful. We support an allocation of \$12 million for ORLP in fiscal year 2018.

*NPS: American Battlefield Protection Program.*—We applaud the subcommittee for its longstanding commitment to this important program, which complements acquisitions of threatened Civil War, Revolutionary War, and War of 1812 properties in national park units with non-Federal land protection of key battlefield sites. We hope that Congress can fully fund the program again at the enacted \$10 million level in fiscal year 2018.

Beyond LWCF, we urge the subcommittee to provide adequate funding to other conservation programs including:

*USFWS: North American Wetlands Conservation Act.*—We respectfully request your support for program funding at the enacted level of \$38.145 million in fiscal year 2018. The North American Wetlands Conservation Act (NAWCA) provides much-needed matching grants to carry out wetlands conservation, restoration and enhancement projects. NAWCA is a highly-leveraged program with a substantial record of success and is another important Federal conservation tool to support critical wetland habitat.

*USFS: Community Forest Program.*—Contrary to the President's Budget, which eliminates the program, we urge your continued support for the Community Forest Program (CFP), which complements existing conservation programs by helping communities and Tribes identify, purchase, and manage locally important forestlands that are threatened with development. These community forests can be tailored to local needs, from timber revenue for municipal or county budgets to recreation access and outdoor education. Every Federal dollar from CFP is at least evenly matched by funding from State, local, and private sources. The Forest Service has now approved 35 grants in 17 States and territories—including Vermont, New Hampshire, Maine, Kentucky, Montana, California, Oregon, and Washington—for innovative local and Tribal projects, and the program has generated significant interest from local entities concerned about the future of their close-to-home forests. Given the strong interest in community forests from coast to coast, we urge you to include \$5 million in the fiscal year 2018 bill for this innovative conservation tool.

*Wildfire Disaster Funding Act.*—We also support efforts to improve budgeting for forest fire management that will provide Federal agencies the means to fight fires without raiding other important Federal programs, like LWCF. America's forests and forest-dependent communities are at risk from outbreaks of pests and pathogens, persistent drought, and the buildup of hazardous fuels. Urbanization and development patterns are placing more homes and communities near fire-prone landscapes, leading to more destructive and costly wildfires. The current wildfire suppression funding model and cycle of transfers and repayments has negatively impacted the ability to implement forest management, among many other activities. We strongly support the bipartisan Wildfire Disaster Funding Act, which addresses Federal fire funding challenges. It would provide a fire funding solution that would 1) access disaster funding, 2) minimize transfers, and 3) address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that would restore forests to healthier conditions.

*National Endowment for the Arts.*—Since its establishment by Congress in 1965, the National Endowment for the Arts (NEA) has provided strategic leadership and investment in the arts. Through partnerships with State arts agencies, local leaders, other Federal agencies, and the philanthropic sector, the NEA supports arts learning, affirms and celebrates America's rich and diverse cultural heritage, and extends its work to promote equal access to the arts in every community across America. NEA provides not only critical funding and resources to the arts community but also significant investments in parks and community development through its Art Works and Our Town grants. According to analysis by Americans for the Arts, every \$1 of NEA funding leverages \$9 in private and public dollars and fuels a dynamic cultural economy and generates millions of American jobs. Should NEA and its funds be cut or eliminated, the impact will be devastating to the arts community and to local park departments and community development organizations. We strongly urge the inclusion of \$155 million for the agency in fiscal year 2018 in order to preserve access to the cultural, educational, and economic benefits of the arts.

The programs highlighted here are critical to the future of conservation at the local, State and Federal levels; reflect the continued demand on the part of the American people for access to outdoor recreation; and help sustain our economy and reflect the true partnership that exists in Federal conservation efforts. As ever, we are deeply thankful for the subcommittee's recognition of the importance of these programs and urge you to maintain robust funding for them in the fiscal year 2018 Interior, Environment and Related Agencies bill. Thank you for your help and support, and for your consideration of our requests.

[This statement was submitted by Kathy DeCoster, Vice President and Director of Federal Affairs.]

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PREPARED STATEMENT OF THE UNITED STATES SECTION OF THE PACIFIC SALMON COMMISSION

Mr. Chairman, and Honorable Members of the subcommittee, I am Ron Allen, the Alternate Tribal Commissioner and Chair of the Finance and Administration Committee for the U.S. Section of the Pacific Salmon Commission (PSC). The U.S. Section prepares an annual budget for implementation of the Pacific Salmon Treaty. The integrated budget details program needs and costs for Tribal, Federal, and State agencies involved in the Treaty. Tribal participation in the Treaty process is funded in the Bureau of Indian Affairs budget.

In order meet the increased obligations under the 2009–2018 Pacific Salmon Treaty Agreement the 25 affected Tribes identified costs at \$4,800,000 for Tribal research projects and participation in the U.S.-Canada Pacific Salmon Treaty process, an increase of \$470,000 over fiscal year 2016 enacted level. The funding for Tribal participation in the Pacific Salmon Treaty is a line item in the BIA's budget under Rights Protection Implementation.

Under U.S. Fish and Wildlife Service programs, the U.S. Section identified needs as follows:

USFWS participation in the Treaty process is funded at \$372,362 for fiscal year 2016. The Pacific States Marine Fisheries Commission's Regional Mark Center (PSMFC) receives support from the USFWS to provide data services to the PSC process at a level of \$236,189 for fiscal year 2016. The total for the two programs is \$608,551. This represents a decrease from fiscal year 2010 levels, which were \$417,673 for USFWS and \$315,000 for PSMFC, for a grand total of \$732,673. The US Section recommends increasing the fiscal year 2018 funding for these programs by \$50,000, which partially restores both programs to previous funding levels.

This base funding for the U.S. Fish and Wildlife Service supports critically important on-going work. The funding for Pacific States Marine Fisheries Commission's Regional Mark Center is utilized to meet Treaty requirements concerning data exchange with Canada. These program recommendations are integrated with those of the State and Federal agencies to avoid duplication of effort and provide for the most efficient expenditure of scarce funds.

Funding to support activities under the Pacific Salmon Commission comes from the Departments of Interior, State, and Commerce. The U.S. Section can provide a cross-cut budget summary to the subcommittee. Adequate funding from all three Departments is necessary for the U.S. to meet its treaty obligations. All of the funds are needed for critical data collection and research activities directly related to the implementation and are used in cooperative programs involving Federal, State, and Tribal fishery agencies and the Department of Fisheries in Canada. The commitment of the United States is matched by the commitment of the Government of Canada.

The U.S. Section of the PSC is recommending an adjustment to support the work carried out by the twenty-four treaty Tribes' participating in implementation of the Treaty. Programs carried out by the Tribes are closely coordinated with those of the States and Federal agencies. Tribal programs are essential for the United States to meet its international obligations. Tribal programs have taken on additional management responsibilities due to funding issues with State agencies. All participating agencies need to be adequately supported to achieve a comprehensive US effort to implement the Treaty.

The U.S. Fish and Wildlife Service activities are necessary so the U.S. can maintain the critical database to implement the Treaty. The work of the Regional Mark Processing Center includes maintaining and updating a coastwide computerized information management system for salmon harvest data as required by the Treaty. This work has become even more important to monitor the success of management actions at reducing impacts on ESA-listed salmon populations. Canada has a counterpart database. The U.S. database will continue to be housed at the Pacific States Marine Fisheries Commission.

Mr. Chairman, the United States and Canada established the Pacific Salmon Commission, under the Pacific Salmon Treaty of 1985, to conserve salmon stocks, provide for optimum production of salmon, and to control salmon interceptions. After thirty years, the work of the Pacific Salmon Commission continues to be essential for the wise management of salmon in the Northwest, British Columbia, and Alaska. For example, upriver bright fall Chinook salmon from the Hanford Reach of the Columbia River are caught in large numbers in Alaskan and Canadian waters. Tribal and non-Tribal fishermen harvest sockeye salmon from Canada's Fraser River in the Strait of Juan de Fuca and in Puget Sound. Canadian trollers off of the west coast of Vancouver Island catch Washington coastal Coho salmon and Puget Sound Chinook salmon. In the Northern Boundary area between Canada and Alaska, fish from both countries are intercepted by the other country in large numbers. The Commission provides a forum to ensure cooperative management of salmon populations. The agreements in the current Annex Chapters for management of chinook, coho, chum, and transboundary populations expire at the end of 2018. The Annex Chapter for management of Fraser River sockeye and pink chapter expires at the end of 2019. The U.S. and Canada are negotiating revisions to the current agreements. Based on past experience, the negotiation process will require additional meetings to reach a successful conclusion. It is important to have adequate resources for U.S. participants to negotiate the best outcome.

Before the Treaty, fish wars often erupted with one or both countries overharvesting fish that were returning to the other country, to the detriment of the resource. At the time the Treaty was signed, Chinook salmon were in a severely depressed State as a result of overharvest in the ocean as well as environmental degradation in the spawning rivers. Under the Treaty, both countries committed to rebuild the depressed runs of Chinook stocks, and they recommitted to that goal in 1999 when adopting a coastwide abundance based approach to harvest management. Under this approach, harvest management will complement habitat conservation and restoration activities being undertaken by the States, Tribes, and other stakeholders in the Pacific Northwest to address the needs of salmon listed for protection under the Endangered Species Act. The 2008 Chinook agreement continued these commitments. The combination of these efforts is integral to achieving success in rebuilding and restoring healthy, sustainable salmon populations.

Finally, you should take into account the fact that the value of the commercial harvest of salmon subject to the Treaty, managed at productive levels under the Treaty, supports the infrastructure of many coastal and inland communities. The value of the recreational fisheries, and the economic diversity they provide for local

economies throughout the Pacific Northwest and Alaska, is also immense. The value of these fish to the 24 treaty Tribes in Washington, Oregon, and Idaho goes far beyond their monetary value, to the cultural and religious lives of Indian people. A significant monetary investment is focused on salmon as a result of listings of Pacific Northwest salmon populations under the Endangered Species Act. Given the resources, we can continue to use the Pacific Salmon Commission to develop recommendations that help to ensure solutions that minimize impacts on listed stocks, especially if we are allowed to work towards the true intent of the Treaty: mutually beneficial enhancement of the shared resource.

Mr. Chairman, that concludes my written testimony submitted for consideration by your subcommittee. I want to thank the subcommittee for the support that it has given the U.S. Section in the past. Please feel free to contact me, or other members of the U.S. Section to answer any questions you or subcommittee Members may have regarding the U.S. Section of the Pacific Salmon Commission budget.

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PREPARED STATEMENT OF THE UNITED TRIBES TECHNICAL COLLEGE

United Tribes Technical College (UTTC) has for 48 years, and with the most basic of funding, provided postsecondary career and technical education and family services to some of the most impoverished high risk Indian students from throughout the Nation. Despite such challenges we have consistently had excellent retention and placement rates and are fully accredited by the Higher Learning Commission. We are proud of our role in helping to break generational poverty and in helping to build a strong Indian Country middle class by training the next generation of law enforcement officers, educators, medical providers, and administrators; however, there is a long way to go and we need to expand our efforts. We are governed by the five Tribes located wholly or in part in North Dakota. We are not part of the North Dakota University System and do not have a tax base or State-appropriated funds on which to rely.

The funding requests of the UTTC Board for fiscal year 2018 Bureau of Indian Education (BIE)/Bureau of Indian Affairs (BIA) are:

- \$11 million for the line item, Tribal Technical Colleges, which is \$3.1 million over the fiscal year 2017 enacted level. Of this amount, \$6.8 million is BIE funding for our Indian Self-Determination Act contract.
- Continue fully funding Contract Support Costs with establishment of permanent, full, mandatory-funding.
- Continue full funding for Tribal Grant Support Costs for tribally-operated elementary/secondary schools.
- Establishment of a tribally-administered Northern Plains law enforcement training center at UTTC.

First of all, thank you for the \$500,000 fiscal year 2017 increase for the BIE line item of Tribal technical colleges as requested by the Obama Administration. Secondly, thank you again for placing the Tribal Technical Colleges account that provides core operational funds to our institution and Navajo Technical University (NTU) on a forward funded basis as of fiscal year 2016.

We are pleased that as of fiscal year 2017 Congress will be providing forward funding for the Institute of American Indian Arts and that the explanatory language for the appropriations bill indicates that you are interested in providing in fiscal year 2018 for the remaining two colleges who are not yet forward funded—Southwestern Indian Polytechnic Institute, and the Haskell Indian Nations University.

The extended length of time to achieve forward funding for UTTC and NTU and the fact that several other Indian higher education institutions were/are still not forward funded highlights the carefulness with which Tribal college references need to be made. We are authorized under differing titles of the Tribally Controlled Colleges and Universities Act and then there are other statutory authorities for the three institutions administered through the Bureau of Indian Education.

*Base Funding.*—UTTC administers our BIE funding under an Indian Self-Determination and Education Assistance Act agreement, and has done so for 40 years. The UTTC portion of the Tribal Technical Colleges line item should be \$6.8 million based on an \$11 million appropriation. We will want to communicate again with this subcommittee when we know what the Trump administration has requested in the Indian Affairs budget.

Acquisition of additional base funding is critical. We struggle to maintain course offerings and services to adequately provide educational services at the same level as our State counterparts. BIE funds are central to the viability of our core postsecondary education programs. Very little of the other funds we receive may be used for core career and technical educational programs; they are competitive, often one-

time targeted supplemental funds. Our BIE funding provides a base level of support while allowing the college to compete for desperately needed discretionary funds.

We highlight several recent updates of our curricula to meet job market needs. First, at the certificate level, UTTC recognized the need for more certified welders and heavy equipment operators in relation to the oil boom and expanded these programs in response to the workforce need. UTTC is now the only welding test site in a multi-State region approved by the American Welding Society, and while the North Dakota Bakken oil boom has diminished, these professions remain in demand. The hospital facilities in the regions were unable to hire certified Medical Coding & Billing personnel so we developed and currently offer this certificate as one of our online offerings. We are now able to train students for good paying in-demand employment with a focus on career rather than just a job. Finally, upon receiving approval by the Higher Learning Commission to offer a Bachelor's Degree in Environmental Science, we began this four-year program in the Fall of 2016, thus providing experiential research opportunities for our students.

Funding for United Tribes Technical College is a good investment. We have:

- Renewed unrestricted accreditation from the Higher Learning Commission through 2021. We offer 1 diploma, 4 certificates, 14 Associate degrees, and 4 Bachelor degree programs of study (Criminal Justice; Elementary Education; Business Administration; Environmental Science and Research). Business Management, Criminal Justice, Medical Coding and General Studies are fully available and offered online. UTTC continues to be the only TCU in the country approved by the Higher Learning Commission to offer full programs online.
- Services including a Child Development Center, family literacy program, wellness center, area transportation, K–7 BIE-funded elementary school, tutoring, counseling, family and single student housing, and campus security.
- A projected return on Federal investment of 20–1 (2005 study).
- From 2015–2016, UTTC had a fall to fall retention rate of 38 percent and a 2016 fall semester persistence rate of 84 percent for the fall of 2016. Of the 87 graduates in 2016, 53 students were employed, for a placement rate of 61 percent. Additionally, 19 of those graduates continued their education.
- Students from 69 Tribes represented at UTTC during the 2015–2016 academic year.
- Our students are very low income, and 70.4 percent of our undergraduate students receive Pell Grants.
- An unduplicated count of 524 undergraduate degree-seeking students and 4 non-degree seeking students; 1,037 continuing education students; and 29 dual credit enrollment high school students for a total of 1,594 students for 2016–2017.
- A critical role in the regional economy. Our presence brings at least \$34 million annually to the economy of the Bismarck region. A North Dakota State University study reports that the five Tribal colleges in North Dakota made a direct and secondary economic contribution to the State of \$192,911,000 in 2016.

*Contract Support Costs.*—As mentioned above, we administer our BIE funding through an Indian Self-Determination and Education Assistance Act contract, and thus Contract Support Costs (CSC) are vital to us. We thank this subcommittee for the recognition of the legal obligation the Federal government has to pay Tribal contractors their full CSC. This has been an enormously important development for Indian Tribes. We appreciate that the fiscal years 2016 and 2017 appropriations acts place Contract Support Costs for the BIA and the Indian Health Service (IHS) in their own accounts and is funded at an indefinite amount, thus assuring full funding. Given that this funding status for CSC is year to year, we join with others in Indian Country in supporting a long-term legislative solution that will provide full and permanent funding for Contract Support Costs. Placing CSC funding on a mandatory basis is the logical resolution to a long-term solution for CSC that will also protect the programs funded on a discretionary basis in the BIA and IHS budgets.

*Tribal Grant Support Costs for K–12 Tribally-Operated Schools.*—We have a BIE-funded elementary school on our campus, the Theodore Jamerson Elementary School, and thus many of our college students and their children attend school on the same campus. For these elementary schools, Tribal Grant Support Costs are the equivalent of Contract Support Costs for Tribes although authorized under different statutory authorities. We thank you for providing what is estimated to be full funding for Tribal Grant Support Costs in fiscal year 2017 (\$80 million).

*A Northern Plains Indian Law Enforcement Academy.*—We again ask Congress to seriously look at the problem of addressing crime in Indian Country with an eye toward the establishment of a campus-based academy for training of law enforcement officers at UTTC. We ask that you direct the Secretary of Interior and the Bureau of Indian Affairs to work with the Northern Plains Tribes and others on the

timely development of a plan for the establishment of an academy to better serve the Tribes residing in the Northern tier of the United States.

Establishment of such an academy at UTTC continues to be strongly supported by the Great Plains Tribal Chairman's Association (GPTCA) via Resolution 5-1-20-16. The Resolution requests that the Secretary of Interior and the BIA consult with the Tribes on the details of a plan for establishment of the Academy. Cultural and legal differences further support why such training should be tribally-directed in order to be appropriate for the realities of Tribal communities within different parts of the Indian Country. The need is critical and continues to grow with the methamphetamine, opioid and heroin crises and the resulting social ills from these epidemics. North Dakota and other northern border regions have special problems relating to drug and human trafficking. Additionally, the expanded Tribal authorities under the Tribal Law and Order Act and the Violence Against Women Act only further the importance of trained law enforcement officers within our Tribal communities. State and national training resources would have an important role in this new endeavor.

The UTTC Criminal Justice program currently offers two- and four-year degrees, and prepares graduates for employment as Federal, State or Tribal law enforcement, correction, parole and probation, and transportation safety officers; victim advocates; U.S. Customs, Homeland Security, and Military Investigative services; and private security agents. A pre-law program is currently in development to address the shortage of law trained personnel within Tribal judicial systems. We want to expand our endeavors to help meet law enforcement needs in Indian Country. Given our Criminal Justice program, our location and our campus resources, we propose the establishment of a Northern Plains Indian Law Enforcement Academy.

Basic law enforcement training is currently provided through the BIA's Indian Police Academy in Artesia, New Mexico, which often has waiting lists. The BIA is depending on the basic training provided by State academies to supplement what is provided at Artesia. UTTC is well positioned with regard to providing both basic and supplemental law enforcement training. An academy at UTTC would allow Tribal people in the Great Plains and other nearby regions a more affordable choice for training locations while minimizing the distance and long separation of trainees from their families.

The fiscal year 2017 Indian Affairs budget (p. IA-PSJ-12) notes that training initiatives for the Indian Police Academy include developing a pre-Academy training program for candidates; developing a mid-level manager training program; and establishing an on-line distance learning program for recertification, among other things. These are things that we could do as part of an academy at UTTC or in partnership with the Indian Police Academy.

In short, the BIA should be utilizing and enhancing the resources of UTTC to make a real difference in the law enforcement capability in Indian Country. We can offer college credit to trainees, and our facilities include the use of a state-of-the-art crime scene simulator. Maintaining safe communities is a critical component of economic development for our Tribal Nations, and local control of law enforcement training resources is a key part of that effort.

We know members of this subcommittee have made a point to visit places in Indian Country and we would love to be able to arrange for you to visit United Tribes Technical College. Thank you for your consideration of our requests. Mitakuye Owasin (All my relatives)

[This statement was submitted by Leander "Russ" McDonald, PhD, President.]

#### PREPARED STATEMENT OF THE USGS COALITION

The USGS Coalition appreciates the opportunity to provide testimony about fiscal year 2018 appropriations for the United States Geological Survey (USGS). The USGS Coalition requests Congress to fund the USGS at \$1.2 billion in fiscal year 2018. The requested funding would allow the agency to sustain current efforts in scientific discovery and innovation and to make strategic investments that will produce the impartial knowledge and decision support tools needed by decision-makers across the country.

Few modern problems can be addressed by a single scientific discipline. The USGS is uniquely positioned to provide information and inform responses to many of the Nation's greatest challenges. The USGS is an agency that has a distinctive capacity to deploy truly interdisciplinary teams of experts to gather data, conduct research, and develop integrated decision support tools that improve ecosystem management, ensure accurate assessments of our water quality and quantity, reduce risks from natural and human-induced hazards, deliver timely assessments of

mineral and energy resources, and provide emergency responders with accurate geospatial data and maps.

*The USGS Coalition is an alliance of more than 75 organizations united by a commitment to the continued vitality of the United States Geological Survey to provide critical data and services. Coalition members include scientific organizations, universities, businesses, and natural resource managers.*

#### ESSENTIAL SERVICES FOR THE NATION

The USGS plays a unique role within the Department of the Interior, conducting research across a broad array of scientific disciplines and providing data that informs responses to many of the Nation's greatest challenges. To highlight just a few examples, USGS scientists:

- Reduce risks from natural hazards—including earthquakes, landslides, volcanic eruptions, flooding, drought, and wildfires—that jeopardize human lives and result in billions of dollars in damages annually.
- Inform management of freshwater resources—both above and below the land surface—for drinking water, agriculture, and commercial, industrial, recreational, and ecological purposes.
- Inform sound management of natural resources on Federal and State lands, including control of invasive species and wildlife diseases that cause billions of dollars in economic losses. This information is shared with other Interior bureaus and State agencies to allow for adequate monitoring and management.
- Help predict the impacts of land use and climatic conditions on the availability of water resources and the frequency of wildfires. The Landsat satellites have collected the largest archive of remotely sensed land data in the world, which informs agriculture production and our Nation's response to and mitigation of natural hazards.
- Provide vital geospatial and geologic mapping data used in economic development, environmental management, infrastructure projects, and scientific applications by States, Federal agencies, and the private sector.
- Help make decisions about the Nation's energy future by assessing mineral and energy resources—including rare earth elements, coal, oil, unconventional natural gas, and geothermal. The USGS is the sole Federal source of information on mineral potential, production, and consumption.

#### FUNDING

Over the years, Congress has worked in a bipartisan fashion to provide essential funding to the USGS. These efforts have paid dividends and helped the USGS provide answers to the challenging questions facing decision-makers across the country.

The USGS Coalition opposes the proposed cuts outlined in the fiscal year 2018 President's budget request of 15 percent for the USGS.

The proposed funding level for USGS is very troubling, as the agency has made numerous economies in recent years. Any cuts in fiscal year 2018 or beyond would come at the expense of scientific programs. As a science agency, much of the USGS budget is dedicated to staff as well as equipment and facilities that must be maintained and updated to ensure the continuity of data acquisition and that the data gathered are reliable and available for future scientific investigations. We believe that the leadership of the USGS is doing all they can, and has been for a number of years, to contain costs while continuing to deliver high quality science.

One strength of the USGS has been its partnerships with many other Federal agencies, States, local governments, and private entities. These relationships, however, should not be mistaken as a means to transfer Federal activities to other entities. The work of the USGS is uniquely tied to the agency, as shown in the following examples.

- A potash mineral deposit worth \$65 billion was identified in Michigan as a result of the National Geological and Geophysical Data Preservation Program. The initiative catalogs and archives geological samples acquired during oil, gas, and mineral exploration. The program is run by the USGS and helps States to preserve and inventory their geological samples and data. The rock samples from Michigan were entered into a national database, where mining companies discovered their existence and are now assessing the potential for mining potash in Michigan. Without USGS funding, these mineral samples and their potential for new revenue and jobs would likely not have been discovered.
- A major geomagnetic storm has the potential to cause a continent-wide loss of electricity and substantial damage to power-grid infrastructure. Although these events are rare, they do occur, such as the 1989 geomagnetic storm that disrupted power to the entire Canadian province of Québec. The USGS monitors



Earth's magnetic field at 14 ground stations across the U.S. This information is critical for utility companies, who use the resulting geoelectric hazard maps to assess the vulnerability of their systems and to mitigate the predicted damages, thereby preventing costly power outages.

- Nearly half of America's drinking water comes from underground aquifers. The large size of some aquifers, which can span the boundaries of multiple States, puts them beyond the scope of local water authorities. The USGS is evaluating water quality in 20 principal aquifers as part of the National Water-Quality Assessment Project. The program is testing for contaminants, such as pesticides, pharmaceuticals, and other pollutants that threaten human health.
- Precise elevation data is needed for a variety of applications, including farming, infrastructure construction, flood mitigation, and aviation safety. The U.S., however, does not yet have national coverage of high-quality topographic data. Given its expertise in mapping, the USGS is the lead entity for the 3D Elevation Program, which will acquire precise national elevation data coverage within 8 years. The program is estimated to provide benefits worth \$1.1 billion a year to government and private entities.
- Recent research by the USGS identified the potential for avian flu to move between Europe and North America when migratory birds congregate in Iceland during their migration. Wildlife diseases threaten not only the ecosystem and economic values of wild animals, but can also jeopardize human health. The USGS has unique technical expertise for surveillance and diagnosis of wildlife disease, such as identifying a potential transmission route of a deadly disease.
- Expected losses from natural hazards in the U.S. exceed \$3 billion per year. These losses can be significantly reduced through informed decisions guided by the most current and thoroughly-researched understanding of the hazards, risks, and cost of mitigation. The USGS Science Application for Risk Reduction Project was created to innovate the application of hazard science for the safety, security, and economic well-being of the Nation by directing new and existing scientific research toward addressing gaps in vulnerability to help communities build resilience to natural hazards.

Many USGS programs are highly leveraged by outside funding sources. For instance, 69 percent of funding for the National Streamflow Network (aka streamgages) comes from States, localities, Tribes, other Federal agencies, private industry, and non-governmental organizations. For each Federal dollar invested in the Cooperative Research Units Program, States and universities invest more than three dollars. Interior's Climate Science Centers have also seen investments from partner universities into education and research totaling more than \$8.2 million since the program began in 2009. In total, more than \$100 million in contributions were made in 2016 by USGS partners.

#### CONCLUSION

We recognize the financial challenges facing the Nation, but losing irreplaceable data can increase costs to society today and in the future. Data not collected and analyzed today is data lost forever. This is particularly significant for environmental monitoring systems, where the loss of a year's data can limit the scope and reliability of long-term dataset analysis. Moreover, the United States Geological Survey has a national mission that extends beyond the boundaries of the Nation's public lands to positively impact the lives of all Americans. For these reasons, the USGS Coalition requests that Congress work to provide \$1.2 billion for USGS in fiscal year 2018.

The USGS Coalition appreciates the subcommittee's past leadership in strengthening the United States Geological Survey. Thank you for your thoughtful consideration of this request.

[This statement was submitted by Elizabeth Duffy, Co-Chair, and Julie Palakovich Carr, Co-Chair.]

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#### PREPARED STATEMENT OF THE WESTERN GOVERNORS' ASSOCIATION

Chairman Murkowski, Ranking Member Udall, and Members of the subcommittee, the Western Governors' Association (WGA) appreciates the opportunity to provide written testimony on the appropriations and activities of the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), National Park Service (NPS), U.S. Forest Service (USFS) and Environmental Protection Agency (EPA). My name is James D. Ogsbury and I am the Association's Executive Direc-

tor. WGA is an independent and bipartisan organization representing the Governors of 19 Western States and 3 U.S.-flag islands.

The agencies within the subcommittee's jurisdiction wield significant influence over vast areas of the American West. 94 percent of all Federal lands are situated in the western States and the Federal Government owns over 46 percent of the land within active WGA States. The work of this subcommittee is of vital importance to Western Governors, as it helps establish how these lands are managed and how Federal agencies interact with other levels of government and the public.

Western Governors recognize that there is a certain tension between State and Federal Governments, one that is embedded in the very fabric of our Constitution. It is equally clear that these different layers of government must have a close and productive working relationship to increase efficiencies and maximize returns on taxpayer investments. The promotion of a greater partnership between States and the Federal Government is central to the mission of WGA and is reflected in our Policy Resolution 2017-01, Building a Stronger State-Federal Relationship, which I commend to your attention.

The promotion of greater partnership between States and the Federal Government is central to the mission of WGA. This is a key theme of two ongoing WGA projects: the National Forest and Rangeland Management Initiative and the Species Conservation and Endangered Species Act Initiative. Responsible forest and rangeland management can only take place when Federal, State, and local stakeholders are working collaboratively to increase the health and resilience of our lands. Likewise, fish and wildlife conservation, essential to preserving the heritage of the West, is only possible through the cooperative efforts of State and Federal officials across multiple disciplines.

Through the National Forest and Rangeland Management Initiative, Governors have acknowledged progress to address past frustration with how western forests and rangelands are managed and have developed strategies to overcome barriers and build on progress for the future. Congress has taken steps (notably in the 2014 Farm Bill) to increase the pace, scale and quality of land restoration activities, and States have responded by implementing Good Neighbor Authority, Stewardship Contracting, and Insect and Disease designation authorities. WGA will release a report in June including several recommendations to further improve the health and resiliency of western forests and rangelands. I hope you will find these useful as you examine process reforms and spending priorities in the coming months.

Western Governors believe that States should be full partners in the implementation of the Endangered Species Act (ESA) and should have the opportunity to participate in listing decisions, critical habitat designations, recovery planning and delisting decisions. The Act is premised on a strong State-Federal partnership. Section 6(a) of the ESA States that, "In carrying out the program authorized by the Act, the Secretary shall cooperate to the maximum extent practicable with the States." WGA submits that such cooperation should involve meaningful consultation opportunities for States to comment, participate, or undertake proactive measures before the Federal Government takes action under the ESA.

ESA listing decisions can have dramatic impacts on vital State interests. States possess primary authority to manage most fish and wildlife within their borders, and they are the principal recipients of economic benefits associated with healthy species and ecosystems. At the same time, species listings and their associated prohibitions and consultations can affect western States' abilities to promote economic development, accommodate population growth, and maintain and expand infrastructure. Consequently, States should have the right to intervene in judicial and administrative proceedings regarding the ESA. Western Governors urge the subcommittee to support the legal standing of States to participate in administrative and judicial actions involving ESA that, by their nature, implicate State authority and resources.

For the past 4 years, the subcommittee has adopted report language directing Federal land managers to use State fish and wildlife data and analyses as principal sources to inform land use, land planning and related natural resource decisions. Western Governors are deeply appreciative of your commitment to encouraging a positive relationship between the States and the Federal Government in the use of wildlife data. Federal managers need data-driven science, mapping and analyses to effectively manage wildlife species and habitat, and in many cases States generate the best available wildlife science.

With respect to funding levels of appropriated programs, WGA recommends the enactment and full funding of a permanent and stable funding mechanism for the Payment in Lieu of Taxes (PILT) program administered by the Department of the Interior (DOI). PILT funding does not represent a gift to local jurisdictions; rather it represents important compensation for the disproportionate acreage of non-taxable Federal lands in the West. Similarly, payments under the Secure Rural Schools

and Community Self-Determination Act (SRS) are critical to compensating communities whose timber industries have been negatively impacted by actions and acquisitions of the Federal Government. Western Governors hope that you will appropriate full funding for both PILT and SRS payments in fiscal year 2018.

The subcommittee is familiar with the pressing problem of “fire borrowing,” by which funding for routine U.S. Forest Service management activities is transferred to firefighting activities. By diverting funding from activities that reduce wildfire threats, this practice increases the overall fire risk and all but ensures that future wildfires will be more damaging and costly. The rising cost of the 10-year average of fire suppression has forced USFS to shift resources from non-fire to fire accounts over time. WGA strongly supports efforts to solve the issue of fire borrowing, and has advocated the adoption of a funding structure similar to that used by the Federal Emergency Management Agency (FEMA) in its response to natural disasters to address the long term erosion of capacity associated with the current budget approach.

The 2014 Farm Bill accorded Governors the opportunity to request that National Forest System lands within their States be considered for insect and disease (I&D) designation, and the Forest Service responded by designating 46.7 million acres of land for expedited treatment. The Farm Bill authorized the appropriation of \$200 million to accomplish the work required under the statute. This work will reduce the threat of wildfires in areas of high risk, and WGA requests that funding be appropriated at a reasonable and sustainable level for I&D designation projects.

Data for water management and drought response planning is critical to western States. Western Governors request adequate funding levels for the Cooperative Water Program and National Streamflow Information Program, both administered by the DOI’s U.S. Geological Survey. This data is integral to the water supply management decisions of States, utilities, reservoir operators and farmers. They are also used for flood forecasts, making them essential for risk assessment as well as water management. These two programs are important elements of a robust water data management framework in the western States, and provide needed support for drought mitigation efforts throughout the West.

Infrastructure management is another crucial element of drought response. The Environmental Protection Agency’s (EPA) Clean Water and Drinking Water State Revolving Funds (SRFs) provide necessary support for communities to maintain and enhance their water infrastructure. Western Governors’ Policy Resolution 2017–04, Water Quality in the West, encourages adequate funding for SRFs.

The following recommendations are intended to help ensure that taxpayers realize a healthy return on the investment of limited discretionary resources. This goal will be more readily achieved to the extent that Federal agencies better leverage State authority, resources and expertise.

Western Governors continue to be concerned about the number of wild horses and burros on BLM lands. This number is presently estimated to be almost double the current Appropriate Management Level (AML). Overpopulation can degrade rangeland, causing harmful effects on wildlife and domestic livestock and threatened and endangered species habitat. WGA supports a process to establish, monitor and adjust AMLs for wild horses and burros that is transparent to stakeholders, supported by scientific information (including State data), and amenable to adaptation with new information and environmental and social change.

Western Governors previously expressed concern regarding the development of the EPA and U.S. Army Corps of Engineers’ (USACE) 2015 Clean Water Rule, as States were not adequately consulted by the agencies during the process. That Rule is now being reconsidered by the current Administration and is stayed in the U.S. Court of Appeals for the Sixth Circuit. EPA and USACE have recently begun efforts to promulgate new language to clarify the jurisdictional boundaries of the Clean Water Act and have taken positive steps to engage WGA and individual States in the rulemaking process. Western Governors look forward to working with the agencies to develop a new rule that reflects the viewpoints of the Western Governors and adequately protects States’ primary authority over the management and allocation of water resources.

States have exclusive authority over the allocation and administration of rights to groundwater located within their borders and are primarily responsible for protecting, managing, and otherwise controlling the resource. The regulatory reach of the Federal Government was not intended to, and should not, be applied to the management and protection of groundwater resources. WGA encourages Congress to include express and unambiguous language protecting States’ authority over groundwater resources in any water-related legislation, as well as clear direction to administrative agencies to respect such authority. Federal agencies should work through existing State authorities to address their groundwater-related needs and

concerns. Such collaborative efforts will help ensure that Federal efforts involving groundwater recognize and respect State primacy and comply with all statutory authorities.

States also possess delegated authority from EPA to manage air quality within their borders. Last year the EPA tightened the National Ambient Air Quality Standard (NAAQS) for ozone to .070 parts-per-million, a level equal to background ozone levels in much of the West. Attaining the revised ozone standard will present significant challenges for many western States—challenges exacerbated by factors such as wildfire, transported ozone, and background ozone. For decades, eastern States have enjoyed the benefit of financial and technical support from EPA for ozone research and mitigation. Given the unique character of the West and the region's attainment challenges, funding should be appropriated for EPA to assist western States in discharging their ozone responsibilities and in developing cooperative agreements with EPA. In addition, WGA urges Federal agencies to engage States as co-regulators in any rulemaking that results from a review of regulations under Executive Order No. 13783.

Improving electricity transmission and distribution siting and permitting is also a priority of Western Governors. WGA encourages congressional direction to Federal departments and agencies to work with States on identifying infrastructure locations and expediting permitting for facilities that improve the reliability and resiliency of electricity in the western States.

Western Governors and Federal land management agencies deal with a complex web of interrelated natural resource issues. It is an enormous challenge to judiciously balance competing needs in this environment, and Western Governors appreciate the difficulty of the decisions this subcommittee must make. The foregoing recommendations are offered in a spirit of cooperation and respect, and WGA is prepared to assist you as you discharge these critical and challenging responsibilities.

Again, thank you for the opportunity to provide written testimony. Please feel free to contact WGA if you have any questions about the content of these remarks.

[This statement was submitted by James D. Ogsbury, Executive Director.]

#### PREPARED STATEMENT OF THE WILDERNESS LAND TRUST

Chairman Murkowski, Ranking Member Udall and Members of the subcommittee, my name is Brad Borst and I am the President of The Wilderness Land Trust, a small, focused national nonprofit that facilitates the transfer of lands owned by willing sellers to the United States to unify ownership within designated and proposed wilderness. This work secures already conserved lands, access to and through them and creates management efficiencies.

Thank you for the opportunity to submit testimony. My testimony focuses on a very small portion of the Land and Water Conservation Fund (LWCF): funding for the Inholding Acquisition Accounts in the four land management agencies.

Access and management efficiencies are vital goals for the investment of limited Federal funds. Acquisitions made through the inholding accounts have demonstrated success over their 52-year history. Congress created these accounts when it created the National Wilderness Preservation System (NWPS) to complete and secure its commitment to that system. Continued modest funding—between \$3 and \$5 million—in each of the Inholding Accounts is vital to the success of securing and preserving Wilderness designated by Congress while fairly treating private landowners.

When the Trust began 25 years ago, there were approximately 400,000 acres of private land within designated wilderness in the lower 48 States. Today, nearly half of the inholdings have been acquired, with approximately 175,000 acres of private lands still remaining in more than 2,800 parcels in the lower 48 States. (In addition, there are 440,000 acres of State owned lands within designated wilderness. Alaska is home to 47 percent of the total nonFederal lands—predominately Native corporation lands stemming from ANCSA comprising 693,641 acres in 686 parcels.)

Large appropriations for the Inholding Accounts did not accomplish this success. Rather, it is reliable, modest funding so that lands can be purchased when landowners want to sell. This is the level of funding we urge continue.

Thank you for funding the Inholdings Accounts in fiscal year 2017 and I ask for your continued support in 2018. An appropriation of between \$3 and 5 million to each of the land management agencies—the Forest Service, the Bureau of Land Management, the Fish and Wildlife Service and the National Park Service—is sufficient to enable the agencies to acquire high priority inholdings from willing sellers.

Our work, along with that of many other organizations and facilitated by funding of the Inholding Accounts, aims to give the Federal Government less work. Exam-

ples of the benefits resulting from the elimination of private inholdings within designated wilderness include:

- Creates recreational access and economic development opportunities;
- Saves Federal dollars by solving management problems and inefficiencies that frequently exceed the cost of acquisition;
- Helps private landowners

#### CREATING RECREATIONAL ACCESS AND ECONOMIC DEVELOPMENT OPPORTUNITIES

All agencies prioritize securing access when ranking acquisition projects. In determining where to place its efforts, The Trust follows a ranking system developed, in cooperation with the Federal land management agencies and Colorado State University. Prioritizing the Acquisition of Wilderness Inholdings is a rational basis for acquisition now widely accepted and used across the country. Of the 17 separate factors in three clustered areas, the prioritization specifically calls out: enhancement of wilderness visitor experience such as obtaining legal public access or eliminating a safety hazard.

In just this past year, the Trust worked on a project that will create access to the only landlocked wilderness in the Wilderness Preservation System (NWPS), the Sabinoso Wilderness (NM), acquired lands in the Rocky Mountain National Park (CO) that will secure access to a prominent overlook in the Wild Basin portion of the Park (we hope this to be developed as accessible wilderness access) and secured recreational access in the Garcia and Elkhorn Ridge Wildernesses (CA). Several other projects are in the works, all of which are dependent on continued modest funding of the inholding accounts for success.

A review of the work completed by the Trust in the last 5 years and transferred to Federal ownership shows that 60 percent of the projects created or secured public access to conserved wilderness land. Recent purchases funded from the Inholding Accounts have secured access to the east side of the Ventana Wilderness (CA), secured trails through the Wabayuma Peak Wilderness (AZ) and the Glacier Peak Wilderness (WA) and created access to a recently designated wilderness in Idaho. More are on the way.

Additionally, on the east side of the Castle Crags Wilderness (CA) is a wall of private land that blocks access from Interstate 5. The nearby communities of Dunsmuir and Mt. Shasta are wholly supportive of transferring these lands to Federal ownership and opening up the Crags to visitation. The towns anticipate visitors that will come to the community, and its climbing, biking and skiing shops it is hoped will grow. Dunsmuir has suffered under an unemployment rate of 18 percent and looks forward to having the recreational asset of the Crags' world class climbing just outside their community. Rather than a seven mile hike around the private lands that now block access, climbers will soon access the area only one mile off of Interstate 5.

#### SAVING FEDERAL DOLLARS

A specific criterion within the above mentioned ranking system used by the Trust and its Federal partners is: improvement of wilderness manageability by acquiring a parcel that substantially burdens land managers.

The management of human development activities in wilderness is expensive for the agencies. The potential resource damage to the protected lands and waters is enormous. While steady progress has been made reducing private inholdings in wilderness areas in the lower 48 States, our wilderness areas remain riddled with private inholdings that greatly threaten the wilderness that surrounds them and creates a "Swiss cheese" effect.

While The Wilderness Act defines Wilderness as places where "where man himself is a visitor who does not remain," private landowners retain their rights to build roads, homes and other buildings, extend utilities, extract minerals and timber, and block public access. There are numerous cases where such inholdings have been developed in ways that seriously degrade wilderness values on the adjacent public lands. All of these activities pose challenges for Federal managers of the lands surrounding private inholdings and create significant and costly management inefficiencies.

By contrast, the cost of acquiring these properties when they are offered for sale is relatively small. That is why continued modest appropriations for the inholding acquisition program are important. About one third of all designated wilderness include remaining private lands. There is much work left to be done.

In the last 5 years, 100 percent of our completed projects included resolving one or more land management issues, ranging from the potential development of resources that would damage and are inconsistent with the surrounding wilderness,

to long-standing conflicts and the potential rebuilding on isolated parcels already consumed by wildfire. For example, we just acquired the largest inholding in the Chuck River Wilderness (AK), a now defunct gold mine and source of repeated redevelopment speculation that was a consistent management issue for the Forest Service.

The costs associated with firefighting on public lands are significant. The Western Forestry Leadership Coalition, a State and Federal Government partnership, published a report: "The True Cost of Wildfire in the Western U.S." in April 2009. Among the case studies reviewed, the lowest total firefighting cost per acre was the Canyon Fire Complex (MT) (2000). The total cost was \$411 per acre. There were only six structures involved. The highest cost per acre was the 2000 Cerro Grande fire (NM). It cost \$22,634 per acre. There were 260 residences involved. This is strong evidence that the presence of private lands and structures within public landscapes exponentially increases firefighting costs.

The Wilderness Land Trust may be the only landowner within designated wilderness that can say it has experienced both sides of firefighting costs. A property the Trust owned in the Yolla Bolly Wilderness (CA) burned while under our ownership. Significant resources were spent to protect the structures on it. On the other hand, because the Trust's Hells Canyon Wilderness property (ID) had transferred one week before a fire, firefighting efforts rightly concentrated at the edges of the wildland-urban interface.

#### SOLVES MANAGEMENT AND RESOURCE PROBLEMS

The Inholding Accounts have been used to acquire defunct mines from private owners, private retreats, and various properties that include the spectrum of non-wilderness uses. We are currently ready for transfer to Federal ownership a former mine in the Frank Church River of No Return Wilderness. We've closed the former un-reclaimed mine on the banks of the Wild and Scenic Salmon River. The transfer will remove a private home and no trespassing signs on one of the few flat spots on that stretch of river. It will be returned to the public, who can enjoy being able to stop and learn about past mining days, camp or fish from land on which the abandoned and open mine is now reclaimed and closed—no longer a threat to the public, or to the Wild and Scenic River from its open shafts deep into the alluvium of the river.

#### HELPS PRIVATE LANDOWNERS

Landowners who are ready to sell deserve to have their properties purchased. Their isolated properties are primarily the result of 19th century Congressional policy when homesteads, mining operations and timber production were encouraged without the balance of conservation. Thus, wilderness areas now designated by Congress are pockmarked with islands of private ownership that compromise the wilderness resource, become expensive management issues for the agencies and often befuddle landowners who wish to sell these properties for the benefit of their companies or families.

If the opportunity to acquire these when offered is lost, the management issues and inefficiencies that result from private lands remaining within designated wilderness continue. This is why consistent funding for the Inholding Accounts is vital. It has been our experience that these critical inholdings come on the market at a steady rate as owners make decisions based on their family or business needs. Without consistent funding, numerous opportunities to acquire these private parcels will be lost. Not for a year, but often for a generation.

Finally, it is also important to recognize that wilderness inholdings come in many shapes, sizes and prices depending on the real estate market in a particular area. A number of projects that fall in the agency project lists are inholdings. Thus, we ask that you give the highest level of support possible for Federal LWCF acquisitions.

In summary, continued consistent funding of the Inholding Accounts is vital. Without such funding, significant opportunities to acquire private parcels within our designated wilderness areas will be lost for at least another generation. We urge your support of continued funding for these accounts and as much support for Federal LWCF acquisitions as possible.

Thank you for the opportunity to testify. We greatly appreciate your work, consideration and the support of the Subcommittee in securing these appropriations.

[This statement was submitted by Mr. Brad Borst, President.]

## PREPARED STATEMENT OF THE WILDERNESS SOCIETY

The Wilderness Society (TWS) represents more than 1 million members and supporters who share our mission to protect wilderness and inspire Americans to care for our wild places. When deciding on funding that affects hundreds of millions of Americans, we urge you to take into account the full economic, social, environmental and cultural value of the many programs overseen by our land management agencies.

Additionally, we urge that in crafting the Interior and Environment Appropriation bill you avoid harmful policy riders that damage our land, air, water and wildlife. Must-pass appropriations legislation is not the appropriate venue for unpopular policy provisions which undermine bedrock environmental laws like the Wilderness Act, Antiquities Act and Land and Water Conservation Fund Act. In particular, we strongly oppose riders which would authorize a road through the Izembek Wilderness Area or prevent the Bureau of Land Management from implementing the collaboratively developed sage-grouse conservation strategy.

The laudable goal of returning to regular order on appropriations must not continue to be undermined by the attempted inclusion of harmful policy riders which would damage the environmental protections all Americans value. Their inclusion only serves to further compromise an already challenging appropriations process.

Prudent investments in critical conservation programs will provide jobs and protect the health and economic wellbeing of local communities. We urge bold action in support of conservation funding for fiscal year 2018. Specifically, TWS recommends:

## RECREATION &amp; PUBLIC LANDS

*Land and Water Conservation Fund*

Now in its second half-century, the Land and Water Conservation Fund (LWCF) remains the premier Federal program to conserve our Nation's land, water, historic, and recreation heritage. It is a critical tool to protect national parks, national wildlife refuges, national forests, Bureau of Land Management (BLM) lands, and other Federal areas. The companion LWCF State grants program provides crucial support for State and local parks, recreational facilities, and trails. Full funding for LWCF will allow land management agencies to manage our public lands more efficiently and cost-effectively. This is in part achieved through strategic inholdings acquisition which reduces internal boundary line surveying, right-of-way conflicts and special use permits.

LWCF also funds two other important State grant programs—the Forest Legacy Program and Cooperative Endangered Species programs—that ensure permanent conservation of important forest lands and threatened and endangered species' habitat, as well as important wildlife and recreational habitat and ensures that public lands stay public for hunters, anglers, and other outdoor recreationists for generations to come.

*—TWS strongly supports fully funding LWCF at the authorized level of \$900 million, with a discretionary funding level of \$475 million.*

*BLM National Landscape Conservation System*

The National Landscape Conservation System (Conservation Lands), overseen by the BLM, comprises over 30 million acres of congressionally and presidentially designated lands and waters, including National Monuments, National Conservation Areas, Wilderness Areas and other designations. Stewardship of the Conservation Lands provides jobs for thousands of Americans while supporting vibrant and sustainable economies in surrounding communities. The Conservation Lands provide immeasurable public values from modest investments: outstanding recreational opportunities, wildlife habitat, clean water, wilderness, and open space near cities.

*—TWS strongly supports \$83.122 million in fiscal year 2018 funding for the National Conservation Lands. This is a small increase, but a strong funding proposal for the Conservation Lands, and will help promote the natural, cultural, and historical resource protection provided by the Conservation Lands for the American public.*

*BLM Wilderness Management*

We want to call specific attention to the Wilderness Management program, housed within BLM's National Landscape Conservation System. The Wilderness program plays a critical role in supporting the agency's multiple use and sustained yield mission, emphasizing continued collaboration, public involvement and youth engagement. As part of the Department of Interior (DOI) Engaging the Next Generation

Initiative, the Wilderness Management program connects communities with their public lands, providing opportunities for outdoor recreation, scientific research, education, volunteer and full time employment.

—*TWS strongly supports restoring BLM Wilderness funding to the fiscal year 2011 level of \$19.663 million.* The enacted level for BLM wilderness management is a step in the right direction, but still 7 percent lower than the fiscal year 2011 enacted level in raw dollars. To just keep the fiscal year 2011 level on pace with inflation the fiscal year 2018 request would need to be \$21.036 million.

#### *U.S. Forest Service Recreation, Heritage, and Wilderness*

The Recreation, Heritage and Wilderness program provides critical funding to improve recreational access to our national forests, give training and employment opportunities for youth and veterans, modernize and improve the recreational permitting process, and protect our cultural heritage. We recommend that funding for the Recreation, Heritage and Wilderness program be restored to support much needed trails maintenance, update signage, fight invasive species, restore watersheds, and monitor effects of climate change, among other critical needs.

—*We urge Congress to support wilderness and recreation by restoring funding to the fiscal year 2010 level of \$285.1 million for the Recreation, Heritage and Wilderness Program.* Recreation is the most ubiquitous use of our forest lands, and accounts for more than half of all job and income effects attributable to Forest Service programs (over 190,000 jobs and \$11 billion in spending effects by visitors).

#### *BLM Recreation Resources Management*

The Recreation Resources Management program provides critical funding to improve recreation access for all visitors to BLM lands, engage youth, promote public health, protect visitor safety and strengthen rural economies. Investments in the Recreation program will support increased access for all types of recreation by maintaining trails and roads, increased access for hunters and anglers to world class fish and game habitat, and small businesses, guides and outfitters through processing commercial recreation permits.

—*TWS strongly supports funding the Recreation Resources Management program at \$53.5 million in fiscal year 2018.* This is a small increase over the currently enacted levels, and would support 3 additional FTEs to ensure efficient processing of recreations permits, oversight, and visitor safety.

#### *U.S. Forest Service Legacy Roads and Trails*

The Legacy Roads and Trails (LRT) program provides essential funding to improve recreational access, advance collaborative watershed restoration projects, provide clean drinking water, and protect aquatic species. LRT funding was slashed 50 percent in fiscal year 2011 and 22 percent in fiscal year 2014. Given the recent evaluation of the Integrated Resource Restoration (IRR) program we recommend that LRT be removed from IRR to enable it to operate as a complementary program to IRR, similar to Collaborative Forest Landscape Restoration. We also do not recommend that the IRR pilot program be expanded until the test regions have proven that IRR can improve restoration without a loss of transparency and accountability. Specifically, TWS recommends:

—*Funding Legacy Roads and Trails at \$50 million, distinct from IRR.* The highest appropriation for LRT was in 2010 at \$90 million, and even then the need far surpassed the program's capacity. LRT provides tremendous returns, through leveraging other public and private funding, reducing future maintenance costs, and creating jobs and contributing to local economies.

### ENERGY

#### *Bureau of Land Management Oil and Gas Policy*

TWS believes that our public lands should be treasured and maintained for the benefit of all Americans. As we continue to extract publicly owned resources—nearly 200 million acres of our public lands are currently available for leasing—BLM must do so with full funding for programs that support operational safety, inspections, and both environmental and fiscal stewardship. BLM funding should encourage balanced oil and gas development on public lands with natural resource benefits and recreation uses, and ensure that public resource are fully and fairly valued for the American people.



—TWS strongly supports restoring the BLM funding level to \$38,630 million, including increasing Oil and Gas Inspections to \$48.4 million, and increasing Resource Management Planning to \$48.1 million.

#### *Sage Grouse Conservation Plans*

Ranchers and other Americans benefit from Federal assistance in managing sagebrush across the western United States. Congress should fully fund the sage-grouse conservation strategy, which helped to prevent a listing under the Endangered Species Act. Full funding for implementation is important for the recovery of this critical western game species and those who rely on its habitat for their livelihood.

—TWS strongly supports a funding level of \$89.7 million in fiscal year 2018 to conserve and restore sage steppe habitat through the Bureau of Land Management.

#### *Renewable Energy*

TWS is a strong proponent of transitioning our country to a clean energy economy by developing our renewable energy resources responsibly. We believe renewable energy is an appropriate and necessary use of public lands when properly sited in areas that avoid habitat, resource, and cultural conflicts. Identifying and avoiding conflicts early helps ensure projects are permitted more efficiently with limited impact on wildlands. TWS hopes the Department will continue to support a program that ensures our public lands play an important role in supporting renewable energy infrastructure through environmental review, suitability screening, and identification of low-conflict designated leasing areas where wind and solar projects are likely to succeed—an approach which cut permitting times in half in the Dry Lake solar zone outside of Las Vegas.

—TWS strongly supports increasing funding for renewable energy programs across the Department of Interior to \$110.4 million in fiscal year 2018. This increase would enhance training opportunities for staff to fully implement the wind and solar leasing rule, mitigation strategies, the Western Solar Plan and the Desert Renewable Energy Conservation Plan. Implementation of these programs will facilitate efficient permitting for projects in designated leasing areas and identification of new designated leasing areas in regions with strong development demand. Finally, this funding should support the ongoing review of the West-Wide Energy Corridors to facilitate more efficient and appropriate siting and permitting for transmission lines to ensure greater access for clean energy development.

[This statement was submitted by Drew McConville, Senior Managing Director of Government Relations.]

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#### PREPARED STATEMENT OF THE WILDLIFE CONSERVATION SOCIETY

The Wildlife Conservation Society (WCS) would like to thank Chairwoman Murkowski, Ranking Member Udall and the members of the subcommittee for providing this opportunity to provide public testimony in support of sufficient funding in the fiscal year 2018 Interior, Environment and Related Agencies (Interior) Appropriations Act for the Multinational Species Conservation Fund (MSCF), Office of International Affairs (IA), Office of Law Enforcement (OLE), and Cooperative Landscape Conservation Program (CLCP) accounts at the U.S. Fish and Wildlife Service's (FWS), the International Forestry program at the U.S. Forest Service (FS-IF), and on the final 4(d) rule revision on the African elephant. WCS is deeply concerned by the President's budget proposal, which retreats from many of the important investments this subcommittee has made in domestic and international conservation under the Chairwoman's leadership. We strongly urge you to maintain funding for these programs at fiscal year 2017 levels.

WCS was founded with the help of Theodore Roosevelt in 1895 with the mission of saving wildlife and wild places worldwide. Today, WCS manages the largest network of urban wildlife parks in the United States led by our flagship, the Bronx Zoo. Globally, our goal is to conserve the world's largest wild places in 16 priority regions, home to more than 50 percent of the world's biodiversity. We manage more than 200 million acres of protected lands around the world, employing more than 4,000 staff including 200 Ph.D. scientists and 100 veterinarians.

The American conservation tradition is based on promoting sustainable use of our natural resources in order to preserve the world's species and environment for future generations. In recognition of the current fiscal constraints, it is important to note that effective natural resources management and conservation has indirect eco-

conomic benefits, including contributing to local economies through tourism and other means. Internationally, by supporting conservation, the US is increasing capacity and governance in developing nations and improving our own national security as a result.

*FWS—Multinational Species Conservation Fund—\$11.1 Million:* Global priority species, such as tigers, rhinos, African and Asian elephants, great apes, and marine turtles, face constant danger from poaching, habitat loss and other serious concerns. MSCF programs have helped to sustain wildlife populations by controlling poaching, reducing human-wildlife conflict and protecting essential habitat—all while promoting US economic and security interests in far reaching parts of the world. These programs are highly efficient, granting them an outsized impact because they consistently leverage two to four times as much in matching funds.

WCS has had great success on projects using funds from the MSCF. One grant awarded to WCS in fiscal year 2016 through the African Elephant Conservation Fund will provide initial funding for rugged technology and training and equipping park rangers in Yankari Game Reserve to defend one of the last populations of elephants in Nigeria. WCS is grateful that the Committee appropriated \$11.1 million for the program in fiscal year 2017 and support an appropriation of the same amount in fiscal year 2018.

*FWS—International Affairs—\$15.8 Million:* The FWS International Affairs (IA) program supports efforts to conserve our planet's rich wildlife diversity by protecting habitat and species, combating illegal wildlife trade, and building capacity for landscape-level wildlife conservation. The program provides oversight of domestic laws and international treaties that promote the long-term conservation of plant and animal species by ensuring that international trade and other activities do not threaten their survival in the wild. Within IA, the Wildlife Without Borders program seeks to address grassroots wildlife conservation problems from a broad, landscape perspective, building regional expertise and capacity while strengthening local institutions. WCS asks that the subcommittee maintains support for \$15.8 million, equal to the fiscal year 2017 appropriation.

*FWS—Office of Law Enforcement—\$75.1 Million:* The US remains one of the world's largest markets for wildlife and wildlife products, both legal and illegal. A small group of dedicated officers at the OLE are tasked with protecting fish, wildlife, and plant resources by investigating wildlife crimes—including commercial exploitation, habitat destruction, and industrial hazards—and monitoring the Nation's wildlife trade to intercept smuggling and facilitate legal commerce. Many of the new responsibilities placed on the FWS by the National Strategy to Combat Wildlife Trafficking are enforced by the OLE, and WCS supports continuing to fund the agency at \$75.1 million. Additional funding for the program will support their efforts to maximize the scope and effectiveness of FWS' response to the international wildlife trafficking crisis by strengthening forensic capabilities and expanding the capacity of their Special Investigations Unit. It will also ensure OLE has an adequate number of law enforcement agents deployed to enforce laws against wildlife trafficking in the U.S. effectively and allow the agency to continue to support coordinated law enforcement actions against wildlife trafficking overseas through the deployment of FWS attachés in targeted U.S. embassies.

*FWS—Cooperative Landscape Conservation—\$13 Million:* Many of the domestic conservation programs in this bill provide funding to States to implement their conservation goals. But wildlife does not recognize political boundaries, and scarce conservation dollars can best be spent when effective planning and coordination takes place across entire ecosystems. The CLCP funds a network of 22 Landscape Conservation Cooperatives in the US and Canada, which use a collaborative approach between Federal, State, Tribal and local partners to identify landscape scale conservation solutions and work collaboratively to meet unfilled conservation needs, develop decision support tools, share data and knowledge, and facilitate and foster conservation partnerships. Funding will support landscape planning and design that will improve the condition of wildlife habitat and improve resilience of U.S. communities. WCS encourages the Committee to appropriate \$13 million for this program.

*USFS—International Forestry—\$8 Million:* The US economy has lost approximately \$1 billion per year and over 200,000 jobs due to illegal logging, which is responsible for 15–30 percent of all timber by volume. The FS-IF program works to level the playing field by reducing illegal logging and improving the sustainability and legality of timber management overseas, translating to less underpriced timber undercutting US producers. Through partnerships with USAID and the Department of State, FSIP helps to improve the resource management in countries of strategic importance to US security.

With technical and financial support from FS-IP, WCS has been working to conserve a biologically rich temperate forest zone called the Primorye in the Russian

Far East. The region hosts over a hundred endangered species as well as numerous threatened species, including the Far Eastern leopard and Amur tiger. FS-IP works with us to exchange information and methodologies with Russian scientists, managers, and students on a variety of wildlife-related topics to support conservation and capacity building efforts and ensure the sustainable management of forests and wildlife habitat. WCS supports an appropriation of \$8 million for fiscal year 2018, equal to the amount appropriated the last several fiscal years.

*No Harmful Rider on Ivory:* On the ground in Africa and elsewhere, WCS scientists are seeing, first-hand, the devastating impact poaching is having on elephants, rhinos, tigers, and other iconic species. A study published by WCS found that in 2012 alone, 35,000 African elephants were killed for their ivory—that is an average of 96 elephants per day or one killed every 15 minutes. This finding is supported by a subsequent study which also found that 100,000 elephants were poached between 2011 and 2013. Both studies show that conditions are dire for the subspecies of African forest elephants, which has declined by about two-thirds in a little more than a decade. Continued poaching at these rates may mean the extinction of forest elephants in the wild within the next 10 years and the potential loss of all African elephant species in the wild in our lifetimes. Action must be taken now to prevent this catastrophe from occurring.

There is broad consensus that the stunning increase in poaching is due to one factor—the illegal sale of poached ivory in commercial markets around the world. The illegal trade in elephant ivory and other products, like rhino horns and tiger skins, is worth at least an estimated \$8 to \$10 billion annually, and because of the lucrative nature of this industry, evidence is showing increasingly that transnational criminal organizations and terrorist groups that are involved in other major trafficking operations—drugs, humans and weapons—are engaged in wildlife trafficking as well.

There is no question that China is the largest market for illegal ivory. However, the United States is also one of the larger destinations, both for domestic consumption and as a transshipment hub for Asia. As part of Operation Crash, the US Fish and Wildlife Service and Department of Justice have successfully arrested criminals and prosecuted cases in several States over the last few years involving millions of dollars of illegal ivory and rhino horn. These busts, although few in number, are strong evidence that there is a domestic problem with illegal ivory, all of which is smuggled in from overseas and which frequently crosses State lines, placing it firmly under Federal jurisdiction.

In 2016, the FWS began enforcing a rule to close loopholes in the existing ban on commercial ivory sales that have allowed illegal ivory to be sold in the U.S. for decades. The rule requires sellers to demonstrate that ivory items qualify for an exemption from the law so consumers may be assured they are purchasing a legal product. It also tightens the existing, Congressionally-mandated ban on the import of most ivory, with some narrow exceptions, including ones for sport-hunted trophies and musicians travelling with instruments that contain ivory. The rule continues to allow the domestic sale of items such as bona fide antiques and, to accommodate the concerns voiced by many stakeholders, also allows the sale of items like firearms, knives, instruments and artworks that contain only a small amount of ivory. It is also important to note that nothing in the rule makes the possession of ivory illegal, and that States maintain the right to regulate commercial sales occurring entirely within their borders.

Past Interior bills in the House contained a provision that would have blocked FWS from proceeding on this rule, forcing the continuation of a system that we know does not work and has been a contributing factor in the poaching of 100,000 elephants over the past 3 years. WCS is grateful that the Senate has not included a similar provision in its corresponding bills. Given that there have been few complaints from any parties in the rule's first year of implementation, WCS encourages the subcommittee not to include the same or a similar rider in the fiscal year 2018 bill.

We appreciate the opportunity to share WCS's perspectives and make a case for increased investment in conservation in the fiscal year 2018 Interior, the Environment and Related Agencies Appropriations Act. Conservation of public lands is an American tradition and, as far back as 1909, Theodore Roosevelt recognized that the management of our natural resources requires coordination between all nations. Continued investment in conservation will reaffirm our global position as a conservation leader, while improving our national security and building capacity and good governance in developing countries.

## PREPARED STATEMENT OF THE WILDLIFE SOCIETY

The Wildlife Society (TWS) appreciates the opportunity to provide testimony concerning the fiscal year 2018 budgets for the U.S. Fish and Wildlife Service (FWS), Bureau of Land Management (BLM), U.S. Geological Survey (USGS), and U.S. Forest Service (USFS). Founded in 1937, TWS inspires, empowers, and enables wildlife professionals to sustain wildlife populations and their habitat through science-based management and conservation. Appropriations for the following programs within the jurisdiction of the Subcommittee on Interior, Environment, and Related Agencies will affect the current and future status of wildlife and wildlife professionals in North America. To empower and enable the appropriate use of science within these programs and beyond, TWS respectfully requests the following programmatic funding in fiscal year 2018.

## FISCAL YEAR 2018 INTERIOR APPROPRIATION REQUESTS—THE WILDLIFE SOCIETY

Agency	Program	Fiscal year 2017 enacted	Fiscal year 2018 TWS
FWS	State & Tribal Wildlife Grants .....	63M	70M
	National Wildlife Refuge System .....	484M	586M
	Ecological Services .....	240M	253M
	NAWCA .....	38M	38M
	NMBCA .....	4M	6.5M
	Partners for Fish and Wildlife .....	52M	54M
	Migratory Bird Management .....	48M	50M
	Migratory Bird Joint Ventures .....	13M	19M
BLM	Wildlife & Fisheries Management .....	103M	121M
	T&E Species Management .....	22M	48M
	Wild Horse & Burro Management .....	81M	81M*
USGS	Ecosystems Mission Area .....	160M	174M
	Cooperative Research Units .....	17M	22M
USFS	Wildlife and Fisheries Habitat .....	140M	140M
	Forest and Rangelands Research .....	289M	303M

\*BLM Wild Horse & Burro Management funding request accompanies request to remove an associated policy rider.

NOTE: In addition to these fiscal year 2018 requests, TWS urges Congress to ensure the independent science-advising role of Federal advisory committees is protected during the administration's recent actions to suspend and review these bodies.

## U.S. FISH AND WILDLIFE SERVICE

The State and Tribal Wildlife Grants Program (STWG) is the Nation's only program that directly supports development and implementation of State Wildlife Action Plans (SWAPs), thereby assisting States in preventing classification of more wildlife as threatened or endangered. Collectively, STWG funds support strong partnerships between Federal, State, Tribal, private, and nonprofit entities that enable wildlife professionals to implement on-the-ground conservation activities that benefit over 12,000 at-risk species. Between fiscal year 2002 and fiscal year 2010, appropriations for STWG were greater than \$70 million per year. Subsequent budget reductions in STWG, however, have not allowed this highly successful program to make adequate progress. TWS requests Congress empower the front lines of conservation with at least \$70 million for STWG.

As a member of the Cooperative Alliance for Refuge Enhancement (CARE), TWS requests at least \$586 million for the National Wildlife Refuge System's operations and maintenance accounts in fiscal year 2018. CARE estimates that the Refuge System needs at least \$900 million in annual operations and maintenance funding to properly administer its 566 refuge units, 38 wetland management districts, and 5 marine national monuments spanning over 850 million acres of land and water. Without adequate funding, habitat restoration is limited, invasive species are left unchecked, poaching and other illegal activities occur, and our Nation's wildlife heritage declines. Furthermore, the Refuge System generates approximately \$4.87 in economic activity for every \$1 appropriated by Congress. By providing \$586 million in fiscal year 2018, Congress will bring us much closer to achieving the necessary \$900 million by fiscal year 2021.

The North American Wetlands Conservation Act is a cooperative, non-regulatory, incentive-based program that has shown unprecedented success in maintaining and restoring wetlands, waterfowl, and other migratory bird populations. This program, however, has remained drastically underfunded despite its demonstrated effective-

ness. We greatly appreciate the \$3 million increase in fiscal year 2017 and ask that Congress again provide at least \$38 million for NAWCA in fiscal year 2018.

Since 2002, the Neotropical Migratory Bird Conservation Act (NMBCA) has provided more than \$58.5 million in grants to support 510 projects in 36 countries that enable wildlife professionals to conserve 386 bird species on 4.2 million acres of habitats in the United States, Mexico, Central America, South America, and the Caribbean. Moreover, NMBCA has achieved a partner match ratio of nearly 4:1 despite requiring only a 3:1 match. TWS recommends Congress increase funding to at least \$6.5 million in fiscal year 2018 to achieve greater conservation results under the program.

Through the Ecological Services Program, FWS works with diverse public and private partners to help identify species facing extinction and reduce threats to their populations so that the requirement of Federal protection can be removed. Wildlife professionals in FWS are working on new strategies to increase the efficiency and effectiveness of the Ecological Services Program and reduce regulatory burdens on private partners. To support these actions—and the increased emphasis on consultation and recovery—we recommend Congress provide at least \$106 million for Planning and Consultation, \$35 million for Conservation and Restoration, \$23 million for Listing, and \$89 million for Recovery in fiscal year 2018.

TWS regularly expresses the importance of wildlife habitat on a mosaic of public and private lands. The Partners for Fish and Wildlife Program (PFW) allows voluntary habitat restoration goals on private lands to be achieved through cost-efficient financial and technical assistance from wildlife professionals in FWS. For the role this program plays in improving private lands wildlife stewardship while working to preempt ESA listings through projects like the Monarch Butterfly Conservation Initiative, TWS requests at least \$54 million for PFW in fiscal year 2018.

The Migratory Bird Joint Ventures, part of FWS' Migratory Bird Management program, are locally-directed partnerships that develop and implement science-based habitat conservation strategies for all species of birds across North America. These partnerships have leveraged Federal funds at 32:1 to enhance and protect over 26 million acres of habitats. TWS supports \$50 million for Migratory Bird Management, including \$19 million for Joint Ventures.

#### BUREAU OF LAND MANAGEMENT

The Wildlife and Fisheries Management (WFM) program maintains and restores fish, wildlife, and their habitats across a large portion of America's western landscapes. This includes projects to mitigate the effects of public land use on wildlife species and their habitat. With the anticipated expansion of energy development on BLM lands—and the associated mitigation challenges—we recommend that Congress support WFM professionals with at least \$121 million in fiscal year 2018. We also appreciate the increase of \$9 million in directed funds for greater sage-grouse conservation in fiscal year 2017 and request continuation of this funding in fiscal year 2018.

The Threatened and Endangered Species Management Program (TESM) allows wildlife professionals at BLM to meet the agency's responsibilities in recovering the over 420 ESA listed species that occur on BLM managed lands. In a March 2001 Report to Congress, BLM called for a doubling of the TESM budget to \$48 million over 5 years to meet the needs of the program. Now, over 15 years later, this goal has yet to be met. In light of this, we strongly encourage Congress to increase overall funding for TESM to \$48 million in fiscal year 2018.

TWS, co-chair of the National Horse and Burro Rangeland Management Coalition, recognizes horses and burros in the U.S. as ecologically invasive, feral species. Horse and burro populations on the range reached >72,000 individuals in March 2017, exceeding BLM's estimated threshold for ecological sustainability by >45,000 animals. In fiscal year 2018 the on-range population is expected to grow beyond 85,000 animals. To achieve ecologically sustainable levels of horses and burros on BLM rangelands without substantial budget increases the current appropriations language limiting the sale and/or destruction of unwanted or unadoptable wild horses and burros must be removed from the Interior Appropriations bill. We support the President's fiscal year 2018 request to remove this language as a way to increase program flexibility and enable effective implementation of the Wild Free-Roaming Horses and Burros Act, as amended. Until Congress enables BLM to responsibly manage wild horses and burros by removing this text from the appropriations bill, Federal funds will continue to be wasted warehousing nearly 50,000 animals, rather than spent on productive rangeland management activities. Congress must enable effective management of wild horses and burros and our Nation's rangelands by empowering BLM to remove excess horses and burros from the range at a meaningful rate and

focus resources on rangeland habitat restoration. Removal of this appropriations rider, as requested by the administration, will allow this program's budget to eventually be reduced, and put Federal funds toward more effective rangeland and wildlife management activities. TWS recommends a flat budget of \$81 million for Wild Horse and Burro Management and the removal of the appropriations language. We also request Congress direct BLM to increase gather and removal of animals from the range to meet ecologically sustainable populations.

#### U.S. GEOLOGICAL SURVEY

As a member of the USGS Coalition, TWS supports the critical and unique mission of USGS to provide the country with objective scientific research and data collection on the complex environmental issues facing our Nation. TWS specifically requests at least \$174 million for the Ecosystems Mission Area, which contains programmatic resources for fisheries, wildlife, environments, invasive species, and Cooperative Research Units (CRU).

Within the Ecosystems Mission Area, we support at least \$22 million for the CRU program. CRUs foster Federal, State, non-governmental organizations, and academic partnerships to provide actionable science tailored to the needs of wildlife managers on the front lines, and helps develop the next generation of wildlife professionals. These partnerships leverage more than three dollars in outside funds for every Federal dollar invested into the program. An increase in funding would allow CRUs to continue to leverage outside sources and fill critical vacancies within their program to serve State cooperator interests across the U.S.

Climate Sciences Centers (CSC), a DOI program administered by the Climate and Land Use Change Mission Area, work with cooperators throughout their 8 regions to provide actionable climate science research. Following a similar model as CRUs, CSCs carry out dual roles by providing usable climate science research while also training the next generation of natural sciences professionals at host universities. These university partnerships have provided more than \$8.2 million in leveraged funds to CSCs since the program's inception 7 years ago.

#### U.S. FOREST SERVICE

The traditional 10-year moving average for forecasting fire suppression costs for the upcoming fiscal year have not met USFS suppression needs since fiscal year 2002. This results in funding transfers and shortfalls that negatively affect the ability of staff at USFS to implement proactive forest research and management projects. DOI and USFS need a long-term fire funding solution that will result in stable and predictable budgets. As a result, TWS supports bipartisan congressional efforts to address Federal fire funding challenges, minimize fund transfers, and address the continued erosion of agency budgets over time, with the goal of reinvesting in key programs that will restore forests to healthier more resilient conditions.

Improving the future health and sustainability of the Nation's forests and grasslands requires a strong investment in USFS Research and Development (R&D). Through long-term monitoring and collaborative research efforts with States and other partners, USFS R&D generates broad environmental and societal benefits, including an understanding of wildlife-habitat relationships for multiple species and communities that enables informed land management decisions. TWS encourages Congress to increase funding for all Forest Service R&D to a minimum of \$303 million in fiscal year 2018, including at least \$220 million directed to Forest and Rangeland Research program areas exclusive of Forest Inventory and Analysis. Furthermore, TWS appreciates the \$140 million Congress provided for the applied Wildlife and Fisheries Habitat Management program in fiscal year 2017 and we encourage Congress to continue—and consider increasing—this funding in fiscal year 2018.

[This statement was submitted by Bruce Thompson, President, The Wildlife Society.]

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#### PREPARED STATEMENT OF THE YAKUTAT TLINGIT TRIBE

The requests of the Yakutat Tlingit Tribe (hereinafter "YTT" or "Tribe") for the fiscal year 2018 Indian Health Service and Environmental Protection Agency appropriations are as follows:

- Continue funding for the IHS Joint Venture Program and ensure that funds for staffing packages for completed programs is made available in a timely manner.
- Fully Fund Contract Support Costs.

- Increase the IHS services appropriation for Purchased/Referred Care and the IHS facilities appropriation for Maintenance and Improvement funding for healthcare facilities.
- Permanently reauthorize the Special Diabetes Program for Indians.
- Support the Environmental Protection Agency's Indian Environmental General Assistance Program, which is needed for building capacity and administering Tribal environmental programs that directly affect human health.

The Yakutat Tlingit Tribe is a federally recognized Indian Tribe located on the eastern shores of the Gulf of Alaska in the City and Borough of Yakutat, Alaska. It is only accessible by air or boat, is 225 miles northwest of Juneau and 220 miles southeast of Cordova, Alaska. Due to the geographic isolation, it is imperative that the Tribe offer high quality services on site in Yakutat. We thus provide a substantial and growing array of community healthcare services and counseling and prevention services at the Yakutat Community Health Center (YCHC), through funding from the IHS as a co-signer to the Alaska Tribal Health Compact under the Indian Self-Determination and Education Assistance Act, through a community health center grant from the Health Resources and Services Administration, State of Alaska awards, and third-party collections. While the City and Borough of Yakutat operates a volunteer Emergency Medical Services squad, the YCHC is the only provider of healthcare in the community. The Yakutat Borough is in a Medically Underserved Area and is designated as a Health Professional Shortage Area for medical, dental and mental health.

#### FUNDING THE IHS JOINT VENTURE PROGRAM

Under Section 818(e) of the Indian Health Care Improvement Act, the IHS is authorized to establish a Joint Venture Construction Program for projects in which Tribes and Tribal organizations construct, acquire or renovate a Tribal healthcare facility, and the IHS commits to funding the initial equipment and a staffing package for operation and maintenance of the new facility. The program is competitive, and priority is given to Tribes and Tribal organizations who agree to also fund the equipment portion of the project. Proposals are also evaluated on the need for space at the specific location, among other criteria.

The Yakutat Tlingit Tribe was selected from a competitive pool of Tribes and Tribal organizations to participate in the IHS Joint Venture program, through which the Tribe commits to building a new healthcare facility and providing equipment funding, and IHS commits to providing recurring funding for staffing on completion of the construction project. The Tribe will be constructing a new healthcare facility in Yakutat, Alaska on land owned by the Tribe. The facility is expected to encompass just over 11,000 building gross square feet. The new facility will provide improved and increased health service delivery in our remote area, so that the Tribe can expand primary care services and dental care, as well as make space available for visiting specialty providers, health aides, preventive care, behavioral health, and the Tribe's administration staff.

The Tribe believes that it is critically important for Congress to continue to commit to funding staffing packages and equipment related to the IHS joint venture program. Tribes like YTT must commit far in advance to construction costs and are reliant on the funding for staffing being available to them as quickly as possible on completion of the project (or even as the project is being finished). It can otherwise be impossible to plan for and operate a new healthcare facility without the security of knowing that the funding for staffing will be made available in a timely manner, to allow for the advertisement for and selection of healthcare professionals and other staff, and to allow time for people to relocate to Yakutat and begin their work.

The Tribe thus asks this subcommittee to support the continued funding for the IHS Joint Venture Program and ensure that Joint Venture participants received their staffing funds timely.

#### FULLY FUND CONTRACT SUPPORT COSTS (CSC)

The YTT wishes to thank Congress for fully funding CSC in fiscal years 2016 and 2017, and for making it an indefinite amount that is in a separate account in both the IHS and BIA budgets. For IHS, we understand the fiscal year 2017 estimate for CSC is \$800 million, and for the BIA it is \$278 million. This funding helps us to meet our own responsibilities under the Indian Self-Determination and Education Assistance Act (ISDEAA), and significantly enhances the Federal-Tribal government-to-government relationship. We also wish to thank the subcommittee for listening to Tribal comments about how the bill proviso in the fiscal year 2016 enacted bill effectively denied the CSC carryover authority authorized by the ISDEAA, and

appreciate that the proviso was absent from the Consolidated Appropriations Act for fiscal year 2017.

We ask this subcommittee to support the continued full funding of CSC in fiscal year 2018. However, our long-term goal is to ensure the indefinite appropriation of CSC funding—that it be made mandatory and permanent. Under the ISDEAA, the full payment of CSC is not discretionary, but is a legal obligation that has been affirmed by the United States Supreme Court.

#### INCREASE IHS SERVICES AND FACILITIES FUNDING

We ask that the subcommittee support an increase in funding for the IHS's Purchased/Referred Care (PRC) program. The Indian health system relies heavily on PRC funding to pay for specialty or emergency healthcare from outside providers. This is especially true in Alaska, given the remote locations and the distance required whenever a patient has to travel vast distances to receive care in a facility in Anchorage, for example, to address an emergency or see a specialist. While there have been increases in funding that IHS receives for PRC is not at all keeping up with the medical rate of inflation, and thus PRC funding has to be stretched further and further to provide needed care to patients.

We also request your support for an increase in the IHS's maintenance and improvement funding (M&I) for healthcare facilities, a need the Tribal Budget Formulation Workgroup deems "critical." The current IHS estimate of the backlog of essential maintenance, alternation and repair is \$473 million. M&I funding is important to federally-owned and tribally-owned buildings used to provide healthcare services, for functions such as routine maintenance, such as emergency repairs, preventive maintenance activities, and maintenance supplies and materials; environmental compliance; and improvements, such as those needed for new patient care equipment or new treatment methodologies. This funding thus greatly supports and enhances the delivery of healthcare and preventive services.

The Yakutat Tlingit Tribe doesn't qualify for M&I funding today as we do not currently own our facility we are currently in. However in fiscal year 2019, when our new clinic is open for business, we will get a line item budget from the YTT JVCP and we will receive funding for: Maintenance & Improvement (M&I), Facility Support Account (FSA), and Biomedical Equipment. It is a huge undertaking to build our own building but will need M&I funding to properly maintain the building.

#### SPECIAL DIABETES PROGRAM FOR INDIANS

The Special Diabetes Program for Indians (SDPI) provides crucial funding for diabetes treatment and prevention programs for Alaska Natives and American Indians, among whom diabetes continues to be an epidemic. For YTT, we have seen significant outcomes in terms of dramatically increased access to treatment and prevention services. The SDPI has been funded at \$150 million for many years, but oftentimes it is very close to expiring before it is reauthorized for an extended period of time. It is set to expire again on September 30, 2017.

We join with others in Indian Country in recommending the permanent reauthorization and increased funding for the SDPI program. A permanent reauthorization with annual funding of \$200 million would provide stability for our diabetes programs, which will greatly help us to plan the programs and to recruit and retain personnel. While we understand the SDPI reauthorization bill is not under purview of this subcommittee, the SDPI definitely affects the healthcare services we provide and for which this subcommittee appropriates funding. We request and would appreciate any assistance the subcommittee members could provide with your colleagues on this issue.

Additionally, as a co-signer to the Alaska Tribal Health Compact (ATHC), we request an amendment to the SDPI that would simplify the process for us to receive our diabetes funding. The current process requires that the co-signers receive SDPI awards via the DHHS grants office and then follow Secretarial regulations before the funds are added to our ISDEAA funding agreements. The grant applications, monitoring and reporting requirements are not only burdensome, but also inefficient. Tribal programs should be authorized to administer SDPI funds as part of their ISDEAA funding agreements and have their funds added directly to their funding agreements without having to go through a grants process. The ATHC's letter and paper dated April 27, 2017, which was sent to the Congressional Diabetes Caucus Co-Chairs DeGette and Reed, provide more detail on our request.

#### USAC

We bring to your attention a potentially devastating development and that is the proposal by the FCC to pro-rate by 7.5 percent the subsidies for Internet service.



We currently have a subsidy from USAC that pays for our Internet so we can connect thru satellite. It is at \$20k a month. Our portion is \$500 after the subsidy. If we don't have that it will sink us. There is no way we can afford an additional \$19,500 per month for connectivity. This will affect not only us but all Tribal health organizations in the State. Connectivity is the lifeline for the provision of health services in Alaska. This is obviously a case to be made to the FCC, but we would want this subcommittee and others to be aware of this issue.

SUPPORT FUNDING THE ENVIRONMENTAL PROTECTION AGENCY IGAP

Any cuts that may be made to EPA program funding will have real-world human costs. For example, the EPA's Indian Environmental General Assistance Program (IGAP) funding helps Tribes to build capacity to administer Tribal environmental protection programs that relate directly to human healthcare and safety. The IGAP include a focus on solid waste management, such as solid waste planning, solid waste/recycling collection and disposal services, as well as hazardous waste management. The program also allows us to address other environmental issues, such as water quality monitoring, recycling programs, and renewable energy, to name a few. Having these resources is essential for Tribes to be able to address long-standing environmental and human health challenges, and to recruit and retain professionals to develop and carry out our environmental regulatory programs, which can be very difficult in a remote area like Yakutat. Yakutat has been receiving their IGAP funds since fiscal year 1998. The funding has allowed for through assessments to be completed. Along with remediation of WWII clean up. Has provided for Wetland protection. Yakutat is resource rich with the Situk River that has all species of Salmon and Steelhead that run. This funding has allowed for baseline water quality monitoring for the forelands to begin. Our concerns are what is coming from up the River down to our foreland in Canada and Alsek. More studies need to be completed in this area. Yakutat truly needs a Science Center to study all that is happening at our doorstep.

The Tribe is greatly concerned about the current administration's proposals to cut EPA funding. If EPA Tribal programs are not funded, that could result in catastrophic harm to the Tribe and its ability to address environmental concerns, and to the health and well-being of our Tribal members. President's Trump's preliminary budget proposal (the "skinny" budget) proposes specifically to eliminate EPA's infrastructure assistance program for Alaska Native Villages. We are facing many vulnerabilities due to the changing climate in Alaska, including rising sea levels and degradation of our lands and food sources. Global warming has produced havoc in all issues. It has brought invasive plant species that choke out the native plants that Yakutat citizens rely on for Subsistence foods. Moreover, the area in which Yakutat is located is pristine and needs to be protected. The Tribe thus requests that the subcommittee support continued and increased funding for the EPA IGAP program and that it give full and open consideration to the human impacts that any reduction in the EPA budget may cause.

Thank you for your consideration of the concerns and requests of the Yakutat Tlingit Tribe.

[This statement was submitted by Victoria Demmert, President.]