



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

APR 28 2017

The Honorable John Hoeven
Chairman, Committee on Indian Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Enclosed are responses to the questions received by Secretary Zinke following his March 8, 2017, appearance before your Committee on the Administration's Indian Affairs priorities.

Thank you for the opportunity to provide this material to the Committee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional
and Legislative Affairs

Enclosure

cc: The Honorable Tom Udall
Vice Chairman

Questions for the Record
The Honorable Ryan Zinke
United States Senate Committee on Indian Affairs
Oversight Hearing on
"Identifying Indian Affairs priorities for the Trump Administration."
March 8, 2017

Questions from Chairman Hoeven:

Question 1: Mr. Secretary, how do you balance taking off reservation land into trust and the balance of preventing off reservation casino shopping? The premise behind allowing tribes to open casinos was to provide an economic engine for the tribe and its members, allowing them to diversify their business interests for their long term economic success within their homelands. It appears that tribal homelands have been expanded, from their aboriginal tribal homelands. Mr. Secretary, what parameters will you put in place for this balance?

Response: Mr. Chairman, I understand the need to find balance in the off reservation gaming process. I also know how important the land into trust process is for tribes. I have been working with Indian Affairs, particularly the Office of Indian Gaming, and the Solicitor's Office to get a better grasp on where things stand and how to best proceed. Once we have identified a path forward, I would be happy to update you.

Questions from Sen. McCain:

Question 1: BIE School Safety. I am told that the BIE/BIA has completed inspections of all 185 BIE schools. As we discussed during hearing, please provide me with a status report on the state of BIE facilities in Arizona.

Response: Senator, I can confirm that in FY 2016, Safety and Health inspections were conducted at 100 percent of BIE schools. The attached spreadsheet, titled FY 2016 Safety and Other Inspections Status Report, shows the 53 BIE school locations in Arizona and when their Safety and Health inspections were conducted in FY 2016. As of this response, 35 of the 53 schools in Arizona have already had their Safety and Health inspection conducted for FY 2017. The remaining schools are set to be inspected by June 2017. The following summary chart shows the condition summary for each of the 53 schools in Arizona as of the end of FY 2017 first quarter reporting:

Summary of BIE Schools Condition in Arizona by Facility Condition Index (FCI) as of March 31, 2017		
Condition	Number	Percent
Good	12	22%
Fair	11	21%
Poor	30	57%
Total	53	

Question 2: 2017 GAO High Risk report (GAO -17-317 High Risk Series). In 3 different reports dating back to 2013, the GAO made 13 recommendations to improve Indian Affairs' management of BIE schools. However, as of the 2017, eleven of GAO's recommendations remain open. When will the Department be responding to GAO's eleven outstanding recommendations?

Response: BIE has committed to me that they are working to complete the actions recommended in each of the three GAO reports:

GAO-13-774

Five recommendations: (1) Develop and implement decision-making procedures which are documented in management directives, administrative policies, or operating manuals; (2) develop a communication strategy; (3) appoint permanent members to the BIE-Education committee and meet on a quarterly basis; (4) draft and implement a strategic plan with stakeholder input; and (5) revise the BIE strategic workforce plan.

BIE has completed the implementation of findings two, three, and five. In turn, the GAO has cleared those findings. BIE is continuing to implement GAO's recommendations with respect

to findings one and four. Specifically, BIE plans to draft and implement a Departmental Manual and updated Strategic Plan as soon as possible.

GAO-15-121

Four recommendations: (1) Develop a comprehensive workforce plan; (2) implement an information sharing procedure; (3) draft a written procedure for making major program expenditures; and (4) create a risk-based approach in managing BIE school expenditures.

BIE submitted a finalized closure package to GAO for recommendations two, three, and four in August 2016. BIE is continuing to develop a comprehensive workforce plan to address recommendation one. A draft has been completed, and my team is further reviewing the plan.

GAO-16-313

Four recommendations: (1) Ensure that all BIE schools are inspected as well as implement a plan to mitigate challenges; (2) prioritize inspections at schools where facility conditions may pose a greater risk to students; (3) develop a plan to build schools' capacity to promptly address safety and health problems with facilities and improve the expertise of facility staff to maintain and repair school buildings; and (4) consistently monitor whether schools have established required safety committees.

To address findings one and two, BIE has worked with the Bureau of Indian Affairs (BIA) to implement a Safe School Audit. The audit was successfully completed at all BIE-funded schools and the agencies started the process of implementing corrective measures for all identified deficiencies. For findings three and four, BIE is conducting ongoing staff and administrator training and is working with BIA to provide ongoing support for school safety committees through school inspections. I recognize reporting for such activities is lacking, so BIE is working with BIA to provide oversight of such inspections.

Question 3: Funding of BIE of schools. In GAO's 2014 report Bureau of Indian Education Needs to Improve Oversight of School Spending, GAO estimated that the average per pupil expenditures for BIE-operated schools were about 56 percent higher than for public schools nationally in school year 2009-10, and BIE operated day schools spent an estimated average of at least \$15,391 per pupil. Please answer the following questions for both BIE-operated and tribally operated BIE schools.

a. Are BIE schools funded based on the number of enrolled students? If so, what proportion of funding is based on the number of enrolled students?

Response: As an initial matter, it should be noted that the GAO report acknowledged that both student demographics and smaller enrollments in, and the remote locations of many, BIE schools contributes to this higher per pupil expenditure.

The student count submitted by schools is used to calculate the average daily membership (ADM) which then has weights applied pursuant to 25 CFR Part 39 to generate weighted student units (WSUs). With the exception of student transportation, tribal grants support costs funds, facilities operations, and maintenance funds, all other funds are allocated to schools based on

their total ADM or WSU.

b. Is there a standard way that BIE schools report student enrollment?

Response: Yes. Under Public Law 95-561, as amended, and 25 CFR Part 39, each student is counted based upon statutory criteria. All schools report their student count data using the Native American Student Information System (NASIS), a student count application adopted by BIE in 2005.

c. Do BIE schools receive additional funding weights based on student characteristics (ex: English language learners, low income students, students with special needs)?

Response: Yes. Students receive weights for their basic academic programs and supplemental weights if they participate in a residential, gifted and talented, and/or language development program. The Department of Education has provided about 21 percent of funding for BIE schools through a variety of programs, including the Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Education Act (IDEA) Part B Grants to States program.

d. How do per pupil allocations differ between tribes and geography?

Response: The per pupil allocation is calculated from the student data entered by each school in both the BIE database and via the Indian School Equalization Program (ISEP) formula. Weights are assigned to each student based on the student's grade, base program, and supplemental programs. Students with the same characteristics generate the same weights and dollar amount, regardless of school location, school operator, or tribal affiliation.

e. How do facilities funding processes differ between BIE- and tribally-operated schools?

Response: The facilities funding process is the same for all BIE and tribally operated schools. The funding is calculated using the data entered by the individual school in Indian Affairs' facilities database program, Maximo. The Maximo system utilizes a formula that calculates the facility's needs based on the data from each school.

f. Using the most recent available data, please estimate per pupil expenditures at BIE schools in categories of instruction, transportation, facilities operations and maintenance, and administration.

Response: Please see the attached table labeled as responsive to Q. 3.

Questions from Sen. Lankford:

Question 1: There are times that a tribe may place land into trust for the purposes of economic development or other venture then, sometime later, decide to utilize the land for gaming. In this type of situation, are there any steps the tribe must go through to seek authorization from the Department before gaming may be conducted? How do these steps, if there are any, compare to the process the tribe would go through if they had originally applied to place the land into trust for gaming? (Please answer for situations where the land is on and off of the tribe's reservation or, the case of Oklahoma, on or off of the tribe's former reservation boundaries.)

Response: Any land upon which a tribe wishes to conduct gaming must be legally eligible for gaming per the criteria set forth in the Indian Gaming Regulatory Act (IGRA). Tribes often apply to the Department or to the National Indian Gaming Commission for an Indian Lands Determination, which is a legal opinion about the eligibility of the land for gaming.

In addition to a determination of whether the lands are eligible for gaming, IGRA requires that tribes conducting class III gaming enter into a tribal-state compact with the state in which the gaming enterprise is proposed. Class III gaming is lawful only if authorized by a tribal ordinance or resolution that is approved by the National Indian Gaming Commission (NIGC). Tribes must also license gaming facilities and notify the NIGC of such licensing. If a tribe elects to have its casino managed through a third-party, a gaming management contract must also be approved by NIGC. In cases where the lands are already in trust, the NIGC typically determines whether the lands are eligible for gaming.

Question 2: Can you provide a list of any casinos operating under the authority of the Indian Gaming Regulatory Act in Oklahoma that are on land originally placed into trust for a different purpose then later utilized for gaming?

Response: Senator, the Department has not historically maintained a list of Tribal gaming facilities that are on land originally placed into trust for another purpose. That said, we are interested in looking into methods to better track this information during my tenure.

Question 3: Over the last few years, I have asked the Department to provide a detailed listing of metrics used to gauge the success and impact of individual programs relating to Indian Country. This has included a request of the Department to provide individual program level goals and plans made in advance of an upcoming year (fiscal or calendar) than any review conducted to determine whether or not the individual program has met those goals after the conclusion of that year. In response the Department has provided aspirational goals for solving issues or problems in Indian Country each year but not any program level metrics, goals, or plans followed by analysis at the end of the year on how well those goals or plans were met. Will this level of detailed program goal planning and measuring be a priority under your leadership and, if so, could you provide any initial program level goals you and your staff have started to develop?

Response: As a former military commander, I place great merit in setting detailed goals for my team to assess what we have done and where we are going. I will lead the Department forward in this same way. Data should drive the policy, and I will work to identify, track, and improve performance metrics for our programs.

Question 4: Do you believe there are ways to improve the provision of programs and benefits for Indian Country by increasing cooperation and coordination between the Department and the various other federal Departments that provide services to American Indians and tribes? Specifically, are there ways to ensure that the Department is not operating and funding programs seeking to accomplish the same or similar goals as programs housed in other cabinet level Departments?

Response: I firmly believe there are ways for the federal government to coordinate more efficiently and effectively with tribes, which is why I committed to Chairman Hoeven at the hearing to work with my colleagues across the various Departments to make our work as efficient and effective as possible. I, too, believe it is important to review programs and services to ensure they are not duplicative in scope and funding. We must be resourceful while also continuing to fulfill our trust responsibilities to tribes.

Question 5: In what ways will the Administration support tribes seeking to leverage their energy resources for economic development?

a. Would this include providing technical support for tribes seeking to take over the management of resources and the issuance of permits for energy development?

Response: I am committed to evaluating all opportunities within the Department to strengthen and support tribes' abilities to develop their energy resources as they so choose.

b. As of the end of 2016, no tribe had entered into a Tribal Energy Resource Agreement (TERA) as allowed by the Energy Policy Act of 2005. Will the Administration put in place clear protocols that will allow interested tribes to easily enter into these agreements?

Response: As Secretary, I want to ensure we use existing authorities so tribes have the ability, authority, and independence to control their energy futures.

c. In at least some situations, the BIA must give final approval for permits for oil and gas development on tribal land. If a relevant tribal governing authority has given sufficient review and approval to that permit before it is considered by the BIA, would the Administration consider a policy that this review and sign-off is not a federal action under NEPA if that tribal authority has agreed to a waiver of federal liability for any actions occurring after that permit is approved?

Response: Like the President, I am dedicated to putting our nation back on track towards energy independence and creating good paying jobs. This also applies to tribes who are interested in

developing their resources, from coal to wind energy. I commit to you that I will review policies that will empower tribes to responsibly develop their own resources, if that is their choice.

Question 6: Does the Department intend to conduct a count this year of Indian students attending public schools for the Johnson O'Malley Program?

Response: Recognizing that congressional action is needed to change the current funding methodology, I have tasked BIE to complete a new student count and will work with JOM contractors to ensure JOM students are included.

Questions from Sen. Franken:

Question 1: Indian Gaming. Secretary Zinke, the Indian Gaming Regulatory Act mandates that Indian tribes use gaming net revenue for government purposes. These funds supplement basic services like health care, education, housing, public safety, and roads. The Indian Gaming Regulatory Act also expressly prohibits state taxation of tribal gaming. Despite this, I have heard from tribal leaders concerned that the Trump administration might push for state taxation of tribal gaming, which would be in line with President Trump's past unfavorable statements regarding Indian gaming.

Question: Secretary Zinke, will you protect Indian gaming against any new taxes or regulations that will limit the existing rights of tribal governments to conduct gaming on their lands under the Indian Gaming Regulatory Act?

Response: I am an advocate for tribal sovereignty and self-determination. In considering any new regulations or policies, I will comply with Federal laws, including IGRA, and the Department's tribal consultation policy.

Question 2: Sexual Violence in Indian Country. A recent National Institute of Justice report found that more than half of American Indian and Alaska Native women-and more than one in four men- have experienced sexual violence in their lifetime. And among those who have experienced sexual violence, almost all- 96% of women and 89% of men-have been victimized by a non-Indian partner. That is a horrific statistic. And despite their prevalence, crimes of sexual violence committed by non-Indians in Indian Country often go unprosecuted and unpunished, leaving victims without justice and offenders on the loose. So last Congress, Senator Murkowski and I introduced the Justice for Native Survivors of Sexual Violence Act, which would recognize and reaffirm Indian tribes' inherent power to exercise criminal jurisdiction over non-Indians who commit crimes of sexual violence in Indian Country. This commonsense legislation will lay the groundwork for tribes to address sexual violence in their communities in a meaningful way, and I'm looking forward to reintroducing the bill soon.

Question: Secretary Zinke, for your part, I want to know from you how the Interior Department will work with tribes to strengthen their tribal justice systems and ensure that they have the resources they need to take on this critical work. I also understand that the Department of Justice has the primary responsibility for investigating and prosecuting crime in much of Indian country. When Senator Sessions came before the Judiciary Committee, I asked him about his views on these issues and was concerned by how much he has to learn about law enforcement in Indian Country. Can you assure me that you will coordinate and share information with the DOJ to ensure that there is a comprehensive understanding of how these crimes impact Indian Country?

As a follow-up Secretary Zinke, I would encourage you to bring the Attorney General with you the next time you visit Indian Country.

Response: Senator, I will work closely with the Attorney General and our colleagues at the

Department of Justice to strengthen our collaborative efforts to keep Indian Country safe and to ensure that victims of crimes are able to seek justice.

Question 3: School Construction. Indian school construction is always in need of increased funding. Bureau of Indian Education schools across the country are falling apart. In Minnesota, after years of fighting for funding, we were finally able to start construction to rebuild the Bug-0-Nay-Ge-Shig high school last summer. American Indian students should not be excluded from receiving an exceptional education. Yet Indian school buildings are often unsafe, harmful to the health of children and teachers, and are ultimately a barrier to the education of students.

Question: Secretary Zinke, in your testimony you state that - and I quote - "It is unacceptable that some of our students are attending schools that lack the most basic necessities, like insulation and clean water." I agree. But we can't prevent this problem without adequately funding school construction. As our new Secretary of the Department of the Interior, will you commit to fighting for increased funding for BIE school construction so our Indian students don't have to learn in unsafe settings?

Response: My staff and I are committed to addressing BIE school infrastructure needs. We continue to review new approaches to ensure all funds are utilized effectively and efficiently. I want to guarantee that the projects we support improve safety and foster a conducive environment for our students to receive an exceptional education.

Question 4: Opioid Crisis. In Minnesota and across the nation, opioids have become a public health emergency. Indian reservations in my state have been on the frontline of this crisis and the statistics of how this is impacting future generations is incredibly troubling. In fact, American Indian women are 8.7 times more likely to be diagnosed with maternal opiate dependency during pregnancy compared to non-Hispanic whites, and more than one in ten newborns among American Indian women in Minnesota are born opioid dependent. I've met with many tribal leaders, and what's clear from these meetings is that we need a multipronged approach to address the opioid crisis in Indian Country. We need more research, less over-prescription, greater resources for prevention, and better access treatment.

Question: Secretary Zinke, how do you plan to collaborate with your federal counterparts at IHS and HHS, as well as state, and regional stakeholders to create interventions to combat the opioid epidemic? And how will you leverage input from Native Americans or other communities to develop effective, culturally-based interventions?

Response: I have seen firsthand what the opioid crisis has done to tribes in Montana. It is devastating to see the shattered families and communities who continue to suffer from the effects of opioids. While the majority of substance abuse services to Indian Country falls under the Department of Health and Human Services (HHS), I see great merit in collaborating with my colleagues across agencies to meaningfully address the epidemic. This also includes consulting with tribes on a path forward.

Question 5: Dental Therapy. The lack of consistent and reliable access to oral health care has long been an issue facing Indian country. Increasingly, tribes have expressed interest in utilizing mid-level providers such as dental therapists to address this need. States like Minnesota and Alaska - have already authorized the ability for dental therapists to practice - and have demonstrated that dental therapists increase access to critically needed and culturally competent care for rural and Indian communities.

Question: Secretary Zinke, will you commit to working with your colleagues at the Indian Health Service and Department of Health and Human Services to address the health care needs of American Indian tribes by continuing to build on models that promote increased access to quality oral health care?

Response: Yes, I will work with my colleagues at IHS and HHS to better coordinate and support health needs across Indian Country.

Questions from Sen. Cortez Masto:

Question 1: In my home state of Nevada, the recently designated Gold Butte National Monument protects a wealth of cultural resources of significance to the entire American people, but in particular Native American tribes of this area. Moapa Band of Paiutes, Las Vegas Paiute Tribe, Ely Shoshone Tribe, and the Paiute Indian Tribes of Utah supported the designation of this monument.

As steward of these lands, will you commit to protecting these cultural resources and taking into account the support of these tribes when considering any decisions regarding future management of the Gold Butte National Monument?

Response: Regardless of the issue, consultation with tribes is paramount. I remain committed to working with tribes on a government-to-government basis, particularly when it pertains to matters under Interior's jurisdiction.

Question 2: When ancestral tribal lands or sacred lands are managed by another government entity such as the Bureau of Land Management, which you oversee, what is your vision of the Department's responsibilities to the tribes in area management?

Response: Senator, I strongly believe government-to-government consultation is key when making any land management decisions. I remain committed to working with tribes to ensure meaningful consultation occurs, not only with the Bureau of Land Management, but the other bureaus I oversee.

Question 3: One issue that is of serious concern to tribal communities in Nevada and across the region is the vandalism and destruction of cultural resources like petroglyphs as well as looting and grave robbing.

At places like Gold Butte National Monument, these incidents have continued to be a concern to the locals. While the national monument designations sought by tribal leaders are a step in the right direction to provide further protections, I need your assurance that they will continue to be protected.

What is your vision for ensuring federal law enforcement and federal land managers have the tools and resources necessary for preventing looting and vandalism which destroys cultural resources and sacred sites?

Response: Our federal land managers and law enforcement personnel provide critical services in the field. This includes protecting important cultural resources and sacred sites. As Secretary, I seek to inspire and empower those on the ground to perform these important jobs to the best of their abilities.

Question 4: Some have suggested eliminating federal law enforcement on federal lands and shifting this responsibility onto our already overburdened law enforcement. Given the specialized training needed for these entirely different law enforcement roles and the

federal trust responsibility that exists for protecting these lands, do you think it is appropriate to eliminate federal law enforcement on federal lands?

Response: As Secretary of the Interior, I believe our law enforcement personnel perform a critical role on the front lines to protect our tribal communities, along with natural resources and the people who access them. I am committed to ensuring they are amply supported in their roles. At the same time, it is imperative that the Department continue to collaborate with state, tribal and local law enforcement in situations requiring greater support.

Question 5: The federal government is required to, and has a responsibility to, engage in regular and meaningful government-to-government consultation and collaboration with tribal officials.

Do you believe that the government's consultation policy was followed properly in the decisions surrounding the Dakota Access Pipeline in North Dakota?

Response: As Secretary, I am working to rebuild trust among our great Indian Nations, which comes from mutual respect. I believe that through mutual respect, we can seek common ground on matters such as infrastructure projects.

Question 6: The President has supported projects, like DAPL, as not only energy investment but as critical infrastructure. He also supported a \$1 trillion infrastructure package.

Consideration this directive, what do you believe is the appropriate amount to allocate to tribes to address their critical infrastructure needs?

Response: The Department is currently reviewing infrastructure needs across Indian Country. The President's infrastructure plan is currently under consideration, and as possible consideration moves forward, I will seek to work with others in the Administration bring to light infrastructure needs across Indian Country.

Question 7: What is your estimate of the overall need in Indian country? What are your top priority infrastructure needs in Indian country, and how do you plan to address their critical infrastructure needs?

Response: I learned very quickly in Congress that our nation's tribes are not monolithic. As Secretary, I now know their infrastructure needs are equally as diverse. This is why I have tasked leaders within Interior to evaluate and assess infrastructure priorities under Indian Affairs, which includes Bureau of Indian Education schools. We continue to gather and prioritize these needs as part of an ongoing process.

Question 8: The federal government is required to, and has a responsibility to, federal agencies to engage in regular and meaningful government-to-government consultation and collaboration with tribal officials.

Will the government's consultation policy be appropriately upheld with this new Administration?

Response: As I stated at the hearing, sovereignty should really mean something. I remain committed to collaborating on priorities in Indian Country on a government-to-government basis, always as equals, not rivals.

Question 9: What commitments have you made to tribes on investments in infrastructure for tribes? Please provide details and any Nevada specific information.

Response: My team at Interior is evaluating infrastructure needs across the Department, including in Indian Country. Those evaluations and reviews remain ongoing.

FY2016 Safety and Other Inspections Status Report

Location ID	Site	Site Description	Inspection Type	Region	FY	Inspection Date	Finalized Date
H52-11	IE041	DISHCHIBIKOH COMMUNITY SCHOOL (CIBECUE)	Safety & Health	WESTERN	2016	8/11/2016	09/09/2016
H52-12	IE067	JOHN F. KENNEDY DAY SCHOOL	Safety & Health	WESTERN	2016	8/10/2016	09/06/2016
H52-21	IE161	THEODORE ROOSEVELT SCHOOL	Safety & Health	WESTERN	2016	8/9/2016	09/08/2016
H54-11	IE137	SANTA ROSA RANCH SCHOOL	Safety & Health	WESTERN	2016	4/22/2016	08/19/2016
H54-21	IE136	SANTA ROSA DAY SCHOOL	Safety & Health	WESTERN	2016	4/21/2016	08/17/2016
H54-22	IE132	SAN SIMON SCHOOL	Safety & Health	WESTERN	2016	4/20/2016	07/21/2016
H54-25	IE167	TOHONO O ODHAM HIGH SCHOOL	Safety & Health	WESTERN	2016	4/20/2016	07/21/2016
H57-12	IE012	BLACKWATER COMMUNITY SCHOOL	Safety & Health	WESTERN	2016	6/13/2016	08/29/2016
H57-13	IE016	CASA BLANCA DAY SCHOOL	Safety & Health	WESTERN	2016	6/14/2016	08/29/2016
H57-14	IE050	GILA CROSSING DAY SCHOOL	Safety & Health	WESTERN	2016	6/15/2016	09/06/2016
H65-12	IE139	SECOND MESA DAY SCHOOL	Safety & Health	WESTERN	2016	6/30/2016	08/27/2016
H65-13	IE057	HOPI DAY SCHOOL	Safety & Health	WESTERN	2016	6/13/2016	08/29/2016
H65-14	IE059	HOTEVILLA BACAVI COMMUNITY SCHOOL	Safety & Health	WESTERN	2016	6/28/2016	08/29/2016
H65-15	IE096	MOENCOPI DAY SCHOOL	Safety & Health	WESTERN	2016	7/22/2016	08/27/2016
H65-21	IE071	KEAMS CANYON ELEMENTARY SCHOOL	Safety & Health	WESTERN	2016	7/19/2016	08/29/2016
H65-22	IE058	HOPI JUNIOR-SENIOR HIGH SCHOOL	Safety & Health	WESTERN	2016	7/20/2016	08/29/2016
H65-24	IE047	FIRST MESA ELEMENTARY SCHOOL (POLACCA)	Safety & Health	WESTERN	2016	7/1/2016	08/27/2016
H68-07	IE056	HAVASUPAI SCHOOL	Safety & Health	WESTERN	2016	5/18/2016	08/26/2016
N32-05	IE033	COVE DAY SCHOOL	Safety & Health	NAVAJO	2016	2/10/2016, 2/11/2016	02/27/2016
N32-07	IE121	RED ROCK DAY SCHOOL	Safety & Health	NAVAJO	2016	3/2/2016, 3/3/2016, 3/4/2016, 3/11/2016	03/11/2016
N32-10	IE153	T IIS NAZBAS (TEECNOSPOS) COMMUNITY SCHOOL	Safety & Health	NAVAJO	2016	2/16/2016, 2/17/2016, 2/18/2016, 02/19/2016	03/08/2016
N33-02	IE024	CHILCHINBETO COMMUNITY SCHOOL	Safety & Health	NAVAJO	2016	2/10/2016	02/27/2016
N33-04	IE038	DENNEHOTSO BOARDING SCHOOL	Safety & Health	NAVAJO	2016	2/10/2016	02/12/2016
N33-05	IE074	KINLANI DORMITORY (FLAGSTAFF)	Safety & Health	NAVAJO	2016	12/22/2015	01/12/2016
N33-07	IE069	KAIBETO BOARDING SCHOOL	Safety & Health	NAVAJO	2016	12/23/2015	01/11/2016
N33-08	IE070	KAYENTA BOARDING SCHOOL	Safety & Health	NAVAJO	2016	2/4/2016	02/10/2016
N33-09	IE080	LEUPP SCHOOL, INC.	Safety & Health	NAVAJO	2016	2/5/2016, 2/8/2016	02/10/2016
N33-11	IE099	NAA TSIS AAN (NAVAJO MOUNTAIN BOARDING)	Safety & Health	NAVAJO	2016	1/14/2016	02/10/2016
N33-13	IE168	TONALEA (RED LAKE) DAY SCHOOL	Safety & Health	NAVAJO	2016	12/18/2015	01/11/2016
N33-15	IE127	ROCKY RIDGE BOARDING SCHOOL	Safety & Health	NAVAJO	2016	12/21/2015	01/11/2016
N33-16	IE144	SHONTO PREPARATORY SCHOOL	Safety & Health	NAVAJO	2016	1/15/2016	02/10/2016
N33-19	IE170	TUBA CITY BOARDING SCHOOL	Safety & Health	NAVAJO	2016	1/12/2016	02/10/2016
N33-22	IE052	GREYHILLS ACADEMY HIGH SCHOOL	Safety & Health	NAVAJO	2016	4/18/2016	01/11/2016

N33-24	IE082	LITTLE SINGER COMMUNITY SCHOOL	Safety & Health	NAVAJO	2016	2/5/2016	02/10/2016
N35-04	IE032	COTTONWOOD DAY SCHOOL	Safety & Health	NAVAJO	2016	2/26/2016	04/22/2016
N35-06	IE064	JEEHDEEZ A ELEMENTARY SCHOOL	Safety & Health	NAVAJO	2016	2/16/2016	03/18/2016
N35-07	IE086	LUKACHUKAI BOARDING SCHOOL	Safety & Health	NAVAJO	2016	5/9/2016	05/23/2016
N35-09	IE102	NAZLINI COMMUNITY SCHOOL	Safety & Health	NAVAJO	2016	5/6/2016	05/18/2016
N35-10	IE116	PINON COMMUNITY SCHOOL	Safety & Health	NAVAJO	2016	2/19/2016	04/15/2016
N35-11	IE126	ROCK POINT COMMUNITY SCHOOL	Safety & Health	NAVAJO	2016	3/29/2016	04/29/2016
N35-12	IE128	ROUGH ROCK COMMUNITY SCHOOL	Safety & Health	NAVAJO	2016	5/11/2016	05/31/2016
N35-20	IE025	CHINLE BOARDING SCHOOL	Safety & Health	NAVAJO	2016	5/23/2016	06/01/2016
N35-21	IE089	MANY FARMS HIGH SCHOOL	Safety & Health	NAVAJO	2016	5/2/2016	05/23/2016
N35-23	IE010	BLACK MESA COMMUNITY SCHOOL	Safety & Health	NAVAJO	2016	4/11/2016	05/05/2016
N36-06	IE040	DILCON COMMUNITY SCHOOL	Safety & Health	NAVAJO	2016	4/13/2016	05/05/2016
N36-08	IE051	GREASEWOOD SPRINGS COMMUNITY SCHOOL	Safety & Health	NAVAJO	2016	4/22/2016	05/23/2016
N36-09	IE162	TIISYAAKIN RESIDENTIAL HALL (HOLBROOK)	Safety & Health	NAVAJO	2016	4/15/2016	04/29/2016
N36-11	IE060	HUNTERS POINT BOARDING SCHOOL	Safety & Health	NAVAJO	2016	1/21/2016, 1/22/2016	04/09/2016
N36-14	IE073	KIN DAH LICH I OLTA (KINLICHEE)	Safety & Health	NAVAJO	2016	2/29/2016	04/09/2016
N36-18	IE115	PINE SPRINGS DAY SCHOOL	Safety & Health	NAVAJO	2016	4/22/2016	04/29/2016
N36-19	IE138	SEBA DALKAI BOARDING SCHOOL	Safety & Health	NAVAJO	2016	4/12/2016	05/10/2016
N36-24	IE179	WIDE RUINS COMMUNITY SCHOOL	Safety & Health	NAVAJO	2016	3/8/2016, 3/10/2016	04/22/2016
N36-25	IE182	WINSLOW RESIDENTIAL HALL	Safety & Health	NAVAJO	2016	4/14/2016, 4/22/2016	04/29/2016

School Name	Student Unduplicated Head Count	Total Instruction Cost	Per Student Instruction	Total Transportation Cost	Per Student Transportation	Total Facilities O&M Cost	Per Student Facilities O&M	Total Administration Cost
Ahfachkee Day School	144.33	1,081,087	7,490	69,390	480.77	314,686	2,180	343,380
Alamo Navajo Community	326.33	2,430,877	7,449	195,480	599.03	675,684	2,071	621,620
American Horse Elementary	304	2,260,757	7,437	422,760	1,390.66	406,742	1,338	587,530
Aneth Community School	170.33	1,384,350	8,127	239,330	1,405.10	481,584	2,827	0
Atsa Biyaazh Community	255	1,733,347	6,797	156,155	612.37	520,213	2,040	418,423
Baca/Dlo'ay Azhi Community	369.67	2,606,990	7,052	263,570	712.99	424,229	1,148	0
Beatrice Rafferty School	101.67	865,510	8,513	149,860	1,473.98	261,528	2,572	0
Beclabito Day School	76.67	543,380	7,087	219,250	2,859.66	281,540	3,672	0
Black Mesa Community	62	426,277	6,875	410,180	6,616	278,711	4,495	256,720
Blackwater Community	211.67	1,643,064	7,762	118,420	559.46	275,166	1,300	464,640
BOGUE CHITTO ELEMENTARY	227.33	1,596,318	7,022	180,996	796.18	463,579	2,039	305,774
Borrego Pass	155	1,039,547	6,707	381,950	2,464.19	398,532	2,571	426,190
Bread Springs Day School	96.33	743,150	7,715	158,200	1,642.27	318,482	3,306	0
Bug-O-Nay-Ge-Shig	195.33	1,476,217	7,558	935,130	4,787	771,297	3,949	551,140
Casa Blanca Community	292.67	2,142,207	7,320	166,380	568.49	312,648	1,068	538,980
Chemawa Indian School	446	3,608,049	8,090	0	0.00	1,438,604	3,226	0
Cherokee Central Elementary	530	4,029,897	7,604	167,448	315.94	588,845	1,111	811,123
Cherokee Central High	502.33	4,153,822	8,269	334,895	666.68	588,845	1,172	768,777
Cheyenne-Eagle Butte	964	7,612,780	7,897	458,460	475.58	1,167,810	1,211	0
Chi Chil'tah Community School	138.67	972,620	7,014	220,630	1,591.04	427,504	3,083	0
Chief Leschi School	767	6,051,987	7,890	963,190	1,255.79	981,681	1,280	1,094,150
Chilchinbeto Community	142.33	957,377	6,726	128,820	905.08	356,997	2,508	332,130
Chitimacha Tribal School	97.67	744,717	7,625	6,130	62.76	221,741	2,270	269,780
CHOCTAW CENTRAL	454.33	3,684,308	8,109	176,756	389.05	713,824	1,571	611,104
CHOCTAW CENTRAL	191.33	1,506,224	7,872	180,996	945.99	713,824	3,731	257,352
Ch'ooshgai Community	440.33	3,031,567	6,885	498,440	1,131.97	1,220,400	2,772	696,382
Circle of Life Academy	166	1,174,787	7,077	419,910	2,529.58	245,740	1,480	386,590
Circle of Nations	155.67	1,010,307	6,490	0	0	1,035,973	6,655	303,748
Coeur d' Alene Tribal	119.33	845,207	7,083	136,260	1,141.88	214,416	1,797	240,040

School Name	Student Unduplicated Head Count	Total Instruction Cost	Per Student Instruction	Total Transportation Cost	Per Student Transportation	Total Facilities O&M Cost	Per Student Facilities O&M	Total Administration Cost
CONEHATTA ELEMEN	269	1936779	7,200	190,180	706.99	492,443	1,831	361,823
Cottonwood Day Sch	265.33	1,741,260	6,563	469,770	1,770.51	436,415	1,645	0
Cove Day School	52.33	394,160	7,532	87,780	1,677.43	201,936	3,859	0
Crazy Horse School	309	2,058,687	6,662	399,260	1,292.10	575,426	1,862	457,080
Crow Creek Reservat	296.67	2,179,337	7,346	176,108	593.62	446,599	1,505	462,485
Crow Creek Sioux Tri	228.33	1,686,557	7,386	162,662	712.40	446,599	1,956	305,100
Crystal Boarding Sch	154.67	1,052,130	6,802	142,970	924.36	440,730	2,849	0
Dennehotso Boardin	191.33	1,381,700	7,222	269,860	1,410.44	656,702	3,432	0
Dilcon Community Sc	194	1,279,267	6,594	206,400	1,063.92	863,391	4,450	400,159
Dishcii' bikoh Comm	456.33	3,444,097	7,547	281,920	617.80	511,000	1,120	717,080
Duckwater Shoshone	14.33	161,677	11,282	8,540	596	65,761	4,589	164,300
Dunseith Day School	219.67	1,701,930	7,748	179,470	817.00	351,245	1,599	0
Dzilth-Na-O-Dith-Hle	208.33	1,481,317	7,110	224,390	1,077.09	688,798	3,306	445,429
Enemy Swim Day Sch	172	1,423,807	8,278	537,740	3,126.40	288,309	1,676	471,460
First Mesa Elementa	146	955,977	6,548	143,570	983.36	479,291	3,283	305,270
Flandreau Indian Boa	326.33	2,296,073	7,036	0	0.00	1,530,574	4,690	0
Fond du Lac Ojibwe S	196.33	1,496,357	7,622	688,190	3,505	626,030	3,189	551,960
Gila Crossing Commu	510.33	3,654,557	7,161	119,130	233.44	394,394	773	761,440
Greasewood Springs	238	1,559,827	6,554	417,970	1,756.18	911,098	3,828	462,753
Greyhills Academy H	335.33	2,479,957	7,396	396,620	1,182.78	1,522,039	4,539	604,146
Hanaa'dli Communit	17.67	234,767	13,286	54,560	3,088	86,526	4,897	54,992
Hannahville Indian S	122.67	1,122,497	9,151	418,530	3,412	527,662	4,301	443,280
Havasupai Elementa	72.67	576,110	7,928	0	0.00	205,456	2,827	0
Hopi Day School	163.67	1,301,697	7,953	93,250	569.74	320,901	1,961	340,670
Hopi Jr/Sr High Scho	660.67	5,090,750	7,705	1,505,160	2,278.23	1,009,423	1,528	1,088,810
Hotevilla Bacavi Com	131.33	861,367	6,559	111,070	845.73	218,130	1,661	256,550
Hunters Point Board	176.33	1,285,597	7,291	261,840	1,484.94	489,474	2,776	372,308
Indian Island School	93.67	835,563	8,920	73,150	780.93	226,051	2,413	0
Indian Township Sch	114.33	950,943	8,318	37,160	325.02	267,664	2,341	619,570

School Name	Student Unduplicated Head Count	Total Instruction Cost	Per Student Instruction	Total Transportation Cost	Per Student Transportation	Total Facilities O&M Cost	Per Student Facilities O&M	Total Administration Cost
Isleta Elementary School	179.67	1,284,527	7,149	47,250	262.98	730,687	4,067	429,560
Jeehdeez'a Elementary	148.33	1,039,530	7,008	167,730	1,130.79	589,555	3,975	0
Jemez Day School	153	1,129,600	7,383	14,230	93.01	320,205	2,093	0
JKL Bahweting Anish	299.67	2,423,234	8,086	268,270	895.22	552,251	1,843	591,800
John F. Kennedy Day	221.67	1,635,670	7,379	303,660	1,369.87	379,698	1,713	0
Jones Academy	78.67	495,567	6,299	0	0	735,674	9,351	124,653
Kaibeto Boarding School	291.33	1,955,110	6,711	266,890	916.11	835,035	2,866	0
Kayenta Community	427.33	2,908,650	6,807	430,670	1,007.82	863,277	2,020	0
Keams Canyon Elementary	105	702,077	6,686	140,920	1,342.10	248,426	2,366	256,800
Kickapoo Nation School	74	551,107	7,447	230,120	3,109.73	292,942	3,959	253,600
Kin Dah Lichi'i Olta	181.67	1,268,007	6,980	342,330	1,884.35	355,087	1,955	402,700
Lac Courte Oreilles Community	285.33	2,504,931	8,779	437,700	1,534.01	1,041,397	3,650	683,320
Laguna Elementary School	202.33	1,582,827	7,823	91,542	452.44	442,522	2,187	340,920
Laguna Middle School	102.33	833,187	8,142	46,298	452.44	337,625	3,299	208,330
Lake Valley Navajo School	59.67	523,140	8,767	94,900	1,590.41	404,757	6,783	0
Leupp School, Inc.	209.67	1,482,947	7,073	403,780	1,925.79	879,674	4,196	468,788
Little Singer Community	86.33	625,857	7,250	383,140	4,438.09	245,915	2,849	339,110
Little Wound School	841	5,863,407	6,972	939,420	1,117.03	935,586	1,112	1,158,880
Loneman Day School	251.67	2,123,527	8,438	462,380	1,837.25	394,932	1,569	538,900
Lower Brule Day School	291	2,229,137	7,660	155,980	536.01	591,235	2,032	489,940
Lukachukai Community	418.33	3,096,627	7,402	260,010	621.54	993,395	2,375	627,219
LUMMI ELEMENTARY	197.67	1,419,362	7,180	251,965	1,274.67	653,890	3,308	355,870
LUMMI HIGH SCHOOL	123.67	975,317	7,886	251,965	2,037	653,890	5,287	198,640
Mandaree Day School	221.33	1,582,147	7,148	140,560	635.07	435,412	1,967	453,960
Many Farms Community	350	2,267,807	6,479	291,330	832.37	1,216,937	3,477	571,192
Many Farms High School	466.33	3,878,990	8,318	576,010	1,235.20	2,325,249	4,986	0
Mariano Lake Community	203.67	1,270,540	6,238	114,940	564.34	514,724	2,527	0
Marty Indian School	297	2,253,006	7,586	304,530	1,025.35	1,083,233	3,647	521,257
Menominee Tribal School	236	1,760,061	7,458	348,150	1,475.21	299,351	1,268	505,220

School Name	Student Unduplicated Head Count	Total Instruction Cost	Per Student Instruction	Total Transportation Cost	Per Student Transportation	Total Facilities O&M Cost	Per Student Facilities O&M	Total Administration Cost
Mescalero Apache School	542.33	3,842,237	7,085	338,660	624.45	786,590	1,450	833,820
Meskwaki Settlement	290.67	2,265,067	7,793	111,300	382.91	979,431	3,370	594,930
Miccosukee Indian School	171.33	1,148,277	6,702	102,010	595.40	368,355	2,150	372,960
Moencopi Day School	209.67	1,447,687	6,905	113,090	539.37	266,706	1,272	383,470
Muckleshoot Tribal School	366.33	2,458,427	6,711	643,510	1,756.64	344,824	941	605,190
Na' Neelzhiin Ji'Olta	196	1,376,687	7,024	257,880	1,315.71	401,578	2,049	435,560
Naa Tsis'aan	124.67	963,827	7,731	93,120	746.93	528,867	4,242	310,258
Navajo Preparatory School	258	2,186,127	8,473	80,660	312.64	1,227,465	4,758	428,584
Nay-Ah-Shing School	185	1,382,177	7,471	377,210	2,038.97	426,757	2,307	466,530
Nazlini Community School	136.33	954,947	7,005	198,570	1,456.54	404,434	2,967	282,540
Nenahnezad Community School	185	1,337,790	7,231	153,020	827.14	723,000	3,908	0
Noli School	139.67	1,050,417	7,521	1,155,150	8,271	106,677	764	468,250
Northern Cheyenne	325.67	1,992,907	6,119	360,600	1,107.26	531,580	1,632	508,830
Northwest High School	235.33	1,705,897	7,249	312,310	1,327.12	520,213	2,211	415,682
Ohkay Owingeh Community School	93.33	740,687	7,936	34,400	368.58	136,200	1,459	261,650
Ojibwa Indian School	282.67	2,067,470	7,314	302,480	1,070.08	535,106	1,893	0
Ojo Encino Day School	176.67	1,267,020	7,172	258,590	1,463.69	350,722	1,985	0
Oneida Nation School	457	3,097,477	6,778	284,880	623.37	1,240,650	2,715	823,790
Paschal Sherman Indian School	170.67	1,387,767	8,131	329,560	1,931	822,512	4,819	354,473
PEARL RIVER ELEMENTARY	663	4,823,391	7,275	145,710	220	421,349	636	891,779
Pierre Indian Learning Center	225.33	1,592,137	7,066	0	0.00	677,817	3,008	345,051
Pine Hill Schools	288.33	2,213,187	7,676	234,360	812.82	1,132,595	3,928	606,843
Pine Ridge School	1,007.67	6,328,621	6,280	794,940	788.89	1,528,444	1,517	0
Pine Springs Day School	92.67	692,600	7,474	306,830	3,311.00	324,074	3,497	0
Pinon Community School	66	521,857	7,907	354,910	5,377	381,596	5,782	182,116
Porcupine Day School	225.67	1,452,207	6,435	400,610	1,775.20	424,708	1,882	455,030
Pueblo Pintado Community School	280.67	1,978,410	7,049	292,510	1,042.18	709,911	2,529	0
Pyramid Lake High School	86.67	720,027	8,308	1,383,100	15,958	254,548	2,937	445,660
Quileute Tribal School	77.33	605,117	7,825	130,080	1,682	403,180	5,214	314,800

School Name	Student Unduplicated Head Count	Total Instruction Cost	Per Student Instruction	Total Transportation Cost	Per Student Transportation	Total Facilities O&M Cost	Per Student Facilities O&M	Total Administration Cost
RED ROCK DAY SCHOOL	203.33	1,440,810	7,086	199,750	982.39	465,875	2,291	0
RED WATER ELEMENTARY	156.33	1,154,900	7,388	145,710	932.07	363,700	2,326	210,274
Riverside Indian School	663.67	4,520,543	6,811	754,350	1,136.63	2,815,726	4,243	0
Rock Creek Grant School	68	512,427	7,536	56,340	828.53	223,709	3,290	231,250
Rock Point Community	379.67	2,732,557	7,197	409,470	1,078.49	1,026,858	2,705	660,150
Rocky Ridge Boarding	138.33	992,880	7,178	239,370	1,730.43	371,628	2,687	0
Rough Rock Community	445.33	2,971,087	6,672	572,930	1,286.53	2,096,451	4,708	769,758
Salt River Elementary	409.33	2,944,947	7,195	78,880	192.71	170,175	416	599,200
San Felipe Pueblo Elementary	442	3,148,020	7,122	95,370	215.77	471,782	1,067	0
San Ildefonso Day School	29.67	307,705	10,371	49,820	1,679.14	97,681	3,292	0
San Simon School	275.33	2,026,160	7,359	383,970	1,394.58	496,967	1,805	0
Sanostee Day School	68	558,960	8,220	122,210	1,797.21	278,616	4,097	0
Santa Clara Day School	144	984,668	6,838	18,660	129.58	255,014	1,771	0
Santa Fe Indian School	646.67	5,263,530	8,139	274,210	424.03	2,063,433	3,191	885,696
Santa Rosa Day School	202	1,536,560	7,607	180,460	893.37	627,035	3,104	0
Santa Rosa Ranch School	132.33	943,160	7,127	432,600	3,269.10	235,763	1,782	0
Seba Dalkai Boarding	133	952,470	7,161	206,630	1,554	1,033,482	7,771	0
Second Mesa Day School	281.67	2,122,897	7,537	266,820	947.28	479,624	1,703	519,100
Sequoyah High School	385.67	3,406,348	8,832	252,660	655.12	1,112,733	2,885	613,941
Sevier-Richfield	97.33	732,730	7,528	14,230	146.20	0	0	0
Sherman Indian High School	438	3,588,272	8,192	0	0.00	2,006,177	4,580	0
Shonto Preparatory School	414.33	2,840,567	6,856	626,590	1,512.30	1,412,548	3,409	654,236
Shoshone-Bannock School	123	837,797	6,811	160,920	1,308.29	390,758	3,177	271,090
Sitting Bull School	94	673,637	7,166	114,110	1,213.94	198,819	2,115	274,380
Sky City Community	222.67	1,589,040	7,136	88,960	399.51	435,183	1,954	0
St. Francis Indian School	720.33	5,530,267	7,677	688,110	955.27	1,045,269	1,451	1,122,000
St. Stephens Indian School	244.33	1,657,167	6,782	202,640	829.37	552,873	2,263	435,150
STANDING PINE ELEMENTARY	136	1,055,829	7,763	180,996	1,330.85	295,551	2,173	182,929
Standing Rock Community	730	5,788,777	7,930	992,250	1,359.25	893,168	1,224	1,201,930

School Name	Student Unduplicated Head Count	Total Instruction Cost	Per Student Instruction	Total Transportation Cost	Per Student Transportation	Total Facilities O&M Cost	Per Student Facilities O&M	Total Administration Cost
T'siya Day School	80.33	623,830	7,766	49,660	618.20	346,078	4,308	0
Takini School	200.67	1,381,457	6,884	429,090	2,138.29	369,994	1,844	416,090
Taos Day School	177.67	1,300,290	7,319	66,740	375.64	284,051	1,599	0
Tate Topa Tribal Sch	563.67	4,091,047	7,258	331,730	588.52	828,734	1,470	786,580
Te Tsu Geh Oweenge	19.33	233,157	12,062	0	0	81,255	4,204	164,300
Theodore Jamerson	174.33	1,174,797	6,739	24,120	138.36	150,069	861	360,880
Theodore Roosevelt	141.67	845,117	5,965	107,170	756.48	490,856	3,465	254,962
T'iis Nazbas Commu	204	1,393,400	6,830	235,100	1,152.45	1,113,320	5,457	0
T'iis Ts'ozi Bi'Olta'	432.33	3,032,510	7,014	304,380	704.05	800,833	1,852	0
Tiospa Zina Tribal Sc	597.67	4,245,637	7,104	604,370	1,011.21	617,002	1,032	882,120
Tiospaye Topa Schoo	135	1,137,307	8,424	248,150	1,838.15	335,405	2,484	313,730
Tohaali' Community	193.67	1,352,190	6,982	189,320	977.54	664,265	3,430	0
To'hajiilee Day Schoo	332	2,503,297	7,540	299,910	903.34	873,826	2,632	628,850
Tohono O'odham Hi	127.67	899,700	7,047	447,500	3,505.13	459,145	3,596	0
Tonalea Day School	240.67	1,617,140	6,719	246,130	1,022.69	425,678	1,769	0
Tse'li'ahi' Communit	115.33	781,770	6,779	195,010	1,690.89	264,582	2,294	0
Tuba City Boarding S	1,368.00	10,454,282	7,642	1,014,080	741.29	1,765,570	1,291	0
TUCKER ELEMENTAR	162.67	1,197,775	7,363	180,996	1,112.66	340,968	2,096	218,802
Turtle Mountain Ele	746.67	5,748,830	7,699	259,320	347.30	729,573	977	0
Turtle Mountain Hig	503.33	4,204,527	8,353	259,320	515.21	942,893	1,873	615,960
Turtle Mountain Mid	342	2,747,990	8,035	259,320	758.25	729,573	2,133	0
Twin Buttes Day Sch	40.67	293,997	7,229	83,230	2,046	306,281	7,531	203,730
Two Eagle River Scho	124.33	775,117	6,234	411,800	3,312.15	243,899	1,962	196,580
Wa He Lut Indian Sch	143.33	1,049,007	7,319	532,980	3,718.55	249,677	1,742	387,580
White Shield School	164	1,233,557	7,522	183,860	1,121.10	473,746	2,889	412,550
Wide Ruins Commu	139	949,987	6,834	478,590	3,443.09	489,945	3,525	327,221
Wingate Elementary	584.33	4,045,190	6,923	182,670	312.61	1,452,321	2,485	0
Wingate High School	547.33	4,190,670	7,657	108,890	198.95	1,402,458	2,562	0
Wounded Knee Distr	154.33	1,086,887	7,043	151,670	982.76	389,955	2,527	463,730

School Name	Student Unduplicated Head Count	Total Instruction Cost	Per Student Instruction	Total Transportation Cost	Per Student Transportation	Total Facilities O&M Cost	Per Student Facilities O&M	Total Administration Cost
PERIPHERAL DORMITORIES								
Chickasaw Children's	72.33	687,997	9,512	28,470	394	389,267	5,382	164,300
Sicangu Owayawa O	130.33	1,172,127	8,994	12,340	95	321,168	2,464	283,170
Eufaula Dormitory	74.67	710,927	9,521	8,630	116	379,017	5,076	225,750
Hanaa'dli Community	64	594,000	9,281	975	15	299,914	4,686	199,178
Jicarilla Dormitory	11.33	172,467	15,222	0	0	330,475	29,168	164,300
Jones Academy	183.67	1,626,400	8,855	473,640	2,579	405,923	2,210	291,027
Kinteel Residential C	84.67	766,827	9,057	2,970	35	277,362	3,276	217,290
Shiprock Associated	84.33	766,727	9,092	0	0	520,213	6,169	138,375
KinLani Bordertown	139.33	1,205,747	8,654	0	0	496,710	3,565	322,110
Pinon Community Sc	63.33	596,000	9,411	354,910	5,604	416,664	6,579	187,634
Richfield Residential	100.33	871,207	8,683	74,890	746	280,021	2,791	236,180
T'iisyaakin Residential	113.33	982,117	8,666	5,630	50	488,723	4,312	275,120
Winslow Residential	141	1,220,127	8,653	26,530	188	347,301	2,463	289,410
Blackfeet Dormitory	103.33	955,550	9,248	0	0	399,538	3,867	0
	1365.98	12328220	9,489	988985	702	5,352,296	5,858	2,993,844



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

APR 28 2017

The Honorable John Barrasso
Chairman, Committee on Environment and Public Works
U.S. Senate
Washington, D.C. 20510

Dear Chairman Barrasso:

Enclosed are responses prepared by the Department of the Interior and the U.S. Fish and Wildlife Service to the questions for the record submitted following the March 15, 2017, oversight hearing on *Examining Innovative Solutions to Control Invasive Species and Promote Wildlife Conservation* before your Committee.

Thank you for the opportunity to provide this material to the Committee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Thomas Carper, Ranking Member
Committee on Environment and Public Works

Senate Environment and Public Works Committee
Hearing entitled, "Examining Innovative Solutions to Control Invasive Species and
Promote Wildlife Conservation"
March 15, 2017
Questions for the Record for Dr. Jamie K. Reaser

Chairman Barrasso:

1. Dr. Reaser, The National Invasive Species Management Plan for 2016-2018, states, "there is a common belief that, once established, it is no longer logistically or financially feasible to eradicate or control populations of invasive species." Do you believe this line of reasoning limits innovative thinking and advancements that could potentially solve invasive species problems?

Response: Although policy makers, land managers, and the public are increasingly aware of the invasive species issue, the commitment to problem resolution remains well below that needed to address the problem. Unfortunately, invasive species challenges are frequently considered too complex and difficult to overcome, which undermines innovation.

It is clear, nevertheless, that investments in technology innovation are rapidly advancing our ability to prevent, eradicate, and control invasive species. There is renewed hope that we can overcome the "grand invasive species challenges" that have thus far seemed insurmountable. The application of repurposed and emerging technologies can provide substantial returns on investment, as well as foster further innovative thinking and advancements.

The message that "we can do this" was featured in my opening and closing remarks at the Innovation Summit. The presentation recordings are available on the NISC website: <https://www.doi.gov/invasivespecies/innovation-summit-project>.

2. Dr. Reaser, Mr. Nesvik testified that watercraft inspection stations are one of the most effective ways to stop the spread of aquatic invasive mussels and protect neighboring and distant bodies of water. Some of these inspection stations are supported by the Corps of Engineers through Water Resources Development Act authorizations. The Bureau of Reclamation also supports some inspection stations. In the past, these resources have been slow to be distributed, impeding States' abilities to combat the spread of quagga and zebra mussels. Considering the rate at which these species can propagate, coupled with the national environmental and economic havoc they inflict, it is critical we move fast.

As the National Invasive Species Council works with multiple agencies to implement the recommendations in the report *Safeguarding America's Lands and Waters from Invasive Species: A National Framework for Early Detection and Rapid Response*, how do we ensure agencies do not get bogged down in bureaucracy and are agile enough to respond quickly to threats?

Response: In order to be effective, early detection and rapid response (EDRR) programs for invasive species must be built on a coordinated framework that enables relevant agencies to: a) anticipate the need for response, b) detect non-native species early in the entry and/or establishment process, and c) promptly deploy technical, financial, and staff resources.

With a view toward creating such a framework, NISC has already integrated the recommendations of the *Safeguarding America's Lands and Waters from Invasive Species* report into the *2016-2018 Management Plan* and supported the Council duty set forth in Executive Order 13751 to "advance national incident response, data collection, and reporting capacities that build on existing frameworks and programs and strengthen early detection of and rapid response to invasive species, including those that are vectors, reservoirs, and causative agents of disease."

The Council staff are now undertaking and facilitating several assessments of federal capacities to implement EDRR and extracting lessons learned from models of other national incident response programs (e.g. wildfire, natural hazards, disease outbreaks). Particular attention is being paid to identifying the mechanisms that will help NISC avoid bureaucratic shortfalls. Examples include: a) proactively identifying and, as needed, clarifying relevant jurisdictions and authorities; b) establishing interagency agreements for coordination among relevant government agencies at all levels, with the flexibility to include non-governmental partners; c) employing agile funding mechanisms (aka rapid response funds); and d) establishing a communications network that enables easy access to and the rapid sharing of the information needed for timely decision making (e.g. species identification, alerts of invasive species intercepts, decision support tools).

The NISC Secretariat is currently supporting projects in Montana (mussels) and Wyoming (medusahead) in order to garner lessons learned from their state-level EDRR initiatives. The information synthesized from these projects will contribute to the development of a blueprint for a national EDRR program for invasive species.

Senator Harris:

3. According to a report by the University of California, Riverside Center for Invasive Species Research, it is estimated that invasive species cost the United States \$138 billion per year in maintenance and mitigation efforts. In California alone, invasive pests cost the state \$3 billion annually. As you know, California has a diverse need to control invasive pests from both conservation lands and, just as importantly, the agricultural industry. For example, California citrus farmers have assets worth up to \$2.5 billion in fruits they produce and ship all over the world. However, the Asian citrus psyllid, which originated from Southeast Asia, has recently threatened to compromise this industry. Florida has had similar issues protecting their agricultural commodities from this species. What specific plans does your council and its partners have to prevent invasive species from entering at our country's ports of entry?

Response: Preventing the entry of invasive species at U.S. ports of entry is a responsibility shared by multiple agencies. Recognizing that prevention is typically the most cost-effective approach to minimizing invasive species impacts, the Council supported the duty set forth in

Executive Order 13751 to “publish an assessment by 2020 that identifies the most pressing scientific, technical, and programmatic coordination challenges to the Federal Government’s capacity to prevent the introduction of invasive species, and that incorporate recommendations and priority actions to overcome these challenges into the National Invasive Species Council Management Plan, as appropriate.” Relevant actions currently being taken by the Department of Homeland Security (DHS)/Customs and Border Protection (CBP), Department of Health and Human Services (HHS)/Centers for Disease Control (CDC), Department of the Interior (DOI)/U.S. Fish and Wildlife Service (USFWS) and U.S. Department of Agriculture (USDA)/Animal and Plant Health Inspection Service (APHIS) are summarized below:

DHS/CBP: [Awaiting from CBP.] Each year, CBP agriculture specialists intercept thousands of “actionable pests” – those identified through scientific risk assessment and study as being dangerous to the health and safety of U.S. agricultural resources. CBP’s inspection and detection activities are conducted by a cadre of highly-trained CBP agriculture specialists (CBPAS). CBPAS use their science-based education, background, and expertise to apply a wide range of Federal, state, and local laws and agency regulations in the process of determining the admissibility of agriculture commodities while, at the same time, preventing the introduction of harmful pests, diseases, and potential agro-terrorism into the United States.

In both the travel and trade environments, and across all modes, CBP’s multilayered approach to agriculture security necessitates a comprehensive awareness of threats, substantial information sharing and coordination, and advanced detection capabilities. To enhance agriculture targeting, CBP developed the framework for a National Agriculture Cargo Targeting Unit (NACTU) at the National Targeting Center (NTC). This new agriculture unit focuses solely on agriculture threats to identify potential and repeat violators that may import shipments with pests, prohibited products, contaminants, or smuggled products in all cargo pathways (rail, air, sea, land, and Express Carrier Pathway). In addition to targeting capabilities, CBP deploys a cadre of specialized technology, and other resources to screen passengers and cargo to prevent the introduction of harmful plant pests and foreign animal diseases in the United States. CBP is also using technology to transform business processes. CBP is expanding the Enforcement Link Mobile Operations – Cargo (ELMOc) program by deploying mobile devices to CBPAS in all environments (air, land and sea border ports). CBPAS will have remote access available at their workstation, allowing them to close out exams without having to return to ports (real-time release). This is a mobile solution to better facilitate mission critical operations and address the needs of CBPAS to perform inspections of cargo without being bound to a physical location. CBP has implemented system automation to properly capture the Customs and Border Protection Agriculture workflow and integrate CBP systems with U.S. Department of Agriculture’s (USDA) reporting systems to provide data required under the existing Memorandum of Agreement between both agencies. With the work completed to date, commodity data, pest interception, and emergency action notifications can be captured within CBP systems and available in real time to USDA systems. Prior to this, CBP Agriculture specialists had to use both CBP and USDA database to document their findings. This innovation has provided CBP Agriculture specialists a leverage to spend more time in inspection and regulation instead of lengthy and redundant data entry process.

HHS/CDC: The CDC oversees vector-borne and other infectious disease control activities as they impact human health. Increasingly, the interface between human and animal health has been recognized (under the rubric of 'One Health'), particularly for human illnesses that have intermediate animal hosts, and for illnesses that may be transmitted by insect vectors. CDC uses an innovative One Health approach by working with physicians, ecologists, and veterinarians to monitor and control public health threats. It does this by learning about how diseases spread among people, animals, and the environment. CDC monitors human and animal disease outbreaks associated with environmental conditions such as harmful algal blooms (OHHABs <https://www.cdc.gov/habs/ohhabs.html>), and manages general disease surveillance and detection systems through the CDC Division of Health Informatics and Surveillance (<https://www.cdc.gov/surveillancepractice/index.html>).

In addition, CDC has 20 quarantine stations located at ports of entry and land border crossings as part of a comprehensive quarantine system that serves to limit the introduction of infectious diseases into the United States and to prevent their spread; see: Protecting America's Health at U.S. Ports of Entry. A recently established surveillance system known as MosquitoNET collects state reports of *Aedes aegypti* and *Aedes albopictus* mosquito vectors of disease as well as insecticide resistance testing.

DOI/USFWS: The USFWS is authorized to designate species as injurious wildlife under title 18 of the Lacey Act. A listing as injurious prohibits the importation of that species. Relying on this authority, the Service has taken action to prohibit the importation of 621 injurious species (although insects, including Asian citrus psyllids, cannot be listed under title 18). In addition, the enforcement of federal laws and regulations related to injurious species is a priority for USFWS's Office of Law Enforcement.

USDA/APHIS: U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) protects our Nation's agriculture and natural resources from invasive pests and diseases. At the core of APHIS' safeguarding mission is its pest exclusion system—a continuum of strategies and activities that work together to minimize the plant health risks that come with agricultural imports, international travel, and the smuggling of prohibited agricultural products. This system of overlapping safeguards begins offshore, continues through U.S. ports of entry, and extends across the Nation with our exotic pest and disease surveillance and management programs.

If harmful pests and diseases enter the United States, APHIS is prepared to detect them early and respond rapidly and effectively. We work closely with Federal, State, Tribal, and industry partners to reduce damage to agriculture and natural resources and, when possible, eradicate foreign plant pests and diseases from our country. APHIS also works with countries around the globe to promote a safe, fair, and predictable trade system that helps prevent the spread of invasive pests and diseases. This collaborative effort, is built on international and regional harmonized, science-based plant health measures that not only reduce pest risks, but also helps to create a level playing field for U.S. products abroad. We also help U.S. exporters meet the plant health requirements of importing countries by certifying the health of U.S. exports, which ensures the product meets the importing countries' entry requirements.

4. What federal programs has your Council been able to leverage to relieve state, local, and industry partners to deal with the environmental and economic impacts of invasive species? As the budget discussions begin, what would be the repercussions if funding levels for these programs decreased?

Response: Investments that the Federal Government makes in the prevention, eradication, and control invasive species benefit state and local communities and the nation as a whole. The Federal government serves as a partner with local, state, territorial, and tribal governments, as well as the private sector to achieve the best results and solutions for each individual scenario.

In the context of innovation, there are two particularly important ways in which the Federal Government can assist state and local governments, as well as the private sector, regarding the economic impacts of invasive species:

1. *Innovative partnerships:* Programs that bring federal, state, local, tribal and private sector representatives together help establish and implement plans for the prevention, eradication, and control of invasive species. These efforts play an integral role in raising awareness and galvanizing support for concerted and coordinated actions to protect states and communities from the impacts of aquatic invasive species, such as quagga and zebra mussels.
2. *Advancing technology innovation:* The actions that the Federal Government takes to improve the “invasive species toolkit” through advancements in regulatory frameworks, scientific and technological solutions, and supporting markets for technology applications provide benefits at all levels of government and to the private sector. More effective and cost-efficient tools are needed to prevent the introduction and mitigate the impacts of invasive species.

Committee on Environment and Public Works
406 Dirksen Senate Office Building
Wednesday, March 15, 2017
10:00 am

Hearing on

"Examining Innovative Solutions to Control Invasive Species and Promote Wildlife Conservation"

Question from **Senator Kamala Harris (D-CA)** for Mr. Jim Kurth, Acting Director, U.S. Fish and Wildlife Service

1. In Lake Tahoe, a region that borders the States of California and Nevada, an invasive species called the quagga mussel threatens the ecosystem and the livelihood of the surrounding community, whose economy largely depends on the recreation and hospitality industry. The U.S. Army Corps of Engineers recently estimated that in Lake Tahoe's case, quagga mussel infestation can cost the region \$22 million annually from potential damage to tourism, reduced property values, and increased maintenance costs. In last year's *Water Infrastructure Improvements for the Nation Act* that my EPW colleagues led, there was a specific provision that was included that supported management of invasive species like the quagga mussel.

From the funding that resulted in that legislation, what capacity has the Fish and Wildlife Service used those funds for the improvement of Lake Tahoe? More broadly, what best practices and policies do you that can be applied nationwide to areas like the Great Lakes?

Response: Under the current continuing resolution the Fish and Wildlife Service (Service) has not received funding for zebra/quagga mussel management under Water Infrastructure Improvements for the Nation Act. However, a number of ongoing Service efforts benefit mussel prevention initiatives within Lake Tahoe. For example, the Lake Tahoe Interstate Aquatic Nuisance Species (ANS) Management Plan approved by the ANS Task Force receives annual funding from the Service. The ANS Task Force also developed the Quagga/Zebra Mussel Action Plan (QZAP) to address the invasion of zebra and quagga mussels in the Western States. Since 2012, the Service has allocated over \$900,000 annually under QZAP to focus on priority spread prevention projects.

Question from **Senator Dan Sullivan (R-AK)** for Mr. Jim Kurth, Acting Director, U.S. Fish and Wildlife Service

2. **Can you discuss any efforts your office has taken or will take to clear up the confusion over whether the Service's African Elephant Ivory ban covers walrus and mammoth ivory crafts Alaskans make and sell?**

Response: We are aware that there is some confusion, which we believe is due in large part to proposed and recently enacted State laws banning the sale of many types of ivory, including walrus and mammoth ivory in some cases. We have provided information to clarify that the actions taken by the Service, under Federal law, with regard to African elephant ivory, do not apply to ivory from other species. The Service developed a "What can I do with my ivory?" section on our web site to

present this information to the public (<https://www.fws.gov/international/travel-and-trade/ivory-ban-questions-and-answers.html>). We have worked with the Indian Arts and Crafts Board (IACB) and also provided information through our outreach to the Alaska Native Arts Advocacy Group, Kawerak Inc., the Eskimo Walrus Commission, other partners and the public.

Walrus ivory is regulated under the Marine Mammal Protection Act, which specifically allows for sale of authentic native handicrafts, and the Service has provided information on that issue on our "Traveling to Alaska" webpage (<https://www.fws.gov/international/travel-and-trade/traveling-to-alaska.html>). We look forward to continuing to work with the IACB and others to help ensure that consumers are informed and feel comfortable purchasing authentic native handicrafts.

Question from **Senator Kamala Harris (D-CA)** for Dr. Jamie Reaser, National Invasive Species Council (*NISC asked the Service to draft the response for them*).

1. According to a report by the University of California, Riverside Center for Invasive Species Research, it is estimated that invasive species cost the United States \$138 billion per year in maintenance and mitigation efforts. In California alone, invasive pests cost the state \$3 billion annually. As you know, California has a diverse need to control invasive pests from both conservation lands and, just as importantly, the agricultural industry. For example, California citrus farmers have assets worth up to \$2.5 billion in fruits they produce and ship all over the world. However, the Asian citrus psyllid, which originated from Southeast Asia, has recently threatened to compromise this industry. Florida has had similar issues protecting their agricultural commodities from this species.

What specific plans does your council and its partners have to prevent invasive species from entering at our country's ports of entry?

Response: The U.S. Fish and Wildlife Service is authorized to designate species as injurious wildlife under title 18 of the Lacey Act. A listing as injurious prohibits the importation of that species. Relying on this authority, the Service has taken action to prohibit the importation of 621 injurious species (although insects, including Asian citrus psyllids, cannot be listed under title 18). In addition, the enforcement of federal laws and regulations is a priority. Also, the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) protects our Nation's agriculture and natural resources from invasive pests and diseases. At the core of APHIS' safeguarding mission is its pest exclusion system—a continuum of strategies and activities that work together to minimize the plant health risks that come with agricultural imports, international travel, and the smuggling of prohibited agricultural products. This system of overlapping safeguards begins offshore, continues through U.S. ports of entry, and extends across the Nation with our exotic pest and disease surveillance and management programs.

If harmful pests and diseases enter the United States, APHIS is prepared to detect them early and respond rapidly and effectively. We work closely with Federal, State, Tribal, and industry partners to reduce damage to agriculture and natural resources and, when possible, eradicate foreign plant pests and diseases from our country. APHIS also works with countries around the globe to promote a safe, fair,

and predictable trade system that helps prevent the spread of invasive pests and diseases. This collaborative effort, is built on international and regional harmonized, science-based plant health measures that not only reduce pest risks, but also helps to create a level playing field for U.S. products abroad. We also help U.S. exporters meet the plant health requirements of importing countries by certifying the health of U.S. exports, which ensures the product meets the importing countries' entry requirements.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

APR 27 2017

The Honorable Lisa Murkowski
Chairman, Committee on Energy and Natural Resources
U.S. Senate
Washington, D.C. 20510

Dear Chairman Murkowski:

Enclosed are responses prepared by the U.S. Geological Survey to the questions for the record submitted following the March 28, 2017, oversight hearing to *Examine the United States' Increasing Dependence on Foreign Sources of Minerals and Opportunities to Rebuild and Improve the Supply Chain in the United States* before your Committee.

Thank you for the opportunity to provide this material to the Committee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Maria Cantwell, Ranking Member
Committee on Energy and Natural Resources

Committee on Energy and Natural Resources
March 28, 2017 Hearing on Critical Minerals
Questions for Dr. Murray Hitzman

Questions from Chairman Murkowski

Question 1: Do you agree that the United States' dependence on foreign sources of minerals is problematic, and presents a strategic vulnerability for us? Can you each tick through some of the threats this presents for us, whether to our economy or our security?

Response: U.S. reliance on foreign sources of mineral raw materials for which production is highly concentrated in a single country, countries with high governance risk, or both, could constitute a significant risk to our economic and national security interests. The U.S. is 100 percent dependent upon foreign countries for 20 minerals. Examples include the rare earth elements, gallium, graphite, indium, manganese, niobium, and tantalum. Additionally, the U.S. imports more than 50 percent of our supply of 30 minerals such as germanium, rhenium, cobalt, lithium, and platinum, among others.¹ Combined, these 50 minerals have uses ranging from everyday commodities to smartphones to weapons systems.

Question 2: What percentage of the USGS' budget goes to minerals work each year? What is the historical trajectory for that work? Do you believe that funding for minerals work should increase, at least until our dependence on foreign minerals begins to decrease?

Response: In FY 2001, the Minerals Resources Program (MRP) was appropriated \$54.5M, which represented 6.17 percent of the overall USGS budget. Since that time, MRP's appropriation as a percentage of the bureau's total appropriation has declined steadily. The graph below shows the historical trend in MRP's percentage of total USGS appropriations since FY 2001, culminating in an FY 2017 President's Budget request of \$48.7M, or 4.17 percent of the total proposed USGS appropriation.

¹ Mineral Commodity Summaries 2017, pages 6-7.

**Committee on Energy and Natural Resources
March 28, 2017 Hearing on Critical Minerals
Questions for Dr. Murray Hitzman**

**USGS Mineral Resources Program Funding as a Percentage of Total USGS Appropriations,
2001-2017 President's Budget Request**



Question 3: The USGS was established to survey and classify the mineral reserves in the United States. The Survey went through a re-organization in 2013 which demoted the minerals program to just one part of one of its seven mission areas. Dr. Hitzman, you state in your testimony that “the USGS, stands ready to fulfill its role as the federal provider of unbiased research on known mineral resources [and] assessments of undiscovered mineral resources.” As the head of the energy and minerals mission area, what is USGS doing to fulfill that commitment and to re-prioritize its minerals mandate?

Response: The USGS Minerals Resources Program continues to investigate the geology of known mineral deposits and utilize these data, along with historical data and new geological data produced by geological mapping and geophysical surveys, to produce mineral assessments of undiscovered mineral resources as requested by agencies within the Department of Interior and as directed by Congress. The program recently released the report “GIS-based identification of areas that have resource potential for critical minerals in six selected groups of deposit types in Alaska”* and is soon to release a report entitled “Critical mineral resources of the United States.” In addition to mineral resource assessments, the USGS continues to collect information on the production, consumption, and recycling of mineral resources in the US and globally. This includes the annual Mineral Commodity Summaries report which identifies the import reliance of the US for many important and critical mineral commodities. The effort has been expanded to include development of a “criticality screening tool” that was featured in a 2016 report submitted to Congress by the Interagency Subcommittee on Critical and Strategic Mineral Supply Chains

**Committee on Energy and Natural Resources
March 28, 2017 Hearing on Critical Minerals
Questions for Dr. Murray Hitzman**

entitled, *Assessment of Critical Minerals: Screening Methodology and Initial Application*.

*Karl, S.M., Jones, J.V., III, and Hayes, T.S., eds., 2016, GIS-based identification of areas that have resource potential for critical minerals in six selected groups of deposit types in Alaska; U.S. Geological Survey Open-File Report 2016-1191, 99 p., 5 appendixes, 12 plates, scale 1:10,500,000, <http://dx.doi.org/10.3133/ofr20161191>.

Question 4: You mentioned in your testimony that we have not geologically or geophysically mapped the entire United States. Why is that data important, how is it used, and what do we have left to do?

Response: The USGS has completed detailed geological mapping and detailed aeromagnetic and radiometric surveying of approximately one-third of the United States. The data from these products are important in identifying geological areas that may be favorable for mineral deposits. Such data are utilized by the private sector to select regions for mineral exploration. Detailed geological mapping contributes to the discovery of new mineral commodities, informs responsible management of our mineral resources, and has the potential to decrease our reliance on foreign sources for raw processed mineral materials.

**Committee on Energy and Natural Resources
March 28, 2017 Hearing on Critical Minerals
Questions for Dr. Murray Hitzman**

Questions from Senator Hoeven

Questions: Lithium is one critical mineral which is used in energy storage, polymers, lubricants, pharmaceuticals, agricultural products, ceramics, and construction. In addition, the U.S. is the largest consumer of lithium metal for primary batteries and lithium aluminum alloys. However, our country's domestic lithium metal production was reduced by 50 percent last year and now represents only 10 percent of worldwide lithium production.

- Should we be concerned about this significant reduction in U.S. lithium metal production, requiring dependence on China and Russia for our lithium supply?

Response: Security of supply lies in diversity of supply. The global production of lithium, like many other mineral raw materials, is highly concentrated in one or two countries. Although it is found domestically here in the United States, it is increasingly not produced here.

- What policies should Congress consider to address this issue?

Response: As a science agency, USGS focuses on research and data on critical minerals and leaves policy and management decisions to other authorities. Congress has addressed this issue in the past. Title III of the Defense Production Act (DPA) (Pub. L. 81-774) provides the President broad authority to ensure the timely availability of essential domestic industrial resources to support national defense and homeland security requirements, by authorizing economic incentives to create, expand, and modernize production capacity.

**Committee on Energy and Natural Resources
March 28, 2017 Hearing on Critical Minerals
Questions for Dr. Murray Hitzman**

Questions from Senator Cortez Masto

Question 1: The USGS is working on the Mineral Database Deposit Project, which will be a database of all mines and mineral deposits in the U.S. What is the status of this project? Will technologies improve the effectiveness of the database because mineral deposits are more easily identified?

Response: The USGS is actively working on the Mineral Database Deposit Project (called USMIN) that collects existing information about mines and mineral deposits of the U.S. in a form that is readily accessible and in a format that will be directly useable by other Federal Agencies such as the Bureau of Land Management (BLM). The database is improved by technologies such as geographic information systems (GIS) that allow easy display of the information in a searchable and customizable format.

Question 2: Do you think technologies could improve mapping for potential mineral development? Could those technologies also work to protect more environmentally sensitive lands that support the outdoor recreation industry, communities, and wildlife?

Response: Mapping is an important function of the USGS and is essential for identifying areas of potential mineral development and informing responsible resource management. Technology continues to improve to provide better mapping and understanding of geological resources. The ability to date rocks using various isotopic techniques has revolutionized geologic mapping compared to the early days of the USGS. New developments continue on an annual basis such that it is now possible to date and distinguish rock units, and thus map them, with unprecedented precision. In addition, continually evolving geophysical technologies allow better characterization of the subsurface of the Earth and construction of much more accurate bedrock geological maps of areas where rocks are covered by thick soils or other overburden. This information contributes directly to effective understanding and management of environmentally sensitive lands that support the outdoor recreation industry, communities, and wildlife.

Question 3: Are there ways in which USGS, Department of Energy, and Department of Defense can work together more effectively to increase our domestic supply of critical minerals?

Response: Under the auspices of the Interagency Subcommittee on Critical and Strategic Mineral Supply Chains, the USGS and the Department of Energy have worked jointly to develop a "criticality screening tool" that is a method to quantify early warning criticality indicators across minerals. The Department of Energy, through the Critical Materials Institute, is focusing on the development of efficient extraction and separation technologies to help maximize the recovery of several commodities, notably rare earth elements, deemed critical. The Department of Defense Logistics Agency is utilizing the "criticality screening tool" at this time.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

APR 2 1 2017

The Honorable Doug LaMalfa
Chairman
Subcommittee on Indian, Insular and Alaskan Native Affairs
Committee on Natural Resources
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Enclosed are responses prepared by the Office of Insular Affairs to the questions for the record submitted following the March 9, 2017, oversight hearing on *Improving and Expanding Infrastructure in Tribal and Insular Communities*.

Thank you for the opportunity to provide this material to the Subcommittee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Norma Torres
Ranking Minority Member

Subcommittee on Indian, Insular and Alaska Native Affairs
Oversight Hearing Questions & Responses
March 2017

Questions from Representative Sablan:

Question 1. When was the CNMI baseline under the CIP program reduced from \$11 million to \$9 million and why?

Response: The Section 702 Funding Agreement (or CNMI Special Representatives Agreement) states that every five years the capital improvement project (CIP) baselines are to be recalculated to be equal to the average annual amounts allocated to each territory during the preceding five consecutive fiscal years. The CIP baselines were recalculated most recently in February 2016 to determine the allocation of CIP funding among the territories in the fiscal year 2017 Budget of the President. The resulting reduction in the CNMI's CIP baseline is a result of below average performance on the CIP competitive criteria during the preceding five consecutive years.

Question 2. How would you say that the amount of funding provided under CIP compares to the infrastructure needs of the Insular Areas? Is it enough to meet the needs?

Response: The annual amount of mandatory appropriations for CIP in the territories is \$27.72 million. The governors of Guam, American Samoa, U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands have each submitted lists of CIP, which, added together, amount to over \$1 billion.

Question 3. As you know, President Trump is proposing a \$1 trillion program to improve our nation's infrastructure. Naturally, the Insular Areas are hoping that they will be able to benefit from this initiative to finally have some of their long standing addressed. Has OIA have done an inventory or assessment of the infrastructure needs of the territories?

Response: The Office of Insular Affairs (OIA) relies on the assessments of the insular governors for the estimates of the territories' infrastructure needs. However, OIA, in coordination with the U.S. Army Corps of Engineers and insular school systems has assessed the condition of every school building in the territories. The assessment, released in 2013, identified \$177.4 million in deferred maintenance, of which, \$16.7 million are considered health and safety.

Other infrastructure needs have been identified through court orders when the territories are found to be non-compliant with federal laws. For example, the Commonwealth Utilities Corporation in the CNMI is facing numerous stipulated orders for power-related projects, as required by the U.S. District Court, Justice Department, and Environmental Protection Agency. Another example is the Virgin Islands Waste Management Authority facing court orders for non-

compliance with the Clean Water Act for numerous instances of raw sewage overflowing onto the ground due to failures in an antiquated wastewater system. The hospitals in the territories are also often at risk of losing critical health funding from the Center for Medicaid and Medicare Services (CMS) due to infrastructure and facility deficiencies found in CMS hospital surveys.

Question 4. You mentioned that insular governors are asserting that their capital improvement needs exceed over \$1 billion. What accounts for infrastructure projects generally being more costly in the islands? Is it because all project materials have to be imported over long distances?

Response: Given the territories' relative isolation and long distance from the U.S. mainland and Asia, the shipping costs for construction materials generally increase the overall cost of infrastructure projects in the insular areas.

Question 5. Questions have been raised in the past by GAO and others, about internal control weaknesses in insular governments which have led to mismanagement of OIA grants. Do you have a sense of whether such concerns have been corrected? Are you still seeing cases of abuse or fraud in the expenditure of CIP grants?

Response: Single audit reports and OIA's oversight corrective actions taken by insular governments to resolve issues identified in those reports has helped to improve the insular administration of Federal grants. There are no outstanding issues of material internal control related to OIA CIP grants.

Question 6. U.S. territories have had a history and culture of using diesel engines to generate energy. This has led to much higher prices delivering energy to residents, \$.25 and higher per/kilowatt hour. However, I understand that OIA began an initiative in 2010 to encourage utilizing advanced energy systems to help bring their costs down by burning less fuel and taking advantage of indigenous sources of energy.

Question 7. Can you comment on whether OIA continues to support its past initiative, how it has assisted our insular areas create new energy, and are you able to quantify any savings (past and future) that territories will realize resulting from continuing to pursue advanced energy system solutions?

Response to 6 & 7: OIA supports reducing the cost of electricity and increasing energy independence and security by utilizing local sources of energy wherever possible. Through a close partnership with the U.S. Department of Energy and the National Renewable Energy Lab and by effectively using the Empowering Insular Communities grant program, OIA has assisted the territories in developing comprehensive strategic energy plans and has begun implementing

the highest priority projects identified in those strategic plans. At this stage, the cost savings realized have not been quantified and aggregated. Typically, however, we fund projects in the territories that are estimated to reduce the cost of energy below current costs.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

APR 19 2017

The Honorable Blake Farenthold
Chairman
Subcommittee on the Interior, Energy and Environment
Committee on Oversight and Government Reform
House of Representatives
Washington, D.C. 20515

Dear Chairman Farenthold:

Enclosed are responses prepared by the Acting Assistant Secretary for Lands and Minerals Management, Richard Cardinale, to questions submitted following the Subcommittee's March 21, 2017, oversight hearing on "Examining GAO Findings on Deficiencies at the Bureau of Safety and Environmental Enforcement."

Thank you for the opportunity to provide this material to the Subcommittee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and Legislative Affairs

Enclosure

cc: The Honorable Stacey Plaskett, Ranking Member

Questions for Richard Cardinale
Acting Assistant Secretary for Lands and Minerals Management
U.S. Department of the Interior

Questions from Blake Farenthold

March 21, 2017, Full Committee Hearing: *“Examining GAO Findings on Deficiencies at the Bureau of Safety and Environmental Enforcement”*

1. On March 17, 2017, the National Academy of Public Administration (NAPA) published a report on the effectiveness of BSEE’s structure and progress it has made since its creation in 2011.
 - a. How similar is the scope of the report to GAO’s report on BSEE, which was published on March 21, 2017?

Response: According to the GAO report, the focus of the report was on efforts BSEE leadership has made in implementing several specific strategic initiatives to improve safety and environmental oversight and improve internal management. On the other hand, BSEE contracted with NAPA to conduct a complete strategic organizational assessment – far broader in scope than the GAO’s report of March 21. The NAPA study focused on BSEE’s “mission execution and operability as a separate bureau and its relationship with the [Bureau of Ocean Energy Management] and other Federal entities; its regulatory framework; emerging policy and operational issues; the results of a recent organizational realignment; strategic planning and organizational performance management; human capital management; governance, communication, and collaboration; and budgetary challenges.”¹ The NAPA study not only assessed the readiness and capability of the Bureau but also offered tangible steps that BSEE could take to establish and institutionalize effective process and practices.

- b. Could BSEE have received the same or similar results by taking the recommendations from GAO’s March 2017 report or any of its past reports on BSEE?

Response: BSEE would not have received the same or similar results, as the scope of the NAPA study was much broader than the GAO investigation that led to the March 2017 report. The NAPA study engaged the organization’s independent expertise to provide specific and actionable recommendations that BSEE could implement to refine and strengthen BSEE’s strategic and programmatic capabilities. It should be noted, however, that BSEE considers all constructive feedback on how to enhance the bureau and its effectiveness in

¹ National Academy of Public Administration, Bureau of Safety and Environmental Enforcement: Strategic Organizational Assessment (2017). <http://www.napawash.org/2017/1934-bureau-of-safety-and-environmental-enforcement-strategic-organizational-assessment.html>

fulfilling its mission, including the GAO's current and past reports. The NAPA's more detailed, comprehensive evaluation of BSEE provides more robust recommendations in some of the areas also identified by GAO.

- c. How much was spent on this report?

Response: The total contract obligation under the task order was \$500,728.58.

- d. Which Department of the Interior (DOI) or BSEE official made the decision to request this report from NAPA?

Response: Former BSEE Director Brian Salerno, in consultation with the Assistant Secretary for Land and Minerals Management, requested that NAPA conduct this study.

2. How many cases of employee misconduct or unethical behavior has the Integrity and Professional Responsibility Advisor (IPRA) or Safety Incident Investigations Division (SIID) found since BSEE's creation?

Response: In 2015, BSEE officially separated the internal and external investigative functions, thus creating the Integrity and Professional Responsibility Advisor (IPRA) for internal misconduct investigations and the Safety and Incident Investigations Division (SIID) for external offshore incident investigations. SIID does not investigate cases of employee misconduct or unethical behavior. The IPRA conducts fact-finding and reports findings to leadership and the appropriate managers in response to allegations or evidence of misconduct or unethical behavior by BSEE employees. Since BSEE's creation, 68 allegations of employee misconduct or unethical behavior have been reviewed by the Bureau.

3. Does BSEE have legal enforcement authority over offshore operators?

Response: Yes. Among the legal enforcement authorities over offshore operators, Section 22 of the Outer Continental Shelf Lands Act (OCSLA) directs the Secretary of the Interior to "enforce safety and environmental regulations promulgated pursuant to [the OCSLA]."² The Secretary has delegated this authority to enforce regulations promulgated pursuant to OCSLA to BSEE.³ This enforcement authority includes the authority to investigate, summon witnesses, require the production of evidence, assess civil penalties, and suspend activities.⁴ Section 5 of OCSLA likewise requires the Secretary to "prescribe and amend such rules and regulations as he determines to be necessary and proper in order to provide for the prevention of waste and conservation of

² 43 U.S.C. § 1348(a) (2016).

³ U.S. Dept. of the Interior Departmental Manual, 219 DM 1 (2014). "The Director, Bureau of Safety and Environmental Enforcement (BSEE), is delegated, through the Assistant Secretary – Land and Minerals Management, the Secretary's authority to oversee and regulate offshore operations and perform all related functions..."

⁴ See, e.g., 43 U.S.C. § 1348(d) and (f); U.S. Dept. of the Interior Departmental Manual, 219 DM 1 (2014).

the natural resources of the outer Continental Shelf,” and “to carry out” “the provisions of [OCSLA] related to the leasing of the outer Continental Shelf,” pursuant to which DOI has promulgated regulations pertaining to oversight and enforcement directed toward offshore operators.⁵ BSEE enforces laws and regulations related to activities authorized by the OCSLA and carried out on oil and gas leases issued by the Federal government. To achieve this directive, BSEE employs over 100 personnel in the inspection, investigation, regulatory enforcement and compliance job series. These individuals are a key component in the implementation of our compliance oversight activities. BSEE works closely with the Inspector General’s office to refer any matters involving criminal behavior.

4. In GAO’s March 21, 2017 report on BSEE, GAO reports that BSEE has gone through three sequential and sometimes overlapping efforts studying program performance measures.
 - a. Has BSEE implemented any of these performance measures and if not, when does it plan to do so?

Response: BSEE is currently implementing performance measures at the national level. This implementation includes collection of quarterly data for 14 national performance measures, with presentation of data occurring at senior leadership’s quarterly management review meetings. Additionally, BSEE is developing new measures and expanding regional measures into national measures where appropriate. Development of these performance measures has been iterative, and the three efforts cited by GAO have each contributed to the bureau’s understanding of effective measures. For example, three of the twelve measures identified by the March 2016 consultant report have been implemented, with some modification.

- b. How much did the contracts to create these performance measures cost?

Response: The combined cost of these two contracts was \$238,338.40. The total amount paid in the first contract was \$194,838.40. This contract was terminated in January 2015 to allow completion of the organizational restructuring. The total amount paid for the performance measure task in the second contract was \$43,500.

5. GAO’s March 2017 reports described deficiencies with BSEE’s efforts to create a risk-based inspection program.
 - a. What is the current status of this program?

Response: The Risk-Based Inspection (RBI) program is in the pilot phase. The latest phase of the pilot program was conducted in late March 2017, from which

⁵ 43 U.S.C. § 1334(a); 30 C.F.R. Part 250.

lessons learned will be incorporated by a joint headquarters-regional team into a revision of the overall inspection strategy guidance.

- b. Has BSEE worked to include regional personnel in the creation of this program?

Response: Yes. Regional personnel, including regional managers and district managers, were involved throughout the development of the risk model and pilot testing. Regional personnel will continue to lead the development of the revisions to the overall inspection strategy.

Questions for Richard Cardinale

Acting Assistant Secretary for Lands and Minerals Management
U.S. Department of the Interior

Questions from Ranking Minority Member Stacey E. Plaskett

March 21, 2017, Full Committee Hearing: *“Examining GAO Findings on Deficiencies at the Bureau of Safety and Environmental Enforcement”*

1. During the hearing, you were asked about the Bureau of Ocean Energy Management's (BOEM) five-year plan for oil and gas leases, as required by the Outer Continental Shelf Lands Act. You indicated that the Department was considering amending the plan. Please detail the changes Interior is intending to make to the plan.

Response: As stated at the hearing, “the Administration is taking a look at the plan that was finalized at the end of the last Administration.” Per the Outer Continental Shelf Lands Act, 43 U.S.C. § 1344(e), once a Five Year Oil and Gas Leasing Program is finalized, it cannot be significantly revised without undertaking the full program development process. This Administration has not indicated if it will direct BOEM to begin development of a new Five Year Program.

2. In April 2016, BOEM proposed a rule regulating air quality of operations on the Outer Continental Shelf. BOEM has not finalized this rule.

- a. What is the status of this rulemaking?

Response: BOEM published a proposed rule on April 5, 2016, entitled, “Air Quality Control, Reporting, and Compliance” (81 FR 19718). The proposed rule was not made final by the previous Administration.

- b. Is BOEM planning to finalize this rule?

Response: The Department is evaluating the proposed rule and comments received on the proposed rule to determine what further action is warranted to advance the Administration's commitment to energy policies that lower costs for Americans and maximize the development of American resources.

- c. If not, why not?

- 3. This Administration has not yet provided a sub-department level budget request for the Department of the Interior (Interior). Please provide the budget request for BSEE.

Response: The Administration is finalizing the full FY 2018 budget request which is expected to be released in May.

- a. How much and how many FTEs is Interior requesting for BSEE's safety inspectors?

Response: The Administration will release those details with the full budget request in May. BSEE is currently fully staffed according to its existing staffing plans. BSEE currently has 881 FTEs, including 127 inspectors.

- b. How much and how many FTEs is Interior requesting for BSEE's environmental inspectors?

Response: The Administration will release details of its staffing plans with the full budget request in May. BSEE does not have separate environmental inspection personnel. BSEE inspectors perform a comprehensive set of inspection activities that align with BSEE's mission to promote safety, environmental stewardship, and resource conservation.

- 4. Are there any offices or bureaus within the Department of the Interior that are not subject to President Trump's hiring freeze?

Response: The 90-day Federal hiring freeze issued on January 23, 2017 expired on April 12, 2017. There are no offices or bureaus within the Department currently operating under a hiring freeze. All of Interior's bureaus and offices were subject to the hiring freeze in accordance with government-wide guidelines as outlined in OMB Memorandum 17-18.

- a. Is BSEE impacted by the hiring freeze?

Response: The hiring freeze was applicable to BSEE, but the Bureau's essential functions were not affected.

- b. Are there any positions within BSEE that are not affected by the hiring freeze?

Response: As stated above, the bureaus' essential functions were not affected by the hiring freeze.

- c. What is the turnover rate for BSEE safety and environmental inspectors?

Response: The FY2016 annual turnover rate for BSEE inspectors was 2.43%, and the average annual turnover rate for inspectors since 2011 is 9.5%.

- d. Are any safety or environmental oversight positions currently open?

Response: No. BSEE is fully staffed for available funding levels.

5. The United States is a participant of the international Extractive Industries Transparency Initiative (EITI), a global standard to promote the open and accountable management of extractive resources. Participating nations to the EITI commit to providing data about their natural resources sectors in order to improve accountability. Signatory nations are required to issue annual reports in consultation with domestic industries and civil society. In the United States, the Department of State (State) acts as the country's representative to the EITI Board, and the Department of the Interior manages the nation's commitment to the EITI.

Recent news reports indicate that the Department of the Interior cancelled all schedule meetings of the United States Extractive Industries Transparency Initiative Multi-Stakeholder Group (Group) and its subcommittees. The Group is the body composed of domestic industries and civil society with which Industry is required to consult in issuing its annual reports.

This news is deeply troubling, and I have several questions with which to gauge the Department of the Interior's commitment to the EITI.

- a. Will the United States be submitting its report under the EITI next year? If so, is Interior consulting with stakeholders as required by the EITI's rules? If so, which stakeholders are being consulted, and how are they being consulted?

Response: In December 2015, USEITI published its first annual Report and Executive Summary using publicly available, government open data. Both were published on the DOI data portal (<https://useiti.doi.gov/>), and in November 2016 the second online Report and Executive Summary were published.

We have already begun implementing and expect to complete a third online report in December 2017. In 2016, USEITI began a process whereby the annual report is rolled out with decisions and approvals by the multi-stakeholder group (MSG) Subcommittees and full Committee (MSG) throughout the year. We continue that dynamic roll out of the report for 2017. The MSG

decisions regarding the 2017 Annual Report are a matter of public record at <https://www.doi.gov/eiti/faca>.

b. Since January 20, 2017, has Interior coordinated or consulted with State regarding its decision to cancel Group and Group subcommittee meetings? In that same period, has Interior coordinated or consulted with State regarding its commitment to the EITI, or the contents of its next report?

Response: On March 17, 2017, Interior met with State Department staff to provide an update on USEITI. The Department is committed to public awareness and stakeholder engagement in the proposed policies and regulations related to revenue collection from resource development.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

APR 07 2017

The Honorable Louie Gohmert
Chairman, Subcommittee on Oversight and Investigations
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Gohmert:

Enclosed are responses prepared by the U.S. Geological Survey to the questions for the record submitted following the December 6, 2016, oversight hearing on *Examining Decades of Data Manipulation at the United States Geological Survey* before your Subcommittee.

Thank you for the opportunity to provide this material to the Subcommittee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Debbie Dingell, Ranking Member
Subcommittee on Oversight and Investigations
Committee on Natural Resources

Subcommittee on Oversight and Investigations

1324 Longworth House Office Building

Tuesday, December 6, 2016

10:00am

Committee on Natural Resources

*"Examining Decades of Data Manipulation at the
United States Geological Survey"*

Questions from Chairman Louie Gohmert (TX-01) for Mr. William Werkheiser, Deputy Director at the U.S. Geological Survey

1. In your testimony you maintained that, at the time, USGS had provided the Subcommittee with 270 documents that were responsive to "27 of your 30 specific requests," that were made in a September 23, 2016 letter from the Subcommittee to USGS. In addition, you also testified that USGS anticipated "supplying the remaining outstanding documents as soon as possible." Could you provide the Subcommittee with a list of the 27 requests that you testified USGS satisfied by the December 6, 2016 hearing as well as the requests that were satisfied by USGS's December 20th document production, making specific note whether the requests were fully or partially satisfied?
 - a. By approximately what date does USGS anticipate that it will be able to fully satisfy the Subcommittee's requests, made in its September 23, 2016 letter?

A: At the time of the December 6th hearing, the only pending requests from your September 23rd letter were numbers four, five and ten. The December 20th document production provided supplementary documents in response to requests four and five. We understand the importance of providing this information as soon as possible and we have prioritized satisfying the request

by providing the remaining documents as soon as possible.

2. When does USGS anticipate the National Academy of Sciences' bureau-wide review of USGS laboratory data assurance and quality control procedures to be completed?

A: USGS has asked the National Academies of Sciences, Engineering and Medicine to conduct a multi-phase, rigorous review of USGS laboratories. The first phase, which is scheduled to be completed by the end of 2017, will provide an overview of all USGS laboratory facilities, including their science objectives, budget and history of sample throughput (number of samples processed per year and turn-around time for processing) for the last 5-10 years. Additionally, this phase will review laboratory protocols, analytical procedures and standards, and data management processes. The second phase will provide recommendations on best practices and procedures for achieving science objectives and ensuring integrity and reliability of results, as well as assessing if resources are sufficient to meet science objectives. The report from this phase will be completed in 2019. Following the completion of the second phase, there will be subsequent reports issued every two years, until 2025, assessing the extent to which USGS labs are maintaining and improving best practices for achieving scientific objectives and ensuring integrity of laboratory results.

3. In its September 23, 2016 letter, the Subcommittee requested USGS to provide information that would illustrate all the disciplinary actions the agency took after the discovery of years-long data manipulation, first in 2008 and then again in 2014. In its December 20, 2016 document production USGS provided the Subcommittee with a number of documents that described various disciplinary actions taken against a number of USGS employees. Do the documents provided to the Subcommittee by USGS in its December 20th production represent the full extent of the disciplinary actions taken by the Agency in response to nearly two decades of data manipulation occurring at the Lakewood, Colorado Energy Resources Program Geochemistry Laboratory as well as the issues identified in the September 21, 2015 Scientific Integrity Review Panel Report? If

not, when does USGS anticipate it will be able to satisfy the Subcommittee's request in full?

A: The documents provided in the Dec. 20, 2016 production represent the full extent of documentation of adverse personnel actions taken against USGS employees attributable to both of the data manipulation incidents at the Inorganic Section of the Energy Geochemistry Laboratory.

4. Your oral testimony noted that the Equal Employment Opportunity Commission determined that the safeguards USGS has in place to protect employees seeking to blow the whistle on potential workplace misconduct as well as policies that will ensure these matters are investigated fully are "not totally adequate" and are currently being revised. When does USGS anticipate that its revisions will be completed?

A: USGS is compliant with all whistle-blower protection laws and governmental policies. In addition, we have taken additional steps to increase employee awareness and reiterate policies actively in place to support the USGS workforce. This includes incorporating information on whistle-blower protection, workplace conduct and alternative dispute resolution practices in existing and scheduled leadership and supervisory training sessions. Information regarding the Department of the Interior's Ombuds Program has been presented to USGS leadership and will be made available to all employees' seeking neutral conflict management consultation. It should be noted, additional policy governing Anti- Harassment and training programs has been developed and is pending Departmental approval before it can be fully implemented. These measures have been taken to ensure that any USGS employee is comfortable and protected in the unfortunate circumstance that they should have to come forward. On January 31, 2017, Deputy Director Werkheiser was in Denver and held his first all-hands meeting as Acting Director. At that meeting he reiterated his commitment to making USGS a safe place to work for all employees, and to fostering an environment where employees are unafraid to bring any concerns to the attention of leadership. We take this issue very seriously, and will continue to work with

the Department of the Interior to take additional steps as necessary.

5. What changes were made in the lab's standard operating procedures for the mass spectrometer after the first period of scientific misconduct was discovered? How did they prove ineffective at discovering the second course of data manipulation?

A: After the first data manipulation incident (1996-2008), several changes were instituted within the laboratory to improve performance, including changes to laboratory staffing, structure, and oversight. The laboratory also underwent internal and external audits, which included recommendations for bolstering existing standard operating procedures and for implementing a Quality Management System (QMS). Despite these efforts and the implementation of the audit recommendations, lapses in management oversight failed to detect in a timely manner the second occurrence of data manipulation. To prevent such an occurrence in the future, the Energy Resources Program (ERP) is expediting completion of a QMS, including hiring several key staff positions. A QMS manager, who reports directly to the Program Coordinator of the ERP, was hired effective January 8, 2017. A full-time Quality Assurance Specialist (QAS) for the Central Energy Resources Science Center was hired effective February 5, 2017. A QAS was hired into the Eastern Energy Resources Science Center (EERSC) on a temporary detail effective as of March 26, 2017. We will seek to hire a permanent QAS once the Federal hiring freeze is lifted. Because the QMS manager reports directly to the Program Coordinator of the ERP, this alleviates any potential opportunity for conflict of interest in data quality assurance, as was noted in the 2015 Scientific Integrity Review Panel Report as contributing to the failure to detect the second incident.

6. In regards to allegations that laboratory personnel created a hostile work environment and that both management as well as the human resources offices failed to act on employee complaints, you testified that USGS is continuing to actively investigate this matter. When does USGS estimate this investigation will be completed and provide the Subcommittee with a copy of the investigative report?

A: The informal investigation into this matter is completed. I would like to reiterate my sincere offer to the Chairman, other interested Committee members, or their staff, to provide a private briefing to further discuss this matter.

7. A document provided to the Committee noted that after the first iteration of data manipulation was discovered, the lab's manager and QA/QC officer reviewed seven months' worth of the work produced by the analyst over a twelve year period. According to the document, the reviewers "did not find a single job without data manipulation," estimating that over 2,500 samples had analysis data manipulated. Could you provide the Committee with the total number of sample analyses that have had data manipulated during the entire 18 year course of scientific misconduct?

A: The first data manipulation incident (1996-2008) largely pre-dates the use of a Laboratory Information Management System (LIMS) to capture and disseminate laboratory analytical data; hence, we do not have complete records for estimating the total number of samples that may have been affected during the first incident. Because LIMS was in use during the second data quality incident (2008-2014), we have a higher degree of confidence in estimating the number of samples that may have been affected: approximately 3,800 samples may have been potentially affected by data manipulation. We reported this information to the OIG (p. 6, OIG June 2016 report) during the course of their independent review of the second data quality incident.

8. Currently, how many USGS labs are operating with fully-implemented Quality Management Systems (QMSs)? How many are not? Will the QMS currently being developed by USGS encompass laboratories agency-wide or will individual laboratories retain their own QMSs? In the event that individual labs are permitted to retain their own QMSs, are these systems review and approved by USGS headquarters?

A: According to a 2016 overview of USGS laboratory facilities, 94% of USGS labs adhere to

individualized data quality assurance and quality control protocols. Not all USGS laboratories are responsible for data production, thus it would not be appropriate for every laboratory to have data quality protocols in place. More than half of USGS laboratories do not currently have a fully-implemented QMS. However, the QMS currently being implemented by the ERP will ultimately be used as guidance in expanding a fit-for-purpose QMS to all USGS laboratories. Individual laboratories will retain aspects of their existing quality assurance and quality control procedures, as necessitated by the broad range of research topics and types of data generated at USGS laboratories. The ongoing review by the National Academies of Sciences, Engineering and Medicine will assist in identifying and in implementing appropriate QA protocols, and ultimately a QMS, across all USGS laboratories.

9. USGS has established that data manipulation incidents occurred between both 1996 and 2008, as well as 2008 and 2014. How were these particular beginning and end dates established?

A: The beginning and end dates for the two data manipulation incidents correspond to the timeframes that samples were analyzed in the Inorganic Section of the Energy Geochemistry Laboratory (or its predecessor) by two different chemists. Both sets of sample analyses (“data”) were later found to contain manipulated data.

- a. With what frequency did the data manipulation occur?
- b. Are you able to isolate any particular time periods, such as weeks or months, during which the data manipulation did not occur?

A: The first data manipulation incident (1996-2008) largely pre-dates the use of a Laboratory Information Management System (LIMS) to capture and disseminate laboratory analytical data; hence, we do not have records available to review the timing or frequency of data manipulation. During a USGS internal investigation into the second data quality incident (2008-2014) and

using information from LIMS, nearly all analytical jobs reviewed were found to contain non-standard adjustments to standardization curves and calibration limits that were outside of normally accepted industry practice; this data manipulation was not constrained to a particular time period.

Questions from Rep. Dingell for Mr. Werkheiser

1. I'm concerned about the blank pages from the document production the Chairman held up at the end of the hearing. Why were they blank?

A: The document referred to by the Chairman was produced by USGS in response to request number twelve from the Chairman's September 23, 2016 letter, which asks for "copies of all laboratory notebooks and work notes" written by the chemist who performed the data manipulation. The particular notebook in question had a few pages that contained written notes by the chemist, and was thus responsive to the Chairman's request. Interspersed within the responsive pages were the aforementioned blank pages. All pages up to the last responsive one were provided in the interest of fully complying with the Chairman's request and in providing complete transparency for the Committee's oversight needs on this matter. In total, as of March 16, 2017, USGS has produced 972 documents consisting of 10,691 pages of responsive information.

2. What is the evidence the analysts did not manipulate the data in order to achieve a desired outcome? How do we know the data was not manipulated to suit an agenda?

A: Our review of results from analytical jobs did not show a systematic effort to target and manipulate data that would be consistent with an attempt to influence a research outcome or policy decision. Instead, the data manipulation was found to be widespread and variable; some manipulations resulted in higher reported concentrations; some resulted in lower reported concentrations. Furthermore, based on the way that the mass spectrometry data were processed at

the Inorganic Section of the Energy Geochemistry Laboratory, and the types of data produced, it would not have been possible for the chemist to know the intent of the researchers who submitted samples to the lab. Thus, it would not be possible for the chemist to generate a particular result.

3. I want to follow up on a question about the financial impact of the second incident that was raised in the hearing. Mr. Werkheiser indicated that the \$108 million assessed by the Inspector General (IG) was not fully explained. Please explain it.

A: The cost estimate of \$108 million that USGS provided the IG represents the total value of USGS projects that submitted samples for inductively coupled-plasma mass spectrometry (ICP-MS) analyses at the Inorganic Section. The projects that comprise this figure are either ongoing or have been successfully completed and of value. These projects have largely retained their value because a typical project supports multiple, independent lines of research, the majority of which are unrelated to sample analysis by the Inorganic Section, and thus are not compromised by the data manipulation incident. In total, the actual cost to projects from the data manipulation incident would be substantially smaller, and generally limited to the costs of re-running certain samples.

4. The IG report detailed the studies impacted by the second incident. Is that the entirety of the impacts from the second incident? Can we say with confidence that the impacts from the second incident are fully known or are known to the extent possible? What uncertainties about the extent of the impacts of the data manipulation remain for both of the incidents?

A: Given the use of a Laboratory Information Management System (LIMS) during the second (2008-2014) data quality incident, we have a high degree of confidence in identifying potentially affected analyses, and by extension, potential impacts. We have posted to the Energy Program web site an update (March 16, 2017) on the extent of potential impacts from the incident that was

documented in the June 2016 OIG report. The link can be found at the following web site address: <http://bit.ly/2o21HP0>. We are continuing to evaluate both data quality incidents, and will publicly provide updates on the Energy Program web site on any potential impacts.