



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

SEP 28 2023

The Honorable Pete Stauber
Chairman
Natural Resources Subcommittee
on Energy and Mineral Resources
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Stauber:

Enclosed are responses prepared by the Bureau of Land Management to questions for the record submitted to the Department's witness, Nada Wolff Culver, Principal Deputy Director, BLM, following her appearance at the July 13, 2023, legislative hearing on H.R. 4374, the *Energy Opportunities for All Act*.

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 Alexandria Ocasio-Cortez
Ranking Member

Questions for the Record
Energy and Mineral Resources Subcommittee
House Natural Resources
H.R. 4374, Energy Opportunities for All Act
July 13, 2023

Questions from Rep. Westerman

- 1. Before Secretary Haaland issued Public Land Order 7923 withdrawing thousands of acres of land around Chaco Park from mineral development, did she meet and consult with the Navajo allottees whose lands will be negatively affected by the Order?**
 - a) Can you tell us when those meetings or consultations took place?**
 - b) Can you state when, where and who was hired as Navajo language interpreter when DOI, or its departments met with Navajo individuals? Please provide the record?**
 - c) Was Chaco Buffer Zone discussed in any meetings by Secretary Haaland's family members, individually or in their capacities as consultants? Please provide the record.**

Response: As discussed below in a response to Congressman Grijalva, the Department of the Interior (DOI) consulted and met with the Navajo Nation, Allottees, and the broader public on the proposed withdrawal. All public meetings and the specific meetings held with the Allottees included Navajo translators and a court reporter to make sure comments were accurately recorded.

On April 25, 2023, Secretary Haaland convened a meeting at the request of Navajo Nation President Buu Nygren and Navajo Nation Council to discuss the withdrawal proposal. While President Nygren did not attend this meeting, multiple members of the Navajo Nation Council as well as Allottees attended this meeting.

- 2. President Biden and Sec. Haaland have repeatedly stressed the importance of the Federal Trust Responsibility to Indian tribes.**
 - a) Is it the Administration's position that Public Land Order 7923 is consistent with the Trust Responsibility when it comes to the Navajo Nation and its tribal members?**

Response: Yes, the Administration's position is that PLO 7923 is consistent with the Department of the Interior's Trust responsibilities. PLO 7923, which responds to decades of efforts from Tribal Nations, elected officials, and the public to better protect the sacred and historic sites and Tribal communities currently living in northwest New Mexico, protects more than 4,700 known and documented sites located on Federal lands within

the withdrawal area from the impacts of new oil and gas leasing and solid mineral development. These protections are essential to ensure the integrity of irreplaceable cultural sites that continue to have deep cultural and religious significance to regional Tribal communities. The withdrawal under PLO 7923 applies only to Federal lands and minerals and would have no significant impact on the rights associated with lands and minerals owned by the State of New Mexico, Tribal Nations, private landowners, or individual allotment holders.

Further, while the BLM has not leased Federal lands within 10 miles of the Chaco Culture National Historical Park over the last decade, the Department has continued to issue drilling permits on existing Federal leases in the area as well as hold lease sales and issue drilling permits on nominated allotment parcels. This includes a sale held in January 2022 for allotment parcels and a payment of more than \$15 million to Allottees made in the first quarter of fiscal year 2023. This activity will continue.

Question from Rep. Grijalva

- 1. Ms. Culver, can you expand on the Bureau of Land Management's outreach to the Navajo Nation and Navajo Allottees prior to issuing Public Land Order No. 7923?**

Response: Below is a detailed timeline of the Department's consultations and meetings with the Navajo Nation, Allottees, and the broader public, prior to issuing PLO 7923, for your reference. All public meetings and the specific meetings held with the Allottees included Navajo translators and a court reporter to make sure comments were accurately recorded.

July 28, 2021	Assistant Secretary for Indian Affairs (AS-IA) Bryan Newland meets with former Navajo Nation Vice President Myron Lizer and members of the Navajo Nation Council in Crownpoint, NM.
July 28, 2021	AS-IA Newland hosts a roundtable discussion with Allottees in Crownpoint, NM.
October 26, 2021	The Federal Indian Mineral Office releases the Environmental Assessment for Lease Sale No. 135 (parcels comprised of individual Navajo allotments) for public comment.
January 5, 2022	The Bureau of Land Management announces the proposal to withdraw approximately 351,000 acres of public lands surrounding Chaco Culture National Historical Park in the Federal Register.
February 23-24, 2022	BLM hosts three public meetings to share information on the proposed withdrawal. Two are in-person in Farmington, NM, and one is virtual. Political appointees from the Department attended an in-person session.
February 23, 2022	AS-IA Newland and BLM Director Tracy Stone-Manning host a closed meeting with Allottees. Attendees included a Navajo Nation chapter President and political leadership from the Navajo Nation.
February 24, 2022	AS-IA Newland meets with then Navajo Nation President Jonathan Nez in Window Rock, AZ.
February 24, 2022	AS-IA Newland meets with members of the Navajo Nation Council in Window Rock, AZ.
April 6, 2022	The Federal Indian Mineral Office issues a decision to move forward with Lease Sale No. 135 (parcels comprised of individual Navajo allotments).
April 27, 2022	BLM and AS-IA host a public meeting in Farmington, NM. Political appointees from the Department attended this session. Allottees attend this meeting and offer comments.
April 28, 2022	BLM and AS-IA host a Tribal consultation and public meeting in Nageezi, NM. Political appointees from the Department attended this session, which lasted over seven hours. Allottees attend this meeting and offer comments.
April 29, 2022	BLM and AS-IA advisors and staff host a public meeting in Albuquerque, NM. Political appointees from the Department attended this session. <i>Allottees attend</i> this meeting and offer comments.

April 29, 2022	BLM and AS-IA host a tribal consultation in Albuquerque, NM. Political appointees from the Department attended this session. Former Navajo President Jonathan Nez attends this session and offers comments.
July 14, 2022	Department contractors interview leadership of the Navajo Nation Heritage & Historic Preservation Department for the situation assessment of the Greater Chaco Landscape that will inform the Honoring Chaco Initiative.
September 9, 2022	BLM and AS-IA convene a planning session to inform the Honoring Chaco Initiative meetings. Representatives of the Navajo Nation Heritage & Historic Preservation Department are invited but do not attend.
October 4, 2022	BLM and AS-IA convene a second planning session to inform the Honoring Chaco Initiative meetings. Representatives of the Navajo Nation Heritage & Historic Preservation Department are invited but do not attend.
October 18-20, 2022	BLM and AS-IA convene the Honoring Chaco Initiative to conduct a broader assessment of the Greater Chaco cultural landscape, ensuring that public land management better reflects the sacred sites, stories, and cultural resources in the region. Representatives of the Navajo Nation Heritage & Historic Preservation Department attend this meeting.
October 19, 2022	AS-IA Newland and BLM Director Stone-Manning host a closed meeting with Tribal participants in the Honoring Chaco Initiative. Representatives of the Navajo Nation Heritage & Historic Preservation Department attend this meeting.
November 10, 2022	BLM releases the draft Environmental Assessment for the Proposed Chaco Area Withdrawal.
November 14, 2022	BLM hosts a public meeting to share information on the Environmental Assessment and receive comments in Farmington, NM. Allottees participate in this meeting.
November 15, 2022	BLM hosts a public meeting to share information on the Environmental Assessment and receive comments in Bernalillo, NM. Allottees participate in this meeting.
April 3, 2023	BLM and AS-IA convene a Tribal Consultation at the request of newly-elected Navajo Nation President Buu Nygren to hear concerns about the proposed withdrawal. President Nygren and his staff attend this meeting.
April 25, 2023	Secretary Haaland convenes a meeting at the request of Navajo Nation President Nygren and the Navajo Nation Council to hear concerns about the proposed withdrawal. President Nygren does not attend this meeting. Multiple members of the Navajo Nation Council attend this meeting. Allottees attend this meeting.
June 7, 2023	BLM publishes Public Land Order No. 7923 for Public Lands Withdrawal Surrounding Chaco Culture National Historical Park Boundary

For many years the Navajo Nation, along with other Tribal interests, supported a 10-mile buffer zone around Chaco Culture National Historical Park.¹ When discussions commenced at the beginning of this Administration, the Department understood this to be the Nation's position. Later in 2021, the Navajo Nation expressed interest in a 5-mile buffer zone. In 2022, the Navajo Nation indicated they were no longer interested in the 5-mile buffer zone, passing a formal resolution that, for the first time, opposed any buffer zone around Chaco. Consistent with all input received, the BLM proceeded to analyze the potential benefits and impacts of no withdrawal, a withdrawal in a 5-mile radius, and a withdrawal in a 10-mile radius around the Chaco Culture National Historical Park. This analysis, discussed in detail in the BLM's Environmental Assessment,² showed that a 5-mile radius withdrawal would not provide a comparable level of protection for the cultural and natural resources in the area. As noted in the provided testimony, the BLM found that a 10-mile withdrawal would protect 4,730 documented sites, whereas a 5-mile withdrawal would protect approximately 1,900 documented sites, protecting approximately 2,830 fewer documented archaeological sites than the 10-mile withdrawal. In addition, the 10-mile withdrawal would afford greater protection to Chacoan outliers, which are archaeological sites, such as roads and structures like those in Chaco Canyon that were constructed in and around the San Juan Basin.

The Department respects the government of the United States' government-to-government relationship with the Navajo Nation and followed the Department's accountability process to ensure meaningful and timely input by Navajo Nation officials and Allottees in the development of this withdrawal proposal. The Department took every opportunity to consult formally and meet informally with the Navajo Nation and with Allottees. In addition to the formal meetings discussed above, the BLM continued in-person outreach to Allottees between the publication of the Environmental Assessment and the announcement of the withdrawal.

Following the April 2023 meetings, the Department ensured that its analysis fully considered and addressed the Navajo Nation's and Allottees' continued concerns. Appendix C to the Environmental Assessment shows the detailed evaluation of the economic impacts, finding that, with the most conservatively high assumptions, 47 new wells (approximately 1.3 percent of the 3,200 wells projected in the area) could be foregone in the 20 years of the withdrawal, with 7 new wells not drilled on allotment lands. Actual impacts would likely be lower. Similarly, this analysis found that the leaseability of more than 90 percent of unleased allotments would not be affected by the withdrawal. The analysis is discussed in further detail in the Environmental Assessment, which can be accessed at:
https://eplanning.blm.gov/public_projects/2016892/200507928/20070044/250076226/ChacoWithdrawalEA_Compiled_508V3.pdf

¹ <https://www.congress.gov/116/meeting/house/109319/witnesses/HHRG-116-II06-Wstate-LizerM-20190415.pdf> (“With regards to BLM’s development of a management plan for the area, the Navajo Nation supports the BLM’s development of a sustainable management plan that would prevent federal oil and gas extraction in a 10-mile radius or Protection Zone from the epicenter of the Chaco Cultural National Historical Park.”)

² https://eplanning.blm.gov/public_projects/2016892/200507928/20079943/250086125/20230531_ChacoWithdrawalEA_Final_508.pdf



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

SEP 25 2023

The Honorable Aumua Amata C. Radewagen
Chair, Indo-Pacific Task Force
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Chair Radewagen:

Enclosed are responses prepared by the Department of the Interior to the questions for the record submitted to the Department's witness, Keone Nakoa, Deputy Assistant Secretary for Insular and International Affairs, following his July 18, 2023, appearance before the Task Force on the Administration's *Proposed Compact of Free Association Act of 2023*.

Thank you for the opportunity to respond to you on this matter.

Sincerely,

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

Enclosure

cc: The Honorable Gregorio Kilili Camacho Sablan
Co-Chair

Questions for the Record
Indo-Pacific Task Force
House Committee on Natural Resources
Oversight Hearing on Proposed Compact
of Free Association Amendments Act
July 18, 2023

Questions from Chairman Westerman

Question 1: The proposal has bracketed text for the Federal Programs and Services Agreements (FPSAs) as they are still being negotiated. The FPSAs are agreements that U.S. agencies are required to provide to the FAS, including the U.S. Postal Service. The proposal also has non-bracketed text for authorizing \$634 million in mandatory appropriations for the USPS. If Congress passes this proposal before the FPSAs are finalized, then that would mean that the USPS would receive its funds without having requirements on how to spend such funds.

Why does the proposal not contain brackets for the \$634 million going to the USPS? Is the Administration asking Congress to hand hundreds of millions of American taxpayer dollars to the USPS and let them use the money as they see fit?

Response: The FPSA text was bracketed, only to the extent that the agreement's name would need to be updated upon finalization. The United States Government, including USPS, continues to work with Federated States of Micronesia (FSM) to make the agreement final.

The USPS would use the funds in question to provide continued postal services and programs to the FSM and the Marshall Islands pursuant to the new FPSAs with each country. Under a slightly different agreement structure, the United States has provided postal services and programs to Palau consistent with Palau's Compact, FPSA, and Compact Review Agreement, as amended. This funding could also be used to allow for the continuation of postal services, at the levels currently provided, until new agreements are concluded and brought into force.

Postal services are critical to the FAS economies and are a vital component of our relationships with the FAS, so much so that the FAS made continued postal services a necessary requirement before the FAS allowed negotiations to proceed. Providing funding will show the FAS that our agreements are being honored, while also guarding against USPS' key concerns about being able to manage the long-term costs associated with providing high quality services to these geographically disparate island nations.

Questions for the Record
Indo-Pacific Task Force
House Committee on Natural Resources
Oversight Hearing on Proposed Compact
of Free Association Amendments Act
July 18, 2023

Questions from Rep. Moylan

Question 1: Another major issue in this discussion is funding. At 7.1 billion dollars over the next 20 years, funding COFA is no small feat, and neither is looking for funding sources. Additionally, since the administration has yet to provide Congress with an estimate of the costs of continuing and beginning FAS eligibility for U.S. federal programs and services, it is likely that COFA costs will far exceed 7.1 billion dollars.

a. Why isn't the Biden administration taking a more active role to secure funding?

Response: This Administration has taken an active role, led by Special Presidential Envoy Joe Yun, and in close coordination and support from the Departments of the Interior (DOI), Defense, and State, and many other federal agencies. Representatives from the Departments of the Interior, State, and Defense have held regular briefings on the House and Senate side to convey the importance of securing funding for the COFA legislative package, along with highlighting the adverse effects of a lapse in funding.

b. Additionally, with little Congressional oversight into how funds are expended, Freely Associated States are spending money as they see fit. With funding already being extremely difficult to secure, could you explain why the administration wants to weaken Congress's oversight on how these funds are spent?

Response: The ability of Congress to exercise oversight on the expenditure of Compact assistance is unchanged. To allow for more efficient oversight, the proposal streamlines the number of reporting requirements, while raising the consequences of failing to submit complete and adequate reports. The proposal, therefore, strengthens Congress's ability to effectively exercise oversight of Compact assistance funding.

The United States Government and our counterparts in the FAS negotiated robust terms of these agreements, particularly the accountability and oversight provisions in the 2023 Fiscal Procedures Agreement and the 2023 Trust Fund Agreement with the FSM, and the 2023 Compact Review Agreement, including its appendices, with Palau. As a result of that work, the negotiated terms and procedures governing both financial assistance and the Compact trust funds maintain strong U.S. oversight over every taxpayer dollar being proposed. The terms incorporate the lessons learned over the past 35 years regarding what practices actually facilitate meaningful oversight and accountability over U.S. taxpayer funds.

Questions for the Record
Indo-Pacific Task Force
House Committee on Natural Resources
Oversight Hearing on Proposed Compact
of Free Association Amendments Act
July 18, 2023

Question 2: The Biden administration has submitted a legislative proposal before fully concluding COFA negotiations. The current proposal is incomplete and not ready for introduction on the house floor. With the September 30 deadline fast approaching, several of the kinks have not been worked out and there is still much work that needs to be done.

- a. Would a simplified one-year extension be feasible while we work out a long-term solution?**

Response: The Administration is not considering a one-year extension, but has submitted a stop-gap CR anomaly to provide funds and authorities as agreed to in the latest Compact agreements for the period of the CR. While a total cessation of Federal services would be irresponsible and should be avoided, the United States should rely on the authority and safeguards that can only be provided by new ratified agreements, provided along with the credible and dedicated funding to meet these long-term commitments. If Congress does not act, new Compact funding (including for grants, trust fund contributions, and certain federal programs and services) for the Marshall Islands and the FSM will not be available after FY 2023, nor for Palau after FY 2024. The Department believes that any extension short of enacting the full COFA proposal that was submitted to the Congress in June opens the door for foreign government influence and erodes our hard-earned reputation as a reliable partner in the Pacific.

Furthermore, from a national security perspective, a long-term and mutually beneficial agreement will set the conditions for us to continue strengthening our strategic partnerships with the FAS. If the implementing legislation is not passed on time and there is a lapse in economic assistance, the Department of Defense's ongoing conversations with the FAS on future defense sites would be significantly challenged. In an era of intensifying geopolitical competition, the FAS are critical to U.S. national security interests and USG priorities in the Indo-Pacific region.

Question 3: Committee staff have raised the issue with the COFA negotiation team about the potential cost of expanding federal programs and services for the FAS and have specifically requested your team to provide an estimate of the costs. Rather than finding out and sending our staff with those estimates, your team suggested that our staff reach out to each agency and calculate the costs themselves. While it may be the case that your respective agencies are not responsible for estimating those costs, it is the responsibility of the administration to do its due diligence and providing Congress with information it needs to carry out its oversight responsibilities.

- a. Is there a cost estimate regarding the expansion of federal program and services for the FAS? If not, will you assign this task to a member of your team and have it sent to us by the end of the month?**
- b. These cost estimates are vital in understanding the true cost of these COFA**

Questions for the Record
Indo-Pacific Task Force
House Committee on Natural Resources
Oversight Hearing on Proposed Compact
of Free Association Amendments Act
July 18, 2023

agreements. These agreements can very well total to far beyond \$7.1 billion when factoring in these additional costs. We understand that calculating a cost estimate is a difficult task, but it is our collective responsibility to make sure that these agreements are fiscally responsible and serve U.S. interests.

Response: We understand that the Department of State relayed costs in its responses to the Task Force.

Question 4: We are very concerned about the current situation with the RMI. Needless to say, failure to come to an agreement will have large implications for U.S.-RMI relations and U.S. interests in the region.

a. What can Congress do to help spur the negotiations?

Response: The Administration appreciates the Committee's interest in advancing negotiations related to the Compacts of Free Association. Holding a hearing on this important issue was very helpful in demonstrating to RMI that our timeline is short to negotiate agreements based on the January MOU between the United States and the RMI. Congressional introduction of the *Compact of Free Association Amendments Act of 2023* would reinforce the message that timely and swift action is required.

Question 5: The administration has characterized this proposal as part of its broader China strategy. However, this proposal seems to do nothing to counter growing PRC influence beyond just giving a large sum of money to the FAS with little oversight.

a. Are we missing something here?

Response: The People's Republic of China (PRC) is seeking to expand its influence in the Freely Associated States and is increasing its coercive activities throughout the Pacific Islands region. As DASD Mohandas explained in his testimony, the absence of economic assistance from the United States could make our FAS partners increasingly vulnerable to PRC economic coercion.

Consistent funding through the implementing legislation provides stability for the FAS and allows their governments to sustain their operations and fulfill their governmental functions, plan for the future, and be responsible stewards of the economic assistance provided by the United States. The Compacts are an important signal to both our partners and our competitors that the U.S. commitment to the FAS is iron-clad.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

SEP 25 2023

The Honorable Cliff Bentz
Chairman
Natural Resources Subcommittee on Water,
Oceans, and Wildlife
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Bentz:

Enclosed are responses prepared by the Department of the Interior to the questions for the record submitted following the May 10, 2023, legislative hearing on *H.R. 524, To amend the Coastal Barrier Resources Act to create an exemption for certain shoreline borrow sites*, *H.R. 615, Protecting Access for Hunters and Anglers Act of 2023*, *H.R. 2689, Trust in Government Act of 2023*, and *H.R. 2872, To amend the Permanent Electronic Duck Stamp Act of 2013 to allow States to issue electronic stamps under such Act*.

Thank you for the opportunity to respond to you on this matter, and we apologize for the delay in our response.

Sincerely,

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

Enclosure

cc: The Honorable Jared Huffman
Ranking Member

Questions for the Record
Subcommittee on Water, Wildlife, and Fisheries
House Natural Resources Committee
Legislative Hearing
May 10, 2023

Questions from Chairman Bentz

Question 1: In 2020, the Service launched phase one of a new electronic permitting system that enables applicants to apply for their permits online. According to the Service, they anticipate completing the full buildout of the ePermits system by FY2028. How much did it cost the Service to launch phase one of the ePermits system?

Response: In FY 2020, the U.S. Fish and Wildlife Service (FWS) released ePermits, a modern, secure, customer-facing online permit system with a \$3.4 million investment. Since FY 2020, the FWS has invested \$20.3 million to improve and expand ePermits to achieve technical milestones such as integrating with Pay.gov and Login.gov, building a library of 85 PDF customer-facing application forms, migrating 71,000 records from the legacy system, launching a technical support feature to help customers using the system, standardizing common application fields, and upgrading the platform. In August 2023, the Service conducted a public satisfaction survey of ePermits users and found that 69% were satisfied with the electronic process, a number the Service aims to increase with continued improvements.

Question 2: The Services' FY24 budget request for ePermits is \$13.5 million, almost double the 2023 enacted levels. Does the Service have an estimate of the total cost of building out the ePermits system?

Response: The FWS requires \$13.5 million in FY 2024 to support build out and required maintenance for the base system of over 80 permit application types, as well as enhancements to include Migratory Birds Program regulatory changes, certain National Wildlife Refuge System Special Use Permits in ePermits, and to transition U.S. permitting under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) from security paper-dependent to fully electronic permits. The FWS will continue to work with the President and Congress to evaluate future needs for successful expansion of ePermits.

Question 3: The Services' ePermits system currently has 50,000 user accounts for 85 available permits, that's just one agency. Does the Department have a sense as to how many permits would need to be made available online to comply with H.R. 2689?

Response: The Department of the Interior does not have an estimate as to the number of permits that would be impacted by H.R. 2689.

Questions for the Record
Subcommittee on Water, Wildlife, and Fisheries
House Natural Resources Committee
Legislative Hearing
May 10, 2023

Question 4: Does the Department have an estimated as to how much it would cost to implement the provisions of HR 2689?

Response: The Department of the Interior does not have an estimate as to how much it would cost to implement the provisions of H.R. 2689. We would anticipate that a new system would require significant funding and substantial agency staffing.

Questions for the Record
Subcommittee on Water, Wildlife, and Fisheries
House Natural Resources Committee
Legislative Hearing
May 10, 2023

Question from Rep. Carl

Question 1: Why is the U.S. Fish and Wildlife Service pursuing a ban of lead fishing tackle and ammunition provisions under the guise of human health impacts, when a Center for Disease Control (CDC) study released by the North Dakota Department of Health show none of those tested had unsafe blood lead levels?

- a. https://www.nps.gov/pinn/learn/nature/upload/Iqbal_2008_Assessment%20of%20human%20health%20risk%20from%20consumption%20of%20wild%20game%20meat%20with%20possible%20lead.pdf

Response: The U.S. Fish and Wildlife Service (FWS) is not pursuing a ban of lead fishing tackle and ammunition. The FWS mission, which is grounded in the laws that mandate our work, is to work with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people. Consistent with our mission, the FWS' primary basis for any decisions regarding lead ammunition and tackle is the negative impact of lead ammunition and tackle on fish and wildlife health, based on the best available, peer-reviewed science. At the handful of specific stations where the FWS has decided to require the use of non-lead ammunition and tackle, we have made those decisions to reduce a known threat to wildlife species while still providing access to hunters and anglers.

Although it is not the primary basis for FWS decision-making related to lead ammunition and tackle use on specific national wildlife refuges, we note that the Center for Disease Control (CDC) study cited in the question does not support an assertion that lead ammunition and tackle are without harm to human health. On the contrary, the study, together with others, provides clear evidence that there are human health impacts from bioaccumulated lead, and thus reason to be cautious about the use of lead ammunition from that perspective.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

SEP 26 2023

The Honorable Brian Schatz
Chairman
Committee on Indian Affairs
United States Senate
Washington, D.C. 20510

Dear Chairman Schatz:

Enclosed are responses prepared by the Office of the Assistant Secretary for Indian Affairs to questions for the record submitted to the Department's witness, Bryan Newland, Assistant Secretary – Indian Affairs, following his appearance at the July 12, 2023, legislative hearing 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 Lisa Murkowski
Ranking Member

Questions for the Record
Senate Committee on Indian Affairs
Legislative Hearing
July 12, 2023

Questions from Senator Smith

Question 1. Can you describe the Department of the Interior's work to determine which parcels of land will be transferred into trust for the Leech Lake Band pursuant to the Leech Lake Band of Ojibwe Reservation Restoration Act, P.L. 116-255?

Response: The Department's Midwest Regional Office and Minnesota Agency are supportive of the United States Forest Service (USFS), Bureau of Land Management (BLM), and the Leech Lake Band of Ojibwe's efforts to ensure the implementation of the Leech Lake Reservation Restoration Act is seamless and quick. The selection of the parcels that will ultimately be transferred has been accomplished through a collaborative process between the USFS and the Leech Lake Band of Ojibwe. The Bureau of Indian Affairs has not been involved in the selection process. The BLM has reviewed the legal descriptions of the parcels and has led the partition and survey of the parcels pursuant to the Plan of Survey outlined in P.L. 116-255.

Question 2. The Department of the Interior's Solicitor Memorandum, dated August 20, 1979, states that the allotments sold through Secretarial Transfers were sold illegally, without the "unanimous consent [of all heirs]." S.616 mistakenly refers to the "majority of rightful landowners." I intend to correct this drafting error in the future. With this change, does the Department support the bill?

Response: The Department supports the recommended change.