

U.S. Senate Committee on Energy and Natural Resources
September 7, 2017 Hearing: Pending Nominations
Questions for the Record Submitted to Mr. Joseph Balash

Questions from Chairman Lisa Murkowski

Question 1: Ambler Mining District — Mr. Balash, I want to ask you a question about the Ambler Road Project. As you know, the Alaska Industrial Development and Export Authority, or AIDEA, submitted an application to the Department of the Interior for an access road over a short stretch of Park Service and BLM lands more than a year ago. I've heard concerns about the timelines for the project, the lack of adequate interagency coordination, and the failure of the Department to align the permitting process with the requirements of the Alaska National Interest Conservation Lands Act (ANILCA) that require the project to be expedited.

- a. If confirmed, will you make it a priority to get the environmental reviews, project scoping, and other requirements on track so we can get this project moving and—hopefully—approved on an appropriate time scale?

Response: Yes - if confirmed, I will get up to speed on the Department's work on this issue. I will also focus on making coordination, analysis, and permitting processes under the auspices of the Assistant Secretary for Land and Minerals Management more efficient and timely.

Question 2: Ambler Mining District — Another aspect of this Ambler Road project that I want you to review is the addition of broadband infrastructure. It makes good sense to look at this kind of thing at the same time as the access road and it should not be a cause of delay. It is my understanding this once part of the project, but at some point the Department determined it had to be handled separately.

- a. Will you commit to review the project to look at whether broadband infrastructure can be added back in?

Response: Yes. If confirmed, I commit to looking into this issue in greater detail.

Questions from Ranking Member Maria Cantwell

Question 1: The Secretary's recent Secretarial Order and implementation memorandum regarding the greater sage-grouse indicate an attempt to shift focus from improving and conserving habitat to using narrow population targets and breeding programs. Sustainable population levels and goals are critical, but the science is clear that the way to actually reach these levels is to restore sufficient sage grouse habitat.

Will you commit to follow the science and ensure that conserving sage grouse habitat is a priority under your leadership?

How will you ensure that the Bureau of Land Management follows a range-wide, science-based, collaborative approach to conserving sage grouse habitat?

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Response: While I am not at the Department and not familiar with this policy, as a general matter, I recognize that science is critical to the Department's mission, and scientific integrity should underpin the Department's actions.

Question 2: In January, the Bureau of Land Management (BLM) issued over 1,000 pages of analysis of the inadequacy of the coal leasing program. Before the completion of that analysis, coal leasing had not received a comprehensive review since the 1970s. Since the Administration lifted Secretary's Jewell's suspension of new coal leasing and suspended the preparation of a new programmatic environmental impact statement, the BLM is once again authorized to lease coal under assumptions informed by the 1973 oil embargo and using science that pre-dates our modern understanding of climate change. Independent observers, including the Government Accountability Office, have identified several ongoing problems in the leasing program. For example, the western coal industry is structurally non-competitive: nearly every lease sale since the 1990s has had only a single bidder.

Are you aware of any existing deficiencies in the coal leasing program, and how do you plan to address them?

Response: One of Secretary Zinke's priorities is to support the Administration's energy plan and increase development of coal resources on public lands as well as look at improvements in the program to benefit the public interest. If confirmed, I would look forward to becoming more informed on this issue.

Question 3: The Surface Mining Control and Reclamation Act (SMCRA) allows but does not require states and the federal government to accept self-bonds from some companies as a form of financial assurance for coal mine reclamation. In the last several years, over \$3 billion of self-bonds under SMCRA were affected by industry bankruptcies. The GAO reported earlier this year that coal is the only onshore federal commodity that can self-bond. Oil and natural gas cannot. Wind and solar cannot. Hardrock mines cannot. The GAO is currently conducting an audit of federal and state self-bonding practices.

Are you aware of how exposed taxpayers have recently been to potentially picking up the cost of reclaiming mines covered by self-bonds?

Will you commit to reviewing the GAO's final audit, upon its completion, and supporting potential changes to reduce the risk to taxpayers of private companies with self-bonds going bankrupt?

Response: If confirmed, I will commit to get informed on this issue, to review the GAO's final audit when it is completed, and to consider appropriate audit recommendations.

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Question 4: As you know, in 2014 the State of Alaska sent the Bureau of Land Management a request to modify the western boundary of the Arctic National Wildlife to exclude approximately 20,000 acres of land and to make those lands available for selection by the State. You are quoted in the Alaska Journal of Commerce as saying “our hope is that the BLM will move quickly to convey the lands so we can offer them for leasing.” Given your role with the State of Alaska in advocating the transfer of these lands to the state, will you recuse yourself from any matters or deliberations involving this issue or from any reconsideration of the State’s claim by the Department of the Interior?

Response: As I indicated at the hearing, I will consult with the Department’s Designated Agency Ethics Official regarding this matter and fully comply the ethics rules of the agency.

Questions from Senator Ron Wyden

Question 1: When working on difficult forestry issues, which I’ve been doing for over 20 years, you learn that no one gets everything they want but everyone must get something they need. My O&C bill brings people together, it gets the harvest up, and it protects bedrock environmental laws. I understand the urge to streamline process, but forestry policies that stack the deck in favor of one side won’t work, particularly if you’re interested in rebuilding faith in the federal government.

Litigation reform bars the path to the courthouse and sufficiency language essentially hands forests over to just one side of the debate. Coupled together, you create a scenario where the actions of one side are deemed automatically compliant and the other side has no way of challenging the action. That’s the definition of stacking the deck and it will drive the two sides of an issue further apart, rather than bringing them together in a collaborative way.

How would you encourage collaboration in forestry while balancing the needs of all interests and avoiding reforms, like sufficiency language, that hand the entire deck over to one side?

Response: I believe in the value of bringing all interested parties to the table and working in a collaborative manner to identify common ground and solutions to complex issues. If confirmed I commit to employ this sort of collaborative approach to complex issues like management of the O&C lands.

Question 2: I have a bill, the Recreation Not Red-Tape Act, that cuts the bureaucratic red tape that stands in the way of getting more people outdoors and opening access to America’s special

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places. Recreation is an economic driver, particularly in rural areas, with studies showing recreation is a \$646 billion economy.

As Assistant Secretary, will you commit to working with me on my bill and prioritizing outdoor recreation and its vast economic potential on public lands, without sacrificing critical environmental protections?

Response: If confirmed, I commit to working with you and other members of Congress to ensure appropriate access for outdoor recreation on our public lands.

Question 3: I have a bill, the Wildfire Disaster Funding Act that I initiated the last several congresses. It's an unfortunate reality that the cost of fighting fires climbs every year as fires get bigger and hotter. Our legislation would end the practice of "fire borrowing" and ensure stable and predictable funding for fire prevention and forest health activities going forward. But by funding efforts to fight the largest and most destructive wildfires from emergency accounts, federal agencies can stop raiding their own accounts and instead, use those funds as they were intended - to cover hazardous fuel and other forest health treatments that can make the forests healthier and less prone to fires.

While the issue of wildfire funding has been primarily a Forest Service issue, wildfires don't pay any attention to jurisdictional borders and they don't care who manages the land they're burning, so as Assistant Secretary, this is an issue you'll have to address.

Do you think the practice of fire borrowing should be ended?

Do you think controlling the 10-year average cost of fires by freezing it at a certain level, or using some other budget control tool so it doesn't continue to erode the agency budgets, help the agencies better budget for and fund fires in the future as well as fund other non-fire programs in forest management and recreation?

Response: I believe a long-term solution to this problem is needed, and if confirmed I commit to working with Congress on seeking a solution.

Question 4: I'm sure you're aware of the situation that unfolded at the Malheur National Wildlife Refuge in Harney County Oregon last year and the disruptions it caused in the local communities. I was grateful that federal officials coordinated closely with the County Sheriff and Commissioners to ensure that community members were safe and that the rule of law was preserved. Incidents like this, led by extremists, that compromise our public lands are very concerning and I'm just glad it ended without escalating further.

If you are confirmed as the Assistant Secretary of the Interior for Land and Minerals Management, you will be in charge of managing National Wildlife Refuges, Wilderness Areas,

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and recreation lands, in an era where hostility toward federal lands and federal officials is all too common.

What will you do to ensure the protection of not only our incredible public lands that have been set aside by Republican and Democratic Presidents and Congresses, but also the protection of your employees, like the employees at the Malheur Refuge, who are not just federal employees, but Oregonians?

Can you help me understand your stance on public land ownership and tell me whether you think that public lands should remain in federal ownership or be sold or transferred to states or other jurisdictions?

Response: To clarify, the National Wildlife Refuge System is managed by the U.S. Fish and Wildlife Service and is not under the jurisdiction of the position for which I have been nominated. To the larger point, Secretary Zinke and President Trump have both made clear the policy of this administration is to retain federal ownership of public lands with few exceptions or qualifications. I fully understand this and commit to work in support of their guidance.

In order to mitigate the calls for transferring ownership to states, counties, and private individuals, the BLM and other federal agencies need to restore trust and confidence in their ability to manage these holdings. I know that Secretary Zinke has stated that he wants the Department to be a good neighbor, and if confirmed, I will coordinate with our staff on the ground to identify and resolve matters and grievances similar to those encountered at Malheur National Wildlife Refuge.

Question 5: I think it is about time the American taxpayer get a fair, market-value, return on the coal, oil and natural gas extracted from public land. The Government Accountability Office (GAO) found, that in order to get a fair return on oil and gas from public lands, the BLM should update its more than 30-year old rules on the venting and flaring of gas.

Using GAO's estimates about the amount of federally owned natural gas that is wasted due to venting and flaring, over \$63.5 million in royalties was lost, over \$31.1 million to individual states in 2013 alone. A federal court in Wyoming refused to enjoin the BLM's wasted gas rule on January 16. The court found that the rule was "unambiguously" within the BLM's authority to regulate oil and gas development for the prevention of waste, has economic and environmental benefits, will not impinge on states' sovereign interests, and will not cause significant economic burden to states or oil and gas companies. This is millions of dollars that could go to state infrastructure needs, schools, and emergency services.

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Do you believe that states should be receiving this money instead of allowing companies to waste American energy resources and not give the American public their due?

Do you believe the BLM has the authority to regulate oil and gas production on federal lands so as to prevent waste? If so, how do you plan to make sure that states are getting the money they should from wasted natural gas?

Response: As I stated at the hearing, royalties and rents collected represent the public's ownership interest in the subsurface mineral estate that belongs to all of us. I believe establishing what is charged for produced resources has to be done with an eye toward earning a return for the taxpayers, but in a way that also keeps in mind the circumstances under which those resources can be extracted.

Question 6: The Land and Conservation Fund (LWCF) has been an important source for state and local outdoor recreation facilities, state park improvements, and public park land acquisition. However, federal funding programs like the LWCF often involve a lot of "red tape" which can make them inaccessible to small rural communities with limited staff and resources.

Would you be willing to re-examine any of the rules and regulations related to applying for and using federal funds such as the LWCF monies?

Response: The Secretary supports the LWCF and has recognized the good work that has been accomplished for local communities and outdoor recreation across the nation with this program. If confirmed, I will support the Secretary's goals and priorities for this important program.

Question 7: Renewable energy projects can be important drivers of economic development in rural communities, often supplementing the income of farmers and ranchers and raising needed tax revenue for small towns. In fact, 79% of electricity power generation jobs in Oregon are in wind and solar, according to the Energy Information Administration. Yet we must balance the need for clean energy with the need to protect wilderness and fragile habitat.

What will you do to ensure the Department of Interior continues to support the responsible construction of renewable energy projects on public lands?

Response: This is an issue with which I have considerable experience. As I indicated at the hearing, during my time working for the State of Alaska I was part of a team that helped to deliver a goal for the State to achieve half of its electric generation by renewable sources; I worked with the legislature on a renewable energy fund to help raise capital for communities interested in developing renewable sources of power as an alternative to the typical diesel power; and I have worked on wind and a variety of geothermal projects. I have taken a balanced approach to energy development and would continue that approach, if confirmed.

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What are your plans for the siting and leasing processes for offshore renewable energy development, such as wind and marine hydrokinetic? How do you plan to involve other maritime industries, such as fishing and shipping, to ensure that the development of offshore renewable energy is collaborative?

Response: I am not at the Department and would need to learn more about the specific processes currently in place in order to have an informed response. However, as Commissioner of the Alaska Department of Natural Resources I had success working in a collaborative manner, with entities within and outside the DNR, to streamline and reform programs. I would carry that experience to my position within the Department of the Interior.

Question 8: The American Association for the Advancement of Science (AAAS) and American Geophysical Union has made the following statement: “The scientific evidence is clear: global climate change caused by human activities is occurring now, and it is a growing threat to society.” When former DOI Secretary Sally Jewell spoke of scientific integrity policies, she stated that the Department must be a leader in the federal efforts for robust scientific integrity policies because “science is the very foundation of our mission.”

In general, what do you see as your role and the role of the Department of Interior in combating climate change?

Response: If confirmed, I look forward to fulfilling the Department’s mission, while adhering to the statutory authority Congress has granted the Department to oversee and manage our public lands and resources in the best interest of American taxpayers. It is important that we strike the appropriate balance between meeting our energy needs and protecting the environment.

What would be your plan to ensure that the Department’s integrity policies remain robust and reliable?

Response: If confirmed, I commit to learning more regarding these policies.

Questions from Senator Bernard Sanders

Climate Change

Question 1: President Trump has suggested in the past that climate change is a hoax. Is the President correct? Is climate change a hoax?

Response: I believe climate change is not a hoax and that man has an influence.

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Question 2: Do you agree with the vast majority of scientists that climate change is real, it is caused by human activity, and that we must aggressively transition away from fossil fuels toward energy efficiency and sustainable energy like wind, solar, and geothermal?

Response: Man does have an influence on climate change, and the Department should continue to play a role in facilitating the production of conventional and renewable energy in order to meet our nation's critical energy needs.

Question 3: Do you agree with the vast majority of scientists that the combustion of fossil fuels contributes to climate change?

Response: Yes.

Question 4: Do you believe that the Department of the Interior has a role in reducing the extraction and use of fossil fuels?

Response: As I noted during the hearing, it will be my responsibility to strike the appropriate balance between conservation and extraction on our nation's public lands. I am not aware of any statutory authority that mandates the reduction in use of fossil fuels.

Question 5: If confirmed, how will you work to address climate change?

Response: If confirmed, I look forward to fulfilling the Department's mission, while adhering to the statutory authority Congress has granted the Department to oversee and manage our public lands and resources in the best interest of American taxpayers. It is important that we strike the appropriate balance between meeting our energy needs and protecting the environment.

Congressional Relations

Question 6: If confirmed, do you commit to assuring staff in the Office of Land and Minerals Management will respond to all relevant inquiries from all Members of Congress, regardless of party or position?

Response: I believe that transparency and collaboration are necessary for successful public policy. As such, I commit to you that, if I am confirmed, my office will appropriately respond to all relevant congressional inquiries.

Energy Policy

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Question 7: What are the policy implications of the President's America First Energy Plan for the Department of the Interior? As Assistant Secretary for Land and Minerals Management, how would you implement the plan?

Response: The President's America First Energy Plan will lead to increased domestic energy production, increased domestic employment associated with that production, and increased private investment in domestic energy infrastructure. These and other outcomes will contribute to a stronger American economy, and American energy independence.

Fossil Fuels

Question 8: According to recent studies, the quantity of federal fossil fuels already under lease exceeds the amount that can be burned and still meet our commitments to reduce domestic greenhouse gas emissions, keeping average global temperature below 2 degrees Celsius. The Department of the Interior is responsible for managing fossil fuel development on public lands and waters. How will you ensure federal fossil fuel leasing decisions are consistent keeping global temperature increases below two degrees Celsius?

Response: The Department of the Interior is responsible for managing energy development on federal lands and waters. Energy demand is a critical component of the nation's economy and security, and it is important to ensure adequate supply. If confirmed, I would do my best to ensure that development on public lands and waters is managed to meet those needs, and includes the responsible use of the full complement of available energy resources, including fossil fuels and renewable sources like wind, solar and geothermal.

Question 9: President Trump campaigned on the promise of bringing the coal industry back and restoring thousands of coal jobs. Many economic and policy analysts agree that the decline in coal production has more to do with the increase in natural gas production than environmental regulations. What is your assessment?

Response: Economic factors like market prices are certainly a factor in the relative demand for different energy feedstocks like natural gas and coal. However, applying heavy-handed regulatory pressures upon specific feedstocks, such as coal, can send signals to the markets and become a driving force behind the prevailing commodity prices.

Question 10: What role do you think the Department of the Interior can play in transitioning our country away from fossil fuels?

Response: I do not believe it is the role of the Department of the Interior to transition our country away from fossil fuels, unless given direction from Congress.

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Question 11: Will you encourage wind and solar generation on lands managed by the Department of the Interior?

Response: If confirmed, I will be committed to ensuring the Department responds efficiently and effectively to market demands for all authorized available energy resources on the public lands and waters.

Question 12: Do you agree that there are places that are too unique, either for historical, cultural, environmental, wildlife, or similar reasons, to open up to fossil fuel development?

Response: Unique features such as those you mention are important to consider when determining how to manage public lands and waters.

Question 13: President Obama withdrew significant portions of the Arctic and Atlantic Oceans from oil and gas development. The reasons he cited for this action include the irreplaceable value of these waters for Indigenous, Alaska Native, and local communities' subsistence activities, economies, and cultures; protection of wildlife and wildlife habitat; promotion of scientific research; and the vulnerability of these ecosystems to an oil spill, which would present significant logistical, operational, safety and scientific challenges for extraction and spill response. In addition, President Obama noted that by the time oil production could begin in these areas, our nation needed to be well on our way to transitioning to clean, renewable energy sources.

BOEM recently initiated a new National Outer Continental Shelf Oil and Gas leasing program to modify President Obama's withdrawal and open these areas for lease consideration. Notwithstanding DOI's statutory requirement to analyze all available leasing areas, if confirmed, will you commit to implementing the highest environmental protections for the Atlantic Region, Pacific Region, and Alaska Region, including the Beaufort, Chukchi, and North Aleutian Basin Planning Areas commensurate with those provided by the Obama Administration?

Response: As I mentioned in my opening statement, I believe that with the right approach, you can have responsible development without sacrificing clean air and water. If confirmed, the pursuit of that approach will be a guiding principle.

Question 14: As we have seen with Hurricane Harvey, the Gulf of Mexico and Gulf Coast communities are on the front lines of climate disruption and fossil fuel extraction. Many communities, primarily low-income and communities of color, suffer daily from environmental injustices related to the fossil fuel industry. If confirmed, would you support action to extend or make permanent the drilling moratorium in the Eastern Gulf of Mexico? If confirmed, will you commit to phasing out fossil fuel development and promoting a just transition to a clean, renewable energy-based economy along the Gulf Coast?

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Response: I am advised that the Eastern Gulf of Mexico Planning Area is restricted from development until 2022 under the Gulf of Mexico Energy Security Act of 2006. I am not aware of a Department position on extension of the current restrictions, but I look forward to learning more about the issue if confirmed. If confirmed, I will pursue an all-of-the-above energy strategy in keeping with the President's and Secretary's visions.

National Monuments

Question 15: The 1906 Antiquities Act allows the president to proclaim "historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States" to be national monuments. At his nomination hearing, Secretary Zinke said of rescinding a national monument, "legally, it's untested." Since then, Secretary Zinke has proposed shrinking the Bears Ears, Cascade-Siskiyou, and Grand Staircase-Escalante national monuments. Do you believe that the President has the legal authority to overturn or alter an existing national monument designation?

Response: I understand that the final decision on monuments rests with the President, and I expect that the President will be seeking the counsel of his attorneys with respect to this question.

Public Lands

Question 16: Under what conditions do you believe it is appropriate to transfer federal lands to private ownership?

Response: If legally authorized by Congress, and in the best interests of the United States, it may be appropriate to transfer federal lands to private ownership. However, I note that Secretary Zinke has repeatedly stated that he does not support the transfer of federal lands, and, if confirmed, I will support the policies of the Secretary.

Question 17: Under what conditions do you believe it is appropriate to transfer federal lands to state ownership?

Response: If legally authorized by Congress, and in the best interests of the United States, it may be appropriate to transfer federal lands to state ownership. However, I note that Secretary Zinke has repeatedly stated that he does not support the transfer of federal lands, and, if confirmed, I will support the policies of the Secretary.

Question 18: If confirmed, how will you address issues of inequality in access to public lands?

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Response: If confirmed, I commit to working with you and members of Congress to ensure appropriate access to public lands.

Question 19: How would you describe the economic and environmental value of public lands?

Response: I believe that our public lands have significant economic and environmental value to our nation.

Question 20: According to the Outdoor Industry Association, the outdoor recreation economy generates \$887 billion in economic activity and 7.6 million American jobs. The association claims that it is a stronger economic sector than oil and gas, motor vehicles and accessories, and pharmaceuticals. Do you concur with this economic assessment? Does the economic significance of outdoor recreation affect your support for maintaining public lands for recreation purposes in contrast to other uses?

Response: I am not familiar with the economic assessment of the Outdoor Industry Association. However, as I stated at my hearing, I support public lands for recreation and for other uses. I believe that, with the right approach, you can have responsible development without sacrificing clean air and water. If confirmed, I will work to produce this value for the American people.

Land and Water Conservation Fund

Question 21: Created by Congress in 1965, the Land and Water Conservation Fund (LWCF) was a bipartisan commitment to safeguard natural areas, water resources and our cultural heritage, and to provide recreation opportunities to all Americans. National parks like Rocky Mountain, the Grand Canyon, and the Great Smoky Mountains, as well as National Wildlife Refuges, national forests, rivers and lakes, community parks, trails, and ball fields in every one of our 50 states were set aside for Americans to enjoy thanks to federal funds from the Land and Water Conservation Fund (LWCF). The LWCF is critical to the protection and preservation of the many landscapes that drive the \$887 billion outdoor recreation economy.

The Administration's "skinny" budget included a direct attack on federal land conservation, proposing to drastically slash funding for this bipartisan priority. The temporary extension of the LWCF expires September 30, 2018. If confirmed, will you support the LWCF, and continuing to expand public access to parks, forests and trails?

Response: I know that Secretary Zinke supports the LWCF and has recognized the good work that has been accomplished across the nation with this program. If confirmed, I will support the Secretary's goals and priorities in support of this important program.

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Question 22: The LWCF makes incredibly important investments in my state, protecting federal units like the Appalachian Trail and the Conte National Fish and Wildlife Refuge and working in public-private partnership through the Forest Legacy Program to preserve working forests and keep jobs in the woods. If confirmed, will you commit to supporting permanent reauthorization and full, dedicated funding of this program, as Secretary Zinke did in his confirmation hearing?

Response: If confirmed, I will support the Secretary's LWCF goals and priorities.

Question 23: Natural and recreational infrastructure is critical to clean water, healthy families, safe neighborhoods and continued growth and jobs in our extremely productive outdoor recreation economy. Our National Parks and public lands are in need of continued investment in conservation as well as maintenance. Do you agree that the LWCF represents an infrastructure investment necessity that drives economic production, growth, and employment in America every bit as much as do road and bridge construction, water resource development, and other public works projects?

Response: I understand good work has been accomplished across the nation with the LWCF program. However, I would not characterize the program as the infrastructure equivalent to road and bridge construction, water resource development, and other public infrastructure projects. I do commit though that, if confirmed, I will support the Secretary's goals and priorities in support of the LWCF program.

Question 24: Should you be confirmed, will you commit to supporting an annual budget that allocates all of the annual \$900 million from the LWCF account to the programs identified by Congress each year in the appropriations bill?

Response: If confirmed, I will support the Secretary's LWCF goals and priorities.

Science

Question 25: In order to protect scientific integrity, the Department of the Interior created a Scientific Integrity Policy, which all career, political, and contract employees must adhere. There are now designated Scientific Integrity officers, who are career employees in each bureau to review and adjudicate any discrepancies. Do you commit to supporting this policy?

Response: If confirmed, I commit to learning more regarding this policy. I agree with Secretary Zinke that scientific integrity should underpin agency actions.

Question 26: Do you commit to respecting all decisions that come from these Scientific Integrity Officers?

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Response: Should I be confirmed for this position, I will work collaboratively with my colleagues in the Department to ensure sound science underpins Departmental actions.

Question 27: Do you commit to personally signing the Scientific Integrity Policy, and sharing with this committee a copy of that document?

Response: If confirmed, I look forward to the opportunity to review the details of the Scientific Integrity Policy; however, as a general matter I intend to uphold the Secretary's commitment to ensure Departmental actions are consistent with scientific integrity practices and policies.

Tribal Rights

Question 28: Indian Affairs is the oldest bureau of the Department of the Interior. Throughout history and even today, the United States government has treated the Native American people with disrespect, abrogating treaty obligations and its trust responsibility. As a result, there are Native American communities living in unbelievable poverty with high unemployment rates and unspeakably high youth suicide rates. Do you agree with these assertions? If so, what do you propose to do in your role at the Department to improve life for the Native American people throughout this country?

Response: While serving in the Alaska Department of Natural Resources, I worked directly with Native Alaskan communities in remote locations and witnessed their hardships firsthand. I am fully committed to collaborating with tribes, state, local and other federal agencies in appropriate circumstances, and in carrying out meaningful consultation. This includes not just following the law, but paying attention to and taking into account the needs and concerns of tribes.

Question 29: The federal government's moral and legal obligations to tribes in light of the trust responsibility carry immense moral and legal force. This trust relationship serves as an underlying basis for tribal consultation, the process by which the government engages in a meaningful, good-faith dialogue with all tribes. The Department of the Interior, by virtue of its role in Native American affairs, plays a prominent part in how the government engages in tribal consultation.

In the wake of the Dakota Access Pipeline, three federal agencies, including the Department of the Interior, published a report in January 2017 entitled, "Improving Tribal Consultation and Tribal Involvement in Federal Infrastructure Decisions." The subject of months-long consultation across Indian country, this report sets forth a number of recommendations to improve the process for permitting and infrastructure development. What steps do you intend to take to incorporate this report into your decision making process?

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Response: I am not familiar with the report you reference, but as I indicated at the hearing I am fully committed to following the law and, more importantly, to paying attention to and taking into account the needs and concerns of tribes.

Wild Horse Management

Question 30: Do you have plans to change or modify the Bureau of Land Management's wild horse management plan? If so, what changes would you recommend?

Response: I will engage Congress, state officials, and local communities to identify a path forward on this matter.

Questions from Senator Al Franken

Question 1: Mr. Balash, in many ways, your home state of Alaska is at the forefront of climate change impacts. Due to melting permafrost and rising sea levels, entire Alaska Native villages have to relocate. The Department of the Interior under the last Administration recognized climate change impacts and devoted resources to help these Alaskan Native communities. And yet in this current administration there have been numerous reports of climate scientists being silenced, including a DOI scientist and policy office head who was removed from his post and moved to an accounting position in which he had no experience. He believes he was moved by the Secretary in retaliation because he spoke out about the impacts of climate change on Alaska Native communities.

- a. If you are confirmed, you will be charged with making management decisions for our federal public lands. Will you ensure that science is the basis of management decisions?
- b. Do you believe that climate change is caused by human activity as scientists have determined?
- c. Will you protect the Department's scientists and experts and ensure that they are free to express views and not retaliated against for doing their jobs?

Response to a, b, and c: Yes.

Question from Senator Steve Daines

Question: Mining and energy production are some of the backbones of Montana's economy. They provide reliable and high paying jobs, as well as providing needed minerals, coal, and energy to Montana and the world. As Assistant Secretary for Land and Minerals, will you work with me to ensure federal mineral production continues in a responsible manner?

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Response: Yes.

Question from Senator Joe Manchin III

Question 1: The President's budget proposes eliminating the Abandoned Mine Lands Economic Development Pilot Program which was part of the POWER Initiative. West Virginia has experienced a steep decline in coal production, and these funds go to communities directly impacted by the downturn of the coal industry. Furthermore, these funds were used for economic revitalization such as education initiatives for unemployed miners, investing in new infrastructure and advancing business development. This pilot program was unique because it included funding for abandoned mine land reclamation efforts in three states with great need: West Virginia, Pennsylvania, and Kentucky. The budget justification calls for the elimination of the program because it overlaps with existing mandatory AML grants. Unfortunately, because of the current formula, Appalachian States do not receive significant AML funds despite the fact that the area has been impacted the hardest by the downturn of the coal industry. I introduced the RECLAIM Act of 2017 to help with that but the budget raised a red flag for me.

Will you commit to working with me to find ways to promote the economic revitalization of the Appalachian region through reclamation?

Response: If confirmed, I would appreciate the opportunity to work with you further on this issue.

Questions from Senator Bill Cassidy

Question 1: Alaska and Louisiana share a common trait. The exploration and production of offshore energy helps stimulate our state economies and ultimately, benefits the nation. The Department has begun the process of executing a new 5-year OCS lease plan. How can we achieve the President's goals of energy dominance in this new plan? And what goals and objectives do you have, if any, for this new plan?

Response: The President seeks to increase responsible production of our energy resources, which will create jobs and increase revenue. I share that goal and look forward, if confirmed, to joining Secretary Zinke in the development and execution of a new 5-year plan as part of this effort.

Question 2: Last month the Energy Information Administration (EIA) published its short-term energy outlook. EIA forecasts West Texas Intermediate (WTI) spot prices to average \$50/b in 2018. EIA also estimates that natural gas prices will rise incrementally from a 2017 annual

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average of \$3.06/MMBtu to \$3.29/MMBtu in 2018. With that in mind, how can the Department increase onshore and offshore development while still maximizing the return to the US taxpayer?

Response: I believe it is important to incent development of our natural resources in order to best benefit the public interest, and I look forward to working with Secretary Zinke to advance the President's energy agenda, if confirmed.