



**To:** Subcommittee on Water, Oceans and Wildlife Republican Members  
**From:** Subcommittee on Water, Oceans and Wildlife Republican Staff; Kiel Weaver ([Kiel.Weaver@mail.house.gov](mailto:Kiel.Weaver@mail.house.gov)), Annick Miller ([Annick.Miller@mail.house.gov](mailto:Annick.Miller@mail.house.gov)), and Rob MacGregor ([Robert.MacGregor@mail.house.gov](mailto:Robert.MacGregor@mail.house.gov))  
**Date:** July 19, 2021  
**Subject:** Hybrid Oversight Hearing titled “Examining the President’s Fiscal Year 2022 Budget Proposal for the U.S. Bureau of Reclamation, U.S. Geological Survey, U.S. Fish and Wildlife Service, and National Oceanic and Atmospheric Administration”

---

On **Wednesday, July 21, 2021 at 10:00 a.m. EDT, in room 1324 Longworth Hearing Room and online via Cisco Webex**, the Subcommittee on Water, Oceans, and Wildlife will hold a hybrid oversight hearing titled “Examining the President’s Fiscal Year 2022 Budget Proposal for the U.S. Bureau of Reclamation, U.S. Geological Survey, U.S. Fish and Wildlife Service, and National Oceanic and Atmospheric Administration.”

Member offices are requested to notify Annick Miller ([Annick.Miller@mail.house.gov](mailto:Annick.Miller@mail.house.gov)) **no later than Tuesday, July 20, at 4:30 p.m. EDT**, if their Member intends to participate in person in the hearing room or remotely from his/her laptop from another location. Submissions for the hearing record must be submitted through the Committee’s electronic repository at [HNRCDocs@mail.house.gov](mailto:HNRCDocs@mail.house.gov). Please contact David DeMarco ([David.DeMarco@mail.house.gov](mailto:David.DeMarco@mail.house.gov)) or Everett Winnick ([EverettWinnick@mail.house.gov](mailto:EverettWinnick@mail.house.gov)) should any technical difficulties arise.

## I. KEY MESSAGES

- Natural Resources Republicans are focused on promoting access, conservation, innovation, and transparency. The Biden administration’s budget, released months behind schedule and at a time when they hoped nobody would pay attention, falls short on all of these goals and fails to deliver real economic or environmental benefits for the American people.
- The administration’s proposals (or lack thereof, in some cases) on combatting drought and related-wildfire issues and higher energy prices is disappointing. Furthermore, potential listing of endangered species and making the Endangered Species Act more onerous will only undermine true, local-based conservation measures.



- The administration’s failure to incorporate robust state data and involvement on fisheries, such as the red snapper, is unacceptable

**II. WITNESSES** *(listed in alphabetical order)*

- **Dr. Don Cline**, Associate Director for Water Resources, U.S. Geological Survey, Reston, Virginia
- **Mr. Stephen Guertin**, Deputy Director for Program Management and Policy, U.S. Fish and Wildlife Service, Washington, D.C.
- **Mr. David Palumbo**, Deputy Commissioner, Operations, Bureau of Reclamation, Washington, D.C.
- **The Honorable Richard Spinrad**, National Oceanic and Atmospheric Administration Administrator and Under Secretary of Commerce for Oceans and Atmosphere, Washington, D.C.

**III. BACKGROUND**

The Subcommittee on Water, Oceans and Wildlife oversees the following agencies within the Department of the Interior (DOI) and the Department of Commerce (Commerce):

- **U.S. Fish and Wildlife Service** activities including the Endangered Species Act, migratory birds, the Marine Mammal Protection Act, the national wildlife refuge system, wildlife and sport fish restoration, and the Lacey Act;
- **National Oceanic and Atmospheric Administration (NOAA)** matters relating to commercial and recreational fisheries, the Endangered Species Act, the Marine Mammal Protection Act, coastal zone management and other marine resources;
- **Bureau of Reclamation (Reclamation)** jurisdiction including multi-purpose storage reservoirs in western states, federal irrigation projects, water recycling and desalination, and Indian water right settlements; and
- **U.S. Geological Survey (USGS)** activities relating to water and wildlife research (this hearing only focuses on water matters).

**Budget Top-Line**

Although there are numerous issues within each agency, this briefing paper focuses on major topics within each agency’s jurisdiction. Specific agency budget breakdowns are below (note: only main accounts are included; numbers are rounded; for a full breakdown please contact Committee staff).

Agency	FY 2020 Actual	FY 2021 Enacted	FY 2022 Request	Change
<b>U.S. Fish and Wildlife Service</b>	\$2.95 billion	\$3.23 billion	\$3.55 billion	\$320 million

<b>NOAA</b>	\$5.69 billion	\$5.74 billion	\$6.98 billion	\$1.24 billion
<b>Reclamation</b>	\$2.12 billion	\$1.9 billion	\$1.78 billion	-\$120 million
<b>USGS (Water Division)</b>	\$234 million	\$263 million	\$288 million	\$25 million

### U. S. Fish & Wildlife Service (Service)

The Service is responsible for implementing the Endangered Species Act (16 U.S.C. 1531, ESA), the Migratory Bird Treaty Act (16 U.S.C. 703-712, MBTA), the Marine Mammal Protection Act (Public Law 92-522), the Lacey Act (16 U.S.C. 3371-3378), and international agreements like the Convention on International Trade in Endangered Species (CITES). The Service has over 700 field stations, which include 568 National Wildlife Refuges, 70 National Fish Hatcheries and one historic fish hatchery, 51 Fish and Wildlife Conservation Offices, 80 Ecological Services Field Stations, nine Fish Health Centers, and seven Fish Technology Centers. The Service manages more than 850 million acres of lands and waters, including 568 national wildlife refuges, 38 wetland management districts, 49 coordination areas, seven National Monuments, and 760 million acres in Marine National Monuments.<sup>1</sup> As noted above, the Fiscal Year (FY) 2022 budget request represents a \$320 million increase from the enacted FY2021 level. The stated primary reasons for the increase are to increase staffing at the Service by 917 full time employees,<sup>2</sup> “address the impacts of climate change,”<sup>3</sup> bolster maintenance and construction,<sup>4</sup> and acquire zero emission vehicles.<sup>5</sup> Specifically, a large part of the proposed increase is a \$270.6 million bump for the Resource Management account “to address climate change.”<sup>6</sup>

*ESA Regulations* – In the current and next fiscal year, the Biden administration will continue to make revisions to ESA regulations, namely aimed at reversing those regulations promulgated by the Trump administration. The Trump administration’s regulations aimed to improve and streamline the federal permitting process and increase incentives for proactive conservation work to help save species.<sup>7</sup> However, in June 2021, the Service announced that it will initiate rulemaking to “revise, rescind, or reinstate five ESA regulations finalized by the prior administration.”<sup>8</sup> Several of the actions described in the Service’s press release stated that there are “other potential revisions also under consideration.”<sup>9</sup> No additional information on these rules has been provided to the Natural Resources Committee since the announcement. There is concern that the actions by this administration will open the door for environmental groups to

<sup>1</sup> Department of the Interior U.S. Fish and Wildlife Service, Budget Justifications and Performance Information: Fiscal Year 2022, EX-1, <https://www.doi.gov/sites/doi.gov/files/fy2022-fws-budget-justification.pdf>.

<sup>2</sup> *Id.* at, EX-4.

<sup>3</sup> *Id.* at EX-4.

<sup>4</sup> *Id.* at EX-6.

<sup>5</sup> *Id.* at EX-7.

<sup>6</sup> *Id.* at EX-8.

<sup>7</sup> Department of the Interior, Press Releases, Trump Administration Improves the Implementing Regulations of the Endangered Species Act, 8/12/19, <https://www.doi.gov/pressreleases/endangered-species-act>.

<sup>8</sup> U.S. Fish and Wildlife Service, *FWS and NOAA Propose Regulatory Revisions to Endangered Species Act*, June 4, 2021, [https://www.fws.gov/news/ShowNews.cfm?ref=u.s.-fish-and-wildlife-service-and-noaa-fisheries-to-propose-regulatory-&\\_ID=36925](https://www.fws.gov/news/ShowNews.cfm?ref=u.s.-fish-and-wildlife-service-and-noaa-fisheries-to-propose-regulatory-&_ID=36925).

<sup>9</sup> *Id.*

further weaponize the ESA and use it to delay critical infrastructure and habitat conservation projects across the country.<sup>10</sup>

*Ecological Services Program* – The Service’s Ecological Services Program administers the Cooperative Endangered Species Conservation Fund (Fund), which provides grant funding to States and territories for species and habitat conservation actions on non-Federal lands. According to the budget request, the actions carried out under the Fund “are critical to achieving the President’s goal of conserving 30% of America’s lands and waters by 2030 while recognizing local, State and Tribal priorities.”<sup>11</sup>



The male greater sage-grouse performs an elaborate mating ritual. Photograph: Jack Milchanowski// Spain SL/Corbis

*Greater Sage Grouse* – The budget request proposes that Congress not include longstanding appropriations language prohibiting DOI from listing the greater sage grouse. Listing the sage grouse under the ESA could have devastating impacts for states and local economies and jeopardize proactive conservation efforts that are already underway. Additionally, in April 2021, the U.S. Department of Agriculture seemingly contradicted this position when it unveiled two new strategies<sup>12</sup> to improve wildlife conservation on rangelands with the stated goal of keeping the sage grouse off of the endangered species list<sup>13</sup> and fighting the spread of cheatgrass, red cedar and pinyon juniper trees. Recent science has also concluded that sage grouse populations grow faster in areas where trees like conifers are removed.<sup>14</sup> Despite this, the budget does not provide any tools to expedite this work to help save the species.

---

<sup>10</sup> Wall Street Journal, Biden Administration Moves to Restore Protections for Endangered Wildlife, Katy Stetch Ferek and Timothy Puko, 6/4/21, <https://www.wsj.com/articles/biden-administration-moves-to-restore-protections-for-endangered-wildlife-11622823061>.

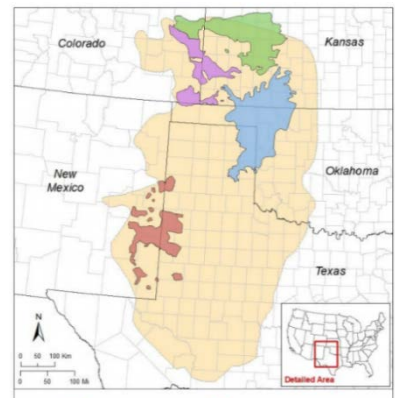
<sup>11</sup> Department of the Interior U.S. Fish and Wildlife Service, Budget Justifications and Performance Information: Fiscal Year 2022, CESCOF-3, <https://www.doi.gov/sites/doi.gov/files/fy2022-fws-budget-justification.pdf>.

<sup>12</sup> Western Working Lands for Wildlife Frameworks, *Frameworks for Conservation Action in the Sagebrush and Great Plains Biomes*, USDA-NRCS, Working Lands for Wildlife, April 8, 2021, <https://wlfw.rangelands.app/>.

<sup>13</sup> Natural Resources Conservation Service, Working Lands for Wildlife, *Sagebrush Biome*, 2021, p.5, <https://wlfw.rangelands.app/assets/sagebrushFramework.pdf>.

<sup>14</sup> Ecosphere, *Reversing tree expansion in sagebrush steppe yields population-level benefit for imperiled grouse*, Andrew C. Olsen, June 9, 2021, <https://esajournals.onlinelibrary.wiley.com/doi/10.1002/ecs2.3551>.

*Lesser Prairie Chicken* – In June 2021, the Service announced a proposal to list two distinct population segments (DPS) of the lesser prairie-chicken (LPC) under the ESA. The Western Association of Fish and Wildlife Agencies' (WAFWA) Range-wide Candidate Conservation Agreement with Assurances (CCAA) for the LPC has been effective in conserving and growing the species. Under the LPC Range-wide CCAA, more than 110 oil and gas, agriculture, pipeline, electric transmission, and wind energy companies have enrolled in conservation agreements to avoid, minimize, or mitigate impacts to the LPC from their operations.<sup>15</sup> Private industry has invested more than \$64 million in enrollment and mitigation fees for conservation and over 6 million acres are enrolled in the partnership. The results of these efforts are clear as recent aerial surveys indicate that the LPC's population has more than doubled since 2013, going from 15,397 to 34,408 in 2020.<sup>16</sup> Stakeholders in the impacted states are worried that listing the LPC will negatively impact and disincentivize future private investment for conservation. If this listing is finalized, new acreage will be shut out of the CCAA, resulting in less investment and conservation efforts for the species.



The four ecoregions that make up the range of the lesser prairie-chicken.  
Photograph: USFWS FRN 6/1/21.

*Deferred Maintenance* – The Great American Outdoors Act of 2021 (GAOA) provides up to \$95 million annually for five years for deferred maintenance projects within the the Service's Refuge System. However, the budget fails to include any streamlining measures to ensure that this money gets on the ground faster and goes further.

*Migratory Bird Treaty Act* – In early January 2021, the Trump administration published a final rule that limited this 1918 law to apply only to intentional killings. Under the rule, an "incidental take," such as one caused by electrical power lines, would no longer trigger potential prosecution.<sup>17</sup> The Biden administration suspended the rule before it could take effect and states in its budget request that the Service plans to “work toward promulgating new regulations that will protect birds.”<sup>18</sup>

### **National Oceanic and Atmospheric Administration (NOAA)**

NOAA's mission is to understand and predict changes in weather, climate, oceans, and coasts, and to conserve and manage coastal and marine ecosystems and resources. NOAA's work is divided among six line offices: National Environmental Satellite, Data, and Information Service

<sup>15</sup> Western Association of Fish and Wildlife Agencies and the WAFWA Species Restoration Fund, *2020 Annual Report for the Range-wide Oil and Gas Candidate Conservation Agreement with Assurances for the Lesser Prairie Chicken*, Chris Moore, March 31, 2021.

<sup>16</sup> Ibid.

<sup>17</sup> Department of the Interior U.S. Fish and Wildlife Service, *U.S. Fish and Wildlife Service Finalizes Regulation Clarifying the Migratory Bird Treaty Act Implementation*, January 6, 2021, <https://www.fws.gov/news/ShowNews.cfm?ref=wtas:-u.s.-fish-and-wildlife-service-finalizes-regulation-clarifying-the-& ID=36830>.

<sup>18</sup> Department of the Interior U.S. Fish and Wildlife Service, Budget Justifications and Performance Information: Fiscal Year 2022, EX-10, <https://www.doi.gov/sites/doi.gov/files/fy2022-fws-budget-justification.pdf>.

(NESDIS); National Marine Fisheries Service (NMFS); National Ocean Service (NOS); National Weather Service (NWS); Office of Oceanic and Atmospheric Research (OAR); and Office of Marine and Aviation Operations (OMAO).

While the Committee has jurisdiction over NMFS, NOS, OMAO, and part of the OAR, this memo will focus on NMFS and NOS. For a full breakdown of the other line offices, please contact Committee staff.

The NMFS line office manages 460 marine and anadromous fish stocks within the U.S. Exclusive Economic Zone (EEZ), as well as invertebrates, sea turtles, marine mammals, and other marine and coastal species and their habitats. The FY 2022 budget requests \$1.2 billion for NMFS, an increase of \$177 million from FY 2021 enacted levels.<sup>19</sup> The main reasons for the increase are for adding funding for climate change adaptations.

*Red Snapper* – In FY 2016, Congress made funding available to better estimate the population size of U.S. Gulf of Mexico red snapper.<sup>20</sup> The project, which ran from 2017 – 2019, is known as the Great Red Snapper Count (GRSC). The Harte Research Institute for Gulf of Mexico Studies at Texas A&M University-Corpus Christi led the effort. The GRSC report, released earlier this year, estimated that there are more than 110 million Red Snapper in the U.S. waters of the Gulf of Mexico.<sup>21</sup> For contrast, previous estimates by federal fisheries officials put the population at about 36 million red snapper.<sup>22</sup> The GRSC is the best-available science and NMFS has committed to “work with GRSC investigators to provide scientific advice for adjusting the annual catch limit in light of these results.”<sup>23</sup> The Science and Statistical Committee for the Gulf Council (a regional body under the auspices of the Magnuson-Stevens Act), however, did not use the new data from the GRSC to increase the allowable biological catch for red snapper. Pending House Appropriations Committee report language directs NMFS “to continue to work with the Gulf States to ensure successful implementation of State management for recreational red snapper. These efforts shall be a priority for NOAA and shall be done in coordination with the Gulf States. In addition, state agency independent data should be incorporated into NOAA stock assessments as expeditiously as possible.”<sup>24</sup>

Related to this matter, the Center for Sportfishing Policy (CSP) recently released its “Modern Fish Act Implementation Report,” which monitored and graded “how the federal government is implementing major milestones of the Modern Fish Act in terms of timelines (on schedule), stakeholder input (the inclusion of state partners and recreational, commercial and environmental stakeholders and substance (thoroughness and in accordance with the statute). The modern Fish Act was enacted in December 2018 and, according to CSP,<sup>25</sup> “recognizes that recreational and

---

<sup>19</sup> <https://www.commerce.gov/sites/default/files/2021-06/BiB-Final-622-Noon.pdf>

<sup>20</sup> P.L. 114-113

<sup>21</sup> <https://www.harte.org/snappercount>

<sup>22</sup> [https://www.tamucc.edu/news/2021/03/032421-redsnapper.html#\\_YPB3\\_uhKiUk](https://www.tamucc.edu/news/2021/03/032421-redsnapper.html#_YPB3_uhKiUk)

<sup>23</sup> NOAA Blue Book FY2022. [https://www.noaa.gov/sites/default/files/2021-06/NOAABlueBook2022\\_final.pdf](https://www.noaa.gov/sites/default/files/2021-06/NOAABlueBook2022_final.pdf)

<sup>24</sup> See House of Representatives, Commerce, Justice, Science, and Related Agencies Appropriations Bill, 2022, Report- Draft, Pages 36-37, <https://docs.house.gov/meetings/AP/AP00/20210715/113908/HRPT-117-1.pdf>; and <https://docs.house.gov/meetings/AP/AP00/20210715/113908/HRPT-117-1.pdf>

<sup>25</sup> <http://www.sportfishingpolicy.com/2019-modern-fish-act-implementation-progress-report/>

commercial fishing are fundamentally different endeavors and should be managed accordingly and adds more appropriate management tools for policymakers to use in managing federal recreational fisheries.”<sup>26</sup> While the report indicated that NMFS is improving on some matters of implementing this law, CSP indicated that the agency is “not yet meeting expectations” as it relates to the statute’s section requiring the improvement of federal-state cooperative data collection.<sup>27</sup>

*Climate* – Throughout NOAA’s budget, a significant focus is placed on integrating “climate science into assessment and management efforts in order to better understand and respond to the impacts of climate change on fisheries, ecosystems, and communities.”<sup>28</sup> At the same time, the Biden administration has placed an emphasis on offshore wind development which has the potential to impact fisheries. In its budget, NOAA states that “[o]ffshore wind development is rapidly expanding and represents a new use of our marine waters requiring substantial scientific and regulatory review.”<sup>29</sup>

The NOS line office is responsible for assisting maritime commerce through navigation, shoreline mapping, and nautical charting; coastal science research such as coral reef restoration work; and ocean and coastal management through the implementation the Coastal Zone Management Act and the National Marine Sanctuaries Act. The FY 2022 Budget requests \$884.6 million for NOS, an increase of \$262.4 million from FY 2021 enacted levels.

*30x30 Initiative* – The Biden Administration’s “America The Beautiful” initiative calls on NOAA to expand Marine Protected Areas (MPAs), specifically the National Marine Sanctuaries System and National Estuarine Research Reserve System. The budget for Sanctuaries and MPAs is \$84.5 million, an increase of \$26 million from FY 2021.

MPAs include national marine sanctuaries, national marine monuments, national wildlife refuges, national parks, national estuarine research reserves, and state and territorial counterparts to these programs. There are currently 11.8 million acres of National Marine Sanctuaries in federal and state waters, 759.6 million acres of federal waters that are Marine National Monuments under the Antiquities Act, and 1.3 million acres that are National Estuarine Research Reserves.<sup>30</sup>

Additionally, there are over ten million acres in non-federal waters in the form of sanctuaries, reserves, special management areas, state parks, coastal reserves, marine preserves, and others.<sup>31</sup>

---

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> Congressional Research Service, *Overview and Data Related to Study of Conserving 30% of U.S. Lands and Waters by 2030 in Executive Order 14008*, 4.21.21.

<sup>31</sup> *Id.*

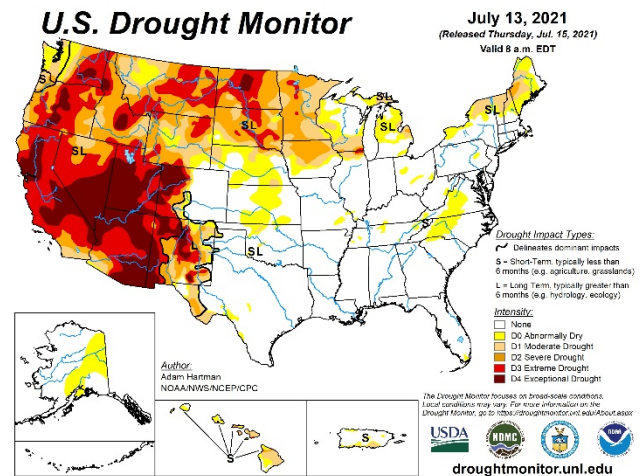
According to the U.S. Geological Survey, 26 percent of U.S. waters (including the Great Lakes) are in some type of MPA<sup>32</sup> and 32 percent of the country's oceans are already in a natural state.<sup>33</sup>

There are concerns that the 30 x 30 initiative disregards the economic and social impacts on fishing communities. Additionally, scientists have questioned efforts to increase MPAs, as they could be the wrong tool for adapting to climate change, and argue that unless overfishing is widespread, MPAs themselves do not increase target species yield.<sup>34</sup> Locking up more of our federal and state waters will only serve to increase overfishing outside of protected areas with no net gain to fish stocks. Despite these concerns, the Biden administration budget intends to “address place-based climate vulnerability by bolstering its sanctuary system.”<sup>35</sup>

### **U. S. Bureau of Reclamation (Reclamation)**

Established in 1902, Reclamation manages federal water projects for agriculture, municipal and industrial use, and provides flood control and recreation for millions of people in the 17 western states.<sup>36</sup> Reclamation is the largest wholesale supplier of water in the United States and the second largest producer of hydroelectric power.<sup>37</sup> As noted above, Reclamation's budget request represents a decreased level of \$120 million from the FY 2021 enacted level.

*Drought and Water Infrastructure* — Throughout the West, severe drought continues to limit water supplies and hydropower generation. The most recent U.S. Drought Monitor map shows that almost 95% of the West is experiencing drought conditions.<sup>38</sup> The map uses five classifications: abnormally dry (D0), showing areas that may be going into or are coming out of drought, and four levels of drought: moderate (D1), severe (D2), extreme (D3) and exceptional (D4). The Drought Monitor is produced by the National Drought Mitigation Center at the University of Nebraska-Lincoln, NOAA, and



Source: <https://droughtmonitor.unl.edu/>

<sup>32</sup> *Marine Protected Areas 2020: Building Effective Conservation Networks*, Lauren Wenzel, Mimi D'Iorio, Charles Wahle, Gonzalo Cid, Zachary Cannizzo, Katherine Darr, 2020. <https://nmsmarineprotectedareas.blob.core.windows.net/marineprotectedareas-prod/media/docs/2020-mpa-building-effective-conservation-networks.pdf>

<sup>33</sup> *Could Biden use private land to reach 30x30 goals?*, Jennifer Yachnin, February 17, 2021. <https://www.eenews.net/stories/1063725297>

<sup>34</sup> Hilborn presentation on Title II of the Ocean-Based Climate Solutions Act. <https://naturalresources.house.gov/imo/media/doc/Hilborn%20Testimony%20FC%20Leg%20Hrg%2011.17.20.pdf>

<sup>35</sup> NOAA Blue Book FY2022. [https://www.noaa.gov/sites/default/files/2021-06/NOAABlueBook2022\\_final.pdf](https://www.noaa.gov/sites/default/files/2021-06/NOAABlueBook2022_final.pdf)

<sup>36</sup> <https://www.usbr.gov/main/about/mission.html>

<sup>37</sup> *Id.*

<sup>38</sup> <https://droughtmonitor.unl.edu/CurrentMap/StateDroughtMonitor.aspx?West>



the U.S. Department of Agriculture.<sup>39</sup> On April 21, 2021, the Biden administration announced the creation of an Interagency Working Group on drought. However, no information has been provided on the status of this working group despite numerous Republican and stakeholder requests for the administration to provide such information. According to the President’s “American Jobs Plan”, the administration intends to prioritize “funding for the western drought crisis by investing in water efficiency and recycling programs, Tribal water settlements, and dam safety.”<sup>40</sup> Notably missing are investments in water storage.

Water allocations from some Reclamation projects are at historic lows, including the Klamath Project (Oregon, California), the Central Valley Project (California), and projects along the seven state Colorado River basin. Specifically in the Klamath Project, earlier this year Reclamation announced that the project’s “A” Canal will remain closed for the 2021 irrigation season, meaning that many of the nearby Klamath project irrigators will get a zero water allocation for the first time in the history of the project.<sup>41</sup> This growing crisis has created an urgent need to minimize the impacts of the drought and develop a long-term plan to ensure water is available for future use. The decrease in snowpack and earlier spring runoff make water storage investments critical to ensuring resilience in our water supply and delivery system. The Biden budget instead has focused on increases in the WaterSMART program, which is aimed at conserving existing water supplies as opposed to creating new multiple use water resources projects for future use. The budget request also does not recommend the reauthorization of the expiring Subtitle J of the Water Infrastructure Improvements for the Nation Act (Public Law 114-322, WIIN Act), which successfully funded water storage, water recycling and desalination projects throughout the West during the last administration. The WIIN Act expires at the end of calendar year 2021.<sup>42</sup>

*Indian Water Rights Settlements* – While the Natural Resources Committee has not been provided legislative language by the Department, DOI has made several references in staff-level budget briefings to its support for language that would “reclassify funding [for Indian water rights settlements] from discretionary to mandatory, starting in 2023.”<sup>43</sup> Currently, most Indian water right settlements are funded through the appropriations process. In addition, certain settlements are eligible to receive funding from the Reclamation Water Settlements Fund, which receives \$120 million per year of revenues (mostly from oil and gas royalties) that would otherwise be deposited in the Reclamation Fund.<sup>44</sup> The Biden oil and gas leasing ban would reduce funds going into this account.

## **U.S. Geological Survey – Water Resources**

Of the five USGS mission areas, this hearing will only cover the Water Resources mission area. The FY 2022 budget requests \$288.4 million, an increase of \$25.2 million from FY 2021 enacted levels.

---

<sup>39</sup> <https://droughtmonitor.unl.edu/About/WhatistheUSDM.aspx>

<sup>40</sup> <https://www.whitehouse.gov/briefing-room/statements-releases/2021/03/31/fact-sheet-the-american-jobs-plan/>

<sup>41</sup> <https://www.usbr.gov/newsroom/#/news-release/3850>

<sup>42</sup> P.L. 114-322.

<sup>43</sup> The Fiscal Year 2022 Budget Request, Department of the Interior, June 10, 2021 PowerPoint.

<sup>44</sup> P.L. 111-11

*30 x 30* — The Biden Administration’s “America The Beautiful” initiative calls on USGS to help develop an Atlas that would “develop and track a clear baseline of information on lands and waters that have already been conserved or restored.”<sup>45</sup> The proposed budget does not include any details on this initiative.

*Streamgauges* – The budget requests \$112.6 million, an increase of \$10 million for increased investments in priority streamgages and the Next Generation Water Observing System (NGWOS). The NGWOS integrates fixed and mobile monitoring at the basin level. There are currently three basin in NGWOS: the Delaware River Basin, the Upper Colorado River Basin, and the Illinois River Basin.

*Other Climate Proposals* – The DOI budget also proposes to create a new Advanced Research Projects Agency for Climate (ARPA-C) at the Department of Energy and provides \$60 million to USGS to collaborate with the new agency on climate research.

---

<sup>45</sup> <https://www.doi.gov/sites/doi.gov/files/report-conserving-and-restoring-america-the-beautiful-2021.pdf>