



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

OCT 30 2020

The Honorable Marth McSally
Chairman
Subcommittee on Water and Power
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Chairman McSally:

Enclosed are responses prepared by the Bureau of Reclamation to the questions for the record submitted following the July 22, 2020, hearing on pending water related legislation. Thank you for the opportunity to provide this material to the Committee.

Sincerely,

Cole Rojewski
Director
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Catherine Cortez Masto
Ranking Member
Subcommittee on Water and Power

The Honorable Lisa Murkowski
Chairman
Committee on Energy and Natural Resources

The Honorable Joe Manchin III
Ranking Member
Committee on Energy and Natural Resources

U.S. Senate Committee on Energy and Natural Resources
Subcommittee on Water and Power
July 22, 2020 Hearing: *Pending Legislation*
Questions for the Record Submitted to Ms. Aubrey Bettencourt

Questions from Senator Joe Manchin III

Question 1: As you know, the Bureau of Reclamation has traditionally provided taxpayer funding to help subsidize the capital cost of constructing water supply facilities such as canals and diversion works, but required that the beneficiaries of these water projects - its contractors - to pay for the costs of operations and maintenance of these facilities. S. 3811 would authorize \$600M in federal taxpayer subsidies to help pay for the cost of extraordinary maintenance of several canals in California, where unsustainable groundwater pumping has damaged conveyance capacity.

Significant land subsidence across California has been caused by the legal pumping of groundwater by a variety of entities combined with decades of irregular delivery of state and federal surface water supplies. Groundwater is regulated by the State of California. Since 1902, Reclamation has been directed by Congress to invest in western water infrastructure including dams, canals, diversions, etc., to support the economic development of the west.

- a. Under existing law and contracts between the Bureau of Reclamation and Friant Water Authority, is the Friant Water Authority legally obligated to pay for the cost of repairs to the Friant-Kern Canal, including extraordinary maintenance?

ANSWER: Yes, under existing contract, Friant Water Authority is responsible for 100 percent of the operations and maintenance costs, including extraordinary maintenance. However, Congress has provided up to \$75M for Friant-Kern Canal improvements under Title X of P.L. 111-11, which included the San Joaquin River Restoration Settlement Act, in addition to other authorities, such as extended repayment of federal appropriated funds reimbursable pursuant to Title IX, Subtitle G of Public Law 111-11, and according to the project cost allocation, as shown in the July 2, 2020 feasibility report transmitted to Congress, or through a combination of both extended repayment or work funded directly by the Friant Water Authority. S. 3811 would change existing law with respect to the reimbursement percentages for which the FWA would otherwise be responsible. Further, S. 3811 would go beyond the cost share submitted in the feasibility report.

- b. Under existing law and contracts between the Bureau of Reclamation and San Luis and Delta Mendota Water Authority, is the San Luis and Delta Mendota Water Authority legally obligated to pay for the costs of repairs of: (a) the Delta Mendota Canal; and/or (b) portions of the California Aqueduct that are owned by the Bureau of Reclamation? Does that include costs relating to extraordinary maintenance?

ANSWER: The San Luis Canal is a federally-built and owned section of canal connected to the state-owned California Aqueduct and used by both federal and state agencies and operated by the State of California, and any payments for repairs would be paid by both state and federal contractors according to the project cost allocation. Under existing law and contracts, work on the Delta-Mendota would be paid for by the San Luis Delta-Mendota Water Authority (SMDMWA), either by funding it directly themselves, or through the extended repayment of federal appropriated funds reimbursable pursuant to Title IX, Subtitle G of Public Law 111-11, and according to the project

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cost allocation, or through a combination of both. S. 3811 would change existing law with respect to the reimbursement percentages for which the SLDMWA would otherwise be responsible for both the Delta-Mendota Canal and their allocated portion of the San Luis Canal.

- c. Under existing law, is there any obligation for federal taxpayers to pay for the cost of repairs of the portions of the California Aqueduct that are owned and operated by the State of California?

ANSWER: Reclamation is not aware of any existing law that requires federal taxpayers to pay for the cost of repairs of the California Aqueduct that are owned and operated by the State of California.

- d. How is the approach of S. 3811 consistent with the beneficiary pays approach that has guided Reclamation policy, particularly since the Reagan Administration?

ANSWER: While S. 3811 would reduce the reimbursable percentage of repairs to these canals that the beneficiaries would otherwise be responsible for, it would still require that 50% of the cost of the repairs be paid by the beneficiaries.

- e. According to the California Department of Water Resources, significant subsidence to the California Aqueduct occurred as a result of unsustainable groundwater pumping within the boundaries of the Westlands Water District. Why shouldn't the Bureau of Reclamation require the parties that caused the damage to these facilities to pay for the costs of repairs, rather than forcing federal taxpayers to pay hundreds of millions of dollars?

ANSWER: As mentioned above, significant land subsidence exists across California because of legal pumping of groundwater combined with decades of irregular delivery of state and federal surface water supplies. Only the State can regulate groundwater pumping to address its impact on land subsidence. Under S. 3811, the federal cost share associated with these projects is limited to at most 50% of the costs, and project beneficiaries are responsible for the rest.

Questions from Senator Catherine Cortez Masto

Question 1: Regarding Section 202 of S. 2718, the section clarifying that WaterSMART's Water and Energy Efficiency Grant program prohibits any increase in consumptive water resulting from the Water and Energy Efficiency Grant funded project, your testimony confirms that the existing statutory language already prohibits such increases in consumptive water use from conserving non-consumptively used ditch seepage through canal lining, for example. The accompanying spreadsheet and one-page summary shows that approximately half of the Water and Energy Efficiency grant program's conserved water likely went to increased consumptive use through, for example, more irrigation by the WEEG-project applicant than would have been possible without the Water and Energy Efficiency Grant-funded project.

- Shouldn't Reclamation already have clear guidance that an increase in consumptive water use with the conserved water is not an eligible Water and Energy Efficiency Grant project?

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ANSWER: Reclamation has analyzed this issue and does not agree with the assertions included in the spreadsheet and NGO sponsored one-page summary that were shared along with this question. Many of the projects categorized as increasing consumptive use are municipal projects to install new or advanced residential water meters to reduce household water use, thereby avoiding pressure on existing water supplies. The summary also defines “increased consumptive use” to include some projects whose sponsors intend to help meet existing demands in the area during times of shortage; projects expected to help reduce groundwater pumping; and projects intended to increase the amount of water remaining in reservoirs to avoid the need for additional water supplies in the area. For example, one project classified as “increasing consumptive use” is a 2015 WaterSMART Water and Energy Efficiency Grant of \$94,000 to the Truckee-Carson Irrigation District in Fallon, Nevada. The District used funding to improve remote monitoring of water deliveries to reduce spills and over-deliveries, and explained that deliveries from Lahontan Reservoir would be reduced accordingly. We do not agree that such activities are indications of increased consumptive use or of uses inconsistent with the statute.

Shortly after the SECURE Water Act was enacted in 2009, Reclamation established procedures to ensure compliance with statutory language about use of water savings from grant-funded projects. Since then, Reclamation has continually worked to strengthen those procedures, which are explained and documented in written guidance for Reclamation employees and for grant recipients. All WaterSMART Water and Energy Efficiency Grants awarded under the program comply with Section 9504(a)(3)(B) of the SECURE Water Act (42 U.S.C. 10364(a)(3)(B)). Reclamation takes a number of steps to ensure that grant recipients agree not to use water savings to increase total irrigated acreage or otherwise to increase consumptive use, determined pursuant to state water law requirements.

The statutory restriction contained in Section 9504(a)(3)(B) is highlighted in every WaterSMART Water and Energy Efficiency Grants Funding Opportunity Announcement (FOA). The evaluation criteria used to rank and select projects for funding also require applicants to address how conserved water will be used, whether to offset groundwater pumping, to reduce diversions, to address shortages that impact diversions or reduce deliveries, made available for transfer, left in the river system, or to meet another intended use. Many entities explain through application materials that they frequently receive less than their full water allocations (e.g., due to drought conditions), and that projects undertaken through the program can assist in meeting existing demands and providing flexibility in times of shortage, without increasing consumptive use under state water law.

Every application review committee is specifically instructed to consider the information provided in light of the limitations in Section 9504(a)(3)(B) as part of the review process. The statutory requirement is highlighted again when each successful applicant is notified that its project has been selected for funding, and the statutory language is included as a term in all financial assistance agreements under the program. If an applicant is unwilling or unable to agree to this term, no award of funding is made. All successful projects go through this process, which is documented in the publicly available Reclamation Manual Directives and Standards, WTR 12-01.

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Question 2: With regards to S. 4188, you stated the DOI has "concerns about the additional environmental requirements under [Sec. 102] with respect to identifying and implementing eligible projects." However, you also noted the competitiveness of environmentally beneficial projects for Reclamation funding and the prioritization of multi-benefit projects under successful programs like WaterSMART. Projects that both increase water supply and achieve environmental benefits provide a greater public benefit and a greater return on the investment of taxpayer funding, and the California Water Commission has cited achievement of environmental benefits as an important factor to consider for project funding eligibility.

- What are the Department's reasons for not supporting Sec. 102's requirement for eligible projects to achieve net ecosystem benefits, given the federal and state-level precedent for supporting environmentally beneficial water supply projects?

ANSWER: The Department of the Interior's concerns about the wording of the additional ecosystem benefits requirement in S. 4188 center around potential limitations to the scope of projects that may be eligible. Reclamation staff would be happy to discuss this more specifically with Committee staff.



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OCT 20 2020

The Honorable Lisa Murkowski
Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

Dear Chairman Murkowski:

Enclosed are responses prepared by the Bureau of Land Management to the questions for the record submitted following the June 9, 2020, oversight hearing entitled: "Wildfire Management in the Midst of the COVID-19 Pandemic."

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

Sincerely,

Cole Rojewski
Director
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Joe Manchin III
Ranking Member

Questions from Chairman Lisa Murkowski

Question 1: In your testimony, you indicated that the Department of the Interior is following CDC guidelines to prevent the infection and spread of COVID-19 among wildland firefighters. Under those guidelines the CDC classifies wildland firefighters *with coronavirus symptoms* as high priority for getting tested for COVID-19, but does not speak to universal testing for COVID-19 of all wildland firefighters whether displaying symptoms or not. Given that federal wildland firefighters travel to fire assignments across the country, I worry that testing after a firefighter is already symptomatic is too late. Do you share this concern? Is the Department of the Interior willing to work with federal and state partners to set up a program for COVID-19 testing for all federal wildland firefighters with or without symptoms? If not, why not?

Response: The Federal Wildland Fire COVID-19 Medical and Public Health Advisory Team (MPHAT) is an interagency group of medical health experts from the Department of the Interior (Department), the Department of Agriculture's Forest Service, and the Centers for Disease Control and Prevention (CDC), and currently recommends against utilizing universal testing as a COVID-19 risk mitigation strategy among wildland firefighters. MPHAT is considering possible protocols and circumstances under which testing asymptomatic individuals without a known or suspected exposure to COVID-19 would be appropriate. The interagency wildland fire community is also implementing key prevention and mitigation strategies, such as the use of protective barriers, screening procedures, and social distancing.

Consistent with the CDC guidelines, MPHAT recently updated its testing guidelines for firefighters and recommended testing individuals with signs and symptoms consistent with COVID-19 and testing those individuals with recent known or suspected exposure to COVID-19. To help mitigate the spread of the virus, standards are in place for social distancing, contact tracing—to be carried out by local public health officials—and the immediate isolation of symptomatic firefighters and others with a recent known or suspected exposure to COVID-19.

Wildland fire personnel must be able to respond to wildfire incidents quickly to limit fire growth and to protect lives, property, and natural resources. Existing screening protocols are in place to prevent and limit the risk of COVID-19 being introduced to incidents. Pre-deployment testing would likely delay fire response given the current timelines to reliably receive results, test accuracy, availability, and the capacity to administer.

Question 2: In your testimony, you alluded to some legal issues associated with COVID-19 testing that may impact your Department's ability to require federal wildland firefighters to be tested for COVID-19. Is that accurate? If so, what are the legal issues that impact the ability of the Department to require such testing?

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Response: The Department continues to work with our Solicitors and the MPHAT to ensure we are following the most appropriate and legal testing procedures for the Department's wildland fire personnel.

Question 3: Please provide a full description of the preparedness status of current and expected multi-agency, federal, state, local, tribal, volunteers, contracted, and other wildland fire cooperators this year. Are there regions where there could be fire personnel shortfalls that affect the deployment of resources to other parts of the nation, like Alaska? If so, how should this be addressed?

Response: The Department and its partners are well prepared for the 2020 fire season. The Department is on track to have the same number of firefighters as last season, which includes 4,500 temporary seasonal, career seasonal, and permanent employees. The Department will also have a complementary mix of firefighting aircraft, including access to 100 single engine airtankers, 370 helicopters, 18 scoopers, and numerous other support aircraft. Collectively, we will use aircraft and ground-based assets to the fullest extent to reduce the duration of wildfires and curb the number of wildfires that are managed for resource purposes.

Questions from Ranking Member Joe Manchin III

Question 1: I understand that several of the After-Action-Reports from recent wildfires, as well as several recent firefighter surveys, highlight the need for clearer information and direction from agency leadership. Will you commit to providing a clear, simple crosswalk that is one or two pages long for supervisors and for your employees about what is supposed to happen, upon being exposed to or testing positive for COVID-19 (specifically outlining the extent to which your agency will support its firefighters?)

Response: The interagency wildland fire community has issued clear guidance in alignment with CDC guidelines for testing individuals with signs and symptoms consistent with COVID-19 and testing individuals with recent known or suspected exposure to COVID-19. This guidance includes recommendations for the immediate isolation of individuals experiencing COVID-19 symptoms or those who may have been exposed to the virus, and the use of contact tracing—to be carried out by local public health officials—in order to mitigate the spread of the virus. The interagency wildland fire community has also issued guidance for screening firefighters, using personal protective equipment, and employing other public health practices that are deemed essential to protecting firefighters and support staff before, during and after wildfire incidents. These guidelines have been made widely available to all Department of the Interior (Department) employees, including wildland fire management personnel, and are available on the Department's online employee portal.

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The National Wildfire Coordinating Group Emergency Medical Committee developed a Medical Unit Concept of Operations plan. The plan is a dynamic document summarizing the roles and responsibilities of medical unit leaders and the function and operational posture of a COVID-19 medical unit during wildland fire suppression operations. The purpose of this plan is to provide a baseline framework for incident personnel to plan for and react to suspected or confirmed COVID-19 infections. This plan also provides several checklists to aid in navigating the complexities of COVID-19. These lists can be updated as needed to meet the best practices and lessons learned of Incident Management Teams and individual suppression modules.

Question 2: Please tell us how many wildland firefighters the Department of the Interior has hired each year for the last four years. Specifically, how many firefighters (permanent and seasonal) were employed by your agency on July 1 of 2017, 2018, 2019, and 2020?

Response: The Department's wildland fire program is composed of permanent and seasonal wildland fire personnel. The Department's Fuels Management program personnel also contribute to wildland fire suppression operations, so their numbers are included below, as well as support personnel who provide all facets of wildland fire support such as fire camp logistics, finance, business, and other critical support functions:

- 2017 – 5,308 personnel
- 2018 – 5,326 personnel
- 2019 – 4,900 personnel
- 2020 – 4,917 personnel*

*Note: This is an estimate, as the 2020 personnel numbers have not yet been finalized.

Question 3: In April 2017, an article in the *Journal of Occupational and Environmental Hygiene* about fatalities among wildland firefighters concluded that tracking systems were inconsistent and the use of a common case definition would help to more accurately characterize wildland firefighter deaths, lessen the likelihood for the misinterpretation of wildland firefighter fatality data, and assist with defining the true occupational fatality burden. Section 1114(g) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act amended the Federal Fire Prevention and Control Act of 1974, to require that a consistent, publicly-accessible database be immediately compiled and maintained, which would assemble all of the injuries sustained by wildland firefighters that were treated by a doctor each year.

- A. What is the status of the database?**
- B. How specifically is your agency providing the information required under this law to populate the database?**
- C. Has the authorization for a partnership with the Center for Firefighter Injury Research and Safety Trends been utilized?**

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Response: The Department's current Safety Management Information System (SMIS) is a database for reporting and analysis of all departmental injuries and illnesses. The Department's agencies are required to input any injury or illness into the SMIS database. The Department and its partners use SMIS to ensure consistent wildland firefighter safety reporting and data gathering. Additionally, the National Wildland Fire Coordinating Group's (NWCG) Risk Management Committee (RMC), a group comprised of state and interagency partners, maintains a database tracking all wildland fire events that meet reporting criteria including serious injuries, fatalities, and significant potential for serious injuries. This database allows the fire community to assess trends nationally.

Additionally, the Department works with the RMC to provide for wildland firefighter risk management, health, and safety. The RMC develops, promotes, and facilitates universal risk management principles that help firefighters and fire managers mitigate or eliminate the conditions that lead to accidents, illnesses, injuries, and deaths of firefighters and other incident personnel.

Questions from Senator James E. Risch

Question 1: Vegetation interference with power lines is a common cause of electrical service disruptions and utility-caused wildfires. In 2018, congress enacted provisions to allow electric utilities to more easily manage vegetation and remove hazard trees along their rights-of-ways on federal lands. The law required your Department's to amend or finalize new regulations by March of this year. Can you please provide the committee with an update on when you expect to release these finalized regulations, and perhaps shed some light on what we might expect to see in them?

Response: Public Law 115-141 added a new section (Title V, 512) to the Federal Land Policy and Management Act (FLPMA) titled "*Vegetation management, facility inspection, and operation, and maintenance relating to electric transmission and distribution facility rights-of-way.*" Per direction in Public Law 115-141, the Bureau of Land Management (BLM) is working on a proposed rule to ensure implementation of Section 512. In the meantime, the BLM is expeditiously implementing vegetation management projects to help reduce wildfire risk.

Question 2: The process of securing sufficient resources seems to be well underway, but until Incident Management Teams actually run through a few incident assignments, and the level of PPE resource ordering becomes clear, it is difficult to project how late in the season their ability to supply incidents will last. What is being done to ensure there is sufficient PPE for wildland firefighters and what is the process for forecasting how much PPE will be needed?

Response: All wildland firefighters are issued standard wildland firefighting clothing and equipment, such as Nomex pants, shirts, gloves, hard hats, etc., to protect them from wildland firefighting hazards. During the pandemic, additional personal protective equipment (PPE) is

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being utilized to protect against COVID-19 exposure.

For example, the Department has distributed N-95 masks for emergency situations, such as an emergency transport of a person who has contracted COVID-19. These masks are not intended for daily operational use but rather as source control for a symptomatic wildland firefighter. For daily use, the Department has been providing cloth face covers for all wildland fire personnel, along with cleaning and sanitizing products to address the increased need for routine cleaning, disinfecting, and hand hygiene efforts.

The interagency wildland fire cache or supply system has also ordered protective medical supplies for trained medical personnel who may experience increased exposure to the virus. The interagency wildland fire cache system also has available ample sanitation and disinfectant supplies, such as disinfectant wipes, hand sanitizer, and other cleaning materials to further reduce the risk of transmission during wildland fire suppression operations. PPE supplies are consistently monitored and evaluated by the interagency wildland fire cache.

The interagency wildland fire management community is committed to mitigating the spread of COVID-19 and continues to assess needs and develop recommendations based on CDC guidelines for social distancing and the use of personal protective equipment on the fireline and in camp. The Coronavirus Aid, Relief, and Economic Security (CARES) Act funding remains available to support these precautionary measures, as needed. As the fire year progresses, the Department will continue to evaluate conditions and respond as necessary to ensure the highest degree of readiness for the wildland fire management program.

Questions from Senator Catherine Cortez Masto

Question 1: As discussed during the hearing, the State of Nevada uses an extensive fire camera network to monitor and detect wildfires. Through its AlertTahoe and AlertWildfire programs, the state currently utilizes thirty-nine total cameras and has plans to add fourteen more this year.

The Alert Wildfire program recently received federal funding assistance from the U.S. Forest Service, but is awaiting additional funds from the Department of the Interior.

- A. What is the current status of these funds?**
- B. What is the timeline for the distribution of these funds?**

Response: The University of Nevada-Reno (UNR) fire camera system is a partnership with the BLM and UNR Seismological Laboratory through an assistance agreement. This system allows for the detection of new wildfire ignitions and the monitoring of existing wildland fires. It also allows wildfire dispatch centers to confirm ignitions and adjust fire resource responses

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accordingly to ensure adequate response and resources. The original assistance agreement, which installed 20 cameras across the state of Nevada, was initiated in 2015 and expired in early 2020.

The 2020 BLM-UNR assistance agreement is for a three-year period, with a total funding amount of \$1.75 million. The fiscal year 2020 amount will install six additional cameras across northern Nevada for a total of \$350,000. The final agreement and fund transfer occurred on June 30, 2020.

Question 2: As we are all aware, every second counts when fighting a wildfire. In fact, many federal and state officials have emphasized how critical early evacuations are to limiting wildfire damage. Not only does it help get people out of harm's way, but it also provides firefighters with the opportunity to get in before the blazes and set up fire breaks.

However, these evacuation centers often pack hundreds, sometimes thousands of people together into a school or community center – not allowing for people to properly follow the Centers for Disease Control and Prevention guidelines for social distancing.

A. Due to the dangers of the current pandemic, what evacuation protocols are being put in place?

Response: Federal wildland fire agencies generally do not have the authority to order the public or communities to evacuate. The authority to order an evacuation and the type of evacuation varies by state and local government. Evacuations are coordinated by local law enforcement with support from the federal agencies or Incident Management Teams that are managing the wildfire or emergency incident.

B. How do you intend to relay these protocols to the public?

Response: Should a Governor order an evacuation, federal wildland fire officials (local agency or Incident Management Team) will work closely with local law enforcement officials within the jurisdiction of a wildfire to ensure that the public is notified through proper channels (including emergency alert systems, social media, and/or news media outlets). Additional coordination with the local Red Cross helps ensure people follow Centers of Disease Control and Prevention guidelines.

Question 3: Depending on the number and severity of wildfires this year, additional ground crews may be needed to help extinguish flames.

A. As in previous years, will inmates be deployed to help fight fires?

Response: Individual states manage and determine the availability of inmate crews; however, wildland fire management agencies work closely with state partners to mobilize inmate crews to

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wildland fire incidents.

B. If so, what precautions are you taking with inmate crews, in particular, to decrease their chance of infection and transmission to prison populations?

Response: The safety of the public and all wildland fire responders is always the number one priority for all wildland fire agencies. Protocols have been integrated into Wildland Fire Response Plans and are available to all Incident Management Teams and fire units to help guide effective wildfire response. The response plans include procedures for potential wildland fire personnel infection, which will be led by the local State Health Department following Centers for Disease Control and Prevention guidance and protocol.

Additionally, the National Interagency Mobilization Guide provides a framework and protocols for potential situations, including the possibility for potential COVID-19 infection throughout a large percentage of the wildland firefighting workforce. To keep firefighters and communities healthy and safe, all firefighters, including state resources, are asked to follow recommendations from the Centers for Disease Control and Prevention to reduce the spread of illness.



United States Department of the Interior

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OCT 16 2020

The Honorable Ruben Gallego
Chairman, Subcommittee for Indigenous Peoples
of the United States
Natural Resources Committee
United States House of Representatives
Washington, DC 20515

Dear Chairman Gallego:

Enclosed are responses to the follow-up questions from the July 22, 2020, legislative hearing on H.R. 958, H.R. 6237, H.R. 6535, and H.R. 7119 before your Subcommittee. These responses were prepared by the Bureau of Indian Affairs.

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

Sincerely,

Cole Rojewski
Director
Office of Congressional
and Legislative Affairs

Enclosure

cc: The Honorable Paul Cook
Ranking Member

Questions for the Record
House Natural Resources
Subcommittee for Indigenous Peoples of the United States
Legislative Hearing on H.R. 958
July 22, 2020

Questions from Rep. Rob Bishop

1. In a question from Mr. Young of Alaska, who asked if the Bureau saw any constitutional problems with H.R. 958, you answered that your office is currently consulting on this bill, that the Bureau supports the bill, and that the Bureau stands ready to assist the Committee with any technical assistance to address constitutional questions that might arise.

a. Has your office consulted with the Department of Justice on H.R. 958 with respect to constitutional concerns it raises? If so, what is that Department's view of the concerns?

Response: The Department of the Interior has not consulted with the Department of Justice on H.R. 958.

2. How many criminal offenses in Indian Country are committed by non-Indians? If the Bureau does not have current, reliable information with which to provide an answer, why doesn't it have such information?

Response: For fiscal year 2019, there were 24,907 arrests of non-Indians and 79,201 arrests of Indians reported to the Bureau of Indian Affairs, Office of Justice Services utilizing the Federal Bureau of Investigation's (FBI) Uniform Crime Report (UCR) Program. The FBI's UCR Program counts one arrest for each separate instance in which a person is arrested, cited, or summoned for an offense.