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U.S. House of Representatives

Committee on Natural Resources

Washington, DC 20515

April 12, 2021

The Honorable Peter A. DeFazio
Chair, Committee on Transportation and Infrastructure
United States House of Representatives
2251 Rayburn House Office Building
Washington, DC 20515

Dear Chair DeFazio:

I appreciate the opportunity to offer testimony to the Transportation and Infrastructure Committee. Your leadership in developing the Moving Forward Act (H.R. 2) to address our nation's failing infrastructure has been instrumental in laying the groundwork to *Build Back Better*.

The coronavirus outbreak has had a devastating impact on working families in America, while disproportionately impacting people of color. There is broad consensus that Congress must act to revitalize the economy, and in doing so it can create a more equitable and sustainable future. Our national parks, wildlife refuges, forests, coasts, and tribal and insular areas are facing many infrastructure challenges. We must also invest in nature-based solutions to make our lands and coasts more resilient in the face of climate change.

Thank you for including many of the Natural Resources Committee's priorities in H.R. 2 to preserve public lands, bolster renewable energy, create jobs, fight climate change, protect our coasts, invest in water infrastructure, and provide needed money for tribes and U.S. territories. While many of our priorities are not within your committee's jurisdiction, my staff is ready to assist you and your team as you develop a new infrastructure package. I would like to highlight the following provisions from H.R. 2 that are priorities of mine as a member representing Arizona's 3rd congressional district and the chair of the Natural Resources Committee:

- Sec. 1213. Carbon pollution reduction.
- Section 1303. Grants for charging and fueling infrastructure to modernize and reconnect America for the 21st century. *Recommended change: set aside funds for tribal entities under this section.*
- Sec. 1501. Territorial and Puerto Rico highway program.
- Sec. 1502. Tribal transportation program.
- Sec. 1503. Tribal High Priority Projects program.
- Sec. 1504. Federal lands transportation program.
- Sec. 1505. Federal lands and tribal major projects program.
- Sec. 1506. Office of Tribal Government Affairs.
- Sec. 1507. Alternative contracting methods. Allows tribes and federal land management agencies to use the same alternative contracting methods available to states.

- Sec. 1614. Working group on construction resources. *Recommended change: include tribal cultural resource impacts in the findings and recommendations report.*
- Sec. 1618. Construction of certain access and development roads.
- Sec. 1620. Wildlife crossings. *Recommended change: strike state exception language under this section.*
- Sec. 2204. Formula grants for rural areas.
- Sec. 2606. Technical assistance and workforce development.
- Sec. 31122. Digital Equity Competitive Grant Program. *Recommended change: strike five percent and replace with ten percent.*
- Sec. 31141. Additional Broadband Benefit.
- Sec. 33151. Indian Energy.
- Sec. 33162. Report on electricity access and reliability.
- Sec. 22112. Reservation of Funds for Territories of the United States.
- Sec. 33108. Allotment for territories.
- Sec. 40010. Colonias State of Good Repair Grant Program.
- Sec. 81101. Reclamation water settlements fund.
- Sec. 81201—81252. FUTURE Western Water Infrastructure and Drought Resiliency.
- Sec. 81301—81335. Western Water Security.
- Sec. 81411. Water Resources Research Amendments.
- Sec. 81511. Ground water recharge planning.
- Sec. 81611—81612. Tribal Water Infrastructure
- Sec. 82101—82104. Public Lands Telecommunications.
- Sec. 82201—82206. Outdoors for All.
- Sec. 82301. Presidio Trust borrowing authority.
- Sec. 82401. Forest Service Legacy Roads and Trails Remediation Program.
- Sec. 83101. Shovel-Ready Restoration and Resiliency Grant Program.
- Sec. 83102. Living Shoreline Grant Program.
- Sec. 83201—83402. Wildlife Corridors.
- Sec. 84101. Establishment of federal orphaned well remediation program.
- Sec. 84102. Federal bonding reform.
- Sec. 84201—84203. Surface Mining Control and Reclamation Act Amendments
- Sec. 84301—84305. Revitalizing the Economy of Coal Communities by Leveraging Local Activities and Investing More.
- Sec. 84501. Offshore Wind Career Training Grant Program.
- Sec. 84601—84604. Community Reclamation Partnerships.
- Sec. 90121. Credit for operations and maintenance costs of government-owned Broadband (§ 6431B).
- Sec. 90404. Elective payment for energy property and electricity produced from certain renewable resources, etc.
- Sec. 90701. Treatment of Indian Tribes as States with respect to bond issuance.
- Sec. 90702. Treatment of Tribal foundations and charities like charities funded and controlled by other governmental funders and sponsors.
- Sec. 90703. New markets tax credit
- Sec. 90801. Extension of Highway Trust Fund expenditure authority (§§ 9503 and 9504).

- Dingell Amendment 139 (made in order and passed). Recovering America's Wildlife.

In addition, I would like to work with you to ensure the following provisions are included in a future infrastructure package:

- *Parks, Jobs, and Equity Program*: authorize the Department of the Interior to establish a grant program to support development of park and outdoor recreation infrastructure in urban areas.
- *Community Climate Restoration Fund*: authorize funding for a grant program to help communities and wildlife adapt to the impacts of climate change through restoration, resilience, and natural infrastructure projects.
- *Civilian Climate Corps*: authorize the Secretary of the Interior, in coordination with other relevant Federal departments and agencies, to establish a Civilian Climate Corps to advance green infrastructure priorities, including the conservation and restoration of public land to promote climate resiliency.
- *Tribal Consultation*: establish procedures for effective consultation and coordination by federal agencies with federally recognized Tribal Governments regarding Federal Government actions that impact tribal lands and interests to ensure that meaningful tribal input is an integral part of the federal decision-making process.
- *Bureau of Indian Education Office of Information Technology and Distribution*: establish an Office of Information Technology within the Bureau of Indian Education to centralize the computer equipment and technology needs for Native American students, school administrators, and teachers.
- *Historic Preservation Fund (HPF) Infrastructure Enhancements*: HPF Funding, in coordination with State and Tribal Historic Preservation Offices, is a necessary tool to support permitting for any infrastructure enhancements. Congress must authorize a short-term funding infusion to support this important work.
- *Department of the Interior Office of Insular Affairs Capital Improvement Fund*: increase funding for the purposes of updating and rebuilding infrastructure needs in the Insular Areas.
- *Technical Assistance for U.S. Territories and Freely Associated States*: establish a technical assistance program within the Department of Interior to prioritize climate change planning, mitigation, adaptation, and resiliency in the U.S. Territories and Freely Associated States.
- *Pittman-Robertson and Dingell-Johnson Parity for the Territories*: allow the District of Columbia and U.S. Territories to receive state-equal funding considerations under both laws.
- *Climate Change Planning in U.S. Territories and Freely Associated States*: establish programs within NOAA to prioritize climate change planning, mitigation, adaptation, and resiliency in the U.S. Territories and Freely Associated States, including a technical assistance program and a research grant program.
- *Migratory Bird Treaty Act*: clarify the Migratory Bird Treaty Act to prohibit incidental take and create certainty for businesses and industry by directing the Fish and Wildlife Service to develop an incidental take permit program. Permit fees would fund mitigation and restoration of habitat important to migratory birds.

- *Working waterfronts*: establish a working waterfront grant and loan program at the National Oceanic and Atmospheric Administration (NOAA) to preserve and protect coastal access for water-dependent commercial activities.
- *Tribal Coastal Zone Management Act authorities*: provide funding through the Coastal Zone Management Act to improve tribal coastal resilience.
- *National Ocean and Coastal Security Fund improvements*: update and fund the National Oceans and Coastal Security Act to address equity issues in coastal resilience (including expanding eligibility for tribes).
- *Blue carbon*: create an interagency working group and a blue carbon program at NOAA and fund critical projects to protect, restore, and study blue carbon ecosystems; and require an analysis of impacts to blue carbon ecosystems from development.
- *Climate Change Planning in U.S. Territories and Freely Associated States*: establish programs within NOAA to prioritize climate change planning, mitigation, adaptation, and resiliency in the U.S. Territories and Freely Associated States, including a technical assistance program and a research grant program.
- *Land Ports of Entry at Border*: create a pilot project to update land ports of entry infrastructure and reduce emissions associated with vehicle wait times and related health impacts at the border.
- *Robert T. Stafford Disaster Relief and Emergency Assistance Act*: cancel the repayment of loans, including interest, made to a local government in a U.S. Territory under section 417; and waive the non-federal share funding requirement for U.S. Territories receiving funding for disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation.
- *Department of Energy Office of Insular Area Energy Policy and Programs*: establish an Office of Insular Area Energy Policy and Programs within the Department of Energy to centralize and align all ongoing and future departmental efforts in the U.S. Territories and Freely Associated States, including the development of comprehensive energy plans, an energy efficient product rebate program, and a renewable energy grant program.
- *Environmental Protection Agency Office of Insular Area National Program*: establish an Office of Insular Area National Program within the Environmental Protection Agency to centralize and align all ongoing and future departmental efforts in the U.S. Territories and Freely Associated States, including a sustainable infrastructure grant program, a renewable energy grant program, and a technical assistance program.
- *Investment in Robust and Efficient National Environmental Policy Act (NEPA) Implementation*: Increase funding for robust NEPA review of infrastructure projects, including funding for additional staff to carry out NEPA implementation and additional resources and training opportunities for federal agency staff with NEPA implementation responsibilities. Ensuring a robust NEPA process will be key to building back better. Attempts to “streamline” NEPA implementation and environmental review will undermine critical standards that make our roads, bridges, and other infrastructure safer and better prepared to withstand the effects of climate change.
- *Significant Infrastructure investment for environmental justice communities*: commit not less than 40 percent of infrastructure investments or investment benefits toward environmental justice communities and disadvantaged communities in accordance with President Biden’s Justice40 Initiative.

As Chair of the House Natural Resources Committee, I recognize that the challenges to meet the many needs facing this country are great. I stand ready to support you and your efforts to pass legislation to *Build Back Better*.

Sincerely,

A handwritten signature in blue ink that reads "Raúl M. Grijalva". The signature is written in a cursive style with a blue ink color.

Raúl M. Grijalva
Chair
Committee on Natural Resources