

**Written Testimony of James D. Ogsbury, Executive Director
Western Governors' Association**

**Submitted to the United States Senate
Committee on Appropriations
Subcommittee on Commerce, Justice, Science, and Related Agencies
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Fiscal Year 2023 Appropriations

Chair Shaheen, Ranking Member Moran, and Members of the Subcommittee, the Western Governors' Association (WGA) appreciates the opportunity to provide testimony on items within the jurisdiction of the Subcommittee on Commerce, Justice, Science, and Related Agencies, all of which relate to the U.S. Department of Commerce. WGA is an independent organization representing the Governors of the 22 westernmost states and territories. The Association is an instrument of the Governors for bipartisan policy development, information sharing and collective action on issues of critical importance to the western United States.

Western Governors support strong and dedicated funding for the National Integrated Drought Information System (NIDIS) program under the National Oceanic and Atmospheric Administration (NOAA). WGA is well-acquainted with the significant environmental, economic, and social effects of drought on the West and its communities. Drought contributes to the incidence of forest and rangeland wildfire, impairs ecosystems and wildlife habitat, degrades agricultural productivity, and poses threats to municipal and industrial water supplies. A growing population's dependence on limited water resources creates challenges for water management across the West, from the Great Plains to the Intermountain West to the coastal, estuarine, and marine environments of the Pacific states and islands. Planning for an adequate, reliable, and clean water supply requires accurate and complete water and weather information.

NIDIS promotes a coordinated and integrated approach to managing future drought. This approach involves improved forecasting and monitoring to provide the kind of authoritative, objective, and timely drought information that farmers, water managers, decision-makers, and state and local governments require for effective drought preparation and response. Through NIDIS, NOAA is building a network of early warning systems for drought while working with local resource managers to identify and address unique regional drought information needs.

Western Governors value the approach used to build and improve NIDIS. Rather than creating a new NIDIS bureaucracy, the system draws from existing capacity in states, universities, and multiple federal agencies, as called for in the original authorizing legislation. Given our shared fiscal challenges, WGA regards this as a model for federal-state collaboration in shared information services.

Water users throughout the West – including farmers, ranchers, tribes, land managers, business owners, recreationalists, wildlife managers, and decision-makers at all levels of government – must be able to assess the risks of drought before its onset to make informed decisions and implement effective mitigation measures. For these reasons, Western Governors

request continued support and strong funding for the National Weather Service River Forecast Centers and Weather Forecast Offices and the NIDIS program, which perform a valuable role in western water management and drought response.

Many western communities, especially tribal communities, lack access to broadband internet due to the high cost of infrastructure and the economic challenges of serving low customer densities in rural areas. When communities do have access to broadband, download and upload speeds are often insufficient to meet bandwidth demands. These realities have left many rural businesses at a competitive disadvantage and citizens without access to telework, telemedicine, and distance learning opportunities. Consequently, Western Governors support efforts to adopt a federal definition of broadband that is higher and more scalable than 25/3 Mbps. In addition, the Governors support efforts to leverage state expertise through state block grants and opportunities to improve connectivity on rural and tribal lands. To ensure that tribal areas receive adequate investment, federal broadband programs should allocate a designated portion of their available funding to tribal projects. Western Governors applaud the historic level of broadband funding in the Infrastructure Investment and Jobs Act (IIJA, Pub. L. 117-58), particularly the funds allocated to the existing Tribal Broadband Connectivity Program and the new Broadband Equity, Access, and Deployment Program administered by the National Telecommunications and Information Administration (NTIA). The Governors look forward to engaging with NTIA on this funding and stand ready to implement projects for the benefit of rural and tribal communities.

Deployment of broadband infrastructure to these underserved and unserved communities requires an accurate picture of nationwide broadband availability. Western Governors appreciate the Federal Communications Commission's plans in 2022 to implement the Broadband Deployment Accuracy and Technological Availability Act, known as the Broadband DATA Act, and address the accuracy of broadband data coverage and mapping. The Governors support continued investment in these efforts, which are especially critical with the NTIA deploying the second disbursement of IIJA funds to states using a formula based on new FCC maps. WGA also encourages the coordination of data collection strategies among the Federal Communications Commission, U.S. Department of Agriculture, and other agencies involved in broadband mapping and deployment.

On the subject of data collection, Western Governors are supportive of the implementation of the Foundations for Evidence-Based Policymaking Act of 2018 (the Evidence Act, Pub. L. 115-435). The Act established a new set of comprehensive requirements for federal agencies regarding their collection, use, and management of data in evidence-building functions. One such requirement in the Evidence Act is for federal agency heads to "consult with...state and local governments." Western Governors have been actively engaging with federal agencies as they carry out the provisions of the Evidence Act and are intent on assuring that states are robustly engaged by agencies in the required development of agency learning agendas. Overseen by the head of each federal agency, the purpose of the learning agendas, according to the Evidence Act, is "identifying and addressing policy questions relevant to the programs, policies, and regulations of the agency."

According to a recent Government Accountability Office (GAO) report, (GAO-20-119, Evidence-Based Policymaking), however, “evidence-building activities are fragmented within...agencies and occur at multiple levels and entities within and across the agencies” and that “uncoordinated or poorly coordinated efforts can waste scarce funds and limit their effectiveness.” The report went on to say that “[e]ffectively-coordinated [evidence building] processes can help agencies ensure they are comprehensively and systematically looking across their organizations to leverage their existing evidence and focus limited resources on building new evidence...Such processes can help ensure agencies are well positioned to meet forthcoming Evidence Act requirements related to assessing and prioritizing evidence across the entire agency.” GAO reiterated the importance of active federal agency engagement, as “through this engagement, agencies may find that external stakeholders (and states), have, or are aware of, existing evidence that helps the agency meet its needs or provide a fuller picture of performance...[and] ensure it is meeting the evidence needs of decision makers.”

Given the numerous federal agency programs, policies, and regulations that directly affect the collective states, agency coordination with states and the integration of state data into those relevant federal programs is paramount to their success. For these reasons, Western Governors encourage the Subcommittee to direct federal agencies to improve their internal processes required in the Evidence Act to coordinate with states on federal data policies and procedures and incorporate state data into federal decision-making processes. Western Governors also support full and consistent federal funding to carry out the requirements of this critical legislation and ensure that agencies have the capacity and resources required to fulfill GAO’s evidence-based policymaking recommendations.

Finally, the Economic Development Administration (EDA) plays a critical role in rural economic development, particularly in light of recently allocated supplemental funding that has significantly expanded assistance available to communities. Western Governors encourage increased flexibility in the allowable uses of EDA funds so rural communities can prioritize investments that improve quality of life and amenities. Relatedly, outcome metrics based solely on the absolute number of jobs created do not reflect the important economic benefits of such investments. Nor do they account for the relative effect of job creation in communities with small populations or areas with high unemployment or poverty rates.

Western Governors recommend an increase in the proportion of economic development and infrastructure funding that goes toward capacity building. Strengthening local capacity by providing ample and consistent federal funding for institutions, training, and technical assistance is essential to maximize the effect of state and federal resources and to ensure that assistance reaches the communities that need it most.

Western Governors recognize the enormous challenge you have in balancing competing funding priorities, and we appreciate the difficulty of the decisions the Subcommittee must make. These recommendations are offered in a spirit of cooperation and respect, and WGA is prepared to assist you as the Subcommittee discharges its critical and challenging responsibilities.