

**BUDGET** The United States  
Department of the Interior  
**JUSTIFICATIONS**  
and Performance Information  
Fiscal Year 2024

**OFFICE OF  
THE SOLICITOR**

NOTICE: These budget justifications are prepared for the Interior, Environment and Related Agencies Appropriations Subcommittees. Approval for release of the justifications prior to their printing in the public record of the Subcommittee hearings may be obtained through the Office of Budget of the Department of the Interior.



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# General Statement

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# DEPARTMENT OF THE INTERIOR

## OFFICE OF THE SOLICITOR

### 2024 PRESIDENT'S BUDGET

#### GENERAL STATEMENT

The mission of the Office of the Solicitor (SOL, Office) is to provide high-quality legal counsel to the Secretary and the Department of the Interior's bureaus and offices; support the Department of Justice in representing the Secretary and Interior in Federal, State, and Tribal courts; help resolve legal issues for the bureaus and offices as they implement congressional direction on appropriations and substantive legislation; administer the Department's ethics program and ensure ethical compliance throughout the Department; and provide governance over Interior's Freedom of Information Act programs. The Office provides legal representation to the Secretary and all senior leadership, as well as comprehensive legal services to all bureaus and offices, ensuring that the Department's programs and activities are conducted in accordance with applicable laws and regulations. SOL's legal representation spans the entire spectrum of the Department's broad mission, providing expertise on a host of natural resource and environmental law issues, as well as mineral law, water law, land use law, Indian law, contract law, tort law, employment law, administrative law, and appropriations law. SOL attorneys represent the Department in administrative hearings and work with the Department of Justice in representing Interior in judicial proceedings in Federal, State, and Tribal courts throughout the United States. The Office also provides legal assistance in drafting and reviewing regulations, contracts, memoranda of agreement, formal decisions, leases, rights-of-way, title documents, other legal instruments, and proposed legislation. In addition, SOL manages the Departmental Ethics Office and Departmental Freedom of Information Act (FOIA) Office.

#### EXECUTIVE SUMMARY

The budget request provides the Secretary and the Department the legal services needed to advance the Administration's goals and other operational priorities. The work of the Office impacts every program within the Secretary's jurisdiction. SOL attorneys actively engage in client counseling to ensure sound decision-making, including implementing strategies that will decrease the likelihood of litigation and corrective post-litigation requirements. SOL attorneys assist the Secretary, through the Departmental bureaus and offices, in responding to congressional direction in appropriations and substantive legislation, advising the bureaus and offices on legal options for streamlining processes and improving program management, and implementing plans to carry out Departmental goals. The Office also assists all Department components in responding to requests from the Office of the Inspector General, the Office of Special Counsel, Congress, the courts, administrative tribunals, and the public.

The FY 2024 President's Budget request for the Office of the Solicitor is \$111,898,000. The Office's 2024 budget focuses on supporting the Department of the Interior's efforts to improve the efficiency and effectiveness of Department-wide programs by delivering the highest quality legal, ethics, and FOIA services to Interior.

**Total 2024 Budget Request**  
(Dollars in Thousands)

<b>Budget Authority</b>	<b>2022 Actual</b>	<b>2023 Enacted</b>	<b>2024 Request</b>	<b>Change from 2023 Enacted</b>
Current	94,998	101,050	111,898	10,848
<b>Total Budget Authority</b>	<b>94,998</b>	<b>101,050</b>	<b>111,898</b>	<b>10,848</b>
FTE Direct	399	413	441	28
FTE Reimbursable	98	99	109	10
FTE Allocation	42	52	57	5
<b>FTE Total</b>	<b>539</b>	<b>564</b>	<b>607</b>	<b>43</b>

The budget request includes a Legal Services activity increase of \$3.7 million and 14 FTE to support an expansion of capacity to advise on legal options for administrative decision-making, respond to congressional oversight and inquiries, and provide expertise on litigation relating to DOI policies and actions. In addition, the request includes \$2.5 million and 10 FTE for Legal Services related specifically to Inflation Reduction Act (IRA) implementation. The budget eliminates \$3.1 million provided for a one-time cost to relocate an SOL regional office.

The budget includes important funding increases to address critical administrative requirements. The request proposes an additional \$2.4 million and 4 FTE to begin a multiyear effort to fully digitize SOL records to meet the requirements of the Federal Records Act, modernize records management, and implement office space optimizations. The budget also includes \$1.0 million to cover the higher cost of a replacement Human Resource servicing agreement. SOL is required to transition to a new provider after its current provider notified SOL that it would no longer furnish those services.

**Good Accounting Obligation in Government Act Report**

The Good Accounting Obligation in Government Act (GAO-IG Act, P.L. 115-414), enacted January 3, 2019, requires that Agencies report the status of each open audit recommendation issued more than one year prior to the submission of the Agency’s annual budget justification to Congress. The Act requires Agencies to include the current target completion date, implementation status, and any discrepancies on closure determinations.

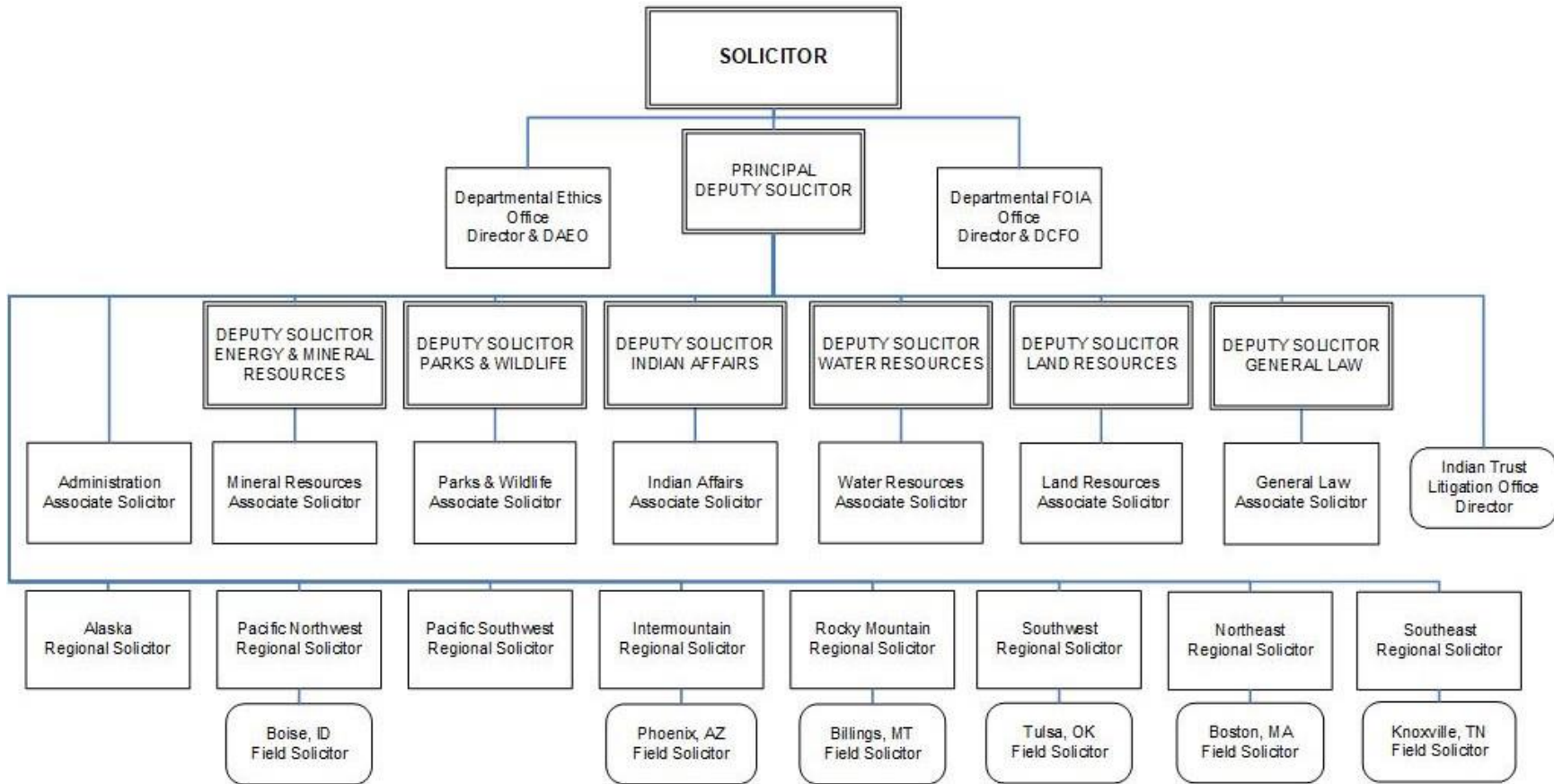
The Department of the Interior leadership takes audit follow-up very seriously and considers our external auditors, to include the Government Accountability Office (GAO) and Office of the Inspector General, valued partners in not only improving the Department’s management and compliance obligations but also enhancing its programmatic and administrative operations. As stewards of taxpayer resources, the Department applies cost-benefit analysis and enterprise risk management principles in recommendation implementation decisions. The Department’s GAO-IG Act Report will be available at the following link: <https://www.doi.gov/cj>



# Organizational Chart

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DEPARTMENT OF THE INTERIOR  
OFFICE OF THE SOLICITOR  
ORGANIZATIONAL CHART



## **Organization Descriptions**

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The Office of the Solicitor consists of a headquarters organization in Washington, D.C., and offices in 14 locations throughout the United States. The Solicitor is the Interior's chief attorney and the Secretary's principal legal adviser. The Solicitor is also designated as the Department's Chief FOIA Officer and serves as the immediate supervisor of the Department's Designated Agency Ethics Official. The Solicitor directs the Office's professional staff and is responsible for the legal work conducted within the Department, including all litigation brought against the Secretary, other senior leaders, and the Department's bureaus and offices.

The Washington, D.C. office is organized into the Immediate Office of the Solicitor, which includes a Principal Deputy Solicitor, six Deputy Solicitors with subject matter oversight; counselors to the Solicitor, and the Indian Trust Litigation Office; the Departmental Ethics Office; the Departmental FOIA Office; six legal divisions; and an administrative division. Each legal and administrative division is managed by an Associate Solicitor who is directly responsible to the Solicitor and respective Deputy/Principal Deputy Solicitor. The Ethics, FOIA, and Indian Trust Litigation Offices are managed by a director directly responsible to the Solicitor and Principal Deputy Solicitor. Regional offices are managed by a Regional Solicitor, who reports to the Principal Deputy Solicitor; field offices are managed by a Field Solicitor, who reports to a Regional Solicitor.

The **Immediate Office of the Solicitor** includes the Solicitor, Principal Deputy Solicitor, six Deputy Solicitors, Counselors/Advisors, the Indian Trust Litigation Office, and supporting staff. The Immediate Office is responsible for directing the legal work of the Office.

The Indian Trust Litigation Office (ITLO) within the Immediate Office of the Solicitor provides legal counsel and defends litigation filed in Federal courts throughout the United States against the Department by individual Indians and Indian Tribes. This litigation typically addresses the Secretary's trust duties with respect to trust fund accounting, trust fund management, and management of non-monetary natural resource trust assets. ITLO has primary responsibility for matters filed in the United States Court of Federal Claims seeking money damages under the Tucker Act and Indian Tucker Act, 28 U.S.C. § 1491 and 28 U.S.C. § 1505, for alleged breaches of fiduciary trust, and actions for declaratory and injunctive relief in district courts seeking to enforce compliance with a fiduciary trust duty.

The **Division of General Law** is responsible for administrative and general legal matters including, but not limited to, acquisition, information law, tort claims, insular areas, employment and labor law, legislative and appropriations issues, and intellectual property. In addition, the Division provides legal assistance and counsel to the Assistant Secretary - Policy, Management and Budget, the Chief Information Officer, and the Endangered Species Committee. The Division consists of an Associate Solicitor, an Assistant Solicitor for General Legal Services Branch, an Assistant Solicitor for the Acquisitions and Intellectual Property Branch, an Assistant Solicitor for the Torts Practice Branch, and the Director of the Employment and Labor Law Unit.

The Branch of General Legal Services has responsibility for legal matters and litigation related to Federal administrative law, including budget and appropriations, financial management, FOIA litigation, FOIA appeals, Privacy Act appeals, records management, electronic data management/e-discovery, partnerships, the Federal Advisory Committee Act, the Privacy Act, and the Administrative Procedure Act. It addresses internal delegations of authority, departmental law enforcement policies, insular areas, information technology, scientific integrity, rulemaking, congressional oversight, and all other related and

general matters not specifically the responsibility of any other branch or division. A portion of the practice of the Branch is devoted to providing early legal engagement, counseling, and review for clients from across all Department bureaus and offices while ensuring consistency in Federal administrative law throughout the Office of the Solicitor.

The Branch of Acquisitions and Intellectual Property has responsibility for legal matters related to Interior acquisition functions, including all related claims, litigation, and bid protests; use of revolving and franchise funds; interagency agreements, grants and cooperative agreements; patents, copyrights, trademarks, rights in data, and other forms of intellectual property; legal support of high-priority contracting and assistance actions, such as information technology and supporting secretarial priorities; and support of Indian education and law enforcement programs and priorities. A portion of the practice of the Branch is devoted to providing early legal engagement, counseling, and review for diverse clients while ensuring consistency in legal advice throughout the Office of the Solicitor.

The Torts Practice Branch provides counseling and advice in handling all Federal Torts Claims Act (FTCA) matters, and Military Personnel and Civilian Employees Claims Act administrative matters filed against Department of the Interior and its agencies. It also supports the Department of Justice in all Federal judicial litigation involving tort claims against Interior components. The Branch also handles all lawsuits for money damages alleging negligent or wrongful acts, including law enforcement actions. In addition, Branch attorneys handle claims related to injury and damage to Government property.

The Employment and Labor Law Unit provides legal review of disciplinary and performance-based actions under Chapters 43 and 75 of Title 5 of the U.S. Code, and defends the agency against claims brought under 75 of Title 5 of the U.S. Code, Title VII and Title VI of the Equal Employment Opportunity Act, Rehabilitation Act, Age Discrimination in Employment Act (ADEA), Veterans Employment Opportunity Act, Uniformed Services Employment and Reemployment Rights Act, Whistleblower Protection Act, the Family Medical Leave Act (FMLA), and the Fair Labor Standards Act.

The **Division of Indian Affairs** is responsible for legal matters related to the issues and programs affecting federally recognized Indian tribes, enrolled Tribal members, and other entities and individuals with which the Department interacts pursuant to applicable law. The division assists the Bureau of Indian Affairs, Bureau of Indian Education, and the Bureau of Trust Funds Administration in furthering the government-to-government relationship with federally recognized Indian Tribes. In addition, the Division provides legal assistance and counsel to the Assistant Secretary - Indian Affairs. The Division has an Associate Solicitor and four branches, each supervised by an Assistant Solicitor.

The Branch of Environment and Lands advises the Department in carrying out its responsibilities toward federally recognized Indian Tribes and individual Indians related to the acquisition, management, and protection of land, reservation boundary issues, and the protection of the environment, including natural and cultural resources.

The Branch of Self-Governance and Economic Development has responsibility for legal matters related to Tribal economic development, gaming, and a wide range of Indian Affairs program activities, including housing, social services, transportation, judicial services, law enforcement, Tribal contracting, compacting, and consultation.

The Branch of Tribal Government Services provides legal advice on matters concerning Tribal status; the reorganization and functioning of indigenous and Tribal governments; and the scope, extent, and exercise

of Tribal governmental authority in internal and external relations. This subject matter includes questions of membership, the adoption and modification, under Federal statute, of Tribal constitutions and corporate charters, leadership disputes, Tribe-specific and Indian preference, the reorganization of the Native Hawaiian Community, the respective jurisdiction of Federal, Tribal, and State governments, Indian Child Welfare Act matters, hunting and fishing rights, international issues, and Bad Man claims. The Branch also provides legal services to Bureau of Indian Education leadership in operating Federal schools for Indians and providing contracts and grants to Tribal schools.

The Branch of Trust Services has responsibility for advising the Secretary in the Secretary's capacity as trustee over trust assets generated from the use of trust resources including the leasing and sale of such land and minerals. The Branch is responsible for legal matters related to managing the trust assets, including Tribal and individual Indian money accounts, probate issues, the land title and records office, and the Land Buy Back Program for Tribal Nations.

The **Division of Land Resources** is responsible for legal matters related to the programs and activities of the Bureau of Land Management, other than legal matters concerning mineral programs. The Division is also responsible for asserting, on behalf of all of Interior's bureaus, affirmative claims seeking reimbursement under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) for costs incurred by those bureaus in remediating contamination on bureau lands. The Division also defends the bureaus in contribution actions asserted against them under CERCLA and other laws. In addition, the Division provides legal assistance and counsel to the Assistant Secretary - Land and Minerals Management; and, with respect to matters concerning operation of the Department's Central Hazardous Materials Fund, the Assistant Secretary - Policy, Management and Budget. The Division has an Associate Solicitor and two branches, each supervised by an Assistant Solicitor.

The Branch of Public Lands is responsible for legal matters related to BLM land management functions, including land acquisitions, disposals, surveys, boundaries, withdrawals, national monuments, classifications, rights-of-way (current and historic), solar and wind development, trespass, land titles, land use planning, grazing, recreation, forest management, wildland fire issues, law enforcement, water rights, wild horses and burros, and wilderness.

The Branch of Environmental Compliance and Response has responsibility for legal matters related to implementation of response actions, cost recovery, and cost avoidance involving cases funded by Interior's Central Hazardous Materials Fund and other matters addressing a response to a release or threatened release of hazardous substances on Department-managed lands. The Branch also has responsibility for legal assistance and counsel with respect to issues of environmental compliance that arise under numerous State and Federal laws at Interior's facilities, and environmental liabilities that arise during real property transactions. The Branch also works closely with the U.S. Environmental Protection Agency and other agencies in promoting the cleanup of mixed ownership sites (private and public lands) and facilitating the remediation of formerly used defense sites. The Branch also coordinates its response activities with Interior's Natural Resources Damage Assessment and Restoration Program.

The **Division of Mineral Resources** is responsible for legal matters related to the programs and activities of the Bureau of Ocean Energy Management, the Bureau of Safety and Environmental Enforcement, the Office of Surface Mining Reclamation and Enforcement, the U.S. Geological Survey other than those related to its Biological Research Division, and BLM's minerals programs. The Division provides legal assistance and counsel to the Assistant Secretary - Land and Minerals Management. The Division has an Associate Solicitor and four branches, each supervised by an Assistant Solicitor.

The Branch of Ocean Energy provides legal services to BOEM, including support for its mineral leasing, exploration, and development plan administration, bonding, National Environmental Policy Act (NEPA) analysis, and renewable energy (including offshore wind, wave, and ocean current energy) functions. The branch also advises BOEM regarding international and domestic boundaries, international pollution and marine mineral matters, the Law of the Sea treaty, and the Convention on the Outer Continental Shelf.

The Branch of Offshore Safety and Enforcement provides legal support to BSEE in enforcing safety and environmental regulations and regulating field operations, including permitting, inspections, development of regulations to achieve safety and environmental protection, enforcement (including litigation of civil penalties or other sanctions), approval of suspensions and unitizations, oil spill preparedness and response, pipelines and rights of way, decommissioning, and environmental compliance functions.

The Branch of Onshore Minerals provides legal services to the minerals programs of BLM and USGS. It is responsible for legal matters related to Federal coal, oil and gas, locatable hardrock minerals, leasable solid minerals, mineral materials, and geothermal resources disposition, development and extraction, environmental regulation and protection, and reclamation and remediation. The Branch also assists BLM in its regulatory responsibilities on Indian trust and restricted lands.

The Branch of Surface Mining provides legal services to OSMRE. It is responsible for legal matters related to OSMRE programs and activities, including regulatory programs, enforcement and collections, and abandoned mine land reclamation.

The **Division of Parks and Wildlife** is responsible for legal matters related to the programs and activities of NPS, FWS, and the Biological Research Division of the USGS. In addition, the Division provides legal assistance and counsel to the Assistant Secretary – Fish, Wildlife and Parks and the Assistant Secretary – Water and Science. The Division has an Associate Solicitor and three branches, each supervised by an Assistant Solicitor.

The Branch of National Parks has responsibility for legal matters related to NPS's programs and activities and for legal matters related to the programs and activities of NPS's National Capital Region and the United States Park Police.

The Branch of Fish and Wildlife has responsibility for legal issues related to the programs, activities, and policies of Interior and FWS concerning conservation, the preservation of migratory birds, fish, other kinds of endangered species, game and marine mammals, and their habitats throughout the United States, its possessions and territorial waters; the protection, management, and use of natural and cultural resources within the National Wildlife Refuge System; and interaction and liaison between Interior and other Federal and State agencies, foreign countries and international organizations.

The Branch of Environmental Restoration is responsible for resolving legal problems involving the programs, activities, and policies of Interior and its various agencies, when related to natural resource restoration.

The **Division of Water Resources** is responsible for water rights legal matters for BOR, BLM, NPS, FWS, BIA, and the USGS. In addition, the Division provides legal assistance and counsel to the Assistant Secretary – Water and Science and the Secretary's Indian Water Rights Office. The Division has an Associate Solicitor and two branches, each supervised by an Assistant Solicitor.

The Branch of Water and Power is responsible for legal matters related to the assertion and administration of water rights by all Bureaus within the Department other than water rights asserted on behalf of Tribes and individual Indians. The Branch provides legal advice on Reclamation law, including contracting for water delivery; repayment, and operation and maintenance; hydropower development; water research and technology; water policy and water rights. The Branch coordinates assertion and defense of all Bureau, State law-based, and Federal reserved water rights. The Branch helps Bureaus resolve issues concerning major water resources, such as the Colorado River and the Central Valley Project in California, and matters related to interstate compacts.

The Branch of Indian Water Rights has responsibility for legal matters related to BIA programs and activities with respect to water rights held in trust by the United States for Indian Tribes and allottees, including adjudications and congressional settlements of Indian water rights; license applications before the Federal Energy Regulatory Commission and hydroelectric power projects that affect Indian reservations and resources; and the operation and maintenance of BIA irrigation projects. The Branch also provides legal support to the Secretary's Indian Water Rights Office.

**Interior Regions, Regional Solicitors, and Field Offices.** The Office of the Solicitor has eight regional offices, each directed by a Regional Solicitor. Additionally, there are six subordinate field offices, each supervised by a Field Solicitor. Each regional and field office is assigned a geographical area for which it provides legal services to the Department's bureau operations within that geographic area.

**Alaska Regional Office.** The Alaska Regional Office is directed by a Regional Solicitor and is responsible for legal matters in Alaska for all Department bureaus except OSMRE and those involving the BIA for the Metlakatla Indian Community, Annette Island Reserve. The Office of the Regional Solicitor is located in the Anchorage, Alaska, metropolitan area.

**Intermountain Regional Offices.** The Intermountain Regional Offices are directed by a Regional Solicitor and are responsible for legal matters on the Navajo Reservation in Arizona for BLM and BOR; legal matters in the rest of Arizona for all Department bureaus except FWS, NPS, and OSMRE; legal matters on the Navajo Reservation in Utah for BLM; legal matters in the rest of Utah for all Department bureaus except FWS, OSMRE, and NPS concessions contracts; legal matters for BOR in California for the Lower Colorado Basin, Colorado for the Upper Colorado Basin west of the Continental Divide, New Mexico, Texas for the Pecos River and west, and Wyoming for the Upper Colorado Basin; and legal matters in Nevada for BOR in the Lower Colorado Basin and for BIA. Responsibility for matters in New Mexico and Texas is shared with the Southwest Regional Offices. The Office of the Regional Solicitor is located in the Salt Lake City, Utah, metropolitan area. A subordinate field office is supervised by a Field Solicitor under the direction of the Regional Solicitor and is located in the Phoenix, Arizona, metropolitan area.

**Northeast Regional Offices.** The Northeast Regional Offices are directed by a Regional Solicitor and are responsible for legal matters for all Department bureaus except BIA in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia; legal matters for all Department bureaus except NPS in Michigan, Minnesota, and Wisconsin; legal matters for all Department bureaus except NPS and OSMRE in Illinois; legal matters for all Department bureaus except BIA, NPS, and OSMRE in Indiana; legal matters for all Department bureaus except BIA and NPS in Ohio; legal matters for all Department bureaus except BIA, BLM, and OSMRE in Virginia; legal matters for BIA in Nebraska, North Dakota, and South Dakota; legal matters for FWS in Missouri; and legal matters in Iowa for BIA, FWS, and USGS. The Office of



the Regional Solicitor is located in the Minneapolis-St. Paul, Minnesota, metropolitan area (“Twin Cities”). A subordinate field office is supervised by a Field Solicitor under the direction of the Regional Solicitor and is located in the Boston, Massachusetts, metropolitan area. Consistent with a reprogramming letter sent to Congress in December 2022, SOL will close the Northeast Region’s Pittsburgh Field Office and organizationally reassign all of its existing personnel to the Twin Cities Regional Office in FY 2023.

**Pacific Northwest Regional Offices.** The Pacific Northwest Regional Offices are directed by a Regional Solicitor and are responsible for legal matters for all Department bureaus except OSMRE in Idaho and Washington; legal matters in Alaska for BIA involving Metlakatla Indian Community, Annette Island Reserve; legal matters in Hawaii and the Pacific Islands (Guam, Northern Mariana Islands, American Samoa) for FWS; legal matters in Montana for BIA involving the Flathead Reservation and for NPS involving Big Hole National Battlefield; and legal matters in Oregon for all Department bureaus except BOR in the Klamath Basin, FWS in the Klamath Basin, and OSMRE. The Office of the Regional Solicitor is located in the Portland, Oregon, metropolitan area. A subordinate field office supervised by a Field Solicitor under the direction of the Regional Solicitor is located in the Boise, Idaho, metropolitan area.

**Pacific Southwest Regional Offices.** The Pacific Southwest Regional Offices are directed by a Regional Solicitor and are responsible for legal matters in California for all Department bureaus except BOR in the Lower Colorado Basin; legal matters in Nevada for all Department bureaus except BOR in the Lower Colorado Basin and BIA; legal matters in Oregon for BOR in the Klamath Basin and for FWS in the Klamath Basin; and legal matters in Hawaii and the Pacific Islands (Guam, Northern Mariana Islands, American Samoa) for NPS and USGS. The Office of the Regional Solicitor is located in the Sacramento, California, metropolitan area. Consistent with a reprogramming letter sent to Congress in 2022, SOL will close the Pacific Southwest Region’s San Francisco Field Office and organizationally reassign all its existing personnel to the regional office in Sacramento in FY 2023.

**Rocky Mountain Regional Offices.** The Rocky Mountain Regional Offices are directed by a Regional Solicitor and are responsible for legal matters for NPS in Arkansas, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin; legal matters for OSMRE in Alaska, California, Idaho, Oregon, and Washington; legal matters in Arizona and New Mexico for NPS concessions contracts and OSMRE; legal matters in Colorado for BLM, BOR east of the Continental Divide involving the Upper Colorado Basin, FWS, NPS, OSMRE, and the Interior Business Center; legal matters in Kansas for BOR, FWS, and NPS; legal matters in Montana for BIA excluding the Flathead Reservation, BLM, BOR, FWS, NPS excluding Big Hole National Battlefield, and OSMRE; legal matters in Nebraska for BLM BOR, FWS, and NPS; legal matters in North Dakota and South Dakota for BLM, BOR, FWS, NPS, and OSMRE; legal matters in Oklahoma for NPS concessions contracts and BOR; legal matters in Texas for BOR east of the Pecos River and NPS concessions contracts; legal matters in Utah for FWS, OSMRE and NPS concessions contracts; legal matters in Wyoming for BIA, BLM, BOR excluding Upper Colorado Basin, FWS, NPS, and OSMRE; and legal matters nationwide for the Office of Natural Resources Revenue and the Appraisal and Valuation Services Office. The Office of the Regional Solicitor is located in the Denver, Colorado, metropolitan area. A subordinate field office is supervised by a Field Solicitor under the direction of the Regional Solicitor and is located in the Billings, Montana, metropolitan area.

**Southeast Regional Offices.** The Southeast Regional Offices are directed by a Regional Solicitor and are responsible for legal matters for all Department bureaus in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, and the U.S. Virgin Islands; legal matters in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New

Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and West Virginia for BIA; legal matters in Iowa, Illinois, Kansas, Oklahoma, and Texas for OSMRE; legal matters in Arkansas for BIA, FWS, OSMRE, and USGS; legal matters in Indiana for BIA and OSMRE; legal matters in Missouri for OSMRE and USGS; and legal matters in Virginia for BIA, BLM, and OSMRE. The Office of the Regional Solicitor is located in the Atlanta, Georgia, metropolitan area. A subordinate field office is supervised by a Field Solicitor under the direction of the Regional Solicitor and is located in the Knoxville, Tennessee, metropolitan area.

**Southwest Regional Offices.** The Southeast Regional Offices are directed by a Regional Solicitor and are responsible for legal matters for all Department bureaus in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, and the U.S. Virgin Islands; legal matters in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and West Virginia for BIA; legal matters in Iowa, Illinois, Kansas, Oklahoma, and Texas for OSMRE; legal matters in Arkansas for BIA, FWS, OSMRE, and USGS; legal matters in Indiana for BIA and OSMRE; legal matters in Missouri for OSMRE and USGS; and legal matters in Virginia for BIA, BLM, and OSMRE. The Office of the Regional Solicitor is located in the Atlanta, Georgia, metropolitan area. A subordinate field office is supervised by a Field Solicitor under the direction of the Regional Solicitor and is located in the Knoxville, Tennessee, metropolitan area.

# Budget Summary Tables

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## BUDGET AT A GLANCE

(Dollars in Thousands)

Appropriation: Office of the Solicitor	2022 Actual	2023 Enacted	Fixed Costs	Program Changes (+/-)	2024 Request
<b>Legal Services</b>	65,086	70,528	+3,318	+3,100	76,946
Legal Services Capacity				[+3,700]	
IRA Implementation				[+2,500]	
Office Moves				[-3,100]	
<b>General Administration</b>	5,926	6,199	+265	+3,425	9,889
HR Services				[+1,000]	
Workspace Modernization				[+2,425]	
<b>Ethics Office</b>	20,198	20,504	+577		21,081
<b>FOIA Office</b>	3,788	3,819	+163		3,982
<b>Total</b>	<b>94,998</b>	<b>101,050</b>	<b>+4,323</b>	<b>+6,525</b>	<b>111,898</b>

## SUMMARY OF REQUIREMENTS

(Dollars in Thousands)

<b>Salaries &amp; Expenses</b>	2022 Actual Amount	2022 Actual Total FTE	2023 Enacted Amount	2023 Enacted Total FTE	2024 Request Fixed Costs (+/-)	2024 Request Program Changes (+/-) Amount	2024 Request Program Changes (+/-) FTE	2024 Request Amount	2024 Request FTE	2024 Request Total Change from 2023 (+/-)
Legal Services	65,086	291	70,528	288	+3,318	+3,100	+24	76,946	312	6,418
General Administration	5,926	19	6,199	25	+265	+3,425	+4	9,889	29	3,690
Ethics Office	20,198	78	20,504	84	+577	0	0	21,081	84	577
FOIA Office	3,788	11	3,819	16	+163	0	+0	3,982	16	163
<b>TOTAL, SOL</b>	<b>94,998</b>	<b>399</b>	<b>101,050</b>	<b>413</b>	<b>+4,323</b>	<b>+6,525</b>	<b>+28</b>	<b>111,898</b>	<b>441</b>	<b>10,848</b>

# JUSTIFICATION OF FIXED COSTS CHANGES

(Dollars in Thousands)

Fixed Cost Element	2023 Enacted Total or Change	2023 Enacted to 2024 Request Change	Description
Change in Number of Paid Days	-292	+323	This column reflects changes in pay associated with the change in the number of paid days between 2023 and 2024. 2024 has one day more than 2023.
Pay Raise	+3,041	+4,078	The President's Budget for 2024 includes one quarter of the 4.6% pay raise for 2023 and three quarters of a planned 5.2% pay raise for 2024.
Employer Share of Federal Employee Retirement System (FERS)	0	0	This column reflects no budgeted increase to the employer contribution to the Federal Employee Retirement System and a 0.6% increase to the employer contribution for the Law Enforcement Federal Employees Retirement System.
Departmental Working Capital Fund (WCF)	+897	-189	The change reflects the final 2024 Central Bill approved by the Working Capital Fund Consortium.
Workers' Compensation Payments	-10	+1	The amounts reflect final chargeback costs of compensating injured employees and dependents of employees who suffer accidental deaths while on duty. Costs for 2024 will reimburse the Department of Labor, Federal Employees Compensation Fund, pursuant to 5 U.S.C. 8147(b) as amended by Public Law 94-273.
Unemployment Compensation Payments	0	+6	The amounts reflect projected changes in the costs of unemployment compensation claims to be paid to the Department of Labor, Federal Employees Compensation Account, in the Unemployment Trust Fund, pursuant to Public Law 96-499.
Rental Payments	916	+104	The amounts reflect changes in the costs payable to General Services Administration (GSA) and others for office and non-office space as estimated by GSA, as well as the rental costs of other currently occupied space. These costs include building security. Costs of mandatory office relocations, i.e. relocations in cases where due to external events there is no alternative but to vacate the currently occupied space, are also included.
Account Total Fixed Cost		+4,323	

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SOLICITOR

APPROPRIATIONS LANGUAGE

**SALARIES AND EXPENSES**

For necessary expenses of the Office of the Solicitor, [\$101,050,000] *\$111,898,000*, to remain available until September 30, [2024] *2025*. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2023*.)

**Appropriations Language Citation**

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**For necessary expenses of the Office of the Solicitor.**

43 U.S.C. § 1455 provides that on and after June 26, 1946, the legal work of the Department of the Interior shall be performed under the supervision and direction of the Solicitor of the Department of the Interior, who shall be appointed by the President with the advice and consent of the Senate.



# Budget Submission

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# BUDGET SUBMISSION

## ACTIVITY: LEGAL SERVICES

(Dollars in Thousands)

	2022 Actual	2023 Enacted	2024			Change from 2023 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Request	
<b>Legal Services</b>	65,086	70,528	+3,318	+3,100	76,946	+6,418
<b>Direct FTE</b>	291	288	0	+24	312	+24
<b>Reimbursable FTE</b>	92	99	0	+10	109	+10
<b>Allocated FTE</b>	40	48	0	+4	52	+4

### Summary of 2024 Program Changes for Legal Services

<b>Program Changes:</b>	<b>(\$000)</b>	<b>FTE</b>
Legal Services Capacity	+3,700	+14
IRA Implementation	+2,500	+10
Office Moves	-3,100	0
<b>TOTAL Program Changes</b>	<b>+3,100</b>	<b>+24</b>

### Justification of 2024 Program Changes

The 2024 budget request for the Legal Services activity is \$76,946,000 and 312 current direct FTE, a program change of +\$3,100,000 and +24 FTE from 2023.

**Legal Services Capacity (+\$3,700,000 / +8 FTE)** – The budget request includes a program increase of \$3,700,000 for 14 FTE to expand the Office’s capacity to deliver legal services to the Department. The proposed 14 FTE will increase legal services capacity by approximately three percent. This request will mitigate, but not reduce, SOL’s expected need for additional funding of legal services by the Department’s bureaus and offices stemming from the Department’s proposed FY 2024 program increases.

The Office expects the counseling and litigation workload to be substantial over the next few years as the Department implements the President’s and the Secretary’s priorities. With proactive counseling, decision-makers are provided the opportunity to weigh litigation risks and potential costs that would result from pursuing one course of action over another. Front-end counseling is critical to realizing cost savings by preventing litigation or narrowing the issues that might be challenged in court. The Department’s FY 2024 budget request includes \$2.1 billion, a 12 percent increase, from the FY 2023 enacted budget. Expanded bureau and office programs will result in a significant increase in the demand for legal services. Some significant examples include: the Administration’s onshore clean energy goal to permit 30 gigawatts (GW) of offshore wind energy by 2030; 15 GW of floating wind by 2035; the government-to-government relationship with sovereign Tribal Nations; the Administration’s goal of

creating millions of family-supporting and union jobs; and the centering of equity and environmental justice.

**IRA Implementation (+\$2,500,000 / +10 FTE)** – The 2024 budget request includes a program increase of \$2,500,000 for 10 FTE to provide legal services relating to permitting, energy, and offshore carbon sequestration related to support needs resulting from the IRA. The IRA, signed into law on August 16, 2022, includes transformational investments to address the climate crisis, lower costs for working families, and create good-paying jobs. The Act will help bolster bureaus and offices across the Department to continue the momentum toward the transition to a clean energy economy, advance key habitat restoration and land resilience projects, and secure environmental justice for historically disadvantaged communities. There are several provisions in the law that make historic investments in the Department of the Interior, including:

- \$4.6 billion to address the worsening drought crisis in the West;
- \$650 million to increase staff and personnel across Interior bureaus;
- \$500 million for land resilience, conservation, and habitat restoration;
- \$411 million for investments, including climate resilience, in Tribal and Native Hawaiian communities;
- \$125 million to strengthen Endangered Species Act efforts;
- \$121 million to restore and increase the resilience of our National Wildlife Refuges; and
- \$15 million for climate assistance to insular areas.

To ensure compliance with the IRA and other applicable laws and to reduce the likelihood of protracted implementation delays caused by litigation, SOL will be expected to play a major role. Indeed, these investments will require significant legal services by SOL. Examples of the required legal services are outlined in the following table.

<b>Bureau</b>	<b>Program Area</b>	<b>Inflation Reduction Act Legal Services</b>
BIA	Tribal clean energy	Legal support for NEPA review and general advice on Tribal clean energy, drought relief, climate resilience/adaptation, and electrification projects
BIA & BOR	Water projects	Legal support for NEPA review and general advice on water projects for disadvantaged communities, Tribes, canal improvements, and BIA fish hatchery operations
BLM	Mineral Leasing Act	Significant revisions of the Mineral Leasing Act will require rulemakings and re-writing of the BLM manual and several policy documents
BLM	Renewable energy	Legal support relating to ensuring solar and wind permitting decisions comply with NEPA, procurement laws, and rights-of-way
BLM & BSEE	Methane Enforcement	Legal support for enforcement actions and related litigation

<b>Bureau</b>	<b>Program Area</b>	<b>Inflation Reduction Act Legal Services</b>
BOEM & BSEE	Carbon sequestration	Legal support for the rulemaking, environmental analysis, policy development, implementation, and potential litigation relating to developing a wholly new carbon sequestration program
BOEM & BSEE	Renewable energy	Legal support for a new renewable energy leasing program for U.S. territories, including Guam, Puerto Rico, and others
BOEM & BSEE	Renewable energy	Legal support relating to the extended 30% tax credit that is expected to encourage interest and investment in offshore renewable energy leasing
BOR	Canal improvement projects	Legal support relating to contracts, agreements, grants, and procurements
BOR	Drought	Legal support relating to ongoing drought conditions in the west and significant changes to the Colorado River Compact
FWS	Permitting	Legal support relating to an expected increase in permitting of renewable energy and transmission projects in California and Nevada which require ESA and Migratory Bird Treaty Act (MBTA) compliance and related litigation, NEPA and procurement compliance for National Wildlife Refuge restoration projects
FWS	Clean energy	Legal support for the implementation of the MBTA relating to clean energy development and rights-of-way, ESA recovery planning, and support through Section 7 consultations
NPS and BLM	Land resilience and conservation/habitat restoration	Compliance with NEPA and procurement for related projects
ONRR	Revenue management	Legal support relating to Department's revenue management actions
USGS	3D elevation program	Legal support relating to contracts, agreements, grants, and procurements and defend related litigation
ALL Bureaus	General legal services	Legal support for employment law, ethics, Federal Torts Claims Act, appropriations law, Administrative Procedures Act, FOIA, acquisitions, and intellectual property

**Office Moves (-\$3,100,000/ 0 FTE)** – The budget request eliminates \$3,100,000 provided for the Denver regional office move, which was a one-time expense in FY 2023.

## Legal Services Program Overview

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The responsibility of the Legal Services program is to effectively manage the legal work necessary to support the priorities of the President and the Secretary; provide legal counsel and advice to the Secretary, other Department leadership, and the Department's bureaus and offices; represent the Department's interests in affirmative and defensive litigation; prepare legal opinions addressing a broad range of topics with national implications; and conduct legal review of legislation, regulations, Congressional requests, contracts, land title documents, and other legal materials.

### HEADQUARTERS

Immediate Office of the Solicitor  
Departmental Ethics Office  
Departmental FOIA Office  
Indian Trust Litigation Office  
Division of General Law  
Division of Indian Affairs

Division of Land Resources  
Division of Mineral Resources  
Division of Parks and Wildlife  
Division of Water Resources  
Division of Administration

Most of the Office's resources are devoted to the defense of a wide range of litigation against the United States, both administrative and judicial, and other general legal services, ensuring that Interior's bureaus and offices carry out their responsibilities in accordance with the law. In most judicial litigation, SOL attorneys actively assist or are co-counsel with attorneys from DOJ. Office attorneys represent Interior without assistance from DOJ in all administrative litigation.

The Office also provides everyday legal service assistance in drafting and reviewing legislation, proposed and final regulations, contracts, memoranda of agreement, final decisions, leases, rights-of-way, title documents, and other legal instruments, as well as providing both written and oral legal advice on a constant flow of legal questions. Some of these questions arise from such government-wide statutes as the Administrative Procedure Act, FOIA, Privacy Act, Federal Advisory Committee Act, Federal Tort Claims Act, Civil Service Reform Act, Civil Rights Acts, and Rehabilitation Act, and various Constitutional provisions. Other questions arise from the hundreds of environmental and resource statutes and regulations applicable to Interior's program areas where the Office's attorneys have developed significant and specialized expertise.

In addition to this essential baseline of legal work, the Office engages in a significant number of special projects, providing critical legal support for Interior's key initiatives. The legal staff assists the bureaus in responding to congressional direction in appropriations and substantive legislation. The Office advises the bureaus on legal options for streamlining processes and improving program management, and implementing plans to carry out departmental goals. Finally, the Office assists the bureaus in responding to Inspector General, congressional, judicial, and public FOIA requests, as well as subpoenas for documents.

In addition to the Immediate Office of the Secretary and the offices of the Assistant Secretaries, client-representatives include the following bureaus and offices within Interior:

BIA	Bureau of Indian Affairs	OAS	Office of Aviation Services
BIE	Bureau of Indian Education	PMB	Office of Policy, Management and Budget
BLM	Bureau of Land Management	AVSO	Appraisal and Valuation Services Office
BOEM	Bureau of Ocean Energy Management	NRDAR	National Resource Damage Assessment and Restoration Program
BOR	Bureau of Reclamation	OCIO	Office of Chief Information Officer
BSEE	Bureau of Safety and Environmental Enforcement	CACR	Office of Collaborative Action and Dispute Resolution
BFTA	Bureau of Trust Funds Administration	ODICR	Office of Diversity, Inclusion and Civil Rights
FWS	U.S. Fish and Wildlife Service	OIA	Office of Insular Affairs
NPS	National Park Service	IBC	Interior Business Center
ONRR	Office of Natural Resources Revenue	LBBP	Land Buy Back Program for Tribal Nations
USGS	United States Geological Survey	SIWRO	Secretary's Indian Water Rights Office
OSMRE	Office of Surface Mining Reclamation and Enforcement	OEPC	Office of Environmental Policy and Compliance

### **Legal Services Workload**

The work of the Office of the Solicitor addresses and influences virtually every program within the Secretary's jurisdiction. The Office expects the counseling and litigation workload to be substantial over the next few years as the Department implements the President's and the Secretary's priorities.

SOL attorneys actively engage in client counseling to ensure sound decision-making, including implementation of strategies that may decrease the likelihood of litigation and corrective post-litigation actions. SOL attorneys assist the Secretary, through the Department's bureaus and offices, in responding to congressional direction in appropriations and substantive legislation, advising the bureaus and offices on legal options for streamlining processes and improving program management, and implementing plans to carry out Departmental goals. The Office also assists the Department's bureaus and offices in responding to requests from the Inspector General, the Office of Special Counsel, Congress, the courts, and the public.

SOL attorneys handle filed and anticipated litigation, resolve or mitigate potential legal challenges, and provide timely counseling, which is critical to properly managing litigation risks. With proactive counseling, decision-makers can weigh litigation risks and potential costs by pursuing one decision over another. Front-end counseling is critical to realizing cost avoidance by either preventing litigation or narrowing the issues that might be challenged in court.

The Office devotes a substantial portion of its resources to the legal counseling that is essential for bureau and office program managers to plan for and reach defensible decisions that are closely scrutinized by various interested, and often litigious, constituencies. Other critical work the Office performs includes reviewing proposed regulations and proposed regulatory revisions, reviewing permits and land use planning documents, preparing and reviewing Secretary's Orders, participating in government-to-

government relations with Indian Tribes, and advising on administrative functions, law enforcement, and security. The Solicitor's work forms the legal foundation for program decisions, risk analysis on a proposed course of action, and the development and review of the administrative records and evidence to support the program decision. In litigation, the Department of Justice relies on the subject-matter expertise of SOL attorneys in the development of a litigation strategy to defend the Department of the Interior's actions, as well as to compile the administrative record; respond to discovery requests, including document production, privilege reviews, and identification of fact witnesses among the Department's approximately 70,000 employees prepare fact and expert witnesses for testimony; prepare litigation reports containing all relevant facts; and draft and review legal arguments. The Office's attorneys also play a critical role in settlement negotiations and mediations, and in evaluating the merits of seeking appeals from adverse court decisions, including appeals to the United States Supreme Court.

SOL relies upon its Officewide workload tracking system, the Office of the Solicitor Information System (SOLIS), to enhance its ability to efficiently and effectively perform the legal work of the Department by collecting, managing, retaining, and analyzing information pertinent to its litigation and other significant activities; and enabling SOL's supervisors to track the work performed by their staff, ensure deadlines are met, and effectively allocate assignments. SOLIS allows the Office to comply promptly and accurately with SOL's statutory, regulatory, and executive reporting requirements. In FY 2022, SOL's professional staff logged more than 36,000 significant cases and counseling matters, including approximately 22,000 client counseling matters, 5,800 litigation cases, 7,300 ethics matters, and 1,600 other matters.

**Legal Counseling**—The Office's legal counseling services support every facet of the Department's wide-ranging mission. Ensuring that high-priority Administration and Secretarial initiatives receive proper legal review and counsel is critical to ensure compliance with applicable laws and decrease the likelihood of future litigation.

For example, the Department plays an essential role in advancing national policy to promote environmentally responsible and safe development of our Nation's vast energy resources, while at the same time balancing regulatory requirements. The Department's energy portfolio includes oil, gas, coal, hydroelectric, wind, solar, geothermal, and biomass. On a strategic level, the Office reviews existing and proposed regulations and policy initiatives. On a project level, it reviews energy exploration, development, production, and transportation decisions or actions for compliance with the National Environmental Policy Act (NEPA) and other legal requirements.

Office attorneys provide a wide breadth of services, including advising on reviewing and drafting key Departmental decisions, rulemaking, and planning documents. SOL attorneys help compile and review administrative records that are the basis of the Department's defense in litigation. For example, land use planning and other decisions may require extensive analysis under NEPA or the Endangered Species Act (ESA) to support a final agency decision. Legal counseling at the beginning of the NEPA or ESA process is critical to ensuring cost-effective management and potential narrowing of the issues that might arise as legal challenges to a bureau's proposed action.

In areas such as employment and labor law, regular and timely counseling with management officials leads to better and more defensible personnel decisions, lowers the risk of employee complaints and litigation, and improves Department-wide morale and employee retention. Effective and timely counseling also furthers the Administration's efforts to ensure, promote, and protect diversity, equity, inclusion, and accessibility throughout the Department.



**Litigation**—The Office’s expansive litigation portfolio includes: (1) defensive litigation in which Office attorneys work with the Department of Justice (DOJ) to defend the Secretary’s actions and those of the various bureaus and offices; (2) affirmative litigation in which attorneys develop referrals and work with DOJ in prosecuting primarily civil legal actions to enforce and/or obtain compliance related to environmental, natural resource, and Indian laws overseen by the Department; (3) defense of challenges to bureau decisions before administrative boards of appeals, such as the Interior Board of Land Appeals, the Interior Board of Indian Appeals, and the Civilian Board of Contract Appeals; and (4) defense of employment disputes such as those filed with the Merit Systems Protection Board and the Equal Employment Opportunity Commission by Department employees. The majority of the Office’s litigation is defensive in nature, requiring SOL’s attorneys to assume responsibility over the matters or risk possible default judgment, as well as monetary and other sanctions, by the court. In the course of this responsibility, SOL attorneys work closely with DOJ at all judicial levels, including in Federal trial courts, State and Tribal courts, and appellate courts, including the United States Supreme Court. The Office also exclusively handles hundreds of new administrative challenges each year.

The Office’s litigation caseload involves matters in every judicial district throughout the Nation. SOL attorneys handle a broad spectrum of subject areas, with cases that include some of the most complex and time intensive in the entire court system. Many cases can last several years or longer. Court-ordered discovery can involve reviewing and producing thousands, or even millions, of documents. Claims for monetary relief can be in the millions, if not billions, of dollars.

**Defensive Litigation**—As would be expected for a large Cabinet-level agency with a diverse mission, the Department of the Interior is sued thousands of times each year by a broad spectrum of individuals, organizations, businesses, and governments. As the defendant, the Office cannot control an aggrieved party’s decision to file litigation against the Secretary, other officials, or the Department’s bureaus and offices. Thus, defense of these cases is non-discretionary, and the Solicitor’s Office must devote resources to all phases of the litigation. Failure to do so could result in the courts issuing default judgments against the Secretary and the Department, as well as contempt of court citations. Court-imposed deadlines drive the volume and pace of the work devoted to these cases.

These defensive suits arise from all aspects of agency decision-making. The suits include challenges to land management decisions; water use and operations; breach of contract claims; tort actions; alleged breaches of trust in dealing with Indian lands, resources, and monies; personnel and employment-related matters; and numerous other issues. A few examples of resource-intensive defensive litigation include challenges to oil and gas leasing and coal leasing decisions; bankruptcy cases in which SOL defends government interests; ESA reform regulations, consultations, and listing determinations; the constitutionality of the Indian Child Welfare Act; Federal education statutes, and Administrative Procedures Act (APA) violation allegations for Bureau of Indian Education school programs; Bureau of Land Management land use plans for sage grouse conservation; and Indian, ESA, APA, Tribal trust, and Fifth Amendment takings claims relating to limited water resources in the western United States.

**Affirmative Litigation**—In affirmative litigation, the Office’s goals are straightforward and critically important: ensure that Federal laws are followed through civil enforcement actions that provide credible deterrents against future violations; ensure that violators of criminal statutes are appropriately punished; collect debts owed to the government; ensure that those responsible for contamination pay for or conduct needed remediation; and obtain money to restore or replace natural resources damaged or destroyed by oil spills or other releases of hazardous substances into the environment.

While pursuing affirmative litigation is critically important, the Office often must focus greater attention on non-discretionary defensive litigation. In the four years prior to 2021, the Office experienced a 23 percent reduction in affirmative cases, resulting in fewer civil enforcement actions, fewer criminal prosecutions, and fewer debts and penalties collected. Over the past year, those numbers have somewhat rebounded, though limited resources continue to hamper our ability to fully implement a robust affirmative litigation program.

Nonetheless, the benefit derived from affirmative litigation continues to far outpace the cost. In affirmative litigation, the Office has an opportunity to recover the costs of environmental cleanups on Departmental lands, as well as economic damages for injuries to natural resources. The DOI Central Hazardous Materials Fund can use those recovered funds to conduct additional environmental cleanups. In environmental cleanup actions, the Office recovered \$1.7 million in FY 2021 and \$7.1 million in FY 2022.

The Office also recovers settlement funds for natural resource restoration and recovery of past costs. Over the last five years, the Department's Restoration Fund has received an average of over \$523 million annually from restoration settlements and advanced or reimbursed cooperative damage assessment funds. Fiscal year 2024 receipts are estimated at nearly \$660 million, with the increase largely due to the finalized settlement for natural resource impacts arising from the Deepwater Horizon oil spill in the Gulf of Mexico. Between 2017 and 2031, the settlement will deliver up to \$8.8 billion to the Restoration Fund in annual installments. None of this money would have been collected without intensive work by the Office of the Solicitor.

**ACTIVITY: GENERAL ADMINISTRATION**

(Dollars in Thousands)

	2022 Actual	2023 Enacted	2024			Change from 2023 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Request	
<b>General Administration</b>	5,926	6,199	+265	+3,425	9,889	+3,690
<b>Direct FTE</b>	19	25	0	+4	29	+4
<b>Reimbursable FTE</b>	0	0	0	0	0	0
<b>Allocated FTE</b>	1	1	0	0	1	0

**Summary of 2024 Program Changes for General Administration**

<b>Program Changes:</b>	<b>(\$000)</b>	<b>FTE</b>
HR Services	+1,000	0
Workspace Modernization	+2,425	+4
<b>TOTAL Program Changes</b>	<b>+3,425</b>	<b>+4</b>

**Justification of 2024 Program Changes**

The 2024 budget request for the General Administration activity is \$9,889,000 and 29 current direct FTE, a program change of +\$3,425,000 and +4 FTE from 2023.

**Human Resources (+\$1,000,000/ 0 FTE)** – The SOL budget includes a \$1,000,000 program increase for a new HR office servicing agreement. The USGS ceased providing SOL’s HR services in February 2023, after determining that it would no longer provide HR services to other DOI components. To address its human resources servicing requirements, SOL entered into an agreement with the BSEE, which provides HR services to several other Department bureaus and offices. The cost of transitioning to BSEE for HR services is \$1,000,000 more than what SOL previously paid annually to USGS.

**Workspace Modernization (+\$2,400,000/ +4 FTE)** – The SOL budget includes a program increase of \$2,400,000 and 4 FTEs annually for a six-year period to fund FTE and contractors for essential records management (RM) efforts and office space optimization costs. The four FTE includes one GS-13/14 Senior Records Management Specialist and three GS-11/12/13 Records Administrators to supplement existing staff responsible for ensuring SOL complies with the requirements under Federal regulations. The records management team would be responsible for assessing, developing, and implementing a comprehensive electronic records management (ERM) plan for the Office and management of digitization projects across SOL’s components. These workspace modernization efforts will provide efficiencies for SOL with respect to access, retrieval, and disposition of records, facilitate collaboration, promote workplace flexibilities, improve transparency and public access, and reduce long-term costs.

The Federal Records Act and corresponding regulations require Federal agencies to establish and maintain compliant records management programs that document the policies and transactions of the Federal Government. In 2014, the Federal Records Act was amended to expand the definition of Federal records to include electronic records. Subsequently, digitization requirements for Federal records were codified at 36 C.F.R. Chapter XII, Subchapter B. More recently, the National Archives and Records Administration (NARA) Strategic Plans in FY 2018-2022 and 2022-2026, and Office of Management and Budget (OMB) Memorandum M-19-21, Transition to Electronic Records, required Federal agencies to modernize records management and transition to fully electronic recordkeeping by June 30, 2024.

Project	# of Boxes	Cost per Box	Cost (in dollars)
Prepare and Sort Records for Disposition	17,281	299	5,167,019
Digitization of Unbound Documents	6,318	650	4,106,700
Digitization of Bound Documents	629	1,005	632,145
Digitization of Fragile Documents	1,469	1,005	1,476,345
Destruction of Temporary Active/Inactive Files	8,825	20	176,500
Destruction of Paper Records that Have Been Digitized	8,416	20	168,320
Space Optimization Costs			1,500,000
<b>Total Cost Estimate</b>			<b>13,227,029</b>

The Office estimates the total cost of this workspace modernization proposal will be \$13,227,029 and will be conducted over a six-year period. Based on a nationwide review of all SOL office locations, SOL estimates that its records portfolio contains approximately 17,281 boxes of documents. SOL estimates it will require, on average, two hours of work per box by contractors and FTEs to prepare and sort records to determine whether they should be digitized or destroyed. Utilizing the National Archives Federal Records Management Council [pricing tool](#) and other pricing sources, SOL estimates for file outputs and storage, scanning, and indexing of unbound, bound, and fragile documents, costs range from \$650 to \$1,005 per box. Specifically, this budget request estimates an average digitization cost of \$650 per box of unbound documents, \$1,005 per box of bound documents, and \$1,005 per box of fragile documents. SOL’s review estimates that about one-half of SOL’s records are eligible to be destroyed, with the remaining records requiring digitization. After digitization of these records, SOL estimates that only a small percentage of records will need to be preserved in paper form because of various Federal records management requirements.

The space optimization costs are the estimated renovation costs of relinquishing file storage space after dispositioning of records. Space no longer required to store paper files will either be converted to offices to address the increased number of FTE resulting from Legal Services capacity building or will be eliminated if no longer needed.

### **General Administration Program Overview**

Division of Administration: Under the direction of an Associate Solicitor, the Division of Administration is responsible for providing and coordinating all management and administrative services needed by the Office. Responsibilities in the Division of Administration include: organizational, strategic, and performance planning; program evaluation and policy development; budget formulation, justification and execution; human resources and position and performance management; diversity, equity, inclusion, and accessibility programs; employee development and training; space and property management; procurement of services, furnishings and equipment; information technology planning and services;

implementation and management of administrative and legal support systems and related training; continuity of operations and safety; communications; and FOIA response and records management.

**ACTIVITY: ETHICS OFFICE**

(Dollars in Thousands)

	2022 Actual	2023 Enacted	2024			Change from 2023 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Request	
<b>Ethics Office</b>	20,198	20,504	+577	0	21,081	+577
<b>Direct FTE</b>	78	84	0	0	84	0
<b>Reimbursable FTE</b>	0	0	0	0	0	0
<b>Allocated FTE</b>	0	1	0	0	1	0

**Ethics Office Program Overview**

The Departmental Ethics Office (DEO) oversees Interior’s statutorily mandated ethics program and derives its authority directly from the Secretary, who, by regulation, is the head of the agency’s ethics program. The DEO is responsible for implementing the laws, executive orders, regulations, and departmental policies concerning conflicts of interest and employee responsibilities and conduct.

The DEO is led by a director, who is also the Designated Agency Ethics Official (DAEO). The DAEO has delegated the responsibility to manage and coordinate Interior’s Ethics program. The DEO also ensures the implementation of and compliance with the Ethics in Government Act of 1989, other statutes with ethics provisions, Executive Order 12674: *Principles of Ethical Conduct for Government Officers and Employees*, government-wide ethics regulations, and Interior’s supplemental ethics regulations and policies governing employee conduct.

The DEO develops Departmental ethics policy and strives to provide every Interior employee the accurate and timely counseling and technical assistance to help them with the ethics and conduct issues they may face as entrusted public servants. The DEO seeks to integrate ethical concepts into everyday decision-making to foster and maintain high ethical standards for Interior employees and to ensure that employees incorporate an awareness of the ethics rules and regulations into their day-to-day management practices.

The DEO provides direct ethics services to all Department employees, including in the Immediate Office of the Secretary; the Assistant Secretary for Policy, Management and Budget; the Office of the Solicitor; as well as all political employees. Along with this program requirement, the DEO is responsible for providing supervision, oversight, and technical assistance to Interior’s bureaus and offices to ensure that each bureau and office ethics program complies with all applicable ethics laws, executive orders, and regulations. The DEO also manages the Hatch Act compliance program for Interior. Pursuant to various regulations, the DEO is required to perform the following functions.

- **Oversight and Technical Assistance to Bureaus:** Regulations require that the DAEO administer a process for periodic evaluation of the ethics program and its components. The DEO is directly responsible for administering ethics programs for all DOI bureaus

and offices. The DEO also provides live training on topics important to the consistent management of the bureaus' ethics programs.

- Presidential Appointments: The DEO coordinates and ensures ethics compliance for all political appointees. In coordination with the White House Counsel's Office, and the United States Office of Government Ethics (OGE), the DEO plays a critical role in the clearance process of nominees to Presidentially Appointed-Senate Confirmed positions. The DEO reviews allow nominees to perform their duties without actual or apparent conflicts of interest. Additionally, the DEO works with Interior's Office of Congressional and Legislative Affairs to prepare nominees for congressional hearings.
- Financial Disclosure: The DEO is responsible for ensuring that the public and confidential financial disclosure reporting requirements set out by regulation are met. Department-wide, there are approximately 11,000 filers of both public and confidential financial disclosure forms each year, each of which must be certified by the DEO. Financial disclosure is the foundation of a Federal ethics program because the accurate reporting of assets and interests is required by law. This information is critical for ethics officials to provide timely and accurate advice to employees about potential conflicts of interest.
- Training: The DEO is responsible for providing relevant and engaging ethics training and education to new employee ethics training and annual training for all confidential and public financial disclosure filers. All report filers are required to receive annual training.
- Counseling: The DEO is responsible for maintaining a system for counseling employees on all ethics matters, including interpretations of the criminal financial conflict of interest statutes, the post-employment statute, as well as all standards of conduct regulations (both government-wide and agency-specific).
- Liaison Role: The DAEO is required to be Interior's liaison with the OGE for all matters relating to the management of the ethics program, performing this role with the White House Counsel's Office and the Office of Special Counsel.
- Policy and Compliance: The DEO develops and deploys ethics policies and procedures compliant with the Ethics in Government Act of 1978, other statutes with ethics provisions, including criminal financial conflicts of interest statutes, the Standards of Ethical Conduct for Employees of the Executive Branch, and other government-wide ethics and political activity regulations.

**ACTIVITY: FREEDOM OF INFORMATION ACT (FOIA) OFFICE**

(Dollars in Thousands)

	<b>2022 Actual</b>	<b>2023 Enacted</b>	<b>Fixed Costs &amp; Related Changes (+/-)</b>	<b>Program Changes (+/-)</b>	<b>Request</b>	<b>Change from 2023 (+/-)</b>
<b>FOIA Office</b>	3,788	3,819	+163	0	3,982	+163
<b>Direct FTE</b>	11	16	0	0	16	0
<b>Reimbursable FTE</b>	6	0	0	0	0	0
<b>Allocated FTE</b>	1	2	0	+1	3	+1

**FOIA Office Program Overview**

The mission of the Departmental FOIA Office (DFO) is to implement systemic changes that improve the quality and capacity of the FOIA request processing offices by providing training, support, and ongoing central governance and oversight.

The DFO supports the 14 FOIA processing offices in the Department’s bureaus and offices. The Deputy Chief FOIA Officer (DCFO) serves as the Director of the DFO, managing all office activities and directing the activities of the FOIA program throughout the Department. The DFO carries out the following functions:

- Policy and Operational Support:** The DFO promulgates Department-wide policies and provides guidance to FOIA offices based on best practices that foster efficiency and consistency in FOIA processing. In addition, the DFO’s FOIA Support Team (FST) provides strategic and targeted operated assistance to the FOIA offices to help address particularly challenging issues such as intractable backlogs, systemic problems, and complex or cross-cutting requests. While the FST is not intended to be a substitute for properly staffing the FOIA offices, it enables the DFO to provide additional FOIA operational support to the bureaus/offices to address unexpected or significant FOIA demands by leveraging and strategically allocating resources.
- Human Capital:** The DFO establishes appropriate FOIA program management elements to ensure uniformity in FOIA personnel’s position descriptions and performance plans. The DCFO approves hiring decisions for bureaus/office FOIA Officer positions to ensure the highest quality hiring of, and performance by, these individuals who lead the bureau/office FOIA offices. The FOIA Officers also have a joint reporting relationship with the DCFO, along with their bureau leadership, to ensure their performance is accurately evaluated. In addition, the DFO conducts targeted, in-depth workforce/operational analyses of FOIA offices and makes data-driven recommendations to their leadership concerning staffing requirements, strategic alignment, and improved processing procedures.



# Appendixes

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# DISCLOSURE OF PROGRAM ASSESSMENTS

Public Law 117-328, Further Consolidated Appropriations Act, 2023, requires disclosure of program assessments used to support Government-wide, Departmental, or agency initiatives or general operations in annual budget justifications to Congress. This reporting requirement fulfills statutory requirements for Bureaus/Offices in Section 403 Division G of the Consolidated Appropriations Act, 2023 (P.L. 117-328), as shown below.

## DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves, or holdbacks, including working capital fund charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

The administrative costs for this Office will be displayed in two components – **External Administrative Costs**, and **Bureau Billing for Client Support** for reimbursable attorney positions funded by clients.

**External Administrative Costs** –The following table illustrates external administrative costs paid to Interior and other agencies to support Department-wide activities such as IT security, architecture, and capital planning; training through DOI University; telecommunications; finance and accounting services; building security; mail room; and enterprise licenses.

### **SOL WCF Billings Estimates, 2023-2024**

<b>Account</b>	<b>2023 Estimate</b>			<b>2024 Estimate</b>		
	<b>Central</b>	<b>Direct</b>	<b>Total</b>	<b>Central</b>	<b>Direct</b>	<b>Total</b>
OS Shared Services Subtotal	1,416	33	1,449	1,514	31	1,545
OS Activities Subtotal	2,635	71	2,706	2,189	72	2,260
IT Shared Services Subtotal	1,029	2,937	3,966	1,109	2,945	4,054
Centralized Billing Subtotal	167	437	604	230	462	692
<b>WCF Billing Total</b>	<b>5,246</b>	<b>3,477</b>	<b>8,723</b>	<b>5,042</b>	<b>3,509</b>	<b>8,551</b>

**Bureau Billing for Client Support** - Most client bureaus and offices within Interior require legal assistance beyond the level of services this Office can provide with its current appropriation. Section 403 of the Department of the Interior appropriation authorizes the reimbursement for administrative services. The legal work provided by SOL falls within the meaning of this provision. In these instances, the Office typically hires one or more attorneys on temporary appointments, and the Office enters into a reimbursable support agreement with the client to cover the cost.

The table below illustrates the indirect overhead costs for reimbursable attorney positions funded by clients. The indirect overhead costs reflect a pro-rata portion of operating costs, which includes space,

telecommunications, postage, courier services, supplies, printing, copying, computer equipment, performance recognition, office furnishings, technology services, automated legal research services, and external administrative costs.

<b>Bureau Billing for Client Support</b>	<b>FY 2024 Request</b>
Attorney salaries and benefits	20,847
Reimbursable attorney overhead	5,253
Travel	550
<b>Total</b>	<b>26,650</b>

In addition to reimbursements for staff positions and some related expenses, client bureaus fund a portion of the Office's travel. Consistent with the understanding developed with the Appropriations Committees, travel related to litigation and other core Office functions is paid out of the SOL appropriation (except for BTFA Indian Tribal trust litigation travel), but clients fund some travel for our attorneys to provide client training, attend meetings, and for other matters not involving core Office functions. The Office also receives budget allocations from Departmental Offices, including the Natural Resource Damage Assessment and Restoration Program, the Office of the Secretary's Working Capital Fund, and the Bureau of Trust Funds Administration for attorney salaries, benefits, and overhead.

# EMPLOYEE COUNT BY GRADE

(Total Employment)

<b>Employee Count by Grade</b>	<b>2022 Actual</b>	<b>2023 Estimate</b>	<b>2024 Estimate</b>
Executive Level IV .....	1	1	1
SES .....	24	23	23
<b>Subtotal</b> .....	<b>25</b>	<b>24</b>	<b>24</b>
SL - 00 .....	5	5	5
<b>Subtotal</b> .....	<b>5</b>	<b>5</b>	<b>5</b>
GS/GM -15 .....	146	157	157
GS/GM -14 .....	251	266	302
GS/GM -13 .....	51	56	60
GS -12 .....	19	19	22
GS -11 .....	26	25	25
GS - 9 .....	3	1	3
GS - 8 .....	11	11	11
GS - 7 .....	5	5	5
GS - 6 .....	2	1	1
<b>Subtotal</b> .....	<b>514</b>	<b>541</b>	<b>586</b>
<b>Total employment (actuals &amp; estimates)</b> .....	<b>544</b>	<b>570</b>	<b>615</b>

# SOURCE FUNDING FOR SOL REIMBURSABLE POSITIONS

(Dollars in Thousands)

	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Bureau of Indian Affairs</b>			
Legal support, related to BIA water resources	0	25	0
Legal support, related to trust land, Tribal relations, fee-to-trust activities, and other BIA activities	184	218	227
Legal support, trust services	99	103	107
Legal support, irrigation and general Indian water rights	186	224	233
Legal support, title and fee-to-trust	78	144	250
Legal support, energy development, natural resource law, realty, and FOIA	150	210	218
Legal support, related to legislation, policy, and operations	192	202	210
Legal support, realty issues	223	537	558
Legal support, Osage matters	107	123	128
Legal support, BIA Navajo Region	96	83	86
Legal support, BIA OJS matters	312	462	495
Legal support, land and IBIA matters	131	104	108
Legal support, BIA Pacific Northwest Region	134	171	178
Legal support, BIL matters	0	0	150
Subtotal	1,892	2,606	2,948
<b>Bureau of Indian Education</b>			
Legal support, BIE priority matters	232	243	253
Legal support, special needs claims, Indian education, and other BIE legal issues	386	196	504
Subtotal	618	439	757
<b>Bureau of Land Management</b>			
Legal support, land and operations, NEPA, planning, realty, minerals, grazing, and renewable energy/DRECP issues	396	435	252
Legal support, special assistant US attorney assignments	222	45	0
Legal support, land and operations including NEPA, FOIA, land use planning, oil and gas, mineral trespass, wild horses, and grazing issues	187	198	206
Legal support, land and operations, NEPA, realty, planning, FOIA, oil and gas, hardrock minerals, wild horses, fire trespass, CERCLA and AML, and grazing issues	423	451	469

	FY 2021	FY 2022	FY 2023
<b>Bureau of Land Management (continued)</b>			
Legal support, California matters	95	128	58
Legal support, Utah State Office	36	136	161
Legal support, fluid mineral program	162	190	198
Legal support, paralegal activities	58	65	53
Legal support, land and general law, including environmental law, NEPA, oil and gas, trespass, land use planning, realty, and grazing	134	132	137
Legal support, land use planning, sage grouse, recreation, and NEPA	257	300	312
Legal support, AK land use planning, RDI, BLM Fire Service, and navigability projects	222	265	276
Legal support, NHPA compliance, recordable disclaimers of interest, R.S. 2477, renewable energy, railroad rights- of-way, FLPMA, and other rights-of-way issues	186	211	219
Legal support, SNPLMA, land and resources occurring principally in southern Nevada	197	211	219
Legal support, R.S. 2477, land and mineral resources, grazing, renewable energy, NEPA, NHPA, land use planning, rights-of-way, and recreation	409	422	439
Legal support, FOIA	148	179	186
Legal support, Helium	203	214	223
Legal support, including procurement, agreements, and other legal support as necessary	468	489	509
Detail to BLM	63	293	41
Subtotal	3,866	4,364	3,958
<b>Bureau of Ocean Energy Management</b>			
Legal support, offshore minerals and renewable energy issues	435	465	484
Legal support, rulemaking, renewable leases, seismic permits, marine mineral agreements, OCSLA, OPA, and FOIA	233	436	503
Legal support, offshore renewable energy issues	946	1,167	1,264
Legal support, oil and gas leasing	165	222	276
Detail to BOEM	39	0	0
Subtotal	1,818	2,290	2,527

	FY 2021	FY 2022	FY 2023
<b>Bureau of Reclamation</b>			
Legal support, Upper and Lower Colorado issues	249	261	271
Legal Support, Central Utah Project – Title II construction and Title III mitigation programs	234	227	236
Legal support, power and irrigation issues	209	218	227
Legal support, Lower Colorado River basin	208	211	219
Legal support, Boulder Canyon Project Act	216	226	235
Legal support, water rights, water quality, contracts for the CVP, and non-CVP projects in California and Nevada	278	290	302
Legal support, Great Plains Region water service contracts, land title, NEPA, Indian water rights settlements, and general water rights	226	237	246
Legal support, stream adjudication and water rights issues	187	100	0
Legal support, realty, land management, cultural resources, NEPA, ESA, CWA, and Washington BOR projects	136	126	131
Legal support, including procurement, agreements, and other legal support as necessary	248	0	0
Legal support, San Joaquin River Restoration	170	183	190
Legal support, New Mexico water project and operations	228	223	132
Legal support, Federal Columbia River Power System, Federal power issues, and irrigation diversion rate settings	216	230	239
Legal support, contracting, repayment issues, western water supply issues, and the CVP	269	175	332
Legal support, Bay-Delta Area Office	164	185	192
Legal support, NEPA and ESA	220	230	139
Legal support, Indian water rights settlement implementation matters and agreements, contracts, and other legal document reviews related to CAP, Navajo project, and NGS extensions	141	192	200
Legal support, BIL matters	0	0	250
Subtotal	3,599	3,314	3,541



	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Bureau of Safety and Environmental Enforcement</b>			
Legal support, rulemaking initiatives, oversight of offshore operations, regulation under OCSLA and OPA, and FOIA	1,160	1,346	1,450
Legal support, oil and gas environmental and safety program	209	214	475
Subtotal	1,369	1,560	1,925
<b>Bureau of Trust Funds Administration</b>			
Legal support, trust policy and procedure projects	471	498	543
Legal support, Indian trust litigation	[1,920]	[2,051]	[2,154]
Subtotal	471	498	543
<b>Fish and Wildlife Service</b>			
Legal support, procurement, contracts, and concessions	172	0	0
Legal support, Farallon Islands National Wildlife Refuge	13	15	16
Legal support, National Wildlife Refuge System	98	104	68
Legal support, ESA, refuge, contracts, and grants	186	95	299
Legal support, ESA, realty, and records	163	103	107
Legal support, Office of Law Enforcement issues	95	175	182
Legal support, Region 3 matters	79	82	85
Legal support, Regions 5 and 7 matters	37	20	21
Legal support, water policy and rights	0	42	144
Legal support, BIL matters	0	0	150
Detail to FWS	136	0	0
Subtotal	979	636	1,072
<b>Interior Business Center</b>			
Legal support, IBC contractual and acquisition services	809	513	534
Subtotal	809	513	534
<b>National Park Service</b>			
Legal support, property, and realty	184	231	240
Legal support, FOIA, partnership agreements, cultural resources, environmental remediation, water, and intellectual property	337	297	259
Legal support, including procurement, agreements, and other legal support as necessary	6	0	0
Legal support, concessions, leasing, and commercial services	188	256	266
Legal support, procurement, concessions, and agreements	119	171	178

	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>National Park Service (continued)</b>			
Legal support, realty, contracting, and agreements	172	203	211
Legal support, related to Organic Act, NEPA, and FOIA	266	270	281
Legal support, Point Reyes and Golden Gate matters	58	74	77
Legal support, Southeast region matters	98	161	167
Subtotal	1,428	1,663	1,679
<b>Office Natural Resource Revenue</b>			
Legal support, ONRR related matters	388	374	439
Legal support, ONRR royalty matters	226	427	444
Subtotal	614	801	883
<b>Office of Surface Mining Reclamation and Enforcement</b>			
Legal support, SMCRA and other mining laws	235	247	307
Legal support, coal, regulatory, and reclamation operations	125	130	135
Legal support, BIL matters	0	0	200
Legal support, regulatory and reclamation operations, enforcement and permit actions, FOIA, and bankruptcy	364	391	407
Subtotal	724	768	1,049
<b>United States Geological Survey</b>			
Legal support, acquisitions	0	77	80
Subtotal	0	77	80
<b>Other Offices and Programs</b>			
Legal support, Land Buy-Back Program for Tribal Nations	207	222	231
Legal support, BIL Project Management Office support	0	0	80
Legal support, OCIO	187	200	208
Legal support, OS BIL orphan wells	0	[39]	[339]
Detail to OS	322	225	0
Legal support, Great American Outdoors Act	0	636	661
OS FOIA support	831	1,114	0
Legal support, OS issues reflecting cross-cutting matters arising from all DOI bureaus	286	288	300
Legal support, DOJ assignment	227	273	284
Legal support, FOIA Appeals	[587]	[427]	[447]
Legal support, WCF torts practice branch	[1,286]	[1,741]	[2,441]
WCF ethics	[190]	[80]	[80]

	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Other Offices and Programs (continued)</b>			
Legal support, WCF employment law	[2,074]	[2,551]	[4,151]
Legal support, WCF litigation hold program	[90]	[117]	[123]
WCF FOIA technology	[0]	[0]	[297]
Legal support, NRDAR	[611]	[798]	[823]
Legal support, HAZMAT compliance	[1,642]	[1,674]	[1,821]
Subtotal	2,060	2,958	1,764
<b>TOTAL REIMBURSEMENTS</b>	<b>20,247</b>	<b>22,487</b>	<b>23,260</b>

## FY 2022 EQUAL ACCESS TO JUSTICE ACT PAYMENTS

Case Name	Bur	Judge	Type	Amount	Hourly Rates	Venue	Citation	Appeal Status	Payment Date	Payee/Plaintiff's Attorney
Alliance for the Wild Rockies/Native Ecosystems Council v. Haaland	BLM	Susan Watters	Court Settlement	\$24,000	\$370-\$390	D. Mont.	1:20-cv-00186		7/14/22	Timothy Bechtold
Center for Biological Diversity v. BLM	BLM	Sharon Gleason	Court Settlement	\$300,000	\$210-\$400	D. Alaska	3:20-cv-308-SLG		8/23/22	Earthjustice
Center for Biological Diversity v. BLM, FWS and U.S. Forest Service	BLM	Michael H. Watson	Court Settlement	\$201,000		S.D. Ohio	2:17-cv-372	SOL recommended against appeal and ENRD and OSG agreed	3/30/22	Center for Biological Diversity
Center for Biological Diversity, et. al, v. BLM, et. al (Bakersfield FO RMP SEIS hydraulic fracturing)	BLM	Dale S. Fischer	Court Settlement	\$10,000	\$500-\$700	E.D. Cal.	2;20- cv-00371		8/15/22	Center for Biological Diversity

<b>Case Name</b>	<b>Bur</b>	<b>Judge</b>	<b>Type</b>	<b>Amount</b>	<b>Hourly Rates</b>	<b>Venue</b>	<b>Citation</b>	<b>Appeal Status</b>	<b>Payment Date</b>	<b>Payee/Plaintiff's Attorney</b>
Klamath-Siskiyou Wildlands, et al. v. BLM (Griffin Half Moon Timber Sale)	BLM	Ann Aiken	Court Settlement	\$46,000	\$205-\$425	D. Or.	1:19-cv-2069	US dismissed its appeal on March 17, 2022	6/23/22	Klamath-Siskiyou Wildlands Center
National Trust for Historic Preservation et al. v. Bernhardt	BLM	Michelle Burns	Court Settlement	\$110,000	\$350	D. Ariz.	19-cv-05008-MHB		4/29/22	Western Environmental Law Center
Rocky Mountain Wild v. Bernhardt	BLM	Marcia Krieger	Court Settlement	\$64,000	\$214-\$230	D. Colo.	18-cv-2468	Appeal withdrawn	6/30/22	Earthjustice
Rocky Mountain Wild, et al. v. Haaland, et al.	BLM	David Barlow	Court Settlement	\$20,000	\$229	D. Utah	Case No. 2:19-cv-00929-DBB-CMR	Appealed and dismissed	12/21/21	Stuart Gillespie
Sovereign Inupiat for a Living Arctic v. BLM	BLM	Sharon Gleason	Court Settlement	\$213,340	\$213-\$385	D. Alaska	3:20-cv-290-SLG		6/6/22	Trustees for Alaska

Case Name	Bur	Judge	Type	Amount	Hourly Rates	Venue	Citation	Appeal Status	Payment Date	Payee/Plaintiff's Attorney
Western Watersheds Project, WildEarth Guardians & Predator Defense v. USDA Aphis Wildlife Services, USFS & BLM	BLM	B. Lynn Winmill	Court Settlement	\$16,667		D. Idaho	1:20-cv-00213-BLW		7/19/22	Advocates for the West
Wilderness Workshop v. BLM, 1:18-cv-987 D. Colo.	BLM	Marcia Krieger	Court Settlement	\$60,000	\$435-\$475	D. Colo.	1:18-cv-987		12/10/21	Kyle J. Tisdell - Western Environmental Law Center
Center for Biological Diversity, et al. v. Haaland, et al.	FWS	Joseph Spero	Court Settlement	\$20,000	\$344-\$717	N.D. Cal.	No. 3:21-cv-1182-JCS		6/13/22	Center for Biological Diversity
Rocky Mountain Wild, San Luis Valley Ecosystem Council, San Juan Citizens Alliance, Wilderness Work	FWS	John Kane	Court Settlement	\$137,500	\$300-\$500	D. Colo.	1:15-cv-01342-RPM	Appeal dismissed	7/14/22	Travis Stills and Matthew Sandler

Case Name	Bur	Judge	Type	Amount	Hourly Rates	Venue	Citation	Appeal Status	Payment Date	Payee/Plaintiff's Attorney
WildEarth Guardians and Montana Environmental Information Center v. Haaland	OSM	Susan Watters	Court Settlement	\$115,000	\$270-\$330	D. Mont.	Case No. CV 17-80-BLG-SPW		8/18/22	Western Environmental Law Center
<b>Total</b>				<b>\$1,337,507</b>						

## FY 2022 ENDANGERED SPECIES ACT PAYMENTS

Case	Venue	Citation	Amount	Payee	Payment date
Center for Biological Diversity et al., v. USFWS & USFS, (Verde River Watershed Grazing Allotments)	D. Ariz.	3:20-cv-8243-PCT-DGC	\$12,000	Brian Segee and Marc Fink	10/20/21
Center for Biological Diversity Inc., et al v. Bernhardt	N.D. Ill.	1:20-CV-01227	\$40,000	Edwin F. Mandel Legal Aid Clinic, University of Chicago	1/21/22
Center for Biological Diversity v. Bernhardt, Skipwith, USFWS, Furtado, and BLM (Tiehm's buckwheat)	D. Nev.	No. 2:20-cv-01812-JCM-NJK	\$100,000	Center for Biological Diversity	3/16/22
Center for Biological Diversity v. Haaland	D. Guam	1:21-cv-00017	\$8,500	Center for Biological Diversity	7/12/22
Center for Biological Diversity v. Haaland, et al. (Santa Ana/Long Valley Speckled Daces)	C.D. Cal.	2:21-cv-08660 CAS	\$9,000	Center for Biological Diversity/Camila Cossio	6/28/22
Center for Biological Diversity v. USFWS, Williams, Halaand (Clear Lake hitch)	N.D. Cal.	No. 3:21-cv-06323-RS	\$155,000	Center for Biological Diversity	9/28/22
Friends of the Wild Swan v. Haaland (lynx recovery plan)	D. Mont.	CV-20-173-M-DWM	\$101,012	Matthew Bishop and John R. Mellgren	3/29/22
Ksanka Kupaqua Xa'lein et al. v. FWS	D. Mont.	9:19 CV-00020-DWM	\$280,000	Earthjustice - Elizabeth Forsyth	10/19/21
Northern Cheyenne Tribe, Sierra Club, Center for Biological Diversity and National Parks Conservation Ass'n v. United States	9th Cir.	No. 21-35811	\$380,000	Tim Preso, Beth Baldwin, Jenny Harbine, Aurora Janke, Katherine O'Brien, Josh Purtle	2/18/22
Sierra Forest Legacy, et al. v. USFWS (Cal Owl merits)	N.D. Cal.	Case No. 5:20-cv-05800	\$192,170	Earthjustice	4/4/22



<b>Case</b>	<b>Venue</b>	<b>Citation</b>	<b>Amount</b>	<b>Payee</b>	<b>Payment date</b>
Western Watersheds Proj., et al. v. Feldhausen, et al.	D. Ariz.	20-cv-0149-TUC-JGZ	\$150,000	Advocates For the West Inc.	8/25/22
WildEarth Guardians v. Haaland (Joshua tree 12-month findings)	C.D. Cal.	2:19-cv-09473-ODW-KSx	\$262,000	WildEarth Guardians	2/22/22
WildEarth Guardians v. United States	9th Cir.	No. 21-35811	\$500,000	Matthew Bishop, John Mellgren, Kelly Nokes	2/18/22
<b>Total ESA Payments</b>			<b>\$2,189,682</b>		