

BUDGET The United States Department of the Interior **JUSTIFICATIONS**

and Performance Information
Fiscal Year 2025

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

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SOLICITOR

2025 PRESIDENT’S BUDGET

EXECUTIVE SUMMARY

General Statement

The Office of the Solicitor (SOL, Office) provides legal representation to the Secretary of the Department of the Interior (DOI, Department, Interior) and all senior DOI leadership, as well as comprehensive legal services to all Interior bureaus and offices to ensure 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. 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.

The major functions of the Office are to:

1. Provide high-quality legal counsel to the Secretary and the Department of the Interior’s bureaus and offices;
2. Represent the Department in administrative hearings before various tribunals;
3. Support the Department of Justice in representing the Secretary and Interior in Federal, State, and Tribal courts;
4. Help resolve legal issues for the bureaus and offices as they implement congressional direction on appropriations and substantive legislation;
5. Administer the Department’s ethics program and ensure ethical compliance throughout the Department; and
6. Provide governance over Interior’s Freedom of Information Act (FOIA) programs.

The Solicitor is Interior's chief attorney and the Secretary's principal legal adviser. The Solicitor also serves as the immediate supervisor of the Department’s Designated Agency Ethics Official and is designated as the Department’s Chief FOIA Officer.

The work of the Office impacts every major 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.

2025 President’s Budget Submission

The budget request provides the Secretary and the Department the legal services needed to advance the Administration’s goals and other operational priorities. The Office’s 2025 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 governance services. The budget request of \$107,526,000 includes a Legal Services activity increase of \$621,000 for 2 FTE to expand the Office’s legal services capacity, an increase of \$1,000,000 for a human resources service provider cost escalation, and a decrease of \$3,100,000 provided for the Denver Regional Office move which was a one-time expense. Baseline capacity increases totaling \$4,346,000 for 2024 Fixed Costs increases and the 2025 Fixed Costs totaling \$3,609,000 are fully funded.

Total 2025 Budget Request *(Dollars in Thousands)*

Budget Authority	2023 Actual	2024 Annualized CR	2025 President's Budget	Change from 2024 CR
Current	101,050	101,050	107,526	6,476
Total Budget Authority	101,050	101,050	107,526	6,476
FTE Direct	393	407	409	2
FTE Reimbursable	95	104	104	0
FTE Allocation	54	53	53	0
FTE Total	542	564	566	2

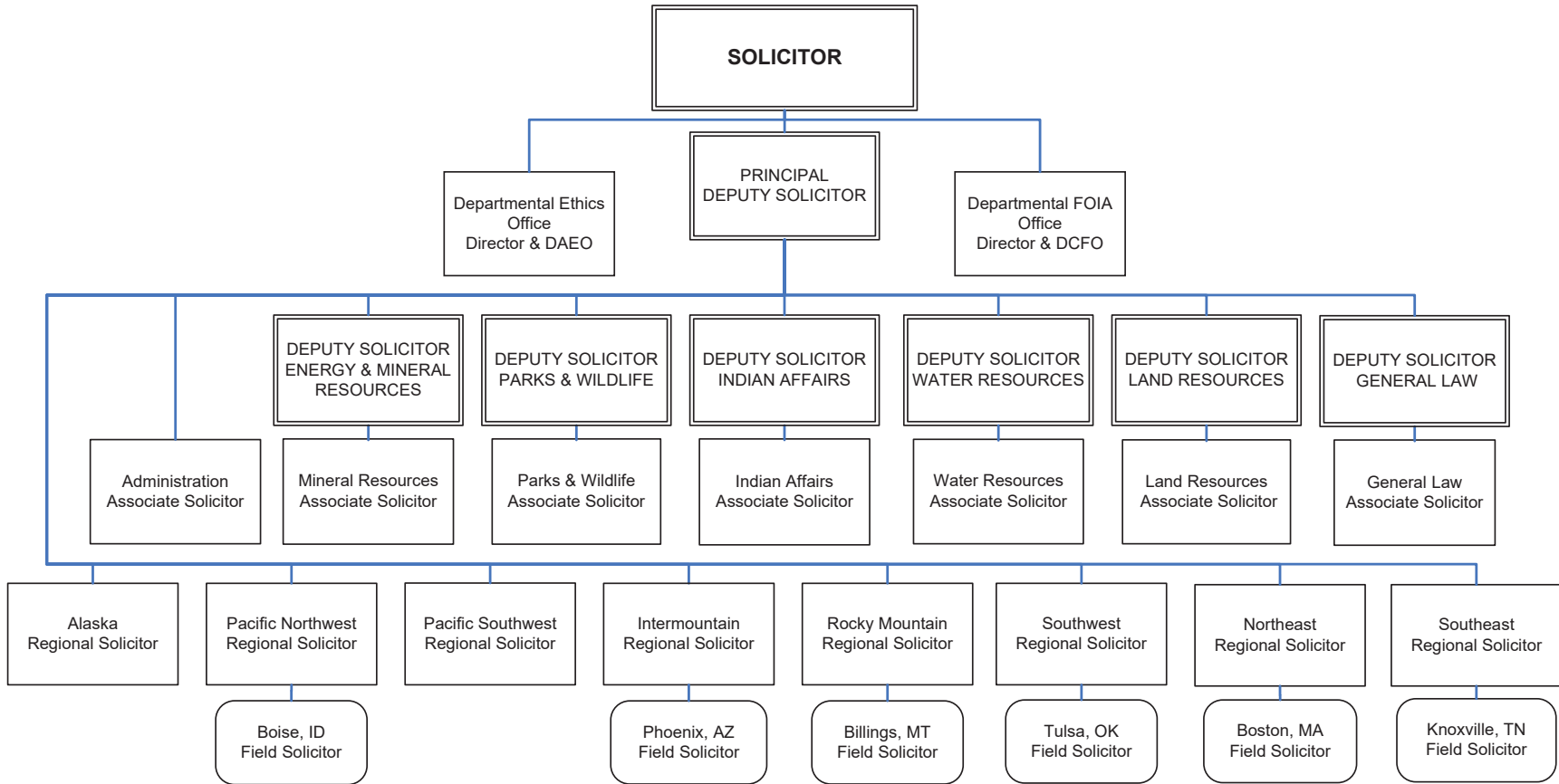
Good Accounting Obligation in Government Act Report

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

DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
ORGANIZATIONAL CHART



Organization Descriptions

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 Department's chief attorney and the Secretary's principal legal adviser. The Solicitor 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. 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	CADR	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	SIWRO	Secretary's Indian Water Rights Office
USGS	United States Geological Survey	OEPC	Office of Environmental Policy and Compliance
OSMRE	Office of Surface Mining Reclamation and Enforcement		

The Washington, D.C. office is organized into the Immediate Office of the Solicitor; the Departmental Ethics Office; the Departmental FOIA Office; six legal divisions; and an administrative division. Each legal division and the 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.

Summaries of the responsibilities of the Immediate Office of the Solicitor, the six legal divisions, and the eight regions immediately follow. Summaries of the responsibilities of the Ethics Office, FOIA Office, and Administration Division are provided in subsequent sections.

The **Immediate Office of the Solicitor** includes the Solicitor, Principal Deputy Solicitor, several 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 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 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 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. ITLO as a standalone unit on SOL's organizational chart has been removed because it is a unit within the Immediate Office of the Solicitor.

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, and the land title and records office.

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 five branches, each supervised by an Assistant Solicitor.

The Branch of Conventional Ocean Resources provides legal support to the Bureau of Ocean Energy Management (BOEM) as it administers its offshore conventional energy program, including offshore oil and gas leasing and plans for oil and gas exploration and development; provides access to marine minerals for beach renourishment and other coastal restoration projects; and implements an offshore carbon sequestration program. The Branch provides legal advice on BOEM's offshore conventional energy program transactional and financial issues, administrative and environmental laws, legislative proposals, and administrative and judicial litigation, and also collaborates with the Department of Justice on judicial litigation related to BOEM's offshore conventional energy work.

The Branch of Renewable Ocean Resources provides legal support to BOEM as it administers its offshore renewable energy program, including offshore wind energy leasing and development. The Branch provides legal advice on BOEM's offshore renewable energy program transactional and financial issues, administrative and environmental laws, legislative proposals, and administrative and judicial litigation, and also collaborates with the Department of Justice on judicial litigation related to BOEM's offshore renewable energy work.

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 mineral 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 BLM and BOR legal matters on the Navajo Reservation in Arizona; legal matters in Arizona for all Department bureaus except FWS, NPS, and OSMRE; BLM legal matters on the Navajo Reservation in Utah; legal matters in 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.

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 and 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 Office. The Pacific Southwest Regional Office is directed by a Regional Solicitor and is 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 and 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.

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 Request Overview

BUDGET AT A GLANCE

(Dollars in Thousands)

Appropriation: Office of the Solicitor	2023 Actual	2024 Annualized CR	Fixed Costs	Program Changes (+/-)	2025 Request
Legal Services	70,528	70,528	+2,890	+862	74,280
Baseline Capacity - 2024 Fixed Costs				[+3,341]	
Legal Services Capacity				[+621]	
Office Moves				[-3,100]	
General Administration	6,199	6,199	+151	+1,265	7,615
Baseline Capacity - 2024 Fixed Costs				[+265]	
Human Resources Service Provider				[+1,000]	
Ethics Office	20,504	20,504	+409	+577	21,490
Baseline Capacity - 2024 Fixed Costs				[+577]	
FOIA Office	3,819	3,819	+159	+163	4,141
Baseline Capacity - 2024 Fixed Costs				[+163]	
Total	101,050	101,050	+3,609	+2,867	107,526

SUMMARY OF REQUIREMENTS

(Dollars in Thousands)

Salaries & Expenses	2023 Actual Amount	2023 Actual Total FTE	2024 Annualized CR Amount	2024 Annualized CR Total FTE	2025 Request Fixed Costs (+/-)	2025 Request Program Changes (+/-) Amount	2025 Request Program Changes (+/-) FTE	2025 Request Amount	2025 Request FTE	2025 Request Total Change from 2024 (+/-)
Legal Services General	70,528	281	70,528	283	+2,890	+862	+2	74,280	285	+3,752
Administration	6,199	21	6,199	24	+151	+1,265	0	7,615	24	+1,416
Ethics Office	20,504	78	20,504	84	+409	+577	0	21,490	84	+986
FOIA Office	3,819	13	3,819	16	+159	+163	0	4,141	16	+322
TOTAL, SOL	101,050	393	101,050	407	+3,609	+2,867	+2	107,526	409	+6,476

JUSTIFICATION OF FIXED COSTS CHANGES

(Dollars in Thousands)

Fixed Cost Element	2024 Annualized CR or Change	2024 Annualized CR to 2025 Request Change	Description
Change in Number of Paid Days	+323	0	Total paid days for FY 2025 is 261 (2088 hours) which is the same number of days as FY 2024.
Pay Raise	+4,078	+2,384	The President's Budget for 2025 includes one quarter (October-December 2024) of the 5.2% pay raise for 2024 and three quarters (January-September 2025) of the estimated 2.0% pay raise for 2025.
FERS Employer Contribution Increase	0	0	The estimates do not reflect increases to the employer contribution for FERS or Law Enforcement FERS for FY 2025.
Departmental Working Capital Fund (WCF)	-189	+282	The estimates reflect final decisions of the Working Capital Fund Consortium on the FY 2025 Working Capital Fund Central Bill.
Workers' Compensation Payments	+1	+17	The amount reflects final chargeback costs of compensating injured employees and dependents of employees who suffer accidental death while on duty. This amount reflects the final Workers Compensation bill for 2025 payable to 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	+6	-2	The amount reflects 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. This estimate reflects an applied annual inflation factor of 3.0% to the 5-year average of actuals between 2018-2022.
GSA and Non-GSA Rents	+104	+928	This estimate reflects the FY 2025 President's Budget Exhibit 54s as submitted. 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 estimates reflect MIB rent, Security, Federal Reserve Parking, and Operations and Maintenance, distributed by bureau and office, based upon OFAS provided MIB occupancy levels. 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.
Total, Account 2025 Fixed Costs		+3,609	

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SOLICITOR

APPROPRIATIONS LANGUAGE

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$107,526,000, to remain available until September 30, 2026.

Note.--A full-year 2024 appropriation for this account was not enacted at the time the Budget was prepared; therefore, the Budget assumes this account is operating under the Continuing Appropriations Act, 2024 and Other Extensions Act (Division A of Public Law 118–15, as amended). The amounts included for 2024 reflect the annualized level provided by the continuing resolution.

Appropriations Language Citation

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.

Program Changes

BUDGET SUBMISSION

ACTIVITY: LEGAL SERVICES

(Dollars in Thousands)

	2023 Actual	2024 Annualized CR	2025			Change from 2024 (+/-)
			Fixed Costs (+/-)	Program Changes (+/-)	President's Budget	
Legal Services	70,528	70,528	+2,890	+862	74,280	+3,752
Direct FTE	281	283	0	+2	285	+2
Reimbursable FTE	95	104	0	0	104	0
Allocated FTE	49	49	0	0	49	0

Summary of 2025 Program Changes for Legal Services

Program Changes:	(\$000)	FTE
Legal Services Capacity	+621	0
Office Moves	-3,100	0
Baseline Capacity - 2024 Fixed Costs	+3,341	0
TOTAL Program Changes	+862	0

Justification of 2025 Program Changes

The 2025 budget request for the Legal Services activity is \$74,280,000 and 285 current direct FTE, a program change of +\$862,000 and +2 FTE from the 2024 Continuing Resolution level.

Legal Services Capacity (+\$621,000 / +2 FTE) – The budget request includes a program increase of \$621,000 and 2 FTE to expand the Office’s capacity to deliver legal services to the Department. The increase will support the Office’s work in litigation, which includes both affirmative and defensive cases, and client counseling. The Office expects both its counseling and litigation workloads to be substantial over the next few years as the Department implements the President’s and the Secretary’s priorities.

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

Baseline Capacity – 2024 Fixed Costs (+\$3,341,000/0 FTE) – The 2025 budget includes important investments in programs needed to help strengthen America and be more competitive as the world continues to change. These investments include funding needed to maintain a strong, talented workforce and the must pay requirements needed to continue to fulfill the Office’s mission. The budget includes \$3,341,000 in the Legal Services activity which reflects the incremental amount needed to cover the fixed costs associated with mission operations in FY 2024. This request in combination with the FY 2025 fixed costs will allow the program to meet must pay requirements without impacting program activities.

Legal Services Program Overview

The responsibility of the Legal Services program is to effectively conduct 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. 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. Many 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.

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 perform the legal work of the Department efficiently and effectively 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 2023, SOL's professional staff logged more than 39,000 active cases and counseling matters, including approximately 23,000 client counseling matters, 5,700 litigation cases, 8,300 ethics matters, and 2,300 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 for both onshore and offshore development, where applicable. 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.

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. Representative ongoing counseling examples that advance the Administration's priorities include:

- Advising BOEM and BSEE in preparing regulations for a new offshore carbon sequestration program as required by the Bipartisan Infrastructure Law (BIL) and in furtherance of the President's goals in Executive Order 14008 to reduce the impacts of climate change
- Advising the Department and BLM on its pending solar and wind energy rulemaking, which would implement authority in the Energy Act of 2020 to reduce acreage rents for solar and wind project on public lands
- Advising BLM on the Cross-Tie transmission project, which is critical infrastructure and advances electricity powered by wind to markets in the western United States
- Advising BLM on the new Solar Programmatic Draft Environmental Impact Statement, which will evaluate the environmental effects of land use plan amendments in up to 11 Western States
- Advising BIA on environmental reviews, permitting, and right-of-way and lease processes of infrastructure projects, including broadband infrastructure, in Indian country
- Advising BIA on the implications of the Supreme Court's decision in *McGirt v. Oklahoma*, particularly law enforcement related issues in various Federal and state courts regarding questions of State jurisdiction over Indians in Indian country and the potential civil regulatory implications
- Advising BIA on matters pertaining to the fee-to-trust program, mineral program, and the probate program
- Advising the Department on the use of Indian Self-Determination and Education Assistance Act (ISDEAA) agreements, including as a tool to advance the Joint Secretarial Order 3403 directing agencies to collaborate with Tribes based on the treaty, religious, subsistence, and cultural interests of Tribes in the co-stewardship of Federal lands and waters
- Advising the Department on whether certain programs, functions, services, and activities are contractible under ISDEAA and whether contract support costs are due on non-BIA distributed funds
- Advising BIA on conveying excess Federal property to Tribes under the Federal Property and Administrative Services Act and various other statutes
- Advising BIE on operation of the 183 Bureau-funded elementary and secondary schools located on 64 reservations in 23 States, four off-reservation boarding schools, and two post-secondary institutions

- Advising the Department in responding to two Federal court decisions holding that the Department's 2015 amendments to the Federal acknowledgment regulations at 25 C.F.R. Part 83, the process through which entities may be added to the List of federally recognized Indian Tribes, violated the Administrative Procedure Act
- Advising multiple bureaus and the Environmental Protection Agency on the legacy of uranium contamination within the Navajo Nation
- Reviewing infrastructure project contract procurements that address and tackle the climate crisis, while ensuring compliance with the Buy American Act and associated Executive Orders
- Assisting multiple bureaus on the creation of new and improved environmental reviews for mineral development, as well as resource management plan amendments, that include comprehensive greenhouse gas emissions analyses that incorporate the latest laws and guidance to assist in tackling the climate crisis and to properly consider the environmental justice impacts of the Department's actions
- Reviewing National Environmental Policy Act documents and advising the Department on policy considerations relating to the Lava Ridge Wind Project, which involves a proposal to develop the largest wind project in the United States, with impacts to the Minidoka Relocation Camp National Historic Site, cultural resources of great important to Indian Tribes, wildlife corridors, sage-steppe habitats, and other resources
- Advising BOR and FWS on the agreement to provide Federal support for the Upper Columbia United Tribes' Phase 2 Implementation Plan to reintroduce salmon above Grand Coulee Dam, which furthers the purposes of the September 27, 2023, Presidential Memorandum regarding Columbia River salmon, steelhead, and other native fish species
- Advising BOR on Colorado River Operations, Guidelines, and NEPA compliance
- Advising BOR on various aspects of implementing a BIL funded multi-million-dollar low-interest award to the Boise Project Board of Control to line six miles of the New York Canal in Boise, Idaho with a geocomposite lining
- Advising FWS on consultation and permitting for major offshore and onshore wind infrastructure projects to achieve the Administration's wind energy goals
- Advising FWS on compliance with the National Wildlife Refuge Administration and Improvement Acts when considering transmission lines, land exchanges, and other proposed actions or uses
- Assisting the Orphaned Wells Program Office with environmental reviews for the Office's issuance of grants to States and Tribes to plug and remediate orphaned oil and gas wells, which help address the climate crisis and promote environmental justice by reducing harmful gas emissions
- Advising NPS on the development of proposed guidance for climbing in Wilderness Areas within National Parks
- Advising NPS on drafting updated Tribal consultation and plant gathering policies.

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 has sole responsibility for the handling of hundreds of new administrative challenges each year.

The Office's litigation caseload involves matters in every judicial district throughout the Nation. This litigation addresses 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 and complex 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; Federal education statutes and Administrative Procedure Act (APA) violation allegations for Bureau of Indian Education school programs; and Indian, ESA, APA, Tribal trust, and Fifth Amendment takings claims relating to limited water resources in the western United States.

Some recent and ongoing examples of defensive litigation include:

- Defending multiple cases involving trespass to Tribal trust lands from expired rights-of-way under 25 U.S.C. § 323-329
- Defending BOEM's offshore renewable energy leasing decisions, and construction and operation plan decisions
- Assisting BLM with settling multiple oil and gas cases where the environmental analysis of greenhouse gas emissions and climate change was insufficient, resulting in BLM preparing a more robust environmental analysis of the climate impacts of hundreds of oil and gas wells
- Representing BLM in the Interior Board of Land Appeals regarding royalties owed to BLM from flaring natural gas from the North Dakota Bakken formation wells

- Defending litigation challenging President Biden’s Proclamations restoring Bears Ears and Grand Staircase National Monuments in support of the Administration’s America the Beautiful Initiative
- Defending Tribal sovereignty and Indian landowner interests in multiple Federal courts relating to fee-to-trust acquisition, management of Indian landowner mineral estates, or trespass actions
- Obtaining a favorable appellate court decision to complete a supplemental environmental review and also allow half of the wind energy Cardinal-Hickory Creek Transmission Line Project to come into service.

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.

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 \$7.1 million in FY 2022 and \$4.6 million in FY 2023.

The Office pursued and settled several fire trespass cases for BLM public lands and Tribal trust lands resulting in recovery of over \$8 million in FY 2023, which also helps deter future negligent actions that would threaten to burn public land and trust land resources. In 2024, the Office will assist BLM in litigation and settlement negotiations for recovering over \$500 million in fire trespass damages.

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)

	2023 Actual	2024 Annualized CR	2025			Change from 2024 (+/-)
			Fixed Costs (+/-)	Program Changes (+/-)	President's Budget	
General Administration	6,199	6,199	+151	+1,265	7,615	+1,416
Direct FTE	21	24	0	0	24	0
Reimbursable FTE	0	0	0	0	0	0
Allocated FTE	1	1	0	0	1	0

Summary of 2025 Program Changes for General Administration

Program Changes:	(\$000)	FTE Change
HR Services	+1,000	0
Baseline Capacity – 2024 Fixed Costs	+265	0
TOTAL Program Changes	+1,265	0

Justification of 2025 Program Changes

The 2025 budget request for the General Administration activity is \$7,615,000 and 24 FTE, a program change of +\$1,265,000 and 0 FTE from a 2024 Continuing Resolution.

Human Resources (+\$1,000,000/ 0 FTE) – The request includes a permanent increase of \$1,000,000 for the new Human Resources (HR) servicing office agreement SOL entered into with BSEE when USGS ceased providing SOL’s HR services in February 2023. The SOL review of available choices for a new HR servicing agreement determined that BSEE best fits SOL HR service needs and was competitively priced. BSEE also provides HR services to several other Department bureaus and offices.

Baseline Capacity – 2024 Fixed Costs (+\$265,000/0 FTE) – The 2025 budget includes important investments in programs needed to help strengthen America and be more competitive as the world continues to change. These investments include funding needed to maintain a strong, talented workforce and the must pay requirements needed to continue to fulfill the Office’s mission. The budget includes \$265,000 in the General Administration activity which reflects the incremental amount needed to cover the fixed costs associated with mission operations in FY 2024. This request in combination with the FY 2025 fixed costs amounts will allow the program to meet must pay requirements without impacting program activities.

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; development and implementation of 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)

	2023 Actual	2024 Annualized CR	2025			Change from 2024 (+/-)
			Fixed Costs (+/-)	Program Changes (+/-)	President's Budget	
Ethics Office	20,504	20,504	+409	+577	21,490	+986
Direct FTE	78	84	0	0	84	0
Reimbursable FTE	0	0	0	0	0	0
Allocated FTE	1	1	0	0	1	0

Summary of 2025 Program Changes for the Ethics Office

	(\$000)	FTE Change
Program Changes:		
Baseline Capacity - 2024 Fixed Costs	+577	0
TOTAL Program Changes	+577	0

Justification of 2025 Program Changes

The 2025 budget request for the Ethics Office activity is \$21,490,000 and 84 FTE, a program change of +\$577,000 and 0 FTE from a 2024 Continuing Resolution.

Baseline Capacity – 2024 Fixed Costs (+\$577,000/0 FTE) – The 2025 budget includes important investments in programs needed to help strengthen America and be more competitive as the world continues to change. These investments include funding needed to maintain a strong, talented workforce and the must pay requirements needed to continue to fulfill the Office’s mission. The budget includes \$577,000 in the Ethics Office activity which reflects the incremental amount needed to cover the fixed costs associated with mission operations in FY 2024. This request in combination with the FY 2025 fixed costs amounts will allow the program to meet mandatory must pay requirements without impacting program activities.

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 is also responsible for identifying areas of emerging or significant ethics risk. For example, the DEO recently developed an Ethics Toolkit for Researchers and Scientists to help employees understand the dangers that conflicts of interest and other ethical risks pose to them personally and the overall integrity of DOI's programs and mission activities.

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 12,400 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 OFFICE

(Dollars in Thousands)

	2023 Actual	2024 Annualized CR	2025			Change from 2024 (+/-)
			Fixed Costs (+/-)	Program Changes (+/-)	President's Budget	
FOIA Office	3,819	3,819	+159	+163	4,141	+322
Direct FTE	13	16	0	0	16	0
Reimbursable FTE	0	0	0	0	0	0
Allocated FTE	3	2	0	0	2	0

Summary of 2025 Program Changes for the FOIA Office

	(\$000)	FTE Change
Program Changes:		
Baseline Capacity - 2024 Fixed Costs	+163	0
TOTAL Program Changes	+163	0

Justification of 2025 Program Changes

The 2025 budget request for the FOIA Office activity is \$4,141,000 and 16 FTE, a program change of +\$163,000 and 0 FTE from a 2024 Continuing Resolution.

Baseline Capacity – 2024 Fixed Costs (+\$163,000/0 FTE) – The 2025 budget includes important investments in programs needed to help strengthen America and be more competitive as the world continues to change. These investments include funding needed to maintain a strong, talented workforce and the must pay requirements needed to continue to fulfill the Office’s mission. The budget includes \$163,000 in the FOIA Office activity which reflects the incremental amount needed to cover the fixed costs associated with mission operations in FY 2024. This request in combination with the FY 2025 fixed costs amounts will allow the program to meet must pay requirements without impacting program activities.

FOIA Office Program Overview

The mission of the Departmental FOIA Office (DFO) is to improve the efficiency and quality of FOIA operations throughout the Department and increase transparency to the public by providing governance, oversight, training, and support to the Department’s 13 FOIA request processing offices. The Deputy Chief FOIA Officer (DCFO) serves as the Director of the DFO. 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 operational assistance to the FOIA offices to help address particularly challenging issues such as intractable backlogs, systemic processing problems, and complex or cross-cutting requests.

- Human Capital: The DFO establishes appropriate FOIA program management elements to ensure uniformity in FOIA personnel's position descriptions and performance plans. In addition, the DCFO approves hiring decisions for FOIA Officer positions to ensure the individuals who lead the FOIA processing offices are fully qualified. FOIA Officers 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 workforce and operational analyses of the FOIA offices and makes data-driven recommendations to their leadership concerning staffing levels and alignment, and improved processing procedures.
- Compliance, Technology, and Training: The DFO monitors and evaluates the operations of the FOIA offices to prepare and submit the Department's statutorily mandated reporting on FOIA and to identify and correct deficiencies. The DFO also administers modern, reliable technology to enable efficient tracking and processing of FOIA requests and serves as the Department's FOIA Public Liaison. In addition, the DFO provides training to the Department's FOIA professionals to improve their FOIA request processing skills, and to program employees and managers to ensure that everyone in the Department is apprised of their roles and responsibilities under the FOIA.
- FOIA Litigation: The DFO's FOIA Litigation Manager centrally tracks and coordinates the Department's FOIA litigation to facilitate consistency and efficiency in the Department's FOIA litigation activities. In addition to defending the Department in numerous FOIA matters, the incumbent provides guidance and assistance to other SOL attorneys handling FOIA matters, coordinates cross-cutting matters that impact multiple bureaus, and works with the FOIA processing offices at the administrative stage to reduce the burden and costs of FOIA litigation.

Appendix

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 and 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 summarizes estimated external administrative costs to be 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, 2024-2025

Account	2024 Estimate			2025 Estimate		
	Central	Direct	Total	Central	Direct	Total
OS Shared Services Subtotal	1,514	37	1,551	1,529	49	1,578
OS Activities Subtotal	2,220	75	2,295	2,595	110	2,705
IT Shared Services Subtotal	1,101	2,930	4,031	993	2,942	3,935
Interior Business Center	222	462	684	213	421	634
TOTAL, WCF Billing	5,057	3,504	8,561	5,330	3,523	8,852

Bureau Billing for Client Support –Most 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. When such needs arise, 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, supplies, printing, copying, computer equipment, performance recognition, office furnishings, technology services, automated legal research services, and external administrative costs.

Bureau Billing for Client Support	FY 2025 Request
Attorney salaries and benefits	21,408
Reimbursable attorney overhead	5,395
Travel	550
Total	27,353

In addition to reimbursements for staff positions and some related expenses, client bureaus fund a portion of the Office's necessary travel expenses. 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. 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)

Employee Count by Grade	2023 Actual	2024 Annualized CR Estimate	2025 President's Budget Estimate
Executive Level IV	1	1	1
SES	20	23	23
Subtotal	21	24	24
SL - 00	5	5	5
Subtotal	5	5	5
GS -15	147	150	150
GS -14	268	276	278
GS -13	51	50	50
GS -12	21	23	23
GS -11.....	25	24	24
GS - 9	3	4	4
GS - 8	11	12	12
GS - 7	4	3	3
GS - 6	1	1	1
Subtotal	531	543	545
Total employment (actuals & estimates)	557	572	574

SOURCE FUNDING FOR SOL REIMBURSABLE POSITIONS

(Dollars in Thousands)

	FY 2022	FY 2023	FY 2024
Bureau of Indian Affairs			
Legal support, related to BIA water resources	25	0	30
Legal support, related to trust land, Tribal relations, fee-to-trust activities, and other BIA activities	218	98	202
Legal support, Southwest Region	103	111	210
Legal support, irrigation and general Indian water rights	224	228	237
Legal support, title and fee-to-trust	144	221	230
Legal support, energy development, natural resource law, realty, and FOIA	210	242	252
Legal support, related to legislation, policy, and operations	202	0	165
Legal support, probate and realty issues	537	514	535
Legal support, Osage matters	123	126	131
Legal support, BIA Navajo Region	83	210	218
Legal support, BIA OJS matters	462	427	444
Legal support, land and IBIA matters	104	196	204
Legal support, fee-to-trust, realty, and other statutes	0	0	460
Legal support, BIA Pacific Northwest Region	171	194	202
Legal support, BIL matters	0	57	209
Subtotal	2,606	2,624	3,729
Bureau of Indian Education			
Legal support, BIE priority matters	243	519	540
Legal support, special needs claims, Indian education, and other BIE legal issues	196	336	399
Subtotal	439	855	939
Bureau of Land Management			
Legal support, law enforcement matters	0	290	302
Legal support, California and Nevada matters	0	168	175
Legal support, land and operations, NEPA, planning, realty, minerals, grazing, and renewable energy/DRECP	435	180	347
Legal support, special assistant US attorney assignments	45	0	0
Legal support, land and operations including NEPA, FOIA, land use planning, oil and gas, mineral trespass, wild horses, and grazing issues	198	11	191
Legal support, land and operations, NEPA, realty, FOIA, oil and gas, hardrock minerals, wild horses, trespass, CERCLA and AML, and grazing	451	392	288

	FY 2022	FY 2023	FY 2024
Bureau of Land Management (continued)			
Legal support, California matters	128	119	34
Legal support, fluid mineral program	190	190	198
Legal support, paralegal activities	65	1	0
Legal support, land and general law, including environmental law, NEPA, oil and gas, trespass, land use planning, realty, and grazing	132	147	233
Legal support, land use planning, sage grouse, recreation, and NEPA	300	120	225
Legal support, AK land use planning, RDI, BLM Fire Service, and navigability projects	265	244	254
Legal support, NHPA compliance, recordable disclaimers of interest, R.S. 2477, renewable energy, railroad rights- of-way, FLPMA, and other rights-of-way issues	211	250	260
Legal support, SNPLMA, land and resources occurring principally in southern Nevada	211	226	235
Legal support, grazing, IBLA actions, NEPA, and minerals	0	0	35
Legal support, Utah State Office	136	44	46
Legal support, R.S. 2477, land and mineral resources, grazing, renewable energy, NEPA, NHPA, land use planning, rights-of-way, and recreation	422	616	641
Legal support, FOIA	179	272	283
Legal support, Helium	214	188	228
Legal support, including procurement, agreements, and other legal support as necessary	489	518	539
Detail to BLM	293	1	0
Subtotal	4,364	3,977	4,514
Bureau of Ocean Energy Management			
Legal support, offshore minerals and renewable energy	465	265	276
Legal support, rulemaking, renewable leases, seismic permits, marine mineral agreements, OCSLA, OPA, and FOIA	436	630	655
Legal support, offshore renewable energy issues	1,167	1,227	1,276
Legal support, oil and gas leasing	222	238	248
Subtotal	2,290	2,360	2,455
Bureau of Reclamation			
Legal support, Upper Colorado Basin	0	199	207
Legal support, Upper and Lower Colorado issues	261	272	283
Legal Support, Central Utah Project – Title II construction and Title III mitigation programs	227	248	258

	FY 2022	FY 2023	FY 2024
Bureau of Reclamation (continued)			
Legal support, power and irrigation issues	218	226	235
Legal support, Lower Colorado River basin	211	218	227
Legal support, Boulder Canyon Project Act	226	233	242
Legal support, water rights, water quality, contracts for the CVP, and non-CVP projects in California and Nevada	290	307	319
Legal support, Great Plains Region water service contracts, land title, NEPA, Indian water rights settlements, and general water rights	237	247	257
Legal support, stream adjudication and water rights issues	100	0	140
Legal support, realty, land management, cultural resources, NEPA, ESA, CWA, and Washington BOR projects	126	128	133
Legal support, including procurement, agreements, and other legal support as necessary	0	142	148
Legal support, San Joaquin River Restoration	183	112	116
Legal support, New Mexico water project and operations	223	99	103
Legal support, Federal Columbia River Power System, Federal power issues, and irrigation diversion rate settings	230	352	501
Legal support, contracting, repayment issues, western water supply issues, and the CVP	175	105	109
Legal support, Bay-Delta Area Office	185	210	218
Legal support, NEPA and ESA	230	248	258
Legal support, Indian water rights settlement implementation matters and agreements, contracts, and other legal document reviews related to CAP, Navajo project, and NGS extensions	192	197	205
Legal support, BIL matters	0	4	39
Subtotal	3,314	3,547	3,998
Bureau of Safety and Environmental Enforcement			
Legal support, rulemaking initiatives, oversight of offshore operations, regulation under OCSLA and OPA, and FOIA	1,346	1,563	1,626
Legal support, environmental and safety program for oil and gas	214	227	236
Subtotal	1,560	1,790	1,862
Bureau of Trust Funds Administration			
Legal support, trust policy and procedure projects	498	749	779
Legal support, Indian trust litigation	[2,051]	[2,125]	[2,231]
Subtotal	498	749	779

	FY 2022	FY 2023	FY 2024
Fish and Wildlife Service			
Legal support, Farallon Islands National Wildlife Refuge	15	4	4
Legal support, National Wildlife Refuge System	104	5	5
Legal support, ESA, refuge, contracts, and grants	95	311	473
Legal support, ESA, realty, and records	103	45	47
Legal support, Office of Law Enforcement issues	175	209	217
Legal support, Region 3 matters	82	74	77
Legal support, Regions 5 and 7 matters	20	22	23
Legal support, water policy and rights	42	167	174
Legal support, GAOA LWCF titles	0	285	296
Legal support, BIL matters	0	87	840
Detail to FWS	0	16	17
Subtotal	636	1,225	2,173
Interior Business Center			
Legal support, IBC contractual and acquisition services	513	445	583
Subtotal	513	445	583
National Park Service			
Legal support, property, and realty	231	109	113
Legal support, water rights	0	0	55
Legal support, trademark law	0	0	175
Legal support, FOIA, partnership agreements, cultural, resources, environmental remediation, water, and intellectual property	297	310	127
Legal support, including procurement, agreements, and other legal support as necessary	0	96	165
Legal support, concessions, leasing, and commercial services	256	305	317
Legal support, procurement, concessions, and agreements	171	181	188
Legal support, realty, contracting, and agreements	203	205	213
Legal support, related to Organic Act, NEPA, and FOIA	270	284	295
Legal support, Point Reyes and Golden Gate matters	74	36	12
Legal support, GAOA LWCF titles	0	286	297
Legal support, Southeast region matters	161	162	168
Subtotal	1,663	1,974	2,125
Office Natural Resource Revenue			
Legal support, royalties and rulemaking	374	499	519
Legal support, ONRR royalty matters	427	211	219
Subtotal	801	710	738

	FY 2022	FY 2023	FY 2024
Office of Surface Mining Reclamation and Enforcement			
Legal support, SMCRA and other mining laws	247	252	437
Legal support, coal, regulatory, and reclamation operations	130	140	46
Legal support, BIL matters	0	193	436
Legal support, regulatory and reclamation operations, enforcement and permit actions, FOIA, and bankruptcy	391	305	487
Subtotal	768	890	1,406
United States Geological Survey			
Legal support, acquisitions	77	82	85
Subtotal	77	82	85
Other Offices and Programs			
Legal support, Land Buy-Back Program for Tribal Nations	222	0	0
Legal support, OCIO	200	222	231
Legal support, OS BIL orphan wells	[39]	[302]	[752]
Legal support, Great American Outdoors Act	636	371	511
Legal support, OS issues reflecting cross-cutting matters arising from all DOI bureaus	288	314	327
Legal support, FOIA Appeals	[427]	[524]	[524]
Legal support, WCF torts practice branch	[1,741]	[2,359]	[2,359]
Legal support, WCF employment law	[2,551]	[3,933]	[3,933]
Legal support, WCF litigation hold program	[117]	[117]	[117]
WCF FOIA technology	[0]	[657]	[657]
Legal support, NRDAR	[798]	[818]	[818]
Legal support, HAZMAT compliance	[1,674]	[1,805]	[1,805]
Legal support, DOJ assignment	273	148	79
WCF ethics	[80]	[294]	[294]
OS FOIA support	1,114	0	0
Detail to FTC	0	22	23
Detail to OSTP	0	204	0
Detail to OS	225	68	246
Subtotal	2,958	1,349	1,417
TOTAL REIMBURSEMENTS	22,487	22,577	26,803

FY 2023 EQUAL ACCESS TO JUSTICE ACT PAYMENTS

Case Name	Bureau	Judge	Type	Amount	Hourly Rates	Venue	Citation	Appeal Status	Payment Date	Payee/ Plaintiff's Attorney
Cascade Forest Conservancy v. Heppler	BLM	Marco Hernandez	Settlement of Court Case	\$120,000	\$475-\$700	D. Or.	3:19-cv-00424-HZ		4/25/23	Tom Buchele
Cascadia Wildlands et al. v. BLM	BLM	Judge McShane	Settlement of Court Case	\$195,000	\$218-\$375	D. Or.	Case No. 6:20-CV-1395-MK	Appeal withdrawn	11/7/22	Charles Tebbutt
Cascadia Wildlands v. Bureau of Land Management	BLM	Ann Aiken	Settlement of Court Case	\$30,000	\$217-\$405	D. Or.	6:21-cv-01313-AA		10/20/22	Western Environmental Law Center
Center for Biological Diversity et al. v. BLM	BLM	Jacqueline Scott Corley	Settlement of Court Case	\$20,000	\$250-\$700	N.D. Cal.	3:19-cv-07155-JSC		12/15/22	Center for Biological Diversity
Citizens for a Healthy Community v. BLM	BLM	Marcia Krieger	Settlement of Court Case	\$90,000	\$385-\$700	D. Colo.	20-cv-2484		11/17/22	Western Environmental Law Center
Dine Citizens Against Ruining the Environment v. BLM	BLM	Gonzales	Settlement of Court Case	\$150,000	\$200-\$370	D.N.M.	1:20-cv-00673-KG-JHR		3/9/23	Western Environmental Law Center
Western Slope Conservation Center v. BLM	BLM	Robert Blackburn	Settlement of Court Case	\$65,000	\$415-\$455	D. Colo.	20-cv-2787		11/7/22	Advocates for the West

Case Name	Bureau	Judge	Type	Amount	Hourly Rates	Venue	Citation	Appeal Status	Payment Date	Payee/ Plaintiff's Attorney
WildEarth Guardians v. Haaland	BLM	Contreras	Settlement of Court Case	\$242,500	\$200-\$230	D.D.C.	16-cv-1724; 20-cv-56; 21-cv-175		6/30/23	Western Environmental Law Center
WildEarth Guardians, et al. v Haaland	BLM	Brian Morris	Settlement of Court Case	\$115,000	\$220-\$330	D. Mont.	4:21-cv-00004		6/21/23	Western Environment Law Center/Melissa Hornbein and Barbara Chillcott and Earthjustice/Thomas Delehanty and Elizabeth Forsyth
WildEarth Guardians, Grand Canyon Trust v. Haaland, 2:16-cv-00168-DN (D. Utah)	BLM	David Nuffer	Settlement of Court Case	\$175,000	\$190-\$218	D. Utah	2:16-cv-00168-DN (D. Utah)	The case was resolved via settlement.	3/23/23	Aaron Paul
Environmental Defense Center et al. v. Bureau of Ocean Energy Management et al.	BOEM	Philip Gutierrez	Agency Settlement	\$383,000	\$380-\$995	C.D. Cal.	2:16-cv-08418	negative ruling; cert denied	9/25/23	Environmental Defense Center; Center for Biological Diversity
Environmental Defense Center et al. v. Bureau of Ocean Energy Management et al.	BSEE	Philip Gutierrez	Agency Settlement	\$383,000	\$380-\$995	C.D. Cal.	2:16-cv-08418	negative ruling; cert denied	9/25/23	Environmental Defense Center; Center for Biological Diversity

Case Name	Bureau	Judge	Type	Amount	Hourly Rates	Venue	Citation	Appeal Status	Payment Date	Payee/ Plaintiff's Attorney
Alliance for the Wild Rockies v. Cooley	FWS	Donald Molloy	Settlement of Court Case	\$124,000	\$390-\$460	D. Mont.	9:21-cv-00136-DWM	The case was resolved via settlement.	6/2/23	Public Interest Defense Center, P.C.
WildEarth Guardians v. Williams	FWS	Dana Christensen	Settlement of Court Case	\$66,055	\$280-\$380	D. Mont.	CV-20-97-M-DLC		12/7/22	Matthew K. Bishop and John R. Mellgren
Cottonwood Env. Law Ctr. v. Gianforte	NPS	Panel not assigned / Sam Haddon - Mont. Dist. Ct.	Settlement of Court Case	\$22,500	\$340-\$480	9th Cir.	No. 22-35976	Appeal Resolved	4/27/23	John Meyer
Goelet v. Bernhardt	NPS	Timothy Savage	Denial of Award	\$0	\$200-\$350	D.V.I.	1:07-cv-00050 TJS			Beckstedt & Kuczynski, LLP
Public Employees for Environmental Responsibility v. NPS	NPS	Contreras	Settlement of Court Case	\$32,677	\$212-\$212	D.D.C.	Civil Action No. 19-3629-RC		1/4/23	Peter T. Jenkins, Paula Dinerstein, Public Employees for Environmental Responsibility
350 Montana v. Haaland No. 9:19-cv-12-DWM (D. Mont.) and 50 F.4th 1254 (9th Cir. 2022)	OSM	Donald Molloy	Settlement of Court Case	\$275,000	\$320-\$430	D. Mont.	9:19-cv-12-DWM (D. Mont.) and 50 F.4th 1254 (9th Cir. 2022)	Appealed and 9th Circuit Remanded to District Court	8/18/23	350 Montana/Shiloh Hernandez
Total				\$2,488,732						

FY 2023 ENDANGERED SPECIES ACT PAYMENTS

Case Name	Venue	Citation	Amount	Payee	Payment date
Bd of Commrs of County of San Miguel v. BLM	D. Colo.	17-cv-2432, 18-cv-1643	\$430,000	Energy and Conservation Law	12/13/22
Buffalo Field Campaign v. Williams	D.D.C.	1:20-cv-00798-RDM	\$125,000	Michael Harris	10/3/22
Cascadia Wildlands v. Bureau of Land Management	D. Or.	6:21-cv-01313-AA	\$30,000	Western Environmental Law Center	10/20/22
Center for Biological Diversity and Maricopa Audubon Society v. BLM and FWS	D. Ariz.	CV-22-08005-PCT-SMB	\$12,000	Center for Biological Diversity	10/27/22
Center for Biological Diversity v. Feldhausen	D. Ariz.	4:21-cv-00409-DCB	\$60,000	Eubanks and Associates PLC	1/13/23
Center for Biological Diversity v. Haaland	D. Haw.	1:22-cv-373-HG-WRP	\$5,855	Center for Biological Diversity	6/12/23
Center for Biological Diversity v. Haaland (Wolverine)	D. Mont.	9:20-cv-00181-DWM	\$250,289	Matthew Bishop and Timothy Preso	1/11/23
Center for Biological Diversity v. Haaland, et al. (NOCA grizzly)	D.C. Cir.	1:20-cv-03697	\$20,000	Center for Biological Diversity	8/8/23
Center for Biological Diversity v. Haaland, Williams, and FWS (DSL 12 month)	D.N.M.	22-cv-00387-SMV-LF	\$3,167	Center for Biological Diversity	11/1/22
Ctr. for Biological Diversity v. EPA, et al.	9th Cir.	No. 21-71306	\$50,000	Center for Biological Diversity	8/7/23

Case Name	Venue	Citation	Amount	Payee	Payment date
Ctr. for Biological Diversity v. FWS, et al.	D. Mont.	9:21-CV-00144	\$50,000	Center for Biological Diversity	2/7/23
Desert Survivors, et al. v. U.S. Department of the Interior, et al (Bi-State Sage-Grouse)	N.D. Cal.	20-cv-06787-JSC	\$174,955	Mills Legal Clinic, Stanford Law School - Matthew J. Sanders	11/15/22
Friends of Cedar Mesa Litigation	D.D.C.	1:21-cv-00971	\$80,000	Friends of Cedar Mesa	1/30/23
Friends of the Clearwater v. Petrick	D. Idaho	2:20-cv-00243	\$155,000	Public Interest Defense Center, PC	10/18/22
Klamath-Siskiyou Wildlands Ctr v. U.S. Fish & Wildlife Serv.	D. Or.	1:20 cv-00952	\$72,016	Western Environmental Law Center	8/3/23
Lower San Pedro Watershed Alliance, et al. v. Col. Julie Balten	D. Ariz.	No. 4:19-cv-00048-TUC-RCC	\$210,354	Stuart C. Gillespie	1/18/23
WildEarth Guardians v. Steele (Flathead Forest Plan I)	D. Mont.	9:19-cv-00056-DWM	\$443,061	Timothy J. Preso and John Mellgren	12/14/22
Total ESA Payments			\$2,171,697		