



BUDGET The United States
Department of the Interior

JUSTIFICATIONS

and Performance Information
Fiscal Year 2025

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

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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Executive Summary

Executive Summary

Since August 3, 1977, the Office of Surface Mining Reclamation and Enforcement (OSMRE)—along with its State and Tribal partners, community organizations, and industry—has protected the environment and the people in coal communities.

The mission of OSMRE is to carry out the requirements of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) in cooperation with States and Tribes.

OSMRE’s primary objectives are to:

- (1) ensure that coal mine activities are conducted in an environmentally responsible manner and that the impacts of mining on the environment are minimized,
- (2) ensure that the land is restored to its pre-mining land uses or equal or greater value following mining, and
- (3) mitigate the effects of past mining that were left unreclaimed prior to enactment of SMCRA.

OSMRE implements SMCRA requirements through the following programs:

- Title IV of SMCRA - Abandoned Mine Lands Reclamation
- Title V of SMCRA - Control of the Environmental Impacts of Surface Coal Mining, and
- Technology Development and Transfer

Through these programs, OSMRE has launched innovative efforts—such as the Appalachian Regional Reforestation Initiative (ARRI), the Watershed Cooperative Agreement Program (WCAP), and comprehensive training and technical assistance programs for States and Tribes—to protect people and the environment and support economic redevelopment more effectively.

Overview

OSMRE’s Fiscal Year (FY) 2025 budget supports effective oversight of coal production through the protection and reclamation of actively mined lands and the reclamation of mined lands left unreclaimed from legacy mining operations that occurred prior to SMCRA’s enactment. OSMRE’s FY 2025 budget supports the Department’s priorities of advancing economic revitalization of coal communities; strengthening government-to-government relationships with Tribal Nations; investing in the restoration of public lands and waters; increasing reforestation and terrestrial carbon sequestration; supporting local, State, private, and Tribal restoration efforts; and creating good paying jobs with a free and fair chance to join a union.

OSMRE's statutory responsibilities include administering a program for the regulation of environmental impacts of surface coal mining operations pursuant to Title V of SMCRA, as well as a program for the restoration of legacy abandoned and unreclaimed mined areas pursuant to Title IV of SMCRA. OSMRE authorizes States and Tribes, upon approval of their regulatory and reclamation programs, to assume these responsibilities, subject to OSMRE's oversight. In its oversight role, OSMRE provides the State and Tribal programs funding, training, technical assistance, support, and tools to help ensure consistent, high quality, and effective regulatory and reclamation programs across the Nation.

Every coal mine operation in the United States must be permitted and regulated in compliance with the provisions of SMCRA, as reflected in OSMRE-approved State regulatory programs that meet minimal Federal statutory and regulatory requirements. During FY 2023, OSMRE, States, and Tribes issued more than 5,400 permits nationwide either on active mining operations or sites in various reclamation phases. These sites, covering 2.7 million acres of surface mining and support facilities, are regulated through permits, inspection and enforcement actions, and reclamation bonding requirements.

Title IV (Abandoned Mine Land Reclamation) Policy Developments

SMCRA requires all operators of coal mining operations to pay an Abandoned Mine Land (AML) reclamation fee. This fee, based on the tonnage of coal produced, is assessed on operators and deposited into the Abandoned Mine Reclamation Fund to hold the coal industry responsible for reclaiming lands mined for coal and left abandoned prior to SMCRA's enactment. OSMRE collects the AML fee and annually distributes fee receipts to States and Tribes, based on a statutorily prescribed formula to clean up abandoned mine lands.

In November 2021, the Bipartisan Infrastructure Law (BIL) (Public Law 117-58) revised and extended the authority to collect the coal mine reclamation fee through September 30, 2034, and lowered the fee amounts by 20 percent, beginning in FY 2022. The BIL also provided a once-in-a-generation investment of \$11.3 billion in reclamation grants to eligible States and Tribes to address AML sites that pose health, safety, and environmental hazards to communities, creating good-paying jobs, and generating economic opportunities. These funds are being distributed—approximately \$725 million a year—over a 15-year period.

OSMRE oversees discretionary AML resources for SMCRA responsibilities, including State Program Evaluation and Federal Reclamation Program operations. These programs work directly to reclaim abandoned mine lands and fulfill OSMRE's Title IV obligations. The FY 2025 budget also requests funding to continue support for the AML Economic Revitalization (AMLER) program, which helps accelerate the cleanup of AML sites that lead to new economic development and revitalization opportunities in impacted and surrounding communities.

As noted above, OSMRE will continue to collect reclamation fees from operators through September 30, 2034, as authorized. These funds will be allocated and distributed to States and Tribes, and transfers will be made to the United Mine Workers of America (UMWA) health benefits plans and the 1974 UMWA Pension Plan, in accordance with the provisions of Title IV of SMCRA, as amended (see the Permanent Appropriations Section for more details).

Abandoned Mine Land and Regulatory Technology Development and Transfer

OSMRE supports the coordination of science activities across DOI to help achieve mission objectives and works within several key areas to coordinate and leverage investment to generate effective results. The FY 2025 budget facilitates this coordination by supporting integrated efforts to achieve management efficiencies. OSMRE uses emerging technologies, tools, and methodologies to improve the understanding of natural resources and environmental quality related to coal mining. OSMRE's Technology Development and Transfer business line focuses on training and technical innovation that directly supports OSMRE's environmental restoration mission through AML reclamation and its environmental regulation mission through regulatory oversight.

The FY 2025 budget provides the resources required to meet the demand from States, Tribes, public interest groups, and internal customers for OSMRE to provide technical support related to active coal mining. Activities include development of policy/guidance documents for technical issues and onsite review and guidance on the application of regulations to specific permits and mine sites.

Federal Regulatory and Reclamation Programs for Oklahoma

Pursuant to the July 2020 decision by the U.S. Supreme Court in *McGirt v. Oklahoma* (140 S.Ct. 2452), OSMRE established an Indian Lands program in Oklahoma under which OSMRE assumed responsibility for regulation of coal mining operations and reclamation activities on Muskogee (Creek) Nation Tribal lands from the Oklahoma Department of Mines for Title V activities, and from the Oklahoma Conservation Commission for Title IV activities. In March and April 2021, Oklahoma Court of Criminal Appeals rulings similarly resulted in OSMRE assuming regulatory and reclamation responsibilities for two additional reservations in Oklahoma: the Choctaw and Cherokee Nations. The FY 2025 budget provides the resources required for OSMRE to effectively manage its Federal regulatory and reclamation responsibilities on Indian lands within Oklahoma.

Title V of SMCRA (Active Mining) Policy

OSMRE's statutory role is to promote and assist its partner States and Tribes to establish and maintain a stable regulatory environment for coal mining consistent with SMCRA. OSMRE administers Title V either through oversight of primacy State programs, or directly where OSMRE is the regulatory authority. This regulatory stability ensures that all parties (regulators, operators, and citizens) have a common understanding of applicable requirements and rights to make informed decisions affecting their economic and personal interests.

Land use plans established during the permitting process, consistent with the law, ensure that coal is mined responsibly and that the mined land is reclaimed in accordance with applicable regulations. Annual performance agreements developed for each State, with stakeholder input, outline the responsibilities and activities of both the State and OSMRE. Among other things, the agreements contain program evaluation goals and the technical or programmatic assistance that OSMRE may render to the States to address identified problems, for both new issues and those remaining from prior years. As States develop greater technical skills, OSMRE anticipates improved performance regarding permit-related actions and resolution of issues.

To support primacy States with their regulatory programs, OSMRE provides regulatory grants for technical assistance and training. These grants provide up to 50 percent of a State's operating costs for regulating

coal mining on non-Federal lands, and up to 100 percent of a State's operating costs for regulating mining on Federal lands within the State. OSMRE also provides grants to Tribes to help them develop regulations and programs for regulating surface coal mining and reclamation operations on Indian lands. The budget includes funding for grants to States and Tribes consistent with their actual expenditures over the past several years.

Among the most effective ways to determine if a State's mining laws are being properly implemented is to review State permitting actions and to inspect mine sites. For the 12-month period ending June 30, 2023, States performed 21,223 complete inspections and 34,593 partial inspections. In FY 2023, OSMRE completed 570 partial and 289 complete inspections through its Federal and Indian Lands Programs. Nationwide, 91.3 percent of permitted sites inspected were free of off-site impacts (i.e., those that occur outside the permitted area and have the potential to harm the environment or the public, as specified under the existing regulations). Off-site impacts associated with active sites are addressed through inspection and enforcement. These activities also help ensure that the land being mined is reclaimed properly and in a timely manner to return it to its intended post-mining land use.

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 (DOI) leadership takes audit follow-up very seriously and considers its external auditors, including the Government Accountability Office (GAO) and Office of the Inspector General (OIG), 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>.

Summary Table: A summary table of OSMRE's FY 2025 President's Budget Submission is seen below.

Total FY 2025 Budget Request

(Dollars in Thousand)

2025 President's Budget (\$000)				
Budget Authority	2023 Actual	2024 Annualized CR	2025 President's Budget	Change from 2024 CR
Regulation and Technology	121,062	121,026	128,875	7,849
Abandoned Mine Reclamation Fund	168,904	168,904	175,815	6,911
Total Current	289,966	289,930	304,690	14,760
Total Discretionary w/ Offsetting Collections	290,423	290,070	304,830	14,900
Payments to States in Lieu of Coal Fee Receipts (Treasury Funds)	31,447	30,300	24,900	-5,400
<i>Less Mandatory Sequester</i>	<i>[-1,792]</i>	<i>[-1,727]</i>	<i>[-1,419]</i>	<i>[308]</i>
Mandatory Grants to Non-Certified States (AML Funds)	102,707	102,400	108,000	5,600
<i>Less Mandatory Sequester</i>	<i>[-5,853]</i>	<i>[-5,836]</i>	<i>[-6,156]</i>	<i>[-320]</i>
Funds Transferred to UMWA Health Benefit Plans and the 1974 UMWA Pension Plan (Treasury and AML Funds)	1,060,645	1,082,654	1,153,971	71,317
Total Permanent	1,194,799	1,215,354	1,286,871	71,517
Total Permanent (after Sequester)	1,187,154	1,207,791	1,279,296	71,505
Total Current and Permanent w/ Offsetting Collections and w/o Supplemental	1,477,577	1,497,861	1,584,126	86,265
Total w/o Offsetting Collections and w/o Supplemental	1,477,120	1,497,721	1,583,986	86,265
<i>FTEs</i> ¹	343	427	428	1

¹ Does not include BIL FTE.

Budget Highlights

The FY 2025 Budget Request for OSMRE is \$304.7 million in current appropriations, an increase of \$14.8 million above the 2024 Annualized Continuing Resolution (CR), including an increase of \$2.7 million to fund fixed costs.

OSMRE will focus resources on its core mission functions essential to implementation of SMCRA, provide technical support and assistance to States and Tribes for regulatory and reclamation programs, support the review and technology transfer of advanced technologies and reforestation of reclaimed mined lands, and evaluate and administer the AML program.

In addition to discretionary appropriations, the budget includes \$1.3 billion in mandatory funding for reclamation grants to States and Tribes, and for UMWA health benefit plans and the 1974 UMWA pension plan, as required under current law. Mandatory funding is further described under the Permanent Appropriations Section.

The FY 2025 budget provides \$65 million for regulatory grants to States and Tribes. The budget also provides \$135 million for AMLER grants to certain States and Tribes and proposes to allocate 1.25 percent

of AMLER appropriations for program administration and for Interior's Office of the Inspector General for program oversight.

OSMRE will use the balance of the budget to fulfill its statutory oversight responsibilities, administer Federal regulatory and reclamation programs, provide technical assistance to States and Tribes, and carry out its fiscal responsibilities for collecting revenues and awarding grants.

The request for OSMRE includes \$249,000 in the Regulation and Technology Account to support vehicle fleet lifecycle replacement, fleet requirements analysis, charging infrastructure planning and deployment, and fleet capabilities assessments. Across Interior, the 2025 request includes \$13 million for this purpose. This funding will continue Interior's efforts to right-size its fleet and replace vehicles with more efficient, mission capable, zero emissions vehicles at the right locations and with the right vehicle mix to deliver Interior's missions. OSMRE's fleet planning efforts will continue to ensure ZEVs are integrated into the overall fleet plan, prioritizing locations and appropriate missions for deployment of these vehicles. Additionally, this funding will assist OSMRE with adapting electric vehicle support equipment planning and deployment to address installation requirements which vary by geographic region.

The FY 2025 budget includes appropriations language to enable OSMRE to use up to \$5,000 of appropriated amounts for courtesy and social responsibilities associated with official duties, primarily for outreach, engagement, and consultation with Tribal partners to honor traditions. This request would provide the Bureau similar authority as that provided to other agencies to extend hospitality to official visitors without bureau employees bearing expenses from their own personal funds.

OSMRE executes its mission through five Business Lines:

- Environmental Restoration,
- Environmental Protection,
- Technology Development and Transfer,
- Financial Management, and
- Executive Direction and Administration.

The budget aligns discretionary funding and FTE across business lines to optimize fulfillment of OSMRE's statutory responsibilities and support the Administration's priorities.

Appropriation Language

Regulation and Technology

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, \$128,875,000, to remain available until September 30, 2026, of which \$65,000,000 shall be available for State and tribal regulatory grants, and of which not to exceed \$5,000 may be for official reception and representation expenses: Provided, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to remain available until expended: Provided, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2025 appropriation estimated at not more than \$128,875,000.

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.

Abandoned Mine Reclamation Fund

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, \$40,815,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: Provided, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training: Provided further, That of the amounts provided under this heading, not to exceed \$5,000 shall be available for official reception and representation expenses.

In addition, \$135,000,000, to remain available until expended, for grants to States and federally recognized Indian Tribes for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions described in the explanatory statement described in section 4

(in the matter preceding division A of this consolidated Act): Provided, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): Provided further, That of such additional amount, 0.75 percent shall be available to the Office of Surface Mining Reclamation and Enforcement for program administration and 0.5 percent shall be available for transfer to the Office of the Inspector General of the Department of the Interior for oversight of funding provided under this heading: Provided further, That of such additional amount, \$86,850,000 shall be distributed in equal amounts to the three Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section, \$34,740,000 shall be distributed in equal amounts to the three Appalachian States with the subsequent greatest amount of unfunded needs to meet such priorities, and \$11,722,500 shall be for grants to federally recognized Indian Tribes without regard to their status as certified or uncertified under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)), for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) and shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977: Provided further, That such additional amount shall be allocated to States and Indian Tribes within 60 days after the date of enactment of this Act.

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 Citations

Regulation and Technology

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87,

- 30 U.S.C. 1260, 1268 – These sections provide for the assessment and collection of penalties levied for violations of the Act, and for the denial of permits to those with unabated violations or unpaid penalties.
- 30 U.S.C. 1252, 1253, 1254, 1271, 1272, 1273, 1295, 1300, 1302 – These sections provide for aid to all primacy States for maintaining approved regulatory programs and evaluation of the States’ performance in doing so; monitoring implementation of the grant programs; small operator assistance programs; regulatory programs in States without approved programs, on Federal lands, and on Indian lands; processing of permit applications and mine plans for Federal lands operations; designating of lands unsuitable for surface mining through technical reviews; scientific/engineering support and technical training for States operating approved permanent programs and Federally administered programs; initiation of technical studies; issuance of technical publications; approval of experimental practices to meet the needs of approved State programs and Federally-administered programs; preparation of environmental assessments and environmental impact statements for permits and other actions; and training

of OSMRE staff and State staff to enable these agencies to more effectively carry out the provisions of the Act.

- 30 U.S.C. 1257, as amended by Public Laws 101-508 and 102-486 – Provides for the regulatory authority to designate a qualified laboratory to obtain technical information and prepare technical findings required by the operator for the permit application, and for the regulatory authority to assume the cost for such services. Further, the Act provides for the Secretary to provide or assume the cost of training for regulatory program compliance and permit application preparation for eligible small operators.

Abandoned Mine Reclamation Fund

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87,

- 30 U.S.C. 1231, 1232, 1233 and 1240 – Provides for the payment of fees and other monies into the Abandoned Mine Reclamation Fund (Fund). The Fund consists of amounts deposited from time to time, derived from reclamation fees, donations, audit recoveries, interest charges, and administrative collection fees. The funds collected are used for the reclamation and restoration of land and water resources adversely affected by past mining.
- SMCRA provides for the use of the monies for the purpose of protecting public health, safety, and property from extreme danger of adverse effects of coal mining practices; restoration of land and water resources and the environment previously degraded by adverse effects of coal mining practices, and that are adjacent to a site that has been or will be remediated. It also provides that monies in the Fund will be used to cover the administrative expenses of the Federal government, accomplish abandoned mine reclamation, and develop guidelines on the distribution of monies in the Fund.

Summary of Requirements

(in Dollars and Thousands)

	2023 Actual	2023 Actual FTE	2024 Annualized CR	2024 Annualized CR FTE	2025 Request Fixed Costs (+/-)	2025 Request Program Changes (\$)	2025 Request Program Changes FTE (+/-)	2025 Request	2025 Request FTE	2025 Request TOTAL Change from 2024 Annualized CR (+/-)
ACCOUNT:										
REGULATION AND TECHNOLOGY										
Environmental Protection	88,936	127	88,900	181	+815	+1,695	-	91,410	181	+2,510
Technology Development and Transfer	16,061	63	16,061	81	+367	+759	-	17,187	81	+1,126
Financial Management	535	2	535	3	+13	+28	-	576	3	+41
Executive Direction and Administration	15,530	42	15,530	47	+842	+3,330	+1	19,702	48	+4,172
TOTAL, REGULATION AND TECHNOLOGY (w/o Offsetting Collections)	121,062	234	121,026	312	+2,037	+5,812	+1	128,875	313	+7,849
Offsetting Collections										
<i>Civil Penalties (Budget Authority)</i>	453	-	100	-	-	-	-	100	-	-
<i>Permit Fees (Offsetting Collections)</i>	4	-	40	-	-	-	-	40	-	-
TOTAL, REGULATION AND TECHNOLOGY (w/ Offsetting Collections)	121,519	234	121,166	312	+2,037	+5,812	+1	129,015	313	+7,849
ABANDONED MINE RECLAMATION FUND										
Environmental Restoration	17,088	41	17,088	43	+196	+3,857	-	21,141	43	+4,053
Technology Development and Transfer	4,266	15	4,266	18	+82	+169	-	4,517	18	+251
Financial Management	6,079	32	6,079	33	+149	+311	-	6,539	33	+460
Executive Direction and Administration	6,471	21	6,471	21	+234	+1,913	-	8,618	21	+2,147
AML Economic Development Pilot Program	135,000	-	135,000	-	-	-	-	135,000	0	-
TOTAL, ABANDONED MINE RECLAMATION FUND (w/o Supplemental)	168,904	109	168,904	115	+661	+6,250	-	175,815	115	+6,911
Bipartisan Infrastructure Law (BIL) P.L. 117-58		41		93					93	-
TOTAL, ABANDONED MINE RECLAMATION FUND (w/ Supplemental)	168,904	150	168,904	208	+661	+6,250	-	175,815	208	+6,911
TOTAL, DISCRETIONARY (w/ Supplemental & w/o Offsetting Collections)	289,966	384	289,930	520	+2,698	+12,062	+1	304,690	428	+14,760
TOTAL, DISCRETIONARY (w/ Supplemental & Offsetting Collections)	290,423	384	290,070	520	+2,698	+12,062	+1	304,830	521	+14,760

**Office of Surface Mining Reclamation and Enforcement
Regulation and Technology
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	+193	0	Total paid days for FY 2025 is 261 (2088 hours) which is the same number of days as FY 2024.
Pay Raise	+2,436	+1,414	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.
Departmental Working Capital Fund (WCF)	+76	+202	The estimates reflect final decisions of the Working Capital Fund Consortium on the FY 2025 Working Capital Fund Central Bill.
Workers' Compensation Payments	-8	+15	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	0	-7	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	+229	+413	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	+2,926	+2,037	

Office of Surface Mining Reclamation and Enforcement
Abandoned Mine Reclamation Fund
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	+72	0	Total paid days for FY 2025 is 261 (2088 hours) which is the same number of days as FY 2024.
Pay Raise	+913	+527	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.
Departmental Working Capital Fund (WCF)	+27	+71	The estimates reflect final decisions of the Working Capital Fund Consortium on the FY 2025 Working Capital Fund Central Bill.
Workers' Compensation Payments	-1	+2	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	0	-3	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	+81	+64	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	+1,092	+661	

BUDGET AT A GLANCE

Office of Surface Mining Reclamation and Enforcement - Budget At A Glance

Dollars in Thousands (\$000)

Appropriation: Regulation and Technology	2023 Actual	2024 Annualized CR	2025 Fixed Costs (+/-)	2025 Internal Transfers (+/-)	2025 Program Change (+/-)	2025 Request
Environmental Protection	88,900	88,900	+815	-	+1,695	91,410
State and Tribal Funding	65,000	65,000			-	65,000
State Program Evaluation	8,905	8,905	365		759	10,029
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+759]	
Federal and Indian Lands Program	7,968	7,968	243		384	8,595
<i>Funded by Offsetting Collections</i>	[+36]	[+140]				[+140]
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+384]	
Federal Lands	1,539	1,539	45		215	1,799
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+215]	
Program Development and Maintenance	5,488	5,488	162		337	5,987
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+337]	
Technology Development and Transfer	16,061	16,061	+367	-	+759	17,187
Technical Assistance	11,657	11,657	231		478	12,366
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+478]	
Training	2,254	2,254	86		178	2,518
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+178]	
Technology Transfer	2,150	2,150	50		103	2,303
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+103]	
Financial Management	535	535	+13	-	+28	576
Revenue Management	428	428	9		19	456
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+19]	
Grants Financial Management	107	107	4		9	120
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+9]	
Executive Direction and Administration	15,530	15,530	+842	-	+3,330	19,702
Executive Direction	2,330	2,330	72		315	2,717
<i>Federal Sustainability Initiative Coordinator</i>					[+165]	
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+150]	
Administrative Support	4,020	4,020	140		290	4,450
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+290]	
General Services	9,180	9,180	630		2,725	12,535
<i>IT - Data Center Migration, Hosting, and Cyber Security</i>					[+2,476]	
<i>Zero Emission Vehicles</i>					[+249]	
TOTAL, Regulation and Technology (w/o Civil Penalties and Offsetting Collections)	121,062	121,026	+2,037	-	+5,812	128,875
TOTAL, Regulation and Technology (w/ Civil Penalties and Offsetting Collections)	121,519	121,166	+2,037	-	+5,812	129,015

Appropriation: Abandoned Mine Reclamation Fund	2023 Actual	2024 Annualized CR	2025 Fixed Costs (+/-)	2025 Internal Transfers (+/-)	2025 Program Change (+/-)	2025 Request
Environmental Restoration	152,088	152,088	+196	-	+3,857	156,141
State/Tribal Funding	500	500			2,000	2,500
<i>Passive Treatment Protection Program (PTPP)</i>					[+2,000]	
State Program Evaluation	2,866	2,866	68		142	3,076
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+142]	
Federal Reclamation Programs - Projects	6,119	6,119			1,000	7,119
<i>Federal Reclamation Projects - Oklahoma</i>					[+1,000]	
Federal Reclamation Program - Operations	3,300	3,300	59		573	3,932
<i>GrantSolutions</i>					[+450]	
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+123]	
Program Development and Maintenance	4,303	4,303	69		142	4,514
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+142]	
AML Economic Development Grants	135,000	135,000			0	135,000
Technology Development and Transfer	4,266	4,266	+82	-	+169	4,517
Technical Assistance	2,199	2,199	46		94	2,339
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+94]	
Training	889	889	32		66	987
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+66]	
Technology Transfer	1,178	1,178	4		9	1,191
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+9]	
Financial Management	6,079	6,079	+149	-	+311	6,539
Fee Compliance	5,458	5,458	126		264	5,848
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+264]	
Grants Financial Management	621	621	23		47	691
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+47]	
Executive Direction and Administration	6,471	6,471	+234	-	+1,913	8,618
Executive Direction	1,051	1,051	32		151	1,234
<i>Federal Sustainability Initiative Coordinator</i>					[+85]	
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+66]	
Administrative Support	2,097	2,097	65		132	2,294
<i>Baseline Capacity - 2024 Fixed Costs</i>					[+132]	
General Services	3,323	3,323	137		1,630	5,090
<i>IT - Data Center Migration, Hosting, and Cyber Security</i>					[+1,630]	
TOTAL, Abandoned Mine Reclamation Fund (w/ rescission)	168,904	168,904	+661	-	+6,250	175,815
TOTAL, Discretionary Funding (w/o Civil Penalties and Offsetting Collections)	289,966	289,930	+2,698	-	+12,062	304,690
TOTAL, Discretionary Funding (w/ Civil Penalties and Offsetting Collections)	290,423	290,070	+2,698	-	+12,062	304,830

Mandatory Funding	2023 Actual	2024 Annualized CR	2025 Fixed Costs (+/-)	2025 Internal Transfers (+/-)	2025 Program Change (+/-)	2025 Request
Payments to States and Tribes in Lieu of Coal Fee Receipts (Treasury Funds)	31,447	30,300	-	-	-5,400	24,900
In Lieu Payments to Certified States and Tribes	31,447	30,300			-5,400	24,900
Mandatory Grants to States (AML Funds)	102,707	102,400	-	-	+5,600	108,000
Grants to Noncertified States						
State & Tribal Share	16,201	16,100			+2,200	18,300
Historic Coal Fund	61,528	59,200			+4,300	63,500
Minimum Program Make Up	24,978	27,100			-900	26,200
Total Payments/Grants to States and Tribes (pre-Sequester)	134,154	132,700	-	-	+200	132,900
less Mandatory Sequester	-7,645	-7,563				-7,575
Total Payments to States and Tribes (after Mandatory Sequestration)	126,509	125,137	-	-	+188	125,325
United Mine Workers of America Plans (UMWA)	1,060,645	1,082,654	-	-	+71,317	1,153,971
Payments to United Mine Workers of America (UMWA) Health Benefit Plans (AML Fund Interest)	6,039	1,648			+4,403	6,051
Payments to UMWA Health Benefit Plans (Treasury Funds)	342,092	362,954			+65,917	428,871
Payments to the 1974 UMWA Pension Plan (Treasury Funds)	712,514	718,052			+997	719,049
TOTAL, Mandatory Funding	1,194,799	1,215,354	-	-	+71,517	1,286,871
Total, Mandatory Funding with Sequestration	1,187,154	1,207,791	-	-	+71,505	1,279,296

ACCOUNT: REGULATION AND TECHNOLOGY

ACCOUNT: REGULATION AND TECHNOLOGY

Program Summary

The 2025 budget for the Regulation and Technology Account is \$128.9 million, \$7.8 million above the 2024 Continuing Resolution level. This account supports the regulatory functions defined by SMCRA and administered by the States and OSMRE. It also funds Federal activities related to the administration and monitoring of State regulatory programs and OSMRE's technical training, assistance, and transfer activities related to environmental protection.

The 2025 budget includes \$91.4 million for Environmental Protection programs, \$2.5 million above the 2024 Continuing Resolution. The request for State and Tribal regulatory grants is \$65.0 million, which fully funds estimated requirements and is equal to the 2024 Continuing Resolution. The 2025 request for regulatory grants provides for the efficient and effective operations of State and Tribal programs at a level consistent with the anticipated obligations and the demand for coal mine permitting and production.

The budget includes \$26.4 million, \$2.5 million above the 2024 Continuing Resolution, for other regulation and technology functions under Title V of SMCRA, including State Program Evaluation and Federal Program operations, which regulate coal mining in States and for Tribes without approved regulatory programs.

The 2025 budget includes \$37.5 million for Technology Development and Transfer, Financial Management, and Executive Direction activities, \$5.4 million above the 2024 Continuing Resolution, which support the overall Regulation and Technology program. Within the Regulation and Technology appropriation, the budget includes a \$2.5 million program increase for essential data center migration, hosting, and cybersecurity enhancements.

Appropriation Language

Regulation and Technology

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, \$128,875,000, to remain available until September 30, 2026, of which \$65,000,000 shall be available for State and tribal regulatory grants, and of which not to exceed \$5,000 may be for official reception and representation expenses: Provided, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to remain available until expended: Provided, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2025 appropriation estimated at not more than \$128,875,000.

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 and Citations

Regulation and Technology

This appropriation finances the regulatory functions of SMCRA, as administered by the States and OSMRE. Federal activities related to the administration and monitoring of State regulatory programs and OSMRE's technical training, assistance, and transfer activities related to environmental protection are also financed by this appropriation. The FY 2025 budget request for current appropriations for the Regulation and Technology Account is \$128.9 million.

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87,

- 30 U.S.C. 1260, 1268 – These sections provide for the assessment and collection of penalties levied for violations of the Act, and for the denial of permits to those with unabated violations or unpaid penalties.
- 30 U.S.C. 1252, 1253, 1254, 1271, 1272, 1273, 1295, 1300, 1302 – These sections provide for aid to all primacy States for maintaining approved regulatory programs and evaluation of the States' performance in doing so; monitoring implementation of the grant programs; small operator assistance programs; regulatory programs in States without approved programs, on Federal lands, and on Indian lands; processing of permit applications and mine plans for Federal lands operations; designating of lands unsuitable for surface mining through technical reviews; scientific/engineering support and technical training for States operating approved permanent programs and Federally administered programs; initiation of technical studies; issuance of technical publications; approval of experimental practices to meet the needs of approved State programs and Federally-administered programs; preparation of environmental assessments and environmental impact statements for permits and other actions; and training of OSMRE staff and State staff to enable these agencies to more effectively carry out the provisions of the Act.
- 30 U.S.C. 1257, as amended by Public Laws 101-508 and 102-486 – Provides for the regulatory authority to designate a qualified laboratory to obtain technical information and prepare technical findings required by the operator for the permit application, and for the regulatory authority to assume the cost for such services. Further, the Act provides for the Secretary to provide or assume the cost of training for regulatory program compliance and permit application preparation for eligible small operators.

Office of Surface Mining Reclamation and Enforcement

Regulation and Technology

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	+193	0	Total paid days for FY 2025 is 261 (2088 hours) which is the same number of days as FY 2024.
Pay Raise	+2,436	+1,414	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.
Departmental Working Capital Fund (WCF)	+76	+202	The estimates reflect final decisions of the Working Capital Fund Consortium on the FY 2025 Working Capital Fund Central Bill.
Workers' Compensation Payments	-8	+15	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	0	-7	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	+229	+413	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	+2,926	+2,037	

Regulation and Technology Account

ENVIRONMENTAL PROTECTION

REGULATION AND TECHNOLOGY ACCOUNT
Environmental Protection Activity Budget Request

(Dollars in Thousands)

Regulation and Technology/ Environmental Protection	2023 Actual	2024 Annualized CR	2025 Fixed Costs (+/-)	2025 Internal Transfers (+/-)	2025 Program Changes (+/-)	2025 President's Budget	Change from 2024 Annualized CR
State and Tribal Funding	65,000	65,000	-	-	-	65,000	-
<i>FTE</i>	-	-				-	-
State Program Evaluation	8,905	8,905	+365	-	+759	10,029	1,124
<i>FTE</i>	70	81				81	-
Federal Programs	4,581	4,581	+140	-	+290	5,011	430
<i>FTE</i>	20	31				31	-
Federal Lands	1,539	1,539	+45	-	+94	1,678	139
<i>FTE</i>	14	10				10	-
Indian Lands	3,387	3,387	+103	-	+215	3,705	318
<i>FTE</i>	8	23				23	-
Program Development and Maintenance	5,488	5,488	+162	-	+337	5,987	499
<i>FTE</i>	15	36				36	-
Total	88,900	88,900	+815	-	+1,695	91,410	2,510
<i>FTE</i>	127	181	-	-	-	181	-

The FY 2025 budget request for the Regulation and Technology Environmental Protection budget activity is \$91.4 million and 181 FTEs, a program change of +\$1.7 million and 0 FTE from the FY 2024 Continuing Resolution.

Summary of 2025 Program Changes Regulation and Technology/Environmental Protection

Program Changes	(\$000)	FTE Change
Baseline Capacity - 2024 Fixed Costs	+1,695	+0
TOTAL Program Changes	+1,695	+0

Justification of FY 2025 Program Changes

Baseline Capacity (+\$1,695,000): 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 OSMRE mission. The budget includes \$1.7 million in the Regulation and Technology Environmental Protection 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.

OVERVIEW

The Environmental Protection business line provides resources to 23 primacy States to administer regulatory programs, as well as for OSMRE's Federal and Indian Lands Programs. OSMRE administers a Federal Program in the States of Washington and Tennessee and an Indian Lands Program on Tribal Lands of the Navajo Nation, the Hopi Tribe, the Ute Mountain Ute Tribe, the Crow Tribe, and the Cherokee, Choctaw, and Muscogee (Creek) Nations in Oklahoma. These programs protect the public and the environment from the adverse effects of current mining and support reclamation of land at the conclusion of mining operations. At the beginning of FY 2024, surface coal mining operations encompassed over 2.3 million acres nationwide.

Program Activities: The program activities in this business line ensure the environment is protected during surface coal mining operations and that coal operators adequately reclaim disturbed land after mining is completed.

This business line also supports OSMRE's work to ensure that State programs meet Federal regulatory requirements. The State and Tribal Funding activity includes grants to States and Tribes to regulate coal operations on lands within their borders. This activity includes grants to Tribes to develop regulatory programs and to assist OSMRE in the regulation of surface coal mining and reclamation operations on Indian Lands. Additionally, for primacy States with Federal lands within their borders, cooperative agreements formalize States' eligibility to receive additional grant funding to cover their full costs to regulate coal operations on those Federal lands.

The State Program Evaluation program activity funds OSMRE's evaluation and oversight of State programs. The Federal and Indian Lands Programs activity funds OSMRE regulatory activities to ensure SMCRA compliance in States without their own regulatory program, and on Tribal Lands. The Federal Lands program funds OSMRE's activities in preparing mining plan decision documents for leased Federal coal, as well as any other activities on Federal lands not covered by cooperative agreements with the primacy States.

OSMRE's Environmental Protection mission supports the primary purpose of SMCRA by protecting the public, property, and environment from the adverse impacts of coal mining, and SMCRA provides assurance that adequate action is taken to reclaim surface coal mine areas as expeditiously as possible.

For FY 2025, the President's budget requests \$65.0 million to fund up to 50 percent of the costs for 23 primacy State regulatory programs and up to 100 percent of the costs of regulating mining on Federal lands within the borders of 14 of the primacy States through cooperative agreements. The budget request will also provide 100 percent of the regulatory program development costs for three Tribes.

The FY 2025 budget request includes \$10.0 million to improve our State evaluation program, focusing on the implementation of existing laws, and \$8.7 million to fund Federal regulatory programs in non-primacy States, including Tennessee and Washington, and on Indian Lands.

The FY 2025 budget request also includes \$1.7 million for OSMRE to carry out mine plan reviews for Federal lands, and \$6.0 million for program development and maintenance to continue to streamline mine plan decision processes and ensure that regulatory standards adequately reflect changes in technologies and program needs.

Appropriations language is requested to supplement this appropriation with \$40,000, which will be offset with collections for new permit application fees in the Federal and Indian Lands Programs.

The following section shows the details for each program activity and the funding and FTE resources required to meet the 2025 performance goals for the Environmental Protection business line. It also includes examples of cooperative work between OSMRE, States, and Tribes to regulate coal-mining activities.

PROGRAM DETAILS AND 2025 REQUEST

1. State and Tribal Funding

The FY 2025 budget request is \$65.0 million requested for State and Tribal regulatory program grants. That funding may also be used to support the States and Tribes that are pursuing regulatory primacy. This request fully funds the projected FY 2025 requirements based on historical spending. OSMRE will also continue to support State regulatory grant requests by re-distributing the available de-obligated prior year funds.

State Grants

The principal means of providing environmental protection within SMCRA is through primacy States that receive Federal grant funding. Currently, 23 States have achieved primacy and serve as coal mining regulatory authorities in the implementation and the on-going management of SMCRA. Primacy States have the most direct and critical responsibilities for conducting regulatory operations to minimize the impact of coal extraction operations on people and the environment. These States have the capabilities and knowledge to regulate the lands within their borders. OSMRE provides up to a 50 percent match on State funding in Federal grants to primacy States and ensures that regulations are consistent across the Nation. OSMRE provides the resources and encourages States to assume this responsibility of implementing SMCRA.

Cooperative agreements between OSMRE and primacy States that contain Federal lands provide States with grant funding to cover their costs to review permit applications, issue permits, and conduct the required inspections of regulated activities on Federal lands within the State. The additional grant funding provides for uniform enforcement of State program requirements throughout the State and reduces both direct Federal program costs and Federal staff requirements. Section 705I of SMCRA sets the amount that a State may receive through a cooperative agreement at an amount approximately equal to the amount that the Federal government would have to pay to do the same work. The regulations further require that no grant may exceed the actual costs to the State for this activity. Currently, 14 States have entered into cooperative agreements with OSMRE to regulate surface coal mining and reclamation operations on Federal lands within their borders: Alabama, Colorado, Illinois, Indiana, Kentucky, Montana, New Mexico, North Dakota, Ohio, Oklahoma, Utah, Virginia, West Virginia, and Wyoming.

Activities that State regulatory authorities conduct with Federal grant and matching State funding include: (1) permit review and issuance and access to the Applicant Violator System to ensure that permits will not be issued to operators with outstanding violations; (2) inspection and enforcement; and (3) ensuring timely reclamation after mining. In addition, individual States may conduct special activities to address specific needs. These activities may include upgrading permitting programs, modernizing systems to improve review of pending permits, and drafting regulations that respond to changes in Federal rules.

State regulatory authorities inspect all active and inactive sites, facilities, and areas that support coal mining and reclamation within their State for compliance with all program requirements. Federal regulations require all active inspectable units under the program to have four complete and eight partial inspections per year. Four complete inspections are required annually for all inactive units. Inspections conducted by primacy States in any given year depend, in part, on

the number of active and inactive permits in each State. The primacy States conducted 55,789 inspections in FY 2023 (see Table 2).

Tribal Regulatory Development and Regulatory Program Grants

As allowed by the Energy Policy Act of 1992 and Section 710(i) of SMCRA, OSMRE provides grants to the Crow Tribe, the Hopi Tribe, and the Navajo Nation to assist them in developing regulations and programs for regulating surface coal mining and reclamation operations on Indian Lands. The grant amounts are based on each Tribe's anticipated workload to (1) develop a Tribal program (including Tribal laws, regulations, and policies); (2) assist OSMRE with surface coal mine inspections and enforcement (including permitting activities, mine plan review and bond release); and (3) sponsor employment training and education concerning mining and mineral resources. These grants fund 100 percent of the Tribal primacy development activities.

The SMCRA amendments of 2006 allow Indian Tribes to apply for and obtain approval of a Tribal program regulating, in whole or in part, surface coal mining and reclamation operations on reservation land under the jurisdiction of the Indian Tribe. The legislation also provides for 100 percent funding of the costs of developing, administering, and enforcing an approved Tribal program. Discussions on the submission of applications for Tribal primacy began in 2007. An informal review of the Navajo Nation's Tribal primacy application is substantially complete, but the Navajo Nation has not formally submitted their application. The Crow Tribe and the Hopi Tribe continue to pursue Tribal primacy and have assisted OSMRE with surface coal mine inspections and enforcement; however, neither tribe has submitted a formal application for Tribal primacy. The Oklahoma Cherokee, Choctaw, and Muscogee (Creek) Nations are also eligible to pursue Tribal primacy and to seek grant funding for development of their Tribal programs.

2. State Program Evaluation

State Program Evaluation activities serve two purposes: to determine whether States are effectively implementing their approved regulatory programs, and to provide documentation to the public of the work that OSMRE and the States are doing. The \$10.0 million requested for FY 2025 will fund 81 FTE to carry out these activities.

a. Oversight Policy and Procedures

OSMRE assumes an oversight role following approval of a State or Tribal SMCRA regulatory program. That role includes both programmatic evaluations and inspections of individual mine sites to determine whether States with primacy are properly administering, implementing, maintaining, and enforcing their regulatory programs. Detailed guidance is provided and available on OSMRE's website (<https://www.osmre.gov/programs/regulating-active-coal-mines/oversight>).

As part of the process, a Performance Agreement is developed annually for each State. OSMRE solicits input from all stakeholders, including the public, State agencies, Federal agencies, other stakeholders, and the coal industry, for relevant issues to review in each State. The Performance Agreement is a comprehensive plan that outlines the responsibilities and activities of both the State and OSMRE. It provides details about specific program evaluation goals for each State and the plans to achieve those goals, the types and number of inspections OSMRE plans to provide, technical or programmatic assistance that OSMRE may render to the State, and methods to resolve any new or ongoing problems.

b. Oversight Inspections

Inspections and site visits are an integral part of OSMRE’s oversight activities. OSMRE uses a collaborative system of evaluation designed to build confidence in State, Tribal, and Federal programmatic efforts and enhance achievement of mutually shared environmental and public health and safety goals. OSMRE’s oversight inspections maximize the use of State, Tribal, and OSMRE resources with a goal of creating efficiency to strengthen the performance of all parties and avoid duplication of effort and redundancy. Because the number of Inspectable Units (IUs) varies greatly in each State and on Indian Lands, OSMRE uses a three-tiered method to determine the targeted number of annual oversight inspections. For States and Tribes that have less than five IUs, OSMRE inspects a target number of two IUs annually. For States and Tribes with five to 1,000 IUs, OSMRE aims to inspect a target number of 25 percent of the IUs annually. For States and Tribes with more than 1,000 IUs, OSMRE use a statistical sampling formula to determine its target number of oversight inspections each year. Because the principal purpose of oversight inspections is to evaluate the overall effectiveness of a State or Tribal program, OSMRE counts all inspections that it conducts, including inspections conducted in response to a request for inspection (i.e., a citizen complaint), Federal enforcement inspections, and bond release inspections, toward the targeted numbers of inspections.

In FY 2023, OSMRE conducted 1,114 oversight inspections in primacy States (see Table 1). OSMRE will continue to perform oversight inspections in FY 2024 and FY 2025 to assure the integrity of regulatory programs, to capture additional data, and to identify more conclusive findings and trends. The actual number of inspections will depend on the number of newly issued permits or permits released due to achieving final reclamation status, the presence or absence of problems, input from the public, and the terms of the Performance Agreements in each State.

Table 1 – Inspections Conducted in Primacy States in FY 2023

<u>State</u>	<u>Partial State Inspections</u>	<u>Complete State Inspections</u>	<u>Total State Inspections</u>	<u>OSMRE Oversight Inspections</u>
Alabama	5	1,462	1,467	40
Alaska	49	31	80	12
Arkansas	2	58	60	2
Colorado	164	100	264	11
Illinois	511	268	779	33
Indiana	457	283	740	16
Iowa	0	0	0	0
Kansas	24	13	37	2
Kentucky	10,090	5,695	15,785	241
Louisiana	24	12	36	7
Maryland	489	262	751	12
Mississippi	22	10	32	5
Missouri	37	22	59	4
Montana	104	66	170	9
New Mexico	27	25	52	3
North Dakota	314	86	400	6
Ohio	815	492	1,307	40
Pennsylvania	5,552	3,813	9,365	235
Texas	248	124	372	8
Utah	172	95	267	8
Virginia	1,809	1,175	2,984	104
West Virginia	13,555	6,975	20,530	303
Wyoming	152	100	252	13
Total	34,622	21,167	55,789	1,114

OSMRE oversight inspections for FY 2023 include oversight document reviews, assistance inspections, citizen complaint site visits, and Federal action inspections, as needed (Source: OSMRE Inspection and Enforcement data system Management Reports). State inspection data is for the evaluation year beginning July 1, 2022, through June 30, 2023.

c. Identifying and Correcting Violations of SMCRA

In primacy States, SMCRA requires that an OSMRE inspector provide the regulatory authority (RA) the opportunity to correct any violations observed during an oversight inspection or violations alleged by a citizen. OSMRE will issue a Ten-Day Notice (TDN) to the RA whenever the authorized representative has a reason to believe, based upon information readily available to him or her, that there has been a violation of SMCRA, Federal regulations, the approved regulatory program, or a permit condition (hereinafter violation). This requirement applies to all requests for Federal inspections that OSMRE receives from citizens under 30 CFR 842.12. The State regulatory authority then has 10 days to take enforcement action, initiate another appropriate action to correct the violation, or demonstrate good cause for not taking such action. If OSMRE determines that the State response is not appropriate, an OSMRE inspector will conduct a Federal inspection of the site and take any necessary enforcement action. This procedure does not apply to situations in which there is an imminent danger to public health or safety or if the observed or alleged violation is causing or can reasonably be expected to cause significant imminent environmental harm. If a citizen complainant alleges that an imminent harm violation exists, the OSMRE inspector must issue an immediate cessation order. OSMRE works with the States to resolve any outstanding issues and has procedures in place to monitor corrective actions. On most oversight inspections, OSMRE will not issue a TDN when it finds that the RA's inspector has already taken appropriate action or before the inspection is physically and administratively complete. In FY 2023, OSMRE received 8 citizen complaints from five States resulting in two violations. OSMRE issued one TDN in FY 2023.

OSMRE also has an obligation under Section 521 of SMCRA to take steps to ensure that all types of violations, including violations of performance standards or permit conditions and violations of permitting requirements, are corrected if the State does not correct them. If a State or Tribal program does not show timely, adequate improvements, OSMRE has other tools under 30 CFR Parts 732 (requiring program amendments) and 733 (compelling program change or substituting a Federal program) to ensure enforcement or a program change.

In addition to the corrective actions processes described above, OSMRE's AVS Office promotes the use of alternative enforcement actions to compel compliance with SMCRA. For example, the AVS Office provides training and investigative services, and identifies sites with outstanding violations so that regulatory authorities can consider pursuing alternative enforcement actions when primary enforcement is not enough. OSMRE will continue these enforcement activities throughout FY 2024 and FY 2025.

3. Federal and Indian Lands Programs

The FY 2025 request provides the resources required to conduct statutory activities in the Federal Program (\$5.0 million and 31 FTE) and Indian Lands Program (\$3.7 million and 23 FTE). The request also includes an additional \$40,000 for permitting activities that will be offset with collections for new permit application fees in the Federal and Indian Lands Programs.

a. States

OSMRE regulates coal mining in States without approved regulatory programs. OSMRE's regulation ensures responsible coal extraction by using up-to-date science and technology.

The permit review process in federally administered programs consists of reviewing of the permit application package for administrative completeness and technical adequacy, preparation of findings and supporting documentation, and conducting an environmental analysis. The extent of Federal resources expended and the timeframes for review vary depending on the complexity of a permit application, the size of the mine, and the response times of applicants submitting additional information required to process the permit application. The following information highlights key activities in

the two States administered under the Federal Program:

Tennessee: The Knoxville Field Office (KFO) and Lexington Field Office (LFO) conduct full Federal program functions in the State of Tennessee and have primary regulatory responsibilities for inspection, enforcement, and permitting of coal mines. During FY 2023, one permanent program permit achieved final bond release with jurisdiction terminated. This reduced the number of permits from 90 at the start of the FY 2023 to 89 permits at the end, with 19,900 permitted acres. Currently there is no active coal production in the State. Tennessee received one new permit application during FY 2023 and processed and approved 5 permit renewals. In addition, OSMRE has five treatment trust funds covering six sites in Tennessee. Trust funds or annuities guarantee long-term treatment of post-mining pollution discharges associated with sites permitted under the Tennessee Federal Program. The purpose of such trusts is to protect the environment and the health and welfare of the public. The trusts or annuities are invested and managed for the long-term operation of water control and treatment facilities associated with coal mine sites.

KFO/LFO employees utilize a Geographic Information System (GIS) in coordination with Federal and State agencies to provide data to support site visits, furnish maps for threatened and endangered species evaluations, and conduct site investigations related to water quality testing. In part due to our outreach efforts with industry, citizens, and academics interested in reforestation of mined land, the Appalachian Regional Reforestation Initiative (ARRI) was formed. ARRI is a cooperative effort that advocates for a Forestry Reclamation Approach on active mining operations for mine land reforestation. OSMRE, State, and other Federal agencies in the coal producing states of the Appalachian Region, coal mining operators, environmental organizations, academic institutions, and local citizens are members of ARRI.

An interagency group comprised of State and Federal agencies developed an interagency agreement to improve the coordination among key stakeholders in the process of managing coal mining permits. The interagency group includes OSMRE, the U.S. Army Corps of Engineers (USACE), the U.S. Environmental Protection Agency (EPA), the U.S. Fish and Wildlife Service (USFWS), and the Tennessee Department of Environment and Conservation. The group meets regularly to review new applications and improve the established processes.

The State of Tennessee continues working on establishing an approved regulatory program to achieve primacy.

Washington: There are two surface coal mines regulated under the Federal Program in Washington: the Centralia Mine and the John Henry Mine, located in Lewis County and King County, respectively. Both mines have permanently ceased mining operations and the sites are currently undergoing reclamation.

All required partial and complete inspections were completed at these mines in FY 2023. OSMRE did not issue any new enforcement actions at the mines in FY 2023, and there were no known off-site impacts. There are a total of 23 enforcement actions pending at the John Henry Mine, consisting of 15 violations and eight failures to abate cessation orders. All 23 enforcement actions are under appeal with the Department's Office of Hearings and Appeals.

In FY 2023, the Centralia Mine continued to complete its final reclamation activities and demonstrated compliance with all environmental performance standards including adequate establishment of permanent vegetation. OSMRE reviewed and approved two reclamation liability release applications. One approval included the North Field Pit 20 resource area, including the Pond 22 impoundment system. This approval included Phase I through Phase III reclamation liability release on 19.1 acres of land under the SMCRA Permanent Program. The other approval, also in the North Field Pit 20 resource area, authorized termination of jurisdiction on 80.9 acres under the SMCRA Initial Program. In FY 2023, OSMRE approved 13 of 15 permit revisions and anticipates the submission of 14 permit revisions in FY 2024.

OSMRE anticipates several Phase I and Phase II reclamation liability release applications will be submitted in FY 2024 for over 2,000 acres at the Centralia Mine. While the John Henry Mine is actively being reclaimed, OSMRE does not expect to receive any applications for reclamation liability release in FY 2024. OSMRE will focus on resolving outstanding violations and ensuring environmental compliance at the John Henry Mine in FY 2024.

b. Tribes

OSMRE is responsible for regulating coal mining and reclamation activities on Indian Lands. The Indian Lands Program staff review and approve permit applications and revisions, calculate the amount of reclamation performance assurance bond required, conduct inspections and enforcement activities, and review and approve applications for reclamation liability release. The proposed budget provides funds for activities to promote responsible mineral extraction on Indian Lands.

OSMRE coordinates closely with Indian Tribes and other resource management entities. OSMRE ensures that the lands and trust resources of federally recognized Tribes and their members are identified, conserved, and protected. In fulfilling these responsibilities, OSMRE operates within a government-to-government relationship with Indian Tribes.

The Crow Tribe, the Hopi Tribe, the Ute Mountain Ute Tribe, and the Navajo Nation have active coal mine permits on their lands. The coal mines on Indian Lands are among the largest in the United States, with a total of 103,674 acres regulated by OSMRE. The following information describes coal mining operations on Tribal lands administered under the Indian Lands Program:

Navajo Nation and the Hopi Tribe: The McKinley Mine and the Navajo Mine are large surface mines located in McKinley and San Juan Counties, New Mexico. These mines are on lands within the Navajo Nation. The Navajo Mine is an active mine and provides coal to the Four Corners Power Plant in New Mexico. Mining operations permanently ceased at the McKinley Mine in 2009, and it is currently undergoing final reclamation. The Kayenta Mine is a large surface mine located in Navajo County, Arizona, on lands within the Navajo Nation and the Hopi reservation. The Navajo Nation owns most coal resources at this mine, but certain coal resources are jointly owned by the Navajo Nation and the Hopi Tribe. The Kayenta Mine permanently ceased mining in August 2019, after the Navajo Generating Station ceased operations in December 2019, and is currently undergoing final reclamation.

In FY 2023, OSMRE determined 929 acres of land on the Navajo Nation were adequately backfilled and contoured and determined that 2,981 acres were adequately topsoiled and seeded. OSMRE approved Phase I and Phase II reclamation liability release for these areas. Additionally, OSMRE approved 30 of 38 permit revisions and completed 100 percent of required inspections in FY 2023. No off-site impacts were reported, and no enforcement actions were required. In FY 2024, OSMRE anticipates administering 41 permit revisions and several applications for reclamation liability release, and termination of jurisdiction, on approximately 2,000 acres. In FY 2023, OSMRE conducted one informal conference and two public mine-site tours to support reclamation performance liability release on the Navajo Nation lands. OSMRE expects to continue conducting public meetings with the local communities as more land is being reclaimed and considered for reclamation liability release.

Crow Tribe: The Absaloka Mine is a large surface mine located in Big Horn County, Montana. The Absaloka (South) Mine operates within the boundaries of the Crow Reservation and is regulated by OSMRE. The Absaloka (North) Mine operates outside the boundaries of the Crow Reservation but includes Crow-owned coal resources. The Absaloka (North Mine) is co-regulated by OSMRE and the State regulatory authority.

Ute Mountain Ute Tribe: The King II Mine is an underground mine located in La Plata County, Colorado. The mine extracts Federal coal beneath surface land owned privately by the Ute Mountain Ute. The OSMRE permit includes the lands above the underground mine workings, including approximately nine acres of surface disturbance.

Muscogee (Creek), Cherokee, and Choctaw Nation Tribal Reservations: OSMRE assumed responsibility for regulating coal mining and reclamation activities on Muscogee (Creek), Cherokee, and Choctaw Nation Tribal Reservation lands from the Oklahoma Department of Mines and the Oklahoma Conservation Commission in FY 2021, following the Supreme Court decision in *McGirt v. Oklahoma* and the decisions of the Oklahoma Court of Criminal Appeals in *Hogner v. State*, 500 P.3d 629 (Okla. Crim. App. 2021), and *Sizemore v. State*, 485 P.3d 867 (Okla. Crim. App. 2021). In response, OSMRE has developed and established an Indian Lands program in the State of Oklahoma over the past two fiscal years.

The Tulsa, Oklahoma Field Office has hired five full time employees to regulate the mines in Oklahoma. Currently, OSMRE is regulating 46 permits, as shown below:

	Active Permits	Abandoned/ Forfeited Permits	Acres
Muscogee (Creek) Nation	1	4	1,533.91
Cherokee Nation	2	7	5,603.87
Choctaw Nation	17	15	10,908.54
Total	20	26	18,046.32

In FY 2023, OSMRE conducted 6 bond release inspections covering 1,297 acres in a mix of multiphase bond release, and fully released 371.3 acres from reclamation liability. OSMRE anticipates similar numbers for FY 2024, as two operators located in the Choctaw Nation continue to conduct reclamation activities and are actively seeking bond release. OSMRE has conducted 2 bond release inspections thus far in FY 2024 on 685 acres, with 261.3 acres located in the Cherokee Nation being fully released from reclamation liability.

Table 2 – Permit and Permit Revision Workload – OSMRE as Regulatory Authority.

Activity	Federal Programs FY 2023 Actual	Federal Programs FY 2024 Projected	Indian Lands FY 2023 Actual	Indian Lands FY 2024 Projected
In progress (prior FY)	38	35	16	12
Anticipated Submissions (current FY)	20	19	28	35
Total FY workload	58	54	44	47
Completed in FY	23	23	32	40
Balance, end of FY	35	31	12	7

Source: OSMRE Data for States and Tribes system (DST) FY 2023.

Table 3– FY 2023 Inspections conducted by OSMRE in the Federal and Indian Lands Program.

State/Tribe	Partial Inspections	Complete Inspections	Total Inspection	Notice of Violations	Cessation Orders
Tennessee	451	262	713	26	12
Washington	16	8	24	0	0
States Total	467	270	737	26	12
Crow Tribe	16	8	24	0	0
Hopi Tribe	0	2	2	0	0
Navajo Nation	33	16	48	0	0
Ute Tribe	8	4	12	0	0
Cherokee Nation	8	7	15	0	0
Choctaw Nation	98	55	153	16	0
Muscogee (Creek) Nation	4	5	9	1	0
Tribes Total	167	97	263	17	0

Source: Inspections from OSMRE Data for States and Tribes systems (DST) FY 2023. Violation data from OSMRE Inspection and Enforcement Tracking System (I&E) FY 2023.

c. OSMRE Responsibility on Federal Lands

As previously discussed, mining on Federal lands in primacy States is regulated by the respective State regulatory program through a cooperative agreement between the Governor and the Secretary of the Interior.¹ However, SMCRA provides that the Secretary may not delegate to the State the responsibilities to approve mining plans on Federal lands. Until the Secretary (or designee) has approved the mining plan, no person may conduct surface coal mining and reclamation operations on lands containing leased Federal coal. OSMRE is responsible for preparing the decision document recommending approval, approval with conditions, or disapproval for all proposed mining plans and mining plan modifications on Federal lands. OSMRE is the regulatory authority for mining on Federal lands in States that have not entered into a cooperative agreement, and processes valid existing rights claims that involve certain Federal lands under this program activity.

As part of the Federal Lands program, OSMRE frequently conducts environmental impact analysis in accordance with NEPA. OSMRE prepares Environmental Assessments and Environmental Impact Statements in consultation with, when applicable, the following: State Historic Preservation Offices, Tribal Historic Preservation Officer, the USFWS, the Bureau of Land Management (BLM), the U.S. Forest Service (USFS), EPA, the National Park Service, and the USACE, as well as the State regulatory authorities.

In FY 2023, OSMRE administered the preparation of 12 mining plan recommendations and attendant environmental analyses. These analyses are ongoing and dependent in large part on rapidly evolving case law as it relates to approvals of surface coal mining projects. In collaboration with the DOI Office of the Solicitor and BLM, OSMRE intends to continue to finalize NEPA analyses and issue mining plan recommendations for a number of projects in FY 2024 and FY 2025.

¹ Currently the State of Arkansas does not have a cooperative agreement between the Secretary of the Interior and the Arkansas Governor.

OSMRE expects to begin the mine plan recommendation or modification process and associated NEPA analyses for three or four projects in FY 2024 and FY 2025. The agency will continue working on the ten mining plan decision documents that were in progress at the end of FY 2023 and expects to complete six mining plan decision documents for review by the Office of the Assistant Secretary – Land and Minerals Management (ASLM) by the end of FY 2024. In FY 2023, OSMRE completed and obtained ASLM approval for two mining plan decisions.

Table 4 – Mining Plan Decision Document Workload on Leased Federal Coal by Fiscal Year

Activity	FY 2023 Actual	FY 2024 Projected
In progress (prior FY)	11	10
Actual/Anticipated Submissions	1	44
Total FY workload	12	14
Completed in FY	2	6
Balance, end of FY	10	8

OSMRE frequently partners with BLM and USFS when preparing environmental impact analyses for coal leasing decisions. OSMRE’s participation in NEPA compliance analyses prepared at the leasing stage ensures the consideration of OSMRE mine plan approval concerns. This cooperative effort ensures comprehensive analysis is conducted, helps address common issues, eliminates duplication of effort, reduces resource conflicts, and incorporates a climate-smart approach. The FY 2025 request includes \$1.7 million and 10 FTE for the Federal Lands program.

4. Program Development and Maintenance

Work elements under this program are primarily policy actions (*e.g.*, rulemaking), grants management, and special studies that support the other program activities in the Environmental Protection business line. This FY 2025 request provides \$6.0 million and 36 FTE for Program Development and Maintenance.

a. Rulemaking

This program develops rules, analyzes those rules’ implication on other statutes, assesses conformity with executive orders, prepares environmental assessments and environmental impact statements as required under NEPA, and prepares regulatory impact analyses, such as cost benefit analyses for rules prepared by OSMRE. When required under the Administrative Procedures Act, OSMRE involves the public and interested parties in the development of regulations. OSMRE also maintains the administrative record for rules and coordinates rule publication with the Office of the Federal Register.

During FY 2023, OSMRE published one final rule (April 20, 2023), which made inflation adjustments to civil monetary penalties (CMPs) for violations of SMCRA. This rule is in accordance with the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Sec. 701 of Pub. L. 114–74) (2015 Act), which amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (codified, as amended, at 28 U.S.C. 2461 note) and required Federal agencies to promulgate rules to adjust the level of CMPs to account for inflation.

Also during FY 2023, OSMRE proposed a new rule (published April 25, 2023) amending processes related to the issuance of TDNs. The proposed changes are intended to improve the effectiveness and coordination with State regulatory authorities to ensure consistency in the inspection and enforcement and implementation of SMCRA between OSMRE and the States. OSMRE plans to publish a final rule in FY 2024.

In addition, in response to a recommendation from Interior’s Office of the Inspector General, OSMRE is proposing to revise its regulation to strengthen dam safety by incorporating appropriate elements from the Federal Guidelines for Dam Safety issued by the Federal Emergency Management Agency into its regulations. The proposed revisions would require an operator or permittee of any dam classified as a high hazard or significant hazard dam under our new classification system to prepare and gain approval of an emergency action plan (EAP) for the facility prior to the dam being placed into service. The proposed revisions would also require regular updates and testing of the EAP and require that an after-action review (AAR) be conducted each time an EAP is activated or tested. The AAR would identify deficiencies that were discovered during the emergency or testing and recommend suggestions for EAP modification. OSMRE intends to issue a notice of proposed rulemaking in FY 2024.

OSMRE assists States with the development, administration, implementation, and maintenance of their approved regulatory and reclamation programs. OSMRE evaluates State-initiated program changes (statutory, regulatory, or changes in the program’s provisions, scope, or objectives), and decisions to approve or disapprove State program amendments are Federal rulemaking actions. In the case where States may be required to amend their programs because of changes to SMCRA and/or Federal regulations, OSMRE notifies the State of the required change, and reviews and evaluates the State program amendment submission. When a State program amendment is required due to changes in the States program, the State will submit an amendment describing the change for OSMRE to review and evaluate. As part of the review and evaluation of any State program amendment, OSMRE solicits public comments, holds public meetings, maintains the administrative record, and publishes the decisions as final rules in the Federal Register.

In the beginning of FY 2023, OSMRE had 48 State program amendments formally being reviewed and 5 State program amendments where States need assistance before formally submitting amendments to OSMRE (Table 5). In addition, OSMRE reviewed and published 4 final rules for State program amendments. OSMRE also published 12 State program amendment proposed rules for public comment.

Table 5 – FY 2023 Activities Pertaining to State Program Amendments Submitted to OSMRE

Amendment Type	Pending Beginning of FY 2023	Received FY 2023	Completed FY 2023	Pending end of FY 2023
Pre-Submission Assistance	5	1	2	4
Formal	48	12	4	56
Total	53	13	6	60

b. Grants Management

OSMRE supports and participates in the Department of Health and Human Services' government-wide electronic grants application system, Grants.gov. OSMRE is currently using DOI's FBMS for internal processing of all grant and cooperative agreement transactions.

OSMRE and the State/Tribal grantees cooperate to maximize the use of available funding and operate an effective program. This cooperative working relationship contributes to a streamlined application and awards process, faster obligation of Federal funds, innovative program monitoring, less paperwork, and timely reporting and close-out of grants.

c. Special Projects

OSMRE's special projects include interpretation of SMCRA, reports to Congress, legislative analyses, responses to litigation, analyses in response to Departmental initiatives, and working with other DOI bureaus and Federal agencies whose activities can affect the surface coal mining regulatory program.

OSMRE implements the Biological Opinion and Conference Opinion on the SMCRA Title V Regulatory Program and oversees the State regulatory authorities' implementing the Biological Opinion (See "Compliance with the Endangered Species Act" at <https://www.osmre.gov/laws-and-regulations>). OSMRE and the USFWS will periodically update the Biological Assessment/Biological Opinion to include newly listed/proposed species and critical habitat.

ENVIRONMENTAL PROTECTION

FY 2024 Ongoing and FY 2025 Planned Program Activities

The Environmental Protection program will participate in the following activities in FY 2024 and FY 2025:

- Continuing oversight steering committee conversations with State RAs to discuss impediments to meaningful and effective oversight, including revising current OSMRE oversight directives.
- Reviewing the formal Tribal primacy submission from the Navajo Nation.
- Continuing review of informal submissions from the Crow and Hopi Tribes.
- Reviewing the formal Tennessee primacy submission, should it decide to formally submit one, and assisting the Tennessee Department of Environment and Conservation with development of its program.
- Preparing rulemaking documentation and submission for publication of the TDN final rule on handling citizen complaints and the proposed rule governing actions for EAPs and AARs for impoundment structures consistent with Federal guidelines.
- Obtaining OMB approval for submission of 14 information collection clearance renewals and revisions for compliance with Paperwork Reduction Act requirements.
- Reviewing all applications to mine Federal coal and provide recommendations to ASLM on mining plan decision approvals, including the preparation of effects analyses in compliance with NEPA.
- Conducting all required inspections on State and Indian lands and administering enforcement actions where violations have occurred.
- Monitoring the effectiveness of the implementation of Kentucky's program amendments related to its bonding.
- Achieving the goals for performance measures identified in this business line for protecting the environment and reclaiming lands to beneficial use.
- Continuing administration of the SMCRA program on Muscogee (Creek), Cherokee, and Choctaw Nation Reservations and establishing an Indian Lands program in Oklahoma.
- Continuing ongoing consultations with Muscogee (Creek), Cherokee, and Choctaw Nations.

FY 2023 Program Accomplishments

The Environmental Protection program accomplished the following in FY 2023:

- Implemented the Federal and Indian Lands Programs, conducting 367 complete and 634 partial inspections, and completing 47 permit actions.
- Finding that nearly 94% of permitted sites inspected nationwide were free of off-site impacts (i.e., those occurring outside the permitted area, having the potential to harm the environment and/or public as specified under existing regulations).
- Nearly half (47.5%) of all acreage bonded for disturbance was reclaimed and returned to post-mining use, a 1 percentage point improvement from the previous year.
- Conducted 1,114 oversight inspections on primacy States as they performed 21,167 complete mine inspections and 34,622 partial inspections to ensure coal mines are operated safely and in accordance with environmental laws.
- Submitted 14 information collection clearance renewals and revision as notices in the *Federal Register*; receiving 100 percent on-time approvals from OMB in compliance with the Paperwork Reduction Act.
- Conducted formal Tribal consultations with the Muscogee (Creek), Cherokee, Choctaw, and Chickasaw Nations. These consultations will continue into FY 2024 as OSMRE administers SMCRA on Tribal lands and establishes an Indian Lands program in Oklahoma.
- Conducted three regional trainings with the USFWS, OSMRE, and the State RAs on the implementation of the Biological Opinion for Title V of SMCRA.
- Completed and obtained ASLM approval for two mining plan decisions at the Center Mine in North Dakota.

REGULATION TECHNOLOGY ACCOUNT

Technology Development and Transfer

REGULATION AND TECHNOLOGY ACCOUNT
Technology Development and Transfer Activity Budget Request
(Dollars in Thousands)

Regulation and Technology/ Technology Development and Transfer	2023 Actual	2024 Annualized CR	2025 Fixed Costs (+/-)	2025 Internal Transfers (+/-)	2025 Program Changes (+/-)	2025 President's Budget	Change from 2024 Annualized CR
Technical Assistance	11,657	11,657	+231	-	+478	12,366	709
<i>FTE</i>	49	51			-	51	-
Training	2,254	2,254	+86	-	+178	2,518	264
<i>FTE</i>	7	19			-	19	-
Technology Transfer	2,150	2,150	+50	-	+103	2,303	153
<i>FTE</i>	7	11			-	11	-
Total	16,061	16,061	+367	-	+759	17,187	1,126
<i>FTE</i>	63	81	-	-	-	81	-

The FY 2025 budget request for the Regulation and Technology Account Technology Development and Transfer (TDT) budget activity is \$17.2 million and 81 FTEs, a program change of +\$1.1 million and 0 FTE from the FY 2024 Continuing Resolution.

Summary of 2025 Program Changes for Regulation and Technology/Technology Development and Transfer

Program Changes	(\$000)	FTE Change
Baseline Capacity - 2024 Fixed Costs	+759	+0
TOTAL Program Changes	+759	+0

Justification of FY 2025 Program Changes

Baseline Capacity (+\$759,000): 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 OSMRE mission. The budget includes \$759,000 in the Regulation and Technology, Technology Development and Transfer 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.

OVERVIEW

Program Activities: OSMRE promotes TDT activities to meet environmental protection goals for coal mining. This section provides an overview of the Regulatory TDT activities, but OSMRE uses many of the Regulatory TDT activities in AML Restoration.

The TDT business line provides Federal resources to support technical assistance, training, technology development, and technology transfer activities for Federal, State, and Tribal regulatory staff. These program activities invest in developing and improving the technical skills necessary for States and Tribes to effectively operate their regulatory programs and meet SMCRA requirements. TDT funding also helps OSMRE implement effective partnerships with stakeholders to meet OSMRE's restoration and protection goals.

In FY 2024 and FY 2025, OSMRE will continue to promote programs like the Technical Innovation and Professional Services (TIPS), providing training and technical assistance for States' and Tribes' technical decision-making related to SMCRA. OSMRE's TDT programs offer interactive technical forums and related workshops for electronic permitting and mobile computing projects. OSMRE provides regional technical service, libraries, and efficient access to COALEX, a computer-assisted library search service.

OSMRE's technology transfer is a significant part of its cooperative effort with partner States and Tribes to mitigate the environmental effects of coal mining problems. In addition, OSMRE provides multidisciplinary technical assistance and works with industry, States, Tribes, and the public on new or unique technical challenges or problems. Other OSMRE technology transfer activities with the States and Tribes include TIPS and the Coal Information Management System (CIMS). OSMRE established an intergovernmental team, the National Technology Transfer Team (NTTT), to provide ongoing direction, communication, and coordination of these efforts. New technologies, changes in regulations, additional hiring due to BIL investments, and staff turnover in States and Tribes increase the need for continued technical training. OSMRE provides this required training through the National Technical Training Program (NTTP).

TDT program performance is measured by how well the regulatory program meets OSMRE's environmental protection mission. Performance for the business line is also measured by the number of technically trained staff (including knowledge and skills taught and applied), the utilization of automated technologies (such as TIPS), and the quality and timeliness of technical assistance provided by OSMRE, as determined through evaluations and customer service surveys.

Actions Required to Achieve Annual Goals: In FY 2025, the NTTP, TIPS, National Mine Map Repository (NMMR), and AVS will expand user access with an improved OSMRE website investment.

The NTTP and TIPS will continue to work with technical leadership to provide direction, communication, and coordination efforts related to technical issues and studies.

Resources, Skills, and Technology Needed: OSMRE provides States, Tribes, and staff with the best available technical data and information to support science-based decisions for mining plans, reclamation project design, permit reviews, blasting, and AMD prevention. The TDT programs support and enhance the technical skills that States and Tribes need to effectively operate their regulatory programs. The total FY 2025 request for this business line is \$17.2 million. The request includes \$12.4 million for technical

assistance (including TIPS and AVS support), \$2.5 million for technical training, and \$2.3 million for technology transfer efforts to meet the annual goals set forth above.

The following section details, by program activity, the funding and FTE resources required to meet performance goals. It also includes examples of the types of technical training, assistance efforts, and technology transfer provided by this business line.

PROGRAM DETAILS AND 2025 REQUEST

The following program activities support OSMRE's goal to strengthen the skill and knowledge capabilities of the States, Tribes, and OSMRE staff to implement SMCRA effectively. This goal, achieved through quality technical and scientific information, expertise, and training, is critical for the surface mining and reclamation programs' success. OSMRE also provides opportunities for students and recent graduates, either directly or through cooperative agreements, to engage in technical and natural resources activities. OSMRE's TDT activities include technical assistance, both technical policy and-site specific assistance, technical training, technical systems resources, and technology transfer.

OSMRE's stakeholders (States, Tribes, the public, and industry) continue to express support for TDT efforts and encourage OSMRE to provide the types of technical support needed to effectively and efficiently meet SMCRA, NEPA, and other environmental and safety laws. Helping the States, Tribes, and industry achieve up-front compliance reduces the need for additional regulatory resources. Many activities planned or ongoing for FY 2024 will identify FY 2025 activity needs. Adjustments within activities may be necessary during FY 2024 to focus resources on the highest priority program needs.

The Technology Development and Transfer program supports necessary technical skills that States and Tribes need to operate their regulatory programs. The FY 2025 budget request provides resources for OSMRE's technical assistance, training, technology development, and technology transfer programs.

1. Technical Assistance

OSMRE provides technical assistance to State and Tribal regulatory and OSMRE staff that review and oversee State programs, develops rules or policy, litigates SMCRA challenges or enforcement actions, and maintains other technical support infrastructure such as TIPS, AVS, and technical training programs. The \$12.4 million requested for FY 2025 will fund 51 FTE to carry out these activities.

OSMRE delivers technical assistance and site-specific technology support to assist States and Tribes with science and engineering expertise to regulate active mining operations. The areas of assistance are wide-ranging and include but not limited to the following:

- rulemaking
- citizen complaint investigations
- review of offsite impacts
- guideline development
- State program amendments
- State mining permit evaluation
- blasting policy
- dam safety program

- prime farmland reclamation
- geomorphic reclamation
- soil substitution
- placement of coal combustion residue
- reclamation bonding sufficiency and bond release
- threatened and endangered species
- restoration of mined land with native vegetation
- land unsuitability determinations
- participation as technical experts on interagency committees
- AMD prevention and remediation
- acid and toxic forming materials handling
- surface and groundwater dewatering
- stream and underground mine flooding
- mountaintop mining and valley fills
- permit findings
- remining, impoundment stability
- subsidence caused by underground mining.
- assistance in fostering Tribal primacy by helping Tribes develop technical capabilities.

2. Technical Training

Technical training provides OSMRE, State, and Tribal staff the necessary information and skills to implement the surface mining reclamation and enforcement program. This request includes \$2.5 million and 19 FTE for this program activity.

a. National Technical Training Program (NTTP)

OSMRE established the NTTP in cooperation with State and Tribal offices in 1985 to answer the need for an ongoing educational program for Federal, State, and Tribal personnel. Training is provided in each of the disciplines involved in SMCRA implementation, including aquatic biology, geology, engineering, hydrology, blasting, agronomy, botany, and more. NTTP also delivers training related to permit approval, bond release, reclamation, and enforcement. Training additionally builds upon and updates technical expertise and establishes standards.

To stay current, NTTP consistently revises its courses and materials, reflecting the latest approaches in surface mining and reclamation. For example, NTTP recently updated the *Wetlands Awareness and Permit Findings* curriculum, set for delivery in FY 2024, and in FY 2023 it introduced revamped *Effective Writing and Coalfield Communications* courses. Also, the Master Instructor Forum will transition and be redeveloped into the Advanced Instructor Skills Program, aimed at furthering the professional development of seasoned instructors.

In FY 2025, while continuing to offer in-person courses, NTTP will expand its online offerings, assisting regulatory staff with limited in-person training access. This includes new courses in Applied Engineering Principles, Soils and Revegetation, and SMCRA and the Endangered Species Act. In FY 2024, a special

curriculum was designed for new employees hired with BIL funding, consisting of introductory courses on SMCRA.

b. TIPS Software Application Training Program

TIPS Software Application Training Program provides established technology, while also researching emerging technologies and their application to SMCRA. In addition, TIPS provides software application training courses geared towards engineering, scientific, hydrologic, and mapping computer software tools that are not commonly offered by vendors and/or universities. This training ensures that States, Tribes, and OSMRE offices with SMCRA responsibilities are trained on the current technology in use in the field and can perform their regulatory and AML duties while using advanced software and field equipment and tools.

The TIPS Training Program is a joint effort between OSMRE and the States and Tribes. TIPS course developers and instructors are comprised of mining and reclamation experts that use TIPS software to help develop courses to educate personnel on how to solve complex permitting, enforcement, and AML related matters. The software application training is tailored towards using both current and emerging technologies to help solve mining and reclamation issues related to SMCRA requirements. These TIPS courses are delivered through online instruction, onsite at the customer's request, and in training centers located at OSMRE's offices in Alton, Illinois, and Pittsburgh, Pennsylvania, and at vendor training centers in Denver, Colorado.

In FY 2023, the TIPS Training Program successfully provided 53 software vendor classes (52 virtual instructor-led and 1 in-person) and received an overall customer satisfaction rating of 100 percent, exceeding the target Government Performance and Results Act goal of 96 percent. Through continued utilization of ArcGIS/Geospatial and CADD software vendor trainings, TIPS was able to provide 21 different software application courses totaling over 2,200 technical training hours. Courses ranged from introductory to advanced levels, meeting 302 SMCRA customer's training needs for FY 2023. This was an increase of 238 percent from FY 2022.

In FY 2024, the TIPS Training Program will continue to utilize software vendor trainings while re-establishing TIPS instructor-led courses. This process will include reviewing/revising previously taught courses and developing new courses to fill training gaps. Currently the FY 2024 TIPS training schedule will include 40 software vendor classes and 2 in-person TIPS classes. As in previous years, the software vendor-hosted classes will be offered virtual, utilizing the vendor's on-line training platform that States, Tribes, and OSMRE staff can easily access. TIPS in-person classes will be hosted at a TIPS training center. Furthermore, in FY 2025 TIPS will continue to accept specialized training by request from the States and Tribes and will work diligently to provide "just-in-time" training resources for OSMRE's SMCRA customers.

c. Regional/Site-Specific Training Program

OSMRE conducts courses and workshops at OSMRE, State, and Tribal locations to address specific needs. These custom, on-the-job trainings are wide ranging and include technical software applications, field equipment, blasting certificate update training, grants management, how to prepare and/or process State program amendments, GIS data collection, and performance bond cost estimation. OSMRE provides these classes on short notice, usually within 1 to 3 months of request, and tailors them to the unique needs of the audience. As industry and governments continue to develop new technologies in photogrammetry and terrestrial scanning, OSMRE expects requests for specialized training will increase over the coming years. As the varying programs acquire their own systems in these fields, training on operation, data collection,

processing, and using the results in enforcement processes will be essential to the efficient enforcement of SMCRA requirements.

3. Technology Transfer

Technology transfer is an integral component of OSMRE's Environmental Protection business lines, providing essential support to State and Tribal programs. This request includes \$2.3 million and 11 FTE for these activities.

Technology transfer is accomplished through a variety of activities including workshops and technical forums; publication of workshop and forum proceedings, handbooks, and other materials; maintenance of the OSMRE technical library and various information websites; and educational outreach. The OSMRE national and regional technology transfer teams meet monthly to evaluate initiatives or on-going activities to encourage networking and information sharing that will result in program improvement or enhancement. OSMRE's technology transfer activities bring a new approach to nationwide cooperation and customer service.

One of OSMRE's missions is to advance and transfer technologies that improve the effectiveness and efficiency of the science of coal mining and mine land reclamation. Advancing these technologies improves mining and reclamation practices and provides better science-based decision-making. OSMRE will continue to advance coal mine site technologies and practices to deliver more comprehensive ecosystem restoration, including reforestation and reclamation using native vegetation and plant habitat.

OSMRE advances these technologies through technology transfer by ensuring that the most current and relevant scientific information and technologies are available to our customers, through funding research and through the TIPS Program. OSMRE funds research, primarily with universities, through its Applied Science Program and the Mine Drainage Technology Initiative Program (formally known as the Acid Mine Drainage Initiative). Research results from these programs are made available to the public.

a. Applied Science Program

The Applied Science Program provides funds, primarily to universities, to help in the development of new reclamation science and technology. Under the program, OSMRE selects applied science proposals (typically 2-year cooperative agreements) that have the potential for improving the effectiveness of both the coal industry and the regulatory authority to conduct and regulate surface coal mining and reclamation activities that protect the environment and the public.

b. Mine Drainage Technology Initiative (MDTI) Program

The MDTI program provides funds for a single cooperative agreement, primarily to universities, to help OSMRE and others gain a better understanding of issues related to acidic and toxic mine drainage to better predict, avoid, monitor, and remediate mine drainage. Under the MDTI program, OSMRE has been able to fund 2-year cooperative agreements since FY 2000 that enhance its understanding of acidic and toxic mine drainage.

c. Technical Innovation and Professional Services (TIPS)

TIPS is a national program that supplies established emerging technologies and applications to SMCRA primacy programs. TIPS obtains off-the-shelf technological software and makes them available to States, Tribes, and OSMRE offices in support of SMCRA initiatives.

The goal of TIPS is to provide State, Tribal, and OSMRE personnel with a comprehensive set of analytical core software to aid in technical decision-making processes related to SMCRA. The services provided are centered on commercial off-the-shelf engineering, scientific, hydrologic, and mapping computer software supported by OSMRE in partnership with the States and Tribes. This technical assistance has grown from a few applications available on a single specially designed shared workstation, to a suite of software available via the Internet and/or through OSMRE – TIPS License Server.

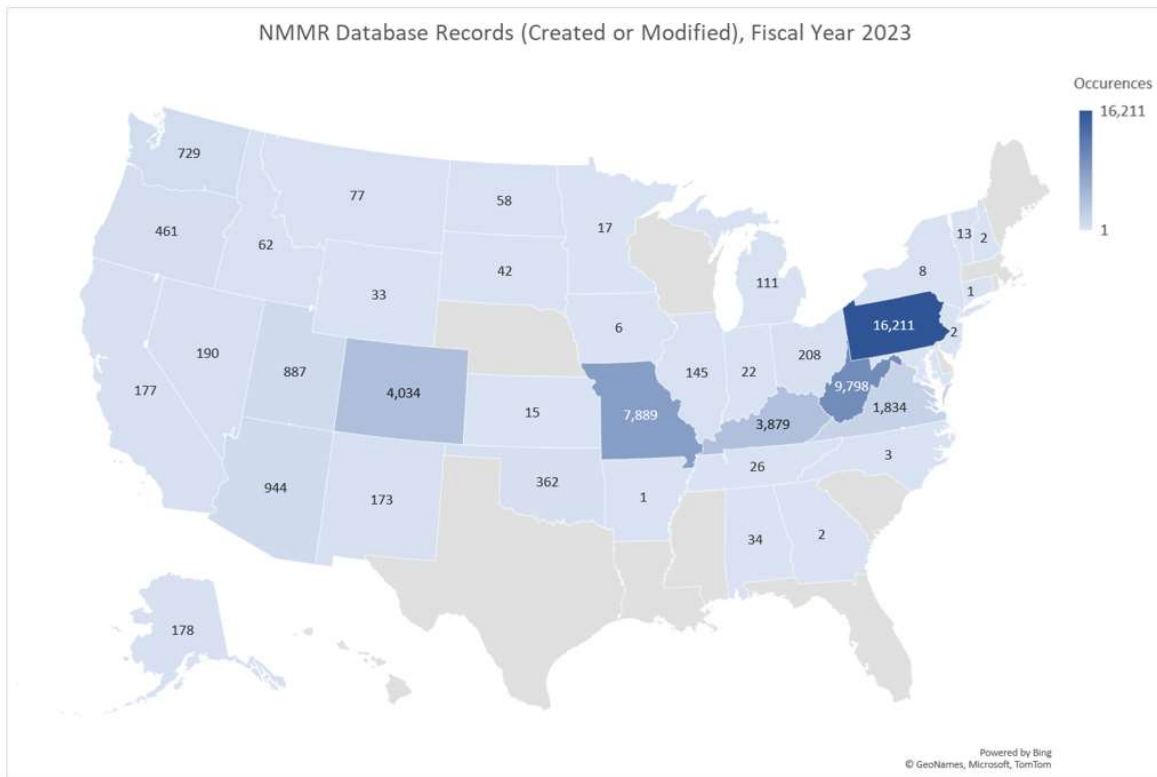
d. The National Mine Map Repository (NMMR) Program

OSMRE maintains the NMMR in its Pittsburgh, Pennsylvania office. Its primary role is to ensure the information within the NMMR is available to the public. The NMMR acquires mine maps from the public and State and Federal environmental agencies, as well as through two current cooperative efforts with the National Park Service. Outreach generates donations from mining companies, engineering and consulting firms, surveying companies, universities, and private citizens. OSMRE compiles and maintains mine map information for all types of mines, covering 88 commodities, in the United States.

To aid in the archiving of quality historical map documents, this year the NMMR introduced a humidification process that will help to create better scans of historic maps. Over the years, maps, specifically canvas backed maps, become brittle and hard to unroll. These maps can be broken, torn, and have peaks in the canvas that make it difficult to scan and georeference. The use of a humidification system allows the team to slowly “steam” these maps until they are more pliable and can be unrolled and properly scanned.

The NMMR archives both underground and surface mine maps. Its two servers house over 67 terabytes of imagery and data, encompassing geographic, topographic, and commodity-specific information searchable spatially and through over 40 text fields in a proprietary SQL database. It contains mine maps from 47 States spanning the past 230 years, consisting of more than 316,000 mine map scans covering more than 238,000 mines. The database may be searched online; in FY 2023, 153 clients contacted the repository for research guidance or map requests.

The NMMR continuously expands and upgrades its collection. During FY 2023, 1,625 new map documents were added to the NMMR. Additionally, 55,811 records were collected or modified in the database. The records edited this year included coverage in 40 different States. Continued funding for this program is vital to the health and safety of the public and the environment. (See map below).



e. Coal Information Management System (CIMS) Program

In FY 2018, OSMRE and the Montana Department of Environmental Quality began working on a convenient, efficient, and cost-effective method of applying for and monitoring the status of permit applications issued under SMCRA. The program, called CIMS, was developed to modernize and upgrade Montana's electronic permitting system, and designed for other States and Tribes to easily adopt the system at no or low cost. Under the CIMS, mine operators can plan and monitor multiple phases of applications and permits in an interactive, geospatial manner. The CIMS automates the workflow between operators and regulatory authorities and provides accountability and project tracking for all parties at all stages of the review process.

The system and individual applications are designed so that the SMCRA partners can modify the system to fit their unique needs, realize economies of scale associated with system development costs, and improve effectiveness through lessons learned. OSMRE plans to develop four additional modules to the CIMS: (1) Inspection and Enforcement, (2) Bond Calculation, (3) Public Interface Utility (a read-only version hiding confidential information), and (4) National Photo Archive. This work is projected to continue through FY 2026.

f. Geographical Information Mapping System Programs

GeoMine: GeoMine is an interactive web-based mapping application of coal mining and reclamation activities within the United States. It is an ongoing effort to provide the best available data for surface coal mining operations across the country, merging data from numerous sources to create standardized, seamless

layers that cross State boundaries. All GeoMine layers, consisting of data compiled from State and Federal partners, are publicly available. The pictometry widget continues to provide additional high-resolution aerial imagery over high-priority mines. Annual usage during FY 2023 increased 15% over the previous FY, with an average of 190 users and 160 data downloads per month. Oklahoma permit data were added during FY 2023. A user survey added at the end of FY 2023 has provided valuable insight into which organizations are using the app, which components they consider most useful, and what improvements they would like to see. Responses will be taken into consideration during the app upgrade in the next fiscal year. The upgrade process will improve the hosting infrastructure on the backend and update the app itself. As collaboration across regions within OSMRE increases, data from additional States will be incorporated when possible.

Remote Sensing: In FY 2023, OSMRE and its SMCRA partners successfully utilized photogrammetry software to create fully rendered surface models taken from satellites, crewed aircraft, uncrewed aircraft, and ground-based imagery. Cloud-based data processing through the DOI GeoPlatform yields efficiencies of server-side processing for large datasets of data and imagery. Ground-based Light Detection and Ranging (LiDAR) scanners are used in conjunction with these photogrammetric models to allow for accurate surface modeling for enforcement and reclamation design. In FY 2024 and 2025, more SMCRA States will adopt programs to make greater use of these technologies. Ongoing training and support will serve to leverage SMCRA partners' use of these technologies.

New monthly high-resolution satellite imagery requests continue to grow rapidly. In FY 2023, OSMRE supported remote sensing for State, Tribal, and OSMRE staff. These and other requests are prioritized first through online digital archives, examined through acquisitions conducted by various Federal agencies, and then through private entities via contracts where necessary.

OSMRE members also provide more advanced remote sensing analysis to support mine teams on a project-to-project basis. Satellite images have several spectral bands improving feature visualization not easily seen by the naked eye. Visualizing different band combinations helps with determining vegetation health, vegetation age, soil moisture, and more accurate classification of land features. Other satellite-based earth observations are made to determine or create elevation data, which is derived from specialized sensors/satellites including Synthetic Aperture Radar (SAR) that allows one to see through clouds and smoke. LiDAR, SAR, and stereo-imagery allows geoscience professionals to verify elevation values provided by the mining operator to determine the elevation gains and losses from datasets collected on different dates.

g. Educational Outreach

OSMRE staff provide educational outreach to science teacher associations, science classes, educational fairs, Earth Day events, career days, foreign visitors, grassroots organizations, and professional associations and societies to explain OSMRE's responsibilities and to create a conservation stewardship legacy. These programs help to engage and encourage our future workforce.

TECHNOLOGY DEVELOPMENT AND TRANSFER
FY 2024 Ongoing and FY 2025 Planned Program Activities

In FY 2024 and FY 2025, ongoing and planned activities in Technology Development and Transfer include:

- Providing technical assistance to States and Tribes, making use of emerging technologies for field data collection and in-house information processing capabilities.
- Continuing to coordinate blaster certificate activities with State personnel, Federal agencies (Mine Safety and Health Administration, Occupational Safety and Health Administration, and the Bureau of Alcohol, Tobacco, Firearms and Explosives), and professional organizations (International Society of Explosives Engineers, Institute of Makers of Explosives and National Fire Protection Association).
- Supporting State and Tribal coal reclamation programs with direct technical support. OSMRE GIS will continue to support field data collection both internally and with States and Tribes by upgrading data collection applications and methodologies so that data collected in the field is better used and shared.
- Continuing to expand partnering opportunities for students and recent graduates in science, technology, engineering, and mathematics. OSMRE staff plan to participate in virtual or face-to-face outreach events at several K-12 grade schools and educational organizations.
- Developing course materials and topics that are relevant, useful, and technically sound.
- Issuing a solicitation for Applied Science proposals that will help use science-based solutions to address mining and reclamation issues, selecting the best proposals to achieve the highest valued outcomes, and continuing to track projects to verify value of results.
- Serving customers needing information from the NMMR. NMMR will continue its outreach efforts to better target map collections, enhance its database management systems, and coordinate with the States' mapping programs to synchronize efforts. NMMR will also work towards allowing digital downloads of map scans.
- Continuing the AVS modernization effort, including re-design of the AVS to address its outdated IT architecture and programming language.

FY 2023 Program Accomplishments

In FY 2023, the TDT:

- Provided technical assistance to SMCRA partners on subjects such as blasting, dam safety, water-quality, and reforestation issues.
- Maintained NMMR and ensured that the maps held in the NMMR are available to the public.
- Continued work on enhancing the CIMS to help modernize and upgrade the electronic permitting system used by States and Tribes.
- Provided funds for research under the Applied Science Program and Mine Drainage Technology Initiative Program to improve the effectiveness and efficiency of the science of coal mining and mine land reclamation.
- Enhanced GeoMine and other web-based mapping applications in an ongoing effort to provide the best available data for surface coal mining operations across the country, merging data from numerous sources to create standardized, seamless layers that cross State boundaries.
- Provided training through the NTTP and TIPS program.
- Conducted numerous educational outreach events to science teachers' associations, science classes, educational fairs, Earth Day events, career days, foreign visitors, grassroots organizations, and professional associations and societies to inform and update the public on our programs within the Regulatory Technology Development and Transfer program.

REGULATION TECHNOLOGY
ACCOUNT
Financial Management

REGULATION AND TECHNOLOGY ACCOUNT

Financial Management Budget Request

(Dollars in Thousands)

Regulation and Technology/ Financial Management	2023 Actual	2024 Annualized CR	2025 Fixed Costs (+/-)	2025 Internal Transfers (+/-)	2025 Program Changes (+/-)	2025 President's Budget	Change from 2024 Annualized CR
Revenue Management	428	428	+9	-	+19	456	28
<i>FTE</i>	1	2			-	2	-
Grants Financial Management	107	107	+4	-	+9	120	13
<i>FTE</i>	1	1			-	1	-
Total	535	535	+13	-	+28	576	41
<i>FTE</i>	2	3	-	-	-	3	-

The FY 2025 budget request for the Regulation and Technology Account Financial Management budget activity is \$576,000 and 3 FTEs, a program change of +\$41,000 and 0 FTE from the FY 2024 Continuing Resolution.

Summary of 2025 Program Changes for Regulation and Technology/Financial Management

Program Changes	(\$000)	FTE Change
Baseline Capacity - 2024 Fixed Costs	+28	+0
TOTAL Program Changes	+28	+0

Justification of FY 2025 Program Changes

Baseline Capacity (+\$28,000): 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 OSMRE mission. The budget includes \$28,000 in the Regulation and Technology Financial Management 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.

OVERVIEW

The Financial Management group is funded by both appropriations to meet its OSMRE mission goals. Revenue Management is funded by the Regulation and Technology Appropriation. Grants Financial Management is funded by both the Regulation and Technology and the Abandoned Mine Reclamation Fund appropriations. Fee Compliance mission goals are funded solely with the AML appropriation. OSMRE also manages the transfers to the UMWA Health Benefit Plans and the 1974 Pension plan.

The following section discusses Financial Management activities funded under the Regulation and Technology appropriation only.

1. Revenue Management

Revenue management includes the accounting and collection of revenue other than reclamation fees, such as civil penalties assessed under Federal citations for mining violations, and Federal performance bonds forfeited by coal mine permittees.

The FY 2025 budget request is \$456,000 with 2 FTEs for the Revenue Management program activity, to manage non-fee revenues and receivables from the OSMRE's operations. These include the following:

- Federal civil penalties issued for mining operation violations;
- Bond forfeitures by Federally permitted mining companies;
- Fees for mine permit reviews and administration;
- Other miscellaneous fees and receipts.

OSMRE accesses a range of debt collection tools, which include demand letters, personal contact with the debtor, use of payment plans, referral to private collection agencies through the Department of the Treasury, litigation through the Department of Justice, and referral to the Department of the Treasury for payment offset. In accordance with the Digital Accountability and Transparency Act of 2014, OSMRE refers civil penalty debt that is more than 120 days delinquent to the Department of the Treasury for collection.

Levying penalties and fees help to ensure operators comply with coal mining regulations and ensure the land is restored to beneficial use at the conclusion of mining operations. The bonds and penalties assessed motivate responsible coal resource extraction management practice.

2. Grants Financial Management

This activity account is funded with both Regulation and Technology funds and AML funds. Grants Financial Management services disburse reclamation and regulatory grants to States and Tribes under OSMRE's Environmental Restoration and Environmental Protection activities.

The Grants Financial Management activity includes the disbursement, accounting, reporting, and recovery of grant funds. The FY 2025 budget request is \$120,000 with 1 FTE. The Grants Financial Management activities include the following:

Actions Required to Achieve Annual Goals: OSMRE uses technology and customer service initiatives to achieve and improve processing of collections, which includes using technology to ease coal company reporting burden, receiving quarterly coal production reports, providing information to companies, and allow companies to make payments online.

Resources, Skills, and Technology Capacity: OSMRE's Financial Management group invests in and trains its program accountants, financial systems, and fee compliance staff to drive quality program activities and maintain accurate fees collections. The Financial Management group staff relies on contractors to handle billing, data entry, and appropriate collection functions.

FY 2024 Ongoing and FY 2025 Planned Program Activities

In FYs 2024 and 2025, OSMRE Financial Management services plans to:

- Look for opportunities to create efficiencies and improve effectiveness in the fee accounting and collection processes.
- Continue to transition operators to electronic payment methods and E-filing.
- Continue to support the accounting of the Regulation and Technology Grants to States and Tribes.
- Continue to evaluate CFCMS and SSCR modernization requirements and conduct fit gap analysis.
- Continue CFCMS and SSCR multifactor authentication and cloud migration initiatives.

FY 2023 Program Accomplishments

In FY 2023, the major accomplishments in the Financial Management program activity included:

- Collecting \$93.81 million in coal reclamation fees resulting in a collection rate of 99.78 percent on quarterly coal reclamation fees.
- Maintaining an E-filing enrollment rate of greater than 85 percent of the active reporting permits, which are reported electronically through OSMRE's internet-based reporting system.
- Automatically processing 83.4 percent of quarterly fee payments, or 1,662 fee payments.
- Automatically processing 84.5 percent of OSM-1 Forms.
- Initiating CFCMS and SSCR multifactor authentication and cloud migration efforts.
- Conducting initial CFCMS and SSCR system evaluation.

REGULATION TECHNOLOGY ACCOUNT

Executive Direction and Administration

REGULATION AND TECHNOLOGY ACCOUNT

Executive Direction and Administration Budget Activity Request

(Dollars in Thousands)

Regulation and Technology/ Executive Direction and Administration	2023 Actual	2024 Annualized CR	2025 Fixed Costs (+/-)	2025 Internal Transfers (+/-)	2025 Program Changes (+/-)	2025 President's Budget	Change from 2024 Annualized CR
Executive Direction	2,330	2,330	+72	-	+315	2,717	387
<i>FTE</i>	15	16			+1	17	1
Administrative Support	4,020	4,020	+140	-	+290	4,450	430
<i>FTE</i>	27	31			-	31	-
General Services	9,180	9,180	+630	-	+2,725	12,535	3,355
<i>FTE</i>	-	-			-	-	-
Total	15,530	15,530	+842	-	+3,330	19,702	4,172
<i>FTE</i>	42	47	-	-	+1	48	1

The Executive Direction and Administration business lines under Regulation and Technology provides leadership, policy direction, program management guidance, and support for all areas of responsibility for OSMRE. The FY 2025 budget request for Regulation and Technology Executive Direction and Administration is \$19.7 million with 48 FTEs, a program change of +\$3.3 million and 1 FTE for a Sustainability Coordinator.

Summary of 2025 Program Changes for Regulation and Technology/Executive Direction

Program Changes	(\$000)	FTE Change
Federal Strategic Sustainability Initiative Coordinator	+165	+1
IT - Data Center Migration Hosting and Cyber Security	+2,476	+0
Zero Emission Vehicles	+249	+0
Baseline Capacity - 2024 Fixed Costs	+440	+0
TOTAL Program Changes	+3,330	+1

Justification of FY 2025 Program Changes

Federal Strategic Sustainability Initiative Coordinator (+\$165,000/+ 1 FTE): The FY 2025 budget supports OSMRE's dedicated sustainability program, including one FTE for comprehensive sustainability policy analysis and development, staff coordination, data collection and analysis, and external reporting in traditional sustainability focus areas. This is in accordance with The Federal Strategic Sustainability Initiative.

IT Data Center Migration, Hosting and Cyber Security (+\$2,476,000): In FY 2024, OSMRE continued migrating the bureau's applications, services, and associated workloads to the cloud. The overarching objective is to improve IT support for OSMRE employees and OSMRE stakeholders, which includes operational efficiencies the bureau will gain through cloud hosting while providing enhanced cyber resiliency capabilities (e.g., redundancy, data integrity, and data backups). This will require funds to move OSMRE's data center and build its hosting environment in Albuquerque, NM. The migration of OSMRE's data center includes hardware and contractor costs to build out the new hosting environment. Additionally, and in response to OMB M-22-16, "Administration Cybersecurity Priorities for the FY 2024 Budget" and OMB M-22-09, "Moving the U.S. Government Toward Zero Trust Cybersecurity Principles," OSMRE intends to establish cybersecurity audit logging, Security Event and Incident Management (SEIM), Privilege Access Management (PAM), and Enhanced Endpoint Security capabilities.

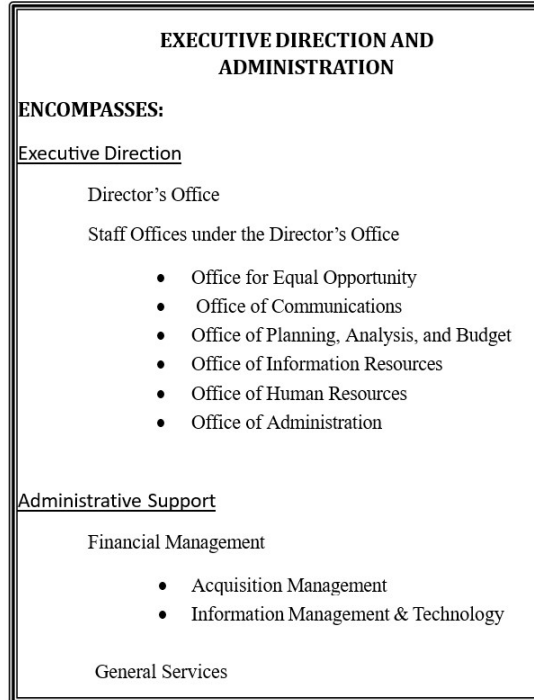
Zero Emission Vehicles (ZEVs) (+\$249,000): The request for OSMRE includes \$249,000 in the Zero Emission Fleet Modernization program to support vehicle fleet lifecycle replacement, fleet requirements analysis, charging infrastructure planning and deployment, and fleet capabilities assessments. Across Interior, the FY 2025 request includes \$13 million for this purpose. This funding will continue Interior's efforts to right-size its fleet and replace vehicles with more efficient, mission capable, ZEVs at the right locations and with the right vehicle mix to deliver Interior's missions. OSMRE's fleet planning efforts will continue to ensure ZEVs are integrated into the overall fleet plan, prioritizing locations and appropriate missions for deployment of these vehicles. Additionally, this funding will assist OSMRE with adapting electric vehicle support equipment planning and deployment to address installation requirements which vary by geographic region.

Baseline Capacity (+\$440,000): 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 OSMRE mission. The budget includes \$440,000 in the Regulation and Technology Executive Direction and 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.

OVERVIEW

The Executive Direction and Administration business line supports all the bureau's programs. This business line includes the Director's Office and staff offices, IT, administration, human resources, and internal financial management for the organization. Executive Direction and Administration provides internal executive direction and administrative support to programs, regions, and field offices through the development and coordination of agency policy, budget, plans, and other guidance documents. Additionally, Executive Direction and Administration also oversees the implementation of Departmental and Administration initiatives in the Bureau.

The responsibilities for Executive Direction and Administration are accomplished through the efficient and effective operations of the two mission-critical bureau business lines (Environmental Restoration and Environmental Protection) and the two business lines providing support functions (Technology Development and Transfer and Financial Management). The Executive Direction and Administration business line supports the DOI's strategic goals by providing the required leadership and administrative support functions for OSMRE programs (see chart below).



Program Activities: The funding request for this business line is to support the activities of Executive Direction, Administrative Support, and General Services. Executive Direction, which includes the immediate office of the Director, provides executive leadership and policy direction for the Bureau. Administrative Support provides all the support services for day-to-day operations, including human resources, IT, procurement, and finance and accounting. The performance of the Executive Direction and Administration business line's activities is an integral component of OSMRE's Environmental Restoration and Environmental mission; Technology Development; and the Financial Management support functions.

Program performance will be measured by the success of OSMRE in carrying out its environmental restoration and protection missions and through OSMRE's contribution to Departmental initiatives and high priority goals.

Actions Required to Achieve Annual Goals: The Executive Direction and Administration business line continuously monitors OSMRE's programs for management efficiencies and savings.

Resources, Skills, and Technology Capacity: OSMRE and its State and Tribal partners will continue to need a diverse and multi-disciplinary cadre of personnel to accomplish the mission and goals of SMCRA. These personnel will guide OSMRE through technical and policy decisions to ensure that coal-mining activities, including post-mining reclamation, are carried out in such a manner that the safety and health of coalfield citizens are protected, and the environment is protected.

FY 2025 PROGRAM PERFORMANCE

Executive Direction

This activity provides executive direction, leadership, and policy and program management guidance for all areas of responsibility for OSMRE. The Executive Direction activity includes the salaries and operating expenses for the Office of the Director and six immediate staff offices, which include Equal Opportunity; Communications; Planning, Analysis, and Budget; Information Resources; Administration; and Human Resources.

Office of the Director (DIR)

The Director of OSMRE, a Senate-confirmed position, is the Chief Executive. The Director provides the leadership and direction of OSMRE activities as required under SMCRA. The Director's primary objectives are to aggressively pursue the reclamation of AML sites and to prevent environmental problems in the coalfields during active mining by working collaboratively with the State regulatory agencies and other involved agencies. OSMRE makes every effort to ensure full public participation in the development and implementation of its regulatory responsibilities. This extensive outreach approach develops cooperative partnerships with OSMRE's regulatory partners, and stakeholders, optimizing SMCRA implementation.

The Deputy Director is OSMRE's Chief Operating Executive. The Deputy Director provides direct supervision for the business operations of the Bureau to the staff offices, as well as executive leadership to the other programs and offices.

In FY 2024 and FY 2025, OSMRE will continue outreach efforts such as public meetings on proposed rulemakings, which promote public participation in policy making and facilitate discussion and information exchange on the current state of the coal industry. OSMRE will continue to take constructive steps to engage and collaborate with States, Tribes, citizens, other stakeholders, and industry.

Office for Equal Opportunity (OEO)

The Office for Equal Opportunity (OEO) promotes equal employment opportunities for all OSMRE employees. OEO manages OSMRE's responsibilities relative to Titles VI and VII of the Civil Rights Act of 1964, as amended; the Age Discrimination in Employment Act of 1967; the Rehabilitation Act of 1973; as well as Executive Orders, regulatory guidelines, and other nondiscrimination laws within the Federal Government. The office:

- provides leadership, direction, and policy guidance for Equal Employment Opportunity (EEO) program development;
- provides prompt, fair, and impartial processing of discrimination pre-complaints and formal complaint processing, including an alternative dispute resolution program;
- provides equal opportunity technical assistance and advice to employees and managers;
- conducts EEO compliance and diversity training and communicates with employees and employment applicants EEO policies, processes, and programs;
- develops, monitors, evaluates, and models EEOC's MD-715 Affirmative Employment Program Plans and conducts studies on systemic employment problems;

- assesses the effect of policies and practices on equal employment, identifies employment barriers, recommends solutions, and develops written guidance for management;
- works closely with HBCUs, Hispanic Serving Institutions, and Tribal Colleges and Universities to share surface coal mining and reclamation career opportunities and recognizes special emphasis program observances as designated by law;
- maintains a Civil Rights Complaints and Compliance program for federally assisted and conducted programs; and
- implements OSMRE's Diversity, Equity, Inclusion and Accessibility (DEIA) Strategic Plan to address high priority needs in support of advancing Departmental and Bureau-wide DEIA initiatives across Interior.

Office of Communications (OC)

The Office of Communications (OC) staff apply their experience in mass communication; digital communications, including web design and development; social media; multimedia, including graphic design, photography, and video creation; journalism; political science; media and public engagement; accessibility; correspondence; and brand management to accurately share OSMRE activities and information with States, Tribes, Congress, stakeholders, and the general public. OC creates content that informs internal and external audiences about OSMRE programs and policies. The information is distributed through digital platforms such as the OSMRE website, social media, video, infographics, and traditional printed materials. The OC also administers OSMRE's AML Reclamation Awards and Excellence in Surface Coal Mining Reclamation Awards, recognizing excellence in reclaiming active and abandoned mine lands. The OC also leads the Bureau towards ensuring that letters, documents, drafts, graphics, newsletters, and other media meet accessibility standards to enhance internal and external stakeholder engagement and understanding of the Bureau.

OC plans, coordinates, produces, and distributes the following products internally and externally:

- Annual Reports
- Congressional Testimony
- Exhibits
- Fact Sheets
- News Releases
- Newsletters
- Reports
- Podcasts
- Publications
- Stakeholder Outreach
- Video
- Graphics
- Web and Social Media Content

OSMRE's homepage, <https://www.osmre.gov/>, is managed by OC. The 21st Century IDEA Act and U.S. web standards are continuously incorporated, ensuring that the public, industry, Congress, and other stakeholders are well-informed of OSMRE's activities through digital media.

OC supports BIL implementation using many of the same communication channels. In addition, OC manages a web page dedicated to the BIL to inform the public, governing bodies, Congress, and internal stakeholders of current information at <https://www.osmre.gov/bil>.

Office of Planning, Analysis and Budget (OPAB)

The Office of Planning, Analysis and Budget (OPAB) performs nationwide planning, program analysis, and budget administration for OSMRE. OPAB coordinates efforts to promote compliance with major management legislation including the Government Performance and Results Act of 1993, the Government Performance and Results Modernization Act of 2010, the Foundations for Evidence-Based Policymaking Act of 2018, the Federal Managers Financial Integrity Act of 1982, the Antideficiency Act, and the Congressional Budget and Impoundment Control Act of 1974, along with supporting direction such as OMB Circulars A-11 and A-123. OPAB also serves as the liaison with the DOI OIG, GAO, and the Department in response to audit reports. The Office:

- Supports the development of OSMRE's and DOI's strategic plans;
- Collects, reviews, and reports annual regulatory and reclamation program accomplishment data;
- Carries out formulation, presentation, and execution of OSMRE's budget;
- Prepares and produces budget testimony for the Hill, OMB, and other stakeholders;
- Provides budget training and guidance for OSMRE departments;
- Works with all OSMRE departments and POB on the budget justification (Green Book);
- Completes accurate and timely UMWA and grant transfers and budget allocations;
- Provides guidance on acquisition and contract projects to verify funds availability;
- Coordinates internal control and other program assessment reviews, in accordance with Executive Orders and Departmental initiatives;
- Coordinates OSMRE's responses to audits and tracks all findings throughout the process of resolution and implementation; and
- Oversees \$11.3 billion BIL funding.

Information Resources Office (IRO)

The Information Resources Office (IRO) delivers Information Management and Technology (IMT) services to OSMRE. The IRO provides advice and assistance to the Director, Deputy Director, and other senior OSMRE managers to guide IT acquisition, utilization, and management within applicable policies, regulations, and industry best practices. IRO's major functions include:

- Providing advice and assistance to management and employees on IMT policy, applicable laws, regulations, and directives;

- Maintaining a management framework and coordination of OSMRE's nationwide IMT Capital Planning and Investment Control (CPIC) activities, including approval of IMT expenditures within OSMRE;
- Developing and implementing IMT strategic plans to ensure that all OSMRE information systems are administered and developed in accordance with policies and strategic planning;
- Managing OSMRE's General Support System and Information Security program in support of OSMRE's SMCRA mission;
- Providing Information Resources Management-related support to OSMRE's system owners to include information system security support;
- Ensuring integrity of IMT systems and databases through cybersecurity programs; and
- Managing all aspects of OSMRE's information management flow to ensure government transparency, accuracy, and responsiveness to information requests.

Office of Administration (OA)

The Office of Administration (OA) develops and administers OSMRE's administrative policies and procedures and implements the Bureau's administrative support activities in the following program areas:

- Emergency Management
- Continuity of Operations
- Physical Security
- Occupational Safety and Health
- Property and Fleet Vehicles
- Space Management
- Sustainability
- Directives Management
- Printing and Publications
- Federal Transit Benefit Program

OA also provides administrative support to Headquarters' offices. These support activities include office moves, provision of general supplies and services, mailroom functions, and local official transportation.

Additionally, OA oversees OSMRE's National Aviation Management and National Aviation Safety Management functions. Through an OA-managed inter-agency agreement, OSMRE receives professional staff support to ensure compliance with and promotion of all provisions and requirements affecting OSMRE's aviation operations, acquisitions, and safety as required by the Federal Aviation Administration and as outlined in the Departmental aviation policy and Operational Procedures Memoranda.

Office of Human Resources (OHR)

OHR develops and implements policies, standards, and systems for the effective use of human resources to accomplish the overall mission of OSMRE. Specifically, the human resources program provides managers and employees with advice and technical assistance on the full range of human resources programs in accordance with OSMRE, DOI, Office of Personnel Management, and other Federal policies and guidelines. OHR provides processing and recordkeeping on recruitment, staffing, and hiring; conducts position classification and organizational analysis; and administers pay and compensation programs for general schedule and senior executive service positions. The Office also advises and processes employee and retirement benefits; oversees performance management, awards, and recognition programs; implements Human Capital initiatives; provides mandatory employee development and training assistance; and provides guidance on employee relations and workplace issues including disciplinary actions. OHR operations rely on automated systems such as the USA Staffing talent management system, the Federal Personnel and Payroll System, Employee Express, and DOI Talent Learning Management System. These automated systems provide direct online personnel history files, human resources information, and services directly to the manager, employee, and applicant.

Special ongoing initiatives this office is working on are highlighted below:

Strategic Recruitment: OSMRE is experiencing workforce challenges in the areas of retention, attrition, and successful recruitment options to attract new talent, particularly with the need to hire additional staff to manage the new investment from the BIL. These challenges are the results of multiple factors, including the decline in coal production. OHR, in conjunction and cooperation with OSMRE's OEO, continues to expand recruitment of the number of women, minorities, and persons with disabilities identified in under-represented occupations. Efforts include using focused strategies to continue hiring of veterans that are an integral part of this expanded recruitment efforts planned as authorized under recent EOs as well. OSMRE promotes workforce diversity and continues to improve and strengthen human capital process and tools to attract highly skilled applicants.

Strategic Management of Human Capital: OHR executes strategic position management activities with quarterly and annual evaluations that link individual hiring decisions made during the year, thus empowering managers to focus on developing competencies and skills needed to accomplish OSMRE mission goals. To promote retention in positions where skill gaps have been identified, OSMRE can utilize several programs including student loan repayments, relocation allowances, and retention incentives. In addition, OSMRE uses honorary, non-monetary, and monetary awards to reward employees based on their contributions to the work of the organization. Annual and tri-annual accountability audits are conducted to ensure compliance and identify deficiencies for improvement.

Performance Management: In October 2023, OSMRE launched USA Performance, an electronic performance appraisal system. OSMRE will provide training for supervisors on effective standard development, roles and responsibilities, and employee performance awards to increase organization effectiveness moving into FY 2025.

Employee Benefits/Work life Program: This HR program area is undergoing review, assessment, and analysis in FY 2024 to improve operational efficiency. Re-entry activities include remote work and new telework considerations. The review includes an alignment of the benefits program with HR operations.

Financial Management

OSMRE's Financial Management group includes the Division of Compliance Management, Division of Financial Management, and Division of Acquisition Management. These divisions work together to provide guidance and develop policy for OSMRE's Financial Management services.

OSMRE's Financial Management group provides services that support improved access and presentation of financial data, including timely bill pay, receipts and expenditures recording, charge card management, FAR travel advisories, producing financial management reports, guidance and training, administrative debt collection, DOI's audited financial statements support, and financial systems maintenance.

Acquisition Management

The Acquisition Management group provides guidance to ensure OSMRE meets its competitive sourcing goals and that acquisition needs and requirements are met. This group also provides strategic acquisition program direction for the Bureau and performs routine, day-to-day operational contracting support, including data collection and external reporting, timely de-obligation of undelivered orders, maintenance of quality contracting files, and customer outreach and education.

Information Management and Technology (IMT)

The Financial Management group assists Information Resource Office (IRO) by serving the acquisition and contract management side of several IT contracts that maintain OSMRE's statutorily mandated mission. The contract portfolio ranges from applications overseeing coal mining regulatory and AML reclamation programs, to those that assist States and Tribes to meet SMCRA objectives of SMCRA, and those that regulate coal mining and reclamation activities on Federal and Tribal lands (and in those States opting not to assume primacy for regulating coal mining and reclamation activities within their borders). IMT budget funds are included in General Services.

In FY 2023 and continuing into FY 2024, OSMRE IRO applications, services, and associated workloads began migrating to the cloud. This will improve IMT services to OSMRE employees, mission owners, and OSMRE stakeholders.

OSMRE IT system support enhancements will support the following primary mission information systems:

- AVS;
- e-AMLIS;
- CFCMS;
- CIMS;
- NMMR; and
- AMDTreat.

General Services

This funding activity includes essential costs to support OSMRE’s program missions. No personnel or operational activities are funded by this component. The cost estimates for FY 2025 reflect estimated Departmental fixed cost changes from FY 2024 levels and known future plans, including co-location, space reduction, anticipated contracting efficiencies, and investment in technologies and systems to yield additional efficiencies in the future. Table 6 shows the projected General Services costs by category for FYs 2024 and 2025 under Regulation and Technology.

**Table 6 – Estimated R&T General Services Costs
(in Whole Dollars)**

Line Item	2024 R&T Enacted	2025 R&T Estimate	Change from 2024
DOI Working Capital Fund - Central Bill	1,900,171	2,034,760	+134,588
DOI Working Capital Fund - Direct Bill	1,101,336	886,802	-214,533
Unemployment Compensation	15,419	7,823	-7,595
Worker's Compensation	107,197	115,927	+8,730
Rent and Utilities	4,027,218	4,240,208	+212,991
Telecommunications	110,134	140,819	+30,685
Postage	8,811	10,668	+1,857
Bureau-wide Printing/Supplies	145,376	174,245	+28,869
Operational & IT Support Contracts	613,077	960,128	+347,051
Service Contracts	445,086	823,647	+378,561
Other Interagency Agreements	318,506	558,296	+239,790
GSA Work Authorizations & Administration	8,811	9,957	+1,146
Electric Vehicle (EV) Charging Infrastructure	196,038	189,892	-6,146
Zero Emission (ZEV) Fleet Modernization	182,822	177,090	-5,732
IT-Data Center Migration, Hosting, & Cyber Security	0	2,204,738	+2,204,738
Total	9,180,000	12,535,000	+3,355,000

FY 2024 Ongoing and FY 2025 Planned Program Activities

In FYs 2024 and 2025, ongoing and planned activities in the Executive Direction and Administration program activity include:

- Completing a major website modernization project to consolidate and reorganize content and migrating it into a content management system to improve the overall OSMRE user experience.
- Maintaining an up to date online plain language glossary of commonly used OSMRE terms.
- Continuing to utilize training as a strategy to increase cultural competencies, reduce the number of EEO complaints filed, and conduct civil rights reviews on federally assisted and conducted programs.
- Improving the availability of self-guided videos and instructions through a single application.
- Begin converting the bureau's fleet to ZEVs and working closely with intra- and inter-agency partners to improve ZEV charging infrastructure.
- Continuing to review opportunities to reduce OSMRE's leased space footprint and expenditures.
- Continuing to identify opportunities to promote new and existing acquisition requirements.
- Continuing to improve the quality of FBMS asset record data.
- Continuing to enhance the bureau's performance management program through enhanced standard operating procedures for collected and reporting performance data, and by regular review of and improvements to program performance measures.
- Finalizing an OSMRE Directive on the bureau's performance management program to ensure consistent compliance with the Government Performance Results Act of 1993 and the Government Performance Results Modernization Act of 2010.
- Supporting DOI's Financial Audit Statements.
- Continuing to improve the delivery and accessibility of financial information for risk mitigation and decision making.
- Identifying a complete set of consolidation targets for closure and beginning planning to fund migration of the respective computing environments to a Cloud computing environment or to a Major-Tiered Data Center.
- Continuing to provide adequate resource levels needed to maintain current telecommunications services while fully transitioning data and voice services from legacy telecommunications contracts to Environmental Impact Statement.
- Assessing current IMT-related HR staffing and capabilities to address the goal of developing and maintaining a talented and knowledgeable IMT workforce. This includes assessing current

capacity to translate the Department's competency models into skill gaps for bureau and office IT employees, accelerating the time to hire new employees, and developing professional development plans that provide career paths for bureau IT employees.

- Assessing current capabilities in the areas of customer success management, customer relationship management, and IT service management to establish baseline and determine future funding requirements for enhancements.
- Assessing resources needed to support mandated data management activities. Continuing to provide administrative support across the bureau to enable mission success in the other OSMRE business lines.
- Continuing to identify labor intensive administrative activities, and evaluating appropriate regulatory, policy, and technology solutions to yield operational efficiencies.
- Continuing to enhance OSMRE's data integrity and reporting capabilities through enhanced standard operating procedures for gathering, reconciling, and reporting financial transactions at both the bureau and Department-wide consolidated level.
- Continuing to support the bureau's OMB Circular A-123 - Management's Responsibility for Internal Control goals specifically addressing the assessment, documentation, and reporting on the effectiveness of internal control over financial reporting.
- Continuing to support DOI's Business Integration Office (BIO)'s conversion efforts for upgrades of the FBMS conversion to S4Hana.
- Continuing to support DOI's efforts to implement the use of the Department of Treasury's G-Invoicing.
- Improving the availability of standard operating procedures. Enhancing internal communication methods to facilitate the sharing of information within the Bureau and the Department.
- Enriching agency transparency and stakeholder issue relevance of the BIL by launching a new story map on osmre.gov that demonstrates positive impacts of the BIL within coalfield communities.
- Enhancing bureau-wide proficiency in producing Section 508 accessible information products and enriching public accessibility by institutionalizing Section 508 accessibility training for OSMRE staff.
- Implementing web and social media analytic tools to measure effectiveness for informing and improving public communications.
- Enhancing the www.osmre.gov homepage, enhancing the user experience and accessibility (mobile use, reduced scroll, new menus, rotating content, newsroom and social media previews, and document searching).
- Reducing the digital footprint of www.osmre.gov by optimizing search standards and hosted documents on the website.

- Implementing planned end-user service enhancements on the OSMRE website, including accessibility, user design, and user experience.
- Continuing implementation of the 21st Century IDEA, including ensuring that information and services are discoverable and optimized for search, that there is a consistent visual design and agency brand identity throughout our deliverables, that our work is user-centered and uses a data-driven design, and that we are using the latest mobile-first design to scale across varying device sizes.

FY 2023 Program Accomplishments

In FY 2023, the major accomplishments in the Executive Direction and Administration program activities included:

- Implemented a new support agreement with the DOI Office of Wildland Fire (OWF) allowing qualified OSMRE personnel to support and collaborate with OWF in support of incident responses for DOI's Wildland Fire Management program.
- Promulgated the OSMRE CARE (Conduct Accountability Respect Employees) program to ensure that harassment in the workplace is reported, addressed, and eliminated, timely and appropriately.
- Improved the quality of OSMRE's Safety and Occupational Health program by enhancing the ability of OSMRE managers to identify and mitigate employee risk.
- Scored green in all areas of DOI's Financial Performance Metrics.
- Achieved 100 percent prompt pay on vendor payments.
- Completed required CPIC evaluations for all IMT programs and major investments.
- Provided educational and employment opportunities to youth in the areas of communications, budget, information technology, auditing, and general administration.
- Supported DOI's Audited Financial Statements for FY 2023.
- Successfully managed OSMRE purchase charge card online system.
- Supported DOI's Business Integration Office (BIO)'s initial conversion efforts of the upgrades for the FBMS and Data Warehouse.
- Supported DOI's efforts to implement the use of the Department of Treasury's G-Invoicing, a long-term solution for Federal Program Agencies (FPAs) to manage their intragovernmental (IGT) Buy/Sell transactions that will be implemented in FY 2025.
- Implemented quarterly contract auditing for acquisitions.
- Increased the frequency and number of news releases to enhance transparency and information sharing with media partners and the public.

- Enriched user experience and interface on www.osmre.gov by migrating the Drupal Content Management System to Drupal 10.
- Completed Phase 4 of the Department of the Interior’s E.O. 13988 Implementation Plan, which included the review of more than 171 osmre.gov web pages to ensure compliance with E.O. 13988, *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation*. The E.O. requires agencies to review its orders, regulations, guidance documents, policies, programs, and other agency actions to ensure that they are consistent with the policy of equal treatment under the law, regardless of gender identity or sexual orientation.
- Initiated media intelligence and monitoring via a public relations and media software service provider to enrich OSMRE’s presence in the information environment. More specifically, enriching agency transparency by issuing and tracking news releases and their salience with media outlets and audiences.
- Redesigned the new release template, bringing essential information into a streamlined format and decreasing the amount of time spent developing releases.
- Increased agency transparency by enriching the osmre.gov newsroom webpage to include “stories” that highlight the work of OSMRE and its partners.
- Increased agency transparency by launching the @us_osmre Instagram account and the Reclaim, Restore & More podcast series on Spotify, enabling OSMRE to reach a broader audience on social media platforms using different digital media.
- Began to digitize the Technical Assistance and Tech Transfer evaluation forms as part of the 21st Century IDEA and establishing more digital services.
- Enriched agency transparency and audience accessibility by incorporating Section 508 accessibility reviews of all internal and external information products on all digital platforms and channels.

**ACCOUNT: ABANDONED MINE
RECLAMATION FUND**

ACCOUNT: ABANDONED MINE RECLAMATION FUND

Program Summary

The 2025 budget for the Abandoned Mine Reclamation Fund (AMR) is \$175.8 million, \$6.9 million above the 2024 Continuing Resolution. This account derives a portion of its funding from a fee levied on coal produced for sale, use, or transfer and supports reclamation program functions carried out by the States, Tribes, and OSMRE.

The budget includes \$156.1 million for Environmental Restoration activities carried out by States and OSMRE, \$4.1 million above the 2024 Continuing Resolution. That amount includes \$21.1 million, \$4.1 million above the 2024 Continuing Resolution, for State reclamation program oversight, expanded water treatment grants to treat acid mine drainage, Federal reclamation operations and projects, and reclamation program development.

The budget for the Abandoned Mine Land Economic Revitalization (AMLER) program is \$135.0 million, equal to the 2024 Continuing Resolution. The program provides grants to eligible Appalachian States and qualifying Tribes to return legacy coal mining sites to productive use and foster economic and community development. These grants can benefit coal communities by reclaiming formerly mined lands for beneficial economic uses and provide local, good-paying union jobs for skilled labor in some of the hardest hit communities in the Nation. These grants can also address long-standing hazards and environmental degradation near coal communities, such as acid mine drainage. The request proposes to allocate 1.25 percent of annual AMLER appropriations to support program administration and oversight by Interior's Office of the Inspector General.

The budget includes \$19.7 million, an increase of \$2.9 million above the 2024 Continuing Resolution, to support OSMRE's technology development and transfer, financial management, and executive direction activities that support AML program implementation.

Appropriations Language

Abandoned Mine Reclamation Fund

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, \$40,815,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: Provided, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored

training: Provided further, That of the amounts provided under this heading, not to exceed \$5,000 shall be available for official reception and representation expenses.

In addition, \$135,000,000, to remain available until expended, for grants to States and federally recognized Indian Tribes for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): Provided, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): Provided further, That of such additional amount, 0.75 percent shall be available to the Office of Surface Mining Reclamation and Enforcement for program administration and 0.5 percent shall be available for transfer to the Office of the Inspector General of the Department of the Interior for oversight of funding provided under this heading: Provided further, That of such additional amount, \$86,850,000 shall be distributed in equal amounts to the three Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section, \$34,740,000 shall be distributed in equal amounts to the three Appalachian States with the subsequent greatest amount of unfunded needs to meet such priorities, and \$11,722,500 shall be for grants to federally recognized Indian Tribes without regard to their status as certified or uncertified under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)), for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) and shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977: Provided further, That such additional amount shall be allocated to States and Indian Tribes within 60 days after the date of enactment of this Act.

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.

Abandoned Mine Reclamation (AMR) Fund

This appropriation supports the discretionary reclamation program functions carried out by States, Tribes, and OSMRE. The appropriation is partially derived from receipts generated from a fee on each ton of coal produced for sale, transfer, or use. The AMR also includes funding for OSMRE to administer and monitor State abandoned mine land reclamation programs, provide technical training, assistance, and transfer activities related to environmental restoration. The FY 2025 budget request for current appropriations for the Abandoned Mine Reclamation Fund account is \$175.8 million.

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87,

- 30 U.S.C. 1231, 1232, 1233 and 1240 – Provides for the payment of fees and other monies into the Abandoned Mine Reclamation Fund (Fund). The Fund consists of amounts deposited from time to time, derived from reclamation fees, donations, audit recoveries, interest charges, and administrative collection fees. The funds collected are used for the reclamation and restoration of land and water resources adversely affected by past mining.

- SMCRA provides for the use of the monies for the purpose of protecting public health, safety, and property from extreme danger of adverse effects of coal mining practices; restoration of land and water resources and the environment previously degraded by adverse effects of coal mining practices, and that are adjacent to a site that has been or will be remediated. It also provides that monies in the Fund will be used to cover the administrative expenses of the Federal government, accomplish abandoned mine reclamation, and develop guidelines on the distribution of monies in the Fund.

Office of Surface Mining Reclamation and Enforcement
Abandoned Mine Reclamation Fund
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	+72	0	Total paid days for FY 2025 is 261 (2088 hours) which is the same number of days as FY 2024.
Pay Raise	+913	+527	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.
Departmental Working Capital Fund (WCF)	+27	+71	The estimates reflect final decisions of the Working Capital Fund Consortium on the FY 2025 Working Capital Fund Central Bill.
Workers' Compensation Payments	-1	+2	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	0	-3	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	+81	+64	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	+1,092	+661	

**ABANDONED MINE
RECLAMATION FUND**

Environmental Restoration

**ABANDONED MINE RECLAMATION FUND
Environmental Restoration Activity Budget Request**

(Dollars in Thousands)

Abandoned Mine Reclamation Fund/ Environmental Restoration	2023 Actual	2024 Annualized CR	2025 Fixed Costs (+/-)	2025 Internal Transfers (+/-)	2025 Program Changes (+/-)	2025 President's Budget	Change from 2024 Annualized CR
State and Tribal Funding--Passive Treatment Protection Program	500	500	-	-	+2,000	2,500	2,000
<i>FTE</i>	-	-	-	-	-	-	-
State Program Evaluation	2,866	2,866	+68	-	+142	3,076	210
<i>FTE</i>	15	15	-	-	-	15	-
Federal Reclamation Programs - Projects	6,119	6,119	-	-	+1,000	7,119	1,000
<i>FTE</i>	-	-	-	-	-	-	-
Federal Reclamation Program - Operations	3,300	3,300	+59	-	+573	3,932	632
<i>FTE</i>	13	13	-	-	-	13	-
Program Development and Maintenance	4,303	4,303	+69	-	+142	4,514	211
<i>FTE</i>	13	15	-	-	-	15	-
AML Economic Revitalization Grants	135,000	135,000	-	-	-	135,000	-
<i>FTE</i>	-	-	-	-	-	-	-
Total	152,088	152,088	+196	-	+3,857	156,141	4,053
<i>FTE</i>	41	43	-	-	-	43	-

In addition to the discretionary appropriations above, OSMRE will also distribute mandatory funding for AML reclamation as described in the Permanent Appropriations Section.

Summary of FY 2025 Program Changes for Environmental Restoration

Summary of 2025 Program Changes for Abandoned Mine Reclamation Fund/Environmental Restoration

Program Changes	(\$000)	FTE Change
Passive Treatment Protection Program (PTPP) Grants	+2,000	+0
Federal Reclamation Projects in Oklahoma	+1,000	+0
Grants Solutions	+450	+0
Baseline Capacity - 2024 Fixed Costs	+407	+0
TOTAL Program Changes	+3,857	+0

Justification of the FY 2025 Program Changes

The FY 2025 budget request for the AMR Environmental Restoration budget activity is \$156.1 million and 43 FTEs, a program change of +\$3.9 million and 0 FTE from the FY 2024 Continuing Resolution.

Passive Treatment Protection Program (PTPP) (+\$2,000,000): This request will provide grants to help operate, maintain, and rehabilitate AML passive treatment systems constructed with funds provided by OSMRE, thereby protecting previous investments and maintaining improvements in water quality. The PTPP will provide grants (cooperative agreements) to not-for-profit IRS 501(c)(3) status organizations (e.g., watershed groups), organizations using AmeriCorps and its VISTA programs, local governments, Tribal governments, certain State government agencies, and universities that maintain passive treatment systems that treat mine drainage (water pollution) from AML.

Enhance GrantSolutions Capabilities (+\$450,000): GrantSolutions, DOI’s financial assistance management software platform, enables DOI to manage grants and cooperative agreements through the award life cycle (pre-award, award, post- award, and closeout). This proposal will fund OSMRE’s estimated share of the system’s increased management and operations costs, ensuring effective and consistent management of OSMRE AML grants.

Priority Federal Reclamation Projects in Oklahoma (+\$1,000,000): Pursuant to the Supreme Court decision in *McGirt v. Oklahoma*, OSMRE is charged with enforcing SMCRA on Tribal lands within Oklahoma and has responsibility for an estimated \$90 million in unreclaimed Priority 1 and Priority 2 AML projects. The request of an additional \$1.0 million builds on the \$4.0 million of base funding that supports reclamation of AML projects in Oklahoma.

Baseline Capacity (+\$407,000): 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 OSMRE mission. The budget includes \$407,000 in the Environmental Restoration 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.

OVERVIEW

As stewards of our Nation’s natural and cultural resources, DOI is entrusted with safeguarding these resources for future generations. Environmental issues associated with abandoned mine sites—such as water pollution, open portals and pits, refuse piles, and land stripped of natural vegetation—degrade our natural resources and create public health and safety risks. OSMRE’s AML programs focus on resolving these problems, which restores our land and water resources. These improvements also encourage local communities and other partners to make further investments that drive economic redevelopment—such as new businesses and recreation facilities—improve wildlife habitat, and/or conserve land. Mine site restoration improves the environment, safeguards people and property, and revitalizes communities through direct and indirect job creation.

Through the Environmental Restoration Program, OSMRE evaluates State and Tribal AML Programs, ensures abatement of mining related hazards, and fosters partnerships to address acid mine drainage (AMD). In FY 2025, States and Tribes plan to restore approximately 9,600 acres of abandoned coal mine lands with traditional mandatory AML grants thereby eliminating health, safety, and environmental hazards for wildlife and the public.

AML problems are classified by priority:

- **Priority 1:** Protection of public health, safety, and property from extreme danger of adverse effects of coal mining practices.
- **Priority 2:** Protection of public health, safety, and property from adverse effects of coal mining practices.
- **Priority 3:** Restoration of land and water resources and the environment previously degraded by adverse effects of coal mining practices.

As of September 30, 2023, the nation inventory that OSMRE oversees included more than 24,000 problem areas² associated with AML sites. The estimated cost to reclaim all remaining Priority 1, Priority 2, and Priority 3 problems is nearly \$12 billion.³

Fees levied on coal production provide the funding for the AML fee-based reclamation program. The BIL reauthorized OSMRE's authority to collect these fees through September 30, 2034, and lowered the fees by 20 percent.

Program Activities: The primary goal of the Environmental Restoration business line is to mitigate the damage caused by historical coal mining by restoring the environment and, as a result, protecting the health and safety of wildlife and the public.

The Environmental Restoration business line includes the following programs:

The Passive Treatment Protection Program (PTPP) provides financial assistance through cooperative agreements with organizations to help operate, maintain, and rehabilitate passive treatment systems that treat water pollution from AML mine drainage.

State and Tribal Program Evaluation coordinates the evaluation and oversight of the State and Tribal AML reclamation operations funded under the AML Fee-based Reclamation Program. Program evaluation includes reviewing reported results from completed projects.

Federal Reclamation Program--Projects and Federal Reclamation Program--Operations complete AML projects for States and Tribes that do not have an approved State/Tribal AML Program.

The Program Development and Maintenance Program provides policy direction, support, and services to States and Tribes.

The AML Economic Revitalization (AMLER) Program provides eligible States and Tribes with AMLER grants and guidance on project eligibility, criteria, and reporting requirements.

Actions Required to Achieve Annual Goals: In FY 2025 and beyond, OSMRE will work with State and Tribal reclamation agencies and through private and grassroots associations to guide reclamation partnerships. OSMRE will increase efforts to leverage funding from other government and non-government organizations to address abandoned mine sites. This emphasis on partnerships and leveraging resources supports cooperative conservation efforts.

Resources, Skills, and Technology Capacity: OSMRE recruits, trains, and fosters a diverse and multidisciplinary scientific, engineering, information technology (IT), and analytically skilled workforce. Working as a team, OSMRE staff develop reclamation project designs, construction criteria, and review and monitor watershed cooperative agreements and civil penalty and bond forfeiture reclamation projects. Either directly or in conjunction with contractors for Federal programs, OSMRE IT staff and contractors

² A problem area is a geographical area containing one or more abandoned mine land problems.

³ States and Tribes input estimated costs of outstanding work into e-AMLIS. OSMRE used the data to come up with the \$12 billion figure..

maintain and improve the “enhanced-Abandoned Mine Land Inventory System” (e-AMLIS). E-AMLIS stores, manages, tracks, and reports the inventory of reclaimed and unreclaimed AML problems. Program analysts, grant specialists, and other support personnel evaluate and manage the State and Tribal grants program and conduct program evaluations.

The following section details, by program activity, the funding and FTE resources required to achieve annual performance goals.

PROGRAM DETAILS AND FY 2025 REQUEST

Abandoned Mine Reclamation Fund

The Fund established by SMCRA is capitalized with fees collected from operators in the United States based on the amount of coal they produce. OSMRE distributes these funds to States and Tribes to finance reclamation of AML sites. The BIL extended OSMRE’s authority to collect these fees through September 30, 2034, and reduced the amount of the fees by 20 percent.

Table 7 below identifies which States and Tribes have approved AML Programs and receive AML grants from permanent mandatory appropriations, and which are do not have approved programs and instead rely on discretionary funding administered by OSMRE. A discussion of AML grant funding can be found in the Permanent Appropriations Tab.

Table 7 – State, Tribal, and Federal Responsibility for the AML Program and Emergency Issues

Responsible Party	AML Program & Emergency Issues	
State and Tribal Responsibility	Alabama Alaska Arkansas Colorado Illinois Indiana Iowa Kansas Kentucky Louisiana Maryland Mississippi Missouri Montana New Mexico	North Dakota Ohio Pennsylvania Tennessee Texas Utah Virginia West Virginia Wyoming Tribes: Crow Tribe Hopi Tribe Navajo Nation
Federal Responsibility	California Georgia Idaho Massachusetts Michigan North Carolina Oklahoma* Oregon Rhode Island South Dakota Washington	Tribes other than Crow, Hopi, and Navajo*
*OSMRE has conducted AML reclamation projects on Tribal lands across the Nation and assumed responsibility for AML reclamation projects on all Tribal lands in Oklahoma in FY 2021.		

The FY 2025 AMR appropriation for Environmental Restoration will support State Program Evaluation, Federal Reclamation Program Operations, and Program Development and Maintenance. Funding appropriated from the AML Fund also covers Federal expenses requested by Technology Development and Transfer, Financial Management, and Executive Direction and Administration, business lines as explained in other sections of the Greenbook.

1. State and Tribal Funding

Passive Treatment Protection Program (PTPP): The PPTP provides financial assistance through cooperative agreements for organizations to help operate, maintain, and rehabilitate passive treatment systems that were constructed to treat mine drainage (water pollution) from AML. Although passive treatment systems are designed to work without frequent maintenance, they require maintenance over time to keep them operating efficiently. Through the PTPP, OSMRE can provide funds for operations,

maintenance, and renovation costs of existing passive treatment systems, thereby protecting previous investments and maintaining improvements in water quality.

OSMRE's budget request for FY 2025 includes \$500,000 to continue implementing and administering the PTPP and \$2,000,000 for grants (cooperative agreements) to not-for-profit IRS 501(c)(3) status organizations (e.g., watershed groups), organizations using AmeriCorps and its VISTA programs, local governments, Tribal governments, certain State government agencies, and universities that maintain passive treatment systems that treat polluted mine drainage from AML.

2. State and Tribal Program Evaluation

SMCRA requires OSMRE to monitor the progress and quality of each State and Tribal AML Program to confirm that the reclamation programs function effectively. These evaluations of State and Tribal reclamation programs help facilitate more efficient and effective use of program dollars. The FY 2025 OSMRE budget request includes \$3.1 million and 15 FTE for State Program Evaluation activities.

OSMRE reviews documents submitted by States and Tribes (e.g., grant applications, amendments, and reports), conducts periodic funding drawdown reviews, and completes on-site evaluations of selected reclamation projects. OSMRE also provides States and Tribes with expert technical assistance for these projects. OSMRE, States, and Tribes hold conferences and forums to discuss reclamation issues, technology, and solutions to reclamation problems.

OSMRE utilizes topic-specific oversight reviews to monitor State and Tribal AML Program operations. Instead of reviewing entire programs each year, OSMRE field offices work closely with each State or Tribe to develop a performance agreement, which identifies the areas to be reviewed and establishes performance measures. OSMRE reviews any performance agreements that last longer than a year to gauge the status of the program.

3. Federal Reclamation Program

OSMRE directly addresses environmental hazards occurring in States or Tribal lands without AML programs on a priority basis. It also administers high priority projects funded by Federal civil penalties collected from operators and projects funded from bonds forfeited by operators of Federally permitted sites. The FY 2025 total request for the Federal Reclamation Program is \$11.1 million and 13 FTEs.

a. Federal Reclamation Projects

The FY 2025 request includes \$7.1 million for Federal reclamation projects, including \$5,035,000 for Federal reclamation projects on Tribal lands in Oklahoma, \$785,000 for Federal emergency reclamation projects, and \$1.3 million for watershed cooperative agreements. In addition to the requested funds, OSMRE will also continue to administer Federal reclamation projects in FY 2025 utilizing available civil penalty funds collected as authorized in SMCRA.

i. Watershed Cooperative Agreement Projects (WCAP)

The WCAP program supports projects with multiple funding sources to assist groups, such as small watershed organizations, complete local AMD reclamation projects. Eligible grantees are not-for-profit groups that plan to complete AMD stream clean up construction projects. Local organizations work with other partners to assemble funding or in-kind services to increase the reach and impact of Federal resources.

The maximum award amount for a WCAP grant is \$100,000, with a two-year performance period. Although funds are primarily used for the construction phase of the project, any administrative or construction cost associated with the completion of the project is allowable. The requested OSMRE funding must be the final amount necessary to complete the project.

The funding priority and technical focus of WCAP grants is to restore streams affected by AMD to a level that will support a diverse biological community and provide recreational opportunities for the public. The project must produce tangible results, such as fisheries restored, stream miles improved, educational and community benefits, or pollutants removed from streams. There also must be a plan to address any ongoing operation/maintenance considerations.

ii. Civil Penalty Projects

SMCRA authorizes Federal civil penalties collected under Section 518 of the Act to be used for reclaiming lands mined and abandoned sites. OSMRE is authorized to assess monetary civil penalties nationwide on active coal mining operations. These monetary assessments are available to fund reclamation of bond forfeiture sites and to fund projects proposed by both State and Federal regulatory authorities.

iii. Federal Emergency Projects

Federal emergency projects are conducted to immediately abate emergency abandoned mine hazards in States and on Tribal lands without an approved AML Program. Emergency projects address abandoned coal mine lands that present an immediate danger to public health, safety, or general welfare. Examples of such emergencies include landslides near homes and across roads, land subsidence occurring under houses and public buildings, mine and coal waste fires, and mine openings such as vertical shafts discovered near populated areas.

When notified of an emergency, typically within 48 hours OSMRE personnel review available information and visit the site to perform an investigation. If the emergency is determined to be AML-related, OSMRE conducts remedial action as quickly as possible to abate the situation. The initial response does not always fully reclaim the site but does mitigate the immediate human health or safety hazard. The remaining reclamation is completed after the emergency has been addressed. Emergency projects can occur all over the country and these mining related hazards can take many forms.

An example of OSMRE's Federal Emergency Project work in FY 2023 is Project WA-22-001, an AML emergency project in Issaquah, Washington. The project involved land subsidence on private property adjacent to a mine tunnel opening that ran beneath the entire width of the sole access road to a residential community of 3,900 people. OSMRE spent nearly \$430,000 for architecture, engineering, and construction services to reclaim the features. Reclamation was completed by constructing an earthen buttress at the toe of the slope to prevent slope failure during the drilling and grouting of the mine tunnel and subsidence feature (see photos below).



Photo on left: looking down from the access road to the community into the private property, showing the excavation of the subsidence feature and construction of the slope toe buttress to stabilize the slope. Photo on right: the drilling and grouting of the mine tunnel entry and underground mine voids in the slope soils above the subsidence feature. Photos taken by Cody Yankey, OSMRE Project Manager on 6/27/2022 (before) and 3/3/2023 (work in progress).



Photo above displays the reclaimed subsidence and mine tunnel site. Photo taken by Cody Yankey, OSMRE Project Manager on 3/31/2023 (after).

A retaining wall and drainage system were placed at the base of the slope buttress to facilitate moving drainage away from the reclaimed subsidence and mine tunnel. The top of the buttress was vegetated with local shrubs and ground cover to stabilize soils and utilize precipitation that fell on the slope. At the edge of the road above the features, a curbing was placed to shed water downslope along the roadway into the storm water sewer to ensure water would not affect the reclamation, and reflective markers were installed

along the road shoulder for safety. The project was completed within 67 days of declaration of the emergency, protecting the landowner's property and the sole access road to a community of 3,900 residents.

iv. Federal Reclamation Program Operations

The total request for Federal Reclamation Program operations is \$3.9 million and 13 FTEs. Federal Reclamation Program Operations funding enables OSMRE staff to administer watershed cooperative agreements and address Federal emergencies, high priority projects, and civil penalty projects. Emergency projects are handled through the process described in the previous section. The process for Federal high priority projects is similar, beginning with the determination of whether a condition is related to an abandoned coal mine. If so, OSMRE determines the priority for reclamation.

Once the determination is made, the Federal Reclamation Program staff obtains approval for project funding and develops the abatement plan. This process includes seven elements:

1. Compliance with the National Environmental Policy Act (NEPA), Endangered Species Act (ESA), and the National Historic Preservation Act (NHPA).
2. Obtaining the right of entry for access.
3. Developing engineering plans and specifications needed for abatement.
4. Preparing and mailing bid packages to potential construction contractors.
5. Conducting pre-bid and pre-construction conferences.
6. Awarding contracts.
7. Coordinating, managing, and inspecting all aspects of the ongoing construction, and reviewing, approving, and paying invoices.

4. Program Development and Maintenance

The Program Development and Maintenance activity is an integral part of the State and Tribal funding program. The FY 2025 budget proposes \$4.5 million in funding and provides for 15 FTE for reclamation program management and programmatic guidance to States and Tribes. An important part of OSMRE's role in State and Tribal AML Program operations is reviewing and approving the AML projects. In addition to reviewing and approving the projects, OSMRE assesses and discloses potential environmental impacts of the proposed Federal actions. All AML projects funded under the Environmental Restoration business line are considered "Major Federal Actions" under NEPA. Hence, OSMRE personnel must evaluate every project to determine the type of environmental assessment (Categorical Exclusion, Environmental Assessment, or Environmental Impact Statement) required under NEPA. In some cases, these reviews require consultations under various other Federal laws, including the NHPA, ESA, and the Clean Water Act.

To better monitor and track the AML projects, OSMRE uses e-AMLIS, a mission-critical information system that continues to be refined and improved every year. Additionally, OSMRE continues to support and participate in grants management via GrantSolutions, which is an electronic grants announcement and application system. To improve OSMRE's monitoring of grants from cradle to grave, the agency

transitioned to the GrantSolutions financial assistance management software program in 2021. OSMRE also uses the DOI Financial and Business Management System (FBMS) financial assistance module for internal processing of all grant and cooperative agreement obligations, de-obligations, and closeout transactions. FBMS is DOI/OSMRE's system of record that contains comprehensive information on AML grant allocations and expenditures. OSMRE also assists States and Tribes with development, administration, implementation, and maintenance of their approved AML Programs. Changes to State AML Programs must be reflected in reclamation plan amendments submitted to OSMRE for approval.

In addition, OSMRE has an ongoing process of reviewing existing policies in the Environmental Restoration business line. Whenever necessary, policies are revised to meet the existing need of the programs and to keep abreast of changes to the law. OSMRE assists States and Tribes to build on their reclamation successes by providing ongoing technical assistance on reclamation practices and by continually enhancing the primacy grants process.

5. AML Economic Revitalization (AMLER) Program

This program administers grants to six Appalachian States and three Tribal AML programs to return legacy coal mining sites to productive use and foster economic and community development. Between FY 2016 and FY 2023, the program provided \$912.5 million to communities for the dual purpose of spurring economic and community development and achieving reclamation of legacy abandoned mine land problems and polluted waters. OSMRE continues to manage and monitor the progress of grants issued under the AMLER Program that was authorized and funded in prior-year Appropriations Acts.

The FY 2025 budget request includes \$135.0 million for the AMLER grants program, with 1.25 percent of appropriation set aside for OSMRE administration (0.75 percent) and oversight by the DOI Office of Inspector General (0.5 percent). This set-aside would allow OSMRE to better support States and Tribes develop projects and expedite the Federal project approval process. More information on the AMLER program can be found on our webpage: (<https://www.osmre.gov/programs/reclaiming-abandoned-mine-lands/amler>).

ENVIRONMENTAL RESTORATION

FY 2024 Ongoing and FY 2025 Planned Program Activities

In FYs 2024 and 2025, the ongoing and planned activities in the Environmental Restoration program activity include:

- Administering the State and Tribal Evaluation Programs.
- Administering the WCAP and providing grants to eligible recipients.
- Administering the Federal Reclamation Program.
- Responding to Federal AML emergencies in non-program States and Tribes within the allotted time mandated by the program.
- Providing AML Fee-based grants to States and Tribes.
- Administering the AMLER Program.
- Continuing implementing the PTPP program.
- Conducting government-to-government consultations and maintaining responsibility for the reclamation of abandoned mine sites on Tribal lands in Oklahoma.
- Continuing review of State and Tribal reclamation plans and completion of informal engagement meetings.
- Continuing agency-wide tracking of authorizations to proceed (ATPs), which are the formal notification of OSMRE's approval for the expenditure of grant funds to begin construction on a specific project.

FY 2023 Major Accomplishments

In FY 2023, the major accomplishments in the Environmental Restoration program activity included:

- Managing the \$126.5 million in mandatory AML Fee-based Reclamation grants provided to the 24 coal-producing States and two Tribes with approved AML Programs.
- Making available \$135.0 million in AMLER Program funds to the eligible six States and three Tribes.
- Improving land and water health by reclaiming or mitigating the equivalent of 1,968 acres of land from the effects of natural resource degradation from past mining, resulting in an estimated 518,000 people with reduced exposure potential to safety risks from abandoned mine lands.
- Improving underground discharges of mine water and eliminating uncontrolled discharges by employing horizontal boring techniques.
- Managing AML Emergency projects through the Federal Reclamation Program.
- Updating the information recorded in e-AMLIS to portray funding needs more accurately for unreclaimed AML features.
- Completing work to implement OIG recommendations to improve oversight and other aspects of the AML Program.
- Updating and publishing the AML-1 Directive that provides information and procedures on the use of e-AMLIS.
- Completing review of 14 State reclamation plans, and conducting 8 informal engagement meetings with IL, IN, IA, KS, KY, OH, VA and WV.
- Beginning agency-wide tracking of ATPs. OSMRE issued 370 ATPs in FY 2023 (based on the ATP Tracking System preliminary data for the period Oct. 1, 2022 – September 30, 2023).

**ABANDONED MINE
RECLAMATION FUND**

Technology Development and Transfer

ABANDONED MINE RECLAMATION FUND
Technology Development and Transfer Budget Request

(Dollars in Thousands)

Abandoned Mine Reclamation Fund/ Technology Development and Transfer	2023 Actual	2024 Annualized CR	2025 Fixed Costs (+/-)	2025 Internal Transfers (+/-)	2025 Program Changes (+/-)	2025 President's Budget	Change from 2024 Annualized CR
Technical Assistance	2,199	2,199	+46	-	+94	2,339	140
<i>FTE</i>	10	10			-	10	-
Training	889	889	+32	-	+66	987	98
<i>FTE</i>	4	7			-	7	-
Technology Transfer	1,178	1,178	+4	-	+9	1,191	13
<i>FTE</i>	1	1			-	1	-
Total	4,266	4,266	+82	-	+169	4,517	251
<i>FTE</i>	15	18	-	-	-	18	-

Summary of 2025 Program Changes for Tech Transfer

Summary of 2025 Program Changes for Abandoned Mine Reclamation Fund/Technology Development and Transfer

Program Changes	(\$000)	FTE Change
Baseline Capacity - 2024 Fixed Costs	+169	+0
TOTAL Program Changes	+169	+0

Justification of FY 2025 Program Changes

The FY 2025 budget request for the AMR Technology Development and Transfer Activity is \$4.5 million with 18 FTEs, a program change of +\$169,000 and 0 FTE from the FY 2024 Continuing Resolution.

Baseline Capacity (+\$169,000): 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 OSMRE mission. The budget includes \$169,000 in the Environmental Restoration 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.

OVERVIEW

Program Activities: The AMR Technology Development and Transfer Activity supports technical skills that States and Tribes need to operate their AML reclamation programs. The FY 2025 budget request provides resources for OSMRE's reclamation-focused technical assistance, training, and technology development and transfer programs.

OSMRE promotes Technology Development and Transfer (TDT) activities to meet safety and environmental restoration goals for AML restoration. OSMRE utilizes many of the programs listed in the Regulatory TDT activities section of the Greenbook for AML restoration; hence, this section references the Regulation and Technology Account's TDT section where appropriate.

The TDT business line provides Federal resources to support technical assistance, training, technology development, and technology transfer activities for Federal, State, and Tribal regulatory and reclamation staffs. These program activities invest in and improve the technical skills necessary for States and Tribes to operate their reclamation programs and meet SMCRA requirements. TDT funding also helps OSMRE implement effective partnerships with stakeholders to meet OSMRE's restoration and protection goals.

In FY 2024 and FY 2025, OSMRE will continue to promote programs like the Technical Innovation and Professional Services (TIPS), providing training and technical assistance for States' and Tribes' technical decision-making related to SMCRA. In addition, OSMRE supports the remediation of adverse mine drainage through programs like the Mine Drainage Technology Initiative and the Applied Science Program on abandoned mine lands.

OSMRE's TDT programs offer interactive technical forums and related workshops for mobile computing projects. OSMRE provides regional technical service, libraries, and more efficient access to COALEX, a computer-assisted library search service.

OSMRE's technology transfer is a significant part of its cooperative effort with partner States and Tribes to mitigate environmental effects of coal mining problems. In addition, OSMRE provides multidisciplinary technical assistance and works with industry, States, Tribes, and the public on new or unique technical challenges or problems. OSMRE established an intergovernmental team, the National Technology Transfer Team (NTTT), to provide ongoing direction, communication, and coordination of these efforts. New technologies, changes in regulations, increases in staffing in States and Tribes due to BIL investments, and staff turnover in States and Tribes necessitate continued technical training. OSMRE provides this required training through the National Technical Training Program (NTTP).

TDT program performance is measured by how well reclamation programs meet OSMRE's environmental restoration and protection goals. Performance for the business line is also measured by the number of technically trained staff (including knowledge and skills taught and applied), the utilization of automated technologies (such as TIPS), and the quality and timeliness of technical assistance provided by OSMRE, determined via evaluations and customer service surveys.

Actions Required to Achieve Annual Goals: In FY 2025, the NTTP and TIPS will expand user access by improving the OSMRE website. The NTTP and TIPS will continue to work with technical leadership to provide direction, communication, and coordination efforts related to technical issues and studies.

Resources, Skills, and Technology Capacity: OSMRE provides States, Tribes, and staff with the best available technical data and information to support science-based decisions for reclamation project design, and AMD remediation and prevention. The TDT programs support and enhance the technical skills that States and Tribes need to effectively operate their reclamation programs. The total AMR FY 2025 request for this business line is \$4.5 million. The request includes \$2.3 million for technical assistance (including TIPS and Application Violator System (AVS) support), \$1.0 million for technical training, and \$1.2 million for technology transfer efforts to meet the annual goals set forth above.

The following section details, by program activity, the funding and FTE resources required to meet performance goals. It also includes examples of the types of technical training, assistance efforts, and technology transfer provided by this business line.

PROGRAM DETAILS AND FY 2025 REQUEST

The following program activities support OSMRE's goal to strengthen the skills, knowledge, and capabilities of the States, Tribes, and OSMRE staff to implement SMCRA effectively. This goal, achieved through quality technical and scientific information, expertise, and training, is critical for the reclamation program's success. OSMRE also provides opportunities for students and recent graduates, either directly or through cooperative agreements, to engage in technical and natural resources activities. OSMRE's TDT activities include technical assistance, technical policy and-site specific assistance, technical training, technical systems resources, and technology transfer (see Regulatory TDT section for more details).

OSMRE's stakeholders (States, Tribes, the public, and industry) continue to express support for TDT efforts and encourage OSMRE to provide the types of technical support needed to comply with SMCRA effectively and efficiently, NEPA, and other environmental and safety laws. Helping the States, Tribes, and industry achieve up-front compliance reduces the need for additional regulatory resources. Many activities planned or ongoing for FY 2024 will help identify FY 2025 activity.

1. Technical Assistance

OSMRE provides technical assistance to State and Tribal reclamation staff, and to OSMRE staff, that review and oversee State programs, develop rules or policy, litigate SMCRA challenges or enforcement actions, or maintain other technical support infrastructure such as TIPS, and technical training programs.⁴ The AMR request of \$2.3 million for FY 2025 includes 10 FTE to carry out these activities.

OSMRE uses customer surveys to record OSMRE's technical assistance responsiveness to its customers. By meeting technical assistance needs, OSMRE can better achieve its Environmental Restoration mission goals.

OSMRE delivers technical assistance and site-specific technology support to assist States and Tribes with science and engineering expertise in restoring AML sites. As part of technical assistance, OSMRE specialists work on site-specific technical aspects of reclamation cost estimates, calculation surveying, revegetation, geologic sampling, AML designs, subsidence and AMD abatement. The areas of assistance are wide-ranging and include:

- Guideline development,
- State program amendments,
- AML problem evaluation,
- Geomorphic reclamation,
- Soil substitution,
- Placement of coal combustion residue,
- Reforestation on mine lands,
- Restoration of mined land with native vegetation,
- Rare earth elements and critical minerals evaluation on AML sites,
- Participation as technical experts on interagency committees,
- AMDTreat software enhancement and training, and

⁴OSMRE also utilizes appropriations to the Environmental Restoration business lines to deliver customized technical assistance for abandoned mine land projects.

- Subsidence caused by underground mining.

The following paragraphs highlight a few of the specific areas of technical assistance offered by OSMRE.

a. AMDTreat

One of OSMRE's primary tools used to help customers with assessing water-quality issues is the AMDTreat software program. AMDTreat was developed cooperatively by OSMRE, the Pennsylvania Department of Environmental Protection (PADEP), the U.S. Geological Survey (USGS), and the West Virginia Department of Environmental Protection. The AMDTreat software treatment modules are continuously undergoing improvements and enhancements by OSMRE staff to keep the program relevant with the issues that regulators and the public are concerned with regarding AMD.

AMDTreat is a computer application made available through the TIPS program. AMDTreat can help customers with estimating costs and sizing facilities to abate water pollution, using passive or chemical (active) treatment technologies. In addition, the software provides over 400 user modifiable variables for excavation, construction, revegetation, piping, road construction, land acquisition, system maintenance, labor, water sampling, design, surveying, pumping, sludge removal, chemical consumption, and other functions.

Non-profits, watershed associations, state AML programs, environmental groups, and industry use AMDTreat to evaluate polluted mine drainage. AMDTreat also contains several financial and scientific tools to help select and plan treatment systems. These tools include a long-term financial forecasting module, an acidity calculator, a sulfate reduction calculator, a Langelier saturation index calculator, a mass-balance calculator, and iron oxidation tools. Most Appalachian States rely on AMDTreat to support regulatory programs, too. For example, PADEP requires operators and permit reviewers to use AMDTreat to calculate treatment costs to establish the value of the financial assurance required to cover water treatment liability in case of bond forfeiture.

b. Rare Earth Elements and Critical Minerals Evaluations

Coal mine waste and coal mine AMD and associated metal precipitates are being evaluated nationwide as a potential source of rare earth elements (REEs) and critical minerals (CMs), which are essential for many high-tech devices and the clean energy transition. By recovering REEs and CMs from coal waste and AMD, OSMRE creates economic opportunities in coal communities and establishes a potential sustainable supply chain for these materials. OSMRE assists academic, State, and Federal researchers to plan and conduct field activities and to conduct REE- related research where it is coincident with ongoing AMD studies.

c. Reforestation

OSMRE continues its effort to encourage proper reforestation practices to transform reclaimed mined land to healthy, productive forests. This reforestation initiative increased the use of Forestry Reclamation Approach (FRA), held technical and policy symposia, and introduced a reforestation website to explain the methods and benefits of reforestation. Through Appalachian Regional Reforestation Initiative (ARRI), OSMRE provides technical assistance to a 33-member science team made up of university researchers from across the country and members of the American Bird Conservancy, the American Chestnut Foundation, the USGS, and the U.S. Forest Service, and publishes bulletins on state-of-the-art reforestation practices. In FY 2023, ARRI and partners organized 43 planting events, involving professional and volunteer tree

planters, with 1,644 volunteers planting over 575,000 trees across 741 acres on post-bond release mine sites across Appalachia.

2. Technical Training

Technical training provides OSMRE, State, and Tribal staff the necessary information and skills to implement the surface mining reclamation and enforcement program. This request includes \$987,000 and 7 FTE for this program activity. See the Regulatory TDT section for details about the specific functions that this Activity supports.

3. Technology Transfer

Technology transfer is an integral component of OSMRE's Environmental Restoration business lines, providing essential support to State and Tribal programs. This request includes \$1.2 million and 1 FTE for these activities. State technical representatives communicate frequently with OSMRE regional staff to share resources whenever practicable to resolve regional technical issues. OSMRE partners with other Federal agencies, States, Tribes, and industry to develop technology transfer priorities. The following paragraphs highlight a few of the technology transfer programs offered by OSMRE. See the Regulatory TDT section for more technology transfer details.

a. Geographical Information Mapping System Programs

ArcGIS Online: ArcGIS Online (AGOL) is a cloud-based interactive web-mapping platform designed to increase productivity, collaboration, and interoperability across the Federal government. In FY 2023, OSMRE increased its adoption of AGOL across OSMRE divisions, as well as State and Tribal affiliates. OSMRE continues to add new active users each month. The total number of active users grew by 67 percent from FY 2022 to FY 2023. To manage the growth, new administrative policies and procedures have been put in place to track active accounts and encourage usage by State and Tribal account holders. OSMRE anticipates the growth of the user base to continue in FY 2024 and 2025.

For OSMRE, ArcGIS Online provides a web mapping solution for individual users and allows OSMRE to collaborate across the government through maps, ArcGIS StoryMaps, and dashboards that tell an interactive story and provide immersive charts or data analytics. In FY 2023, OSMRE began development of a system for editing and displaying AMLER data using tools within AGOL, and functionality is continually being added to support OSMRE's mission.

Mobile GIS: OSMRE's strategy has been to empower each region and field personnel to assist in the enhancement of field mapping software and solutions. In FY 2023, new field tablets were purchased to replace outdated ones. Western Region GIS Branch staff accompanies OSMRE staff on inspections to develop a deeper understanding of field user needs and fresh ideas to improve workflows in FYs 2024 and 2025.

See the Regulatory TDT section for more details concerning other geographical information mapping systems OSMRE supports under TDT.

b. OSMRE Youth Programs

OSMRE offers various service and learning opportunities for students, recent graduates, and the public at large to get involved and make a difference. Program offerings include yearlong AmeriCorps terms, Volunteer in Service to America (VISTA) years of service, and semester internships. These offerings

provide different paths for people of all ages to learn about the reclamation and restoration efforts taking place on abandoned mine lands. In FY 2023, seven AmeriCorps members served terms with OSMRE and twenty-one VISTA service terms took place. Ten AmeriCorps members will begin service terms in FY 2024. AmeriCorps members, VISTAs, and semester interns often leverage their experience to move forward to permanent jobs with OSMRE to begin their professional careers.

TECHNOLOGY DEVELOPMENT AND TRANSFER

FY 2024 Ongoing and FY 2025 Planned Program Activities

In FYs 2024 and 2025, ongoing and planned activities in Technology Development and Transfer include:

- Providing technical assistance to States and Tribes, making use of emerging technologies for field data collection and in-house information processing capabilities.
- Supporting and substantially contributing to finding and developing domestic sources of critical minerals.
- Supporting State and Tribal coal reclamation programs with direct technical support. OSMRE GIS will continue to support field data collection both internally and with States and Tribes by upgrading data collection applications and methodologies so that data collected in the field is better used and shared.
- Continuing to expand partnering opportunities for students and recent graduates in science, technology, engineering, and mathematics. OSMRE staff plan to participate in virtual or face-to-face outreach events at several K-12 grade schools and educational organizations.
- Developing course materials and topics that are relevant, useful, and technically sound.
- Issuing a solicitation for Applied Science proposals that will help use science-based solutions to address mining and reclamation issues, selecting the best proposals to achieve the highest valued outcomes, and continuing to track projects to verify value of results.

FY 2023 Program Accomplishments

In FY 2023, the major accomplishments in TDT included:

- Completed enhancements of the AMDTreat software package, including academic and industry beta testing.
- Provided funds for research under the Applied Science Program and Mine Drainage Technology Initiative Program to improve the effectiveness and efficiency of the science of mine land reclamation.
- Enhanced GeoMine and other web-based mapping applications in an ongoing effort to provide the best available data for surface coal mining operations across the country, merging data from numerous sources to create standardized, seamless layers that cross State boundaries.
- Provided training through the NTTP and TIPS program.
- Conducted numerous educational outreach events for science teachers associations, science classes, educational fairs, Earth Day events, career days, foreign visitors, grassroots organizations, and professional associations and societies to inform and update the public on our programs within the AML Technology Development and Transfer program.

ABANDONED MINE RECLAMATION FUND

Financial Management

ABANDONED MINE RECLAMATION FUND

Financial Management Activity Budget Request

(Dollars in Thousands)

Abandoned Mine Reclamation Fund/ Financial Management	2023 Actual	2024 Annualized CR	2025 Fixed Costs (+/-)	2025 Internal Transfers (+/-)	2025 Program Changes (+/-)	2025 President's Budget	Change from 2024 Annualized CR
Fee Compliance	5,458	5,458	+126	-	+264	5,848	390
<i>FTE</i>	27	28			-	28	-
Grants Financial Management	621	621	+23	-	+47	691	70
<i>FTE</i>	5	5			-	5	-
Total	6,079	6,079	+149	-	+311	6,539	460
<i>FTE</i>	32	33	-	-	-	33	-

Summary of 2025 Program Changes for Abandoned Mine Reclamation Fund/Financial Management

Program Changes	(\$000)	FTE Change
Baseline Capacity - 2024 Fixed Costs	+311	+0
TOTAL Program Changes	+311	+0

Justification of the FY 2025 Program Changes

The AMR Financial Management budget request includes \$6.5 million and 33 FTEs, \$460,000 above the FY 2024 Continuing Resolution.

Baseline Capacity (+\$311,000): 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 OSMRE mission. The budget includes \$311,000 in the AMR Environmental Restoration 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.

OVERVIEW

The Financial Management group is funded by both appropriations to meet its OSMRE mission goals. Revenue Management is funded by the Regulation and Technology Appropriation. Grants Financial Management is funded by both the Regulation and Technology and the Abandoned Mine Reclamation Fund appropriations. Fee Compliance mission goals are funded solely with the AMR appropriation. OSMRE also manages the UMWA transfers to the Health Benefit Plans and the 1974 Pension Plan.

The following section discusses Financial Management activities funded under the Abandoned Mine Reclamation Fund only.

Fee Compliance

- Fee compliance covers the collection, accounting, and audit of abandoned mine reclamation fees, assistance to operators on compliance matters, and regulatory and policy development on fee compliance issues.

Grants Financial Management

- Grants management includes accounting for and reporting on grants awarded to States and Tribes for AML and regulatory purposes.

Transfer Service to the United Mine Workers Association (UMWA) Fund

- Administers all annual transfers under SMCRA to the UMWA Health Benefit Plans and 1974 Pension Plan, and all supporting documentation, reporting, auditing, and other financial services.

Program Activities: With AMR funds, OSMRE’s Financial Management group delivers fee compliance and grants accounting management. This group also helps supports transfers to the UMWA Fund health benefit plans and the 1974 Pension Plan.

Actions Required to Achieve Annual Goals: OSMRE continues to invest in technology and customer service to achieve compliance and improve collections processing. Recent improvements include easing coal company reporting burden, receiving quarterly coal production reports, providing information to companies, and enabling online payments.

OSMRE plans to complete a “fit gap” analysis to modernize the existing Coal Fee Collection Management System (CFCMS). A fit gap analysis is a detailed assessment of how a current or proposed solution aligns with OSMRE's business processes, operations, and overarching goals. This analysis will review how the current CFCMS and its components can improve functionality and will test and verify appropriate investment strategies to elevate service quality in FY 2025.

Additionally, OSMRE will look for opportunities to improve coal operating reporting through the Single Source Coal Reporting system (SSCR). This modernization is driven by OSMRE’s fee collection extension authority under Section 402 of SMCRA, which now runs through September 30, 2034. OSMRE will also continue to support State and Tribal program operations through the Grants Accounting Management activity. OSMRE has over 280 active grants awards and cooperative agreements with the States and Tribes.

Resources, Skills, and Technology Capacity: OSMRE’s Financial Management group invests in and trains its program accountants, financial systems, and fee compliance staff to drive quality program activities and maintain accurate fees collections. The Financial Management group staff relies on contractors to handle billing, data entry, and appropriate collection functions.

PROGRAM DETAILS AND FY 2025 REQUEST

1. Fee Compliance

Fees collected from active coal operators are used by OSMRE, States, and Tribes to mitigate the effects of historic mining by pursuing reclamation of AMLs. OSMRE collects fees from active coal operators based on tons of coal produced for sale, use, or transfer.

The FY 2025 budget request includes \$5.8 million and 28 FTE for the OSMRE Fee Compliance Program to ensure coal operators accurately report coal production and pay appropriate reclamation fees. The program goal is to maximize compliance by applying policy and collection procedures fairly and consistently at a reasonable cost.

In FY 2023, OSMRE's Fee Compliance Program achieved a 99.7 percent collection rate, resulting in \$93.8 million in total collections. By working closely with the industry, the program achieved a 98.6 percent compliance rate for operators filing their tonnage reports. OSMRE maintained a high percentage of permits that filed Coal Reclamation Fee Reports electronically, at 85.7 percent in FY 2023. During FY 2023, OSMRE also processed 84.5 percent of the coal reclamation fee reports automatically, and 83.4 percent of payments automatically.

The Fee Compliance Program is comprised of two integrated components – collections and audits – that work hand-in-hand to maximize compliance, minimize the burden on industry, and ensure the efficient use of resources. Key initiatives that OSMRE will pursue in FY 2025 include:

- Maintaining the SSCR and the CFCMS,
- Increasing the use of automation in conducting fee compliance audits to further improve efficiency, and
- Conducting CFCMS and SSCR fit gap analyses for future modernization.

a. AML Fee Collection

The collection component ensures the AML fee payment requirements of SMCRA are applied consistently and fairly across the Country. To assist in managing AML Fee collections, OSMRE utilizes CFCMS. This system provides subsidiary accounts receivable and management information needed to manage the fee compliance program. CFCMS is integrated with AVS to trigger violations when non-compliance is identified. CFCMS is also used to track permits for fee reporting purposes from initial permitting to mining completion, and supports the related financial processes, including fee accounting, payment processing, billing, debt collection, and financial and management reporting.

CFCMS tracks AML fee payments by permit number of coal-producing companies each quarter. In addition, the system issues quarterly OSM-1 Forms for operator coal sales reporting and fee computation. Reports are available online through OSMRE's e-filing website.

On average, over 811 permits are reported on OSM-1 Forms and processed each quarter. OSMRE uses an online reporting (E-File) system to allow coal companies to file their quarterly OSM-1 Forms electronically. When companies E-file, the system calculates fees due as well as certain deductions using a formula. This saves companies time and money, while providing cost savings to the government by eliminating manual entry of paper filings. . The system significantly streamlines the reporting process, makes it easier for companies to report on time, reduces errors, and allows OSMRE to follow-up with companies that have not

reported. Approximately 260 companies voluntarily used the E-filing system to report on nearly 700 permits and more than 99.7 percent of the coal tonnage produced nationwide. Coal companies can also make payments online, using the Treasury Department's Pay.gov website, which saves companies time and wire transfer costs.

b. AML Fee Audit

OSMRE is mandated by SMCRA to conduct audits to ensure full compliance with the law's reclamation fee requirements. The AML Fee Audit program is designed to promote timely and accurate reporting of coal tonnage production and to ensure correct reclamation fee payments.

The audit staff consists of workers who are strategically located to be responsive to program needs while significantly minimizing travel and overhead costs. With a highly visible and comprehensive presence, the small audit staff serves as an effective deterrent to noncompliance. To support the program goal of maximizing compliance, OSMRE auditors expect to conduct more than 100 reclamation fee compliance audits in FY 2025. In addition to deterrence, audits afford an opportunity to promote up-front compliance by providing direct assistance to the industry on accounting and reporting matters required to meet their reclamation fee responsibilities. For example, when instances of non-compliance are identified during audit, auditors thoroughly explain the issues and the corrective actions to avoid reoccurrences. Audits are performed in accordance with Generally Accepted Government Auditing Standards (GAGAS). GAGAS provides the framework for conducting high-quality audits with competence, objectivity, and independence. The continuing professional education and training of OSMRE's auditors is conducted in accordance with those standards. The audit program maintains an internal control system and monitors it on an ongoing basis to provide reasonable assurance that the policies and quality controls are suitably designed and effectively applied. GAGAS requires an independent peer review of OSMRE's audit program every three years and OSMRE's audit program has consistently received a "Pass", the highest possible rating.

In addition to conducting a comprehensive audit program, the audit staff also performs other activities to promote compliance. This includes identifying responsible parties for reclamation fee liability on new and transferred permits, providing the information and assistance operators need to comply, and taking appropriate enforcement action when non-compliance occurs.

The following are a few examples of the work planned for FY 2025 to promote a high level of compliance.

Modernizing Business Processes & Audit Systems: OSMRE pursues innovative improvements and operational efficiencies to continue to evolve with our dynamic audit environment. Harnessing an employee-driven continuous improvement model, OSMRE's proprietary automated auditing package was developed and is maintained in-house by audit staff using off-the-shelf software, saving hundreds of thousands of dollars, while also allowing a unique opportunity for system improvements initiated and implemented in-house. Each year, enhancements to the system are required to adapt to the industry and current audit environment. New modules are necessary to ensure the program achieves the most efficient use of audit resources to maintain a high compliance level. Additionally, OSMRE's Audit Information Management System was recently upgraded from an obsolete platform to piggy-back on an existing web-based system thereby reducing system development and maintenance costs. The enhanced system reduces duplication of effort while improving reporting capabilities. Additional system refinement is necessary to utilize the data in a meaningful way to continue to improve operational efficiencies. We will seek similar efficiencies as we move into the future, harnessing new and emerging technologies.

Applying an Integrated Compliance Strategy: The auditors will review more than 900 permit transactions (newly issued, transfers, and amendments) recorded by regulatory authorities to evaluate the impact that each permitting action may have on reclamation fee responsibilities. Ensuring the system has complete and accurate information is necessary in applying a risk-based approach for optimal audit selection. In FY 2023, the staff evaluated 821 permit transactions. By continuing these efforts, the program provides significant assurance that all producing permits identified in a timely manner, and operators are informed of their reporting and payment responsibilities.

Promoting E-government: OSMRE’s auditors have been instrumental in the successful implementation of initiatives to promote e-government. Auditors work with operators by promoting electronic reporting and payments, discussing benefits of the systems, and demonstrating how the systems can improve the reporting and payment process. This effort supports the U.S. Department of Treasury initiative to expedite and streamline collection processes.

Coordinating work with other Agencies: OSMRE continues to implement interagency collaborative efforts with the Internal Revenue Services (IRS) to ensure fee compliance and coal excise tax compliance programs function together more efficiently. As OSMRE provides audit results and other relevant information to the IRS, Federal duplication is reduced while program goals are achieved. Overall, OSMRE continues its emphasis on improving compliance performance and customer service.

Table 8 – Coal Production and AML Fee Collections
(Production in Millions of Tons) (Dollars in Millions)

Coal Production*	2023 Actuals	2024 EIA Projections	2024 OSMRE Projections	2025 EIA Projections	2025 OSMRE Projections
Underground	198	230	236	222	236
Surface	302	322	248	295	248
Lignite	41	32	47	28	47
Fee Collections	2023 Actuals	2024 Projections		2025 Projections	
AML Fees **	\$94.5	\$102.2		\$95.8	

* The OSMRE projections are based on calendar year projections from the Department of Energy’s (DOE) March 2023 Energy Information Administration Annual Energy Outlook, Reference Case Forecast, Table 65, Coal Production by Region and Type. OSMRE tonnage uses the last reported production (Fiscal Year 2023) and then increases or decreases that value based on the percentage increase or decrease in DOE production for each coal type. The OSMRE projections are usually lower than DOE estimates because AML fees are determined by the weight of the coal at the time of initial sale, transfer, or use.

** AML Fees are calculated based on the OSMRE tonnage estimates multiplied by the applicable current fee rate: \$0.096, \$0.224, and \$0.064 for underground, surface, and lignite, respectively. The calculations are adjusted for moisture content, administrative fees, and uncollectible fee estimates.

Summary Status of Abandon Mine Reclamation (AML) Funding

- OSMRE has maintained a table that shows the status of AML funding from 1978 through 2023. More details on annual figures from FY 1978 to 1999 are displayed in Table 9 of the FY 2015 Budget Justification. The table can be accessed through the following link: <https://www.osmre.gov/resources/budget-and-planning>
- AML Fund balances in this table are as of September 30, 2023, and do not include the last two months of the AML fee collection cycle (i.e., October 1- November 30). The annual AML Grant distribution tables, published separately, will show AML Fund balances that will include the collection of AML fees, interest earned, and transactions through November 30, 2023. Payments to the UMWA that occur during this two-month period account for the variation in the AML Fund balances shown in Table 8 and the annual AML Grant distribution table.
- The AML Fund experiences a spike in fee collections during the final two months of the collection cycle. Although the billing cycle for coal produced ends on September 30th each fiscal year, OSMRE allows an extra two months for operators to make payments into the AML Fund. This additional collection time, along with interest earnings, create the difference between the two reports. As such, the FY 2023 AML Grant Distribution reports will vary slightly and include the amounts collected and interest earned in the AML Fund as of November 30, 2023, rather than the Federal fiscal year end of September 30, 2023.
- Sequestered funds are included in the annual amounts appropriated from the AML fund and not part of the unappropriated balance. AML Funds sequestered pursuant to 2 USC 901(a) remain unavailable for distribution and the statute requires those funds be accounted for in a separate account.

2. Grant Financial Management

This activity accounts for and disburses reclamation and regulatory grants to States and Tribes under OSMRE's Environmental Restoration and Environmental Protection business lines. This activity is funded by both the Regulation and Technology and the AMR appropriations.

The Grant Financial Management activity includes the disbursement, accounting, reporting, and recovery of grant funds. The 2006 SMCRA Amendments (Public Law 109-432) made most AML Fund grant activity mandatory, and no longer part of OSMRE's discretionary budget, beginning in FY 2008. Since that time, OSMRE calculates grant distributions in accordance with the SMCRA amendments.

Along with the mandatory AML distributions given to the States, OSMRE also distributes mandatory Treasury funds to certified States as part of the grant distribution. More information is provided in the *Permanent Appropriations* section of this document.

Table 10
AML Fund Unappropriated Balance

Office of Surface Mining Reclamation and Enforcement AML Fund Unappropriated Balance as of September 30, 2023

Description of Allocation	Balance as of 10/01/22	LESS: 2023 Appropriation	LESS: 2023 Treasury Funds	LESS: 2023 UMWBF Transfer ^{3/}	Post Appr. &Trans. Balance	Investment Int. 10/01/22-9/30/23	Collections for 10/01/22-9/30/23	Balance as of 9/30/23
Federal Expense ^{1/}	\$267,900,613.01	(\$60,542,078.00)	\$0.00	\$0.00	\$207,358,535.01	\$0.00	\$18,911,338.30	\$226,269,873.31
Historical Coal ^{2/}	\$1,604,511,989.90	(\$59,973,443.00)	\$31,446,692.00	\$0.00	\$1,575,985,238.90	\$0.00	\$28,367,007.46	\$1,604,352,246.36
Investment Interest	\$250,853,532.75	\$0.00	\$0.00	(\$342,091,807.00)	(\$91,238,274.25)	\$575,263,235.41	\$0.00	\$484,024,961.16
Subtotal - Federal Share	\$2,123,266,135.66	(\$120,515,521.00)	\$31,446,692.00	(\$342,091,807.00)	\$1,692,105,499.66	\$575,263,235.41	\$47,278,345.76	\$2,314,647,080.83
Subtotal - State Share	\$88,209,697.33	(\$16,097,894.00)	(\$31,446,692.00)	\$0.00	\$40,665,111.33	\$0.00	\$47,200,074.49	\$87,865,185.82
Total ^{4/}	\$2,211,475,832.99	(\$136,613,415.00)	\$0.00	(\$342,091,807.00)	\$1,732,770,610.99	\$575,263,235.41	\$94,478,420.25	\$2,402,512,266.65

1/ The Federal Expense Allocation is reduced by the annual appropriation and the mandatory grant distribution.

2/ The Historical Coal balance is calculated based on the following: 1) 30% of fees collected increase the balance 2) the current year mandatory grant distribution reduces the balance and; 3) State share funds from certified States are transferred into the Historic Coal share.

3/ \$13.7M was transferred at the beginning of FY 2023 to the United Mine Workers Combined Benefit Fund for estimated expenses in FY 2023 and for adjustments to actual expenditures for FY 2021.

4/ Does not include appropriations provided by the Bipartisan Infrastructure Law.

3. UMWA Fund Transfer Service

SMCRA requires OSMRE to make mandatory transfers to the UMWA Fund Health Benefit Plans and 1974 Pension Plan. These transfers fund unreimbursed health care expenses of retired UMWA coal miners and their dependents and the 1974 Pension Plan.

OSMRE reviews UMWA Fund annual transfer requests and the annual UMWA Fund financial statements, audit reports, and reconciles calculations from prior-year transfers. OSMRE estimates future interest earnings, and prepares budget estimates, projections, and transfer requests for funding from the Treasury. OSMRE also completes annual audits to test that transfers conform to the authorizing legislation and General Accountability Office principles.

The Energy Policy Act of 1992 (Section 9722) amended SMCRA, requiring OSMRE to transfer Abandoned Mine Reclamation Fund interest earnings to the UMWA Fund to pay for unreimbursed health benefit expenses of unassigned beneficiaries.

The 2006 SMCRA Amendments allowed certain beneficiaries of the UMWA Fund 1992 and 1993 Health Benefit Plans to receive funding derived from any excess interest earnings from the Fund and directly from the Treasury.

On May 5, 2017, the Health Benefits for Miners Act of 2017 amended SMCRA to provide funding for additional beneficiaries of the UMWAF 1993 Health Benefit Plan.

The Bipartisan Miners Act of 2019, enacted on December 20, 2019, amended SMCRA and expanded Federal funds coverage for the health benefits of additional beneficiaries whose coverage would otherwise be denied or reduced because of bankruptcy proceedings commenced in 2018 and 2019. This Act also increased the annual cap from \$490 million to \$750 million on Treasury funds available for payments to certified States and Tribes (see Permanent Appropriation section) and for transfers to the UMWA. It also

expanded the use of the Treasury Funds for the 1974 UMWA Pension Plan, in addition to the three UMWA Health Benefit Plans listed above.

The Bipartisan Miners Act requires that an amount equal to the difference between the \$750 million cap and the aggregate amount transferred to the certified State and Tribes and the UMWA Health Benefit Plans be transferred to the 1974 UMWA Pension Plan each year until the plan is at least 100 percent funded. The Act applied this new transfer retroactively to fiscal years beginning after September 30, 2016.

During FYs 2024 and 2025, OSMRE will process the UMWA Fund transfer requests for the three UMWA Fund health plans, providing funding for an estimated 47,992 beneficiaries, and to the 1974 Pension Plan.

OSMRE will work with the UMWA Fund's external auditors to plan the testing of selected internal controls and utilize existing audit work where practical.

The UMWA Fund FY 2023 actual and projected FY 2024 and FY 2025 transfer requests are detailed in Table 11 below.

Table 11 – UMWA Fund Transfer Requests Fiscal Year Transfer Amounts

(Dollars in Millions)

Health Benefit Plan/Pension Plan	2023 Actual	2024 Projected	2025 Projected
Combined Fund, including the Reachback Provision	\$19.7	\$6.2	\$24.2
1992 Plan	\$30.5	\$40.5	\$54.9
1993 Plan	\$298.0	\$317.9	\$355.8
1974 UMWA Fund Pension Plan	\$712.5	\$718.1	\$719.0
Total – All Plans	\$1,060.6	\$1,082.7	\$1,154.0

Funding Sources	2023 Actual	2024 Projected	2025 Projected
AML Fund Interest	\$342.1	\$363.0	\$428.9
Treasury Funds	\$718.5	\$719.7	\$725.1

FY 2024 Ongoing and FY 2025 Planned Program Activities

- Process transfer requests from the UMWA Fund (UMWAF) totaling a projected \$364 million in FY 2024 and \$434 million in FY 2025 to provide funding for unreimbursed health care expenses for an estimated 45,677 current and former coal miners and their dependents.
- Process a transfer of a projected \$718 million in FY 2024 and \$719 million in FY 2025 to the 1974 Pension Plan.
- Continue to analyze the reasonableness of the UMWAF health care plan transfers and work closely with the Pension Benefit Guarantee Corporation to review supporting documents from the UMWA Fund for the 1974 Pension Plan transfer.
- Continue to support the accounting of the AML Grants to States and Tribes.
- Continue to monitor and implement applicable updates in professional standards relevant to the AML Fee Audit Program.
- The AML Fee Audit Program will be required to revise its policies and procedures to align with the revised 2023 GAGAS, updated every five years. Implementation of the revised standards is required within 2 years from the day of publication.

FY 2023 Program Accomplishments

- Processed transfer requests from the UMWAF totaling \$348.2 million to provide funding for unreimbursed health care expenses for an estimated 45,677 coal miners and their dependents.
- Processed a transfer of approximately \$712.5 million to the 1974 Pension Plan.
- Maximized interest earnings on the Abandoned Mine Reclamation Fund

**ABANDONED MINE
RECLAMATION FUND**

Executive Direction and Administration

ABANDONED MINE RECLAMATION FUND

Executive Direction and Administration Activity Budget Request

(Dollars in Thousands)

Abandoned Mine Reclamation Fund/ Executive Direction and Administration	2023 Actual	2024 Annualized CR	2025 Fixed Costs (+/-)	2025 Internal Transfers (+/-)	2025 Program Changes (+/-)	2025 President's Budget	Change from 2024 Annualized CR
Executive Direction	1,051	1,051	+32	-	+151	1,234	183
<i>FTE</i>	7	7			-	7	-
Administrative Support	2,097	2,097	+65	-	+132	2,294	197
<i>FTE</i>	14	14			-	14	-
General Services	3,323	3,323	+137	-	+1,630	5,090	1,767
<i>FTE</i>	-	-			-	-	-
Total	6,471	6,471	+234	-	+1,913	8,618	2,147
<i>FTE</i>	21	21	-	-	-	21	-

The Executive Direction and Administration business line provides leadership, policy, program management guidance, and support for all of OSMRE. The OSMRE’s Executive Direction and Administration group is led by the Director’s Office and is supported by the Offices of Equal Opportunity, Human Resources, Communications, Budget, Information Resources, and Administration.

The AMR Executive Direction and Administration budget request is \$8.6 million and 21 FTEs, \$2.1 million above the FY 2024 Continuing Resolution.

Summary of 2025 Program Changes for Abandoned Mine Reclamation Fund/Executive Direction

Program Changes	(\$000)	FTE Change
Federal Strategic Sustainability Initiative Coordinator	+85	+0
IT - Data Center Migration Hosting and Cyber Security	+1,630	+0
Baseline Capacity - 2024 Fixed Costs	+198	+0
TOTAL Program Changes	+1,913	+0

Justification of FY 2025 Program Changes

Federal Strategic Sustainability Initiative Coordinator (+\$85,000/+ 0 FTE): The FY 2025 budget supports OSMRE’s dedicated sustainability program for comprehensive sustainability policy analysis and development, staff coordination, data collection and analysis, and external reporting in traditional sustainability focus areas. This is in accordance with The Federal Strategic Sustainability Initiative.

IT Data Center Migration, Hosting and Cyber Security (+\$1,630,000): In FY 2025, OSMRE will continue to migrate the bureau’s applications, services, and associated workloads to the cloud. The overarching objective is to improve IT support for OSMRE employees and OSMRE stakeholders, which includes operational efficiencies the bureau will gain through cloud hosting while providing enhanced cyber resiliency capabilities (e.g., redundancy, data integrity, and data backups). The migration of OSMRE’s data center includes hardware and contractor costs to build out the new hosting environment. Additionally, and in response to OMB M-22-16, “Administration Cybersecurity Priorities for the FY 2024 Budget” and OMB M-22-09, “Moving the U.S. Government Toward Zero Trust Cybersecurity Principles,” OSMRE intends to

establish cybersecurity audit logging, Security Event and Incident Management, Privilege Access Management, and Enhanced Endpoint Security capabilities.

Baseline Capacity (+\$198,000): 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 OSMRE mission. The budget includes \$198,000 in the AMR Environmental Restoration 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.

OVERVIEW

EXECUTIVE DIRECTION AND ADMINISTRATION -AMR

FY 2025 AMR Budget Request: The budget request includes \$8.6 million for Executive Direction and Administration activities. As noted in the Regulation and Technology section, the Executive Direction and Administration business line supports all the bureau's programs, including AML programs. Executive Direction and Administration provides internal executive direction and administrative support to programs, regions, and field offices through the development and coordination of agency policy, budget, plans, and other guidance documents. Additionally, Executive Direction and Administration oversees the implementation of Departmental and Administration initiatives in the Bureau.

The responsibilities for Executive Direction and Administration funded through the AMR appropriation focus on Environmental Restoration and the two business lines providing support functions (Technology Development and Transfer and Financial Management). The Executive Direction and Administration business line support DOI's strategic goals by providing the required leadership and administrative support functions for OSMRE programs. For more details concerning OSMRE's Executive Direction and Administration on Equal Opportunity, Human Resources, Communications, Budget, Information Resources, and Administration, see the Executive Direction and Administration in the Regulation and Technology chapter. Details on AMR Financial Management and General Services are provided below.

Financial Management

OSMRE's Financial Management group includes the Divisions of Compliance, Financial, and Acquisition Management. These divisions work together to provide guidance and develop policy for Financial Management services.

OSMRE's Financial Management group provides services that support improved access and presentation of financial data, including timely bill pay, receipts and expenditures recording, charge card management, FAR travel advisories, producing financial management reports, guidance and training, administrative debt collection, DOI's audited financial statements support, and financial systems maintenance.

Acquisition Management

The Acquisition Management Division, under the direction of the Head of Contracting Activity, provides guidance to ensure OSMRE meets its competitive sourcing goals and acquisition needs and requirements are met. This group also provides strategic acquisition program direction for the Bureau and performs

routine, day-to-day operational contracting support, including data collection and external reporting, timely de-obligation of undelivered orders, maintenance of quality contracting files, and customer outreach and education.

Information Management and Technology (IMT)

The Financial Management group assists the Information Resource Office (IRO) by serving the acquisition and contract management side of several IT contracts that maintain OSMRE's statutorily mandated mission. The contract portfolio ranges from applications overseeing coal mining regulatory and AML reclamation programs, to those that assist States and Tribes to meet SMCRA objectives, and those that regulate coal mining and reclamation activities on Federal and Tribal lands (and in those States opting not to assume primacy for regulating coal mining and reclamation activities within their borders). IMT budget funds are included in General Services (\$12.3 million Regulation and Technology and \$4.8 million AMR).

In FY 2023 and continuing in FY 2024, OSMRE IRO applications, services, and associated workloads began migrating to the cloud. This will improve IMT services to OSMRE employees, mission owners, and OSMRE stakeholders.

OSMRE operates under a centralized IMT program and leverages IMT shared services and services provided under reimbursable agreements to supplement its IMT service offerings. OSMRE IT system support enhancements will support the following primary mission information systems:

- AVS,
- e-AMLIS,
- CFCMS,
- Coal Information Management System (CIMS),
- National Mine Map Repository (NMMR), and
- AMDTreat.

General Services

The General Services budget request will support OSMRE's mission critical IT contracts. The cost estimates for FY 2025 reflect estimated Departmental fixed cost changes from FY 2024 levels and known future plans, including co-location, space reduction, anticipated contracting efficiencies, and investment in technologies and systems to yield additional efficiencies in the future. No personnel or operational activities are funded by this component. Table 12 below shows projected AMR General Services costs by category for FY 2024 and FY 2025.

**Table 12 – Estimated AMR General Services Costs
(in Whole Dollars)**

Line Item	2024 AMR Enacted	2025 AMR Estimate	Change from 2024
DOI Working Capital Fund - Central Bill	687,829	826,240	+138,412
DOI Working Capital Fund - Direct Bill	398,664	360,098	-38,567
Unemployment Compensation	5,581	3,177	-2,405
Worker's Compensation	38,803	47,073	+8,270
Rent and Utilities	1,457,782	1,721,792	+264,009
Telecommunications	39,866	57,181	+17,315
Postage	3,189	4,332	+1,143
Bureau-wide Printing/Supplies	52,624	70,755	+18,131
Operational & IT Support Contracts	221,923	389,872	+167,949
Service Contracts	161,114	334,453	+173,339
Other Interagency Agreements	115,294	226,704	+111,410
GSA Work Authorizations & Administration	3,189	4,043	+854
Electric Vehicle (EV) Charging Infrastructure	70,962	77,108	+6,146
Zero Emission (ZEV) Fleet Modernization	66,178	71,910	+5,732
IT-Data Center Migration, Hosting, & Cyber Security	0	895,262	+895,262
Total	3,323,000	5,090,000	+1,767,000

FY 2024 Ongoing and FY 2025 Planned Program Activities

In FYs 2024 and 2025, ongoing and planned activities in the Executive Direction and Administration program activity include:

- Completing a major website modernization project to consolidate and reorganize content and migrating it into a content management system to improve the overall OSMRE user experience.
- Maintaining an up-to-date online plain language glossary of commonly used OSMRE terms.
- Continuing to utilize training as a strategy to increase cultural competencies, reduce the number of EEO complaints filed, and conduct civil rights reviews on federally assisted and conducted programs.
- Improving the availability of self-guided videos and instructions through a single application.
- Beginning conversion of the bureau's fleet to ZEVs and working closely with intra- and inter-agency partners to improve ZEV charging infrastructure.
- Continuing to review opportunities to reduce OSMRE's leased space footprint and expenditures.
- Continuing to identify opportunities to promote new and existing acquisition requirements.
- Continuing to improve the quality of FBMS asset record data.
- Continuing to enhance the bureau's performance management program through enhanced standard operating procedures for collected and reporting performance data, and by regular review of and improvements to program performance measures.
- Finalizing an OSMRE Directive on the bureau's performance management program to ensure consistent compliance with the Government Performance Results Act of 1993 and the Government Performance Results Modernization Act of 2010.
- Supporting DOI's Financial Audit Statements for FYs 2024 and 2025.
- Continuing to improve the delivery and accessibility of financial information for risk mitigation and decision making.
- Identifying a complete set of consolidation targets for closure and beginning planning to fund migration of the respective computing environments to a Cloud computing environment or to a Major-Tiered Data Center.
- Continuing to provide adequate resource levels needed to maintain current telecommunications services while fully transitioning data and voice services from legacy telecommunications contracts.
- Assessing current IMT-related HR staffing and capabilities to address the goal of developing and maintaining a talented and knowledgeable IMT workforce. This includes assessing current

capacity to translate the Department's competency models into skill gaps for bureau and office IT employees, accelerating the time to hire new employees, and developing professional development plans that provide career paths for bureau IT employees.

- Assessing current capabilities in the areas of customer success management, customer relationship management, and IT service management to establish baseline and determine future funding requirements for enhancements.
- Assessing resources needed to support mandated data management activities. Continuing to provide administrative support across the bureau to enable mission success in the other OSMRE business lines.
- Continuing to identify labor-intensive administrative activities, and evaluating appropriate regulatory, policy, and technology solutions to yield operational efficiencies.
- Continuing to enhance OSMRE's data integrity and reporting capabilities through enhanced standard operating procedures for gathering, reconciling, and reporting financial transactions at both the bureau and Department-wide consolidated level.
- Continuing to support the bureau's OMB Circular A-123 - *Management's Responsibility for Internal Control* goals specifically addressing the assessment, documentation, and reporting on the effectiveness of internal control over financial reporting.
- Continuing to support DOI's efforts to implement the use of the Department of Treasury's G-Invoicing.
- Improving the availability of standard operating procedures.

FY 2023 Program Accomplishments

In FY 2023, the major accomplishments in the Executive Direction and Administration program activities included:

- Implemented a new support agreement with the DOI Office of Wildland Fire (OWF) allowing qualified OSMRE personnel to support and collaborate with OWF in support of incident responses for DOI's Wildland Fire Management program.
- Promulgated the OSMRE CARE (Conduct Accountability Respect Employees) program to ensure that harassment in the workplace is reported, addressed, and eliminated in a timely and appropriate manner.
- Improved the quality of OSMRE's Safety and Occupational Health program by enhancing the ability of OSMRE managers to identify and mitigate employee risk.
- Scored green in all areas of DOI's Financial Performance Metrics.
- Achieved 100 percent prompt pay on vendor payments.
- Completed required CPIC evaluations for all IMT programs and major investments.
- Provided educational and employment opportunities to youth in the areas of communications, budget, information technology, auditing, and general administration.
- Supported DOI's Audited Financial Statements for FY 2023.
- Successfully implemented purchase charge online review and approve process within CitiManager, Citibank's global online tool. This will support the Department's efforts to improve controls in charge card compliance.
- Disseminated financial guidance and management reports to support strategic initiatives.
- Supported DOI's BIO initial conversion efforts of the upgrades for the FBMS and Data Warehouse.
- Supported DOI's efforts to implement the use of the Department of Treasury's G-Invoicing, a long-term solution for Federal Program Agencies (FPAs) to manage their intragovernmental (IGT) Buy/Sell transactions that will be implemented in FY 2025.
- Implemented quarterly contract auditing for acquisitions.

BUDGET EXHIBITS

Exhibit A: Section 403 Compliance

Program/Project Support of Bureau, Department, and Government-wide Costs

	2025 Request
External Administrative Costs	
WCF Centralized Billings	\$2,860,200
WCF Direct Billing/Fee for Service	\$1,246,900

External Administrative Costs

OSMRE funds external administrative costs, to include amounts paid to the Department to support Departmental or government-wide costs, in the General Services activity within the Executive Direction and Administration business line.

Bureau Administrative Costs

OSMRE does not assess a charge for overhead, deductions, reserves, or holdbacks against the amounts requested in each of its business lines; rather, Bureau level administrative costs are identified in the Executive Direction and Administration business line in the budget justification. The Executive Direction activity provides executive direction in overall leadership and bureau-wide policy and program performance management guidance. The Administrative Support activity includes all the administrative functions necessary to support program activities including Administration, Human Resources, Administrative Financial Management, and Information Technology. In addition to the DOI Working Capital Fund, the General Services activity includes essential fixed costs to support OSMRE's program missions such as rent, telecommunications, and service contracts. Further information on specific elements of each activity can be found in the Executive Direction and Administration section.

Support functions at the regional and field offices ensure various activities are integrated so the mission is accomplished. Most of these costs are comprised of the salary and benefits for field office directors, regional directors, and their administrative staff. These costs are not identified under Executive Direction and Administration, but rather included in the program funding requested in the respective business lines.

Activity Based Costing allows OSMRE to internally track the indirect costs associated with its various organizational units and program activities. This is important in determining the full cost of program activities for evaluation purposes. By having employees report and track costs at the lowest work breakdown structure level, managers can assess both the direct and indirect costs of programs and activities.

Exhibit B: Employee Count by Grade (PER-4)
Office of Surface Mining Reclamation and Enforcement
Employee Count by Grade
(Total Employment)

	<i>FY 2023</i> <i>Actual</i>	<i>FY 2024</i> <i>Estimate</i>	<i>FY 2025</i> <i>Estimate</i>
Executive Level V	1	1	1
SES.....	5	6	6
Subtotal.....	6	7	7
GS/GM-15.....	26	23	23
GS/GM-14.....	55	57	57
GS/GM-13.....	112	113	114
GS-12.....	143	154	154
GS-11.....	32	30	30
GS-10.....	0	0	0
GS-9.....	20	17	17
GS-8.....	4	8	8
GS-7.....	12	13	13
GS-6.....	1	4	4
GS-5.....	0	1	1
GS-4.....	0	0	0
GS-3.....	0	0	0
GS-2.....	0	0	0
Subtotal.....	405	420	421
Total employment (actuals & estimate)	411	427	428

Note: This table shows the number of employees funded by requested appropriations that are projected to be on-board at the end of each fiscal year and not FTE levels. Excludes BIL funds.

Mandatory Funding for States and Tribes, FY 2023-2025

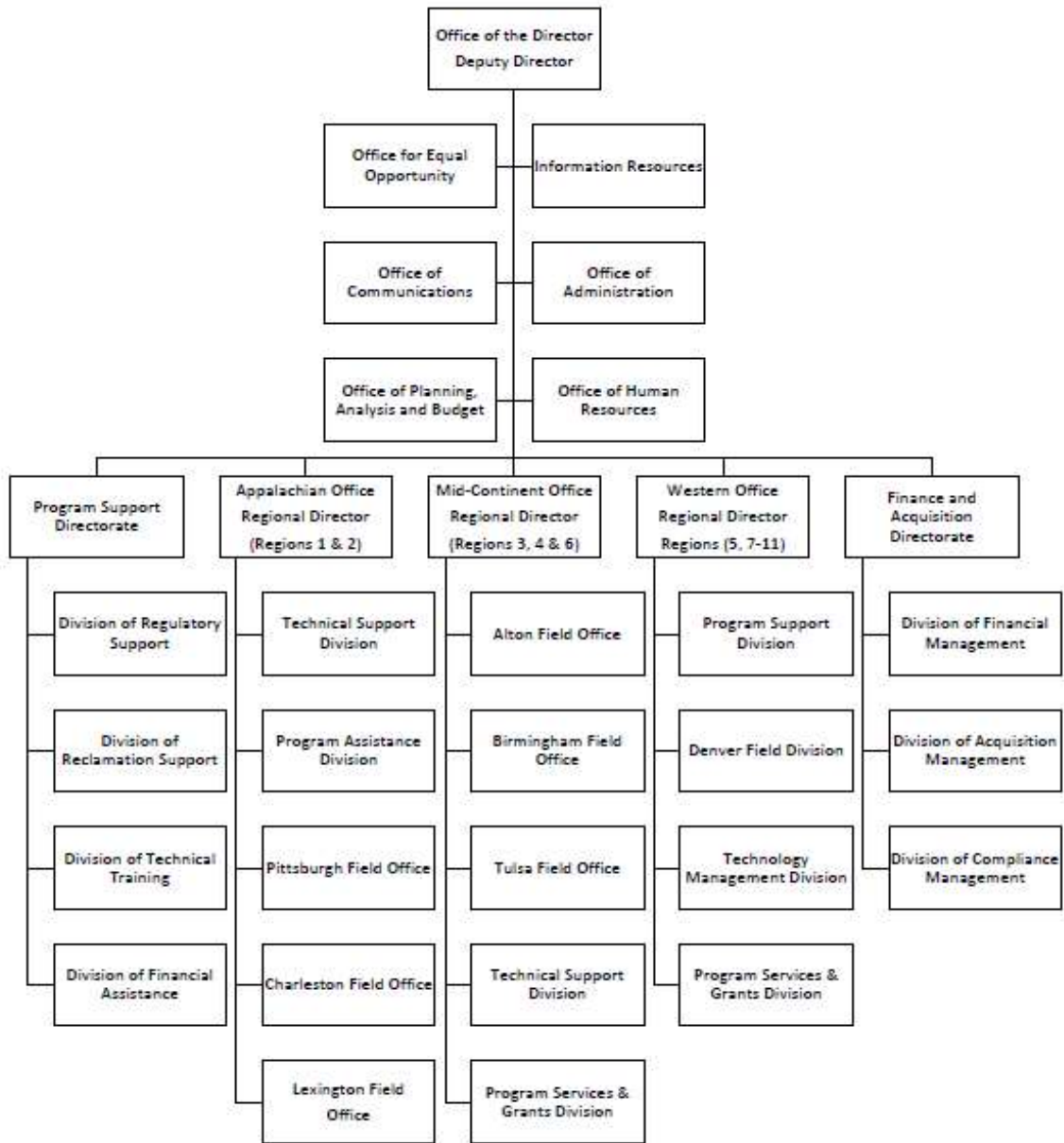
(Dollars Rounded in Millions)

State/Tribe	2023			2024			2025		
	Mandatory Distribution	Sequester (-5.7%)	Grants	Mandatory Distribution	Sequester (-5.7%)	Grants	Mandatory Distribution	Sequester (-5.7%)	Grants
Noncertified States and Tribes									
Alabama	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
Alaska	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
Arkansas	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
Colorado	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
Illinois	8.3	-0.5	7.8	8.3	-0.5	7.8	9.0	-0.5	8.5
Indiana	3.6	-0.2	3.4	3.7	-0.2	3.5	4.0	-0.2	3.8
Iowa	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
Kansas	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
Kentucky	8.0	-0.5	7.5	7.9	-0.4	7.5	8.6	-0.5	8.1
Maryland	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
Missouri	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
New Mexico	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
North Dakota	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
Ohio	4.2	-0.3	3.9	4.1	-0.2	3.9	4.4	-0.3	4.1
Pennsylvania	23.2	-1.3	21.9	23.0	-1.3	21.7	24.9	-1.4	23.5
Tennessee	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
Utah	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
Virginia	3.0	-0.2	2.8	3.0	-0.2	2.8	3.0	-0.2	2.8
West Virginia	16.5	-0.9	15.6	16.5	-0.9	15.6	18.0	-1	17.0
Subtotal, Noncertified States	102.8	-6.3	96.5	102.5	-6.1	96.4	107.9	-6.5	101.4
Certified States and Tribes									
Louisiana	0.0	0.0	0.0	0.0	0	0.0	0.0	0	0.0
Mississippi	0.1	0.0	0.1	0.1	0	0.1	0.1	0	0.1
Montana	2.5	-0.1	2.4	2.5	-0.1	2.4	2.7	-0.2	2.5
Texas	0.5	0.0	0.5	0.5	0	0.5	0.4	0	0.4
Wyoming	27.5	-1.6	25.9	27.0	-1.5	25.5	28.8	-1.6	27.2
Crow Tribe	0.2	0.0	0.2	0.2	0	0.2	0.2	0	0.2
Hopi Tribe	0.0	0.0	0.0	0.0	0	0.0	0.0	0	0.0
Navajo Nation	0.5	0.0	0.5	0.6	0	0.6	0.6	0	0.6
Subtotal, Certified States	31.3	-1.7	29.6	30.9	-1.6	29.3	32.8	-1.8	31.0
Total, All States and Tribes	134.1	-8.0	126.1	133.4	-7.7	125.7	140.7	-8.3	132.4

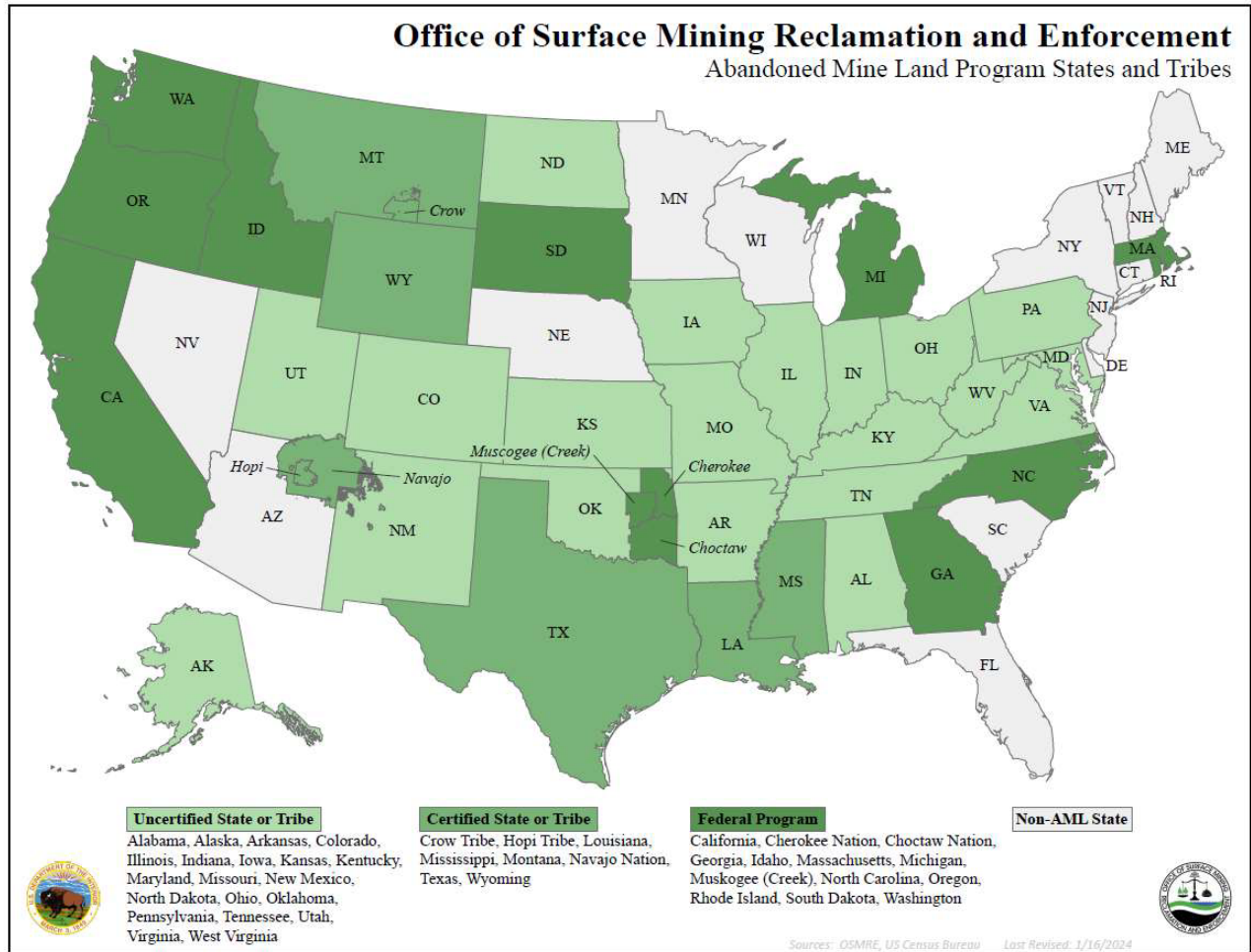
Source of Mandatory Funding:									
AML Fund	102.8	-6.3	96.5	102.5	-6.1	96.4	107.9	-6.5	101.4
Treasury	31.3	-1.7	29.6	30.9	-1.6	29.3	32.8	-1.8	31.0

Note: Noncertified States are those that have remaining coal AML problems to address. Certified States and Tribes have certified that there are no remaining coal AML problems. Amounts of less than \$50 thousand round to zero. Totals may not add due to rounding.

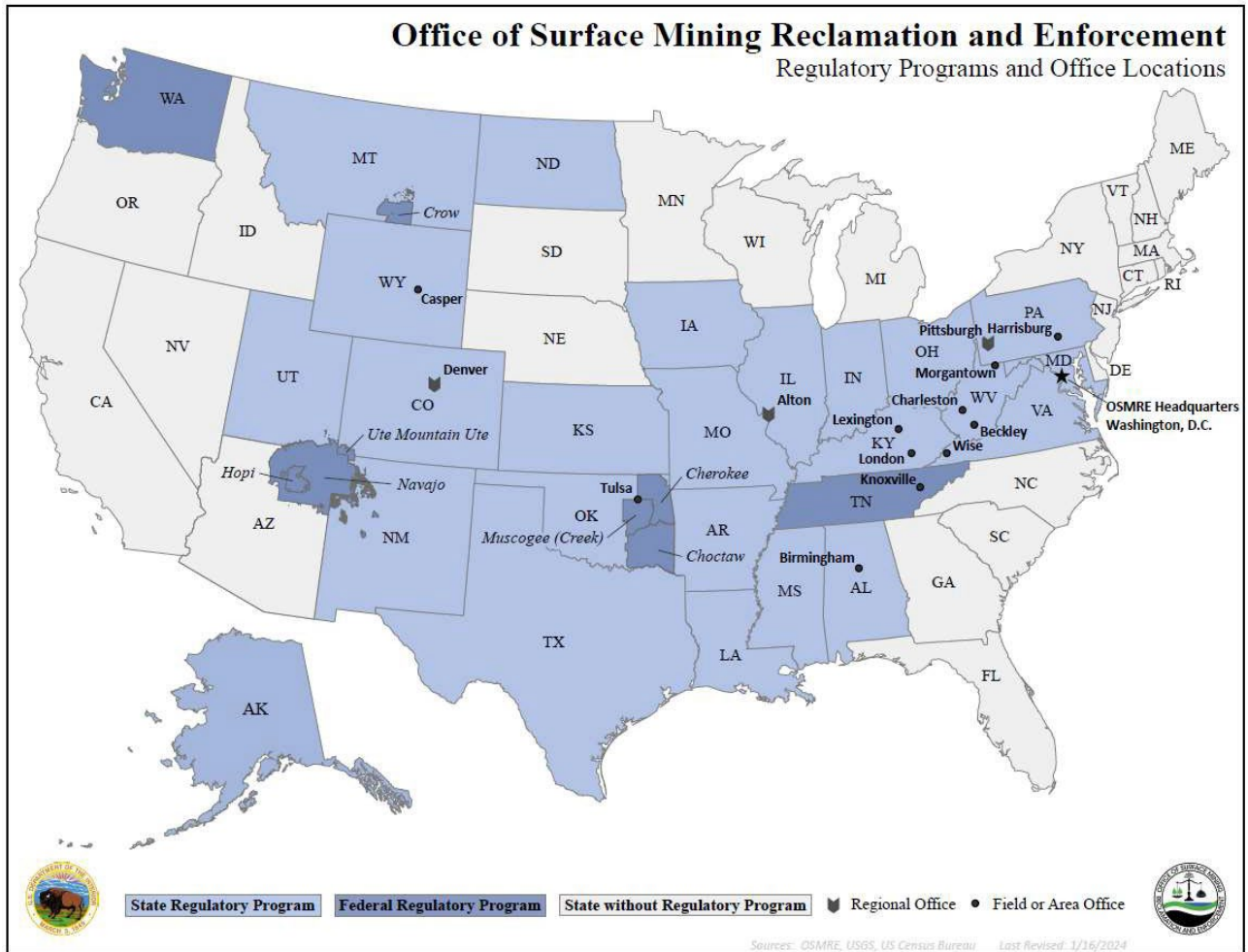
Office of Surface Mining Reclamation and Enforcement Organizational Chart



Abandoned Mine Land Program States and Tribes



Regulatory Programs and Office Locations



Office of Surface Mining Reclamation and Enforcement

Bipartisan Infrastructure Legislation (BIL)

FY 2025 Annual Spend Plan

Introduction

President Biden signed the Bipartisan Infrastructure Law (BIL) (Pub. L. No. 117-58) on November 15, 2021, providing a once-in-a-generation investment in the Nation's infrastructure and economic competitiveness. This landmark investment is rebuilding America's critical infrastructure, tackling the climate crisis, advancing environmental justice, and creating good-paying jobs. By addressing long-overdue infrastructure needs and strengthening our resilience to the changing climate, this investment in our communities across the country is growing the economy sustainably and equitably so everyone benefits for decades to come. On December 29, 2022, Congress passed the Consolidated Appropriations Act of 2023, which included the Safeguarding Treatment for the Restoration of Ecosystems from Abandoned Mines Act (commonly referred to as the STREAM Act), amending section 40701 of the BIL. The STREAM Act authorizes eligible States and Tribes to deposit up to 30% of their annual BIL abandoned mine land (AML) grant amount in a long-term abandoned mine land reclamation fund established under State or Tribal law, to be expended on the abatement and treatment of acid mine drainage, subsidence, or coal mine fires.

The BIL provided \$11.293 billion for deposit into the Abandoned Mine Reclamation Fund to fund the activities described in the BIL and the Surface Mining Control and Reclamation Act of 1977 (SMCRA), as amended. OSMRE is allocating and distributing grant funding on an equal annual basis over a 15-year period to eligible States and Tribes as described in the BIL. Using funds provided by the BIL, State and Tribal AML programs can address coal AML problems, including:

- Hazards resulting from legacy coal mining that pose a threat to public health, safety, and the environment within their jurisdictions (including, but not limited to, dangerous highwalls, waste piles, subsidence, open portals, features that may be routes for the release of harmful gases, acid mine drainage, etc.);
- Water supply restoration (infrastructure);
- Coal AML emergencies; and
- The abatement and treatment of acid mine drainage, subsidence, and coal mine fires funded by depositing up to 30% of annual BIL AML grant funds in a State or Tribal long-term abandoned mine land reclamation fund.

The Office of Surface Mining Reclamation and Enforcement (OSMRE) ensures State and Tribal reclamation programs are consistent with the BIL. In July 2022, OSMRE published the BIL AML Guidance document, providing information on interpretation, project eligibility, and priorities for the use of BIL AML grant funds. It also identified how BIL AML grant funding differs from the traditional fee-based AML grant distributions authorized by SMCRA. On June 1, 2023, OSMRE published an update to the BIL AML Guidance document, which included the STREAM Act provisions, references to newly approved Build America, Buy America Act waivers for the Department of the Interior (DOI), and other minor changes that clarified various aspects of the BIL program.

Based on lessons learned from early implementation of the program, OSMRE will consider the need for rulemaking to establish requirements and obligations related to application procedures, allowable uses of funds, and reporting program activities and outcomes.

BIL AML Program Summary

Of the \$11.293 billion appropriated and deposited into the Abandoned Mine Reclamation Fund, OSMRE will distribute approximately \$10.873 billion in AML grants to eligible States and Tribes on an equal annual basis—approximately \$725 million a year—over a 15-year period, beginning in FY 2022. Funding is available for obligation until expended. The enacted amounts are shown in the following table:

OSMRE Bipartisan Infrastructure Legislation (BIL) Funding by Year of Availability (Dollars in 000s)	
Abandoned Mine Land Reclamation	FY 2022¹
AML Grants to States and Tribes	10,872,745
Financial and Technical Assistance for AML Inventory	25,000
Federal Expenses and Administration	338,790
Transfer to the DOI Office of the Inspector General	56,465
Total AML BIL Funding	11,293,000

¹All BIL AML funding was appropriated in FY 2022 and will be made available to States and Tribes on an annual basis and in equal amounts over 15 Fiscal Years.

Distribution amounts will be made available as shown in the following table:

BIL AML Grants to States and Tribes

OSMRE Bipartisan Infrastructure Law -- Initial Obligation Plan

<i>(\$ in 000s)</i>	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2026 - FY 2036	Total
Abandoned Mine Reclamation Fund							
AML Grants	724,850	724,850	724,850	724,850	724,850	7,248,495	10,872,745
Financial/Technical Assistance	-	1,800	8,000	1,667	1,667	11,866	25,000
Administration	22,586	22,586	22,586	22,586	22,586	225,860	338,790
Transfer to OIG	56,465	-	-	-	-	-	56,465
Abandoned Mine Reclamation Fund, Total	803,901	749,236	755,436	749,103	749,103	7,486,221	11,293,000
OSMRE, Total	803,901	749,236	755,436	749,103	749,103	7,486,221	11,293,000

As directed by the BIL, the distribution amounts to each eligible State and Tribe were based on the number of tons of coal produced in each State or from the applicable Indian lands before August 3, 1977. OSMRE relied on the

March 1980 Final Environmental Impact Statement (OSM-EIS-2) to ascertain these amounts and then calculated each State's or Tribe's percentage of total historic coal production. Once calculated, that percentage was multiplied by \$10.87 billion and divided by 15, with the exception of Alaska. The BIL provides that each eligible State or Tribe will get a minimum of \$20 million over the life of the program, unless the State or Tribe has less than \$20 million in unfunded AML reclamation costs. Alaska had an unfunded inventory of roughly \$25.8 million, so its 15-year allocation was increased from \$3.3 million (under the formula) to \$20 million. The roughly \$16.7 million in extra funds to Alaska was taken from the allocations to the other States and Tribes in proportion to their historic coal percentage.

Pursuant to section 40701(b)(2) of the BIL, eligible grant recipients include both certified and uncertified States and Tribes carrying out approved AML Programs. A certified State or Tribe is a State or Tribe that has certified to the Secretary that all coal reclamation projects that are considered a priority under section 403(a) of SMCRA have been completed. An uncertified State or Tribe is a State or Tribe that has not yet made that certification.

BIL AML funding may only be spent on eligible abandoned coal mine reclamation projects. According to section 40701(c) of the BIL, BIL AML grants may only be used on one or more of the following:

- Priority 1 Projects – These projects protect public health and safety from extreme effects of coal mining practices, including the restoration of adjacent land and water resources and the environment (Section 403(a)(1) of SMCRA).
- Priority 2 Projects – These projects protect public health and safety from adverse effects of coal mining practices, including the restoration of adjacent land and water resources and the environment (Section 403(a)(2) of SMCRA).
- Priority 3 Projects – These projects restore land and water resources and the environment previously degraded by adverse effects of coal mining practices (Section 403(a)(3) of SMCRA). These projects may include the design, construction, operation, maintenance, and rehabilitation of acid mine drainage treatment facilities regardless of whether they are part of a qualified hydrologic unit.
- Water Supply Restoration Projects – These projects entail the protection, repair, replacement, construction, or enhancement of facilities relating to water supply, including water distribution facilities and treatment plants, to replace water supplies adversely affected by coal mining practices (Section 403(b) of SMCRA).
- AML Emergency Projects – Emergency projects that restore, reclaim, abate, control, or prevent adverse effects of coal mining practices on eligible lands when an emergency exists constituting a danger to the public health, safety, or general welfare and no other person or agency will act expeditiously to restore, reclaim, abate, control, or prevent adverse effects of coal mining practices (Section 410 of SMCRA).

In addition to the above uses, the STREAM Act authorizes eligible States and Tribes to retain annually up to 30 percent of the total amount of a grant under section 40701 (b)(1) of the BIL in a long-term abandoned mine land reclamation fund established under State law. Amounts in that fund (together with all interest earned on the amounts) may be expended by the State or Tribe for: (1) the abatement of the causes and the treatment of acid mine

drainage resulting from coal mining practices, including costs associated with acid mine drainage treatment systems; (2) the prevention, abatement, and control of subsidence; or (3) the prevention, abatement, and control of coal mine fires. Placing funds into a long-term abandoned mine land reclamation fund account requires that States and Tribes have an approved State or Tribal AML Reclamation Plan with statutory and regulatory authority to implement amended section 40701(c) of the BIL. States and Tribes will also be allowed to submit grant amendments to deposit up to 30 percent of their FY 2022 grants into their long-term reclamation fund.

OSMRE has awarded FY 2022 BIL AML grants to all eligible States and Tribes (22 AML Program States and the Navajo Nation). On June 1, 2023, OSMRE announced the second round of BIL distributions for eligible States and Tribes and published the FY 2023 Notice of Funding Opportunity (NOFO), which closes on June 30, 2024. During the fourth quarter of FY 2023 and through February 2024, OSMRE received 20 FY 2023 BIL AML grant applications. OSMRE anticipates receiving applications from the remaining eligible States and the Navajo Nation by June 30, 2024. OSMRE plans to announce FY 2024 BIL AML grant distribution amounts and publish the BIL AML NOFO during the 3rd Quarter of FY 2024. The FY 2024 BIL AML NOFO will close in September 2024.

OSMRE anticipates announcing the FY 2025 BIL AML grant distribution amounts and publishing the BIL AML NOFO for eligible States and Tribes by the 3rd quarter of FY 2025.

BIL Funding for Financial and Technical Assistance for the AML Inventory

To ensure that States and Tribes can update their respective AML inventories in the enhanced AML Inventory System (e-AMLIS), the BIL made \$25 million of the \$11.293 billion available to the Secretary of the Interior to provide States and Tribes with the financial and technical assistance necessary to maximize data enhancements and the use of e-AMLIS. On December 19, 2023, OSMRE announced the distribution of \$8 million to the States and Tribes for their AML inventory updates. In 2025, the remaining amount will be allocated to support the AML inventory.

States and Tribes continue to build out their staffing capacity and put additional resources in place to effectively implement the BIL requirements. It is likely to take several years for States and Tribes to reach full staffing capacity. Additionally, States have begun implementing the Climate and Economic Justice Screening Tool (CEJST) which will allow them to better target projects in underserved and overburdened communities. OSMRE is working with the Council on Environmental Quality to incorporate State feedback and data from e-AMLIS into the tool so that it more accurately identifies AML sites and represents disadvantaged coal communities.

BIL Funding for Federal Expenses & Administration

Of the \$11.293 billion authorized by the BIL, OSMRE can use up to 3 percent (approximately \$338.79 million) for Federal salaries, expenses, and administrative costs to implement the BIL AML program. OSMRE tracks these costs separately from program costs through unique cost accounts within OSMRE financial systems. These unique cost accounts enable OSMRE to report and monitor various costs by categories. OSMRE has developed dashboard

reports to monitor BIL cost activity. OSMRE is committed to proper financial management and oversight of BIL funds and will leverage the many reporting tools available.

In FY 2023, OSMRE advertised 86 of the 93 total new BIL positions utilizing a prioritized and tiered recruitment approach. The remaining seven positions will be advertised in FY 2024. Twenty-seven percent of the initial announcements were readvertised due to non-selection, declinations, or attrition. As of the end of FY 2023, 61 positions had been onboarded, with the remaining positions to be filled in FY 2024. OSMRE prioritized positions according to the workflow associated with BIL, with the first phase including grants management specialists, program analysts, human resources specialists, and supervisory positions. The next phase included recruiting supervisory program specialists, AML program specialists, and senior program specialists, among other positions. The final phase targeted cultural resources specialists/archaeologists and environmental protection specialists, as well as AML program specialists and other positions identified as critical to the implementation and startup of BIL activity. OSMRE continues to assess its BIL workforce needs and is in the process of identifying the 6 to 10 positions currently needed that could be most impactful in advancing the BIL goals and priorities.

FY 2023 Activities and Accomplishments

- In December, OSMRE completed and deployed tools within e-AMLIS that will improve data integrity and reduce data entry errors. In addition, OSMRE began activities to secure a contractor to facilitate e-AMLIS migration to the government cloud environment.
- OSMRE trained over 250 Federal, State and Tribal AML staff during FY 2023.
- OSMRE held an all-day in-person roundtable meeting with State representatives of the IMCC to discuss several BIL priority topics, including BIL guidance on grant submission information, updates to reclamation plans, grant application process, and e-AMLIS updates. During this meeting, OSMRE held meaningful discussions with State representatives on ways to improve communication and information sharing between OSMRE and the States and Tribes.
- OSMRE formed an OSMRE-State-Tribal workgroup to revise the template for State and Tribes to use for the submittal of supporting information to accompany their BIL AML grant applications.
- OSMRE developed an Authorization to Proceed (ATP) Tracking System to track the number of ATPs issued across all AML program funding streams. Upon issuance of an ATP, partners have OSMRE's approval to proceed with construction on a specific reclamation project.
- OSMRE held three listening sessions for OSMRE's Program Managers and staff; State and Tribal AML staff; and community, labor, and environmental organizations to provide an overview of the changes in the FY 2023 BIL AML Guidance Document and FAQs.
- On June 1, OSMRE announced the FY 2023 BIL Grant Distribution amounts and published the FY 2023 NOFO, the updated BIL Guidance Document, and FAQs.

FY 2024 Planned Activities and Milestones

- Publish STREAM Act Guidance and accompanying FAQs.
- Announce FY 2024 BIL AML grant funding distributions to eligible States and Tribes and publish the FY 2024 BIL AML NOFO.

- Provide instructional guidance on ways States and Tribes can use the \$8 million in e-AMLIS funding as part of the FY 2024 NOFO.
- Distribute \$8 million in e-AMLIS funding to States and Tribes for AML inventory updates and related activities.
- Add an advanced NEPA course to the existing BIL training curriculum. This course will build on the Introduction to NEPA course already incorporated into the BIL training curriculum.
- Complete milestones (e.g., finalize performance targets and strategic actions for FY 2025 APP&R) as outlined in the BIL AML Evidence Framework Project Plan.
- Throughout FY 2024, continue to engage with stakeholders on the BIL AML Program and further engagement with non-governmental organizations, States, and Tribes (including NAAML P and IMCC).
- Continue bi-weekly meetings with NAAML P and IMCC to support the implementation of the BIL AML program.
- As needed, continue adding FAQs to the OSMRE BIL webpage to address questions raised by the States and Tribes and other stakeholders.
- Complete last phase of hiring to stand up the BIL AML Program.
- Complete informal reviews and begin issuing formal 884 letters, regarding updates to AML Reclamation Plans, to States and Tribes on a rolling basis for AML programs. An 884 letter is a formal notice to a State or Tribe that their approved reclamation plan must be amended. In accordance with 30 CFR 884.15, *“The Director shall promptly notify the state of all changes in the Act, the Secretary’s regulations or other circumstances which may require an amendment to the State reclamation plan.”*
- Complete cloud rehosting and GIS enhancements to e-AMLIS.
- Identify existing policies and procedures that need to be updated for the BIL AML Program.
- Continue outreach to stakeholders, such as labor and environmental organizations, to receive feedback on implementation of the BIL AML program.
- Continue to encourage States, NAAML P, IMCC and stakeholders (including labor and environmental organizations, contractors, and others) to identify and hire those who have worked in the coal industry.

FY 2025 Planned Activities

- Announce FY 2025 BIL AML grant funding allocations to eligible States and Tribes.
- Continue to maintain and improve the architecture of the e-AMLIS system to improve public transparency.
- Continue to work collaboratively with the NAAML P, IMCC, and State/Tribal AML programs to ensure successful implementation of the BIL AML program.
- Continue outreach to stakeholders, such as labor and environmental organizations, to receive feedback on implementation of the BIL AML program.
- Continue to build out and provide BIL Training to educate, inform, and train State and Tribal AML staff and OSMRE staff, and expand the training curriculum based on State, Tribal, and OSMRE staff needs.

