



THE SECRETARY OF THE INTERIOR  
WASHINGTON

ORDER NO. 3398

**Subject:** Revocation of Secretary's Orders Inconsistent with Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis

**Sec. 1 Purpose.** This Order implements the review of the Department of the Interior (Department) actions directed by Executive Order (EO) 13990, entitled "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis" (January 20, 2021).

**Sec. 2 Authorities.** This Order is issued under the authority of section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), as amended, and other applicable statutory authorities.

**Sec. 3 Background.** The Department's commitment to honor the Nation's trust responsibilities and conserve and manage the Nation's natural resources and cultural heritage must be guided by the best science and be protected by processes that ensure the integrity of Federal decision making. It is Department policy to listen to the science; to address societal inequities and create opportunities for the American people; to conserve and restore our land, water, and wildlife; to reduce greenhouse gas emissions; to create jobs through a growing clean energy economy; and to bolster resilience to the impacts of climate change.

Among other provisions, EO 13990 directs the Department to review all existing regulations, orders, guidance documents, policies, and any other similar agency actions that are or may be inconsistent with, or present obstacles to, the policy set forth in that EO.

**Sec. 4 Directive.** The following Secretary's Orders (SO) have been found to be inconsistent with, or present obstacles to, the policy set forth in EO 13990 and are hereby revoked:

- SO 3348 – "Concerning the Federal Coal Moratorium" (March 29, 2017);
- SO 3349 – "American Energy Independence" (March 29, 2017);
- SO 3350 – "America-First Offshore Energy Strategy" (May 1, 2017);
- SO 3351 – "Strengthening the Department of the Interior's Energy Portfolio" (May 1, 2017);
- SO 3352 – "National Petroleum Reserve – Alaska" (May 31, 2017);
- SO 3354 – "Supporting and Improving the Federal Onshore Oil and Gas Leasing Program and Federal Solid Mineral Leasing Program" (July 6, 2017);

- SO 3355 – “Streamlining National Environmental Policy Reviews and Implementation of Executive Order 13807, ‘Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects’” (August 31, 2017);
- SO 3358 – “Executive Committee for Expedited Permitting” (October 25, 2017);
- SO 3360 – “Rescinding Authorities Inconsistent with Secretary's Order 3349, “American Energy Independence”” (December 22, 2017);
- SO 3380 – “Public Notice of the Costs Associated with Developing Department of the Interior Publications and Similar Documents” (March 10, 2020);
- SO 3385 – “Enforcement Priorities” (September 14, 2020); and
- SO 3389 – “Coordinating and Clarifying National Historic Preservation Act Section 106 Reviews” (December 22, 2020).

**Sec. 5 Implementation.** Consistent with governing laws and regulations, I direct the following actions:

- a. The Department will review and revise as necessary all policies and instructions that implemented the above revoked SOs or that are otherwise inconsistent with the policies set forth in EO 13990.
- b. Within 60 days of the issuance of this Order, the Assistant Secretaries will submit to the Secretary a report listing each Bureau’s/Office’s policies, guidance documents, rules, or regulations that may warrant further action to be consistent with this Order and EO 13990. The report will include the Bureau’s/Office’s plan and timeline to reverse, amend or update those policies, guidance documents, rules, or regulations, and will provide recommendations regarding additional steps the Department may take to honor the Nation’s trust responsibilities and conserve and manage the Nation’s natural resources and cultural heritage consistent with this policy.

**Sec. 6 Effect of the Order.** This Order is intended to improve the internal management of the Department. This Order and any resulting report or recommendations are not intended to, and do not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officer or employees, or any other person. To the extent there is any inconsistency between the provisions of this Order and any Federal laws or regulations, the laws or regulations will control.

**Sec. 7 Expiration Date.** This Order is effective immediately and will remain in effect until it is amended, superseded, or revoked, whichever occurs first.



Secretary of the Interior

Date: **APR 16 2021**