



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

and Performance Information  
Fiscal Year 2019

**OFFICE OF  
THE SOLICITOR**

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

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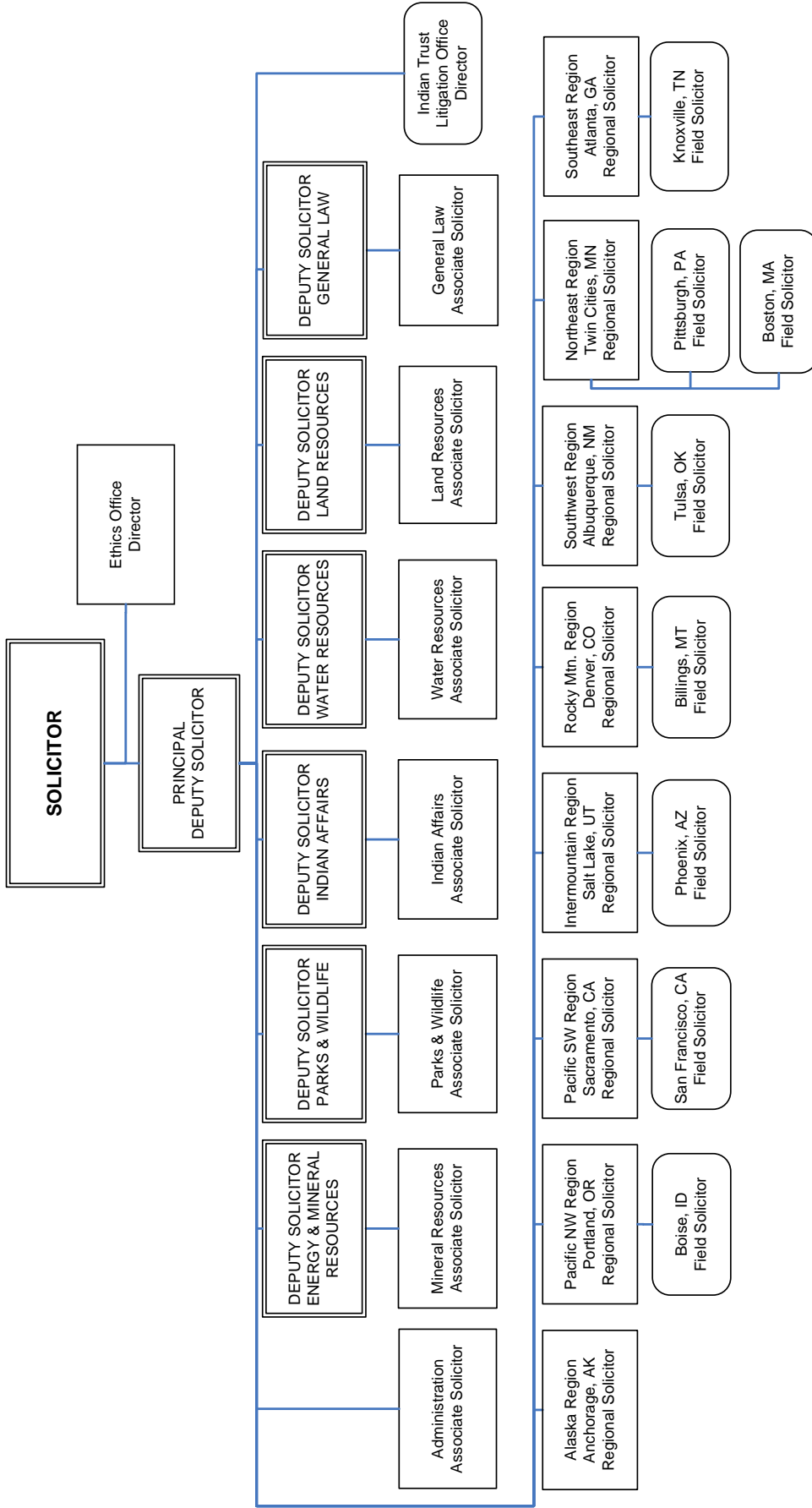
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# DEPARTMENT OF THE INTERIOR OFFICE OF THE SOLICITOR ORGANIZATIONAL CHART



## GENERAL STATEMENT

The Office of the Solicitor (SOL, Office) maintains the focal mission of providing legal counsel and advice to the Department and inspiring high ethical standards. The Office provides advice, counsel, and legal representation to the Immediate Office of the Secretary, the Assistant Secretaries, and all bureaus and offices overseen by the Secretary, ensuring that the Department's bureaus and other components carry out their responsibilities in accordance with the law. SOL provides legal representation across the entire spectrum of the Department's broad mission, requiring detailed knowledge of laws relating to a host of natural resource issues, administrative law, Indian law, contract law, tort law, employment law, and appropriations law. In the litigation arena, SOL attorneys represent the Department in administrative hearings and work in conjunction with the Department of Justice in representing the Department in judicial proceedings throughout the United States. SOL also provides legal assistance in drafting and reviewing regulations, contracts, memoranda of agreement, formal decisions, leases, rights-of-way, title documents, other legal instruments, and proposed legislation. In addition, SOL manages Interior's Ethics Office and resolves Freedom of Information Act (FOIA) and Privacy Act Appeals.

The budget request provides the Secretary and the Department the legal services needed for the advancement of priority goals and other mission areas. The FY 2019 budget funds office space requirements, and allows the Office to continue to improve management practices and to operate the Ethics Office for maximum effectiveness.

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

The Office expects the counseling and litigation workload to increase over the next few years as the Department implements the President's Executive Orders, and Administration and Secretarial priorities. Having sufficient attorney resources to handle filed litigation, thwart potential legal challenges, and to provide timely counseling is critical to ensuring that litigation risks are managed. With proactive counseling, decision-makers are provided the opportunity to weigh litigation risks and potential costs by pursuing one decision over another. Front-end counseling is critical to realizing cost savings by either preventing litigation or narrowing the issues that might be challenged in litigation. SOL will also play a critical role in carrying out the Secretary's planned reorganization of the Department.

## **STRUCTURE**

As depicted in the preceding chart, the Office is organized into the Immediate Office of the Solicitor, the Ethics Office, six legal divisions, an administrative division, and sixteen regional and field offices located throughout the United States. The Solicitor is the chief attorney for Interior and is the third-ranking official under the Departmental succession framework. The Solicitor is assisted by a Principal Deputy, six Deputy Solicitors, Counselors, an Ethics Office Director, seven Associate Solicitors, eight Regional Solicitors, and a staff of more than four hundred total employees, including approximately three hundred attorneys. About half of the attorneys are assigned to regional and field offices located as far west as Anchorage, Alaska and as far east as Boston, Massachusetts. The other attorneys are assigned to divisions located at headquarters in Washington, D.C.

## **LEGAL SERVICES WORKLOAD**

The Office of the Solicitor plays a highly specialized and multifaceted role in the Department. The Office provides expertise in natural resources and Indian law, as well as a considerable number of other substantive legal issues, including administrative, tort, procurement, and employment law. Office personnel develop expertise over decades of practice in highly technical statutory and regulatory schemes. As more fully described below, the Solicitor's Office spends a substantial portion of its time on the legal counseling needed for agency program managers to plan for and reach defensible decisions that are closely analyzed by various interested, and often litigious, constituencies. Some of the work the Office performs includes: reviewing proposed regulations and proposed regulatory revisions, reviewing permits, reviewing land use planning documents, advising on all administrative functions, law enforcement, security, preparing Secretarial Orders, and participating in government-to-government relations with Indian tribes. The Office advises the Secretary and his designees through the bureau and office component structure. It is the work of the Solicitor's Office that forms the legal foundation for program decisions, risk analysis on a particular course of action, and the development and review of the administrative records and evidence to support the program decision. In litigation, the Department of Justice relies on the expertise of SOL lawyers to prepare the administrative record, respond to discovery requests, identify and prepare fact and expert witnesses for testimony, conduct extensive document productions (including privilege reviews), draft legal arguments, develop litigation strategy, and prepare a comprehensive defense of the agency's actions.

Based on recent trends (discussed below) and the scope of the Department's initiatives, the Office expects the litigation workload to increase over the next few years. Having attorney resources is a prerequisite to handling filed litigation and to providing the timely and effective counseling to enable the Department to make and implement defensible decisions.

## **Counseling**

The Office's legal counseling services support every facet of the Department's wide ranging mission, as indicated by the breadth of the counseling areas described above. Ensuring that high priority Secretarial initiatives receive sufficient and thorough legal counsel is critical to decreasing the likelihood of future litigation.

For example, the Department is playing a critical role in advancing national policy to promote clean and safe development of our nation's vast energy resources, while at the same time minimizing regulatory burdens that unnecessarily encumber energy production, constrain economic growth, and prevent job creation. Nine of the Department's ten bureaus have significant energy programs, operations, and responsibilities. The Department's energy portfolio includes oil, gas, coal, hydroelectric, wind, solar, geothermal, and biomass. The development of energy resources on public lands will increase domestic energy production, provide alternatives to overseas energy resources, create jobs, and enhance the energy security of the United States.

The Office's legal counseling services provides integral support across the spectrum of the Department's initiatives in furtherance of this important policy. The Office provides counseling both on a strategic level (reviewing old and proposed regulations and policy initiatives) and on a project level (reviewing energy exploration, development, production, and transportation for National Environmental Policy Act (NEPA) compliance and other legal considerations) on a project by project basis.

The Office provides legal services across the broad spectrum of the Department's programs. This perspective allows the Office to provide legal support that ensures matters align to all the Administration's priorities and legal obligations. It also helps to minimize legal risk and to enhance litigation success. Client counseling is essential to reaching sound and defensible program decisions and ensuring Departmental compliance with a broad array of legal requirements. Office attorneys provide a wide breadth of services, including giving advice to the review and drafting of key Departmental decisions, rulemakings, and planning documents in a broad spectrum of disciplines based on the diversity of the bureaus and offices. Our attorneys also help prepare and review massive administrative records that are the basis of our defense in litigation over Departmental decisions. For example, land use planning and other decisions may require analysis under NEPA to identify and analyze a variety of alternatives that will eventually form the basis of a final agency decision. Legal counseling from the beginning of a NEPA process is critical to ensuring cost effective management of the process and potentially narrows the issues that might arise as challenges to the bureau's proposed action.

To provide meaningful counseling, legal staffing is critical. In areas such as employment law, regular, effective counseling with management officials leads to better and more defensible personnel decisions, lowers the risks of employee complaints and litigation, and thus saves the agency time and money. Continuing to ensure established Departmental programs receive legal services is essential to providing comprehensive and robust legal representation for the Department.

The Office will continue to have wide-ranging demands for legal services in FY 2019 in established practice areas, such as the development of the offshore oil and gas five-year plan, continued permitting of energy projects, administration of tribal and individual Indian resources, the *Cobell* land buy-back program, statutorily required decision-making under the Endangered Species Act, and a host of other land management programs. In addition, the Office will face many new and complex demands for legal services as the Department ramps up efforts in a variety of important programs.

## **Litigation**

The Office's litigation workload is driven by (1) defensive litigation in which SOL attorneys work with the Department of Justice (DOJ) to defend Department actions; (2) affirmative litigation in which SOL attorneys develop referrals and work with DOJ in prosecuting primarily civil legal actions to enforce and/or obtain compliance related to environmental, natural resource, and Indian laws overseen by the Department of the Interior; (3) challenges to bureau decisions before administrative boards of appeals, such as the Interior Board of Land Appeals, the Interior Board of Indian Appeals, and the Civilian Board of Contract Appeals; and (4) employment disputes such as those filed with the Merit System Protection Board and the Equal Employment Opportunity Commission. Three of these four litigation areas are defensive in nature, which means that SOL has no discretion but to handle the matters. In the course of this work, SOL attorneys work with DOJ at all judicial levels, including state and federal trial courts, appellate courts, and the United States Supreme Court. The Office also internally handles administrative litigation matters.

As mentioned above, having attorney resources to handle both the filed litigation and to provide timely counseling is critical to ensuring that litigation risks are minimized. With proactive counseling, decision-makers are provided the opportunity to weigh litigation risks and damages to program management by pursuing one decision over another. Front-end counseling is critical to realizing cost savings by either preventing litigation or narrowing the issues that might be challenged in litigation.

### **Defensive Litigation**

The Office has virtually no control over defensive cases being filed against the Secretary and the Department, which make up almost one-third of the workload. These matters are non-discretionary, meaning that the Solicitor's Office must participate in preparing for and working with the Department of Justice to defend the cases. Failure to do so could result in the courts issuing default judgments against the Secretary and the Department, as well as contempt of court citations. Court schedules and deadlines drive the pace of the work and attorney time devoted to these cases.

These defensive suits arise from all aspects of agency decision-making. The suits include challenges to land management decisions, water use and operations, breach of contract claims, tort allegations, alleged breaches of trust in dealing with Indian lands and monies, and personnel and employment related matters. Much of this workload is increasing. For example, the Department has experienced a substantial increase in defensive litigation arising under the Freedom of Information Act (FOIA), particularly cases based on the Department's failure to timely respond to FOIA requests. The FOIA establishes a deadline of 20 days for agencies to respond to most FOIA requests, and judicial decisions require this response to include significant information concerning the records the agency will release and the exemptions it will claim. This requirement combined with the overall increase in FOIA requests received by the Department each year has often led to the Department's failure to respond within the required deadlines.

FOIA requesters have responded to this situation by filing an ever increasing number of lawsuits based often on the agency's failure to respond within the statutory timeframe:

FY 2012-2015:	23 cases per year (average)
FY 2016:	42 cases total (15 nonresponse cases; 35.7% of total)
FY 2017:	53 cases total (33 nonresponse cases; 62.2% of total)

Based on the first four months of FY 2018, the Department is on track to receive over 80 cases by year end. This increase in FOIA litigation has had a significant impact on the workload of the attorneys in Division of General Law who defend those cases. As a result, the attorneys are devoting a disproportionate amount of their time to FOIA litigation relative to their other areas of responsibility, which include rulemaking, appropriations, debt collection and bankruptcy, travel, international agreements, donations and partnerships, delegations of authority, privacy, federal records, e-discovery, and insular affairs, and the availability of these attorneys to work on these other matters has become more limited.

We expect litigation to increase across all Bureaus as the Department continues implementing its directive to minimize unnecessary regulatory burdens by revising regulations, policies, and guidance.

We have also experienced sharp increases in counseling and litigation demands concerning personnel matters. Our remaining litigation workload is expected to remain heavy. For example, defensive litigation concerning how the Secretary fulfills fiduciary trust obligations to individual Indians and Tribes still continues to be a resource-intensive effort. In just one such case, the Government expects to produce approximately 500,000 pages of documents, take or defend more than a dozen depositions, and likely prepare several dispositive motions and evidentiary motions in the lead up to trial.

### **Affirmative Litigation**

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

In affirmative litigation, the Office has an opportunity to recover costs incurred performing environmental cleanups on Departmental lands and economic damages for injuries to natural resources and to use those recovered funds and damages to conduct additional environmental cleanups and directly address harm to public resources. In environmental cleanup matters, the Office recovered \$11.8 million in FY 2016 and \$3.4 million in FY 2017. These funds are returned to the Department's Central Hazardous Materials Fund and used for cleanups at other sites on Departmental lands. The Office also recovers settlement funds for natural resource restoration and recovery of past costs. Over the last seven years, the Department's Restoration Fund has received an average of over \$151 million annually in restoration settlements and advanced or reimbursed cooperative damage assessment funds. Fiscal year 2017 receipts are estimated at more than \$600 million. The DOI Restoration Fund has a balance of more than \$1.3 billion in settlement funds. The Deepwater Horizon settlement will result in up to \$8.8 billion in deposits into the DOI Restoration Fund in fifteen annual installments. None of this money would have been collected without intensive work by numerous attorneys within the Office of the Solicitor.



## FISCAL YEAR 2019 BUDGET REQUEST OVERVIEW

The FY 2019 President's Budget request for the Office of the Solicitor is \$65,674,000.

The Office developed a 2019 budget that focuses on supporting the Department of the Interior's efforts to improve the efficiency and effectiveness of Department-wide programs by delivering the highest quality legal services to Interior.

The following table illustrates the 2017 Actual, the 2018 CR Baseline, and the 2019 Budget Request.

### TOTAL 2019 BUDGET REQUEST

*(Dollars in Thousands)*

<b>Budget Authority</b>	<b>2017 Actual</b>	<b>2018 CR Baseline</b>	<b>2019 President's Budget</b>
<b>Appropriation Total</b>	65,769	65,322	65,674
<b>FTE Direct</b>	307	302	286
<b>FTE Reimbursable</b>	89	86	86
<b>FTE Allocation</b>	23	28	28
<b>FTE Total</b>	419	416	400

## Budget at a Glance

(Dollars in Thousands)

	2017 Actual	2018 CR Baseline	Fixed Costs	Program Changes	2019 President's Budget
<b>Legal Services</b>	59,091	58,690	+407	-101	58,996
FTE Reduction				[-2,601]	
Office Space Requirements				[+2,500]	
<b>General Administration</b>	4,940	4,906	+34		4,940
<b>Ethics Office</b>	1,738	1,726	+12		1,738
<b>Total</b>	<b>65,769</b>	<b>65,322</b>	<b>+453</b>	<b>-101</b>	<b>65,674</b>

**Summary of Requirements for the Office of the Solicitor**

*(Dollars in Thousands)*

	<b>2017</b>	<b>2018 CR Baseline</b>		Fixed Costs & Related	Program Changes (+/-)		<b>2019 President's Budget</b>		Change from 2018 (+/-)	
	<b>Actual</b>	Total <i>FTE</i>	Amount		<i>FTE</i>	Amount	<i>FTE</i>	Amount	<i>FTE</i>	Amount
	Amount									
<b>Salaries &amp; Expenses</b>										
Legal Services	59,091	272	58,690	+407	-16	-101	256	58,996	-16	+306
General Administration	4,940	23	4,906	+34	0	0	23	4,940	0	+34
Ethics	1,738	7	1,726	+12	0	0	7	1,738	0	+12
<b>TOTAL, SOL</b>	<b>65,769</b>	<b>302</b>	<b>65,322</b>	<b>+453</b>	<b>-16</b>	<b>-101</b>	<b>286</b>	<b>65,674</b>	<b>-16</b>	<b>+352</b>

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**Summary of Changes**

(Dollars in Thousands)

**Appropriation: Salaries and Expenses**

	<u>FTE</u>	<u>Amount</u>	<u>FTE</u>	<u>Amount</u>
<b>FY 2018 CR Baseline</b>			<b>302</b>	<b>65,322</b>
<b>Fixed Costs and related changes:</b>				
Change in Pay Days	0	+195		
Calendar Year 2018 & 2019 Pay Raise	0	+257		
Departmental Working Capital Fund	0	-2		
Worker's Compensation Payments	0	-20		
GSA Rental Payments	0	+23		
<b>Program changes:</b>				
FTE Reduction	-16	-2,601		
Office Space Requirements	0	+2,500		
Total program changes			- 16	+ 352
<b>FY 2019 President's Budget Request</b>			<u><b>286</b></u>	<u><b>65,674</b></u>

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**Office of the Solicitor**  
**Justification of Fixed Costs and Internal Realignments**  
*(Dollars In Thousands)*

<b>Fixed Cost Changes and Projections</b>	<b>2018 Total or Change</b>	<b>2018 to 2019 Change</b>
<b>Change in Number of Paid Days</b> This column reflects changes in pay associated with the change in the number of paid days between the 2018 and 2019.	0	+195
<b>Pay Raise</b> The change reflects the salary impact of the 1.9% pay raise for 2018 as signed by the President in February 2017. There is no pay raise for 2019 (0.0%).	+958	+257
<b>Departmental Working Capital Fund</b> The change reflects expected changes in the charges for centrally billed Department services and other services through the Working Capital Fund. These charges are detailed in the Budget Justification for Departmental Management.	+3,061	-2
<b>Worker's Compensation Payments</b> The amounts reflect projected changes in the costs of compensating injured employees who suffer accidental deaths while on duty. Costs will reimburse the Department of Labor, Federal Employees Compensation Fund, pursuant to 5 U.S.C. 8147(b) as amended by Public Law 94-273.	+393	-20
<b>Unemployment Compensation Payments</b> The amounts reflect projected changes in the costs of unemployment compensation claims to be paid to the Department of Labor, Federal Employees Compensation Account, in the Unemployment Trust Fund, pursuant to Public Law 96-499.	+19	0
<b>Rental Payments</b> The amounts reflect changes in the costs payable to the General Services Administration (GSA) and others for office and non-office space as estimated by GSA, as well as the rental costs of other currently occupied space. These costs include building security; in the case of GSA space, these are paid to the Department of Homeland Security (DHS). 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.	+6,838	+23
<b>Baseline Adjustments for O&amp;M Increases</b> In accordance with space maximization efforts across the Federal Government, this adjustment captures the associated increase to baseline operations and maintenance (O&M) requirements resulting from movement out of GSA or direct-leased (commercial) space and into Bureau-owned space. While the GSA portion of fixed costs will go down as a result of these moves, Bureaus often encounter an increase to baseline O&M costs not otherwise captured in fixed costs. This category of funding properly adjusts the baseline fixed cost amount to maintain steady-state funding for these requirements.	0	0

# APPROPRIATION LANGUAGE

## SALARIES AND EXPENSES

*For necessary expenses of the Office of the Solicitor, \$65,674,000.*

Note.—A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Further Continuing Appropriations Act, 2018 (P.L. 115–56). The amounts included for 2018 reflect the annualized level provided by the continuing resolution.

## APPROPRIATION LANGUAGE CITATION

**Appropriation: Salaries and Expenses**

For necessary expenses of the Office of the Solicitor.

43 U.S.C. § 1455

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

## GENERAL ADMINISTRATION ACTIVITY

**Activity: General Administration**

(Dollars in Thousands)

	2017 Actual	2018 CR Baseline	2019			Change from 2018 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Budget Request	
<b>General Administration</b>	4,940	4,906	+34	0	4,940	+34
<b>Direct FTE</b>	23	23	0	0	23	0
<b>Reimbursable FTE</b>	0	0	0	+1	1	+1

**GENERAL ADMINISTRATION PROGRAM OVERVIEW:**

**Division of Administration:** Under the direction of an Associate Solicitor, the Division of Administration is responsible for providing and coordinating all management and administrative services needed by the Office. Responsibilities in the Division of Administration include: organizational, strategic, and performance planning; program evaluation; budget and accounting; human resources management; employee development and training; space and property management; procurement services; IT planning and services; and records management. The Division is comprised of two branches, each of which is supervised by a Deputy Director: the Branch of Administrative Operations and Planning, and the Branch of Information Resources Management.



## LEGAL SERVICES ACTIVITY

### Activity: Legal Services

(Dollars in Thousands)

	2017 Actual	2018 CR Baseline	2019			Change from 2018 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Budget Request	
<b>Legal Services</b>	59,091	58,690	+407	- 101	58,996	+306
<b>Direct FTE</b>	278	272	0	-16	256	-16
<b>Reimbursable FTE</b>	89	86	0	-1	85	-1
<b>Allocated FTE</b>	22	27	0	0	27	0

### Summary of 2019 Program Changes for Legal Services

Request Component	(\$000)	FTE
<u>Program Changes:</u>		
Workforce Planning	-2,601	-16
Space Requirements	+2,500	0
<b>TOTAL Program Changes</b>	<b>-101</b>	<b>-16</b>

The responsibility of the Legal Services program is to effectively manage the legal work to support the top priorities of the Secretary and the bureaus. Among these legal services are representation in litigation, both administrative and judicial; preparation of legal opinions; legal review of legislation, regulations, contracts, and other documents; and informal legal counsel to clients on a continual basis in a wide variety of circumstances.

**Workforce Planning (-\$2,601,000/ -16 FTE)** – The Office will coordinate with client-bureaus and offices to balance legal work demands and prioritize their requests for attorney involvement.

**Space Requirements (+\$2,500,000/ 0 FTE)** – The planned move of the Rocky Mountain Regional Office in the Denver, CO, metropolitan area is a part of the Department’s infrastructure investment projects to consolidate space and resources, and achieve a more efficient delivery of government services through improved utilization of real property. Relocation costs include design, construction, furniture, and the actual moving costs. The Office expects the Rocky Mountain Regional Office to move from its current location in Lakewood, CO, to a site to be determined in the Denver, CO, metropolitan area upon the expiration of its current lease in January 2020.

## **LEGAL SERVICES PROGRAM OVERVIEW**

The Office of the Solicitor consists of a headquarters organization in Washington, D.C., and regional and field offices in 16 locations throughout the United States. The Solicitor is the chief attorney for Interior and the principal legal adviser to the Secretary. The Solicitor directs the Office's professional staff and is responsible for the legal work provided to Interior.

The Washington, D.C. office is organized into the Immediate Office of the Solicitor, which includes a Principal Deputy Solicitor, six Deputy Solicitors with subject matter oversight, the Departmental Ethics Office, six legal divisions, and an administrative division as detailed below. Each legal division is headed by an Associate Solicitor who is directly responsible to the Solicitor and respective Deputy Solicitor. Attorneys under the supervision of Associate Solicitors render legal services for Interior's programs. The field organization of the Solicitor's Office is divided into eight regions, as detailed below. Each region is headed by a Regional Solicitor who is directly responsible to the Principal Deputy Solicitor.

### **HEADQUARTERS**

Immediate Office of the Solicitor

Ethics Office

Division of Parks and Wildlife

Division of General Law

Division of Indian Affairs

Division of Land Resources

Division of Water Resources

Division of Mineral Resources

Division of Administration

<u>REGION</u>	<u>REGIONAL OFFICES</u>	<u>FIELD OFFICES</u>
Alaska	Anchorage, Alaska	----
Southeast	Atlanta, Georgia	Knoxville, Tennessee
Northeast	Twin Cities, Minnesota	Boston, Massachusetts Pittsburgh, Pennsylvania
Intermountain	Salt Lake City, Utah	Phoenix, Arizona
Rocky Mountain	Denver, Colorado	Billings, Montana
Pacific Northwest	Portland, Oregon	Boise, Idaho
Pacific Southwest	Sacramento, California	San Francisco, California
Southwest	Albuquerque, New Mexico	Tulsa, Oklahoma

#### **PROGRAM AND ORGANIZATION DESCRIPTIONS**

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

The Office also provides everyday legal service assistance in drafting and reviewing legislation, proposed and final regulations, contracts, memoranda of agreement, final decisions, leases, rights-of-way, title documents, and other legal instruments, as well as providing both written and oral legal advice on a constant flow of legal questions. Some of these questions arise from such generic statutes as the Administrative Procedure Act, Freedom of Information Act, Privacy Act, Federal Advisory Committee Act (FACA), Federal Tort Claims Act, Civil Service Reform Act, the Civil Rights Acts, and the Rehabilitation Act, while other questions arise from the many specific statutes applicable to Interior's program areas in which the Office's attorneys and paralegals have developed significant expertise.

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

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

- Bureau of Indian Affairs (BIA)
- Bureau of Indian Education (BIE)
- Bureau of Land Management (BLM)
- Bureau of Reclamation (BOR)
- Fish and Wildlife Service (FWS)
- Bureau of Ocean Energy Management (BOEM)
- Bureau of Safety and Environmental Enforcement (BSEE)
- National Park Service (NPS)
- National Resource Damage Assessment and Restoration Program (NRDAR)
- Office of Surface Mining Reclamation and Enforcement (OSMRE)
- United States Geological Survey (USGS)
- Office of Policy, Management and Budget (PMB)
- Office of Aviation Services (OAS)
- Office of Chief Information Officer (OCIO)
- Office of Civil Rights (OCR)
- Office of Collaborative Action and Dispute Resolution (CADR)
- Office of Environmental Policy and Compliance (OEPC)
- Office of Historical Trust Accounting (OHTA)
- Office of Indian Trust Transition (OITT)
- Office of Insular Affairs (OIA)
- Office of the Special Trustee (OST)
- Interior Business Center (IBC)
- Indian Arts and Crafts Board (IACB)
- Secretary's Indian Water Rights Office (SIWRO)

Client-representative specific narratives are omitted for those bureaus and offices where the legal services provided are predominantly generic, that is, relating to personnel, procurement, FOIA, and other statutes of general applicability to all bureaus and offices.

## **ORGANIZATION DESCRIPTIONS**

The **Immediate Office of the Solicitor** includes the Solicitor, Principal Deputy Solicitor, six Deputy Solicitors, Counselors, the FOIA Appeals Office, and supporting secretarial staff. The Immediate Office is responsible for managing and directing all the legal work in the Office. The Freedom of Information Act (FOIA) and Privacy Act (PA) Appeals Office has responsibility for FOIA and PA appeals and coordinates and manages the Department's FOIA and PA appeals program.

The Indian Trust Litigation Office (ITLO) within the Immediate Office of the Solicitor provides legal counsel and defends litigation filed in federal courts throughout the country against the Department by individual Indians and Indian tribes that implicates the Secretary's trust duties with respect to trust fund

accounting, trust fund management, and management of non-monetary natural resource trust assets. ITLO has primary responsibility for matters filed in the United States Court of Federal Claims seeking money damages under the Tucker Act and Indian Tucker Act (28 U.S.C. § 1491 and 28 U.S.C. § 1505) for alleged breaches of fiduciary trust, and actions for declaratory and injunctive relief in district courts seeking to enforce compliance with a fiduciary trust duty.

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

- 1) The Branch of General Legal Services has responsibility for legal matters and litigation related to Federal administrative law including budget and appropriations, financial management, the Freedom of Information Act, records management, electronic data management/e-discovery, partnerships, the Federal Advisory Committee Act, the Privacy Act, the Administrative Procedure Act, and employee travel and similar matters. It addresses internal delegations of authority, departmental law enforcement policies, insular areas, information technology, scientific integrity, rulemaking, congressional oversight, and all other related and general matters not specifically the responsibility of any other branch or division. A portion of the practice of the Branch is devoted to providing early legal engagement, counseling, and review for clients from across all Department bureaus and offices, while ensuring consistency in federal administrative law throughout the Office of the Solicitor.
- 2) The Branch of Acquisitions and Intellectual Property has responsibility for legal matters related to Interior acquisition functions, including all related claims, litigation, and bid protests; use of revolving and franchise funds; interagency agreements, grants and cooperative agreements; patents, copyrights, trademarks, rights in data, and other forms of intellectual property; legal support of high-priority contracting and assistance actions, such as information technology and supporting secretarial priorities; and support of Indian education and law enforcement programs and priorities. A portion of the practice of the Branch is devoted to providing early legal engagement, counseling and review for diverse clients, while ensuring consistency in general legal services throughout the Office of the Solicitor.
- 3) The Tort Practice Branch provides counseling and advice in handling all Federal Torts Claims Act (FTCA), and the Military Personnel and Civilian Employees Claims Act administrative matters filed against Department of the Interior and its agencies. It also supports the Department of Justice in all federal judicial litigation filed against the United States, involving DOI agencies. The TPB also handles all suits for monetary damages

alleging negligent or wrongful acts including law enforcement actions. In addition, TPB attorneys handle claims related to injury and damage to Government property.

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

The **Division of Indian Affairs** is responsible for legal matters related to the programs and activities of the Bureau of Indian Affairs, Bureau of Indian Education, Land Buy Back Program for Tribal Nations, and the Office of Special Trustee. In addition, the Division provides legal assistance and counsel to the Assistant Secretary - Indian Affairs. The Division has an Associate Solicitor and four branches, each headed by an Assistant Solicitor.

- 1) The Branch of Environment and Lands advises the Department in carrying out its responsibilities toward federally recognized Indian tribes and individual Indians related to the acquisition, management, and protection of land, reservation boundary issues, and the protection of the environment, including natural and cultural resources.
- 2) The Branch of Self-Governance and Economic Development has responsibility for legal matters related to tribal economic development, gaming, and a wide range of Indian Affairs program activities including housing, social services, transportation, judicial services, law enforcement, tribal contracting and compacting and consultation.
- 3) The Branch of Tribal Government Services provides legal advice on matters concerning tribal status; the reorganization and functioning of indigenous and tribal governments; and the scope, extent and exercise of tribal governmental authority in internal and external relations. This subject matter includes questions of membership, the adoption and modification, under federal statute, of tribal constitutions and corporate charters, leadership disputes, tribe-specific and Indian preference, the reorganization of the Native Hawaiian Community, the respective jurisdiction of federal, tribal and state governments, Indian Child Welfare Act matters, hunting and fishing rights, international issues and Bad Man claims. The Branch also provides legal services to BIE leadership in operating federal schools for Indians and in providing contracts and grants to tribal schools.
- 4) The Branch of Trust Services has responsibility for advising the Secretary in the Secretary's capacity as trustee over trust assets generated from the use of trust resources including the leasing and sale of such land and minerals. The Branch is responsible for legal matters related to the management of the trust assets, including Tribal and individual Indian money accounts,

probate issues, the land title and records office, and the Land Buy Back Program for Tribal Nations.

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

- 1) The Branch of Public Lands has responsibility for legal matters related to BLM land management functions, including land acquisitions, disposals, surveys, boundaries, withdrawals, national monuments, classifications, rights-of-way (current and historic), trespass, land titles, land use planning, grazing, recreation, forest management, wildland fire issues, law enforcement, wild horses and burros, and wilderness.
- 2) The Branch of Environmental Compliance Response has responsibility for legal matters related to implementation of response actions, cost recovery and cost avoidance involving cases funded from Interior's Central Hazardous Materials Fund and other matters addressing a response to a release or threatened release of hazardous substances on Department-managed lands. The Branch also has responsibility for legal assistance and counsel with respect to issues of environmental compliance that arise under numerous state and federal laws at Interior's facilities, as well as environmental liabilities that arise during real property transactions. The Branch also works closely with U.S. Environmental Protection Agency and other agencies in promoting the cleanup of mixed ownership sites (private and public lands) and facilitating the remediation of formerly used defense sites. The Branch also coordinates its response activities with Interior's Natural Resources Damage Assessment and Restoration Program.

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

- 1) The Branch of Water and Power has responsibility for legal matters related to the assertion and administration of water rights by all Bureaus within the Department other than water rights asserted on behalf of Tribes and individual Indians. The Branch provides legal advice on Reclamation law, including contracting for water delivery; repayment, and operation and maintenance; hydropower development; water research and technology; water policy and

water rights. The Branch coordinates assertion and defense of all Bureau, state law-based and federal reserved water rights. The Branch helps Bureaus resolve issues concerning major water resources such as the Colorado River and the Central Valley Project in California, as well as matters related to interstate compacts.

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

The **Division of Mineral Resources** is responsible for legal matters related to the programs and activities of BOEM, BSEE, OSMRE, USGS (other than those related to its Biological Research Division), and BLM's minerals programs. The Division provides legal assistance and counsel to the Assistant Secretary - Land and Minerals Management.

- 1) The Branch of Offshore Resources provides legal services to BOEM and BSEE. It is responsible for legal matters related to Outer Continental Shelf mineral and renewable energy leasing and the regulation of operations on such leases; including preparation of a national oil and gas leasing program, establishing financial terms in leases and the grant of relief therefrom, and the requirement of bonds for the performance of lease obligations; enforcing environmental and safety regulations, including those relating to oil spill response planning for offshore facilities; and international issues relating to OCS mineral extraction, including establishment of U.S. maritime boundaries, and protecting the interests of the United States interests in bankruptcy proceedings and in legal challenges to Departmental rules and enforcement actions. The Offshore Resources Branch is also responsible for legal services pertaining to programs and activities of the Department related to the Law of the Sea and other international law issues affecting marine minerals, pollution, and related matters.
- 2) The Branch of Onshore Minerals provides legal services to the minerals programs of BLM and USGS. It is responsible for legal matters related to federal coal, oil and gas, locatable hardrock minerals, leasable solid minerals, mineral materials, and geothermal resources disposition, development and extraction, environmental regulation and protection, and reclamation and remediation. The Branch also assists BLM in its regulatory responsibilities on Indian trust and restricted lands.
- 3) The Branch of Surface Mining provides legal services to the OSMRE. It is responsible for legal matters related to OSMRE programs and activities, including regulatory programs, enforcement and collections, and abandoned mine land reclamation.



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

- 1) The Branch of National Parks has responsibility for legal matters related to NPS's programs and activities and for legal matters related to the programs and activities of NPS's National Capital Region and the United States Park Police.
- 2) The Branch of Fish and Wildlife has responsibility for legal issues related to the programs, activities, and policies of Interior and FWS concerning conservation, the preservation of migratory birds, fish, other kinds of endangered species, game and marine mammals, and their habitats throughout the United States, its possessions and territorial waters; the protection, management, and use of natural and cultural resources within the National Wildlife Refuge System; and interaction and liaison between Interior and other Federal and state agencies, foreign countries and international organizations.
- 3) The Branch of Environmental Restoration has responsibility for the resolution of legal problems which involve the programs, activities, and policies of Interior and its various agencies, when related to natural resource restoration.

**Regions and Field Offices.** To the extent practicable, legal services are provided based on bureau regional boundaries, rather than SOL regional boundaries. Because regional boundaries vary from bureau to bureau, the actual areas served by the Solicitor's Regional and Field Offices overlap to a considerable extent, with the result that more than one Regional or Field Solicitor's Office may handle legal matters for different bureaus within a single state. In addition, Regional and Field offices are responsible for legal matters arising in Interior's offices within their jurisdiction, including all elements of the Office of the Secretary, the Assistant Secretary – Policy, Management, and Budget, and organizations affiliated with Interior.

A. The **Alaska Region** is responsible for legal matters involving all bureaus except OSMRE and BOR in Alaska. The Regional Office is located in Anchorage, Alaska.

B. The **Northeast Region** is responsible for legal matters involving all bureaus except BIA in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia; legal matters involving all bureaus except NPS in Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin; and legal matters involving specific bureaus in Iowa (BIA, FWS, and USGS), Kentucky (OSMRE), Missouri (FWS), Nebraska (BIA), North Dakota (BIA), South Dakota (BIA), and Tennessee (OSMRE). The Region has offices located in Bloomington (Twin Cities), Minnesota, Boston, Massachusetts, and Pittsburgh, Pennsylvania. The Office has reorganized the Northeast Region to make Twin Cities the Regional Office

and Boston and Pittsburgh the Field Offices. This change is budget neutral and the updated structure is reflected in the organizational chart on page 1.

C. The **Pacific Northwest Region** is responsible for legal matters involving all bureaus in Idaho, Oregon, and Washington; and legal matters involving the BIA in southern Alaska (Metlakatla) and northwestern Montana (Flathead Indian Reservation). The Region also handles legal matters for the Pacific Northwest Region of BOR extending into northwestern Montana, and for Region I of the FWS, it handles legal matters in Hawaii and the Pacific Islands. The Regional Office is located in Portland, Oregon, and a Field Office is located in Boise, Idaho.

D. The **Pacific Southwest Region** is responsible for legal matters involving all bureaus in California and Nevada (except for most BIA matters in Nevada and BOR matters related to the Colorado River); and legal matters involving specific bureaus in Alaska (OSMRE and USGS), Hawaii (NPS and USGS), Idaho (OSMRE), Oregon-Klamath Basin (BOR and FWS), Pacific Islands (NPS and USGS), and Washington (OSMRE and USGS). The Regional Office is located in Sacramento, California, and a Field Office is located in San Francisco, California.

E. The **Intermountain Region** is responsible for legal matters involving all bureaus except FWS and OSMRE in Utah; legal matters involving all bureaus except FWS, NPS, and OSMRE in Arizona; legal matters for BOR in Nevada and California (BOR Lower Colorado Region) and Colorado, New Mexico, and Texas (BOR Upper Colorado Region); legal matters for BIA in Nevada (BIA Eastern Nevada Field Office and Western Nevada Agency) and New Mexico (BIA Navajo Regional Office shared with the Southwest Region); and legal matters for BLM in Nevada (shared with the Pacific Southwest Region). The Regional Office is located in Salt Lake City, Utah, and a Field Office is located in Phoenix, Arizona.

F. The **Rocky Mountain Region** is responsible for legal matters involving the BLM National Operations Center (NOC) nationwide and all legal matters involving the BLM in Colorado, Montana, Nebraska, North Dakota, South Dakota, and Wyoming; all legal matters involving the BOR Denver Office and the BOR Great Plains Region (located east of the Continental Divide in Colorado, Wyoming, and Montana, and in Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, Texas); all legal matters involving FWS Region IX in Colorado and FWS Region VI (Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming); legal matters involving the Office of Natural Resources Revenue (ONRR) and legal matters involving BOEM and BSEE in Colorado; legal matters involving the Interior Business Center (IBC) in Colorado; legal matters involving the NPS Denver Service Center, NPS WASO in Colorado, the NPS Midwest Region in Arkansas, Iowa, Indiana, Illinois, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin, NPS concessions contract matters for the Midwest and Intermountain Regions; and all other legal matters involving the NPS Intermountain Region in Colorado, Montana (with the exception of Big Hole Battlefield—Nez Perce), and Wyoming; all legal matters involving the BIA in Montana (with the exception of the Flathead Indian Reservation) and Wyoming; all legal matters involving the Central Region of the USGS; and all legal matters coordinated through OSMRE Western Region. The Regional Office is located in Lakewood (Denver), Colorado, and a Field Office is located in Billings, Montana.

G. The **Southeast Region** is responsible for legal matters involving all bureaus in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, and the Virgin Islands; legal matters involving all bureaus except BOEM and BSEE in Louisiana; legal matters for specific bureaus in Arkansas (FWS and OSMRE), Connecticut (BIA), Illinois (OSMRE), Indiana (OSMRE), Iowa (OSMRE), Kansas (OSMRE), Maine (BIA), Massachusetts (BIA), Missouri (OSMRE), New York (BIA), Oklahoma (OSMRE), Rhode Island (BIA), Texas (OSMRE), and Virginia (BIA, BLM, and OSMRE); and legal matters for specific NPS programs in select states in the Region. The Regional Office is located in Atlanta, Georgia, and a Field Office is located in Knoxville, Tennessee.

H. The **Southwest Region** is responsible for legal matters involving all bureaus in New Mexico, Oklahoma, Texas, and on the Navajo Reservation; and legal matters involving specific bureaus in Arizona (NPS, FWS, and OSMRE), Colorado (BIA), Illinois (OSMRE), Kansas (BIA, BLM, BOEM, and BSEE), Louisiana (BOEM and BSEE), and Missouri (BIA). The Southwest Region also is responsible for legal matters involving the BIA's Office of Law Enforcement and the Office of Facilities Management and Construction, the BIE, and the Office of the Principal Deputy Special Trustee. The Regional Office is located in Albuquerque, New Mexico, and a Field Office located in Tulsa, Oklahoma.

## ETHICS OFFICE

### Activity: Ethics Office

(Dollars in Thousands)

	2017 Actual	2018 CR Baseline	2019			Change from 2018 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Budget Request	
<b>Ethics Office</b>	1,738	1,726	+12	0	1,738	+12
<b>Direct FTE</b>	6	7	0	0	7	0
<b>Allocated FTE</b>	1	1	0	0	1	0

### PROGRAM OVERVIEW

The Departmental Ethics Office (DEO) is responsible for overseeing Interior’s statutorily mandated ethics program, and derives its authority directly from the Secretary, who by regulation, is the head of the agency’s ethics program. The DEO is responsible for implementing the laws, executive orders, regulations and departmental policies concerning conflicts of interest and employee responsibilities and conduct (5 C.F.R. § 2638.201-202). The DEO is unique within the Office, as it has programmatic responsibilities, as well as the rendering of legal advice.

The DEO is headed by a Director, who is also the Designated Agency Ethics Official (DAEO). The DAEO is delegated the responsibility to manage and coordinate Interior’s Ethics program (5 C.F.R. § 2638.202-203). The DEO also ensures the implementation of and compliance with the Ethics in Government Act of 1989, other statutes with ethics provisions, Executive Order 12674: *Principles of Ethical Conduct for Government Officers and Employees*, government-wide ethics regulations, and Interior’s supplemental ethics regulations and policies governing employee conduct.

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

The DEO provides direct services to all employees within the Immediate Office of the Secretary; the Assistant Secretary for Policy, Management and Budget; within SOL; as well as all political employees. Along with this program requirement, the DEO is responsible for providing oversight and technical assistance to Interior’s eight bureaus to ensure that each of the bureaus’ ethics programs are in compliance with all applicable ethics laws, executive orders, and regulations (5 C.F.R. § 2638.202). The DEO also manages a Hatch Act compliance program.

The DEO performs a number of tasks required by law or regulation. Additionally, the DEO provides other, broader assistance in a variety of Interior initiatives to ensure that attention is paid to whether a particular course of action is prudent and in concert with ethics laws and regulations at large. Comprehensive attention to both types of responsibilities is critical to maintaining a robust ethics program throughout Interior.

### ***REQUIRED FUNCTIONS***

- Oversight and Technical Assistance to Bureaus: Not only is the DEO responsible for performing ethics functions for a broad spectrum of employees, it is also responsible for ensuring that Interior's bureaus are properly administering their ethics programs. The regulations require that the DAEO administer a program for periodic evaluation of the ethics program and its components. Currently, the DEO meets this responsibility by convening monthly meetings with the bureaus' headquarters ethics contacts to ensure consistency in the management of the program. Additionally, the DEO has utilized contract services to perform program reviews of the bureaus. The DEO provides live workshop training on topics important to the consistent management of the bureaus' ethics programs.
- Presidential Appointments: The DEO plays a critical role in the clearance process of nominees to Presidentially Appointed-Senate Confirmed (PAS) positions. The DEO reviews financial documents, consults with the nominees, and recommends and drafts appropriate recusals or authorizations to allow the nominees to perform their duties without actual or apparent conflicts of interest. Key in this process is the coordination with the White House Counsel's Office, and the OGE. Additionally, the DEO works with Interior's Office of Congressional and Legislative Affairs to prepare nominees for their committee hearings and assists in the drafting of responses to any questions committee members may have. In a Presidential transition year, additional time is spent coordinating and ensuring compliance with the financial disclosure requirements for all political appointees, training these employees, and providing individual counseling on a range of ethics topics essential to the appropriate performance of their official duties.
- Financial Disclosure: The DEO is responsible for ensuring that the public and confidential financial disclosure reporting requirements are met. Both levels of financial disclosure require the administration of tracking systems for the collection, review, and certification of the forms in accordance with the time frames set out by regulation (5 C.F.R. § 2634.601-607; § 2634.901-909). Additionally, any remedial action required as a result of review and certification of these forms must be administered by the DEO or respective bureau ethics program. Such remedial actions include divestiture, recusals, or authorization, all of which require a determination in accordance with criminal statutes and administrative regulations. Department-wide, there are approximately 13,000 filers of financial disclosure forms. All forms require technical as well as more stringent financial conflict of interest review and certification.

The DEO is responsible for certifying all financial disclosure forms of employees in the Immediate Office of the Secretary, under the Assistant Secretary for Policy, Management and Budget, employees in the Office of the Solicitor and all Interior political employees. PAS employees' financial disclosure forms are certified by the DAEO and forwarded to OGE for final certification.

- Training: The DEO is responsible for providing new employee ethics training as well as annual training for all filers of the confidential and public financial disclosures. All report filers are required to receive annual training. The administration of the ethics training program is in accordance with 5 C.F.R. § 2638.701-708. The DEO is responsible for providing guidance and training for all bureau ethics counselors to ensure consistency in the advice and counseling provided to employees.
- Counseling: As required by 5 C.F.R. § 2638.203, the DEO is responsible for maintaining a system for counseling employees on all ethics matters, including interpretations of the criminal financial conflict of interest statutes, the post-employment statute, as well as all standards of conduct regulations (both government-wide and agency-specific). Such systems must include adequate documentation of questions raised and advice rendered to provide employees with advice, but also for purposes of audit and evaluation by the OGE, or in support of an investigation of alleged violations by the Office of Inspector General. The DEO is responsible for providing guidance and counseling to ethics counselors and general employees on any changes to the ethics rules and regulations.
- Liaison Role: The DAEO is required to be Interior's liaison with the OGE for all matters relating to the management of the ethics program (5 C.F.R. § 2638.203(b)). The DAEO and ethics staff performs this role with the White House Counsel's Office, as well as with the Office of Special Counsel.

## SECTION 403 COMPLIANCE

Public Law 115-31, the 2017 Consolidated Appropriations Act requires disclosure of program assessments used to support Government-wide, departmental, or agency initiatives or general operations.

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

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

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

<b>External Administrative Costs</b>			
<b>(Dollars in Thousands)</b>			
	<b>FY 2017 Actual</b>	<b>FY 2018 Estimate</b>	<b>FY 2019 Estimate</b>
<b>Interior's Working Capital Fund</b>			
<b>Centralized Billings</b>	3,335	3,056	3,068
<b>Direct Billings</b>	1,673	2,589	2,614
<b>Total</b>	5,008	5,646	5,682

- **Bureau Billing for Client Support** - A number of client bureaus and offices within Interior have requested assistance beyond the level of services this Office is generally able to provide. The Department of the Interior appropriation has a provision at § 405 that authorizes the reimbursement for administrative services. The legal work provided by SOL falls within the meaning of this provision. In these instances, the Office typically hires one or more attorneys on time-limited appointments and the Office enters into a reimbursable support agreement with the client to cover the cost.

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

telecommunications, postage, courier services, supplies, printing, copying, computer equipment, law books, IT services, automated legal research services, and external administrative costs.

<b>Bureau Billing for Client Support</b>			
<b>(Dollars in Thousands)</b>			
	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
	<b>Actual</b>	<b>Estimate</b>	<b>Estimate</b>
<b>Attorney salaries and benefits</b>	13,667	13,018	13,018
<b>Reimbursable attorney overhead</b>	3,177	3,026	3,026
<b>Total</b>	16,844	16,044	16,044

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



**Office of the Solicitor  
Employee Count By Grade**

	FY 2017	FY 2018	FY 2019
	Actual	Estimate	Estimate
Executive Level IV .....	0	1	1
SES .....	18	22	22
SL - 00 .....	2	2	2
<b>Subtotal .....</b>	<b>20</b>	<b>25</b>	<b>25</b>
GS-15 .....	85	84	84
GS-14 .....	232	228	210
GS-13 .....	24	25	25
GS-12 .....	14	14	14
GS-11 .....	14	14	14
GS-9 .....	4	6	6
GS-8 .....	13	13	13
GS-7 .....	9	8	8
GS-6 .....	2	2	2
GS-4 .....	0	1	1
<b>Subtotal .....</b>	<b>397</b>	<b>395</b>	<b>377</b>
<b>Total employment (actual &amp; estimates) .....</b>	<b>417</b>	<b>420</b>	<b>402</b>

**OFFICE OF THE SOLICITOR**  
**PROGRAM AND FINANCING**  
(Dollars in Millions)

Identification Code 14-0107-0	2017 Actual	2018 Estimate	2019 Estimate
<b>Obligations by program activity:</b>			
0001 Direct program	65	65	66
0801 Reimbursable program activity	17	17	17
0900 Total new obligations	82	82	83
<b>Budgetary resources:</b>			
Budget authority:			
Appropriations, discretionary:			
1100 Appropriation	66	65	66
1160 Appropriation, discretionary (total)	66	65	66
Spending authority from offsetting collections, discretionary:			
1700 Collected	16	17	17
1701 Change in uncollected payments, Federal Sources	1	.....	.....
1750 Spending auth from offsetting collections, disc (total)	17	17	17
1900 Budget Authority (total)	83	82	83
1930 Total budgetary resources available	83	82	83
1940 Unobligated balance expiring	-1	.....	.....
<b>Change in obligated balances:</b>			
Obligated balance, start of year (net):			
3000 Unpaid obligations, brought forward, Oct 1 (gross)	6	7	7
3010 Obligations incurred, unexpired accounts	82	82	83
3011 Obligations ("upward adjustments"), expired accounts	1		
3020 Outlays (gross)	-81	-82	-83
3041 Recoveries of prior year unpaid obligations, expired	-1	.....	.....
3050 Unpaid Obligations, end of year	7	7	7
3060 Uncollected pymts, Fed sources, brought forward, Oct 1	-1	-1	-1
3070 Change in uncollected pymts, Fed sources, unexpired	-1	.....	.....
3071 Change in uncollected pymts, Fed sources, expired	1	.....	.....
3090 Uncollected pymts, Fed sources, end of year	-1	-1	-1
Memorandum (non-add) entries:			
3100 Obligated balance, start of year	5	6	6
3200 Obligated balance, end of year	6	6	6
<b>Budget authority and outlays, net:</b>			
Discretionary:			
4000 Budget authority, gross	83	82	83
Outlays, gross:			
4010 Outlays from new discretionary authority	75	77	78
4011 Outlays from discretionary balances	6	5	5
4020 Outlays, gross (total)	81	82	83

**OFFICE OF THE SOLICITOR  
PROGRAM AND FINANCING  
(Dollars in Millions)**

Identification Code 14-0107-0	2017 Actual	2018 Estimate	2019 Estimate
Offsets against gross budget authority and outlays:			
Offsetting collections (collected) from:			
4030 Federal sources	-17	-17	-17
Additional offsets against gross budget authority only:			
4050 Change in uncollected pymts, Fed sources, unexpired	-1	.....	.....
4052 Offsetting collections credited to expired ccunts	<u>1</u>	.....	.....
4070 Budget authority, net (discretionary)	66	65	66
4080 Outlays, net (discretionary)	64	65	66
4180 Budget authority, net (total)	66	65	66
4190 Outlays net (total)	64	65	66

**OFFICE OF THE SOLICITOR**  
**OBJECT CLASSIFICATION**  
**(Dollars in Millions)**

Identification Code 14-0107-0	2017 Actual	2018 Estimate	2019 Estimate
<b>Direct obligations</b>			
1111 Personnel compensation: Full-time permanent	38	37	36
1113 Personnel compensation: Other than full-time permanent	1	1	1
1115 Personnel compensation: Other personnel compensation	1	1	1
1121 Civilian personnel benefits	12	12	12
1231 Rental payments to GSA	3	3	3
1233 Communications, utilities, and miscellaneous charges	1	1	1
1252 Other services from non-Federal sources	1	1	1
1253 Other goods and services from Federal sources	7	8	10
1310 Equipment	1	1	1
1990 Subtotal, obligations, Direct obligations	65	65	66
<b>Reimbursable obligations</b>			
2111 Personnel compensation: Full-time permanent	2	2	2
2113 Personnel compensation: Other than full-time permanent	8	8	8
2121 Civilian personnel benefits	3	3	3
2210 Travel and transportation of persons	1	1	1
2253 Other goods and services from Federal sources	3	3	3
2990 Subtotal, obligations, Reimbursable obligations	17	17	17
9999 Total new obligations	82	82	83

**REIMBURSABLE POSITIONS**  
(Dollars in Thousands)

	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
<b>Bureau of Indian Affairs</b>			
Legal support, related to BIA water resources	0	40	41
Legal support, related to trust land, Tribal relations, fee-to-trust activities, and other BIA activities	148	154	164
Legal support, employment issues	0	70	93
Legal support, BIE priority matters	228	159	201
Legal support, trust and general Indian matters	86	79	0
Legal support, trust services	195	200	212
Legal support, irrigation and general Indian water rights	0	67	103
Legal support, title and fee-to-trust	82	122	145
Legal support, Twin Cities paralegal	84	122	151
Legal support, BIA CADR issues	110	84	0
Legal support, Utah and Nevada BIA issues	0	42	70
Legal support, related to legislation, policy, and operations	120	148	175
Legal support, probate and AIPRA issues	130	137	163
Legal support, enforcement and Carcieri opinions	116	135	165
Legal support, Osage matters	15	85	96
Legal support, BIA Navajo Region	168	177	190
Legal support, BIA OJS matters	391	412	436
Legal support, land and IBIA matters	43	138	156
Legal support, BIE contracting and labor relations	177	200	200
Legal support, special needs claims, Indian education, and other BIE legal issues	80	172	179
HR detail	0	12	0
Subtotal	<u>2,173</u>	<u>2,755</u>	<u>2,940</u>
<b>Bureau of Land Management</b>			
Legal support, renewable energy, resources, minerals, and grazing issues	361	398	422
Legal support, SNPLMA and other assignments	186	38	0
Legal support, minerals, oil and gas, transmission line permitting, natural resources, water rights, and personnel	165	167	182
Legal support, energy sector bankruptcies, water rights, grazing, permit renewals, mineral and fire trespasses, sage grouse, NEPA matters	67	82	145
Legal support, employment issues	0	101	199
Legal support, land and mineral resources	416	427	450
Legal support, public land, environmental oil & gas, and energy law	119	125	125

**REIMBURSABLE POSITIONS**  
(Dollars in Thousands)

	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
<b>Bureau of Land Management (continued)</b>			
Legal support, renewable energy, recordable disclaimers of interest, R.S. 2477, navigability, and land use planning	163	170	188
Legal support, renewable energy, cultural resources, recordable disclaimers of interest, R.S. 2477, and transmission lines	210	214	232
Legal support, SNPLMA, lands, and resources	216	200	223
Legal support, special assignments on behalf of BLM	0	114	0
Legal support, R.S. 2477, land, and mineral issues	260	258	350
Legal support, including procurement, employment law, agreements, and any and all other legal support as necessary	77	237	255
Subtotal	<u>2,240</u>	<u>2,531</u>	<u>2,771</u>
<b>Bureau of Ocean Energy Management</b>			
Legal support, relating to offshore minerals	419	564	622
Legal support, offshore minerals and renewable energy issues	361	421	447
Legal support, rulemaking, renewable leases, seismic permits, marine mineral agreements, OCSLA, OPA, and FOIA	24	229	295
Legal support, relating to offshore renewable energy issues	200	209	221
Legal support, relating to Alaska issues	210	215	219
Subtotal	<u>1,214</u>	<u>1,638</u>	<u>1,804</u>
<b>Bureau of Reclamation</b>			
Legal support, Upper and Lower Colorado issues	0	148	209
Legal Support, Central Utah Project – Title II construction and Title III mitigation programs	195	199	212
Legal support, employment issues	0	33	63
Legal support, water rights	116	56	0
Legal support, intellectual property	0	31	46
Legal support, power and irrigation issues	0	104	179
Legal support, water contracts, water rights issues, Klamath project issues, NEPA, and NHPA	168	187	0
Legal support, Lower Colorado River basin	0	158	193
Legal support, water and Klamath project issues	236	95	0
Legal support, Lower Colorado Region to include Colorado River management and regulations, water contracts, water accounting issues, and Indian water settlements	89	0	0
Legal support, Bay Delta Conservation Plan (BDCP), Central Valley Project Improvement Act implementation, ESA, San Joaquin River Restoration Program	27	0	0
Legal support, Boulder Canyon Project Act	125	146	195

**REIMBURSABLE POSITIONS**  
(Dollars in Thousands)

	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
<b>Bureau of Reclamation (cont.)</b>			
Legal support, water rights, water quality, and contracts for the CVP, non-CVP projects in California and Nevada	229	232	243
Legal support, Great Plains Region water service contracts, land title, NEPA, Indian water rights settlements, and general water rights	188	193	203
Legal support, stream adjudication and water rights issues	159	155	170
Legal support, general law, realty, and EEO/MSPB	184	172	182
Legal support, realty, land management, cultural resources, NEPA, ESA, CWA, and Washington BOR projects	104	109	116
Legal support, including procurement, employment law, agreements, and any and all other legal support as necessary	300	272	100
Legal support, New Mexico water project and operations	159	176	185
Legal support, Federal Columbia River Power System, federal power issues, and irrigation diversion rate settings	174	182	371
Legal support, contracting, repayment issues, water supply issues in the western United, and the Central Valley Project	235	225	242
Legal support, Indian water rights settlement implementation matters and agreements, contracts, and other legal document reviews related to CAP, Navajo project, and NGS extensions	109	205	211
Subtotal	<u>2,797</u>	<u>3,078</u>	<u>3,120</u>
<b>Bureau of Safety and Environmental Enforcement</b>			
Legal support, rulemaking initiatives, oversight of offshore operations, regulation under OCSLA and OPA, and FOIA	863	698	798
Legal support, employment law	202	160	11
Legal support, oil and gas environmental and safety program	0	165	199
Legal support, relating to the regulation of offshore mineral operations and enforcement of BSEE and DOI regulations	207	236	248
Subtotal	<u>1,272</u>	<u>1,259</u>	<u>1,256</u>
<b>Fish and Wildlife Service</b>			
Legal support, high priority refuge and ESA issues	216	68	0
Detail to Branch of Environmental Response and Restoration	11	0	0
Legal support, employment issues	0	102	199
Legal support, high priority realty issues	15	49	57
Legal support, Office of Law Enforcement issues	290	304	375
Subtotal	<u>532</u>	<u>523</u>	<u>631</u>

## REIMBURSABLE POSITIONS

(Dollars in Thousands)

	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
<b>Interior Business Center</b>			
Legal support, IBC contractual & acquisition services	709	705	835
Legal support, IBC contractual & acquisition services	0	11	21
Legal support, including procurement, employment law, agreements, and any and all other legal support as necessary	270	247	586
Subtotal	<u>979</u>	<u>963</u>	<u>1,442</u>
<b>National Park Service</b>			
Legal support, employment, property, and realty	78	66	94
Legal support, FOIA, partnership agreements, cultural resources, environmental remediation, water, and intellectual property	226	237	253
Legal support, Everglades restoration	254	0	0
Legal support, employment law	0	394	706
Legal support, intellectual property	0	48	69
Legal support, including procurement, employment law, agreements, and any and all other legal support as necessary	470	368	359
Legal support, concessions, leasing, and commercial services	223	232	245
Legal support, procurement, concessions, agreements, and employment law	60	156	154
Legal support, related to Organic Act, NEPA, and FOIA	226	248	248
Subtotal	<u>1,537</u>	<u>1,749</u>	<u>2,128</u>
<b>Office of the Special Trustee for American Indians</b>			
Legal support, Office of Special Trustee for American Indians	183	193	206
Legal support, trust policy and procedure projects	185	198	213
Legal support, Office of Special Trustee for American Indians	[2,490]	[2,245]	[2,855]
Subtotal	<u>368</u>	<u>391</u>	<u>419</u>
<b>Office of Surface Mining Reclamation and Enforcement</b>			
Legal support, OSM issues	199	208	215
Legal support, employment issues	0	6	11
Legal support, coal, regulatory, and reclamation operations	88	120	116
Subtotal	<u>287</u>	<u>334</u>	<u>342</u>



**REIMBURSABLE POSITIONS**  
(Dollars in Thousands)

	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
<b>United States Geological Survey</b>			
Legal support, intellectual property	0	45	69
Legal support, employment issues	0	23	41
Subtotal	<u>0</u>	<u>68</u>	<u>110</u>
<b>Other Offices and Programs</b>			
Legal support, ONRR ethics program administration	141	148	180
Legal support, ONRR royalty matters	145	153	209
Legal support, ONRR related matters	300	326	427
Legal support, Land Buy-Back Program for Tribal nations	96	207	184
Legal support, employment issues	0	14	20
Legal support, DOJ assignment	142	21	0
Legal support, Inter-American Foundation legal issues	42	5	30
Legal support, EPA detail	38	57	0
Legal support, FOIA Appeals	[302]	[231]	[205]
Legal support, Indian Water Rights Office detail	0	258	0
Legal support, Departmental management	0	158	0
Legal support, WCF torts practice branch	0	0	[1,652]
Legal support, WCF issues	[198]	[302]	[191]
Legal support, WCF issues reflecting cross-cutting matters arising from all DOI bureaus	200	208	[234]
Legal support, NRDAR	[359]	[520]	[577]
Legal support, HAZMAT compliance	[1,335]	[1,487]	[1,396]
Subtotal	<u>1,104</u>	<u>1,555</u>	<u>1,050</u>
<b>TOTAL REIMBURSEMENTS</b>	<b>14,503</b>	<b>16,844</b>	<b>16,044</b>

**FY 2017 Endangered Species Act (ESA) Payments - Department of the Interior**

Case	Bur	Judicial District	Court #	Attorney Fees	Payee	Payment date
Sierra Club, et al. v. Salley Jewell, et al.	NPS	District of Columbia	15-cv-479	\$40,000	Sierra Club Inc	3/16/17
New Mexico Cattle Growers, Ass'n, et al. v. DOI, et al.	FWS	New Mexico	15-065	\$4,458	New Mexico Cattle Growers Association	3/16/17
Alliance for the Wild Rockies et al. v. Marten et al.	FWS (and USFS)	Montana	15-cv-00099	\$79,117	Alliance for the Wild Rockies	6/7/2017
Alliance for the Wild Rockies et al. v. Foster	FWS	Montana	14-cv-00272 (consolidated with 14-cv-00270)	\$310,000	Alliance for the Wild Rockies and Wild Earth Guardians	5/4/2017
Pacificans for a Scenic Coast, et al. v. FHA, et al.	FWS	N.D. Cal.	3:15-cv-2090-VC	\$118,000	Environmental Advocates	5/23/2017
CBD and WaterWatch v. BOR	BOR	D.Oregon	6:15-cv-02358-JR and 6:15-cv-00035-JR	\$72,296	CBD and WaterWatch	6/29/2017
Union Neighbors United v. Jewell	FWS	District of Columbia	1:13-cv-01435	\$95,000	William Weeks, Esq. and Jeff Hyman, Esq.	4/12/17
Total ESA Payments				\$718,871		

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**FY 2017 Equal Access to Justice Act (EAJA) Payments - Department of the Interior**

Case Name	Bur	Judge	Type	Amount	Hourly Rates	Venue	Citation	Appeal Status	Payment Date	Payee/Plaintiff's Attorney
Akiachak Native Community	BIA	Rudolph Contreras	Agency Settlement	\$169,128	\$161.25-\$196.25	D.D.C.	06-00969		5/5/17	NARF/Alaska Legal Services Corporation
American Wild Horse Preservation Campaign, The Cloud Foundation, Return To Freedom, et al.	BLM	Nancy Freudenthal	Court Settlement	\$145,000	\$125-\$500	D. Wyo.	14-cv-152-NDF	No. 15-8033, decision adverse to agency	1/18/17	William S. Eubanks II
Donna Charpied and Laurence Charpied	BLM	Jesus Bernal	Agency Settlement	\$575,000	\$300-\$750	C.D. Cal.	EDCV 99-0454 JGB (MCx)	Dist. Ct. SJ Dec. 2005; 9th Cir. Dec., remand to Dist. Ct. 2009, Cert. denied 2011.	10/24/16	Stephen C. Volker
Friends of Animals	BLM	Susan P. Watters	Court Settlement	\$40,769	\$210-\$350	D. Mont.	CV 15-59-BLG-SPW		2/14/17	Friends of Animals
Montana Environmental Information Center	BLM	Sam Haddon	Court Settlement	\$20,000	\$210-\$320	D. Mont.	CV-11-15-GF-SEH		2/7/17	Western Environmental Law Center
National Parks Conservation Association	BLM	Hon. Jesus Bernal	Agency Settlement	\$568,555	\$125-\$650	C.D. Cal.	EDCV-00-00041 JGB (MCx)	Dist. Ct. SJ Dec. 2005; 9th Cir. Dec., remand to Dist. Ct. 2009, Cert. denied 2011.	6/6/17	Deborah A. Sivas
Oregon Natural Desert Assoc. (North Steens Ecosystem Restoration Project)	BLM	Judge King	Court Decision	\$63,449	\$335-\$420	D. Or.	3:08-cv-1271-KI		5/22/17	Oregon Natural Desert Association
Soda Mtn. Wilderness Council (White Castle Timber Sale)	BLM	Judge Ann Aiken	Agency Settlement	\$115,000	\$250-\$295	D. Or.	6:14-cv-110-AA		8/8/17	Cascadia Wildlands
Southern Utah Wilderness Alliance	BLM	Evelyn J. Furse, Magistrate Judge	Agency Settlement	\$46,050	\$198-\$198	D. Utah	2:13-cv-01060-EJF		5/19/17	Southern Utah Wilderness Alliance
State of Alaska	BLM	Ralph Beistline	Court Decision	\$400	\$0-\$0	D. Alaska	3:15-cv-00226-RRB	Notice of appeal filed October 11, 2016	8/1/17	State of Alaska Department of Law / J. Alloway

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**FY 2017 Equal Access to Justice Act (EAJA) Payments - Department of the Interior (continued)**

Case Name	Bur	Judge	Type	Amount	Hourly Rates	Venue	Citation	Appeal Status	Payment Date	Payee/Plaintiff's Attorney
Western Watersheds Project	BLM	Paul Rosenblatt	Court Settlement	\$184,329	\$190-\$325	D. Ariz.	13-CV-01028-PGR		2/7/17	Advocates for the West
Wildearth Guardians et al	BLM	Lynn Winmill	Agency Settlement	\$20,000	\$200-\$300	D. Idaho	4:14-cv-00488-REB		4/10/17	Western Environmental Law Center
Environmental Advocates (Pacifcans for a Scenic Coast, et al.)	FWS	Vince Chhabria	Court Settlement	\$130,000	\$180-\$775	N.D. Cal.	3:15-cv-02090-VC		5/23/17	Christopher Sproul
Union Neighbors United	FWS	Srinivasan, Millett and Wilkins	Court Settlement	\$95,000	\$187-\$192	D.C. Cir.	15-5147	Plaintiffs appealed. Court of Appeals found FWS NEPA inadequate.	4/12/17	William Weeks, Jeff Hyman
Resource Renewal Institute	NPS	Sandra Brown Armstrong	Agency Settlement	\$134,618	\$350-\$650	N.D. Cal.	4:16-cv-00688-SBA		7/15/17	Advocates for the West Lawyer Trust Account
Castle Mountain Coalition et al. & Chickaloon Village Traditional Council	OSM	Sharon Gleason	Court Decision	\$159,003	\$230-\$386	D. Alaska	3:15-cv-00043-SLG		6/26/17	Trustees for Alaska and Earthjustice
Coal River Mountain Watch	OSM	Ketanji Brown Jackson	Court Settlement	\$60,332	\$90-\$196	D.D.C.	13-cv-1606 (KBJ)		8/11/17	Georgetown University Law Center
Dine C.A.R.E, San Juan Citizens Alliance, Cntr for Bio. Diversity, Sierra Club, Amigos Bravos	OSM	John Kane	Court Settlement	\$220,000	\$225-\$425	D. Colo.	12-cv-01275-JLK	Appeal dismissed	8/11/17	Shiloh Hernandez
Northern Plains Resource Council	OSM	Judge Watters	Court Decision	\$62,500	\$75-\$390	D. Mont.	1:14-cv-00103		11/16/16	WildEarth Guardians
WildEarth Guardians	OSM	Judge Watters	Court Decision	\$44,344	\$310-\$190	D. Mont.	1:14-cv-00013-SPW-CSO		11/16/16	WildEarth Guardians
WildEarth Guardians	OSM	R. Brooke Jackson	Court Decision	\$65,031	\$184-\$195	D. Colo.	1:13-cv-00518-JLK	Intervenors appealed but the Government Defendants did not. Appeal is pending.	12/14/16	WildEarth Guardians
WildEarth Guardians	OSM	Judge Junell	Court Decision	\$17,542	\$178-\$179	D.N.M.	1:14-cv-00112-JLK		4/5/17	WildEarth Guardians
Total				\$2,936,050						

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