

## CHAPTER FIVE: POLICY

### *OPERATIONAL BUDGETS OF INTERIOR'S LAND MANAGEMENT AGENCIES*

A continuing priority throughout the administration of President Clinton was rebuilding the budgets of the land management bureaus. In the Department of the Interior these bureaus are the Bureau of Land Management, the Fish and Wildlife Service, and the National Park Service. The table below shows the budget history for these operational accounts during the Clinton administration.

<i>(in millions of dollars, BA)</i>	Bureau of Land Management		Fish and Wildlife Service		National Park Service		Total	
	Request	Approp.	Request	Approp.	Request	Approp.	Request	Approp.
1992		621		516		963		2,100
1993	582	623	544	531	1,032	972	2,157	2,125
1994	710	688	628	495	1,160	1,094	2,498	2,277
1995	713	693	541	511	1,127	1,082	2,381	2,286
1996	729	699	535	507	1,158	1,082	2,422	2,288
1997	684	674	540	531	1,173	1,155	2,398	2,360
1998	689	681	562	595	1,220	1,246	2,471	2,522
1999	759	708	676	660	1,321	1,286	2,756	2,654
2000	743	743	724	715	1,390	1,364	2,856	2,821
2001	819		762		1,454		3,035	

Clinton Budgets

The arrival of President Clinton's administration signaled a sharp change in direction for the Department of the Interior's land management funding. The first full budget proposed by President Clinton, the FY 1994 request, represented a 16 percent increase over the previous year's request for these bureaus' operations and an 18 percent increase over the actual FY 1993 appropriation. For FY 1994, Congress appropriated just under half of the requested increase.

The consistent policy of proposing healthier budgets for the land management bureaus to protect and preserve the resources under their responsibility resulted in steady increases over the years. By FY 2000, the operational budget of BLM had increased 19 percent, FWS 35 percent, and NPS 25 percent.

## *LANDS LEGACY AND THE CONSERVATION AND REINVESTMENT ACT*

### **Lands Legacy**

One of the most promising of the Administration's environmental proposals was the Lands Legacy initiative. This initiative centered on the long-term goal of full and permanent funding for the Land and Water Conservation Fund and other environmental programs designed to protect and restore America's lands, habitats and wildlife. President Clinton formally launched the initiative as part of the FY 2000 budget with a January 1999 speech at the National Arboretum in Washington, D.C. Congress funded the Lands Legacy Program inadequately in FY 2000, including only some of its elements in appropriations acts. The initiative was expanded for the FY 2001 budget and again received poor treatment, in part because of the low budget ceilings assigned to the Interior and Related Agencies Appropriations Subcommittees.

On a parallel track, Congress had been moving, and the Administration had been supporting, permanent legislation that incorporated and expanded on many elements of the Administration's Lands Legacy initiative and Interior's earlier Partnership for America's Resources proposal. This legislation was consolidated as H.R. 701 and entitled the "Conservation and Reinvestment Act," commonly known as CARA. The House of Representatives passed CARA and the Senate Energy and Natural Resources Committee approved the legislation with substantive differences from the House. Neither version was acceptable to the Administration. In the end, the Senate version was never taken to the floor, and the legislation was not enacted.

In late September 2000, fearing that a reported compromise by authorizing committee members allowing CARA to be enacted might succeed, the Appropriations Committees substantially augmented their previous conference action on the Lands Legacy initiative with a \$1.6 billion program (including, roughly, \$700 million in base funds) in Title VIII of the Interior and Related Agencies Appropriations bill, titled "Land Conservation, Preservation and Infrastructure Improvement" (LCPII). This approach was less ambitious and cheaper than CARA, and much closer in concept to the Administration's Lands Legacy initiative. It ultimately was enacted into law.

### **Roots of the Initiative**

There are several major antecedents for the Lands Legacy initiative. First, many of the program components reflect major, existing environmental programs which have been starved for funding over a long period of time. For example, the Land and Water Conservation Fund (LWCF), is a fund designed to finance acquisition of lands for national parks, refuges, forests and certain public lands, and to fund grants to states for outdoor recreation investments including state and local parks, trails, wetlands and playing fields. The fund automatically receives \$900 million each year—primarily from offshore oil and gas revenues; however, only a fraction of this amount has been appropriated over the past two decades. As of FY 2000, the LWCF had an unappropriated balance of nearly \$13 billion, while the state grant program had been eliminated.

Second, a broad nationwide coalition representing environmental organizations and the recreation industry called "Americans for Our Heritage and Recreation" formed in the mid-1990s. The purpose of the group was to begin lobbying for "full funding" of the LWCF at \$900 million per year. A second coalition called "Teaming with Wildlife" assembled to foster a state non-game wildlife grant program of about \$350 million per year, to be funded by proposed new taxes on recreation equipment.

Third, in March 1998, the Department of the Interior began to develop what became known as the "Partnership for America's Resources" (PAR), a \$3.2 billion dollar annual program to "protect and restore America's key legacy resources, natural, recreational, and historic; and [advance] a national partnership with states, local governments and the public to provide a natural resource legacy for future generations of Americans."<sup>1</sup> The proposal was to finance seven complementary permanent funds specifically addressing the "major conservation and restoration challenges confronting the nation on the cusp of the 21<sup>st</sup> century." These were:

• Land and Water Conservation Fund	\$900M
• Habitat and Coastal Restoration Fund	1,200M
• Historic Preservation Fund	150M
• Farmland Wildlife Protection Fund	100M
• Urban Park and Recreation Restoration Fund	150M
• Abandoned Mine Reclamation Fund	277M <sup>2</sup>
• Federal Lands Good Neighbors Fund	291M <sup>3</sup>

The Habitat and Coastal Restoration Fund included components for State Non-Game Wildlife Conservation Grants (\$350M); Coastal Restoration Grants Partnerships (\$400M); Wildlife and Endangered Species Partnerships (\$150M); and Federal Lands Restoration (\$300M). The PAR initiative included many proposals for major modifications in the approach and scope of the different program components. Interior initiated briefings on this proposal with the President's Council on Environmental Quality (CEQ) and the Office of Management and Budget (OMB) in early August 1998 and followed up with further White House staff briefings. Though PAR was bold and well-targeted, the overall fiscal climate was not yet ripe for a proposal with an incremental price tag of over \$2 billion. The projections of a future federal budget surplus were just beginning to emerge and the level of the spending caps had been set in the previous year after major Congressional battles.

At about the same time PAR was being developed, a coalition of coastal states, organized by Louisiana interests, began to prepare legislation that was to become the Conservation and Reinvestment Act. The initial concept was to share 27 percent<sup>4</sup> of offshore oil and gas revenues with coastal states. With half of this amount allocated to producing states and coastal counties

<sup>1</sup> Source: "Partnership for America's Resources", final review draft, December 1998, page 1.

<sup>2</sup> This was to be financed by extension of the program of fees on coal mine operations, and was expected to grow to about \$360 million within five years, and then stabilize at that level.

<sup>3</sup> This fund included the Payment in Lieu of Taxes and Refuge Revenue Sharing that were expected to increase modestly from year to year as federal lands were purchased. It was to be financed from onshore mineral revenues and unappropriated balances in the Reclamation Fund.

<sup>4</sup> 27 percent is a historical number based on the amount of money states receive from federal offshore revenues earned from the first three miles of the Outer Continental Shelf.

based on proximity to leases and the other half going to all coastal states to broaden the voting coalition that would be needed for passage in Congress. This proposal also included funding for the LWCF and the state wildlife grant program. The latter program was patterned after Teaming With Wildlife, but was financed differently and expanded in scope to include game animals. Money for each of these programs would come from a percentage of Outer Continental Shelf (OCS) revenues. A draft of this legislation was circulated in the summer of 1998, and legislation was introduced simultaneously in the House and Senate in October 1999 as H.R. 4717 and S. 2566. These bills were introduced too late for legislative action that year, but provided a base for drawing attention to and comments on the proposals.

With these antecedents and against a backdrop of increased public support for such initiatives, the Administration fashioned its first broad environmental proposal, the "Lands Legacy Initiative."

### **The Lands Legacy Initiative-Fiscal Year 2000**

The Administration's first Lands-Legacy Initiative was a multi-program budget proposal combining base funding with proposed new money in the FY 2000 budget. It was billed as a "new conservation vision for the 21<sup>st</sup> century, to help reconnect people with the land by preserving irreplaceable pieces of our natural legacy within easy reach of every citizen." The Lands Legacy initiative, built in part on Interior's PAR proposal, was far less fiscally ambitious, in line with the Administration's goal to present an overall budget that lived within the discretionary ceilings of the Budget Reform Act. It also incorporated program elements from the National Oceanic and Atmospheric Administration (NOAA) and the Department of Agriculture.

Lands Legacy was presented as a budget proposal that totaled \$1.0 billion—a 125 percent overall increase over 1999—for the set of programs packaged together as the initiative. It proposed to expand federal efforts to conserve and restore American lands and wildlife, giving new resources to states and communities to protect local green spaces, and providing for increased protection of coastal and oceanic resources. At the time of its announcement, the President indicated that he would seek to make the initiative permanent.

The initiative included \$900 million from the Land and Water Conservation Fund (LWCF), marking the first time any Administration had requested "full" funding of LWCF in its annual budget. LWCF monies would have not only been used to fund programs traditionally identified with the LWCF, but also programs within NOAA and Agriculture. This element proved to be controversial since it ran counter to the aims of the broad environmental and recreation coalition supporting full funding of the LWCF. The proposal was not popular with the appropriations committees, which were hostile to more environmental funding, making grants to states, and using the dedicated revenues particularly in non-traditional ways not authorized in general legislation.

The proposed and enacted funded included:

## FY 2000

Program	Request	Final
<i>Federal Land Acquisition (LWCF—Interior and Ag)</i>		
Interior	295	249
USDA	118	160
<b>Total Federal Land Acquisition</b>	<b>413</b>	<b>409</b>
<i>Interior</i>		
<i>State grant programs</i>		
Coop. Endangered Species	80	23
Urban Parks and Recreation Recovery	4	2
Open Space Planning Grants	50	0
State Land Conservation	150	41
<i>USDA</i>		
Forest Legacy	50	30
Urban and Community Forestry	40	31
Farmland Protection Program	50	0
Smart Growth Partnership	10	0
<i>NOAA—DOC Coastal Programs</i>		
National Marine Sanctuary Program	29	26
Coastal Zone Management Program	92	58
National Estuarine Research Reserves	19	12
Coral/Coastal Dredge/Fisheries Habitat Restorations	43	10
<b>Totals</b>	<b>1,030</b>	<b>642</b>

Only \$314.5 million of the \$579 million requested in the Department of the Interior's FY 2000 budget proposal for the Lands Legacy Initiative was provided by Congress. Only \$41 million of the \$200 million requested for state grants for Land Conservation or Open Space Planning was provided; only \$23 million of the \$80 million requested for the Cooperative Endangered Species Conservation Fund received approval; \$2 million or one-half of the \$4 million request for Urban Parks and Recreation Recovery; and \$249.5 million of the \$295 million Interior request for federal land acquisition was funded.<sup>5</sup>

<sup>5</sup> However, while the portion for federal land acquisition appears to come close to equaling the requested amount of \$295 million, thirty-three of the projects representing \$51.8 million were added on by the Congress with concomitant reductions in acquisitions requested by the Administration.

Nevertheless, Lands Legacy received \$642 million in the first year of the \$1 billion requested government-wide for the initiative. This level of funding reflected contentious budgetary negotiations with the Administration working to secure final appropriations much closer to its original proposal and far above the amounts provided in either the House- or Senate-passed versions of the appropriations measures.

The second year of the Administration's Lands Legacy Initiative expanded on the FY 2000 proposal, despite the setback in appropriations, and included some modifications in concept. The FY 2001 budget proposed \$1.4 billion representing a 53.4 percent overall increase from FY 2000 enacted for all the programs involved. The initiative also included a proposal to "fence and cap" the amount to be set aside for the initiative—a means of making the program relatively permanent by establishing a separate budgetary cap for the \$1.4 billion apart from the normal budgetary caps covering other discretionary appropriations.

The FY 2001 Lands Legacy Initiative provided funding increases for a variety of programs. For Interior, the Urban Parks and Recreation Recovery program was substantially increased, and new components were added for State Non-game Wildlife Grants, for the North American Wetlands Conservation Fund, and for providing planning tools to the states through State Planning Partnerships. The Open Space Planning Grants component from FY 2000 was dropped. The Department of Agriculture dropped the Farmland Protection Program and the Department of Commerce added Coastal Impact Assistance Grants and the Pacific Northwest Salmon Fund. LWCF funding was largely limited to traditional uses.

### **The Conservation and Reinvestment Act**

Concurrent with the Lands Legacy initiative, various members of Congress introduced a number of authorization bills that packaged multiple environmental programs and proposed to provide dedicated permanent funding. Three of these have substantially influenced the path of such legislation to date. The CARA legislation from 1998 was modified somewhat and reintroduced at the beginning of the 106<sup>th</sup> Congress in both the House and Senate. Representatives Don Young (R-AK), Billy Tauzin (R-LA), and John Dingell (D-MI) among others introduced H.R. 701. Senators Landrieu (D-LA) and Murkowski (R-AK) among others introduced the Senate Bill, S. 25. Shortly after that, Congressman Miller introduced H.R. 798, a measure much closer in concept to the PAR initiative which also reflected elements of the FY 2000 Lands Legacy program and which was much more in tune with Administration positions. Initial hearings were held on these during March 1999. Subsequently, Congressmen Young, Miller and Dingell, among others, began negotiations to see if they could reach agreement on joint legislation, having reached the conclusion that joint sponsorship would be needed to move any such legislation out of the Resources Committee or to get it approved by the House. This led to agreement on a joint set of amendments combining the two bills under the banner of CARA and H.R. 701, which were approved by the Resources Committee in November 1999. The bill was reported out of Committee in somewhat amended form in February 2000. Sponsorship of this bill grew to 315 members. This agreement led to House passage of H.R. 701 on May 11, 2000, on a 315-102 vote.

Prior to House passage, Senator Bingaman introduced S. 2181, the Conservation and Stewardship Act (CASA). This led to negotiations on the Senate side between Senators Murkowski and Bingaman, among others, and agreement on a combined bill that maintained the CARA banner as H.R. 701, but with a largely different text and a somewhat different, though overlapping, mix of program elements. The Senate Energy and Natural Resources Committee approved this combined bill on July 15, 2000. The program components of the House and Senate versions of CARA, as of August 2000, were as follows:

**PROGRAM AMOUNTS AVAILABLE UNDER H.R. 701  
AS PASSED BY THE HOUSE AND REPORTED BY THE SENATE COMMITTEE ON  
ENERGY AND NATURAL RESOURCES  
(In \$millions)**

Program	Passed by House	Reported by SENR
OCS Impact Assistance/Coastal Programs	\$1,000	\$805(a)
Federal LWCF	\$450	\$450
Stateside LWCF	\$450	\$450
Wildlife Conservation	\$350	\$350
Urban Parks and Recreation Recovery	\$125	\$75
Urban Forestry	(b)	\$50
Historic Preservation Fund	\$100	\$150
Federal Lands Restoration	\$180	\$100 (NPS only)
Tribal Lands Restoration	\$20	\$25
Cooperative Endangered Species Recovery	\$50	\$0
Farmland Protection Program	(b)	\$50
Forest Legacy Program	(b)	\$50
Youth Conservation Corps	\$0	\$60
Forest Service Rural Development	\$0	\$25
Forest Service Rural Community Assistance	\$0	\$25
Payment in Lieu of Taxes (PILT)	Interest earned on all titles except wildlife (c)	\$325
Refuge Revenue Sharing (RRS)	Interest earned on all titles except wildlife (c)	\$0
North American Wetlands Conservation	Interest earned on wildlife title	\$0
<b>Total</b>	<b>\$2,825(d)</b>	<b>\$2,990</b>

- (a) Includes \$430M for OCS, \$350M for coastal programs and \$25M for Coral Reefs.  
 (b) HR 701 provides \$100M for Urban Forestry, Farmland Protection Program and the Forest Legacy Program, although no distribution among them is provided.

- (c) CARA matching funds for PILT and RRS funded through interest. This is in addition to appropriated funds.
- (d) Plus interest earned on accounts for PILT, Refuge Revenue Sharing, and North American Wetlands Conservation.

Both versions of the legislation offered promise from the Administration's perspective, but both had problems as well. The House version made funding for all of the programs except federal land acquisition permanent, making that program nothing more than an authorization. In addition, it added unworkable conditions in the appropriations process such as a floor amount and a ceiling. Existing authorizations do not include such onerous conditions, making the legislation a candidate for veto. The Senate version substantively is much closer to the Administration's position on the various elements, but ties permanency of funding to enactment of \$450 million in federal land acquisition. This has the effect of making the entire \$2.99 billion in the bill little more than an authorization, and subjecting the entire amount to the discretionary spending caps. The Senate bill also includes unworkable budget and social account surplus requirements that would compromise its utility.

The Administration assigned a high priority and senior staff to work with Congress on resolving these problems and securing enactment of favorable legislation. The Senate measure was blocked from being taken to the floor by opposition from some of the members of the Appropriations Committee, who objected to the financing arrangements. In late September, an informal House-Senate group, including the major sponsors, reached agreement on a compromise approach that would have increased funding over a six-year period, limited CARA to a six-year program, and used a "cap and fence" approach along the lines of the Administration's Lands Legacy initiative. This compromise appeared to galvanize the appropriators into launching their own initiative, which was ultimately enacted with Administration support and which is much closer to the Lands Legacy budget proposal. With the success of the Appropriations Committee initiative, the CARA coalition collapsed and the CARA bill died.

### **Land Conservation, Preservation and Infrastructure Improvement Program**

After protracted negotiations with the Administration, the conferees on the FY 2001 appropriations bill agreed to create a six-year \$12 billion Land Conservation, Preservation, and Infrastructure Improvement Program as a compromise between the President's Lands Legacy Proposal and the CARA legislation. Details of the new program and funding levels provided for elements of the President's Lands Legacy proposal are described below. Dollars reflected in the table are in millions.

<b>Program Category:</b>	<b><u>Title I</u></b>	<b><u>Title VIII</u></b>	<b><u>Total this bill</u></b>
1. Federal and State LWCF:			
DOI/Fed.	163,940	130,000	293,940
DOI/State	40,500	50,000	90,500
Forest Service/Fed.	106,505	49,000	155,505
2. State and Other Conservation:			
DOI	51,925	168,000	219,925
Forest Service	30,000	50,000	80,000
3. Urban and Historic Preservation:			
DOI	86,347	35,000	121,347
Forest Service	34,721	4,000	38,721
4. Maintenance:			
DOI	N/A	100,000	100,000
Forest Service	N/A	50,000	50,000
5. PILT (DOI)	N/A	50,000	50,000
6. NOAA (Coastal)	N/A	[400,000]	[400,000]
<b>Total Funding:</b>	<b><u>513,938</u></b>	<b><u>686,000</u></b>	<b><u>1,199,938</u></b>
DOI	342,712	533,000	875,712
Forest Service	171,226	153,000	324,226
<b>Total Funding, Including NOAA</b>	N/A	N/A	<b>1,599,000</b>

The 2001 Land Conservation, Preservation, and Infrastructure Improvement Program (LCPII) includes a new category of funding in Title VIII of the Interior and Related Agencies Appropriations Act (PL 106-291) that provides an additional \$1.6 billion. \$1.2 billion of this amount is for Interior and Forest Service programs, including: federal and state LWCF funding (\$385 million for Interior; \$155 million for Forest Service), state and other conservation programs (\$220 million for Interior; \$80 million for Forest Service); urban and historic preservation (\$121 million for Interior, including \$3 million for Youth Conservation Corps and \$39 million for Forest Service, including \$3 million for Youth Conservation Corps); maintenance (\$100 million for Interior; \$50 million for Forest Service), and PILT payments (\$50 million for Interior). The remaining \$400 million is for coastal programs in NOAA.

Total funding amounts for this new program are available under a cap and fence structure. Discretionary funding ceilings are established in the Balanced Budget and Emergency Deficit Control Act for a conservation category that can only be spent for new land conservation, preservation and infrastructure improvement activities (the cap mechanism). There are six identified program subcategories for each year, as displayed in the table above. While funds are subject to appropriations through the annual appropriations process, they may not be appropriated for any other purposes (the fencing mechanism). Any funds that are not appropriated within the caps are available the following fiscal year for appropriation for the same activities. There is no bar to appropriating more for any subcategory from the overall government-wide discretionary budget caps, and it appears that additional funding will be provided in the Commerce-Justice-State appropriations measure, where Congress appears ready to add \$35 million to NOAA above the \$400 million subcategory, and to add \$50 million for a formula-based State Wildlife Grant program managed by the U.S. Fish and Wildlife Service. Funding within the capped and fenced conservation category grows by \$160 million a year, reaching a total of \$2.4 billion by 2006.

### ***INTERIOR'S INTERNATIONAL PRESENCE***

Prior to 1992, Interior provided no technical assistance overseas, although several of the Bureaus did. In 1995, the Department established a funding agreement with the U.S. Agency for International Development (USAID) to enable Department officials to provide technical assistance on biodiversity conservation to developing countries worldwide. Administered by the Office of International Affairs, more than one million dollars has been available annually under the Partnership for Biodiversity program since 1995. The program has been—or is currently—active in Bolivia, Brazil, Ecuador, Guatemala, Honduras, Mongolia, Nepal, Russia, South Africa, Tanzania, and Uganda.

The technical assistance provided under this program has been instrumental in significantly strengthening protection of natural resources in the targeted countries. For example, as a result of the Department's work, the Rio Platano Biosphere Reserve in Honduras—part of the largest contiguous undeveloped rain forest in Central America—now has governmental and non-governmental staff assigned to it with strong administrative, technical and leadership capabilities. Lake Hovsgol National Park in Mongolia has the necessary park infrastructure and

skills to manage its pristine natural and cultural resources, stronger park-community ties, and growing international recognition for its natural and cultural resources. Shey Phoksundo National Park in Nepal—nominated as a World Heritage Site for its unique natural and cultural resources—has new trails, interpretive materials and a newly established Junior Ranger program throughout neighboring schools. In Tanzania, Tarangire National Park and Lake Manyara National Park have improved infrastructure and park staff are better skilled in the areas of wildlife law enforcement and fire management. Overall, the Partnership for Biodiversity has forged strong links between U.S. and foreign protected areas and protected area personnel.

With additional USAID funding, Interior has initiated programs in the Republic of Georgia, Indonesia, and the Philippines. In the Republic of Georgia, Interior is working closely with the Georgian Ministry of Environment to strengthen Georgia's protected area system. In Indonesia, the Department is working to build the capacity of the Indonesian government to manage their coal and peat fires. In the Philippines, the Department has trained government and non-governmental staff in the principles of marine law enforcement to conserve important coral resources.

Recently, Interior has attracted funding interest from the World Bank, the InterAmerican Development Bank, and sovereign governments, such as the Kingdom of Jordan, to provide technical assistance on a range of topics from biodiversity conservation to cultural resources management.

### **Interior Leads U.S. Efforts on Environmental Cooperation with South Africa**

After a new government was elected in South Africa in 1994, Vice President Gore established the U.S.-South Africa Commission with his counterpart, then Vice President (now President) Mbeki to lend U.S. support to the stabilization of a multi-ethnic society in post-apartheid South Africa. Secretary Babbitt was asked to chair the Conservation, Environment & Water Committee of the Gore-Mbeki Commission, which has addressed critical issues such as expanding water rights to formerly disenfranchised citizens, creating jobs that also help conserve natural resources, and providing economic opportunities in conservation management to majority South Africans.

Prior to 1994, the U.S. government had little contact with South African government officials because of their apartheid policies. After the government transition, the Department saw the importance of establishing government-to-government relations on subjects of mutual concern, such as CITES, and because South Africa plays a leadership role in the rest of the African continent. All of the workshops sponsored by the committee have included participants from the other countries of southern Africa.

The Committee's strategic goal is to strengthen the capacity of South Africans to improve the quality of life in their society and manage the environment in a sustainable way. This goal is based on Section 24 of the new Constitution of South Africa: "Everyone has the right to an environment which is not harmful to their health or well-being."

The Conservation, Environment & Water Committee uses five Working Groups, based on U.S. and South African environmental agency responsibilities, to organize its activities. At the

original suggestion of the Vice President's Office, Interior staff sought to involve as many federal environmental agencies as possible in the work of the Committee. The USFWS and Bureau of Reclamation have been particularly active within Interior, as have EPA and NOAA; all chair Working Groups. Each agency is providing its own funding for its activities and operates under its own legal authorities. (Each Working Group does coordinate with other agencies. For example USFWS includes Smithsonian and Bureau of Land Management in its Working Group.)

To date, the Committee has initiated over sixty-six discrete projects between U.S. and South African counterparts, enabled over 106 South Africans to visit the U.S. to observe Interior operations on everything from park management, weather predictions, invasive species control to fire management. USAID has provided approximately 1 million for activities of the committee, an amount that has been equally matched by the U.S. agencies and the South Africans.

Successes of the Committee include binational cooperation on the drafting of South Africa's new Water Law, enacted in 1997. The Interior Solicitor has said it is "vaulting South Africa into the first rank of the world's jurisdictions on progressive water law and management." Staff from the Solicitor's office and Bureau of Reclamation provided advice on drafting of the law at the request of the South African Water Ministry.

The Committee also provided the first foreign financial support to the Working for Water program, sponsored by the South African Ministry of Water Affairs and Tourism, which now employs 42,000 South Africans and is the country's largest public works program. The program's focus is to eradicate invasive alien plant species, which divert 7 percent of this drought-prone nation's rainwater.

The Committee sponsored South African National Parks Executive Director Mavuso Msimang's seventeen-day tour of seven U.S. National parks and wildlife refuges to observe how U.S. parks and refuges build local community support, create economic opportunities, provide employee training and offer environmental education and cultural management. NPS Director Stanton conducted an exchange visit to South Africa, which resulted in increased information sharing and exchanges between staffs.

Committee-sponsored Workshops on Wetlands Protection, Invasive Species, Climate Forecasting, and Water Management drew international attendees, wide praise in the South African press and professional staff in South Africa.

## **U.S.-Mexico Affairs**

The Department of the Interior administers more than 10 million acres within 100 km (62 miles) north of the international border with Mexico. This land constitutes about one third of the land on the U.S. side of the border. This includes several national parks, monuments and memorials; national wildlife refuges and lands administered by the Bureau of Land Management that contain nationally significant natural and cultural resources. Additionally, the Department is responsible for ensuring the well-being of a wide array of federal trust species (including endangered or threatened species, migratory birds, and some marine mammals) that occur in the border region.

### **Secretary Signs First International Agreement**

A precedent-setting Memorandum of Understanding was signed on May 18, 2000 between Interior and its counterpart agency in Mexico to cooperate on natural resources and watershed management, scientific exchange, and biodiversity conservation. While the bureaus had signed such agreements previously, this was the first time one was signed by the Secretary on behalf of the entire department. The agreement was requested by Secretary Babbitt to formalize the excellent relations he has developed with his counterpart in Mexico. The Solicitor's Office and the Department of State fully recognized the Department's legal authority to engage in these types of agreements with counterpart agencies in foreign nations.

### **North American Free Trade Agreement and Environmental Side Agreement**

Interior participated actively in the final moments of the NAFTA negotiations to ensure explicit recognition by NAFTA trade rules of the Convention on International Trade and Endangered Species and the Migratory Bird Treaty. Interior worked throughout the development of the environmental side agreement that created the tri-national Commission on Environmental Cooperation (CEC) to ensure adequate consideration of natural resources and biodiversity conservation. In coordination with Fish and Wildlife Service, the Department has taken an active role in steering the CEC toward useful and relevant activities related to migratory birds, monarch butterflies, wildlife enforcement, and scientific cooperation.

### **Increased Coordination of Interior Activities along the U.S.-Mexico Border**

Prior to 1993, Interior bureaus worked with Mexico across the border on some issues, but typically on an *ad hoc*, one-on-one basis. When the North American Free Trade Agreement with Mexico was signed in 1992, Interior decided that it needed to increase internal coordination on border issues so that the agency could be more effective in dealing with the potential impacts to the environment and natural resources from increased economic development and population growth. In response to this need, Interior established the U.S.-Mexico Border Field Coordinating Committee (FCC), which is comprised of representatives from all the Interior bureaus. Since its creation in 1994, the FCC has been instrumental in representing the Department's interest in border issues in a variety of forums and has enhanced Interior's interaction with state and local governments, academia, private organizations, and other federal agencies on both sides of the border. The committee members facilitate field-level input and coordination for Interior policies and programs along the border such as Border XXI—a binational, interagency initiative for the U.S.-Mexico border aimed at improving intergovernmental coordination in the protection and improvement of the environment, natural resources, and public health. Within the Border XXI program, Interior co-leads with Mexico the Natural Resources Workgroup and participates in the Water Workgroup and the Environmental Information Workgroup.

### **Biodiversity Conservation on the U.S.-Mexico Border**

The Department has worked with Mexico to build a program of binational cooperation to overcome problems of habitat fragmentation across jurisdictional boundaries and the international border. Through the Letter of Intent to Enhance Cooperation in Adjacent Protected

Areas—signed by Secretary Babbitt and his counterpart from Mexico, Secretary Carabias of Mexico's Secretariat of Environment, Natural Resources and Fisheries (SEMARNAP) on May 5, 1997—local land managers are empowered to work directly with their counterparts across the border. As a result, scientific and technical exchanges, as well as coordination on natural resources management, have increased among the staff and managers of the natural protected areas.

The Letter of Intent set up pilot areas in the Chihuahuan and Western Sonoran Deserts. The Chihuahuan Desert area includes Big Bend National Park in Texas and, in Mexico, the Flora and Fauna Protected Areas of Maderas del Carmen in Coahuila and Cañon de Santa Elena in Chihuahua.

In the Western Sonoran Desert, the pilot area encompasses Organ Pipe Cactus National Monument, Cabeza Prieta National Wildlife Refuge and Imperial National Wildlife Refuge, as well as special management areas administered by the Bureau of Land Management. In Mexico, the pilot includes the Biosphere Reserves of the Alto Golfo de California y Delta del Rio Colorado in Baja California and Sonora and El Pinacate y Gran Desierto de Altar in Sonora.

### **Transboundary Watershed Protection**

Secretaries Babbitt and Carabias signed three Joint Declarations to enhance binational cooperation in the transboundary watersheds of the Upper San Pedro River Basin (June 22, 1999), the Colorado River Delta (May 18, 2000), and the Rio Grande River: Ft. Quitman to Amistad Reach (June 14, 2000). These declarations have created avenues to address issues related to water resources and the ecological integrity of the associated riparian and aquatic habitats.

### **Seamless Map of the U.S.-Mexico Border**

The Department and the U.S. Geological Survey worked intensively for nearly two years to fund, develop, and finally sign an agreement with Mexico to work jointly to produce aerial photography suitable for developing maps and GIS (Geographic Information System format) systems for the entire U.S.-Mexico border. This project will eliminate the "white map" syndrome, where U.S. maps have typically been white south of the border and Mexico maps have typically been white north of the border. The agreement was a fulfillment of commitments made by President Clinton and Mexican President Zedillo in their October 1995 Summit to "survey the U.S.-Mexico border." The goal of the project is to create seamless maps and binationally-compatible geospatial data that will be used by land managers, local city and county planners, among other users.

### **Wildfire Protection Agreement**

An agreement was executed between Interior, SEMARNAP, and U.S. Department of Agriculture to enable the U.S. and Mexico to jointly respond to wildfires on June 4, 1999. The agreement was used in the late summer of 2000 to bring Mexican fire fighters to the U.S. to assist in suppressing the devastating fires in the western U.S.

## **OFFICE OF INSULAR AFFAIRS**

### **Interagency Group on Insular Areas**

President Clinton established the Interagency Group on Insular Areas (IGIA) by Executive Memorandum on August 9, 1999, to formalize a mechanism to clarify the concerns of American Samoa, the Commonwealth of the Northern Mariana Islands, Guam and the U.S. Virgin Islands. Under the direction of the Secretary of the Interior and the White House, this initiative brings together senior officials from throughout the federal government. The Office of Insular Affairs provides day-to-day management and policy support.

The IGIA is charged with improving cross-cutting policy coordination, increasing federal responsiveness to insular area issues, and recommending policy and program remedies to the President. As a first step, the group has focused its attention on areas that promote sustainable growth consistent with the management of natural and fiscal resources. Its strategic work plan, developed in consultation with island leaders, also seeks to improve the general welfare of the islands to achieve parity with U.S. health, social, and economic development.

Issue clusters provide a roadmap for closer interdepartmental collaboration to address follow-up items, and set the framework for future actions. These include economic planning and trade mission assistance, tax incentives, immigration and visa issues, job training assistance, budget and management controls, and new economic initiatives. The improvement of statistical capacity, land usage, solid and wastewater management, environmental hazard mitigation and clarification of disaster assistance round out the clusters. In October 2000 it convened a meeting of officials from the islands and the federal government to help mediate grant management and fiscal accountability concerns and increase the islands' competitive advantage when applying for new grants and loans.

### **CNMI Labor, Immigration and Trade Reform**

The Administration undertook a joint initiative with the Commonwealth of Northern Mariana Islands (CNMI) to change local labor and immigration policies and to better enforce federal law in these areas. The CNMI became notorious for its immigration and labor situation. The local government used its status to create a garment industry that employs alien workers earning less than the federal minimum wage and ships its products to the United States duty and quota free. The CNMI government was first warned in 1986 by the federal government that the widespread use of alien labor in industries benefiting from duty exemptions would not be tolerated.

In 1995, the Clinton Administration began the CNMI Initiative to assist the local government in addressing local labor and immigration problems. In 1997, it was recognized that these efforts were not successful due to a reversal of reform policy by some CNMI administrative and legislative officials. The Administration followed through by proposing legislation to apply federal immigration and minimum wage laws to the Commonwealth as contemplated in the Covenant between the United States and the CNMI. The Administration continues to support application of federal immigration and minimum wage law and elimination of duty exemptions for products made by alien workers.

## **Capital Improvement**

One of the major achievements of this Administration was a 1995 legislative proposal that guaranteed long term mandatory funding for capital improvements in the U.S. territories. One of the purposes of the legislation was to give the U.S. territories comparable treatment to other insular areas in the Pacific—the Republic of the Marshall Islands, the Republic of Palau, and the Federated States of Micronesia. Up until this time, the U.S. territories did not have a source of guaranteed funding for essential infrastructure needs, but the aforementioned freely associated states had guaranteed Compact funding for this purpose. A modified version of the Administration's proposal was enacted by Congress in 1996 (PL 104-134). The legislation provides a total of \$27.7 million annually. Concurrently with the fiscal year 2001 budget request, the Administration is proposing a \$5.420 million increase to this mandatory amount.

## **Brown Tree Snake**

Another of this Administration's major achievements was to significantly increase annual resources (from \$600,000 to \$2.4 million annually) dedicated to dealing with the problem of the brown tree snake, a non-indigenous invasive species that has caused major ecological damage in the territory of Guam, and threatens other Pacific islands and parts of the U.S. mainland. In a 1999 memorandum of understanding, the Department of the Interior also developed a new protocol for cooperation among four federal agencies and three state and territorial governments along with an integrated plan of control to minimize ecological and economic damage caused by the snake.

## **Virgin Islands Agreement MOU**

In 1998, Secretary Babbitt was invited by the Virgin Islands Delegate to Congress, Donna Christensen, to meet with newly elected Democratic Governor Charles Turnbull, who had inherited a \$1 billion deficit from his predecessor. Secretary Babbitt, White House Deputy Director of Inter-Governmental Affairs Fred DuVal, Office of Insular Affairs Director Allen Stayman, and OIA Virgin Islands Desk Officer Edgar Johnson went to St. Thomas in January 1999. The discussion centered around how the Department of the Interior could assist the Virgin Islands in eliminating the deficit.

Interior developed a Memorandum of Understanding between Secretary Babbitt and Governor Turnbull regarding Financial Performance Standards and Enhancement of Natural Resources. The premise was that Interior would develop fiscal accountability and financial performance standards that the Government of the Virgin Islands (GVI) would implement immediately and, in turn, GVI would work with Interior to enhance their natural resources. GVI would provide monthly progress reports on the budget and cash flow impacts of various performance standards. Interior would certify that that GVI has achieved substantial compliance with the targeted reductions in the MOU. Interior would then make available funds to the GVI for capital improvements, other assistance and mutually agreed technical assistance that may be provided by the FY 2001 and future appropriation acts for Interior or by other legislation. Some of these performance standards have been implemented, and the following has been accomplished:

- OIA has secured a \$5.4 million CIP Grant for the GVI to address federally mandated solid waste issues.
- OIA provided \$400,000 in technical assistance towards the development of a FY 1998 single audit.
- A letter to FEMA has been drafted for the Secretary's signature to begin a process that could substantially reduce a \$42 million obligation to \$2-3 million.

Interior has the support of the GVI in enhancing their natural resources, primarily the coral reefs that are in a poor state. This initiative is in congruence with President Clinton's initiative to restore the nation's coral reefs. The enhancement of natural resources in the Virgin Islands will greatly enhance tourism, which is the largest industry on the four islands.

Secretary Babbitt traveled to the Virgin Islands on September 11-12, 2000 to meet with the Governor and discuss the GVI's progress on the MOU.

### **Palau Road**

The Administration oversaw planning and construction of a fifty-three-mile road in the Republic of Palau intended to spur economic development. Designed under rigid U.S. environmental standards to protect one of the world's greatest island and coral reef ecosystems, this road was promised to Palau as a part of the Compact of Free Association (PL 99-658) which defines the relationship between the U.S. and Palau. When complete, the Palau road will be the largest single federally funded civilian project ever built in a U.S.-affiliated insular area at a total estimated cost of \$149 million. Work began in 1996 and is expected to be complete in 2002.

### ***INDIAN COUNTRY INITIATIVE***

The Clinton Administration has demonstrated a sustained commitment to Native Americans over the past eight years. In April 1994 President Clinton became the first President to invite the leaders of all federally recognized tribes to the White House. With his July 1999 visit to Pine Ridge reservation, he became the first President to visit a reservation since Franklin D. Roosevelt in 1936. The Administration has long recognized the plight of Native Americans, and President Clinton has addressed key socioeconomic measures throughout his tenure, including increased funding for education, law enforcement, and other important issues. President Clinton's attendance at sessions such as the 1998 "Building Economic Self-Determination in Indian Country" conference and the 1999 summit with tribal leaders from the Dakotas and Montana lay the groundwork for recognition of Indian issues.

By any socioeconomic measure, American Indians trail the general U.S. population. According to the 1990 census, an American Indian's family income was \$21,619 annually compared to \$35,225 for the U.S. population. The per capita income in 1989 was \$8,284 for American

Indians residing on all reservations and trust lands, compared with \$14,420 for the U.S. population.

More significantly, American Indians are slipping further behind the U.S. population. For example, in 1979, 28 percent of American Indians were living below the poverty level compared to 12 percent of the U.S. population. By 1989, 31 percent of American Indians were living in poverty compared to 13 percent of the U.S. population. American Indians are younger and have higher levels of poverty, unemployment, single parent families, fertility and mortality than the U.S. population at large. Tragically, trends are deteriorating for this highly vulnerable population.

The President's FY 2001 Indian Country Initiative addresses critical needs, such as education, law enforcement, health care, economic development, and infrastructure development comprehensively and systematically. The Administration's record of partnership with the tribes extends from strengthening the relationships between governments to increasing educational opportunities to promoting self-determination to protecting tribal natural resources.

## **Education**

The Bureau of Indian Affairs is the primary federal agency charged with the responsibility to administer policy and operations for the Indian education programs at 185 federally recognized tribal or Bureau-managed schools. Many factors, such as school facilities, modern teaching and learning equipment, programs for at-risk children, and a safe environment contribute to a successful education program.

The 185 Bureau-funded schools contain over 26 million square feet of space and include dormitories, employee housing quarters, and more than 2,000 administrative buildings providing educational opportunities to approximately 50,000 students in twenty-three states. Many of these buildings have health, safety, and disability access deficiencies. The backlog of extensive repairs needed to attain national building codes and standards exceeds \$800 million. Under the Clinton Administration, the BIA instituted improved planning for school construction through five-year plans.

Throughout his Administration, President Clinton's education agenda has sought to reduce class size and help communities renovate and build new schools. Indicative of this continuing commitment, the President's Budget for FY 2001 provides the largest increase ever for school construction, for a total of \$126 million—a 1400 percent increase over the meager \$9.0 million requested for school construction for FY 1992. The FY 2001 budget includes funding for the balance of the schools on the 1993 school construction priority list, as well as for three additional schools on the new (2000) priority list. Since 1993, thirteen schools have been funded through the construction phase; seven are complete and occupied, four are in the construction phase and two are scheduled to begin construction soon.

As noted in Executive Orders 13096 and 13104, preparing Indian youth for the 21<sup>st</sup> century requires an integrated approach to providing quality educational opportunities from early childhood to adulthood. In addition to meeting performance goals at the elementary and

secondary school levels, the Administration is committed to expanding Family and Child Education programs, piloting therapeutic residential model programs, supporting twenty-five tribally controlled community colleges, and enhancing the vocational-technical programs at Crownpoint Institute of Technology.

## **Law Enforcement**

In 1997, in response to alarming crime rates in Indian Country, President Clinton requested that an executive committee composed of tribal leaders and federal agency staff develop recommendations for improving law enforcement. From 1997 to 1998 violent crime decreased approximately 17 percent nationwide, while violent crime, such as homicide, rape, aggravated assault, and child sexual abuse, rose by 56 percent in Indian Country. The Department of Justice and BIA are working in partnership to improve law enforcement services by strengthening core reservation law enforcement functions, such as uniformed police, communications, basic detention services (dispatchers and detention officers), drug testing and treatment, and juvenile justice programs.

Going hand in hand with greater resources for law enforcement in Indian Country is the need to develop the ability of tribal governments to handle the accompanying increase in caseloads. More than 250 tribal justice systems and courts of Indian offenses (serving four tribes) are supported by BIA funds. These tribal courts face the same issues State and federal Courts confront every day, such as child sexual abuse, alcohol and substance abuse, gang violence, and violence against women. Courts are beginning to experience increases in caseloads concurrent with the effort to clean up crime, and tribal courts must have the capacity to adjudicate the resulting criminal cases and resolve disputes.

The Presidential Initiative encouraged modern, up to date training and continuing education. Through the Indian Police Academy, the number of graduate/certified Indian Country law enforcement personnel has increased. In addition to enhanced staffing and staff training, the Clinton Administration has also improved crime reporting in Indian Country. For example, the Indian Law Enforcement Information Network (INLINE) system provides for improved criminal statistical data and automates Bureau and tribal law enforcement programs on a nationwide basis and allows for Bureau and tribal law enforcement programs to contribute to the crime reporting system of the federal Bureau of Investigation.

## **FY 2001 Appropriations Results**

The FY 2001 Interior and Related Agencies Appropriations Bill addressed many funding shortfalls that the Department identified as problematic throughout the appropriations process, including BIA's trust funding and BIA school operations. The appropriation bill funds BIA at \$2.1 billion, an increase of \$272.1 million above the 2000 enacted level, but \$59.8 million below the President's budget request. The bill provides the full request for the BIA component of the Rocky Boys water settlement and implementation of the NAPA recommendations. The bill provided \$104.5 million of the \$107.6 million requested for BIA's trust reform efforts. While this is \$3.1 million below the amount requested, it is substantially higher than initial funding provided in both the House and the Senate versions of the bill. Funding for school operations

was also increased above both the House and Senate levels. The bill includes \$489.5 million for school operations, \$17.1 million below the request, but \$22.6 million above the 2000 level. Additional funding was provided for the Housing Improvement Program (+\$4.0 million), the Family and Child Education Program (+\$3.6 million), and the therapeutic model (+\$2.9 million).

## CHAPTER SIX: LAW

### *MAJOR LEGAL DECISIONS*

The Department of the Interior participated in many legal battles from 1993 through 2000. A few of these created significant new precedents in the U.S. Supreme Court.

#### **Babbitt v. Sweet Home Chapter of Communities for a Great Oregon**

Great Oregon, 515 U.S. 687 (1995), the Supreme Court confirmed the government's authority under the Endangered Species Act (ESA) to protect endangered and threatened species against significant damage to their habitats, even when the habitats are on private land. The ESA makes it illegal to "take" any listed species and defines "take" to include "harm" to a listed species. In the initial set of endangered species regulations issued after the ESA was enacted in 1973, the U.S. Fish and Wildlife Service defined "harm" to include significant habitat modification that kills or injures listed species. The plaintiffs in Sweet Home argued that "harm" should be read as applying only to direct applications of force against wildlife. The Court rejected this argument, finding that the "harm" definition is well-grounded in the language and legislative history of the ESA and that it furthers the ESA's purpose of conserving the ecosystems upon which endangered and threatened species depend.

#### **United States v. Alaska**

In 1979, the United States filed an original action in the Supreme Court of the United States to determine ownership of submerged lands off Alaska's Arctic coast. The case revolved around the status of certain geographic features, such as historic bays and intermittent islands, in order to determine the coastline of Alaska and the three-mile line separating Alaska's submerged lands from the Outer Continental Shelf and the territorial seas owned by the United States. This issue was of particular importance since the area encompassed areas leased for oil and gas exploration and production. The State also disputed the United States' claim of ownership to the submerged lands within the National Petroleum Reserve-Alaska (NPR-A) and to the submerged lands of the Arctic National Wildlife Range, now the northern portion of the Arctic National Wildlife Refuge.

The decision in United States v. Alaska, 521 U.S. 1 (1997), held in favor of the United States on nearly all issues. Of the \$1.8 billion held in escrow pending resolution of this matter, \$1.3 billion was distributed to the United States and \$500 million to the State of Alaska. The Supreme Court specifically held that the submerged lands within the NPR-A were reserved to the United States under the various orders creating the reserve and that the reservation was confirmed by Congress under the Alaska Statehood Act. With respect to the Arctic National Wildlife Range, the Court concluded that the 1957 application to create a wildlife refuge clearly encompassed submerged and tide lands and was sufficient to segregate those lands. This segregation coupled with section 6(e) of the Alaska Statehood Act meant that the United States retained ownership of the submerged lands within the Range. Then in 2000, a lower court relied on the Supreme Court opinion to hold that the United States retained the ownership of all

submerged lands within an area withdrawn for military purposes before Alaska became a state. Alaska v. United States, 213 F.3d 1092 (9th Cir. 2000). This case was the first application of the Supreme Court's opinion and affected title to submerged lands in the Arctic National Wildlife Refuge, the Gates of the Arctic National Preserve and public lands managed by the Bureau of Land Management.

### **Minnesota v. Mille Lacs Band of Chippewa Indians**

In August 1993, the Department of the Interior joined this existing case to reestablish the Chippewa Indians' off-reservation treaty hunting and fishing rights. The State of Minnesota claimed that these rights were terminated by an 1850 Executive Order purporting to end the tribes' 1837 treaty rights or by an 1855 treaty which disclaimed the tribes' right to "all right, title, and interest" to any other lands. The Eighth Circuit Court of Appeals held that the treaty rights still exist despite the Executive Order because the President didn't have the authority to issue the order, 124 F.3d 904 (8<sup>th</sup> Cir. 1997). The court held that the 1855 treaty did not extinguish the tribes' treaty hunting and fishing rights because the parties had not interpreted the 1855 treaty that way. Finally, the court held that the rights were not extinguished upon Minnesota's entry into the Union on an equal footing with the other states because the rights are continuing in nature, and therefore survive statehood. In Minnesota v. Mille Lacs Band of Chippewa Indians, 526 U.S. 172 (1999), the Supreme Court affirmed the Eighth Circuit's decision and held that the Chippewa retain the usufructuary hunting, fishing, and gathering rights in their ceded lands, as guaranteed under the 1837 treaty.

### **Public Lands Council v. Babbitt**

In 1995, the Bureau of Land Management responded to a Secretarial initiative to improve the condition of federal grazing lands by adopting far-reaching reforms of the regulations governing grazing under the Taylor Grazing Act. Those regulations were challenged by various ranching interests, with almost every aspect of the rules upheld by the courts. In a final decision on the case, Public Lands Council v. Babbitt, 120 S. Ct. 1815 (2000), the Supreme Court concluded unanimously that the rules fell within the Secretary's discretion under the Taylor Grazing Act. The opinion confirmed the Secretary's authority to cancel or reduce forage allocations under grazing permits, and confirmed the statutory limitation on the rights permit holders may claim with respect to federal grazing lands.

## ***MAJOR SOLICITOR'S OPINIONS***

The Solicitor's Office has issued many legal opinions on important issues affecting the operations of the Department of the Interior and the administration of laws within its jurisdiction. Several of these opinions responded to questions regarding administration of the General Mining Law of 1872 that arose after the Secretary of the Interior instituted a new careful review procedure for applications to patent federal mineral lands into private ownership. Other opinions addressed certain other mining law issues, tribal fishing rights and water rights, and the Wild and Scenic Rivers Act.

### **Fishing Rights of the Yurok and Hoopa Valley Tribes, M-36979 (Oct. 4, 1993)**

The opinion on “Fishing Rights of the Yurok and Hoopa Valley Tribes” addressed the allocation or quantified share of the Klamath River Basin anadromous fishery resources of two federally-recognized Indian tribes whose reservations were established by Executive Orders in the mid- to late-1800s. Applying principles developed in cases interpreting treaties and associated rights of tribes in the Pacific Northwest, the opinion concluded that the Yurok and Hoopa Valley Tribes have a “right to harvest quantities of fish on their reservations sufficient to support a moderate standard of living ... limited to fifty percent of the harvest in any given year unless varied by agreement of the parties.” Thus, the opinion—confirmed by subsequent litigation—adopted principles previously employed to evaluate the fishing interests of treaty tribes to tribes whose reservations were established by Executive Order. The Opinion also recognized the principle, in the context of non-treaty federally-reserved fishing rights, that the protection of on-reservation tribal rights to trust resources may require the regulation of off-reservation activities that affect the ability of tribes to enjoy their reserved rights meaningfully.

### **Entitlement to Water Under the Southern Arizona Water Rights Settlement Act, M-36982 (March 30, 1995)**

In “Entitlements to Water Under the Southern Arizona Water Rights Settlement Act (SAWRSA),” the Solicitor for the first time addressed a number of questions concerning allottee water rights and tribal control over them. The opinion explains that an Indian allottee has a right to a “just and equal distribution” of water for irrigation purposes, but that tribes possess broad regulatory power over reservation water resources, including those to which allottees have rights. The opinion provides important guidance to the Department in administering trust resources generally and, more specifically, in determining how Indian water rights claims can be settled so as to protect both the rights of tribes and Indian allottees.

### **Excess Reserves under the Mining Law, M-36984 (March 22, 1996)**

This opinion addressed the issue of excess reserves, more accurately known as unmarketable resources, under the 1872 Mining Law. Since there is no valuable “discovery” of minerals under the Mining Law unless the mineral deposit is presently marketable, “Excess Reserves Under the Mining Law” concluded that the Bureau of Land Management may contest the validity of a mining claim to the extent that the mineral deposits within the claim exceed the reasonably foreseeable market demand for the mineral. This conclusion prevents mining claimants from asserting rights or potentially even privatizing public lands when there is no reasonable prospect that the lands will be mined in the foreseeable future. The opinion recognizes that a claimant may hold reasonable reserves for future supply to carry on the mining operation for a reasonable time period; however, any mineral supply that cannot be marketed within that period is not a valid mineral discovery under the law.

### **Limitations on Patenting Mill Sites Under the Mining Law of 1872, M-36988 (November 7, 1997)**

“Limitations on Patenting Mill Sites under the Mining Law of 1872” addresses the amount of mill site acreage—areas used for facilities ancillary to mining operations, like processing

facilities, waste pits and tailings ponds—that an applicant may patent under the Mining Law. The opinion concludes that an applicant may only patent up to five mill site acres for each of its previously or concurrently patented mining claims. In addition, it cautions against approving new mining operations that would exceed the mill site limit, whether or not the land is to be patented into private ownership. On November 29, 1999, Congress enacted the Interior and Related Agencies Appropriations Act for FY 2000, Public Law No. 106-113, which grandfathered certain existing mining operations and proposed operations, but the opinion remains intact and the mill site limitation continues to apply to all plans of operations submitted after November 7, 1997, which were not approved before November 29, 1999.

**Managing Areas Eligible for Protection under the Wild and Scenic Rivers Act, M-36989 (November 12, 1997)**

The Solicitor's Opinion on "Managing Areas Eligible for Protection Under the Wild and Scenic Rivers Act" provides guidance to the Bureau of Land Management on the protection of river segments nominated by BLM for inclusion in the Wild and Scenic River System through the land use planning procedures of the Federal Land Policy and Management Act. The opinion advises BLM that the full protections of the Wild and Scenic River Act do not apply until the river segments are actually designated as wild, scenic or historic rivers by either Congress or the Secretary after nomination by the Governor of the affected state. The opinion also offers further guidance on management of the nominated river segments, noting that the Bureau of Land Management has the discretion to administratively protect these segments in a manner similar to that under the Wild and Scenic Rivers Act through the Federal Land Policy and Management Act land planning process.

**Entitlement to a Mineral Patent Under the Mining Law of 1872, M-36990 (November 12, 1997)**

The opinion addressing "Entitlement to a Mineral Patent under the Mining Law of 1872" dealt with the confusion and litigation that had arisen over when a patent application was "complete" for establishing an entitlement to a patent under the 1872 Mining Law. The opinion concludes that an entitlement to a patent does not arise until the Secretary determines that the patent applicant has complied with all the terms and conditions entitling the applicant to a patent. The opinion recommended that the Bureau of Land Management take several steps to ensure that there is no implication of an earlier entitlement, including modifying its patent review process and formally rescinding the BLM Manual to the extent it was contrary with the opinion. As a result, the Bureau has taken numerous actions to ensure that the requirements of the law are complied with.

**Options Regarding Applications for Hardrock Mineral Prospecting Permits on Acquired Lands Near a Unit of the National Park System, M-36993 (April 16, 1998)**

This opinion addressed the possible legal options for the Secretary of the Interior to address lead mining prospecting permit applications on acquired lands within the Mark Twain National Forest, which would potentially affect the Ozark National Scenic Riverways, a nearby unit of the National Park System. The conclusions in "Options Regarding Applications for Hardrock

Mineral Prospecting Permits on Acquired Lands Near a Unit of the National Park System" extend well beyond this limited factual situation. The opinion addressed the general duty of the Secretary of the Interior to protect the National Park System, and concluded that the 1916 Organic Act for the National Park System, as amended, requires consideration of impacts on Park System units when the Secretary exercises discretion over activities taking place outside the boundaries of those units.

#### **Patenting of Mining Claims and Mill Sites in Wilderness Areas, M-36994 (May 22, 1998)**

The opinion on "Patenting of Mining Claims and Mill Sites in Wilderness Areas" applies to patenting in all areas that have been withdrawn from application of the Mining Law, including wilderness areas. Statutes that withdraw lands from the operation of the Mining Law often include specific restrictions on patenting, such as excluding the surface estate from any mineral patent or cutting off patenting altogether, subject to valid existing rights. The opinion concludes that an applicant may meet these restrictions and establish a valid existing right to a patent only if the applicant: (1) located a mining claim prior to the withdrawal; (2) discovered a valuable mineral deposit before the withdrawal; and (3) met all requirements for patenting prior to the withdrawal. It is not enough for a claimant to have located an unpatented mining claim and made a discovery before withdrawal to be free from the patenting limitations included in a withdrawal statute.

#### **Regulation of Hardrock Mining, M-36999 (December 27, 1999)**

In response to the Bureau of Land Management's request for guidance regarding a large cyanide heap leach gold mine that would cover about 1500 acres in the California Desert Conservation Area, including a site of spiritual significance to the Quechan Tribe, the Solicitor's Office prepared an opinion on "Regulation of Hardrock Mining." The opinion interpreted the Federal Land Policy and Management Act's prohibition on "undue impairment" in the California Desert Conservation Area to allow rejection of the mining plan of operations depending upon particular facts, including the nature and significance of the resources to be protected and the specific proposal. In this case, the Advisory Council on Historic Preservation had issued a report concluding that the proposed mine, "even with the mitigation measures proposed by the company, would result in a serious and irreparable degradation of the sacred and historic values ... that sustain the tribe" and recommending "that Interior take whatever legal means available to deny approval for the project."

### ***MAJOR ORGANIZATIONAL CHANGES***

In 1993, the Solicitor determined that a major organizational review of the Solicitor's Office was warranted as part of the Administration's Reinventing Government initiative. Rather than conducting an internal review, the Solicitor's Office asked a team of management consultants from other units of the Department to review the Office's performance and organization. The Office of the Solicitor Organizational Study was completed in January 1994, and after a period of internal discussion and comment, many recommendations were implemented.

## **Solicitor's Manual Reinvention**

The Solicitor's Manual was completely rewritten, sharply reducing it in size from 792 pages to 26. The Office received a departmental Reinvention Award for this effort. The limited delegations of authority, detailed procedures, and multiple reporting requirements that characterized the old command-and-control style manual were replaced with broad delegations of authority and general requirements that all employees ensure communication and coordination as appropriate. Increased authority for awards, personnel actions, training requests, purchases, and other administrative matters was delegated to the managers. These changes greatly increased the authority and flexibility of Solicitor's Office managers, eliminated levels of review and approval necessary for a wide range of actions, and reduced the amount of time required to accomplish many administrative tasks.

## **Reorganization and Closure of Field Offices**

The Office changed several regional and field office reporting relationships and closed some offices in 1995. The number of Solicitor's Office Regions was reduced from eight to seven, converting the Intermountain Regional Office into a field office in Salt Lake City reporting to the Pacific Southwest Region in Sacramento. Reporting relationships for the Twin Cities, Boise and Phoenix Field Offices were altered, to report to the Northeast Regional Office in Boston, the Pacific Northwest Regional Office in Portland, and the Pacific Southwest Regional Office in Sacramento, respectively. The Denver Field Office, which had been performing work solely related to the Office of Surface Mining, was merged into the Rocky Mountain Regional Office, also located in Denver. Two field offices in Pittsburgh and Knoxville that had also been limited to performing program work for this single bureau were turned into full-service field offices. And the Field Office in Pawhuska, Oklahoma, which had been performing work solely related to a single Indian tribe, was absorbed into the Tulsa Field Office. These changes improved the Solicitor's Office's ability to meet the legal needs of the Department in the field, while making the reporting relationships more efficient and resource-oriented.

## **Reorganization of Headquarters Divisions**

In addition to altering the reporting relationships of the field offices, some of the Solicitor's Office headquarters divisions were also reorganized in 1995. The work of the former Division of Energy and Resources was split, with the Branch of Public Lands and the Branch of Water and Power forming a new Division of Land and Water Resources. The remaining branches of the Division of Energy and Resources were combined with the Division of Surface Mining to form the new Division of Mineral Resources. The overall result was to reduce the total number of branches within the two divisions from eight to five. Further restructuring within the various headquarters divisions took place through 1999. Together with the restructuring of the Division of Administration in early 1995, these changes streamlined management, created a better balance among the divisions, spread work more evenly, and enabled the Solicitor's Office to better meet the legal needs of its clients.

## **Interagency Relations**

The Solicitor's Office has provided support and participated in many interagency working groups that have streamlined government services through increased communication among government agencies. This support and participation has involved both formal processes and ad hoc working groups on particular issues. In addition to legal support for interagency activities by the Department's various bureaus and offices, the Solicitor's Office has taken a lead role in two forums.

### **Justice Department Amicus Committee**

The Solicitor's Office has had a very good working relationship with the Department of Justice with respect to Departmental litigation. The Justice Department has initiated more formal communications, however, with respect to the filing of amicus curiae briefs on environmental matters on behalf of the United States in cases where the United States is not a party. In order to ensure that all affected agencies have an opportunity to review potential amicus filings and participate in the decision whether to file amicus briefs, the Amicus Committee established by the Justice Department's Environment and Natural Resources Division brings together all agencies that may be affected by environment and natural resource-related filings. The Solicitor's Office has participated actively in the Amicus Committee, and found it extremely useful in coordinating litigation positions across the federal agencies, in regular litigation as well as amicus matters.

### **Interagency Task Force on Hydropower Licensing**

In 1998, the Department of the Interior took the lead with the Federal Energy Regulatory Commission in establishing the Interagency Task Force on Hydropower Licensing. The Solicitor's Office has taken a leading role in the Department's participation in this task force, attending virtually every meeting of the task force's many committees and subcommittees, and drafting many of the final policy papers produced by the task force. As a result, the Department has developed a better working relationship with the Commission and other agencies involved with federal hydropower licensing, improving the licensing process while streamlining and facilitating Departmental participation therein.

## ***LEADERSHIP***

### **Solicitor John Leshy**

In May 1993, John D. Leshy was confirmed by the United States Senate as Solicitor (general counsel) of the Department of the Interior. As the longest serving Solicitor since the office was established by statute in 1946, he has served in that post until the present, heading a staff of nearly 400 employees, including almost 300 attorneys. Throughout his tenure at the Department, Mr. Leshy has been on leave from his position as Professor of Law at Arizona State University, in Tempe, Arizona, where from 1980 to 1992 he taught constitutional law, Indian law, water law, natural resources law, federal public land law, and law and social change. He has published

widely on public lands, water and other natural resources issues, and on constitutional and comparative law, including books on the Mining Law of 1872 and the Arizona Constitution. He is co-editor of the third edition of the standard federal public lands and resources law casebook, and of the third edition of a leading water law casebook. Mr. Leshy served in the Carter Administration as Associate Solicitor of the Interior for Energy & Resources.

### **Deputy Solicitors Anne Shields and Edward B. Cohen**

Anne Hudson Shields was named Deputy Solicitor of the Interior in October 1993, and served in that capacity until July 1995, when she moved on to serve as Chief of Staff to the Secretary of the Interior. Prior to her appointment at Interior, Ms. Shields had served for 14 years with the Land (later Environment) and Natural Resources Division at the Department of Justice, including nine years as Chief of the Policy, Legislation and Special Litigation Section. As Deputy Solicitor during the first few years of the Clinton Administration, Ms. Shields oversaw the major organizational review and restructuring of the Solicitor's Office.

Edward B. Cohen held the position of Deputy Secretary from August 1995 to July 2000. Prior to his appointment as Deputy Solicitor, Mr. Cohen served as Counselor to the Secretary. Mr. Cohen was in private law practice for the 13 years preceding his coming to the Department in April 1994. He had also worked for the Carter Administration from 1977 to 1981, first as General Counsel of the White House Office of Consumer Affairs and later as Deputy Special Assistant to President Jimmy Carter. During his tenure at the Department Mr. Cohen also served as the President's Special Representative to the Northern Marianas Islands.

## VOLUME II: INTERIOR LEGACY-ORGANIZATION AND MANAGEMENT

### CHAPTER ONE: CHANGES IN ORGANIZATION

#### *Downsizing and Reorganizing*

One of the cornerstone accomplishments of the Clinton administration is the streamlining and downsizing of administrative processes and programs within government. The Department of the Interior has been a leader in this area through a series of management actions beginning with the identification and separation of policy and operations functions within the Office of the Secretary and culminating with the establishment of the National Business Center (NBC) from former de-centralized administrative centers located at major Interior sites around the country.

#### **Establishment of the National Business Center**

After an initial study period, the decision was made in 1995 to separate policy and operations functions within the Office of the Secretary of the Department of the Interior. This organizational change provided the basis for further analysis of component activities for streamlining purposes, facilitated cost accounting, and subsequent decisions on feasibility of in-house vs. contractor performance of governmental operational programs.

An initial period of downsizing of administrative programs within the Department encouraged standardization and consolidation of resources and ultimately provided the foundation for establishment of a centralized administrative capacity to most effectively meet operational requirements. Establishment of the NBC was a key Departmental action which resulted in the strengthening of operational programs and provided the basis for extending economies of scale by providing administrative support to other agencies throughout the federal community.

#### **Background**

The National Business Center (NBC) was created in October 1998 with the merger of three Departmental administrative service centers: the Interior Service Center in the Office of the Secretary, the Washington Administrative Service Center in the U.S. Geological Survey, and the Denver Administrative Service Center in the Bureau of Reclamation. This merger followed a National Performance Review Report recommending that the Department of the Interior centralize its administrative service units. The merger has already resulted in greater Department-wide standardization and uniformity in providing administrative support services, improved operations and customer services, reduced administrative costs, and an expanded customer base which includes over 100 other federal clients.

## **Accomplishments**

NBC has developed and implemented an integrated payroll and personnel system for all of Interior and sixteen other agencies, now servicing over 196,000 individual payroll accounts while reducing unit cost by 25 percent. The NBC also implemented a standard automated procurement system for Interior and nine other federal clients, and provided a standard core financial management system using a contractor system to all Interior's major bureaus and ten other federal agencies. The NBC is also a leader in drug testing, currently providing its drug testing services to seventy agencies or approximately half of the federal government.

The NBC is currently implementing an initiative to consolidate mainframe computer processing into one ADP center which will result in closure of one mainframe center and cost savings to clients of over \$3,000,000 per year. Another initiative is a pilot project led by a Native American contractor to provide automated COTS (commercial off-the-shelf) human resource processes throughout Interior.

## **Abolition of the Office of International Affairs/Reorganization of Insular Activities**

The Office of Insular Affairs was established on August 4, 1995, when the Secretary signed Order No. 3191. This order also served to abolish the Office of Territorial and International Affairs, and the positions of the Assistant Secretary and Deputy Assistant Secretary - Territorial and International Affairs. The Secretary's Order was the culmination of a streamlining effort undertaken as part of the President's National Performance Review. The reorganization of insular responsibilities within the Department resulted in a reduction of eighteen positions, from forty-five to twenty-seven. Many of these positions had already been vacated through attrition. The new Office of Insular Affairs was formed under the Assistant Secretary - Policy, Management and Budget. The organizational structure was simplified and the International functions were transferred to the Department's Office of Policy Analysis. Total Department savings of \$1.2 million resulting from eliminated positions, staff reductions, and field office closures were proposed in a fiscal year 1996 budget amendment. The Office of Insular Affairs is currently staffed by approximately thirty-two FTEs (full-time employees).

## **Creation of the Office of Managing Risk and Public Safety**

The Department of the Interior's Office of Managing Risk and Public Safety (MRPS) was formed by Secretarial Order in December 1995. Its mission is to develop Department-wide policies that protect lives, property, and natural resources by promoting an integrated approach to managing a diverse group of risks. Prior to the creation of MRPS, four separate offices were involved in various aspects of risk management: the Office of Safety and Occupational Health; the Office of Enforcement and Security Management; the Office of Construction Management; and the Office of Hazard and Fire Programs Coordination. Streamlining of these offices also permitted a substantial saving of costs and personnel.

The new office was patterned after an increasingly popular model used by the private sector and some state and local governments. The model recognizes that many areas of risks are interrelated and more effectively managed when considered together rather than separately.

Interior employees who work throughout the nation perform tasks that can involve substantial risk such as search and rescue, wildland fire fighting, and law enforcement. The millions of visitors that are drawn to our national parks, recreation areas, and historical sites are also at risk. In addition, the 40,000 buildings and structures the Interior operates must be protected since collectively these facilities represent billions of dollars in taxpayer assets that must be prudently managed. The Interior Department manages nearly 20 percent of the nation's land surface, and these 440 million acres under Interior stewardship must be wisely managed as well.

Some of the risks that these people and places face involve safety and health in the workplace, occupational health, wildland fire, natural hazards, crime on public land, security, and deterioration of facilities.

Risk management is a set of mitigation measures, including policies and the associated decision making processes that reduce or eliminate risks. A risk is the likelihood of occurrence and severity of an adverse consequence of a hazard. Hazards are events, activities, and conditions that have the potential to cause harm. By dealing collectively with risks the consequences can be reduced in a more effective manner. There is a strong thread of employee and public safety throughout most Interior risk management activities. For example, by reducing the accumulated fuels in our forests by prescribed burning and other methods, we not only reduce the danger to our natural resources, but also reduce the risk to firefighters who must respond when fires start. Similarly, deterioration not only reduces the useful life of the Department's facilities, but it also creates unsafe or unhealthy conditions for employees and visitors. The creation of the Office of Managing Risk and Public Safety has improved risk management and the public safety of all who use Interior facilities and lands.

### **Abolition of the Bureau of Mines**

For FY 1996, in an effort to manage within the strict funding limitations of the Budget Agreement, the President requested a reduction in the budget for the U. S. Bureau of Mines (USBM) of approximately \$20 million, reflecting plans to close certain facilities and to streamline operations. After much deliberation, the House and Senate agreed in conference to close the USBM. The most important, critical governmental functions of the Bureau of Mines were retained and transferred elsewhere within the federal government: health and safety research was eventually transferred to the Department of Health and Human Services, and the minerals information collection function was transferred to the U.S. Geological Survey. A total of \$50 million and 1,000 employees were transferred to other agencies. The closure of the USBM eliminated 1,400 positions altogether, saving the taxpayers more than \$100 million annually in labor and operating costs, and allowing for a more efficient distribution of limited federal funds.

### **Creation of the National Biological Survey**

One of the first organizational changes made in the Department of the Interior by the Clinton administration was the creation of the National Biological Survey (NBS). The NBS became operational on November 11, 1993, when Public Law 103-138 appropriated funds to transfer

programs from seven bureaus within the Department to form a central, independent, biological science organization. The name of the NBS was changed in late 1994 to the National Biological Service to more accurately reflect the nature of its work.

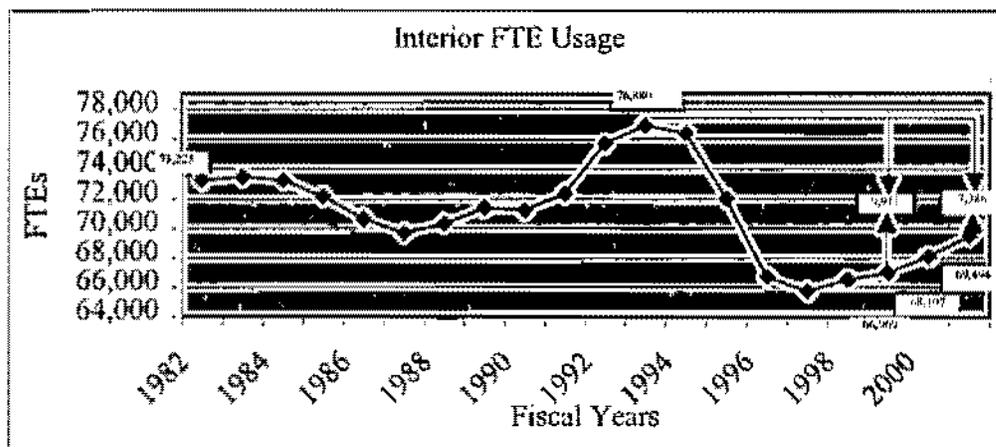
The NBS was created to separate the science components of the Department from the regulatory programs and to eliminate the perception that research findings were sometimes tainted or self-serving. It also eliminated the fragmented nature of Interior biological scientific activities.

Appropriation action contained in the 9<sup>th</sup> 1996 Continuing Resolution (PL 104-99) transferred funding for the programs that constituted the NBS to the U.S. Geological Survey, where they are now housed in the USGS Biological Research Division.

### Personnel Changes: 1993-2000

The Clinton Administration has steadfastly sought to make the government smaller and more efficient. Even with the increases in staffing planned for 2001, total Interior staffing will be 7,386 FTEs (full-time equivalents) below the 1993 level, and 3,731 below the 1982 level. These reductions, occurring from 1993 through 1997, were a major change from the increases that occurred from 1987 through 1993. These reductions were accomplished during a period when funding for Interior's programs increased—by FY 2001, program funds will have increased, in constant dollars, by 10 percent since 1993, and by 36 percent since 1982. Staffing efficiencies introduced during the Clinton Administration allowed Interior to devote its increased resources exclusively to the improvement and expansion of mission-related programs and services.

The graph below shows Interior's actual employment (expressed in FTEs) from 1982 through 1999 and estimated employment for 2000 and 2001.



From 1993 through 1999, Interior staffing has dropped by 9,911 full-time equivalent staff years. 20 percent of the total reduction (about 2,100 FTEs) is attributable to the closing of the Bureau of Mines in 1995.

Every bureau and office participated in the 9,911-FTE reduction. The only exceptions are newly established offices such as the Office of the Special Trustee, the Utah Mitigation Commission and the National Indian Gaming Commission.

Some of the 9,911 reduction was accomplished through buyouts. About 7,670 buyouts were approved in fiscal years 1994 through 1998. Buyouts were used for other purposes than simply to reduce overall staffing levels—for instance, to reduce headquarters and overhead staffing to enable bureaus to increase staffing for programs in the field.

## ***STREAMLINING AND IMPROVING MANAGEMENT***

### **Integrated Charge Card Program**

Operating under the auspices of the General Services Administration's government-wide SmartPay program, Interior designed the government's only integrated charge card program. (As opposed to requiring three separate cards and three parallel accounting processes for travel, purchasing and fleet needs, an integrated charge card combines all these functions into a single system.) An integrated option was available to all agencies under the SmartPay contracts with charge card issuers, but only Interior took advantage of it and made it work. As a result, Interior's program has become the largest and most ambitious integrated program in the world—public or private sectors.

The benefits are remarkable: the program meets or exceeds employees' needs for card acceptance, convenience and productivity; savings through tax exemptions, substantially increased due to the redesigned billing system, total \$20 million annually; and more than \$4 million is received annually in rebates from the card issuer, Bank of America. Interior asked for, and received, Congressional approval to retain these funds for Departmental management improvement initiatives. One million transactions have been moved from a paper-based process of matching paper invoices to paper purchase orders and receiving reports to an almost completely electronic process. In all, 55,000 integrated cards have been issued, covering approximately 80 percent of all Interior employees.

### **Partnerships**

#### *Acquisition Managers' Partnership*

To facilitate collegial communication and decision-making, the Acquisition Managers' Partnership was established in February 1999. The partnership with Bureau Procurement Chiefs, and the Department's Offices of Acquisition and Property Management (PAM) and Small and Disadvantaged Business Utilization, cooperatively develops Interior's acquisition policies, regulations and guidance. Process Action Teams complete projects and share "best practices" for continuous improvement of the Interior acquisition community's services.

### *Property Management Partnership*

The Property Management Partnership was formally established in June 1997, with members representing all the bureaus and PAM. It is chaired by the Bureau of Land Management's Property Officer. The Partnership focuses on sharing resources, developing expertise within the property workforce, integrating and streamlining business processes.

PAM fostered a partnership between federal agencies that manage museum property and non-federal institutions that hold federal museum property. This group has sponsored three national conferences on Partnership Opportunities for Federally Associated Collections, which provided a forum for nationwide dialogue.

### **Capital Asset Planning, Budgeting and Acquisition**

Interior established a comprehensive management program to control the risk of cost overruns and delayed schedules in its acquisition of capital assets. Through a new system that integrates and improves project planning, budget estimating and acquisition management, Bureaus track the progress of their projects costing \$2 million or more. Interior's new Capital Assets Executive Review Committee oversees construction projects valued at \$10 million or more and information technology projects costing \$35 million or more or which may be high risk. To assure goals are met, Interior's policies require action on project cost, schedule or performance variances greater than 5 percent. Forty major projects are tracked.

### **Procurement**

The Department of the Interior awards approximately 15,000 contracts and 275,000 purchase orders each year for a combined value of about \$1.4 billion. This ranked Interior 12<sup>th</sup> among civilian agencies in procurement dollars awarded in FY 1999. Interior's procurement workforce consisted of approximately 630 contract specialists and purchasing agents with an average pay grade of 9.52. This was 3.1 percent of the total government procurement workforce, which had an average grade of 10.36. From this relatively modest operational base, Interior has taken a leadership role in many key federal procurement initiatives, such as procurement automation and workforce development, and has actively engaged in interagency efforts to streamline the federal procurement process.

### **Outsourcing**

Interior has used consolidation, restructuring and streamlining program initiatives to complement outsourcing to achieve savings. Recent inventories of commercial activities indicate the number of employees performing commercial activities has increased from 5,200 to more than 20,000 as of June 30, 2000. Interior policy now requires bureaus to review 85 percent of commercial activities by September 30, 2003.

## **Use of Purchase Cards**

The Interior charge card program has grown from 265,000 transactions for \$68.7 million in FY 1996 to almost 1 million transactions for over \$312 million in FY 1999. The program continues a strong growth trend as Interior moves to eliminate paper-based purchase orders in favor of purchase card transactions and electronic orders. Interior's purchase card program has eliminated more than two thirds of paper-based purchase orders. Giving micropurchase authority to the program offices allowed them to be responsible for their own small-dollar high-volume buying, reducing buying lead time and ensuring that the purchase meets their needs. The efficiencies gained through the purchase card helped Interior to cope with a 28 percent reduction in its purchasing staff.

## **Regulation Streamlining**

The Office of Acquisition and Property Management (PAM) completed a massive effort to update and streamline the Department of the Interior Acquisition Regulation (DIAR). Bureau delegations increased by 74 percent, codified material was reduced by 80 percent, and total document pages were reduced 46 percent.

## **Green Procurement**

Interior advanced the procurement of many new environmentally preferable "green" products through active participation in interagency coordinating groups, promulgation of Department-wide procurement policies and making procurement initiatives a major part of the Department's Green Strategic Plan. Special emphasis was given to procurement of re-refined oil and copier paper containing a high percentage of recycled content.

## **Property Management**

The management of personal, real, and museum property is critical to Interior's mission of protecting and preserving federal assets. As the largest landholder within the federal government, Interior manages 445 million acres. In addition, Interior has responsibility to conserve approximately 113 million cultural artifacts, pieces of artwork, and other museum properties. Interior also manages personal property assets valued at more than \$1.7 billion, more than 37,500 buildings and facilities, and a fleet of more than 31,500 vehicles. Interior's property management community carries out a vital function by balancing public access to land and property against protection of those assets for the benefit of future generations.

Over the past eight years the Office of Acquisition and Property Management (PAM) has converted five bureaus to a standardized Fixed Assets Property System, reducing the number of different systems in use from nine to three. As the government downsized, several bureau offices created collocated space partnering with each other and with other agencies.

PAM raised the personal property accountability threshold to \$5000 from \$300, and the personal property capitalization threshold to \$15,000 from \$5,000. These new thresholds captured over

70 percent of the value of personal property (before depreciation) while reducing the number of items tracked by approximately 68 percent.

Limited Personal Use of Government Property and Telephone Use policies were created to provide employees with the opportunity to use government office equipment for limited personal purposes during non-duty time.

The Department also worked closely with GSA on the revision of the Federal Property and Administrative Services Act of 1949. Interior and four other agencies created an interagency group to seek improvements in design, specification, material choices, manufacturing processes, and the “de-manufacturing” reuse and recycling of surplus equipment.

PAM published the first booklet highlighting a sampling of Interior’s major real property holdings. The booklet contains pictures, significant facts and information about the property holdings, and general information describing Interior’s real property and the laws/regulations governing them.

PAM also increased use, accountability, and protection of the Department’s 70 million museum objects, including 43 million museum documents, by establishing the first department-wide policies and reports for managing museum property, by increasing focus on inventory of the Department’s collections and on consulting with tribes regarding the management of culturally affiliated cultural items in Interior’s collections, and by training over 300 staff members.

## **Energy Management**

Interior spends about \$47 million on energy for facilities each year. Under PAM leadership, Interior’s bureaus have established successful energy and water conservation efforts and renewable energy projects around the country. Interior’s bureaus continue to take steps to reduce energy consumed by their activities. These projects—which often are undertaken through partnerships with the Department of Energy (DOE) and their national energy laboratories, other federal agencies, state and local governments, non-governmental organizations, etc.—have contributed significantly to reducing federal energy consumption and have gained the Department and its employees much recognition.

Interior has been on the leading edge in the use of energy saving practices and technologies. Over the past eight years, much has been accomplished. The accomplishments listed below provide the foundation for the Department to intensify and broaden its efforts and are significant examples reflecting Interior’s federal leadership in making long-standing investments in energy-related projects:

- Thirteen Interior sites in four different Bureaus have been designated as Energy and Water Conservation Showcase Facilities, recognizing their use of advanced technologies and practices for energy efficiency, water conservation, and renewable energy.
- Greatly expanded the use of renewable energy so that Interior now has over 900 solar photovoltaic facilities and forty solar hot water systems nationwide.

- Acquisition of electric transit vehicles at Patuxent National Wildlife Refuge, Grand Canyon National Park, Back Bay National Wildlife Refuge, Golden Gate National Recreation Area, Yosemite National Park, and Cape Code National Seashore through public/private partnerships.
- Through an Energy Service Agreement with Potomac Electric Power Company (PEPCO), retrofitting of fluorescent tubes and ballast with energy-efficient tubes and ballast in more than 9,000 light fixtures, installation of occupancy sensors to control lighting in approximately 1,600 offices; and replacement of two antiquated chillers at the Main Interior Building.
- In partnership with DOE, the General Services Administration (GSA), several utilities, and other public and private sector organizations increased the number of Alternative Fuel Vehicles (AFVs) in Interior's motor vehicle fleet from about 100 vehicles to over 600 vehicles. The increase was primarily due to a first-in-government, creative financing arrangement between Interior and GSA covering the additional cost of AFVs leased from GSA.
- Established the Green Energy Parks program in partnership with DOE—serving as a model to demonstrate and promote the use of energy efficient and renewable energy technologies by planning, designing, and implementing sustainable energy projects in parks nationwide.

## Technology Use

Interior is a recognized leader within the federal government in reducing the cost of procuring goods and services and managing the Department's assets through the use of commercial electronic tools. Interior's increased use of information technology (IT) in support of electronic commerce and property management has become integral to the success of PAM's programs. Through IT, Interior contracting employees, property managers and program managers have become empowered to more effectively meet the needs of their organizations and the customers they serve. The Department's interactions have become easier, faster, and less costly, for both Interior staff and the business community.

In the transition to greater use of IT, including e-commerce technology, PAM has led the Department in restructuring its business processes and assessing the benefits to be attained by making the investment in IT. Interior has successfully integrated Internet or Web-based technology in all of PAM's programs.

Over the past eight years, Interior's implementation of IT has resulted in major accomplishments highlighted by:

- **Web-based E-Commerce (EC):** Interior's EC module can send notices and

- Interior Department Electronic Acquisition System (IDEAS): IDEAS is a single standardized Department-wide automated procurement system now used in all of Interior's major buying offices. It is fully interfaced to Departmental finance and property systems and provides state-of-the-art electronic commerce capabilities.

### **Javits-Wagner-O'Day (JWOD) Act Program**

Interior is the first cabinet agency to initiate and institute a JWOD Supply store in its headquarters location, not only employing persons with disabilities, but selling products made by persons with disabilities under the JWOD Program.

Interior has been honored with four highly prestigious awards from the President's Committee for Purchase From People Who Are Blind or Severely Disabled, National Industries for the Blind and NISH (a non-profit serving people with a range of disabilities) for promotion and utilization of JWOD products and services. Those awards are the E.R. Dick Alley Award, the NISH Silver Anniversary Award, Exemplary Liaison of the Year Award, and NIB Exemplary Support Award.

Interior utilized the JWOD program to provide Y2K promotional materials to help bureaus and offices with the transition. Interior has annual exhibits, displays and training workshops for the JWOD Program. Interior instituted an annual JWOD award to acknowledge bureau or office participation promoting and utilizing JWOD products and services. Interior is recognized as a "Team Member" by the President's Committee For Purchase From People Who Are Blind or Severely Disabled. Interior employs 200 disabled persons under the JWOD program in fifty-six contracts. Interior is the only agency to create and appoint a "JWOD Program Manager."

Interior initiated and partnered with EPA, Committee for Purchase, NIB, and NISH to create a Memorandum of Agreement that will aid in "greening" JWOD products.

### **Aviation Management**

In support of the Administration's Reinventing Government initiative, the Department inaugurated a shared governance concept regarding aviation management. This was implemented in 1996 when the Secretary of the Interior chartered an Aviation Management Board of Directors. This Board is attended by executive leadership from all Interior Bureaus using aviation and the Office of Aircraft Services, which is a centralized oversight and service office. The Board provides for executive level bureau involvement in the formulation of policy and the management aspects of aviation activities in the Department. This effort strengthened the relationship between bureau customers and the Interior policy and support office.

## ***DIVERSITY INITIATIVE***

### **Strategic Plan for Improving Diversity in the Department of the Interior.**

Early in his Administration, President Clinton indicated he wanted a federal workforce that reflected the citizenry of the country. The Secretary, Deputy Secretary, Assistant Secretaries, Bureau Directors and the Union signed off on the Department's Strategic Plan for Improving Diversity in a unified show of support in December 1997. The Plan was consistent with the Secretary Babbitt's contract with the President, which called for improving the diversity of the Department's work force.

Since then, many other federal agencies have modeled their plans after the Department's Plan, and the Workforce Diversity Office frequently provides guidance and technical assistance to other agencies on developing similar plans, as well as systems and processes to implement them.

As a first step, the Secretary required that all non-career members of the Senior Executive Service (SES) and politically appointed staff receive diversity training. He challenged them to take actions that would make the Department's workforce look more like America and the people it serves. Since that time, all career SES members were required to take diversity training, and it was made available for managers, supervisors and employees through special training sessions and annual Diversity Training Conferences conducted from 1997 through 2000.

Each bureau developed an individual, bureau-specific implementation plan. A systemic means for tracking progress was developed and the Assistant Secretary for Policy, Management and Budget discussed progress in quarterly performance review meetings with the Bureau Directors. Representation of women and minorities increased slightly during the two years. However, with the institutionalization of new initiatives, an emphasis on targeted recruitment, and identification of a number of "best practices" that can be replicated, larger improvements are expected as the Department continues the initiative into the new century.

### **President Clinton's "One America" Initiative**

The President has led the nation in an effort to become One America. He directed the federal government to strive for a government that looks like America. As part of that effort, the Department launched an effort to place touch screen computer kiosks at several Hispanic Serving Institutions, Historically Black Colleges and Universities, and Tribal Colleges throughout the country. The initiative complements other targeted recruitment efforts taking place throughout the Department. These kiosks provide nationwide federal job information to the students, faculty and surrounding communities. The installation of these touch screen computers is another step toward improving the Department's relationship with educational institutions and the diverse communities they serve. The initiative provides another vehicle to attract the broadest number of candidates to the Department as part of its outreach effort and in keeping with Goal 1 of the Strategic Plan for Improving Diversity: to recruit a workforce that reflects the diversity of the nation.

### **President's Initiative on Race**

Soon after President Clinton launched his historic Initiative on Race, the Department conducted the first of a series of dialogues on race throughout the country. The dialogues focused on the theme "One America, One Interior, One Goal" and "Closing the Opportunity Gap." They included a diverse group of national leaders from the community, academia, environmental organizations, and the public and private sectors. The participants discussed the role race has played in our history, its influence on our cultural heritage, and Interior's role in addressing race relations as it carries out its responsibilities to protect and provide access to our nation's natural and cultural heritage and honor its trust responsibilities to tribes. The Department continues to conduct these race dialogues.

### **Diversity Council**

The Diversity Council, established in 1993, is an ongoing advisory and proactive working group established to promote diversity and to address issues affecting the quality of work life in Interior. The council includes representatives from each Bureau and Office, and is made up of a diverse, broad cross-section of employees. It provides advice and assistance in implementing programs and initiatives to further diversity and identifies strategies to create and retain a diverse workforce, as well as other aspects of the diversity plan.

### **Town Hall Meetings**

Appointees and other senior officials conducted a series of Town Hall Meetings with employees around the country and at major conferences. The forum provided an opportunity for employees to dialogue with top management regarding matters of concern. Issues range from employment and quality of work life concerns, to race, the work environment, and other matters that could potentially violate Interior's Zero Tolerance for Discrimination Policy. These meetings are an important part of the Department's effort to close the opportunity gaps that exist for minorities and build the One America called for in the President's initiative.

### **Zero Tolerance for Discrimination**

In 1993, the Secretary issued the first of many Equal Opportunity Policies in which he emphasized his personal commitment to a goal that ensures equal opportunity for all, regardless of sex, race, religion, national origin, color, age, disability or any other non-merit factor. He also stressed that sexual harassment, in any of its various forms will not be tolerated. In another policy statement he expanded his policy to specifically address sexual orientation as it relates to matters of employment.

### **President's Executive Order Prohibiting Discrimination Based on Sexual Orientation**

The Department already had a strong policy prohibiting discrimination based on sexual orientation when President Clinton issued Executive Order 11478. In response to the President's EO, the Department expanded some of its requirements to ensure that vacancy announcements,

employee orientation manuals, personnel practices and procedures addressed sexual orientation with respect to both prohibited discriminatory practices and equal opportunity policy.

In addition, to ensure the rights of employees and to avoid this type of discrimination, the Department established a process that mirrors the Federal Discrimination Process to address allegations of discrimination based on sexual orientation. The Department was the first to establish such a process, which is considered a model in government.

### **Alternative Dispute Resolution**

Based on the experience that early resolution of workplace disputes is good for the parties involved—as well as the least costly, least disruptive, the least stressful method for closing complaints—the Department established its formal Alternative Dispute Resolution (ADR) Program, “EEO-PLUS, Partners Listening, Understanding and Solving.” The program also responded to the Equal Employment Opportunity Commission’s revised regulations on federal EEO complaint processing, which were intended to further streamline the process and reduce the time for reaching resolution of complaints. Within EEO-PLUS, each Bureau has an ADR program that is available in both the informal and formal EEO complaint processes. The program has proven to be a success. The Department averages resolution of 65 percent of cases in the informal process. This is above the government average of 55 percent. In fiscal year 1999, 32 percent of the formal complaints closed were by settlements and, already in FY 2000, 39 percent of the formal complaints closed were by settlements.

### **Reinvention Labs**

Three separate reinvention laboratories were conducted within the Diversity and Equal Opportunity Office to attempt to improve the affirmative employment and civil rights and complaints processes. The laboratories were successfully completed and resulted in streamlined processes that were more efficient, more timely, and less costly.

### ***QUALITY OF LIFE INITIATIVE***

Shortly after being confirmed by the Senate in 1998, Assistant Secretary John Berry began working with senior managers to create a better quality of work life for all Interior employees. Berry’s philosophy is that for any employer to be able to attract and retain the highest quality employees, certain services must be provided and certain needs of the employees must be met. Consistent with the spirit of the Clinton Administration, Berry began by holding a series of “town hall” meetings for all employees to voice their opinions on the current state of operations at Interior facilities in Washington D.C. Berry also established a Quality of Life Task Force made up of senior management from the National Business Center, the Department’s Office of Personnel Policy and Labor Union representatives. Visible improvements soon followed these meetings and Berry challenged each bureau director to move the initiative to the field.

## **Building Renovations/Improvements**

With building operation and maintenance authority delegated from the General Services Administration (GSA), the National Business Center (NBC) has aggressively pursued major improvements in facilities at the Main Interior Complex resulting in improved employee safety and quality of work life. Also, numerous actions have been taken for enhancement of the environment through responsible management actions. The following describes a number of the achievements involving buildings and facilities during the Clinton administration.

### **Main Interior Building Modernization**

Since 1992, the Department and GSA have worked together to plan for the modernization of the Main Interior Building. Congress approved the project, and the design was completed in 1996. Due to competing priorities, funding for the first construction phase was dropped from GSA's FY 1996 budget request and the project was put on the shelf. Thanks to the support of Representative Steny Hoyer, GSA's FY 2000 appropriation bill contained language directing it to proceed with the first phase this fiscal year.

The Main Interior Building was constructed in 1935. Although a model structure at the time, the building does not meet current health and safety standards. The proposed modernization project will address numerous deficiencies and make the building safe for the Department's employees. The current estimated total project cost is \$175 million, with \$29 million identified for the first phase. Total project duration will be from six to nine years.

### *Energy Efficient Chillers and Lighting*

Because of the five-year delay in commencing work on the modernization of the Main Interior Building (MIB), Interior entered into an energy-savings agreement with the Potomac Electric Power Company (PEPCO) to replace two 1,000-ton chillers. The chillers that were replaced were approximately thirty-five years old, highly inefficient, and extremely costly to maintain in operating condition. The \$2.7 million capital-improvement project was funded by PEPCO with repayment being made to the utility company over a ten-year period out of the savings realized by the more energy-efficient equipment. Also related to the delay of the MIB modernization, Interior entered into a separate agreement to improve the energy efficiency of the lighting in the building. At a cost of \$727,000, the project will be paid back over a four-year period from savings that result from the work.

### *Accessible Ramp and New Sidewalks*

To comply with current accessibility regulations while conforming to historic preservation standards, two granite ramps were constructed at the E Street entrance to provide wheelchair and electric cart access to the Main Interior Building.

The Department initiated a large contract to repair the unsafe (cracked and sunken) sidewalks around the Main Interior Building, including many other modifications such as providing

accessible curb cuts, so disabled employees would have safe access to and from the shuttle buses.

### *Drinking Water Filtration System*

To help improve drinking water quality, Interior installed a state-of-the-art ultraviolet disinfection unit that includes sediment and charcoal filtration without the addition of chemicals.

### **Restoring and Upgrading the Main and South Buildings**

Other noteworthy building improvements included renovation of the fitness center, the post office, the Main Interior Building cafeteria, and snack bars in both the Main and South Interior Buildings. The Department also opened a stress reduction room, and updated and refurbished the new Health Unit to improve services to employees.

In the Main Building, the 7000 A & B conference rooms were completely renovated, and two new conference rooms--the Rachel Carson and John Muir Rooms--were created. In 1998, the Department dedicated the Main Building auditorium to the Honorable Sydney R. Yates, and a historically correct renovation of the South Building auditorium is underway. D.C. public school students, interns with the Corcoran's Visual Arts Community Outreach CANVAS program, painted a mural on the Main Building's 4<sup>th</sup> floor depicting the restoration of the Anacostia River.

### **The South Penthouse and Roof Terrace**

A major project to restore the historically significant south penthouse included conservation of Native American murals from five artists. These murals depict Native American life and represent the largest collection of such artwork, circa 1940, in the world. A supplemental air-conditioning system was installed to climatically control the space for the protection of the murals. In addition, the room was returned to its original appearance where it once served as an employee soda fountain. The drop ceiling was removed to expose the decorative plaster and molding, and historically correct lights, as well as a new floor and clock, were installed. To make the space accessible to everyone, an elevator was installed along with a ramp to access the roof terrace. Tables and chairs allowing various set ups were purchased so the penthouse could be used for special events. To create a roof top space, pavers were installed on the entire 2<sup>nd</sup> wing east. The terrace has been furnished with patio furniture and planters. Employees and visitors are encouraged to visit the penthouse, see the murals and artifacts, eat lunch on the roof terrace, or simply enjoy the beautiful view of the city.

### **Family Support Rooms**

After the United Nations' Fourth World Conference on Women in 1995, the President established the President's Inter-Agency Council on Women. This council was to address and advance the issues and needs of women throughout the federal government and country. Through that initiative, the Department of the Interior's Council on Women created and opened the Family Support Rooms in October 1996. The rooms serve as a temporary office for employees who have an unexpected need to care for a family member and a need to continue

working on an important assignment. The rooms, actually four contiguous offices, are in the Main Interior Building on the 4<sup>th</sup> floor, and are equipped with workstations, computers, printers, a fax machine, refrigerator, sofas, beds, a television and a videocassette recorder, coloring books, crayons, and toys.

### **Interior Accessibility Technology Center**

A new facility was opened by the NBC in October 2000 that provides information and counseling to managers and physically impaired employees regarding accommodation efforts, including identifying and obtaining workstations, equipment, and software matched to individual needs. The Center provides one-stop shopping for ergonomically correct accessible technology including workstations addressing hearing, mobility, cognitive, and sight impairments. This program will assist in improving morale and productivity of existing staff and in attracting highly qualified individuals with physical impairments to the Departmental workforce.

### **“Greening” Improvements**

The Department of the Interior, as the nation’s principal conservation agency, is responsible for stewardship of our nation’s natural and cultural resources. As one of its principal responsibilities, the Department is a leader in many conservation and environmental management programs to protect the environment for future generations. Since 1993, Interior has been especially active in “greening” activities such as recycling and waste prevention, procurement of environmentally preferable products and services, energy and water use reduction, and preventing pollution in Interior facilities and on the more than 400 million acres of public lands that the Department manages.

As an environmental agency, it is essential that Interior facilities communicate the Department’s environmental mission and values to the public, as well as to employees. Ensuring that Departmental facilities are environmentally sound and energy-efficient is an integral part of the agency’s mission. To that end, Interior established many Department-wide policies, guidelines, and goals and undertaken many diverse environmental activities. These actions demonstrate Interior’s overall commitment to sustainability. The following summary of Interior policies, guidelines, goals, and actions illustrates the richness and diversity of environmental strategies which have contributed to the “Greening of the Interior” under Secretary Babbitt.

### **Strategic Plan for Greening Interior**

The Strategic Plan establishes goals for waste prevention and recycling as well as for green procurement and property management. It outlines seventeen strategies for implementation of a program consistent with various environmental requirements. Strategies are outlined to institute policies incorporating environmental considerations at all levels of procurement, from credit card purchasing to large acquisitions.

## **Opening of the Office Eagle Supply Store**

On August 2, 2000, the Department hosted a ribbon-cutting ceremony to celebrate the grand opening of the Office Eagle supply store. This supply store is the result of a joint venture between the Department of the Interior, GSA, and the Blind Industries and Services of Maryland. The store is staffed and operated by people who are blind and disabled. It is unique in that it is the first of its kind to be opened in a cabinet-level agency. Additionally, the store was built employing "green" (environmentally preferable) construction practices, and stocks predominantly "green" office supply products. It also stocks over 700 products produced by the blind and disabled program work centers. The store offers convenient credit card shopping for employees (for both governmental and personal purchases) and an expanded recycling program for diskettes, transparencies, Ni-Cd batteries and toner cartridges. Patrons may also order on-line from a selection of over 30,000 supplies with next day delivery.

## **Custodial Contract**

The NBC decided that it wanted to start using environmentally safe and healthful custodial products and services in the MIB. Therefore, it undertook a comprehensive effort to specify such products in its next five year custodial contract, worth over \$6 million. Research conducted yielded many interesting efforts to define "green cleaners," including those by the City of Santa Monica, the EPA/GSA Chemical Cleaners Pilot Project, and Yellowstone National Park. The standard contract was then revised to make environmental preferability a basis for evaluating bids, as well as a key performance requirement in the scope of work, and as a criterion for incentive awards. This innovative contracting process has not only begun a new era of cleaning at the MIB, it is also considered a model of how a large service contract can be modified to embrace environmental considerations and executive mandates.

## **Recycling and Using Recycled Products**

Interior initiated a successful recycling program for many commodities: plastic containers, aluminum cans, cardboard, newspapers, white and mixed paper, telephone directories, fluorescent light tubes, pallets/skids, glass containers, and scrap metal. As part of its effort to support products with recycled content, the NBC has switched from traditional paint to recycled content paint in its most recent contract for interior painting of approximately 465,600 square feet of public space (interior corridor walls, entrance doors and rest rooms).

After a great deal of research and product sampling, the NBC has also committed to test and, where feasible, use recycled carpeting throughout Interior facilities. NBC will compose a pre-approved products list for carpeting purchased by tenants for use in the building. The list will feature recycled-content, recyclable carpet tiles with fused backing. This policy is being instituted to improve indoor air quality (by getting rid of carpet padding which tends to hold mold), diminish solid waste, and use products with recycled content.

### *"EarthShell" Pilot*

Through a partnership between the NBC and the EarthShell Corporation, U.S. Department of Agriculture (USDA), GSA, and Guest Services, Inc., several environmentally preferable and biodegradable food service products were introduced to the employee cafeteria, including a new alternative to polystyrene. Food waste, along with segregated compostable plates, bowls, take-out trays and napkins, are being collected in biodegradable bags in the cafeteria and throughout the building.

The collection of compostables has diverted approximately 168 bags of trash (approximately 3,300 lbs.) each month from the cafeteria waste stream. After evaluating the final pilot results, NBC will work with GSA to make these products and waste-prevention efforts a requirement in the cafeteria service contract, and will continue and expand the Department's use of environmentally preferable products in the cafeteria. It is also hoped that this pilot may inspire the use of environmentally preferable food service products in concession operations throughout our national parks, recreation areas, refuges, and other sites where the visiting public is served.

## **Quality of Life Projects in Development**

### **Conflict Resolution (CORE) Nationwide Program**

The NBC is implementing an operational alternative dispute resolution program called CORE to assist employees and management in resolving supervisory, professional, and personal issues within the workplace which impede cooperative accomplishment of work or lower employee morale. This Department-wide program benefits both management and staff through counseling and mediation of affected parties to resolve issues in lieu of more formal proceedings or processes.

### **Quality of Worklife Nationwide Program**

A new Department-wide program is being implemented within the NBC to help employees and managers achieve an enhanced quality of life at the workplace through advancement of available family-friendly programs such as day-care subsidies and telecommuting, facilities improvement, fitness program subsidies, and a number of other activities beneficial to the work force. Through this program, the Department will be better able to attract and maintain a quality workforce and to maximize employee morale and productivity.

## **Establishment of the Department of the Interior University**

In October 1998, the Department of the Interior University (DOIU) was created within the National Business Center to provide life-long training for Department and other federal employees, and to coordinate training capacities with strategic program requirements. By fulfilling this mission, DOIU strengthens the Department's workforce and promotes individual career objectives consistent with evolving Departmental needs. In the short time since its inception, DOIU has established a number of programs and new initiatives to meet these objectives. Some examples of DOIU accomplishments follow:

- Established both Interior and government-wide Acquisition Intern Programs to recruit and train a pool of highly qualified acquisition professionals and more effectively realize the expanding scope of private sector work being accomplished within the federal sector. Eight other agencies are currently participating. At the same time, this program is providing enhanced opportunities for minority populations.
- Developed online courses for all Interior employees, many of whom previously had few other training opportunities. This distance learning program has greatly expanded the number of courses that are available anytime, any place and at any pace—and at significantly lower cost than traditional classroom training.
- Established Executive Forums and Speaker Series with published authors from Harvard, MIT and Georgetown University and other distinguished speakers.
- Provided classroom-based training in Albuquerque, Anchorage, Denver and Washington, D.C. to approximately 5000 Interior and 300 non-Interior employees per year on leadership, administrative, computer and personal growth topics.
- Established a team leadership developmental program that provides participants with opportunities to acquire the knowledge, skills, and abilities needed to assume a leadership position within the Department of the Interior. The program is designed for GS 11-14 employees who have demonstrated significant team leadership or management potential.

These programs have all been groundbreaking for the public sector and have been extremely well received, not only by the Interior community but by the federal community in general. Other federal agencies have consulted with DOIU to benchmark their own current or proposed programs.

## CHAPTER TWO: OPERATING METHODS

### *EXECUTIVE DIRECTION*

#### **Chief of Staff**

Tom Collier served as Chief of Staff in the first Clinton term. Anne Shields was Chief of Staff in the second term.

#### **Deputy Secretary**

The Deputy Secretary of the Department of the Interior is the second-highest ranking official in the Department and represents Interior on the President's Management Council, made up of the Chief Operating Officers of all Cabinet agencies.

John Garamendi was confirmed as Deputy Secretary for the Department of the Interior in 1995. As Deputy Secretary, Mr. Garamendi focused his efforts on a number of California-related issues including CALFED, the Presidio land transfer, the Headwaters Forest conservation effort, and endangered species and habitat conservation issues. Garamendi left the Department in April of 1998.

David J. Hayes was appointed Acting Deputy Secretary in April 1999, and became Deputy Secretary in February 2000. Hayes had served as Counselor to Secretary Babbitt from March 1997 to April 1999 before his nomination as Deputy Secretary.

Like Garamendi before him, Hayes served as the chief negotiator for the Department in the acquisition of the Headwaters old-growth redwood forest in Northern California, and worked to reach agreement on the CALFED Action Plan to restore the threatened Bay-Delta ecosystem in California.

Deputy Secretary Hayes spearheaded Secretary Babbitt's introduction of modern water management approaches in the West, forging an agreement among California's municipal and agricultural users of Colorado River water to reduce California's long-standing overuse of Colorado River water. He worked to advance Interior's Trinity River restoration project in the Sacramento Valley, and led the negotiation team that settled litigation over the Central Arizona Project (CAP) which supplies water to Phoenix and Tucson. The settlement provides historic water-supply and financial benefits to Indian tribes served by the CAP.

In addition to working on Indian water and land disputes, Hayes negotiated habitat conservation plans in San Diego County, California, and for the Headwaters forest. He led the Department on climate change issues and hydropower relicensing, and participated actively in Vice President Gore's White House Task Force on Livable Communities, with a special focus on helping communities acquire and protect open space and parkland.

## **Assistant Secretaries**

### **Policy, Management and Budget**

Bonnie R. Cohen served as the Assistant Secretary for Policy, Management and Budget from 1993-1997. During Ms. Cohen's tenure the Department of the Interior implemented the Government Performance and Results Act and received the first "clean" opinion for the Department's audited financial statements.

As part of the effort to streamline and improve operations, Ms. Cohen reorganized the Office of the Secretary, separating policy and operational functions in the various offices within Policy, Management and Budget. Ms. Cohen was also responsible for establishing the Interior Management Council, which involves representatives from all bureaus and offices in management decisions for the Department. She played a key role in initiating the federal government's plan to restore the Everglades to its natural condition. Cohen developed strong working relationships with the Interior Appropriations Subcommittees.

In November 1997, John Berry replaced Cohen as the Assistant Secretary for Policy, Management and Budget. During his tenure Berry reversed the decline in appropriations, increasing Interior funding from \$7 billion to \$10 billion in three years. He helped establish the first-ever dedicated fund for conservation, similar to the highway trust fund, and secured the largest increase for Indian school construction funding in history. Berry served as Interior's representative to the President's Commission on Hawaiian Sovereignty, which recommended extending federal recognition to Native Hawaiians.

Berry placed an emphasis on fiscal accountability, workforce diversity and employees' quality of life. During his tenure the Department consistently received unqualified audit opinions and was the first Cabinet-level agency to resolve the Y2K problem on all its mission critical systems. Berry instituted five-year facilities maintenance plans for the bureaus. His Office of Workforce Diversity completed a landmark strategic plan for employee diversity and instituted several "zero tolerance" discrimination and harassment policies. Berry led a comprehensive overhaul of facilities and services for employees, including a multi-million dollar renovation of Interior's historic main building.

### **Land and Minerals Management**

Robert (Bob) Armstrong served as Assistant Secretary for Land and Minerals Management from 1993 until his retirement in October 1998. Armstrong's work focused on oil valuation and grazing reform.

Sylvia V. Baca served in an Acting capacity from 1998 until her confirmation as Assistant Secretary in April 2000. On November 27, 2000, Baca began serving in a dual capacity as Assistant Secretary and Acting Director of the Bureau of Land Management. Her focus was on the Trans-Alaska Pipeline System, land exchanges and the renewal of military withdrawals of public lands.

## **Water and Science**

Betsy Rieke was Assistant Secretary for Water and Science from 1993-1995. She led efforts to negotiate the Bay-Delta Accord and began the CALFED regional planning program. She also led Interior's efforts to protect Platte River endangered species and resolve long-standing disputes over endangered fish between tribes and irrigators in the Truckee-Carson watershed.

Patricia Beneke succeeded Rieke in 1995 and served as Assistant Secretary until 1999. She led Interior efforts in the ecosystem restorations of the California Bay-Delta, the Florida Everglades and the Platte River.

Mark Schaefer was Acting Assistant Secretary in 1999, and led scientific efforts at Yellowstone National Park, and the invasive species and Northwest salmon initiatives.

Mary Doyle became Assistant Secretary in 2000, leading Interior's effort to secure authorization of the Comprehensive Everglades Restoration Plan. She continued the work on the Platte River ecosystem restoration and coordinated with third parties on dam assessments.

## **Fish, Wildlife and Parks**

George T. Frampton served as Assistant Secretary for Fish, Wildlife and Parks from 1993-1996. He led the effort to rescue Everglades National Park from a century of adverse development on adjacent lands and played a leading role in the endangered species elements of the Northwest Forest Plan and in broader efforts to improve the habitat conservation provisions of the Endangered Species Act. He initiated a reorganization of the National Park Service to place greater emphasis on resource preservation.

Frampton was succeeded by Donald J. Barry, Deputy Assistant Secretary to Frampton during the first Clinton term. Barry brought a renewed focus on key resource issues of the National Park Service, including commercial fishing in Glacier Bay National Park, restoration of Big Cypress National Preserve, protection of bison in Yellowstone National Park, and control of adverse impacts of snowmobiles in more than forty parks.

Barry was succeeded in 2000 by Kenneth L. Smith, who served as Acting Assistant Secretary until the end of the second Clinton term. Smith led an effort to preserve the rich habitats on the island of Vieques, Puerto Rico. He oversaw completion of the Records of Decision on Yellowstone Bison Management and on Winter Use in Grand Teton and Yellowstone National Parks and finalized the comprehensive new compatibility regulations for the national wildlife refuge system. Smith negotiated a desert tortoise habitat protection plan with the U.S. Army as a key element of the Ft. Irwin expansion. He finalized critical habitat designations for numerous endangered species, including hundreds of Hawaiian native plants and the California gnatcatcher. He helped complete comprehensive regulations to comply with the CITES treaty on trade in endangered species.

## **Indian Affairs**

Ada E. Deer served as Assistant Secretary for Indian Affairs in the first Clinton term. She succeeded in shifting BIA resources to tribes, implemented a major reorganization of the BIA, published final rules governing the Federal Acknowledgement Process and implemented amendments to the Indian Self-Determination Act. During her service, six tribes were federally recognized.

Kevin Gover served as Assistant Secretary in the second Clinton term. He focused on getting more funding and improving oversight for reservation education, law enforcement and land management. Gover instituted reforms based on a National Academy of Public Administrators study of BIA management, raised the agency's image with Congress and fought efforts by state and local governments to reduce tribal autonomy. He oversaw a needs study of the Tribal Priority Allocation system, implemented trust funds accounting and management reforms, implemented the first government-to-government consultation policy between the BIA and federally recognized tribal nations, oversaw regulatory changes in BIA housing, financial assistance, social assistance, loan guaranty programs, and Class III gaming and per capita distributions. Three tribes were formally recognized by the federal government during his term.

## ***THE SECRETARY'S IMMEDIATE OFFICE***

### **Counselors and Advisors**

Robert T. Anderson was a Counselor to the Secretary, working on Indian water rights, National Park Service issues, Federal Energy Regulatory Commission proceedings, Endangered Species Act issues, Indian gaming matters and tribal trust land acquisitions.

William Y. Brown was a science advisor whose responsibilities included invasive species management, ocean and coral reef protection, biotechnology, amphibian conservation, fossil policy, and overall funding of science support for the Department's bureaus. Mr. Brown also served as Vice Chairman of the Department's Science Board, which the Secretary chairs.

Ed Cohen's work as Counselor to the Secretary focused on Indian mineral rights and National Park Service issues.

Mary E. Doyle's major duties as counselor to the Secretary concerned the negotiation of agreements under the endangered species act—including multi-species conservation plans in Pima, Arizona and San Diego, California—and Florida issues.

As a Counselor to the Secretary, John Duffy concentrated on Indian water rights settlements and Indian gaming issues.

Counselor David Hayes worked on acquisition of the Headwaters Forest, Indian land and water rights claims, Colorado River management and endangered species issues. He served as Chairman of Interior's Working Group on Western Water Rights.

Molly McUSIC was the Counselor who led efforts to protect sensitive Western landscapes and create the new national landscape monuments and national conservation areas.

As a Counselor to the Secretary, James Pipkin worked on the Northwest Forest Plan, U.S.-Canada salmon treaty negotiations and led Interior's participation in the President's Council on Sustainable Development.

Joseph Sax's work as Counselor focused on property rights and takings issues connected with the Endangered Species Act.

### **Office of Congressional and Legislative Affairs**

The Office of Congressional and Legislative Affairs assists the Secretary and the Department in communicating with Congress, tracking legislation and developing testimony. Melanie Beller was the Director of the Office from 1993-98. David Alberswerth was acting Director until the appointment of Lena Aoki in 1999.

### **Office of Intergovernmental Affairs**

The Office of Intergovernmental Affairs was created in the Immediate Office of the Secretary in 1995 to strengthen communication between Interior and state and local elected officials. The Office works closely with state and local governments, other federal agencies, and intergovernmental associations.

Leslie Turner served as Director of Intergovernmental Affairs from 1995 to 1996. Turner's work focused on Endangered Species Act takings issues, the federal mandates project and the base closure commission. Paddy McGuire led the office from 1997 to 1998. McGuire focused on support of Administration policy on the Indian Gaming Regulatory Act and the invasive weeds initiative. Grace Garcia replaced McGuire, and led the office from 1998 to 2000.

Garcia's work included the intergovernmental interests and issues connected with CALFED, national monument designations, the Lands Legacy initiative, invasive species, Indian gaming, the Urban Park and Recreation Recovery Program and hardrock mining.

### **Office of Communications**

The Secretary's public and press relations were handled by the Office of Communications, which also leads and coordinates the public affairs functions of all Interior agencies and offices. Kevin Swecney led the office in the first term of the Clinton Administration. Michael Gauldin was Director of Communications in the second Clinton term.

### **Office of External Affairs**

The Office of External Affairs, established in 1995, was responsible for outreach to stakeholder groups and collaboration with other federal agencies in support of Administration and Secretarial

initiatives. Kenneth L. Smith led the office from 1995-97, focusing on Teaming for Wildlife and other non-game species initiatives as well as recreation and tourism issues. Jana Prewitt, Director from 1997-2000, led interagency and intra-agency collaborations to enhance the Gateway Community/Public Land Partnership, the Lewis and Clark Bicentennial, American Heritage Rivers, the President's Pine Ridge commitments, and Indian Country and Western states tourism policy.

### **Alaska Field Office**

The Department of the Interior manages more than 50 percent of Alaska's 365 million acres. Alaska has 77 million acres of National Wildlife Refuge lands, 54 million acres of National Park Service lands, and 87 million acres of public lands managed by the Bureau of Land Management. More than 50 percent of lands managed nationally by the Department of the Interior are in Alaska.

The AFO is a "one-stop" point of contact for the Department in Alaska. The office responds to requests for assistance and information from other federal, state, and Alaska Native organizations, as well as individual Alaskan residents, various stakeholder groups and individuals from the lower forty-eight states. The office works on forty to fifty issues at any given time, in addition to collaborating on Alaska-specific federal legislation and budget matters. The head of the office is the Secretary's Special Assistant reporting directly to the Office of the Secretary. The Alaska Field Office (or an equivalent contact office) has been in existence since 1959.

Examples of major ongoing functions include oversight of the federal subsistence management program, information coordination on the growing concern of persistent organic pollutants in the Arctic ecosystem, activities related to the *Exxon Valdez* Oil Spill Trustee Council, co-chairing the Alaska Land Managers Forum with the State's Lieutenant Governor and the Vice President of the Alaska Federation of Natives. In addition, considerable effort and time is devoted annually to the continuing implementation of the Alaska Native Claims Settlement Act (ANCSA) and the Alaska National Interest Lands Conservation Act (ANILCA).

### **Leadership**

Deborah L. Williams served as Special Assistant to the Secretary for Alaska from 1994 to 1998. The Secretary appointed Robert T. Anderson, Counselor to the Secretary, to fill the vacancy on an interim basis. Marilyn Heiman was appointed Special Assistant in February 1999, and continued in that role until the end of the Clinton Administration.

### **Advancement of Alaska Native Issues**

The strong commitment of the Department to Alaska Natives has substantially increased the number of Natives doing business with the federal government.

### *Subsistence Issues*

The Clinton Administration's work on subsistence issues in accordance with in Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) has been time-intensive and controversial. Federal land managing agencies in the Departments of Interior and Agriculture assumed management of subsistence harvest of wildlife on federal lands in Alaska on July 1, 1990, when the State of Alaska could no longer comply with Title VIII of the Act. The Federal Subsistence Board (FSB) was established to administer the federal management program. Members of the FSB include the Chair, appointed by the Secretary, and the Alaskan directors of five federal agencies: U.S. Fish & Wildlife Service, National Park Service, Bureau of Land Management, Bureau of Indian Affairs, and the USDA Forest Service.

In 1994 Secretary Babbitt appointed former State Senator Willie Hensley as the first Alaska Native to chair the FSB. When Mr. Hensley resigned in 1995, the Secretary appointed a second Alaska Native to the FSB, Mitch Demientieff from Nenana. He also appointed the first members of the ten federal subsistence Regional Advisory Councils (RACs), with a predominant number of representatives from rural Alaska Native communities. The RACs have had a tremendous impact on federal subsistence policy, continually providing solid advice, effective guidance, and consistent management recommendations to the FSB.

Under the leadership of the Secretary, the Department of the Interior successfully persuaded the Department of Justice to reverse the federal position on the *Katie John* case to clearly establish a subsistence priority for rural Alaskans on waters reserved by the United States. This landmark case set into motion a series of federal management actions for oversight of subsistence fisheries in Alaska.

On October 1, 1999, the FSB, after a series of Congressional moratorium delays, began to working closely with the Alaska Department of Fish and Game and statewide Alaska Native organizations to implement a federal subsistence management program for fisheries on public lands. This action by federal managers extended the subsistence priority—mandated by Title VIII of ANILCA and pursuant to the *Katie John* court decision—to navigable waters associated with the federal conservation system. The federal court found that “the definition of public lands includes those navigable waters in which the United States has an interest by virtue of the reserved water rights doctrine” (*Alaska vs. Babbitt*).

As the debate over subsistence continued, Secretary Babbitt steadfastly stated that there would be no amendments to ANILCA Title VIII during his tenure as Secretary of the Interior.

The expansion of the subsistence fisheries management priority to certain federal waters represents a significant expansion of authority, encompassing approximately 60 percent of Alaska's rivers and lakes within federal conservation system units. The final rule incorporating provisions for management was published on January 8, 1999, and went into full effect on October 1. Secretary Babbitt committed 60 percent of the multimillion dollar appropriation to resource monitoring and ordered that the projects be contracted with Alaska Native organizations and groups and the State Fish and Game Department. This was to ensure that rural Alaskans were hired to do the resource analysis.

Working through the Bureau of Indian Affairs (BIA), the Administration established a new senior-level position of Native Liaison to deal with subsistence issues, working closely with the Chairman, FSB members, the RACs, Alaska tribal entities, and Alaska Native communities and representatives.

The subsistence provision of ANILCA continues to be controversial. Recently Governor Tony Knowles directed the State Attorney General to file an appeal of the *Katie John* decision to the U.S. Supreme Court.

#### *Federal Recognition of Alaska Native Tribes*

One of the most significant actions by the Secretary during the Clinton Administration was the recognition in 1994 of 227 tribal entities in Alaska. This action, announced by Assistant Secretary Ada Deer at the annual conference of the Alaska Federation of Natives, doubled the number of tribes in the nation and clarified a long-standing issue.

#### *ANCSA Amendments*

Pursuant to a request by the Alaska Federation of Natives and other Native groups, the Department devoted hundreds of hours to achieving consensus on technical amendments to the Alaska Native Claims Settlement Act (ANCSA). The Alaska Office worked closely with Native organizations to formulate changes in ANCSA to insure that Native concerns were addressed.

#### *Migratory Birds*

During the Clinton Administration, the Alaska Office coordinated the involvement by Natives in the management of migratory birds. Under the leadership of the Fish and Wildlife Service—working closely with the Native Migratory Bird Working Group of the Alaska Community Action Program, the State of Alaska and conservation organizations—a treaty for the legal harvest of migratory birds by Natives was signed. This cooperative effort facilitated amendments to the Migratory Bird Treaty with Canada in December 1995, and the Migratory Bird Treaty with Mexico in May 1997.

#### *Alaska Tribal Technology Access Program (ATTAP)*

In 1999, the Department of the Interior received \$1.21 million for the Alaska Tribal Technology Access Program (ATTAP), a three-year project to purchase computers and begin connecting all 227 federally-recognized tribes in Alaska to the Department's wide area data network. This funding is provided by the Information Technology Innovation Fund created by Vice President Al Gore, and supports the President's policy to reduce the digital divide in rural America. Interior is contracting services with the Alaska Inter-Tribal Council for technical assistance during the deployment of the computers, for ongoing technical support, and for contract technical training.

This project answers Vice President Gore's challenge to make all government agencies and programs available online by 2003. Within the first eight months, more than 120 tribes have logged onto the network and used the Internet connectivity for a total of more than 200,000 minutes. At the current rate of use, online access is expected to exceed a million minutes per year.

### *Emergency Assistance*

Working with the Administration and the Bureau of Indian Affairs, the AFO helped provide \$1 million in immediate assistance to Alaska Natives for the summer 2000 fishery disaster. The payments went toward basic monthly living expenses and assisted families experiencing economic hardships due to poor harvest of salmon on the Yukon and Kuskokwim Rivers

### **Enhancement and Protection of Alaska's Managed Resources**

#### *Protecting the Arctic National Wildlife Refuge*

President Clinton and Secretary Babbitt steadfastly opposed oil and gas development in the Arctic National Wildlife Refuge's (ANWR), ANILCA 1002 Area. The President vetoed legislation in the autumn of 1995 that contained provisions to open the coastal plain of the refuge to drilling. The Department, working with environmental groups, has helped to block legislation and budget amendments that could lead to the opening of this pristine region of 1.5 million acres to hydrocarbon development.

#### *Additions to the Kodiak Wildlife Refuge*

Under the leadership of the Special Assistant to the Secretary for Alaska, who has acted as the Secretary's designee on the *Exxon Valdez* Oil Spill (EVOS) Trustee Council, 252,230 acres of valuable undeveloped land been added to the Kodiak National Wildlife Refuge and the Kenai Fjords National Park. *Exxon Valdez* Oil Spill settlement funds paid for the acquisitions.

#### *Fighting to Maintain Existing Protections*

During the past eight years, the Department and the AFO have effectively opposed numerous pieces of anti-environmental Alaska legislation and attempts by Congress to weaken long-standing land legislation. Some initiatives that AFO helped to turn aside include: amendments to the Alaska National Interest Lands Conservation Act which would have weakened ANILCA's protections; attempts to provide public lands to the University of Alaska; removal of critical protections for Alaska wetlands; expansion of the interpretation on Revised Statute 2477 Right-of-Way; and attempts to construct a road through wilderness in Izembek National Wildlife Refuge.

#### *Tulsequah Chief Mine*

The AFO has continued to support efforts by the Fish and Wildlife Service, the State of Alaska, Alaska Natives and other federal agencies to undertake a comprehensive watershed planning

process prior to the development of the Tulsequah Chief Mine and access road in Canada. If developed, the project could have major impacts on U.S. resources, including water quality and the habitat of 10-12 million salmon reared in Alaska each year.

### *Environmental White Papers*

In 1998, the Administration published *The Bering Sea Ecosystem: A Call to Action*. Co-authored by the Departments of the Interior and Commerce, and the Alaska Department of Fish and Game, the paper described the Bering Sea and its surrounding ecosystem as an area experiencing severe declines in fish, shellfish, marine mammals and sea birds.

Written in collaboration with federal, state and Alaska Native organizations, *Contaminants in Alaska: Is America's Arctic at Risk?* examined the levels of persistent organic pollutants (POPs) now appearing in the air, water, wildlife and vegetation of Alaska's Arctic regions. The paper was presented by Fran Ulmer, the Lieutenant Governor of Alaska, at the September 2000 meeting of the Arctic Council.

### *New Facilities*

With support by the Administration, the Department greatly enhanced Alaska visitor and outdoor recreation facilities in the national parks and fish and wildlife refuges in Alaska, constructing new visitor centers and undertaking improvements to campgrounds, trails and exhibits. Planning, design and construction were initiated for national park and fish and wildlife visitor centers and headquarters at the Wrangell-St. Elias National Park, Kenai Fjords National Park and the Morris Thompson Visitor Center, Maritime National Wildlife Refuge, Kenai National Wildlife Refuge and the Kodiak National Wildlife Refuge. Denali and Katmai National Parks received appropriations for improvements to campgrounds, facilities and trails. The Bureau of Land Management received appropriations to construct a multipurpose center on the Dalton Highway.

### **Environmentally Sound Development**

Alaska is truly a unique ecosystem, one that is fragile and slow to recover from the impacts of man and nature.

### *National Petroleum Reserve-Alaska Oil and Gas Leases*

At the request of the Governor of Alaska and with the approval of the Secretary, the Department embarked upon an eighteen-month Integrated Activity Plan and Environmental Impact Statement for the eastern portion of the National Petroleum Reserve-Alaska, an area consisting of 4.6 million acres. Upon approval of the Record of Decision, an oil and gas lease sale was held which netted approximately \$104.6 million for 133 tracts in Alaska—one of the largest sales held since Prudhoe Bay was opened to development. The winning bidders are actively evaluating tracts for drilling wells in the near future.

Other offshore sales that were successfully held in Alaska include oil and gas lease Sales 144 and 170 in the Beaufort Sea and Sale 149 in the Cook Inlet. It is anticipated that OCS oil and gas sales in the future will be held in tracts with smaller reserves of hydrocarbons. Fields coming on-line in the near future include the Northstar and Liberty prospects.

### *The North Slope*

Interior-working closely with the State of Alaska, the Department of Energy, other federal agencies, and the Congress-formulated a 1995 agreement lifting the export ban on crude oil from Alaska's North Slope.

Imposed in 1973 during the OPEC oil embargo, when energy security was the dominant policy concern, the ban prohibited foreign sale of North Slope crude, making Alaska the only U.S. oil-producing state unable to market its crude abroad.

As a result of the ban, Alaskan crude was shipped to California for refining, producing a crude oil surplus on the West Coast. The surplus depressed crude prices in Alaska and California, the largest and the third-largest crude-producing states in the U.S. It is estimated that North Slope production between 1973 and 1995 was undervalued by nearly \$14 billion, with a concomitant loss in state and federal tax revenue.

The Alaska office helped to develop a number of recommendations that were incorporated into the final stipulations allowing elimination of the export ban to be approved by Congress and signed by the President. North Slope crude that was once exclusively shipped to California is now marketed to Pacific rim countries such as China, Japan, and Korea.

Over the years there has been a growing concern by the Department that the cumulative impacts of development on the North Slope needed to be evaluated and studied. Heretofore, each new prospective project was evaluated and studied independently. At the urging of the Department and with the cooperation of EPA, the National Research Council is undertaking a \$1.5 million study to evaluate the cumulative impacts of development on the entire North Slope of Alaska.

### *The Dinkum Sands Case*

On June 19, 1997, the U.S. Supreme Court ruled in favor of the United States on a twenty-one year-conflict between the U.S. and the State of Alaska commonly known as the Dinkum Sands Case. The Administration worked with a consortium of federal agencies and environmental organizations to present a compelling case to the Court. The ruling settled the offshore ownership dispute over tidelands adjacent to the north coast of Alaska. The final court decree, signed at the end of June 2000, released from escrow more than \$1.8 billion of revenues that had been held in federal treasury accounts. The case ensured federal jurisdiction over submerged lands adjacent to the Arctic National Wildlife Refuge and protection of wildlife habitat in the Beaufort Sea.

## **Strengthened and Coordinated Departmental Management and Operations in Alaska**

The Department's leadership in the aftermath of the *Exxon Valdez* oil spill and its membership on the EVOS (*Exxon Valdez Oil Spill*) Trustee Council helped to facilitate unprecedented habitat protection in Alaska. Investing millions of dollars in local communities, the Council has protected over 500,000 acres of prime Alaska habitat. Among other extraordinary areas given protection were additions to the Kodiak National Wildlife Refuge (200,000 acres), Kenai Fjords National Park (over 30,000), and prime rainforest acreage to lands administered by the U.S. Forest Service in Prince William Sound.

### *Alaska Land Managers Forum (ALMF)*

At the request of interested stakeholders, and in cooperation and partnership with the State of Alaska and Alaska Native groups, the Department established the Alaska Land Managers Forum (ALMF) under a Federal Advisory Committee Act (FACA) charter, and held its first meeting in November 1996. Operating under principles of consensus, the Forum works on land and resource issues that cut across jurisdictional land management boundaries. The Forum's agenda focuses on improving coordination in Alaska's tourism and recreation industry on public lands.

### *Arctic Council*

The AFO worked successfully to increase the Department's involvement in the eight-nation Arctic Council, particularly in the Arctic Flora and Fauna working group. Special emphasis was given to the growing concern over harmful impacts of contaminants in the Arctic ecosystem. One goal of the initiative is to provide information about and urge support for international agreements such as the Persistent Organic Pollutants (POPs) Treaty.

### *Alaska Resources Library and Information Service (ARLIS)*

Under the leadership of the Department's AFO and Alaska regional directors and librarians, the Alaska Resources Library and Information Service (ARLIS) was founded in 1997 to establish a consolidated natural resources library. Designed to support sound resource policies and management, the library is readily available to all natural resource policy makers, agency managers, Alaska Native entities, scientists, environmental organizations, developers, and the public at large. ARLIS provides material and information services to an average of 4000 clients each month. ARLIS is a product of Vice President Gore's reinvention laboratory program.

### *20<sup>th</sup> Anniversary of ANILCA*

Twenty years ago, the Alaska National Interest Lands Conservation Act (ANILCA) became law. The Department, with the National Park Service and in partnership with the University of Alaska (UAA), sponsored a number of events in commemoration of the 20<sup>th</sup> anniversary of ANILCA. The keynote event was a roundtable panel discussion on the merits of ANILCA featuring former President Jimmy Carter, former Interior Secretary Cecil Andrus and other prominent leaders involved in the development of the lands bill. Held on the UAA campus on August 24, 2000 and moderated by Alaska's Lieutenant Governor Fran Ulmer, the program drew a capacity audience

at the Wendy Williamson Auditorium. ANILCA provided for the creation of nineteen new parks and refuges, establishment of a public access program and the adoption of a rural subsistence priority.

#### *Alaska Statement of Cooperation*

In May 1999 the Department of the Interior signed the Alaska Statement of Cooperation (SOC) along with Department of Defense, U.S. Coast Guard, Federal Aviation Administration, Environmental Protection Agency, Alaska Army and Air National Guards, and the State of Alaska. The purpose of the agreement is to establish a mechanism for state and federal agencies to work together to clean up federal hazardous waste sites, solve environmental problems and meet environmental protection objectives in Alaska.

#### *ANCSA Report to Congress on Hazardous Substance Contamination*

At the request of various Alaska Native organizations and with support from the Department, a report was prepared on the scope of contaminants on Native land holdings. The ANCSA Report to Congress on Hazardous Substance Contamination of Alaska Native Claims Settlement Act Lands in Alaska, Section 103, PL 104-42, was completed in 1995. Prepared by the Bureau of Land Management (BLM), the report was delivered to Congress in 1999.

#### *Endangered Species Successes*

Under the regulations and guidelines established by the Endangered Species Act, three listed species found in Alaska have been removed from the official endangered species list during the Clinton Administration: the Aleutian Canada Goose (2000), the American Peregrine Falcon (1999) and the Arctic Peregrine Falcon (1994).

#### *Kennicott Copper Mine Acquisition*

In partnership with the Department, Alaska's Congressional delegation, the State of Alaska, the Conservation Fund, and the Kennicott Minerals Company, the Park Service acquired the former Kennicott copper mine on June 16, 1998. Situated in the heart of the historic Wrangell-St. Elias National Park and Preserve, the property includes an historic fourteen-story mill complex, other buildings of historic significance, a cemetery, and 2,825 acres of land that constituted the historic town of Kennecott. Adding the property to the national park was an eleven-year effort.

#### *Lake Todatonten Special Management Area*

As part of the Omnibus Parks and Public Lands Management Act of 1996, legislation written into the bill and supported by the Administration established the Lake Todatonten Special Management Area to protect fish and wildlife habitat. Administered by the BLM, the 37,000 acres is adjacent to the Kanuti National Wildlife Refuge.

## **Alaska Legislation and Regulations of Note**

### *Exxon Valdez Oil Spill Fund Legislation*

The Department and the AFO actively supported passage of the *Exxon Valdez* Oil Spill Fund Investment legislation, which allows the *Exxon Valdez* Trustee Council to invest in high-income-producing accounts in order to maximize earnings.

### *Elim Native Corporation Land Act*

The AFO worked closely with Congress to pass the Elim Native Corporation Land Act, which returned 50,000 acres to the Elim reservation erroneously removed by President Herbert Hoover in 1929. After several attempts, a consensus bill was developed and passed by Congress. President Clinton signed the bill on May 2, 2000.

## ***GPRA AND STRATEGIC PLANNING***

### **Performance Management and the Government Performance and Results Act**

#### **In the Beginning**

The most profound and potentially sweeping shift in management of the Department of the Interior during the Clinton Administration was the move from the traditional "money in - output out" style of management to an innovative way of measuring performance that uses information to manage toward results and holds managers accountable. At the start of the Administration, the President's budget request was defined by levels of activity, relating funding ("money in") to outputs: number of reports prepared, miles of road paved, number of grants awarded. There was little interest in or follow-up regarding what results were being achieved for the money being spent, and little management accountability for any results.

In 1993 Congress passed the bipartisan Government Performance and Results Act. This Act, in conjunction with the Clinger-Cohen Act, the Chief Financial Officers Act, and Government Management Reform Act, provided a catalyst for Interior to undertake a rigorous and far-reaching effort to improve the Department's programs through the implementation of performance management.

Interior's performance management journey began in 1993 with the development of formal performance agreements between the Secretary of the Interior and the President of the United States. These agreements became public declarations of commitment between the Secretary, Assistant Secretaries, Bureau Directors and the President. They highlighted managerial accountability and were the forerunners of the strategic and annual performance plans published under the Government Performance and Results Act (GPRA). Interior Secretary Bruce Babbitt continued these performance agreements until FY 1998. Thereafter, they were replaced by Interior's annual performance plans under GPRA, starting in 1999.

Pat McGinnis, President and CEO of the Council for Excellence in Government, captured the essence of the GPRA in August 1997, when she said: "With full implementation of the Results Act, agencies can make policy, budget, and management decisions on the basis of performance and results. This could be a watershed change and an important benefit. To realize it, goals, plans and measures must be firmly oriented to results and address key obstacles in solving national problems and tracking the performance of programs."

#### **Implementing GPRA**

The challenge for Interior has been implementing the act in an agency with eight major bureaus and over 68,000 employees geographically dispersed throughout the country and the U.S. territories. Even more daunting was the fact that planning across the Department was highly localized and not geared toward the results Interior was now expected to manage toward. Interior's underlying philosophy for making performance management and GPRA work was to obtain the agreement and participation of managers and employees, at all levels, throughout the

process. The plans needed to be their plans, and what was measured had to be the results they could be held accountable for. In addition, the plans and systems developed had to, above all, be useful and useable in improving the management of Departmental programs. Interior's approach was from the ground up, starting small, involving employees, piloting best practices, and taking positive incremental steps forward toward full integration of performance management into the Departmental culture.

In 1994 a department-level team, the Strategic Planning Steering group, was created to coordinate and guide the development of the first GPRA strategic plans. After much deliberation it was decided that, because of the diversity of mission of Interior's bureaus and offices, the agency's strategic plan would be a composite of the eight major bureau plans with an overview provided at the Departmental level.

The first strategic plan required by GPRA was published in September 1997, covering FY 1997 to FY 2002. This was followed in February 1998 by the first required annual performance plan, for FY 1999. Though these plans did not score high marks, their goals were ambitious in scope and accurately reflected the important missions of the Department and its bureaus. By starting at the bureau level instead of with a top-down approach, Interior's bureaus have adopted performance management and measurement down to their field office level in a way unmatched by other federal agencies. In turn, the bureau GPRA documents are increasingly valuable for planning and for supporting budget requests. Interior has continued to prepare multiple documents reflecting Departmental management and oversight, and the missions of the bureaus.

### **A Legacy of Continuous Progress**

Implementation of GPRA at Interior has been iterative. The Department has continued to learn and improve the process with each step it takes. Interior has openly sought comments and has actively consulted with Congress, GAO, OMB, its OIG, and stakeholders to continually improve the content and effectiveness of its plans. Since publishing the initial plans, Interior has implemented a number of changes to the GPRA plans and have worked to cultivate a culture of performance management and accountability in the bureaus and Department.

### ***IMPROVING FINANCIAL ACCOUNTABILITY***

The Department is committed to preparing and publishing complete, concise, understandable, and meaningful information about the financial and operating performance of the Department and the individual bureaus, offices, and programs which comprise the Department. The Chief Financial Officers' Act (CFO Act), as amended by the Government Management Reform Act (GMRA), requires agencies to prepare and publish annual agency-wide financial statements beginning with FY 1996.

The Department's financial reporting goals are: (1) to achieve and maintain unqualified audit opinions for departmental and bureau financial statements, (2) to strengthen financial controls, and (3) to ensure that financial data produced for management decision-making is reliable, verifiable, and consistent with the annual audited financial statements.

In FY 1996, the Department prepared its first Accountability Report under a pilot program established by the Office of Management and Budget under the Government Management Reform Act (GMRA). The Department's Accountability Report provides readers with consolidated financial statement data and information on operating performance and management integrity which demonstrates Interior's stewardship over the assets, missions and responsibilities entrusted to it. The report integrates the multiple financial management and performance measurement requirements of the CFO Act, the Government Performance and Results Act (GPRA), the GMRA, and the Federal Managers' Financial Integrity Act (FMFIA) into a comprehensive process.

The Department continues to prepare Accountability Reports on an annual basis, revising and expanding the content of the report as necessary to adapt to changing requirements and to meet the needs of interested parties. The Department's financial reporting strategy also includes the preparation of bureau annual reports and financial statements. The Department's goal is to prepare timely, unqualified bureau and consolidated financial statements.

During FY 2000, the Department continued to improve reporting of financial information. Significant accomplishments include the following:

Interior prepared its fourth Accountability Report under an OMB-sponsored pilot program. The FY 1999 Accountability Report included audited consolidated financial statements for the Department, which received an unqualified audit opinion for the third year in a row.

Interior prepared and audited financial statements for the Department's bureaus and operating components. In FY 1998 all bureau-level financial statements that were prepared, except one, received unqualified audit opinions. In 1999, all financial statements prepared by bureaus achieved unqualified audit opinions.

### *SAFE VISITS TO PUBLIC LANDS*

Interior manages an extensive infrastructure to meet the needs of over 380 million visitors who visit and enjoy national parks, national wildlife refuges, and other public lands and facilities on an annual basis. Some of the structures that Interior manages are over 100 years old and are important landmarks. Others were built by the Civilian Conservation Corps in the 1930s, and still others were erected as part of the "Mission 66" program, a revitalization program for national parks in the 1950s and 1960s.

Though always an issue of vital importance to the Department and its bureaus, maintenance of facilities was neither managed, budgeted, nor reported in a consistent manner. With submission of the FY 2000 Budget, the Clinton Administration, through the Department of the Interior, instituted an aggressive Safe Visits to Public Lands Initiative to improve management of and accountability for the Department's infrastructure. The Initiative focuses maintenance and construction funding on the highest priority health-and-safety and resource protection needs.

The Safe Visits Initiative directs the Department's efforts to manage rehabilitation and repair needs at parks, refuges, and public lands that are faced with increasing visitation, an aging infrastructure, and threats to natural and cultural resources. In FY 2000, \$1.1 billion is available to improve the infrastructure through the Safe Visits Initiative, an increase of \$172.7 million over FY 1998 and \$61.6 million over FY 1999. For FY 2001, the Department requested \$1.3 billion, of which \$686.4 million is for maintenance and \$601.3 is for construction. This is an increase of \$140.5 million, or 12 percent, over 2000. Both annual (usual upkeep activities) and deferred maintenance are included in this initiative.

Long-term improvement of the condition of the Department's facilities requires better data on current conditions. To this end, in December 1999 Interior issued formal requirements for conducting facility condition assessment surveys across all the bureaus. These surveys will provide a continuous, systematic review program through which the bureaus can identify repair, rehabilitation, and replacement needs. These condition assessment surveys are a more thorough and comprehensive examination of facilities, and therefore are likely to uncover additional needs. It is anticipated that a cycle of condition assessments will be completed every five years and that will give Interior, for the first time, an accurate assessment of the total backlog of maintenance needs. The budget contains \$9.2 million for condition assessments, an increase of \$5.8 million.

The Department has instituted a facilities management systems partnership to provide a forum to coordinate the development and use of facilities management systems Department-wide. The National Park Service began pilot implementation of a robust, comprehensive maintenance management system in September 1999. The goal is to establish a uniform maintenance management system that can provide consistent, reliable maintenance information to managers and Congress. Accurate information is critical to ensure future accountability. The 2001 budget includes \$4.3 million that will allow the bureaus to continue development and implementation of maintenance management systems.

### ***DEFERRED MAINTENANCE AND CAPITAL IMPROVEMENT***

By implementing the Safe Visits Initiative, the Department of the Interior, long beset with inconsistent and incomplete data on the backlog of deferred maintenance across the bureaus, began in the FY 2000 budget to present the Department's priorities for the Five-Year Deferred Maintenance and Capital Improvement Plan. Deferred projects are those that are more than one year past the date the work should have been accomplished. Projects on the list are ranked to request funds for the highest priority health-and-safety and resource protection needs first. Each of the land management bureaus, the U.S. Geological Survey, and the Bureau of Indian Affairs has formulated and will present an updated plan that lays out the most critical construction and maintenance needs to be accomplished over the next five years.

For both construction and maintenance programs in FY 2001, the Department continued use of standard definitions of facilities terms and data, uniform criteria for priority ranking of the most critical health and safety and resource protection projects, and consistent and credible descriptions of projects. The five-year plan will continue to be updated annually to reflect

changes as projects shift in priority and new needs are identified. The FY 2001 request is \$645.6 million, an increase of \$117.7 million, and estimates for the five years from FY 2001 to FY 2005 are projected to be \$3.4 billion.

Construction requests, excluding those of the Bureau of Reclamation, total \$601.3 million, reflecting a net increase of \$113.1 million over FY 2000. Bureau of Indian Affairs (BIA) education receives an increase of \$167.3 million. The BIA increases will allow accelerated major and minor repairs at 185 existing schools, and the replacement of six schools: Tuba City Boarding and Second Mesa Day Schools in Arizona; Zia Day School, Baca Consolidated Community School, and Wingate Elementary School in New Mexico; and Lummi Tribal School in Washington.

The requests for construction in the land managing bureaus total \$235.4 million, composed of \$11.2 million in the Bureau of Land Management; \$44.2 million in the Fish and Wildlife Service; and \$180.0 million in the National Park Service. Among the seventy line-item requests are construction projects for:

- Repairing the unreliable electrical system at the Mammoth Cave National Park in Kentucky;
- Replacing an unsafe BLM bridge at Susie Creek, Nevada;
- Replacing a failing Yellowstone National Park water and waste-water system in Wyoming;
- Implementing seismic safety rehabilitation in six FWS buildings at Alchey/Williams Creek National Fish Hatchery in Arizona, Jackson National Fish Hatchery in Wyoming, and Coleman National Fish Hatchery in California;
- Installing a fire suppression system in park structures at Gettysburg National Military Park in Pennsylvania; and
- Establishing an interpretive center at the Manzanar National Historic Site in California, the site of one of the relocation centers for Japanese-Americans during World War II.

### ***INFORMATION MANAGEMENT***

Perhaps no area of management saw more advances during the Clinton Administration than Information Technology (IT). Interior was a leader in government IT policy and innovation.

### **Year 2000 Compliance**

The Department of the Interior was the first statutory cabinet-level agency to complete Year 2000 compliance for its ninety mission-critical systems. Interior's continuity of operations plans and guidelines were used by other agencies as a model for Command Center "Day 1" preparations to cover the period immediately before and after the midnight transition to the new year. Interior received over \$128 million in supplemental funds to ensure the readiness of 111 mission-essential facilities; tens of thousands of non-mission-critical systems; voice, data and radio telecommunications infrastructure; and embedded microchip technology in facilities ranging from water treatment plants to seismological detection and recording equipment.

## **Common IT Contracts for Interior and Other Government Agencies**

The Department of the Interior streamlined its Information Technology (IT) acquisition process by implementing department-wide and government-wide contracts. Combining purchase dollars with the benefit of a single contracting action has saved the government both fiscal and manpower resources by gaining volume discounts and lessening the administrative burden associated with IT acquisitions, resulting in as much as 15 percent savings under existing government contracts. Since November 1994, the Department of the Interior has negotiated three Master License Agreements, ten Basic Purchase Agreements, one Department-wide contract and three government-wide contracts. These purchase vehicles include a variety of hardware, software, maintenance, and support services.

## **Interior Pioneers e/Government Concept in the Federal Sector**

### **NBII and NBC Sites**

Two of the Department of the Interior's Web sites were winners of the 1999 Best Feds on the Web Award. Sixteen federal Web sites were selected as the 1999 winners of the Best Feds on the Web competition sponsored by GovExec.com, the daily Web publication of *Government Executive* magazine. Two of the Department of the Interior's Web sites were winners of the 1999 competition; they are:

- National Biological Information Infrastructure: The NBII site, <http://www.nbii.gov>, is a repository for everything under the sun related to biology—a science teacher's dream.
- National Business Center: NBC employees can access their time and attendance records, e-mail and electronic calendars online at <http://www.nbc.gov>. Customers can request information electronically, and visitors curious about what NBC does can view the agency's products and services.

### **Interior Reinvention Labs**

In the past six years, Interior has established thirty-eight Departmental reinvention labs. A laboratory's purpose is to promote the redesign of processes, systems, administrative structures, programs, or a combination of these, with the goal of providing better services or products. Risk-taking and creativity are encouraged in the lab environment. The Reinvention Labs create an environment where federal workers and their partners have the freedom to experiment, and can showcase innovation and results. Of Interior's thirty-eight laboratories, eight have received Vice President Gore's Hammer Awards for their accomplishments. The Department has received a total of forty Hammer Awards.

### **Indian Trust Management Architecture**

Interior maintains 1400 accounts for 315 Tribal entities with assets in excess of \$2.5 billion, with an additional 285,000 Individual Indian Monies (IIM) accounts through which over \$300 million

pass each year. As part of the Interior-wide Trust Management Improvement Project, the Computer and Business Systems Architecture project documents the means of defining and mapping business processes within the trust management activity from existing procedures and systems to the new operating environment. It has recently delivered the first two foundational pieces of that Architecture ahead of schedule. The objective of the new operating environment is to provide an integrated set of systems and procedures across relevant Interior bureaus and offices that, taken together, function well to assure proper management of trust monies and actions and an appropriate accounting of the collections and disbursements for tribes and allottees.

### **Consolidated Telecommunications Network (DOINET)**

DOINET supplies high-speed communications links for key Interior and other federal agency locations. DOINET provided Internet Access for assisting NOAA's capability to provide public access to the National Hurricane Warning Centers in Florida. Public interest peaked during a major storm shortly after implementation, with over 15,000,000 hits per day during a four-day period. The information that flowed between NOAA and the American public holds the record for sustained information flow over a Interior-provided information technology facility. The DOINET supports the BIA school Internet initiative and is instrumental in establishing networking agreements with other federal agencies. Through aggregated access points bureaus have been able to disconnect long distance connections and share DOINET-provided services.

### **The Alaskan Regional Telecommunications Network (ARTNET)**

Interior Implemented the first-ever consolidated high-speed telecommunications network (ARTNET) in Alaska for use by the Department and other federal agencies such as the Social Security Administration, USDA Forest Services, Volcano Observatory and Earthquake Alert Systems, Arctic Region Ice Pack Studies, Tsunami Warning System, and Native Alaskan Tribes.

### **The Alaska Tribal Technology Access Program (ATTAP)**

ATTAP was established to provide Native Alaskan tribes with personal computers and Internet access. This task presented enormous logistical challenges because of infrastructure shortcomings, vast geographic distances, and high telecommunications costs. Interior acquired technology start-up funding through GSA's Information Technology Innovation Fund. This funding opportunity provided the resources to acquire a personal computer for each of the 225 Alaskan Tribes and include remote access into ARTNET and DOINET for Internet access. ATTAP also provided the tribes with their first email system for connectivity with federal, state and local government agencies.

### **Capital Investment Planning Process**

The Department of the Interior established a capital investment planning process that identifies and tracks major technology investments throughout the Department to ensure that investments are clearly driven by and accountable to specific business goals, with sound investment and project management structures in place that lead to effective outcomes. The new coordinated

planning and management process establishes a Department-wide portfolio of IT investments wherein high-dollar IT investments are reviewed in the context of existing systems and other proposed investments to ensure coordinated and consolidated investments where appropriate, and eliminate duplication and inconsistency. Interior is one of only two cabinet-level agencies planning and evaluating both its information technology and construction capital investments together in a single unified program.

## ACKNOWLEDGEMENTS

### PRINCIPAL WRITER/EDITOR

Jana Prewitt  
Victoria Voytko

### CONTRIBUTORS

#### SECRETARY'S IMMEDIATE OFFICE

Brit Allen Storey  
Frank Quimby  
Terry Bish  
Shayla Simmons  
Grace Garcia  
Ivan Lanier  
Karen E. Frazier  
Michael Gauldin  
Joseph D Hall  
Valerie Henson-Ford  
Joan Ford Moody  
Suzy Hubbell  
Ronald B. McCoy  
Marilyn Heiman

#### FISH AND WILDLIFE SERVICE

Mitch Snow  
Anne Haas  
Kathi Bangert  
Kevin Kilcullen  
Mark Madison  
Doug Hobbs  
Julie Jackson  
Sandra Cleva  
Mary Maruca  
Phyllis Cook  
Julie St. Louis  
Dario Bard  
Megan Durham

#### OFFICE OF THE DEPUTY SECRETARY

AJ Wojciak  
Laura Daniel-Davis

#### SOLICITOR'S OFFICE

Liz Birnbaum

#### POLICY, MANAGEMENT AND BUDGET

Marvin Whitehead  
Justin Johnson

#### NATIONAL PARK SERVICE

Nat Wood  
Destry Jarvis

#### BUREAU OF LAND MANAGEMENT

Denise Ryan  
Bob Johns  
Bob Anderson  
Mike Mottice

#### OFFICE OF SURFACE MINING

Steve Sheffield  
Angeline Poole-Walker  
Ruth Stokes  
Ron Tarquino  
Steve McEnggart

**MINERALS MANAGEMENT SERVICE**

Tony Gallagher  
Walt Bonora  
Walter Cruickshank  
Cathy Hamilton  
Darryl Francois  
Don Hill  
Bob Pope

**U.S. GEOLOGICAL SURVEY**

Trudy P. Harlow  
Jon C. Campbell  
James F. Devine  
Anne F. Frondorf  
Kathleen K. Gohn  
Catherine E. Haecker  
Amy L. Holley  
John D. Powell

**BUREAU OF RECLAMATION**

Jeanne Whittington  
Margaret Sibley  
Carmen Maymi

**BUREAU OF INDIAN AFFAIRS**

Robin Shield  
Nedra Darling  
Kevin Gover

**OFFICE OF THE SPECIAL TRUSTEE**

Richard V. Fitzgerald