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U.S. Department of the Interior: An Overview

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SUMMARY

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U.S. Department of the Interior: An Overview

The U.S. Department of the Interior (DOI) is a federal executive department responsible for the conservation and administration of the public lands and mineral estate of the United States. DOI describes its mission as protecting and managing the nation's natural resources and cultural heritage for the benefit of the American people; providing scientific and scholarly information about those resources and natural hazards; and exercising the nation's trust responsibilities and special commitments to American Indians, Alaska Natives, and island territories under U.S. administration.

As part of its responsibilities, DOI oversees and fosters the use of more than 480 million acres of public lands, 700 million acres of subsurface minerals, and 1.7 billion acres of the outer continental shelf. Each year, Congress deliberates legislation that could affect DOI's management of this vast federal estate. As a result, understanding the roles and responsibilities of DOI's various components and offices is valuable when crafting legislation that affects the department's operations and ability to fulfill its mission.

DOI primarily implements its responsibilities and mission through nine technical bureaus that make up more than 80% of the agency's workforce. These technical bureaus are the Bureau of Indian Affairs (BIA), Bureau of Land Management (BLM), Bureau of Ocean Energy Management (BOEM), Bureau of Reclamation (Reclamation), Bureau of Safety and Environmental Enforcement (BSEE), National Park Service (NPS), Office of Surface Mining Reclamation and Enforcement (OSMRE), U.S. Fish and Wildlife Service (FWS), and U.S. Geological Survey (USGS). Each of these bureaus has a unique mission and set of responsibilities, as well as a distinct organizational structure that serves to meet its functional duties. In addition to these technical bureaus, DOI has multiple departmental offices, which provide leadership, coordination, and services to DOI's various bureaus and programs.

As of June 2018, DOI employed a staff of 69,563 nationwide across its bureaus and offices. However, total DOI employment figures fluctuate throughout the year, as some bureaus rely on seasonal and part-time staff, increasing staff totals during the summer months. The Office of Personnel Management (OPM) reports the average total DOI employment as 65,350 for the four reporting periods from September 2017 to June 2018. The largest bureau within DOI based on number of staff is NPS, which averaged close to 20,000 staff over the same time period—more than twice the size of the second-largest bureau, BLM. The smallest technical bureau by employment is OSMRE, which averaged just over 400 employees. Approximately 10% of all DOI staff are within the District of Columbia core-based statistical area (CBSA), which includes the District of Columbia and selected counties in Maryland, Virginia, and West Virginia.

Congress provides discretionary appropriations for DOI through two annual appropriations bills: the Interior, Environment, and Related Agencies bill and the Energy and Water appropriations bill. Enacted discretionary appropriations for FY2018 totaled $14.6 billion. DOI also received $566 million in supplemental emergency appropriations in FY2018, for a total of $15.2 billion in discretionary appropriations for FY2018.

The organizational structure of DOI is subject to continual congressional oversight and executive branch examination. In 2017 and 2018, President Trump and then-Secretary of the Interior Ryan Zinke submitted reorganization plans for the department and its bureaus. These plans put forth several recommendations, including the consolidation and transfer of most functions of the Army Corps of Engineers Civil Works Division to DOI, the merger of the Department of Commerce's National Marine Fisheries Service with FWS, and the creation of 12 "Unified Regional Boundaries" across DOI's various bureaus.

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Introduction

The Department of the Interior (DOI) is a federal executive department responsible for the conservation and use of roughly three-quarters of U.S. public lands. DOI defines its mission as to protect and manage the nation's natural resources and cultural heritage for the benefit of the American people; to provide scientific and scholarly information about those resources and natural hazards; and to exercise the country's trust responsibilities and special commitments to American Indians, Alaska Natives, and island territories under U.S. administration.[1] Initially conceived as a "home department" in 1849 to oversee a broad array of internal affairs,[2] DOI has evolved to become the nation's principal land management agency, charged with administering the use of more than 480 million acres of public lands, 700 million acres of subsurface minerals, and 1.7 billion acres of the outer continental shelf (OCS).[3]

As is the case for many federal departments, DOI's organizational structure and functions are under continual congressional examination as part of Congress's lawmaking and oversight functions. Similarly, DOI's executive branch structure and operations are also the subject of administrative scrutiny. Over the course of the department's roughly 170-year history, DOI has evolved in response to the needs of the nation and at the behest of Congress and the President (see **Figure 1** for a timeline of selected events that influenced the current structure of the department). Some of these changes have been relatively broad in nature, such as the creation of a new agency or regulatory body. Other shifts have been smaller in scope, such as modifications to interagency processes or reorganizations in how resources or responsibilities are distributed among offices or programs.[4]

DOI reorganization proposals put forth by the Trump Administration have renewed attention to the structural relationship between the department's various bureaus and their regulatory responsibilities. In March 2017, President Trump signed an executive order calling on agency leaders to, "if appropriate," submit a proposed reorganization plan for their agencies to the director of the Office of Management and Budget within 180 days.[5] In September 2017, then-Secretary of the Interior Ryan Zinke issued a reorganization proposal for DOI in response to this order. In June 2018, President Trump issued a more expansive government-wide reorganization proposal, which included further recommendations and proposals affecting the structure of DOI.[6]

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[1] Department of the Interior (DOI), "Who We Are," at https://www.doi.gov/whoweare (last accessed September 27, 2018).

[2] Robert M. Utley and Barry Mackintosh, *The Department of Everything Else: Highlights of Interior History* (U.S. Department of the Interior, 1989), at https://www.nps.gov/parkhistory/online_books/utley-mackintosh/. Hereinafter referred to as Utley and Mackintosh, *Department of Everything Else*.

[3] For data and other information on federal land management, see CRS Report R42346, *Federal Land Ownership: Overview and Data*, by Carol Hardy Vincent, Laura A. Hanson, and Carla N. Argueta, and CRS Report R43429, *Federal Lands and Related Resources: Overview and Selected Issues for the 115th Congress*, coordinated by Katie Hoover. For a brief summary of the responsibilities of DOI land management agencies, see CRS In Focus IF10585, *The Federal Land Management Agencies*, by Katie Hoover. The outer continental shelf (OCS) is defined by statute as all submerged lands lying seaward of state coastal waters (3 miles offshore) which are under U.S. jurisdiction (43 U.S.C. §1301).

[4] For a more complete discussion of the history and legal authority around executive branch reorganization, see CRS Report R44909, *Executive Branch Reorganization*, by Henry B. Hogue.

[5] Executive Order 13781, "Comprehensive Plan for Reorganizing the Executive Branch," 82 *Federal Register* 13959-13960, March 13, 2017.

[6] Executive Office of the President, *Delivering Government Solutions in the 21st Century: Reform Plan and Reorganization Recommendations*, June 25, 2018, at https://www.whitehouse.gov/wp-content/uploads/2018/06/Government-Reform-and-Reorg-Plan.pdf. For DOI-related plans and recommendations, see pp. 13, 30-31, and 37-28.

In addition to these broader proposals, smaller interagency administrative changes either took effect in FY2019 or are proposed for FY2019 implementation, including the transfer and consolidation of several department offices and programs.

This report is a primer to understanding the organizational framework under which DOI operates, while providing context for how ongoing and proposed reorganizations might affect these operations. The report provides a timeline of congressional and executive actions that have shaped the structure and function of DOI since its establishment. It also offers a brief summary of DOI's history, mission, and current structure, as well as an overview of the primary functions of its multiple bureaus and offices as of December 2018. Employment figures and corresponding maps illustrate the varying regional office structures among DOI bureaus, as they exist currently. In addition, the report includes an overview of the annual funding and appropriations process for the department. Although the report provides a broad summary of the proposed reorganization efforts under way or in effect as of December 2018, it does not offer a detailed analysis of these plans or their potential impact on DOI's structure and function. A list of CRS experts for the issue areas covered by DOI and its bureaus is at the end of the report. In general, this report contains the most recently available data and estimates as of December 2018.

Establishment of the Department: A Brief History

Prior to the establishment of DOI in 1849, Congress apportioned domestic affairs in the United States across the three original executive departments: Department of State, Department of War (now Department of Defense), and Department of the Treasury.[7] The Department of State housed the nation's Patent Office, and the Department of War housed the Office of Indian Affairs and the Pension Office, which at the time administered pensions solely for military personnel.[8] Meanwhile, the General Land Office (GLO), which oversaw and disposed of the public domain, was placed by Congress within the Department of the Treasury because of the revenue generated by the GLO from land sales.[9]

By the 1840s, the growing federal estate acquired through the Louisiana Purchase, the Mexican-American War, and the newly negotiated Oregon Territory placed an increasing burden on the departments and their leadership.[10] In 1848, then-Secretary of the Treasury Robert J. Walker submitted to Congress a proposal that would bring together GLO, the Office of Indian Affairs, and several other disparate offices and functions under a single, separate executive department.[11] Congress officially established the Department of the Interior on March 3, 1849.[12]

In addition to absorbing the functions of the Patent Office, the Office of Indian Affairs, Pension Office, and GLO, the newly established DOI assumed responsibility for a wide range of other domestic matters. As part of DOI's organic legislation, Congress conferred on the Secretary of the

[7] The Department of State (initially established as the Department of Foreign Affairs) was created in 1781 (1 Stat. 28). The Department of War (1 Stat.49) and Department of the Treasury (1 Stat. 65) each were established eight years later, in 1789.

[8] Utley and Mackintosh, *Department of Everything Else*.

[9] The General Land Office Act (2 Stat. 716), April 25, 1812, created the General Land Office (GLO) in the Department of the Treasury to "superintend, execute, and perform, all such acts and things, touching or respecting the public lands of the United States," including those functions formerly vested in the Secretaries of War and State.

[10] John T. Woolley and Gerhard Peters, *The Presidency A to Z*, 5th ed. (CQ Press, 2012), p. 315.

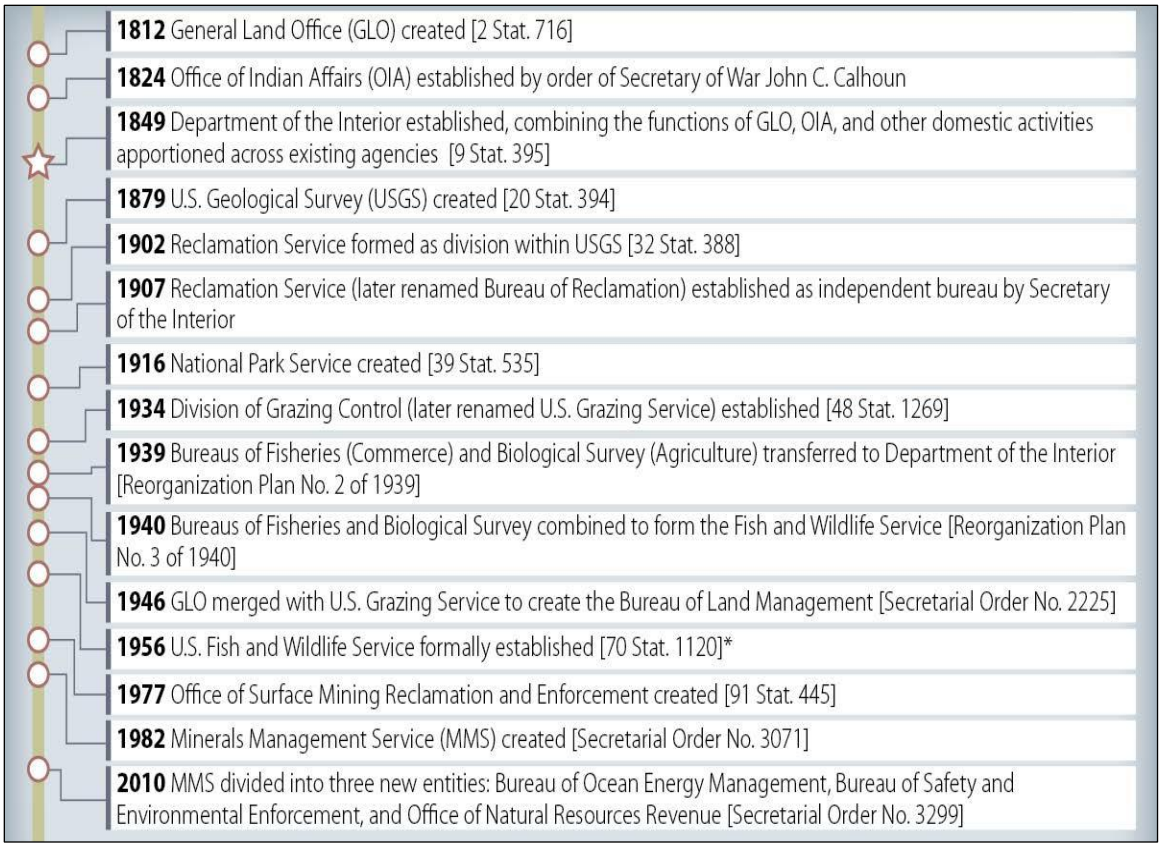
[11] *Guide to the Presidency and the Executive Branch*, ed. Michael Nelson, 5th ed. (CQ Press, 2012).

[12] 9 Stat. 395.

Interior the "supervisory and appellate powers" held by the President over the commissioner of Public Buildings, as well as oversight responsibility for both the U.S. Census and the Penitentiary of the District of Columbia.[13] Over time, Congress further expanded the department's functions to include the construction of the national capital's water system, the colonization of freed slaves in Haiti, water pollution control, and the regulation of interstate commerce.[14] Most of these early activities eventually were transferred from DOI's charge as Congress began to authorize and create new executive departments and independent agencies to handle this growing list of responsibilities.

Now, DOI has evolved to focus primarily on protecting and managing natural resources, conducting scientific research, and exercising the nation's trust responsibilities to American Indians, Alaska Natives, and affiliated island communities.

Figure 1. Timeline of Selected Department of the Interior (DOI) Establishments and Reorganizations



Source: Congressional Research Service (CRS). See relevant subsections within this report for individual citations.

Notes: *The Fish and Wildlife Act of 1956 (P.L. 1024) created the U.S. Fish and Wildlife Service, from the agency formerly known as the Fish and Wildlife Service.

[13] 9 Stat. 395, §§7-10.

[14] DOI, "History of the Interior," at https://www.doi.gov/whoweare/history (last accessed September 27, 2018).

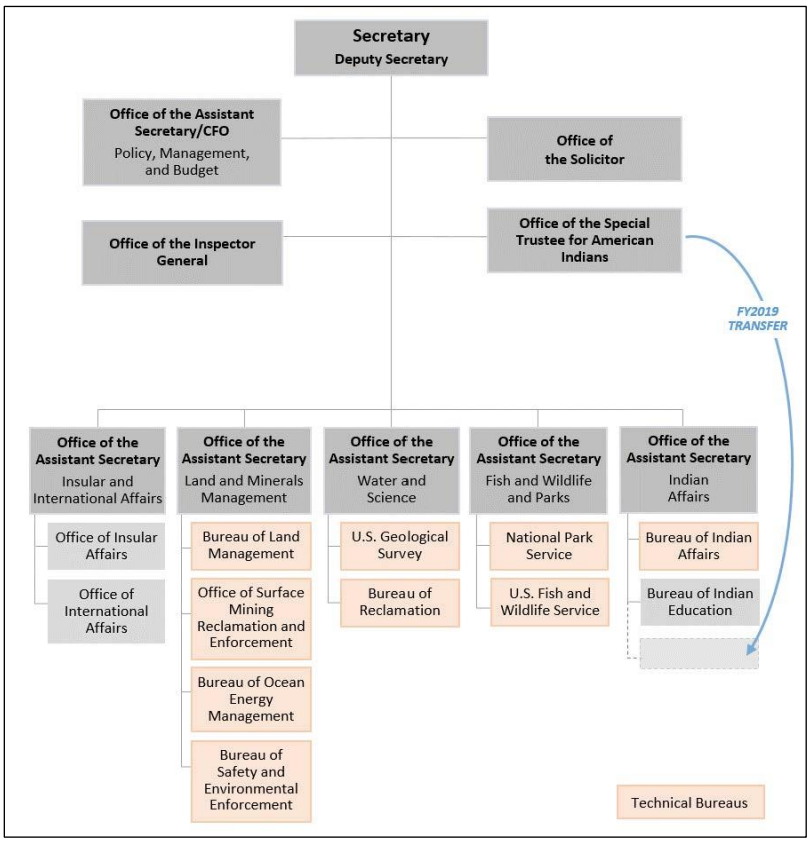
DOI Today: Leadership, Structure, and Functions

Overview

DOI is a Cabinet-level department that employs approximately 65,000 full-time employees across nine technical bureaus and various administrative and programmatic offices.[15] In addition to its headquarters in Washington, DC, DOI has staff in roughly 2,400 locations across the United States, including both regional offices and field centers.[16] Each of DOI's technical bureaus and programmatic offices has a unique mission and set of responsibilities, as well as a distinct organizational structure that serves to meet its functional duties.[17] **Figure 2** shows the DOI organization chart as of December 2018.

Figure 2. DOI Organizational Chart of Key Positions and Bureaus

(as of December 2018)



Source: CRS using information from DOI Office of the Secretary: Department-Wide Programs, *Budget Justifications and Performance Information Fiscal Year 2019*, pp. OS-1, at https://www.doi.gov/sites/doi.gov/files/uploads/fy2019_os_budget_justification.pdf.

[15] U.S. Office of Personnel Management (OPM), FedScope database, Employment cubes, Cabinet-Level Agencies parameter set to Department of the Interior, at https://www.fedscope.opm.gov/. Hereinafter referred to as "OPM Fedscope data."

[16] DOI, *Strategic Plan for Fiscal Years 2018-2022*, at https://www.doi.gov/sites/doi.gov/files/uploads/fy2018-2022-strategic-plan.pdf.

[17] Hereinafter, the report will use the terms *bureaus* and *agencies* interchangeably to refer to DOI's technical bureaus.

Notes: CFO = Chief financial officer. This chart does not depict every office within the department but rather key positions and bureaus reflected in this report. The FY2019 Budget Justification for the Office of the Special Trustee for American Indians (OST) proposes a change in the reporting relationship of the OST from the Office of the Secretary to the Assistant Secretary—Indian Affairs. This proposed change is reflected here. See "Departmental Offices and Programs" section for more information.

Leadership

The leadership team and senior executives of DOI provide oversight and guidance for the department's various offices, bureaus, and field locations. The department is administered and overseen by the Secretary of the Interior (referred to in this report as *the Secretary*) and a Deputy Secretary, who serves in a leadership capacity under the Secretary. The President appoints both positions, and the U.S. Senate confirms them (see text box for a full list of DOI appointees requiring Senate confirmation). Serving under the Secretary and Deputy Secretary are six Assistant Secretaries, who oversee DOI's nine technical bureaus and different administrative and programmatic offices (see **Figure 2** for these position titles and responsibilities).[18]

DOI Presidential Appointees Requiring Senate Confirmation

Secretary
Deputy Secretary
Assistant Secretary—Fish, Wildlife, and Parks
Assistant Secretary—Insular Affairs
Assistant Secretary—Land and Minerals Management
Assistant Secretary—Policy, Management, and Budget/Chief Financial Officer
Assistant Secretary—Water and Science
Assistant Secretary—Indian Affairs
Chairperson—National Indian Gaming Commission
Special Trustee—American Indians
Commissioner—Bureau of Reclamation
Director—Bureau of Land Management
Director—U.S. Fish and Wildlife Service
Director—National Park Service
Director—Office of Surface Mining Reclamation and Enforcement
Director—U.S. Geological Survey
Inspector General
Solicitor

Notes: For a more complete discussion of Senate confirmation process, see CRS Report RL30959, *Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling Nominations*, by Christopher M. Davis and Michael Greene.

In addition to the Secretary, the Deputy Secretary, and the six Assistant Secretaries, DOI has a number of other congressionally mandated leadership positions. Like other Cabinet-level agencies, DOI has an inspector general, who administers the office responsible for providing oversight to DOI's programs, operations, and management.[19] The DOI solicitor heads the Office of the Solicitor, which provides legal counsel, advice, and representation for the department.[20] In 1994, Congress established the position of special trustee for Indian Affairs to manage DOI's fiduciary responsibilities to American Indians.[21] Since its establishment, the Office of the Special Trustee (OST) has operated independently from the Bureau of Indian Affairs (BIA), which held these responsibilities prior to 1994.[22] Finally, the

[18] 43 U.S.C. §§1452-1476.

[19] The Inspector General Act of 1978 (P.L. 95-452, 92 Stat. 1101).

[20] 60 Stat. 312, 43 U.S.C. §1455.

[21] American Indian Trust Fund Management Reform Act, P.L. 103-412, 108 Stat. 4244, 25 U.S.C. §§4041-4046.

[22] The FY2019 budget request from then-Secretary of the Interior Ryan Zinke proposes a change in reporting structure of the Office of the Special Trustee for American Indians that would move the office and its functions under the administration of the Office of the Assistant Secretary—Indian Affairs starting in FY2019. See the "Departmental Offices and Programs" section for more information.

chairperson of the National Indian Gaming Commission oversees an independent regulatory body within DOI responsible for administering and promoting economic development through gaming on Indian lands.[23] Similar to the Special Trustee, the chairperson of the commission operates in an independent capacity separate from the Assistant Secretary of Indian Affairs.

Technical Bureaus: History, Missions, and Current Structures

Nine technical bureaus comprising more than 90% of the DOI workforce are responsible for implementing the department's mission and responsibilities.[24] The names, structures, and duties of these bureaus have evolved over time in accordance with both administrative actions and shifts in the authorities provided to them by Congress. Below is a brief overview of each bureau, the historical context within which it was created, its organizational structure, and its current mission and responsibilities.

Bureaus appear below in alphabetical order. An "At a Glance" box provides a snapshot of key information and data for each respective bureau. The "Established" date reflects the year in which a bureau was created. The "Key Statute" listed may represent the initial legislative authorization for a bureau to carry out its regulatory duties, or it may reference an agency's organic act, which articulates it mission and/or responsibilities. This information does not reflect the full list of governing statutes for DOI bureaus, as each bureau is subject to numerous laws. The number of employees listed for each bureau reflects the average for the four reporting periods from September 2017 to June 2018, with employment figures rounded to the nearest hundred, as reported to OPM. These annual averages differ from the figures included in the narrative sections of each agency, which reflect June 2018 figures, the most recently reported by OPM's Fedscope database as of the publication of this report. DOI employee data are discussed in more detail in the section "DOI Employment."

Bureau of Indian Affairs (BIA)

At a Glance: Bureau of Indian Affairs (BIA)

Established: 1824

Key Statute: Snyder Act of 1921 (42 Stat. 208)

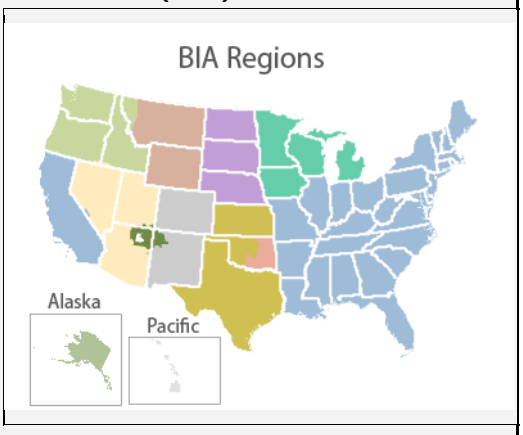
Mission: "To enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian Tribes, and Alaska Natives."

Leadership: Director

Headquarters: Washington, DC

Average Staff: 7,600 (including staff from the Bureau of Indian Education)

Regions: 12



Source: *Bureau of Indian Affairs, "About Us," at https://www.bia.gov/about-us.

[23] Indian Gaming Regulatory Act, P.L. 100-497, 102 Stat. 2469, 25 U.S.C. §2704.

[24] Calculation based on OPM Fedscope data.

Established in 1824, the Bureau of Indian Affairs (BIA) is the oldest bureau within DOI, predating the department by 25 years. Then-Secretary of War John C. Calhoun established the Office of Indian Affairs to help centralize what was at the time a fractured administrative approach to Indian policy and relations in the United States.[25] It was not until 1832 that Congress officially recognized the Office of Indian Affairs as a bureau of the War Department by appointing a commissioner to oversee the agency.[26] The Office of Indian Affairs was transferred to DOI in 1849, when the department was created. DOI formally adopted the name *Bureau of Indian Affairs* in 1947.[27]

BIA provides services to federally recognized American Indian and Alaska Native tribes and their nearly 1.9 million members.[28] These services include disaster relief, child welfare, and road construction, as well as the operation and funding of law enforcement, tribal courts, and detention facilities within native villages and reservations.[29] The bureau also is responsible for protecting and administering assets on tribal lands, including the management of 55 million surface acres and 57 million acres of subsurface mineral estates held in trust by the United States.[30]

The BIA was also previously responsible for providing elementary and secondary education and educational assistance to Indian children through BIA's Office of Indian Education Programs. In 2006, however, the Secretary of the Interior separated the BIA education programs from the rest of the BIA and placed them in a new Bureau of Indian Education (BIE) under the Assistant Secretary—Indian Affairs.[31] As of FY2018, the BIE education system served approximately 47,000 students through 169 elementary/secondary schools and 14 dormitories located in 23 states.[32] For the purposes of this report, BIE is not considered a *technical bureau* of DOI. However, BIE employment figures are included in BIA totals listed above and in the "DOI Employment Levels" section.

The BIA is administered by a director who oversees the agency's functions and reports to the Assistant Secretary of Indian Affairs. Similar to other DOI agencies, the BIA has a three-tiered organizational structure, with leadership and senior executives operating from headquarters in Washington, DC, and 12 regional offices that oversee 53 field offices (referred to as *agencies* by the BIA); these agencies deliver program services directly to tribal communities.[33] As of June 2018, the BIA and BIE combined had roughly 7,000 employees.[34]

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[25] William S. Belko, "John C. Calhoun and the Creation of the Bureau of Indian Affairs: An Essay on Political Rivalry, Ideology, and Policymaking in the Early Republic," *The South Carolina Historical Magazine* 105, no. 3 (2004), p. 194, at http://www.jstor.org/stable/27570693.

[26] From an act dated July 9, 1832, ch. 174, §1, 4 Stat. 564.

[27] The Office of Indian Affairs was redesignated the Bureau of Indian Affairs (BIA) by Secretarial Order No. 2362.

[28] Bureau of Indian Affairs (BIA), "About Us," at https://www.bia.gov/about-us.

[29] For a more complete discussion of BIE and its various duties, see CRS Report RL34205, *Indian Elementary-Secondary Education: Programs, Background, and Issues*, by Cassandria Dortch.

[30] BIA, "What We Do," at https://www.bia.gov/bia/ots/what-we-do.

[31] DOI, Indian Affairs, *Budget Justifications Fiscal Year 2008*, pp. IA-EDUC-5 to -6.

[32] DOI, Indian Affairs, *Budget Justifications and Performance Information Fiscal Year 2019*, pp. IA-GS-1.

[33] BIA, "Regional Offices" at https://www.bia.gov/regional-offices. As of 2018, BIA reported having a total of 53 agencies across the country, as well as two facilities for irrigation projects under BIA management.

[34] OPM Fedscope data. This figure includes employees of both BIA and BIE as Fedscope does not distinguish between the two bureaus in their reporting. The *Indian Affairs Shutdown Contingency Plan—December 2018* indicated that BIA had 4,057 on-board employees, whereas BIE had 3,344 employees for a total of 7,401 employees as of December 2018.

Bureau of Land Management (BLM)

At a Glance: Bureau of Land Management (BLM)

Established: 1946

Key Statute: Federal Land Policy and Management Act of 1976 (90 Stat. 2744)

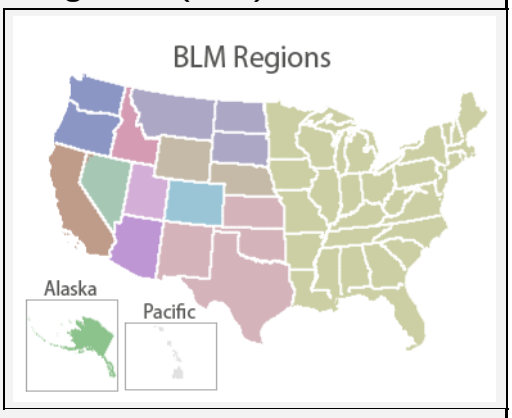
Mission: "To sustain the health, diversity and productivity of public lands for the use and enjoyment of present and future generations."*

Leadership: Director

Headquarters: Washington, DC

Average Staff: 9,800

Regions: 12 (state offices)



Source: *BLM, "Our Mission," at https://www.blm.gov/about/our-mission.

The Bureau of Land Management (BLM) was created in 1946, following the merger of DOI's General Land Office (GLO) and the U.S. Grazing Service, known previously as the Division of Grazing Control and subsequently as the Division of Grazing.[35] BLM manages just under 250 million acres of public land—roughly 10% of the total U.S. land area. The vast majority of this land (more than 99%) is located in 12 western states, including Alaska.[36] The agency also is responsible for approximately 800 million acres of the federal onshore subsurface mineral estate and for mineral development on about 60 million acres of Indian trust lands.[37] BLM manages public lands under the dual framework of multiple use and sustained yield, as required under the Federal Land Policy and Management Act of 1976.[38] These uses include a wide range of activities, such as energy and mineral development, livestock grazing, and preservation, as well as hunting, fishing, and other recreational activities.[39]

The BLM national headquarters in Washington, DC, is home to the agency's leadership, which provides strategic direction, policy guidance, and oversight of BLM's national-level activities. Twelve state offices—which are akin to the regional office structure of other agencies—carry out BLM's mission within their respective geographical areas of jurisdiction.[40] Reporting to these 12

[35] DOI, Secretary Harold L. Ickes, Secretarial Order 2225, July 15, 1946. Implemented as part of Reorganization Plan No. 3 of 1946 (11 *Federal Register* 7875, 60 Stat. 1097), effective July 16, 1946. The GLO, created by Congress in 1812, helped convey lands to pioneers settling western lands in the early 19th century. The U.S. Grazing Service (then known as the Division of Grazing Control) was established in 1934 to administer grazing on public rangelands. (Taylor Grazing Act, 48 Stat. 1269.)

[36] Bureau of Land Management (BLM), *Public Land Statistics 2017* (as of June 2018), Table 1-3, at https://www.blm.gov/sites/blm.gov/files/PublicLandStatistics2017.pdf. Hereinafter referred to as "BLM, *Public Land Statistics 2017*."

[37] BLM, *Public Land Statistics 2017*.

[38] Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. §§1701, et seq. FLPMA defines *multiple use* as " ... the management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people ... " and *sustained yield* as " ... the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the public lands consistent with multiple use." (43 U.S.C. § 1702(h)).

[39] Although BLM was established in 1946, FLPMA is considered the agency's *organic act*, as it consolidated and articulated the agency's responsibilities.

[40] 43 C.F.R. §1821.10a

state offices are numerous district offices, which are further divided into localized field offices. Field offices oversee the day-to-day management of public land resources and the on-the-ground delivery of BLM programs and services. BLM also has several national-level support and service centers. As of June 2018, BLM had roughly 10,700 employees.[41]

Bureau of Ocean Energy Management (BOEM)

At a Glance: Bureau of Ocean Energy Management (BOEM)

Established: 2010

Key Statute: Outer Continental Shelf Lands Act of 1953 (67 Stat. 462)

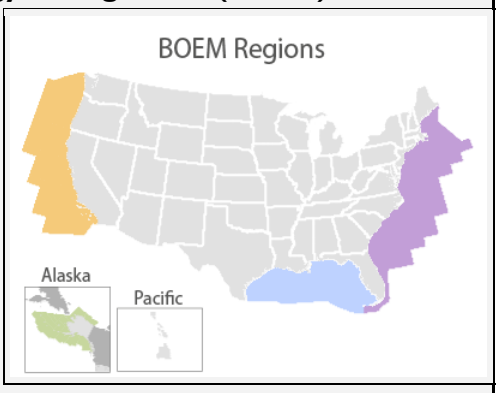
Mission: "To manage development of U.S. outer continental shelf energy and mineral resources in an environmentally and economically responsible way."*

Leadership: Director

Headquarters: Washington, DC

Average Staff: 600

Regions: 4



Source: *BOEM, "About BOEM," at https://www.boem.gov/About-BOEM/.

Established in 2010, the Bureau of Ocean Energy Management (BOEM) manages development of the nation's energy and mineral resources on the outer continental shelf (OCS). The Outer Continental Shelf Lands Act (OCSLA) of 1953 defines the OCS as all submerged lands lying seaward of state coastal waters that are subject to federal jurisdiction, constituting approximately 1.7 billion acres.[42] Under OCSLA, the Secretary of the Interior has the authority to manage the development of the OCS.[43]

Prior to BOEM's establishment, the Secretary delegated the leasing and management authority granted by OCSLA to the DOI agency known as the Minerals Management Service (MMS).[44] During its existence, MMS had three primary responsibilities concerning offshore development: resource management, safety and environmental oversight and enforcement, and revenue collection. Following the *Deepwater Horizon* oil spill in 2010, concerns about perceived conflicts between these three missions prompted then-Secretary of the Interior Ken Salazar to reorganize the agency. MMS was formally abolished, and three new units were established within DOI: BOEM, the Bureau of Safety and Environmental Enforcement (BSEE), and the Office of Natural Resource Revenue (ONRR).

As of June 2018, BOEM employed approximately 500 people to carry out its mission of managing offshore conventional and renewable energy resources on the OCS.[45] The agency's leadership in Washington, DC, divides itself between three programmatic offices covering

[41] OPM Fedscope data.

[42] Outer Continental Shelf Lands Act of 1953, 42 U.S.C. §§1301 et seq.

[43] For a discussion of state and federal waters, see CRS Report RL33404, *Offshore Oil and Gas Development: Legal Framework*, by Adam Vann.

[44] Secretarial Order 3071, January 19, 1982, established the Minerals Management Service (MMS) following a number of hearings and investigations into allegations of fraud, lack of oversight, and inadequate collection of royalties from oil and gas production on federal lands and the outer continental shelf (OCS).

[45] OPM Fedscope data.

strategic resource development, environmental analysis and applied science, and offshore renewable energy development. Meanwhile, regional offices oversee on-the-ground operations and policy implementation in the four OCS regions in the Atlantic, the Gulf of Mexico, the Pacific, and Alaska.[46]

Bureau of Reclamation (Reclamation)

At a Glance: Bureau of Reclamation (Reclamation)

Established: 1902

Key Statute: Reclamation Act of 1902 (32 Stat. 338)

Mission: "To manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public."*

Leadership: Commissioner

Headquarters: Washington, DC

Denver, CO (administrative)

Average Staff: 5,400

Regions: 5

Source: *Bureau of Reclamation, "About Us—Mission/Vision," at https://www.usbr.gov/main/about/mission.html.

The large-scale construction of federal dams and irrigation projects throughout the 20th century was born, in part, out of a growing need for water supplies in the arid and rapidly expanding western United States.[47] To meet this need, Congress passed the Reclamation Act of 1902, which set aside federal dollars to fund irrigation projects in 13 western states.[48]

Shortly thereafter, Congress established the U.S. Reclamation Service as a program within the U.S. Geological Survey (USGS). In its first five years, the service began work on more than 30 projects across the American West. In 1907, the Secretary of the Interior elevated the program to an independent bureau within DOI before renaming it the Bureau of Reclamation (Reclamation) in 1923.[49] Since its establishment, Reclamation has constructed or overseen the completion of more than 600 projects across the western United States.[50] Beneficiaries of these projects

[46] BOEM, *Budget Justifications and Performance Information Fiscal Year 2019*, p. 7, at https://www.doi.gov/sites/doi.gov/files/uploads/fy2019_boem_budget_justification.pdf. The Gulf of Mexico, California, and Alaska regions are managed from offices in New Orleans, LA; Camarillo, CA; and Anchorage, AK; respectively. BOEM's Office of Renewable Energy Program based in Sterling, VA, oversees wind and water development in the Atlantic OCS region. The Gulf of Mexico Regional Office oversees oil and gas activities in the Atlantic OCS; however, no active OCS oil and gas leases exist in the region, nor are there any proposed lease sales under the proposed Five-Year Leasing Program 2017-2022.

[47] U.S. Bureau of Reclamation (Reclamation), "A Very Brief History," at https://www.usbr.gov/history/Reclamationhist.html.

[48] Newlands Reclamation Act, P.L. 57-161, 32 Stat. 388 (enacted June 17, 1902). Over time, Reclamation expanded the number of states within which it worked. Reclamation now manages projects constructed by the agency in 17 western states (referred to as *Reclamation states*): AZ, CO, CA, ID, KS, MT, NE, ND, NM, NV, OK, OR, SD, TX, UT, WA, WY.

[49] Mary C. Rabbitt, *A Brief History of the United States Geological Survey*, U.S. Department of the Interior, 1975, pp. 3-4, at https://pubs.er.usgs.gov/publication/70039204. Hereinafter referred to as Rabbitt, *United States Geological Survey*.

[50] Reclamation, "About Us," at https://www.usbr.gov/main/about/.

generally repay the costs for construction and operations of these facilities to the federal government over extended terms (in some cases without interest). The exception are costs deemed "federal" in nature, as federal costs are nonreimbursable.[51]

Whereas Reclamation originally focused almost entirely on building new water storage and diversion projects, the agency now largely focuses on the operation and maintenance of existing facilities.[52] Reclamation's mission also has expanded to include support for other efforts to improve water supplies in the western United States, such as promoting water reuse and recycling efforts, desalination projects, and Indian water rights settlements.

A presidentially appointed commissioner oversees the work of Reclamation and, along with other senior-level executives, manages the overall operations of the agency from its headquarters in Washington, DC. Due to the amount of projects and employees based in western states, Reclamation also maintains federal offices in Denver, CO, which administer many of Reclamation's programs, initiatives, and activities. These programs include efforts that address dam safety, flood hydrology, fisheries and wildlife resources, and research programs that seek to improve management and increase water supplies. Meanwhile, five regional offices manage Reclamation's water projects and oversee various local area offices responsible for the day-to-day operations of the nearly 180 projects currently under the agency's authority.[53] As of June 2018, Reclamation had roughly 5,500 employees.[54]

Bureau of Safety and Environmental Enforcement (BSEE)

At a Glance: Bureau of Safety and Environmental Enforcement (BSEE)

Established: 2010

Key Statute: Outer Continental Shelf Lands Act of 1953 (67 Stat. 462)

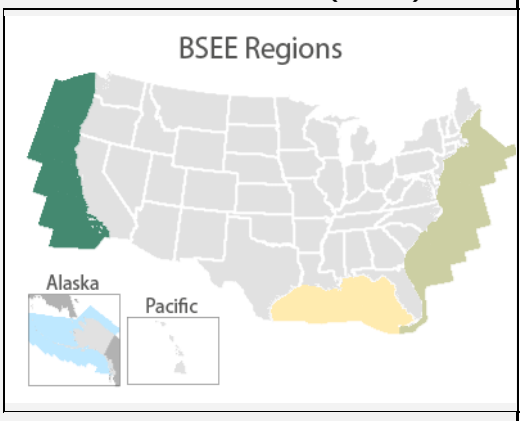
Mission: "To promote safety, protect the environment, and conserve resources offshore through vigorous regulatory oversight and enforcement."*

Leadership: Director

Headquarters: Washington, DC

Average Staff: 800

Regions: 4



Source: *BSEE, "About Us," at https://www.bsee.gov/who-we-are/about-us.

Following the 2010 restructuring of MMS, the Bureau of Safety and Environmental Enforcement (BSEE) inherited the safety and environmental enforcement functions previously carried out by MMS. These functions are primarily concerned with the offshore energy industry on the OCS—

[51] Nonreimbursable costs include costs allocated to fish and wildlife enhancement and recreation, among other things. For more information on Reclamation project repayment, see CRS In Focus IF10806, *Bureau of Reclamation Project Authorization and Financing*, by Charles V. Stern.

[52] For a more comprehensive discussion of Reclamation's functions and responsibilities, see CRS In Focus IF10841, *Bureau of Reclamation: FY2019 Appropriations*, by Charles V. Stern.

[53] The regional offices are the Pacific Northwest Region, Great Plains Region, Upper Colorado Region, Lower Colorado Region, and Mid-Pacific Region.

[54] OPM Fedscope data.

largely oil and natural gas production. BSEE's responsibilities include regulation of worker safety, emergency preparedness, environmental compliance, and resource conservation.[55]

BSEE is administered by a director based out of the agency's headquarters in Washington, DC. The agency also has a second headquarters location in Sterling, VA, that oversees many of BSEE's national programs (see below) and provides technical and administrative support for the bureau.[56] To carry out the duties of the department, BSEE coordinates between leadership in these two locations and staff operating across three regional offices (serving Alaska, the Pacific, and the Gulf of Mexico OCS regions),[57] and five Gulf Coast district offices (Houma, Lafayette, Lake Charles, and New Orleans, LA, and Lake Jackson, TX).[58] Senior leadership sets the policies and performance goals implemented at these local offices across the agency's six national programs.[59] As of June 2018, BSEE had approximately 800 employees across the United States.[60]

National Park Service (NPS)

At a Glance: National Park Service (NPS)

Established: 1916

Key Statute: National Park Service Organic Act of 1916 (39 Stat. 535)

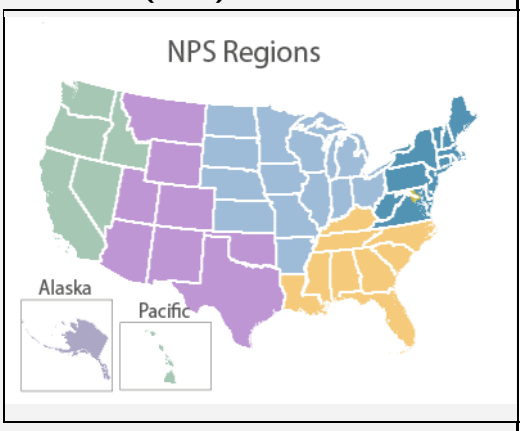
Mission: "To preserve unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations."*

Leadership: Director

Headquarters: Washington, DC

Average Staff: 19,700

Regions: 7



Source: *NPS, "About Us," at https://www.nps.gov/aboutus/index.htm.

In 1916, the National Park Service Organic Act (Organic Act) centralized administration of the nation's national parks and national monuments. With the Organic Act, Congress created the National Park Service (NPS) and established the agency's dual mandate—to protect the country's natural and cultural resources while providing for their public use and enjoyment.[61] In undertaking that mission, NPS administers approximately 80 million acres of federal land,

[55] Bureau of Safety and Environmental Enforcement (BSEE), "About Us," at https://www.bsee.gov/who-we-are/about-us.

[56] BSEE, "BSEE Contingency Plan: For Use in the Event of an Orderly Shutdown of the U.S. Government," September 2017 at https://www.doi.gov/sites/doi.gov/files/2017_09_bsee_contingency_plan.pdf. According to OPM data, Sterling, VA is included within the core-based statistical area (CBSA) for Washington, DC.

[57] The Gulf of Mexico Regional Office oversees activities for the Atlantic OCS region.

[58] BSEE shares regional offices in New Orleans, LA, Camarillo, CA, and Anchorage, AK, with BOEM staff.

[59] These programs are Oil Spill Preparedness Division, Environmental Compliance Division, Safety and Incidents Investigations Division, Office of Offshore Regulatory Programs, Safety Enforcement Division, and Office of Administration.

[60] OPM Fedscope data.

[61] 39 Stat. 535.

including 418 units that comprise the National Park System across all 50 states and U.S. territories.

Each NPS unit is overseen by a park superintendent, who manages day-to-day administration in accordance with both the agency's mission and any laws and regulations specific to the unit.[62] These units and their leadership report to seven regional directors, who oversee park management and program implementation across defined geographic regions. At the national level, NPS is led by a director and senior executives who manage national programs, policy, and budget from the agency's headquarters in Washington, DC.[63] As of June 2018, NPS employed roughly 23,000 employees.[64]

Office of Surface Mining Reclamation and Enforcement (OSMRE)

At a Glance: Office of Surface Mining Reclamation and Enforcement (OSMRE)

Established: 1977

Key Statute: Surface Mining Control and Reclamation Act of 1977 (91 Stat. 445)

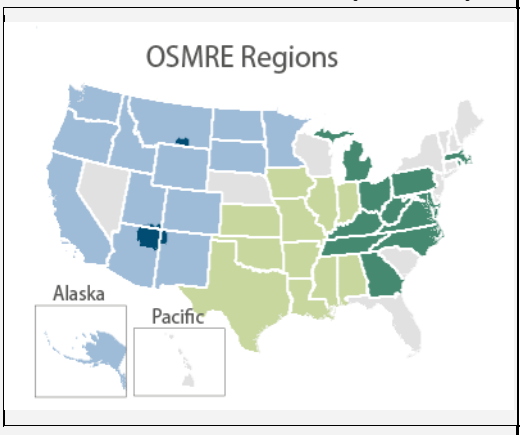
Mission: "To ensure that coal mines are operated in a manner that protects citizens and the environment during mining and assures that the land is restored to beneficial use following mining, and to mitigate the effects of past mining by aggressively pursuing reclamation of abandoned coal mines."*

Leadership: Director

Headquarters: Washington, DC

Average Staff: 400

Regions: 3



Source: *OSMRE, "Our Mission and Vision," at https://www.osmre.gov/about/MissionVision.shtm.

Notes: OSMRE Western Region works with three tribal partners to carry out the Surface Mining Control and Reclamation Act (SMCRA): the Crow Tribe, the Hopi Tribe, and the Navajo Nation. These partners are represented by the dark blue sections of the Regional Map above but do not together comprise a separate region.

The Office of Surface Mining Reclamation and Enforcement (OSMRE) was established as a bureau within DOI following passage of the Surface Mining Control and Reclamation Act (SMCRA) in 1977.[65] The law provided the new agency with the statutory authority to carry out and administer a nationwide program aimed at regulating coal mining in the United States. In particular, OSMRE works with states and tribal communities to reclaim abandoned coal mines, and regulate active surface coal mining operations to minimize adverse impacts to the

[62] NPS park superintendents sometimes are responsible for managing multiple units based on size, capacity and geographic proximity.

[63] NPS, "Organizational Structure of the National Park Service," at https://www.nps.gov/aboutus/organizational-structure.htm.

[64] OPM FedScope data indicates that as of June 2018, NPS had 23,022 employees. This number differs from the 19,700 figure listed in the "At a Glance" section. Because OPM data includes full-time, part-time, and seasonal employees, total NPS employment fluctuates substantially throughout the year. On average, NPS employs roughly 19,700 staff over the course of the fiscal year. See "DOI Employment " section for more information.

[65] Surface Mining Control and Reclamation Act (SMCRA), P.L. 95-87, 91 Stat. 507, 30 U.S.C. §§1201-1328 (enacted August, 3, 1977).

environment and local communities. SMCRA also authorizes OSMRE to issue federal payments to the United Mine Workers of America (UMWA) coal mineworker health benefits plans.[66]

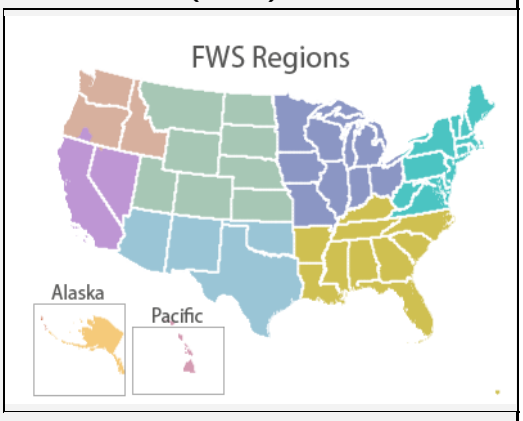
OSMRE serves as the lead regulatory authority over surface coal mining and reclamation activities for states and tribal communities under the authority granted by Title V of SMCRA.[67] SMCRA does, however, allow OSMRE to delegate regulatory primacy to states and tribes upon demonstration that a given state or tribe has established regulatory requirements consistent with federal standards.[68] Although OSMRE operates in an oversight capacity for states that have established such regulatory primacy, no tribe has attained this delegated authority to date (although tribes are eligible to seek regulatory primacy as well).[69]

OSMRE fulfills its missions through a three-tiered organizational structure: headquarters in Washington, DC; three regional Offices (Appalachian, Mid-continent, and Western Offices); and multiple area and field Offices that report directly to the regional offices.[70] OSMRE is the smallest of DOI's technical bureaus, employing approximately 400 people nationwide as of June 2018.[71]

U.S. Fish and Wildlife Service (FWS)

At a Glance: U.S. Fish and Wildlife Service (FWS)

Established: 1940
Key Statute: Fish and Wildlife Act of 1956 (70 Stat. 1120)
Mission: "To conserve, protect and enhance fish, wildlife and plants and their habitats for the continuing benefit of the American people."*
Leadership: Director
Headquarters: Washington, DC
Falls Church, VA
Average Staff: 8,700
Regions: 8



Source: *FWS, "About the U.S. Fish and Wildlife Service," at https://www.fws.gov/help/about_us.html.

The U.S. Fish and Wildlife Service (FWS) is the principal federal agency tasked with the conservation, protection, and restoration of fish, wildlife, and natural habitats across the United States and its insular territories. The history of FWS can be traced back to the creation of two now-defunct agencies in the late 1800s: the U.S. Commission on Fish and Fisheries in the Department of Commerce and the Division of Economic Ornithology and Mammalogy in the Department of Agriculture.[72] These two agencies were transferred to DOI in 1939 and

[66] 30 U.S.C. §1232. Payments are funded with mandatory appropriations from the General Fund of the U.S. Treasury and transfers of interest accrued on the unexpended balance of the Abandoned Mine Reclamation Fund.

[67] 30 U.S.C. §1254.

[68] 30 U.S.C. §1253.

[69] OSMRE, "Non-Primacy States and Tribes," at https://www.osmre.gov/programs/AMLIS/nonPrimacyST.shtm.

[70] OSMRE, "Who We Are," at https://www.osmre.gov/about.shtm.

[71] OPM FedScope data.

[72] For a more complete discussion of the history of the U.S. Fish and Wildlife Service (FWS), see CRS Report R45265, *U.S. Fish and Wildlife Service: An Overview*, by R. Eliot Crafton.

subsequently consolidated, creating a single agency known at the time as the Fish and Wildlife Service.[73] In 1956, Congress established the U.S. Fish and Wildlife Service.[74]

The FWS has a primary-use mission "to conserve, protect and enhance fish, wildlife and plants and their habitats for the continuing benefit of the American people."[75] Among its responsibilities, FWS manages the National Wildlife Refuge System (NWRS) under the authority granted by the National Wildlife Refuge System Administration Act of 1966.[76] The NWRS is a network of lands and waters set aside to conserve the nation's fish, wildlife, and plants that has grown to include more than 560 refuges, 38 wetland management districts, and other protected areas. More than 836 million acres of lands and waters comprise the NWRS; of these lands and waters, 146 million acres are classified as National Wildlife Refuges.[77]

In addition, FWS, along with the National Oceanic and Atmospheric Administration (NOAA) in the Department of Commerce, is responsible for implementing the Endangered Species Act (ESA).[78] The ESA aims to protect species that are in danger of becoming extinct or could be in danger of becoming extinct in the near future.[79] FWS also assists in international conservation efforts, enforces federal wildlife laws, and administers grant funds to states and territories for fish and wildlife programs.

Similar to most DOI agencies, FWS has a three-tiered organizational structure comprised of national, regional, and local field offices across the United States. The headquarters office—led by an agency director—is split between two locations in Washington, DC, and Falls Church, VA, which together have primary responsibility for policy formulation and budgeting across the agency's 13 major program areas.[80] Eight regional offices oversee FWS field offices and science centers across the United States and U.S. territories, which implement these policies and

[73] Reorganization Plan Number III of 1940, 5 U.S.C Appendix—Reorganization Plans.

[74] Fish and Wildlife Act of 1956, 70 Stat. 1119, 16 U.S.C. §742a.

[75] U.S. Fish and Wildlife Service (FWS), "About the U.S. Fish and Wildlife Service," at https://www.fws.gov/help/about_us.html.

[76] National Wildlife Refuge System Administration Act of 1966, P.L. 89-669, 16 U.S.C. §§668dd et seq. (Note: Congress later passed the National Wildlife Refuge System Improvement Act in 1997 (P.L. 105-57, 111 Stat. 1252), which amended the 1966 law by strengthening the refuge system's mission and providing what is considered to be the organic legislation for its management by FWS).

[77] The 836 million acres that comprise the National Wildlife Refuge System also include Waterfowl Production Areas, Coordination Areas, and more than 685 million acres of National Monument Areas that are located outside National Wildlife Refuge boundaries. These National Monument Areas are Refuge System lands and submerged lands and waters within portions of four marine national monuments that are managed or co-managed by FWS pursuant to Presidential Proclamations. These national monuments were established under the same authority granted by the Antiquities Act (54 U.S.C. §320301) as the national monuments administered by the National Park Service, but are not part of the 418 units that comprise the National Park System.

[78] Act of December 28, 1973, P.L. 93-205, 87 Stat. 884. 16 U.S.C. §§1531-1544.

[79] 16 U.S.C. §1531(b). For a more complete discussion of the ESA see CRS Report RL31654, *The Endangered Species Act: A Primer*, by Pervaze A. Sheikh.

[80] FWS program areas include (1) Wildlife and Short Fish Restoration; (2) National Wildlife Refuge System; (3) Migratory Birds; (4) Fish and Aquatic Conservation; (5) Ecological Services; (6) International Affairs; (7) Law Enforcement; (8) Science Applications; (9) External Affairs; (10) Budget, Planning, and Human Capital; (11) Business Management and Operations; (12) Information Resources and Technology Management; and (13) National Conservation Training Center.

programs at the local level.[81] As of June 2018, FWS had roughly 9,000 employees across the country.[82]

U.S. Geological Survey (USGS)

At a Glance: U.S. Geological Survey (USGS)

Established: 1879

Key Statute: Organic Act of 1879 (20 Stat. 394)

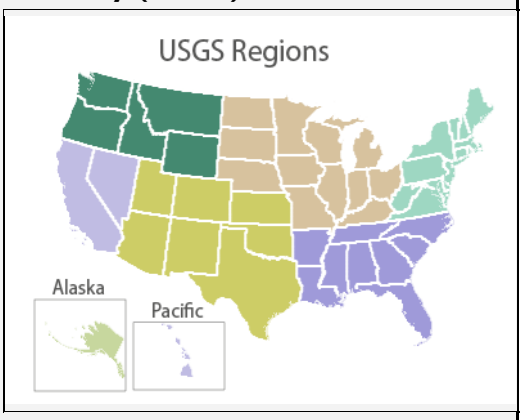
Mission: "To serve the Nation by providing reliable scientific information to describe and understand the Earth; minimize loss of life and property from natural disasters; manage water, biological, energy, and mineral resources; and enhance and protect our quality of life."*

Leadership: Director

Headquarters: Reston, VA

Average Staff: 8,100

Regions: 7



Source: *USGS, "Who We Are," at https://www.usgs.gov/about/about-us/who-we-are.

In 1878, the National Academy of Sciences issued a report to Congress asking Congress to provide a plan for surveying and mapping the western territories of the United States.[83] In response, Congress passed an appropriations bill the following year that authorized the creation of the U.S. Geological Survey (USGS). Congress established the USGS for the express purpose of overseeing the "classification of the public lands, and examination of the geological structure, mineral resources, and products of the national domain."[84] The authorities and responsibilities of USGS have shifted and evolved over time, with many of its prior activities leading to the formation of new governmental agencies.[85] Today, however, USGS serves as the science agency of DOI, providing physical and biological information across seven interdisciplinary areas: (1) water resources, (2) climate and land use change, (3) energy and minerals, (4) natural hazards, (5) core science systems, (6) ecosystems, and (7) environmental health.[86] Unlike other DOI bureaus, USGS has no regulatory or land management mandate.

In addition to its seven programmatic areas, USGS is further organized into seven geographic regions, each under the supervision of a regional director. The regional directors report to a presidentially appointed director based out of the agency's headquarters in Reston, VA. Within each region, USGS operates science centers, laboratories, and field offices that monitor, assess,

[81] FWS, "Offices," at https://www.fws.gov/offices.

[82] OPM Fedscope data.

[83] Rabbitt, *United States Geological Survey*.

[84] Sundry Civil Expenses bill, passed on March 3, 1879, 43 U.S.C. §31.

[85] Rabbitt, *United States Geological Survey*. The Bureau of Reclamation, the Office of Surface Mining Reclamation and Enforcement, and the Federal Energy Regulatory Commission are among the modern-day agencies that can trace their roots to the U.S. Geological Survey (USGS) and its prior work.

[86] For a more complete discussion of the history and programs of USGS, see CRS Report R43777, *U.S. Geological Survey: Background, Appropriations, and Issues for Congress*, by Pervaze A. Sheikh and Peter Folger.

and conduct research on a wide range of topics.[87] Overall, USGS had roughly 8,000 employees as of June 2018.[88]

Departmental Offices and Programs[89]

In addition to the nine technical bureaus, DOI has multiple departmental offices that provide leadership, coordination, and services to the department's various bureaus and programs. These offices coordinate department-wide activities and oversee specialized functions under DOI's jurisdiction not administered directly at the bureau level.

Office of the Secretary

The Office of the Secretary provides leadership for the entire department through the development of policy and through executive oversight of the annual budget and appropriations process. The Office of the Secretary also manages the administrative operations of DOI, including (but not limited to) financial services, information technology and resources, acquisition, and human resources. In addition, the Office of the Secretary manages six other department-wide programs, offices, and revolving funds:

1. *Central Hazardous Materials Fund* provides remediation services to national parks, national wildlife refuges, and other DOI-managed lands impacted by hazardous substances. This remediation process follows the guidelines established under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)—also known as the Superfund statute.[90]
2. *Natural Resource Damage Assessment and Restoration* program coordinates and oversees DOI's restoration efforts for DOI-managed lands impacted by oil spills or the release of hazardous substances. In partnership with federal, state, and tribal co-trustees, the program conducts damage assessments, planning, and restoration implementation on DOI lands.
3. *Office of Natural Resources Revenue (ONRR)* is responsible for the collection, accounting, and verification of any natural resource and energy revenue generated from federal and Indian leases and royalty payments. (See "Bureau of Ocean Energy Management" section for the history behind ONRR's creation.)
4. *Payments in Lieu of Taxes (PILT)* program makes payments to nearly 1,900 local government units across the United States and its insular areas where certain federal lands are located. The PILT payments are intended to help offset the loss

[87] USGS, "About—Organization," at https://www.usgs.gov/about/organization.

[88] The most recent numbers from June 2018 reported via OPM's FedScope indicate that USGS employs 8,015 employees nationwide.

[89] The offices in this section do not represent all DOI divisions and programs. Instead, this list reflects the offices and programs included as discrete line items under the "Departmental Offices" and "Department-Wide Programs" accounts funded through the annual Interior, Environment, and Related Agencies appropriations bill (See "Overview of DOI Appropriations" section for more information).

[90] Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, P.L. 96-510, approved December 11, 1980. 42 U.S.C. §§9601 et seq. For a more complete discussion of CERCLA, see CRS Report R41039, *Comprehensive Environmental Response, Compensation, and Liability Act: A Summary of Superfund Cleanup Authorities and Related Provisions of the Act*, by David M. Bearden.

in property taxes to local governments caused by the presence of federal lands, which largely are exempt from taxation.[91]

5. *Wildland Fire Management* program is responsible for addressing wildfires on public lands. The program is comprised of the Office of Wildland Fire and the four DOI land management bureaus with wildland fire management responsibilities (BIA, BLM, FWS, and NPS).[92]
6. *Working Capital Fund (WCF)* is a revolving fund that finances centralized administrative services and systems to DOI bureaus and offices.[93] The WCF aims to reduce duplicative systems and staff across DOI; it provides financing for centralized functions that provide payroll, accounting, information technology, and other support services.

Office of the Solicitor

In 1946, Congress established the Office of the Solicitor to provide advice, counsel, and legal representation to DOI.[94] The office manages DOI's Ethics Office and resolves Freedom of Information Act appeals. To accomplish this work, the Office of the Solicitor employs more than 400 employees, 300 of whom are licensed attorneys.[95] The Office of the Solicitor is organized into the Immediate Office of the Solicitor, the Ethics Office, five legal divisions, an administrative division, and eight regional offices.[96]

Office of the Inspector General

In 1978, Congress established inspector general positions and offices in more than a dozen specific departments and agencies, including DOI.[97] The mission of the Office of the Inspector General (OIG) is to provide independent oversight and accountability to the programs, operations, and management of the department. OIG has three primary office divisions: (1) the Office of Management serves as the administrative arm; (2) the Office of Investigations conducts, supervises, and coordinates internal investigations on a variety of potential abuses; and (3) the Office of Audits, Inspections, and Evaluations reviews DOI programs and operations for effectiveness and evaluates the financial statements and expenditures of these programs.[98] The OIG also operates three regional offices, located in Herndon, VA; Lakewood, CA; and Sacramento, CA.

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[91] For a more complete discussion of the Payments in Lieu of Taxes program, see CRS Report RL31392, *PILT (Payments in Lieu of Taxes): Somewhat Simplified*, by Katie Hoover.

[92] Reclamation also has limited responsibility to manage land under its jurisdiction for wildfires. For a more complete discussion of federal wildfire programs, see CRS In Focus IF10732, *Federal Assistance for Wildfire Response and Recovery*, by Katie Hoover.

[93] 43 U.S.C. §1467 authorized the creation of the working capital fund in the Department of the Interior.

[94] 43 U.S.C. §1455, June 26, 1946, ch. 494, 60 Stat. 312.

[95] Statement taken from the Office of the Solicitor website at https://www.doi.gov/solicitor (last accessed October 15, 2018).

[96] Office of the Solicitor, "The Regions," at https://www.doi.gov/solicitor/regions.

[97] The Inspector General Act of 1978 (92 Stat. 1101, P.L. 95-452).

[98] DOI, Office of the Inspector General, "About Us," at https://www.doioig.gov/about-us.

Office of the Special Trustee for American Indians

The American Indian Trust Fund Management Reform Act established the Office of the Special Trustee for American Indians (OST) in 1994.[99] The OST provides fiduciary oversight and management of the more than 55 million surface acres and 57 million subsurface mineral acres of tribal assets held in trust by the federal government.[100] The office carries out its mission from a national office in Washington, DC, and through five regional offices across the nation.[101]

The OST operates independently from BIA, which carried out these trust responsibilities prior to the 1994 legislation. However, in 2016, Congress passed the Indian Trust Asset Reform Act (ITARA) requiring the Secretary to prepare "a transition plan and timetable for the termination of the Office of the Special Trustee" within two years.[102] Although OST still exists, the *2019 Budget Justification* proposes transferring some of the functions of OST to other DOI agencies and offices to comply with the reorganization requirements mandated by Congress in ITARA.[103] The *Budget Justification* also includes a proposal to have OST—and the appointed Special Trustee—report directly to the Assistant Secretary of Indian Affairs starting in FY2019.[104] More information regarding this change in OST organizational structure and function is provided in the "DOI Reorganization Plans and Proposals: Issues for Congress" section.

Office of Insular Affairs

The United States acquired its first insular territories in 1898 with the annexation of the Hawaiian Islands and the acquisition of Puerto Rico, Guam, and the Philippines from Spain following the Spanish-American War.[105] For much of the early 20th century, territorial oversight of these new possessions fell largely to the War Department. In 1934, President Franklin D. Roosevelt created the Division of Territories and Island Possessions to centralize responsibility for coordinating oversight of the nation's insular regions.[106] The division—now known as the Office of Insular Affairs—currently administers federal oversight of American Samoa, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands, with the goal of promoting their economic, social, and political development.[107] The office also administers federal assistance and

[99] P.L. 103-412, 108 Stat 4239.

[100] Office of the Special Trustee for American Indians (OST), "OST Statistics and Facts," at https://www.doi.gov/ost/about_us/Statistics-and-Facts.

[101] Office of the Special Trustee for American Indians (OST), "OST Organization Chart" at https://www.doi.gov/sites/doi.gov/files/uploads/ost_org_chart_08-03-17_revised.pdf.

[102] P.L. 114-178.

[103] In particular, Section 305(a) of ITARA directs the Secretary to "ensure, that appraisals and valuations of Indian trust property are administered by a single bureau, agency, or other administrative entity within the Department" not later than 18 months after enactment. The FY2019 budget request reflects the transfer of the Office of Appraisal Services within OST to the Office of the Secretary's Appraisal and Valuation Services Office. This would allow for the consolidation of all appraisal services into a single entity as required by ITARA.

[104] OST, *Budget Justifications and Performance Information Fiscal Year 2019*, OST-1, at https://www.doi.gov/sites/doi.gov/files/uploads/fy2019_ost_budget_justification.pdf.

[105] Utley and Mackintosh, *Department of Everything Else*.

[106] Executive Order 6726, "Establishing the Division of Territories and Island Possessions in the Department of the Interior and Transferring Thereto the Functions of the Bureau of Insular Affairs, War Department, Pertaining to the Administration of the Government of Puerto Rico," May 29, 1934.

[107] Office of Insular Affairs, *Budget Justifications and Performance Information Fiscal Year 2019*, at https://www.doi.gov/sites/doi.gov/files/uploads/fy2019_oia_budget_justification.pdf.

U.S. economic commitments to the Freely Associated States: the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.[108]

DOI Employment Levels

As of June 2018, the total number of employees working for DOI was 69,563, according to OPM (see **Table 1**).[109] The data reflect "on-board employment" figures, which calculate the number of employees in pay status at the end of the quarter. Data are published on a quarterly basis (March, June, September, and December); however, figures for September and December 2018 were not available prior to the publication of this report. Because OPM data include full-time, part-time, and seasonal staff, employment totals tend to spike during the summer months, when agencies such as NPS, BLM, and FWS increase their seasonal workforce.

OPM figures differ from DOI Budget Office data. The DOI Budget Office calculates employment by full-time equivalents (FTEs), defined as the total number of regular straight-time hours (not including overtime or holiday hours) worked by employees, divided by the number of compensable hours applicable to each fiscal year.[110]

Table 1. DOI Employment Trends, by Agency

(on-board employment totals)

Agency	Sep-17	Dec-17	Mar-18	Jun-18	Average Totals
Bureau of Land Management	10,393	8,928	8,957	10,740	9,755
Bureau of Ocean Energy Management	573	570	565	564	568
Bureau of Reclamation	5,380	5,361	5,365	5,519	5,406
Bureau of Safety & Environmental Enforcement	858	844	820	807	832
Indian Affairs	7,747	7,560	7,481	7,470	7,565
National Park Service	21,284	17,306	17,070	23,022	19,671
Office of the Inspector General	254	251	247	248	250
Office of the Secretary of the Interior	3,706	3,695	3,655	3,668	3,681
Office of the Solicitor	417	421	404	401	411
Office of Surface Mining Reclamation & Enforcement	427	422	404	397	413
U.S. Fish & Wildlife Service	9,000	8,749	8,518	8,712	8,745

[108] Under the Compacts of Free Association, the Freely Associated States (FAS) are considered sovereign nations whose citizens are eligible for various U.S. federal programs and services in exchange for full international defense authority by the United States. For a more complete discussion of FAS policies, see CRS Report R44753, *The Pacific Islands: Policy Issues*, by Thomas Lum and Bruce Vaughn.

[109] OPM is an independent agency that functions as the central human resources department of the executive branch and is the primary source for data and information regarding DOI employment figures—as well as the entire federal workforce. For a more complete discussion of OPM data, see CRS Report R43590, *Federal Workforce Statistics Sources: OPM and OMB*, by Julie Jennings and Jared C. Nagel.

[110] For comparison, the FY2019 DOI budget justification requested 59,759 full-time equivalents (FTEs) and listed FY2018 enacted FTEs as 64,353.

Agency	Sep-17	Dec-17	Mar-18	Jun-18	Average Totals
U.S. Geological Survey	8,236	8,126	7,842	8,015	8,055
Total—Department of the Interior	**68,275**	**62,233**	**61,328**	**69,563**	**65,350**

Source: U.S. Office of Personnel Management (OPM), FedScope database, Employment cubes, Cabinet-Level Agencies parameter set to Department of the Interior, at https://www.fedscope.opm.gov/.

Notes: Numbers reflect employees on board (in a pay status). Figures may not add up to totals shown due to rounding. "Indian Affairs" is meant to include the Bureau of Indian Affairs (BIA) and the Bureau of Indian Education (BIE). Per data provided to CRS from DOI, "Office of the Secretary of the Interior" includes employees from the Office of Insular Affairs, Office of the Special Trustee for American Indians, and the various Assistant Secretaries Offices that oversee DOI bureaus and agencies.

The OPM Fedscope data presented in **Table 1** are available by location of employment for each bureau and office reflected. **Table 2** shows DOI employment figures both within and outside the DC core-based statistical area (CBSA). OPM defines a CBSA as "a geographic area having at least one urban area of population, plus adjacent territory that has a high degree of social and economic integration with the core as measured by commuting ties."[111] CBSAs differ from metropolitan statistical areas (MSAs)—a separate statistical definition also reported on by OPM—which typically encompass a smaller geographic area than CBSAs. For example, the DC MSA includes many but not all of the counties and surrounding cities covered under the DC CBSA. For instance, the DC MSA excludes Reston, VA, where the headquarters of USGS is located.[112]

Table 2. DOI Employment: Inside vs. Outside the DC Core-Based Statistical Area (CBSA)

(as of June 2018)

Agency	Inside DC CBSA	Outside DC CBSA	Total Employment	% Inside DC CBSA
Bureau of Land Management	376	10,364	10,740	4%
Bureau of Ocean Energy Management	186	378	564	33%
Bureau of Reclamation	53	5,466	5,519	1%
Bureau of Safety & Environmental Enforcement	244	563	807	30%
Indian Affairs	163	7,307	7,470	2%
National Park Service	2,340	20,682	23,022	10%
Office of the Inspector General	128	120	248	52%
Office of the Secretary of the Interior	1,190	2,478	3,668	32%

[111] OPM, "Major Work Locations of the Executive Branch FY2017," Table 2, at https://www.opm.gov/policy-data-oversight/data-analysis-documentation/federal-employment-reports/reports-publications/major-work-locations-of-the-executive-branch.pdf.

[112] The DC core-based statistical area, meanwhile, includes the District of Columbia; Arlington, Fairfax, Loudoun, Prince William, Stafford, Clarke, Fauquier, Spotsylvania, and Warren Counties in Virginia; Calvert, Charles, Frederick, Montgomery, and Prince George's Counties in Maryland; and Jefferson County in West Virginia. It also includes the independent cities of Alexandria, Fairfax, Falls Church, Manassas, Manassas Park, and Fredericksburg in Virginia, which fall outside these county lines.

Agency	Inside DC CBSA	Outside DC CBSA	Total Employment	% Inside DC CBSA
Office of the Solicitor	186	215	401	46%
Office of Surface Mining Reclamation & Enforcement	88	309	397	22%
U.S. Fish & Wildlife Service	714	7,998	8,712	8%
U.S. Geological Survey	1,106	6,909	8,015	14%
Totals—Department of the Interior	**6,774**	**62,789**	**69,563**	**10%**

Source: OPM, FedScope database, Employment Trend cubes, Cabinet-Level Agencies parameter set to Department of the Interior, at https://www.fedscope.opm.gov/.

Notes: Data reflect places of employment for DOI staff, not places of residence. Included in the DC CBSA figures are DOI staff considered to be based out of headquarters as well as administrative, regional, and field staff based within the boundaries of the geographic definition. For example, National Park Service staff who work at the National Mall and Memorial Parks unit in Washington, DC, are considered field staff but are included in the DC CBSA figures. "Indian Affairs" is meant to include the Bureau of Indian Affairs (BIA) and the Bureau of Indian Education (BIE). Per data provided to CRS from DOI, "Office of the Secretary of the Interior" includes employees from the Office of Insular Affairs, Office of the Special Trustee for American Indians, and the various Assistant Secretaries Offices that oversee DOI bureaus and agencies.

Overview of DOI Appropriations

Discretionary funding for DOI is provided primarily through Title I of the annual Interior, Environment, and Related Agencies appropriations bill.[113] The Bureau of Reclamation (Reclamation) and the Central Utah Project are the exceptions, as they receive funding through the Energy and Water Development appropriations bill.[114] Several of the agencies that receive discretionary funds through these two appropriations bills also receive mandatory funding under various authorizing statutes.

DOI Discretionary Appropriations: FY2014-FY2018[115]

Figure 3 shows the budget trends for both the Interior and the Energy and Water appropriations bills over the past five fiscal years (FY2014-FY2018). From FY2014 to FY2018, total DOI appropriations increased 29% in current dollars. This increase includes the $566 million in FY2018 emergency supplemental appropriations for disaster relief appropriated to DOI in P.L. 115-72 and P.L. 115-123. If supplemental appropriations are not considered, total DOI appropriations increased 23% over the same period.[116]

[113] Hereinafter, the annual Interior, Environment, and Related Agencies appropriations bill is referred to as the Interior appropriations bill.

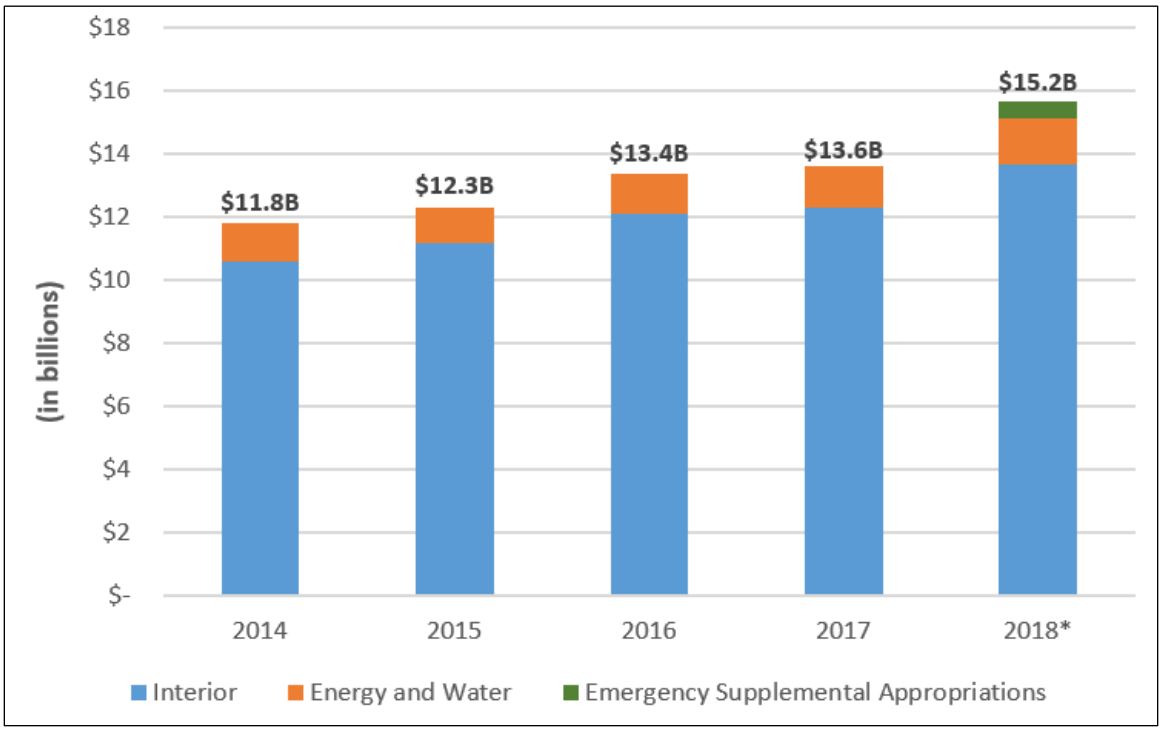
[114] The Central Utah Project (CUP) is a federal water storage project originally authorized under the management of Reclamation, although it is now overseen and administered by a separate office within DOI.

[115] For more in-depth information on DOI appropriations, see CRS Report R44934, *Interior, Environment, and Related Agencies: Overview of FY2019 Appropriations*, by Carol Hardy Vincent, and CRS Report R45258, *Energy and Water Development: FY2019 Appropriations*, by Mark Holt and Corrie E. Clark.

[116] Amounts in this section reflect current dollars. Using inflation-adjusted (constant) dollars would result in different amounts of change during this five-year period.

Figure 3. DOI Discretionary Appropriations: FY2014-FY2018

(in current dollars)



Sources: CRS, with data from the annual *Interior Budget in Brief* for FY2016-FY2019. Figures for each of FY2014-FY2017 were taken from the volume published two years following the fiscal year in question (e.g., for FY2014, figures are from FY2016 document). FY2018 figures are from data provided to CRS by the House and Senate Appropriations Committees.

Notes: Totals include rescissions and transfers authorized by the Interior, Environment, and Related Agencies and the Energy and Water Development appropriations bills. Figures reflect Emergency Supplemental Appropriations for FY2018, which include $50 million enacted as part of the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115-72), and $516 million enacted as part of the Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (P.L. 115-123, Division B, Subdivision I).

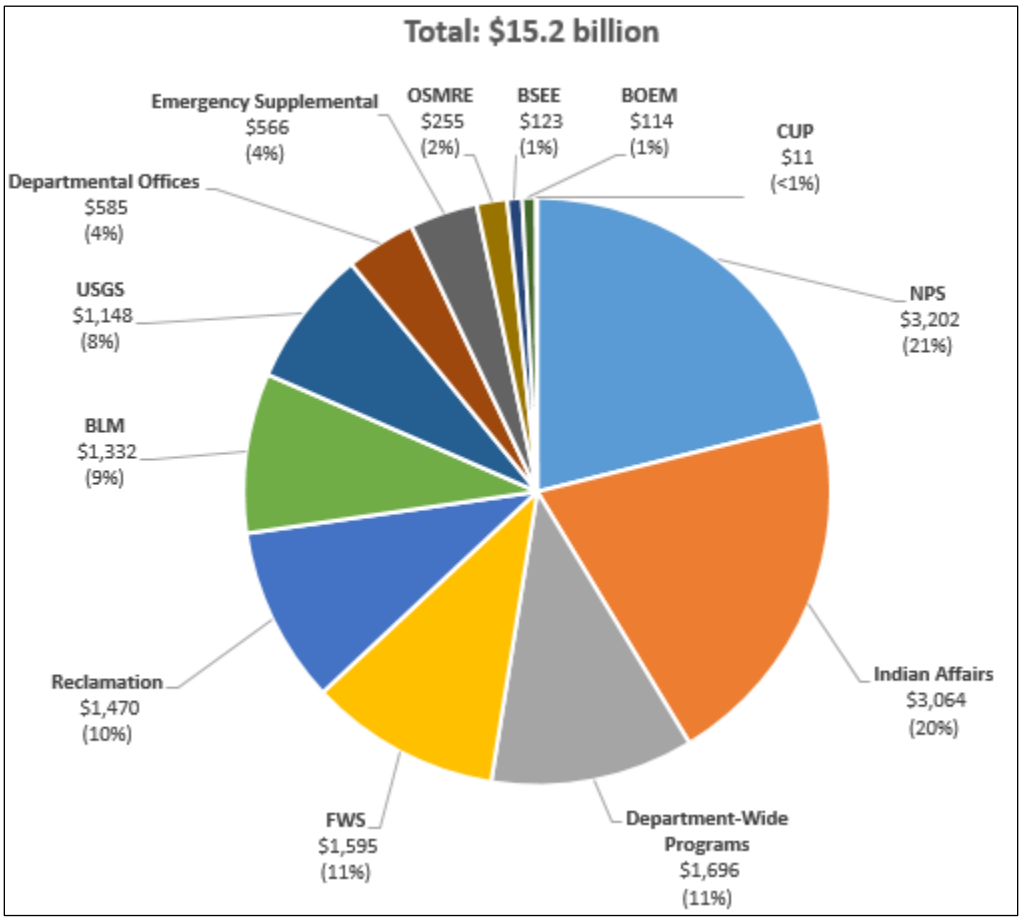
*Figures for FY2018 are based on enacted levels, whereas all other figures are based on actual totals.

DOI Discretionary Appropriations: FY2018 by Agency

Figure 4 shows the breakdown of enacted FY2018 appropriations for DOI bureaus, offices, and programs funded through the Interior and the Energy and Water appropriations bills. Figures are presented in total dollars (in millions) and as percentages of the department's $15.2 billion in enacted appropriations for FY2018. Supplemental emergency appropriations for FY2018 are shown as a separate segment of the total DOI budget; however, these funds were distributed across several DOI bureaus and programs.

Figure 4. DOI Discretionary Appropriations for FY2018, by Agency

(in millions)



Sources: Prepared by CRS with data from the House Appropriations Committee. Supplemental figures taken from the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115-72), and the Bipartisan Budget Act of 2018 (P.L. 115-123).

Notes: Figures may not add to total shown due to rounding. Per the *Interior Budget in Brief* for FY2019, "Indian Affairs" is meant to include the Bureau of Indian Affairs (BIA), the Bureau of Indian Education (BIE), and the Office of the Assistant Secretary-Indian Affairs (AS-IA); "Departmental Offices" includes funding for the Office of the Secretary, Insular Affairs, Office of the Solicitor, Office of Inspector General, and the Office of the Special Trustee for American Indians; "Department-Wide Programs" includes funding for Wildlife Fire Management, Central Hazardous Materials Fund, Natural Resource Damage Assessment Fund, Working Capital Fund, and Payments in Lieu of Taxes (PILT). Additional abbreviations are (clockwise): Bureau of Safety and Environmental Enforcement (BSEE), Bureau of Ocean Energy Management (BOEM), Central Utah Project (CUP), National Park Service (NPS), U.S. Fish and Wildlife Service (FWS), Bureau of Reclamation (Reclamation), Bureau of Land Management (BLM), U.S. Geological Survey (USGS), and Office of Surface Mining Reclamation and Enforcement (OSMRE).

DOI Reorganization Plans and Proposals: Issues for Congress

Executive branch reorganization efforts are an ongoing area of congressional interest and scrutiny as part of Congress's lawmaking and oversight functions. Congress uses a variety of tools—

including authorizing legislation, appropriations legislation, and oversight activities—to shape and organize the executive branch and its agencies.[117]

Several changes to DOI and its organizational structure have taken effect starting in FY2019. Congress previously authorized and approved some of these changes and proposals in the form of appropriations and/or authorizing legislation. Other changes—including broader reorganization proposals put forth by the Trump Administration—have been proposed for FY2019 but are not in effect.

The 115th Congress approved several internal office transfers and realignments. For instance, Congress transferred appropriations for the Office of Natural Resources Revenue (ONRR) from DOI's Office of the Secretary to Department-Wide Programs for FY2018.[118] Meanwhile, the *2019 Interior Budget in Brief* reflects the transfer of both DOI's Oceans Program and the Office of International Affairs from the Office of the Assistant Secretary, Policy, Management and Budget to the Office of the Assistant Secretary, Insular and International Affairs.[119]

The 114th Congress passed legislation authorizing the reorganization of the Office of the Special Trustee for American Indians (OST). In 2016, ITARA directed the Secretary to—among other things—"ensure that appraisals and valuations of Indian trust property are administered by a single bureau, agency, or other administrative entity within the Department" not later than 18 months after enactment.[120] To comply with this requirement, the FY2019 budget request reflects the approved transfer of the Office of Appraisal Services within OST to the Office of the Secretary's Appraisal and Valuation Services Office, thereby consolidating all appraisal activities within a single entity.[121] This change is in addition to a proposed shift in the reporting relationship of OST also included in the FY2019 request. Under this proposal, starting in FY2019, OST would report through the Office of the Assistant Secretary of Indian Affairs rather than directly to the Office of the Secretary (see **Figure 2**).[122]

As noted in the "Introduction" to this report, the Trump Administration also proposed additional, broader DOI reorganizational plans for consideration. On March 13, 2017, President Trump issued Executive Order 13781 to "improve the efficiency, effectiveness, and accountability of the executive branch."[123] The order required executive agency heads to, "if appropriate," submit a proposed reorganization plan for their agencies to the director of the Office of Management and Budget within 180 days. Then-Secretary of the Interior Zinke subsequently submitted a proposal for reorganization aimed at—among other goals—improving agency coordination and service to the public.[124] Included in this proposal is a plan to consolidate the various agency-specific regional boundaries (as seen in the "At a Glance" boxes included in each bureau summary) into

[117] For a more complete discussion of Congress's constitutional responsibility in establishing the structural organization of the executive branch, see CRS Report R44909, *Executive Branch Reorganization*, by Henry B. Hogue.

[118] DOI, *Interior Budget in Brief—Fiscal Year 2018*, p. BH-91, at https://edit.doi.gov/sites/doi.gov/files/uploads/2018_highlights_book.pdf.

[119] DOI, *Interior Budget in Brief—Fiscal Year 2019*, p. BH-94, at https://edit.doi.gov/sites/doi.gov/files/uploads/2019_highlights_book.pdf.

[120] 25 U.S.C. §5635a

[121] OST, Budget Justifications and Performance Information Fiscal Year 2019, OST-1, at https://www.doi.gov/sites/doi.gov/files/uploads/fy2019_ost_budget_justification.pdf.

[122] OST, Budget Justifications and Performance Information Fiscal Year 2019, OST-1-2.

[123] Executive Order 13781, "Comprehensive Plan for Reorganizing the Executive Branch," 82 *Federal Register* 13959-13960, March 13, 2017.

[124] DOI, "DOI: Planning for the Next 100 Years," at https://www.doi.gov/employees/reorg/doi-planning-next-100-years.

12 Unified Regional Boundaries. In addition, the plan looks to shift some resources and authority "to the field," potentially in the form of staff, budget, and/or facilities.

President Trump issued a separate set of reorganization recommendations in June 2018 as part of the *Delivering Government Solutions in the 21st Century* report.[125] Two proposals in particular would affect DOI and its structure. The first would consolidate most of the U.S. Army Corps of Engineers' (USACE's) Civil Works Division within DOI, including USACE's activities related to flood and storm damage reduction and aquatic ecosystem restoration.[126] The second recommendation would transfer NOAA's National Marine Fisheries Service from the Department of Commerce to DOI and merge it with the FWS. This proposal would consolidate administration of the ESA and other wildlife laws under one agency.[127]

The transfers and reorganization proposals discussed here illustrate the potential changes in the structure of DOI and its operations. They also provide insight into areas of possible congressional and executive branch interest moving forward. The 116th Congress may consider additional oversight of these proposals and/or propose new initiatives and plans for the organization and administration of DOI and its bureaus.

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[125] Executive Office of the President, *Delivering Government Solutions in the 21st Century: Reform Plan and Reorganization Recommendations*, June 25, 2018, at https://www.whitehouse.gov/wp-content/uploads/2018/06/Government-Reform-and-Reorg-Plan.pdf. See p. 125 for a summary of DOI-specific proposals. Hereinafter Office of the President, *Delivering Government Solutions*.

[126] Office of the President, *Delivering Government Solutions*, pp. 30-31. Remaining functions of the U.S. Army Corps of Engineers—specifically commercial navigation programs—would be transferred to the Department of Transportation under this proposal.

[127] Office of the President, *Delivering Government Solutions*, pp. 37-38.

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