

UNITED STATES DEPARTMENT OF THE INTERIOR

FALL 2024 REGULATORY PLAN

Introduction

The U.S. Department of the Interior (Department) is the principal steward of our Nation's public lands and resources, including many of our natural and cultural treasures. The Department serves as trustee to Native Americans, Alaska Natives, and federally recognized Tribes. The Department carries out the Secretary of the Interior's (Secretary's) responsibilities for the Nation's island territories and oversees Federal assistance to the freely associated states in the Western Pacific. The Department manages more than 500 million surface acres of Federal land, which constitutes approximately 20 percent of the Nation's land area, approximately 700 million subsurface acres of Federal mineral estate, and more than 2.5 billion acres of submerged lands on the U.S. Outer Continental Shelf (OCS).

In addition, the Department protects and recovers endangered species; protects natural, historic, and cultural resources; provides scientific and other information about those resources; and manages water projects that are an essential lifeline and economic engine for many communities.

Hundreds of millions of people visit Department-managed lands each year to take advantage of a wide range of recreational pursuits—including camping, hiking, hunting, fishing, and various other forms of outdoor recreation—and to learn about our Nation's history. Each of these activities supports local communities and their economies. The Department also provides access to Federal lands and offshore areas for the development of energy, minerals, and other natural resources that generate billions of dollars in revenue to the U.S. Treasury.

In short, the Department plays a central role in how the United States stewards its public lands, ensures environmental protections, pursues environmental justice, and honors the nation-to-nation relationship with Tribes and the special relationships with other Indigenous people and the insular areas.

Regulatory and Deregulatory Priorities

To help the Secretary advance her commitment to honoring the Nation's trust responsibilities and to conserve and manage the Nation's natural resources and cultural heritage, the Department's regulatory and deregulatory priorities in the coming year will focus on:

- Tackling the Climate Crisis, Strengthening Climate Resiliency, and Facilitating the Transition to Renewable Energy;
- Upholding Trust Responsibilities to Federally Recognized American Indian and Alaska Native Tribes, Restoring Tribal Lands, and Protecting Natural and Cultural Resources, Advancing Equity and Supporting Underserved Communities;
- Investing in Healthy Lands, Waters, and Local Economies and Strengthening Conservation of the Nation's Lands, Waters, and Wildlife; and
- Promoting Equitable and Meaningful Participation in the Regulatory Process

Tackling the Climate Crisis, Strengthening Climate Resiliency, and Facilitating the Transition to Renewable Energy

The Biden-Harris administration remains committed to combatting climate change and reducing greenhouse gas emissions while improving public health, protecting the environment, ensuring access to clean air and water, and responsibly developing energy and mineral resources. Under this administration, the Department has been a key leader in tackling the climate crises. Pursuant to Executive Order (E.O.) 13990, "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis" (signed on Jan. 20, 2021), and E.O. 14008, "Tackling the Climate Crisis at Home and Abroad" (signed Jan. 27, 2021), the Department has advanced multiple policy and regulatory efforts to reduce climate pollution; support the transition to a clean-energy economy; improve and increase adaptation and resilience to the impacts of drought, wildfire, and extreme weather; address current and historic environmental injustice; protect public health; and conserve Department-managed lands and waters.

The historic Infrastructure Investment and Jobs Act of 2021 (BIL) and the Inflation Reduction Act in 2022 (IRA) will enable transformational outcomes on the administration's clean energy and resilience priorities while driving the creation of good-paying union jobs. In referring to the BIL, Secretary of the Interior Deb Haaland said, "The Interior Department is hard at work to deliver these critical investments from the President's Investing in America agenda into the hands of American communities as quick as we can, and we're making tremendous progress."

Several bureaus within the Department are pursuing regulatory actions to implement these administration priorities. These actions include steps to increase renewable energy production by improving siting and permitting processes on public lands and in offshore waters. The Bureau of Land Management has exceeded the administration and Congress's goal to permit 25 gigawatts (GW) of renewable energy onshore by 2025. On May 1, 2024 (89 FR 35634), the BLM published the final rule "Rights-of-Way, Leasing, and Operations for Renewable Energy" (1004-AE78). This rule aims to improve permitting activities and processes to facilitate increased renewable energy production on public lands.

The Bureau of Ocean Energy Management (BOEM) and the Bureau of Safety and Environmental Enforcement (BSEE) recently issued regulations that facilitate achieving the administration's goal to deploy 30 GW of offshore wind energy capacity by 2030. On May 15, 2024 (89 FR 42602), BOEM published the final rule "Renewable Energy Modernization Rule" (1010-AE04) which facilitates offshore renewable energy development, promotes environmentally sound U.S. energy independence, and provides a fair return to U.S. taxpayers.

In order to fully facilitate and support Tribal and territorial efforts to develop renewable energy, the Department recently issued a regulation effectively expanding its offshore renewable energy program to Commonwealth of Puerto Rico, Guam, American Samoa, U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands, as authorized by the IRA.

The Department is continuing with its renewable energy priorities in a revision to a BLM regulation for geothermal leasing and operations. This proposed rule would update and codify BLM's Geothermal Resource Orders into regulation, including common geothermal standard practices and inspection requirements and procedures.

The Department will meet these ambitious goals and create good, family-supporting jobs while ensuring appropriate protection of public lands, waters, and biodiversity. As Secretary Haaland recently said, "Our clean energy future is real, and it's happening now. From onshore solar to a brand-new offshore wind energy sector, [The Department] is making this essential transition happen so current and future generations can thrive."

The Fish and Wildlife Service (FWS) recognizes the threats that climate change poses to migratory birds as well as other wildlife. To advance the deployment of clean energy infrastructure while also meeting obligations to conserve habitats and wildlife, the Department improved permitting frameworks for bird conservation. On February 12, 2024 (89 FR 9920) the FWS finalized the "Eagle Permits; Incidental Take" rule (1018-BE70). This final rule revises the regulations authorizing eagle incidental take and eagle nest take permits to increase the efficiency and effectiveness of permitting, facilitate and improve compliance, and increase the conservation benefit for eagles.

The FWS will propose the "Migratory Bird Permits; Authorizing the Incidental Take of Migratory Birds" rule (1018-BF71) to clarify U.S. obligations under the Migratory Bird Treaty Act. Those obligations generally prohibit taking and killing migratory birds. FWS also is considering regulations that would establish a straightforward process to secure authorizations for otherwise prohibited take of migratory birds, most often with no direct interaction with the FWS (e.g., regulatory authorizations or general permits). This proposed rule would help facilitate the development of renewable energy projects by creating a permitting framework for migratory bird incidental take. With this proposed rule, the FWS is balancing the need for regulatory certainty, migratory bird conservation, and the need for renewable energy development to combat climate change.

Complementary to its renewable energy initiatives and as the BIL mandates, the Department expects to publish important regulations governing carbon transportation and storage on the U.S. OCS. The BIL gave the Department of the Interior the authority to grant a lease, easement, or right-of-way on the OCS for long-term sequestration of carbon dioxide that would otherwise go into the atmosphere and contribute to further climate change. BSEE and BOEM are drafting a joint, proposed rule that would address the transportation and geologic sequestration of carbon storage development on the OCS. This proposed rule will cover OCS leasing; geological, and geophysical exploration for appropriate storage reservoirs; environmental plans and mitigations; facility and infrastructure design and installation; injection operations; long-term site stewardship (i.e., monitoring and response); financial assurance; and safety. BSEE and BOEM plan to publish this proposed rule in December 2024.

The Department is also committed to modernizing its oversight of oil and gas leasing and development to improve responsible stewardship of lands and waters, better protect cultural and natural resources, and ensure fair returns to taxpayers. In November 2021, the Department released its report on Federal oil and gas leasing and permitting practices, following a review of onshore and offshore oil and gas programs called for in E.O. 14008. The report, titled “Report on the Federal Oil and Gas Leasing Program,” identified significant reforms needed to ensure the programs provide a fair return to taxpayers, discourage speculation, hold operators responsible for remediation, and create a more inclusive and just approach to managing public lands and offshore waters.

Over the past year, the Department published several rules that implement recommendations outlined in that report to restore balance to this program. On April 10, 2024, BLM published the final rule “Waste Prevention, Production Subject to Royalties, and Resource Conservation” (RIN 1004-AE78). On April 10, 2024 (89 FR 30916), BLM published the final rule “Fluid Mineral Leases and Leasing Process” (1004-AE80), known as the Fluid Minerals Rule. The Waste Prevention Rule will prevent waste of natural gas with an incidental benefit of reducing methane emissions from Federal and Indian wells. The Fluid Minerals Rule incorporates many urgent fiscal and programmatic reforms included in the report and IRA,

such as updating BLM's process for leasing to ensure the protection and proper stewardship of the public lands, and to reduce resource conflicts.

On May 7, 2024, the BLM published the final rule "Management and Protection of the National Petroleum Reserve in Alaska" (89 FR 38712), which improves upon the existing regulations' procedures to balance oil and gas activities with the protection of surface resources in the NPR-A; assures maximum protection of Special Areas; and protects longstanding subsistence activities. On April 24, 2024 (89 FR 31544), the BOEM published the final rule (1010-AE14) "Risk Management and Financial Assurance for OCS Lease and Grant Obligations" (88 FR 42136), which better protects the American taxpayers from shouldering liability for the decommissioning of offshore oil and gas facilities.

During this upcoming year, BOEM expects to publish a proposed fitness to operate rule that would establish criteria for companies to meet in order to responsibly operate oil and gas facilities on the U.S. OCS (1010-AE21). Additionally, BSEE expects to publish updates to its regulations governing oil spills (1014-AA44), offshore pipelines (1014-AA45), and decommissioning requirements (1014-AA53) on the OCS. These regulatory actions would enhance responsible oil and gas development on the OCS, promote safety, protect the environment, and conserve offshore resources.

Upholding Trust Responsibilities to Federally Recognized American Indian and Alaska Native Tribes Restoring Tribal Lands, and Protecting Natural and Cultural Resources

Among the Department's most important responsibilities is its commitment to honor the nation-to-nation relationship between the Federal Government and Tribes. Secretary Haaland is strongly committed to strengthening how the Department carries out its trust responsibilities and to increasing economic development opportunities for Tribes and other historically underserved communities.

To advance its trust responsibilities, the Department consults and collaborates closely with Tribal

governments. Through this process, the Bureau of Indian Affairs (BIA) has identified opportunities to promote Tribal economic growth and development, to help recover Tribal cultural items, and to provide clearer and more efficient processes to place land into trust for Tribes or to help Tribes to enter into gaming compacts. Specifically, BIA is working to remove barriers to the development of renewable energy and other resources in Indian country. BIA is working to improve the clarity of its agricultural leasing regulations by providing a streamlined approach to Federal agricultural and conservation programs (1076-AF66). BIA expects to finalize regulations this year to comply with the PROGRESS Act (1076-AF62), which requires updates to BIA' regulations governing the content, approval criteria, and process for entering into compacts for Tribal self-governance.

The Department is also committed to improving regulations meant to protect sacred and cultural resources. To this end, the Assistant Secretary for Indian Affairs and the Assistant Secretary for Fish and Wildlife and Parks worked with the National Park Service (NPS) to incorporate recommendations from consultation with Tribes on updates to regulations implementing the Native American Graves and Repatriation Act (NAGPRA), 43 CFR part 10 (1024-AE19). The Department published the final rule "Native American Graves Protection and Repatriation Act Systematic Processes for Disposition or Repatriation of Native American Human Remains, Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony" on Dec. 23, 2023 (88 FR 86452). This final rule simplifies and improves the regulatory process for repatriation, rectifies provisions in the previous regulations that inhibited and effectively prevented respectful repatriation, removes the burden on Indian Tribes and Native Hawaiian organizations to initiate the process and adds a requirement for museums and Federal agencies to complete the process.

BIA is working to finalize new regulations this year to comply with the STOP Act, which provides a framework to prevent the export of Native American cultural items that are held in violation of current Federal laws for sale in foreign countries (1076-AF78). The regulations would facilitate repatriations such items from individuals and organizations in possession of such items and improve coordination among Federal agencies, Indian Tribes, and Native Hawaiian organizations seeking to prevent the export, sale,

and repatriation of such items.

Advancing Equity and Supporting Underserved Communities

The Biden-Harris administration and Secretary Haaland are advancing equity and addressing the needs of underserved communities policy initiatives outlined in numerous Executive orders and Secretary's orders. The Department issued its comprehensive "[Equity Action Plan](#)," detailing strategic initiatives aimed at advancing equity across its operations and engagements, on Feb. 14, 2024. The plan aims to identify and address barriers to equal opportunity that underserved communities may face as a result of Government policies and programs. Secretary Haaland, who highlighted the Department's implementation of the Buy Indian Act, noted during the "Equity in Action" panel at the 2024 White House Convening on Equity:

Advancing our diversity, equity, inclusion and accessibility goals is valuable in every corner of government. I'm proud of the work we are doing to respond to President Biden's strong leadership on this at the Department of the Interior. In three years, we've made big, challenging, and transformative accomplishments in addressing barriers to equity across the Department's jurisdiction. Our Equity Action Plan represents a commitment to ensuring all Americans, regardless of background or circumstance, have equitable access to the resources and opportunities we manage.

In Fiscal Year (FY) 2025, the Department will undertake a number of regulatory actions that will assist people who reside in underserved communities by removing barriers and strengthening equity-advancing requirements. The FWS (1018-BD78), and NPS (1024-AE75) are working on right-of-way (ROW) rules that would streamline and improve efficiencies in the permitting process for electric transmission, distribution facilities, and broadband facilities. The FWS published their revised proposed rule "Streamlining U.S. Fish and Wildlife Service Permitting of Rights-of-Way Across National Wildlife Refuges and Other U.S. Fish and Wildlife Service-Administered Lands" on July 24, 2023 (88 FR 47442). The NPS

published their proposed rule “Rights of Way” on June 10, 2024 (89 FR 48850). On April 12, 2024 (89 FR 25922), the BLM published the final rule “Update of the Communications Uses Program, Cost Recovery Fee Schedules, and Section 512 of FLPMA for Rights-of-Way” (1004-AE60). These rules should result in increased services such as broadband connectivity with resulting benefits to underserved communities and visitors to Departmental lands and promote good governance. These final rules are expected to implement several provisions of the BIL.

Investing in Healthy Lands, Waters, and Local Economies and Strengthening Conservation of the Nation’s Lands, Waters, and Wildlife

The Department’s regulatory agenda will continue to advance the goals of investing in healthy lands, waters, and local economies across the country. These regulatory efforts, which are consistent with the Biden-Harris administration’s America the Beautiful initiative as well as the BIL and IRA which provide the Department with historic resilience and restoration investments, include expanding opportunities for outdoor recreation, such as hunting and fishing, for all Americans; enhancing conservation stewardship; and improving the management of species and their habitat. In a priority effort to advance these goals, the BLM published a final rule on May 9, 2024 (89 FR 40308), “Conservation and Landscape Health (1004-AE92),” to advance the bureau’s mission to manage the public lands for multiple use and sustained yield by prioritizing the health and resilience of ecosystems across those lands. To ensure that health and resilience, the rule provides that the BLM will protect intact landscapes, restore degraded habitat, and make informed management decisions based on science and data.

Consistent with the steadfast commitment to allowing access to our National Wildlife Refuges (NWRs) and continued efforts to provide hunting and fishing opportunities, the FWS expanded hunting on three NWRs and added pertinent station-specific regulations for other NWRs that pertain to migratory game bird hunting, upland game hunting, big game hunting, or sport fishing for the 2023–2024 season. The FWS also changed existing station-specific regulations to increase access for hunters and anglers on FWS lands and waters.

As required by the Migratory Bird Treaty Act, the Department will publish a series of proposed and final regulations establishing annual hunting regulations for certain migratory game birds for the 2025–26 hunting season. The Department annually prescribes frameworks, or outer limits, for dates and times when hunting may occur and the number of birds that may be taken and possessed in hunting seasons. These frameworks are necessary to allow State selections of seasons and limits and to allow recreational harvest at levels compatible with population and habitat conditions. This series of rules fulfills the U.S. responsibilities to the four international conventions to protect and manage migratory game birds.

Under section 4 of the Endangered Species Act (ESA), FWS plans to promulgate species-specific proposed and final rules to protect and conserve endangered and threatened species and, as appropriate, their critical habitats. FWS bases these rules on the best available science.

In FY 2024, FWS published numerous proposed and final rules to improve implementation of the ESA so that it is clearly and consistently applied, helps recover listed species, and provides the maximum degree of certainty possible to all parties. Per section 2 of E.O. 13990 and the “Fact Sheet: List of Agency Actions for Review,” the Departments of Commerce and the Interior (Departments) reviewed several final rules published on August 27, 2019, that weakened ESA provisions related to listing species, designating critical habitat, implementing section 7 consultation, and protecting species listed as threatened under the Act. On July 5, 2022, the 2019 rules were vacated and remanded by the U.S. District Court for the Northern District of California.

On April 5, 2024, the Departments finalized the following rules to strengthen ESA implementation. The final rule “Endangered and Threatened Wildlife and Plants; Listing and Designating Critical Habitat,” (1018-BF95) (89 FR 24300) revises portions of our regulations that implement section 4 of the ESA (88 FR 40764). The revisions clarify, interpret, and implement portions of the ESA concerning the procedures and criteria used for listing, reclassifying, and delisting species on the Lists of Endangered and Threatened Wildlife and Plants and designating critical habitat.

The final rule “Endangered and Threatened Wildlife and Plants; Revision of Regulations for Interagency Cooperation” (1018-BF96) (89 FR 24268) amends portions of our regulations that implement section 7 of the ESA (89 FR 24268). The final rule clarified and improved the interagency consultation processes under the ESA, while continuing to provide for the conservation of listed species.

“Endangered and Threatened Wildlife and Plants; Regulations Pertaining to Endangered and Threatened Wildlife and Plants” (1018-BF88) (89 FR 23919) revises FWS regulations concerning protections of endangered species and threatened species under the ESA (89 FR 23919). The FWS reinstated the general application of the “blanket rule” option for protecting newly listed threatened species pursuant to section 4(d) of the Act, with the continued option to promulgate species-specific rules. The rule also extended to federally recognized Tribes certain regulatory exceptions already provided to the FWS employees and agents and to other Federal and State agencies to aid, salvage, or dispose of threatened species.

On April 12, 2024, FWS published a final rule “Endangered Species Act Section 10 Regulations; Enhancement of Survival and Incidental Take Permits, Final rule” (1018–BF99) to revise the regulations concerning the issuance of enhancement of survival and incidental take permits under the ESA (89 FR 26070). The purposes of this rule are to clarify the appropriate use of these permit types; clarify FWS authority to issue these permits for non-listed species without also including a listed species; simplify the requirements for enhancement of survival permits; and codify some FWS policies in the regulations to reduce uncertainty. The regulatory changes will reduce costs and time associated with developing permit application materials.

Under section 4(d) of the Endangered Species Act (ESA), FWS promulgated several species-specific rules to protect threatened species. The FWS published a final rule “Establishment of a Nonessential Experimental Population of Gray Wolf in the State of Colorado, Final rule” (1018–BG79) to establish a nonessential experimental population (NEP) of the gray wolf (*Canis lupus*) in Colorado, under section

10(j) of the ESA (88 FR 77014). Establishment of this NEP facilitates the State of Colorado's reintroduction of gray wolves and provides for allowable incidental taking of the gray wolf within the NEP area. The best available data indicate that reintroduction of the gray wolf into Colorado is biologically feasible and will promote the conservation of the species. The FWS held four public information meetings during a 60-day public comment period on the rule.

On April 1, 2024 (89 FR 22522), FWS published a final rule to revise the regulations for the African elephant (*Loxodonta africana*) promulgated under section 4(d) of the ESA (1018–BG66). This rule: (1) increases protection for African elephants in response to the recent rise in international trade of live African elephants from range countries by establishing ESA permit requirements and enhancement standards for trade in live African elephants; (2) clarifies the existing enhancement requirement during evaluation of the application for a permit to import African elephant sport-hunted trophies; and (3) incorporates a party's designation under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) National Legislation Project into the decision-making process for the import of live African elephants, African elephant sport-hunted trophies, and African elephant parts and products.

The NPS is also pursuing several regulatory actions under the Department's direction and in accordance with these goals. These regulatory actions would authorize recreational activities, such as off-road vehicle use, motorized vessels, and bicycling, within appropriate, designated areas of certain National Park System units. These regulations would promote appropriate visitor use while supporting long-term preservation of park resources and quality visitor experiences.

Promoting Equitable and Meaningful Participation in the Regulatory Process

In accordance with E.O. 14094, "Modernizing Regulatory Review," and the OMB Memorandum "Broadening Public Participation and Community Engagement in the Regulatory Process" (July 19, 2023), the Department informs its regulatory actions with meaningful and equitable opportunities for public input

by a range of interested or affected parties, including underserved communities. The Department uses a wide variety of tools promote equitable and meaningful public participation: Tribal consultations, public meetings, focused outreach to local and underserved communities, and public comment periods. In an August 2024 report published by the Office of Information and Regulatory Affairs, the Bureau of Land Management's (BLM) public outreach was highlighted as an example for other agencies.

[BLM] created dedicated webpages for several of its recent rulemaking efforts related to the use of public lands, which it used to facilitate access to multiple public engagement opportunities. During the comment period, BLM hosted a variety of public outreach activities. BLM held two virtual public meetings and three in-person meetings to provide an overview of the proposed rule and answer questions from the public. It posted a video recording of one of the virtual meetings and presentation slides in English and Spanish. BLM also posted a reviewer guide and fact sheet, frequently asked questions on topics of interest, infographics, and other background information to further public understanding of the proposed rule. [without footnotes.]

Additionally, to better inform their proposed carbon sequestration rule (1082-AA04), BOEM and BSEE coordinated an extensive partner and stakeholder outreach strategy that facilitated access to information and perspectives to support rule writers in developing an effective rule and fostered relationships with a range of partners and stakeholders that are engaging in carbon sequestration efforts that could provide value to DOI well beyond the rulemaking effort BOEM and BSEE engaged in discussions, consultations, hosted meetings, and attended conferences to gain valuable input with representatives from Federal agencies, foreign counterparts, Tribal Nations, State agencies, industry, academia, non-governmental organizations, environmental justice groups, labor organizations, and international organizations.

The BLM published a final rule, "Conservation and Landscape Health," on May 9, 2024 (1004-AE92, 89 FR 40308) that provides tools for the BLM to improve the resilience of public lands in the face of a changing climate; conserve important wildlife habitat and intact landscapes; plan for development; and

better recognize unique cultural and natural resources on public lands. The final rule directly responds to the growing need to better manage public lands, waters, and wildlife in the face of devastating wildfires, historic droughts, and severe storms that communities are experiencing across the West, as well as to deepen BLM's collaborative work with communities, States and Tribes to support responsible recreations, grazing, and development of critical minerals, energy and other resources. The BLM held two virtual and three in-person meetings in Denver, Albuquerque, and Reno to provide detailed information about the proposal. Members of the public had an opportunity to ask questions that facilitate a deeper understanding of the proposal. BLM also met with numerous stakeholders as requested and created a separate webpage detailing specific details on the rule: [Public Lands Rule | Bureau of Land Management \(blm.gov\)](#). The BLM modified the final rule in response to that valuable feedback. To see the changes we made as a result of public comments, please refer to the preamble of the rule.

During the next year, the Department will capitalize on these public engagement initiatives to better inform its decision-making and to enhance public transparency.

Bureaus and Offices within the Department of the Interior

The following is an overview of some of the major regulatory and deregulatory priorities of the Department's Bureaus and Offices.

Assistant Secretary for Land and Minerals Management

The Assistant Secretary for Lands and Minerals Management oversees the Bureau of Land Management, Bureau of Ocean Energy Management, Bureau of Safety and Environmental Enforcement, and the Office of Surface Mining Reclamation and Enforcement.

Carbon Sequestration (1082-AA04)

In accordance with the BIL, BOEM and BSEE are working to jointly propose regulations governing carbon transportation and geologic sequestration of carbon in the OCS. The proposed rule would include leasing; siting of storage reservoirs; environmental plans and mitigations; facility and infrastructure design and installation; injection operations; monitoring; incident response; financial assurance; and safety.

Bureau of Indian Affairs

The BIA enhances the quality of life, promotes economic opportunity, and protects and improves the trust assets of approximately 1.9 million American Indians, Indian Tribes, and Alaska Natives. The BIA maintains a government-to-government relationship with the 574 federally recognized Indian Tribes. The BIA also administers and manages 55 million acres of surface land and 57 million acres of subsurface minerals held in trust by the United States for American Indians and Indian Tribes.

Regulatory and Deregulatory Actions

In the coming year, BIA will prioritize the following rulemakings:

Self-Governance PROGRESS Act Regulations (1076-AF67)

The proposed rule published on July 15, 2024 (89 FR 57524). This final rule will implement the requirements of the Practical Reforms and Other Goals to Reinforce the Effectiveness of Self-Governance and Self-Determination for Indian Tribes Act (PROGRESS Act) requiring updates to Indian Affairs' regulations governing Tribal self-governance. Specifically, it implements several changes to the Indian Self-determination and Education Assistance Act (ISDEAA), primarily concerned with the content, approval criteria, and process for entering into compacts for Tribal self-governance. During the proposed rule phase, the Department held consultation sessions with federally recognized Indian Tribes. In the final rule phase, the Department will respond to comments received and make revisions as deemed appropriate.

Safeguard Tribal Objects of Patrimony Act (STOP Act) Regulations (1076-AF78)

This proposed rule would provide a framework to prevent the export of Native American cultural items that are held in violation of current Federal laws for sale in foreign countries; to repatriate such items from individuals and organizations in possession of such items; and to improve coordination among Federal agencies, Indian Tribes, and Native Hawaiian organizations seeking to prevent the export, sale, and repatriation of such items. The proposed rule would establish an export certification system; set forth procedures for detention of items subject to the rule and repatriation of those items; establish a framework for voluntary return of items subject to the rule; and establish interagency and Native working groups. The Department is seeking Tribal government input through communication under Executive Order 13175 criteria and the Department's policy on meaningful collaboration with Tribal officials.

Procedures for Federal Acknowledgment of Indian Tribes (1076-AF67)

The proposed rule published on July 12, 2024 (89 FR 57097). This final rule will respond to recent Federal court decisions holding that the Department did not adequately explain its regulations prohibiting previously denied petitioners for Federal acknowledgment from petitioning again. During the proposed rule phase, the Department sought Tribal government input through communication under Executive Order 13175 criteria and the Department's consultation policy on meaningful communication and collaboration with Tribal officials. The Department held two consultation sessions on August 19, 2024, and September 3, 2024, with federally recognized Indian Tribes and one listening session on September 5, 2024, for present, former, and prospective petitioners. In the final rule phase, the Department will respond to comments received and make revisions as deemed appropriate.

Mining of the Osage Mineral Estate for Oil and Gas (1076-AF59)

The proposed rule published on January 13, 2023 (88 FR 2430). This final rule will revise the

regulations in 25 CFR part 226 to strengthen the BIA's management of the Osage mineral estate and improve accounting and production measurement standards; offer consistency in production valuation; address inadequate bonding; support the implementation of electronic reporting systems; enhance accountability; clarify lessees' obligations; prevent waste; promote safe and environmentally sound operations; and protect resource values. During the proposed rule phase, the Department held one listening session on February 8, 2023, and two consultation sessions on March 30, 2023 and July 17, 2023, where it received Tribal government input in the final rule phase, the Department will respond to comments received and make revisions as deemed appropriate.

Agricultural Leasing of Indian Land (1076-AF66)

This proposed rule would update provisions addressing leasing of trust or restricted land (Indian land) for agricultural purposes to reflect updates that have been made to business and residential leasing provisions and address outdated provisions. The Department is seeking Tribal government input through communication under Executive Order 13175 criteria and the Department's policy on meaningful collaboration with Tribal officials.

Bureau of Land Management

The BLM manages more than 245 million acres of public land, known as the National System of Public Lands, primarily located in 12 Western States, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the Nation. The agency's mission is to sustain the health, diversity, and productivity of America's public lands for the use and enjoyment of present and future generations.

Regulatory and Deregulatory Actions

In the coming year, the BLM will prioritize the following rulemaking actions and highlight its efforts under E.O. 14094:

Revision of Existing Regulations Pertaining to Leasing and Operations of Geothermal (1004-AE84)

This proposed rule would update and codify BLM's Geothermal Resource Orders into regulation, including common geothermal standard practices and inspection requirements and procedures.

Oil and Gas Site Security, Oil Measurement, and Gas Measurement Regulations (1004-AE87)

This proposed rule would modify the BLM's regulations at 43 CFR part 3170 concerning site security and oil and gas measurement (last updated in 2016). The action is necessary to provide clarity on certain provisions and to address regulatory inconsistencies and gaps.

Bureau of Ocean Energy Management

BOEM manages the development of U.S. OCS energy, mineral, and geological resources in an environmentally and economically responsible way. In accordance with its statutory mandate under Outer Continental Shelf Lands Act (OCSLA), BOEM is committed to implementing its dual mission of promoting the expeditious and orderly development of the Nation's energy resources while simultaneously protecting the marine, human, and coastal environment of the OCS, State submerged lands, and the coastal communities. Consistent with the policy outlined by the Biden-Harris administration in E.O. 14008, BOEM is reevaluating its programs related to the development of offshore energy and mineral resources. BOEM is working with the Department to review options for expanding renewable energy production while evaluating alternatives to better protect the lands, waters, and biodiversity of species located within the U.S. exclusive economic zone.

Regulatory and Deregulatory Actions

In the coming year, BOEM will prioritize the following rulemaking actions:

Fitness to Operate Standards for Oil and Gas or Sulfur Operators and Lessees on the Outer Continental Shelf (1010-AE21)

This proposed rule would enhance the Secretary's stewardship over the OCS and offshore waters by providing regulations governing the disqualification of operators that have poor environmental or safety performance records. If not properly maintained and operated, oil and gas operations can cause significant safety hazards and environmental harm and prevent other beneficial uses of the OCS (such as fishing and future resource development). Additionally, these safety and environmental issues potentially place American taxpayers at risk to cover future cleanup costs.

Outer Continental Shelf Hardrock Minerals Regulations: Leasing, Prospecting, and Operations (1010-AE24)

This proposed rule would update BOEM's leasing, prospecting, and operational regulations for solid minerals. BOEM is the steward of minerals on the U.S OCS, and these updates will modernize BOEM's significantly outdated minerals regulations as interest in this type of activity increases.

Bureau of Safety and Environmental Enforcement

The BSEE's mission is to promote safety, protect the environment, and conserve resources offshore through vigorous regulatory oversight and enforcement. The BSEE is the lead Federal agency charged with improving safety and ensuring environmental protection related to conventional and renewable

energy activities on the U.S. OCS.

Regulatory and Deregulatory Actions

In the coming year, BSEE will prioritize the following rulemaking actions:

Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line Proposed Rule (1014-AA44)

The oil spill response requirements regulations found in 30 CFR part 254 were last updated over 20 years ago (62 FR 13996, Mar. 25, 1997). This proposed rule would update existing regulations to incorporate the latest advancements in spill response and preparedness policies and technologies, as well as lessons learned and recommendations from reports related to the Deepwater Horizon explosion and subsequent oil spill.

Revisions to Subpart J--Pipelines and Pipeline Rights-of-Way Proposed Rule (1014- AA45)

This proposed rule would revise specific provisions of the current pipelines and pipeline ROW regulations under 30 CFR part 250 subpart J. This proposed rule would align with current technology and state-of-the-art safety equipment and procedures, primarily through the incorporation of industry standards.

Revisions to Decommissioning Requirements on the OCS (1014-AA53)

This proposed rule would address issues relating to: (1) idle iron by adding a definition of this term to clarify that it applies to idle wells and structures on active leases; (2) abandonment in place of subsea infrastructure by adding regulations addressing when BSEE may approve decommissioning-in-place instead of removal of certain subsea equipment; and (3) other operational considerations.

Office of the Chief Information Officer

The Office of the Chief Information Officer (OCIO) provides leadership to the Department and its component agencies in all areas of information management and technology (IT). To successfully serve the Department's multiple missions, the OCIO applies modern IT tools, approaches, systems, and products. Effective and innovative use of technology and information resources enables transparency and accessibility of information and services to the public.

Regulatory and Deregulatory Actions

For the coming year, OCIO will prioritize the following rule:

Network Security System of Records (1090-AB14)

This proposed rule would revise the Department's Privacy Act regulations at 43 CFR 2.254 to claim exemptions for certain records in the INTERIOR DOI-49, Network Security, system of records from one or more provisions of the Privacy Act of 1974 pursuant to 5 U.S.C 552a(j) and (k), because of criminal, civil, and administrative law enforcement requirements.

Office of Environmental Policy and Compliance

The Office of Environmental Policy and Compliance (OEPC) serves as a leader in resource stewardship and the sustainable and equitable management of the Department's resources. The OEPC fosters partnerships to enhance resource use and protection as well as to expand public access to safe and clean lands under the Department's jurisdiction. The OEPC strives to continually improve environmental policies and procedures to increase management effectiveness and efficiency.

Regulatory and Deregulatory Actions

For the coming year, OEPC will prioritize the following rule:

Implementation of the National Environmental Policy Act (NEPA) of 1969 (1090-AB18)

This proposed rule would update the Department's regulations and associated Department Manual chapters in accordance with the new regulations promulgated by the Council on Environmental Quality on May 1, 2024, effective July 1, 2024.

Office of Hearings and Appeals

The Office of Hearings and Appeals (OHA) exercises the delegated authority of the Secretary to conduct hearings and decide appeals from decisions made by the Department's component agencies. The OHA provides an impartial forum for parties who are affected by the decisions of the Department's component agencies to obtain independent review of those decisions. The OHA also handles the probating of Indian trust estates, ensuring that individual Indian interests in allotted lands, their proceeds, and other trust assets are conveyed to the decedents' rightful heirs and beneficiaries.

Regulatory and Deregulatory Actions

For the coming year, OHA will prioritize the following rule:

Practices Before the Department of the Interior (1094-AA57)

This interim final rule will make comprehensive procedural changes to Federal regulations governing hearings and appeals proceedings before the Department's administrative tribunals. This interim final rule will modify and update its regulations located in title 43 of the Code of Federal Regulations in part 4 to: promote expeditious and meaningful review of administrative decisions; reflect changes in the law;

reorganize and streamline procedures and retitle subparts to improve clarity to parties; consolidate redundant language; eliminate outdated procedures; and allow OHA to continue to modernize its practice and keep pace with technological and other advancements, including the establishment of a regulatory framework for electronic filing and case docket management system.

Office of Natural Resources Revenue

The Office of Natural Resources Revenue (ONRR) is responsible for collecting, accounting for, and disbursing revenues from Federal and Indian energy and mineral leases. The ONRR operates nationwide and is primarily responsible for the timely and accurate collection, distribution, and accounting of revenues associated with mineral and energy production.

Regulatory and Deregulatory Actions

For the coming year, ONRR will prioritize the following rulemaking actions:

Civil Monetary Penalty (CMP) Rates Inflation Adjustments for Calendar Year 2025 – RIN 1012-AA37

This final rule adjusts the CMP rates contained in ONRR's regulations, furthering the public-interest purpose to prevent inflation from weakening the deterrent effect of CMPs. The ONRR's CMPs, adjusted for inflation, will continue to ensure that Federal and Indian lessees are appropriately deterred from violating mineral and energy leasing laws at the expense of the United States Treasury, States, and Tribes. The ONRR will publish this rule to adjust the maximum civil monetary penalty rates for inflation and announce the rates applicable to Calendar Year (CY) 2025.

Request to Exceed Regulatory Allowance Limitation Proposed Rule – RIN 1012-AA38

The ONRR is proposing to amend its existing regulations at 30 CFR 1210.151 to eliminate the request to

exceed the processing or transportation cost allowances on Federal lands. This proposed rulemaking would also amend form ONRR-4393 to eliminate the Federal option and only allow the request to exceed the allowances on Indian lands. In the Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Reform rule (“2016 Valuation Rule”), ONRR eliminated the provision that allows a lessee to exceed the required limitations for processing or transportation cost allowances on Federal lands.

Office of Policy Analysis

The Office of Policy Analysis (PPA) helps advance the mission of the Department through policy analysis, economic analysis, and cross-department program coordination. This means determining how policy decisions affect the American people; the Nation's lands, waters, and resources; and the U.S. economy. The PPA helps ensure decisions made across a large and highly decentralized agency are effective—all to serve the Department, the Nation, and the American people.

Regulatory and Deregulatory Actions

For the coming year, PPA will prioritize the following rulemaking action:

Protection of Human Subjects – RIN 1093-AA28

Through proposed rule, the Department would adopt the Federal Policy for Protection of Human Subjects, which was published in 1991 and codified in separate regulations by 15 other Federal departments and agencies. Each agency includes section numbers and language that are identical to those of the Department of Health and Human Services codification at 45 CFR part 46, subpart A, which is referred to as the Common Rule. The Common Rule outlines the basic ethical principles and procedures that an agency will abide by when conducting or sponsoring research involving human subjects.

Office of Subsistence Management

The Office of Subsistence Management (OSM) provides administrative support to the Federal Subsistence Board and the Federal Subsistence Regional Advisory Councils. The OSM staff includes fish and wildlife biologists, anthropologists, technical and administrative staff, and liaisons to the Alaska Department of Fish and Game and the Alaska Native community. The staff provides support for the regulatory process and the Fisheries Resource Monitoring Program.

Regulatory and Deregulatory Actions

For the coming year, OSM will prioritize the following rulemaking actions:

Subsistence Management Regulations for Public Lands in Alaska, 2026–27 and 2027–28; Subsistence Taking of Wildlife Regulations – RIN 1090-AB29

This joint U.S. Department of the Interior and U.S. Department of Agriculture (U.S. Forest Service) proposed rule would revise the regulations for seasons, harvest limits, methods, and means for the taking of wildlife for subsistence uses in Alaska during the 2026-27 and 2027-28 regulatory seasons. The Federal Subsistence Board will also address customary and traditional use determinations for wildlife. Ten Federal Subsistence Regional Advisory Councils provide a forum for rural residents with personal knowledge of local conditions and resource requirements to have a meaningful role in the subsistence management of fish and wildlife on Federal public lands in Alaska. The Council members represent varied geographical, cultural, and user interests within each region.

Subsistence Management Regulations for Public Lands in Alaska-Transfer of Regulations – RIN 1090-AB30

This final rule will transfer the regulations that implement the Federal Subsistence Management Program (Program) from 50 CFR part 100 to 43 CFR part 51. The Program provides a priority for taking of fish and

wildlife resources for subsistence uses by residents of rural areas in Alaska. This rule is necessary to effectuate the transfer of Program administration from the U.S. Fish and Wildlife Service to the Office of the Deputy Assistant Secretary for Policy, Management, and Budget in the Division of Policy and Environmental Management.

Office of the Secretary

The Office of the Secretary includes the Immediate Office of the Secretary, certain secretarial officers, designated staff immediately serving those officials and offices which serve department-wide functions or perform program functions directly on behalf of the Secretary.

Regulatory and Deregulatory Actions

For the coming year, the Office of the Secretary will prioritize the following rulemaking actions:

Joint Policies of the Departments of the Interior (Department or Interior) and of the Army Relative to Reservoir Project Lands - RIN 1093-AA29

This direct final rule will add 43 CFR section 8.7 to the Department's regulations to establish a process for Department deviation from the requirements at 43 CFR Subtitle A, Part 8, Joint Policies of the Departments of the Interior and of the Army Relative to Reservoir Project Lands. The provisions in this added section will parallel Army's authority under the part 8 regulations. The rule will allow the Department, project partners, and landowners flexibility to account for site-specific circumstances when the Department acquires realty for reservoir inundation.

U.S. Fish and Wildlife Service

The mission of FWS is to work with others to conserve, protect, and enhance fish, wildlife, and plants and

their habitats for the continuing benefit of the American people.

The FWS promotes and encourages the pursuit of recreational activities such as hunting and fishing and wildlife observation. Through a network of more than 570 National Wildlife Refuges, FWS provides opportunities for Americans to enjoy the outdoors and our shared natural heritage. The Refuge System offers places to hunt, fish, observe or photograph wildlife, and participate in environmental education or interpretation. The Refuge System includes at least one refuge in each U.S. State and territory and more than 100 refuges close to major urban centers.

The FWS fulfills its responsibilities through a diverse array of programs that:

- Protect and recover endangered and threatened species;
- Monitor and manage migratory birds;
- Restore nationally significant fisheries;
- Enforce Federal wildlife laws and regulate international trade;
- Conserve and restore wildlife habitat such as wetlands;
- Manage and distribute over a billion dollars each year to States, Territories, and Tribes for fish and wildlife conservation;
- Help foreign governments conserve wildlife through international conservation efforts; and
- Fulfill our Federal Tribal trust responsibility.

Regulatory and Deregulatory Actions

Regulations under the Endangered Species Act

The FWS promulgated multiple regulatory actions under the ESA in FY 2024 to prevent the extinction and facilitate the recovery of both domestic and foreign animal and plant species. These actions added species to, removed species from, and reclassified species on the Lists of Endangered and Threatened Wildlife and Plants and designated critical habitat for certain listed species. The FWS published the associated rules in accordance with the National Listing Workplan. The Workplan enables FWS to prioritize workloads based on the needs of species that are candidates for regulatory actions under the ESA or those for which FWS has received a petition for rulemaking. The Workplan represents the conservation priorities of FWS based on its review of scientific information and provides greater clarity and predictability about the timing of listing determinations to State wildlife agencies, nonprofit organizations, and other stakeholders and partners. The goal is to encourage proactive conservation so that Federal protections are not needed in the first place.

In the coming year, FWS will prioritize the following rulemaking actions:

Migratory Bird Permits; Authorizing the Incidental Take of Migratory Birds, Proposed rule (1018–BF71)

This proposed rulemaking action would improve conservation of migratory birds, codify and clarify our longstanding interpretation that the Migratory Bird Treaty Act (MBTA) prohibits the incidental take of migratory birds, and provide certainty and transparency to the public in our implementation of the MBTA by authorizing the incidental take of migratory birds for certain activities. The FWS would also propose additional regulations for authorizing incidental take resulting from activities that are not otherwise covered. The proposed rule would also update current permit fees and define certain terms used in the MBTA.

Wildlife and Fisheries; Compensatory Mitigation Mechanisms, Proposed rule (1018–BF63)

The FWS will propose a rule to cover objectives, standards, and criteria for review and approval of compensatory mitigation programs and projects intended to offset, or compensate for, unavoidable

impacts to federally listed, proposed, or at-risk species and designated critical habitat pursuant to the ESA. The proposed rule would advance the purposes of the ESA by promoting the effective, consistent, transparent, and predictable delivery of compensatory mitigation.

National Park Service

The NPS preserves the natural and cultural resources and values within 431 units of the National Park System encompassing more than 85 million acres of lands and waters for the enjoyment, education, and inspiration of this and future generations. The NPS also cooperates with partners to extend the benefits of resource conservation and outdoor recreation throughout the United States and the world.

Regulatory and Deregulatory Actions

In the coming year, NPS will prioritize the following rulemaking actions:

Rights-of-Way (1024-AE75)

The NPS will revise regulations governing the application, processing, and issuance of ROW permits for lands and waters administered by the NPS. A ROW permit authorizes the use of such lands and waters for the operation and maintenance of infrastructure associated with utilities such as fiber, water lines, power lines, and cellular antennas. The changes will align NPS processes more closely with those of other Department of the Interior bureaus.