

## **Title:** Assistant Secretary Indian Affairs Action Plan for – Addressing the National Energy Emergency

**Summary:** The Assistant Secretary of Indian Affairs will fulfill Indian Trust responsibilities by reducing barriers for energy production. Indian owners (Tribes and individual Indian owners) are the primary owners on Indian trust and restricted lands and hold decision-making authority to develop energy and minerals. Leases and agreements for oil & gas, critical minerals, coal, and other energy and mineral resources are entered into by the Indian owners (lessor) and the company (lessee) while the Department approves leases,<sup>1</sup> agreements, permitting and rights-of-way. The Department’s role in development includes engaging with Indian owners to make resources available to expedite energy and mineral development.

SO 3417, “...implements provisions of President Trump's January 20, 2025, Executive Order (EO) 14156, titled "Declaring a National Energy Emergency," and will improve the energy and critical minerals identification, permitting, leasing, development, production, transportation, refining, distribution, exporting, and generation capacity of the United States to provide a reliable, diversified, growing, and affordable supply of energy for our Nation by making the fullest use of existing authorities, including emergency authorities.”

Directive A: All Bureaus and Offices of the Department of the Interior (Department) will identify the emergency authorities available to them, as well as all other legal authorities, to facilitate the identification, permitting, leasing, development, production, transportation, refining, distribution, exporting, and generation of domestic energy resources and critical minerals including, but not limited to, on Federal lands and the Outer Continental Shelf.

Directive B: All Department Bureaus and Offices will identify all relevant emergency and other legal authorities available to them to expedite the completion of all authorized and appropriate infrastructure, energy, environmental, and natural resources projects within their jurisdiction to perform or to advance, including use of all authorities to facilitate the supplying, refining, transporting, and exporting of energy including, but not limited to, in and through the West Coast of the United States, the Northeast of the United States, and Alaska.

*Each such Bureau and Office will develop a plan for use of these authorities for the described purposes and submit those plans to the Secretary within 15 days.*

### **Top priorities:**

(b) (5)

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<sup>1</sup> Except for Five Tribes members’ mineral leases.

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**Additional Information:**

Emergency and Other Legal Authorities

- Act of March 3, 1909, 25 U.S.C. § 396 – implementing regulations found at 25 C.F.R. Part 212; provides authority to lease allotted Indian minerals.
- Indian Mineral Leasing Act of 1938, 25 U.S.C. 396a-g – implementing regulations found at 25 C.F.R. Part 211 - Leasing of Tribal lands for Mineral Development

- Indian Mineral Development Act of 1982, 25 U.S.C. §§ 2101-2108 – implementing regulations found at 25 CFR Part 225; leasing of fluid and solid minerals on Tribal trust land with approval by the BIA, including oil & gas, critical minerals, and coal. Also provides for Indian owner to receive from the Department assistance and resources in negotiating a minerals agreement.
- Energy Policy Act of 2005, as amended, 25 U.S.C. §§ 3501-3504 - provides for the Department to provide technical assistance and grant funding to support tribal efforts to develop energy and mineral resources and related capacity; development of Tribal Energy Resource Agreements (TERAs) and Tribal Energy Development Organization (TEDOs) once approved, offers a voluntary, Tribe or a Tribally owned entity to enter into energy related leases, rights-of-way, and business agreements without Department approval.
- Fort Berthold Allotment Act, 25 U.S.C. § 396 (note), as amended – authorizes approval of mineral leases and agreements that affect individually owned land located within the Fort Berthold Indian Reservation and certain former Oklahoma reservations upon consent of majority interest and best interest determination (advertised lease sale not required).
- Indian Self-Determination and Education Assistance Act, 25 U.S.C. § 5301 et seq. – allows Tribes to enter into self-determination contracts with the Department to assume administration of non-inherently Federal functions for energy and/or mineral development.
- The Snyder Act of 1921, 25 U.S.C. § 13 – authorizes Indian Affairs to operate programs for the benefit and assistance of Indians, which may provide additional general authority for energy and mineral activities, pending the availability of funding resources.
- The Helping Expedite and Advance Responsible Tribal Home Ownership Act of 2012 (HEARTH Act) once approved, offers a voluntary, more efficient land-leasing process for Tribes by amending the Indian Long-Term Leasing Act of 1955, 25 U.S.C. § 415.
- Indian Right-of-Way Act of 1948, 25 U.S.C. §§ 323-328 - implementing regulations found at 25 C.F.R. Part 169.
- 25 U.S.C. § 385c – implementing regulations found at 25 C.F.R. 175; provides for the administration of electric utilities which are owned and operated by BIA.
- Osage Allotment Act, Section 3 of the Act of June 28, 1906, 34 Stat. 539 – implementing regulations found at 25 C.F.R. Part 226; provides for competitive, advertised oil and gas lease sales of the Osage Mineral Estate and provides that the United States may purchase oil from any lease at not less than the highest posted price.
- 25 C.F.R. 213.17 (Certain Five Tribes Allotted Leases) - provides the United States, during times of war or other public emergency, the option to purchase all or any part of the minerals produced under any lease approved under this Part at the prevailing market price on the date of sale.
- 25 C.F.R. 227.14 (Certain Wind River Tribal Lands) provides the United States, during times of war or other public emergency, the option to purchase all or any part of the oil or gas produced under any lease at the posted market price, however, the Tribe uses the IMDA, not this Part, for its oil and gas leasing, thus, there is no oil and gas to which this currently applies.

# Assistant Secretary Indian Affairs Action Plan for SO 3417 – Addressing the National Energy Emergency

<b>Responsive to</b>	SO 3417 – Addressing the National Energy Emergency				
<b>Accountable</b>	OBPM, DAS-M, OEM, OIED, OTS/NR/IESC/DRES/DEMD				
<b>Initiative</b>					
<p><u>Directive A:</u> All Bureaus and Offices of the Department of the Interior (Department) will identify the emergency authorities available to them, as well as all other legal authorities, to facilitate the identification, permitting, leasing, development, production, transportation, refining, distribution, exporting, and generation of domestic energy resources and critical minerals including, but not limited to, on Federal lands and the Outer Continental Shelf.</p> <p><u>Directive B:</u> All Department Bureaus and Offices will identify all relevant emergency and other legal authorities available to them to expedite the completion of all authorized and appropriate infrastructure, energy, environmental, and natural resources projects within their jurisdiction to perform or to advance, including use of all authorities to facilitate the supplying, refining, transporting, and exporting of energy including, but not limited to, in and through the West Coast of the United States, the Northeast of the United States, and Alaska.</p> <p><i>Each such Bureau and Office will develop a plan for use of these authorities for the described purposes and submit those plans to the Secretary within 15 days.</i></p>					
<b>Policy goal(s)</b>	<b>Legal Authority</b>	<b>Recommendation</b>	<b>Barriers to Overcome</b>	<b>Metrics for Success</b>	<b>Final Due Date</b>
(b) (5)					

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Milestones

Due Date

Measurable Metrics

(b) (5)

## **Title:** Assistant Secretary Indian Affairs Action Plan for SO 3418 – Unleashing American Energy

**Summary:** This Order implements provisions of President Trump's January 20, 2025, Executive Order (EO) 14154, titled "Unleashing American Energy," which directs the removal of impediments imposed on the development and use of our Nation's abundant energy and natural resources by the Biden administration's burdensome regulations. By removing such regulations, America's natural resources can be unleashed to restore American prosperity. Our focus must be on advancing innovation to improve energy and critical minerals identification, permitting, leasing, development, production, transportation, refining, distribution, exporting, and generation capacity of the United States to provide a reliable, diversified, growing, and affordable supply of energy for our Nation.

*All Assistant Secretaries are hereby directed to promptly review all agency actions and submit an action plan to me in 15 days to consider how to comply with the policy in section 3.*

### **Top priorities:**

1. Ensure that all revoked EOs are terminated, including contracts or agreements fulfilling the same. Justification: Initial plan will ensure that each identified EOs are meaningfully terminated.

IA is tracking all newly issued EOs by this Administration and as well as recently rescinded EOs issued by the prior administration. For all known instances, rescinded EO references from the prior administration have been removed from IA's Directives System.

2. Suspend, revise, or rescind SOs, IMs, and DMs Justification: Initial plan will ensure that each identified SOs, IMs, and DMs, are meaningfully reevaluated.

IA is tracking all newly issued SOs by this Administration and as well as recently rescinded SOs issued by the prior administration. For all known instances, rescinded SOs references from the prior administration have been removed from IA's Directives System and applicable DMs. IA's Directives System consists of Indian Affairs Manuals chapters, Regional Directives, Handbooks, Assistant Secretary's Orders, National Policy Memoranda, and Regional Policy Memoranda. IA will continue to track these directives and work with bureaus/programs/offices to ensure these documents are updated appropriately.

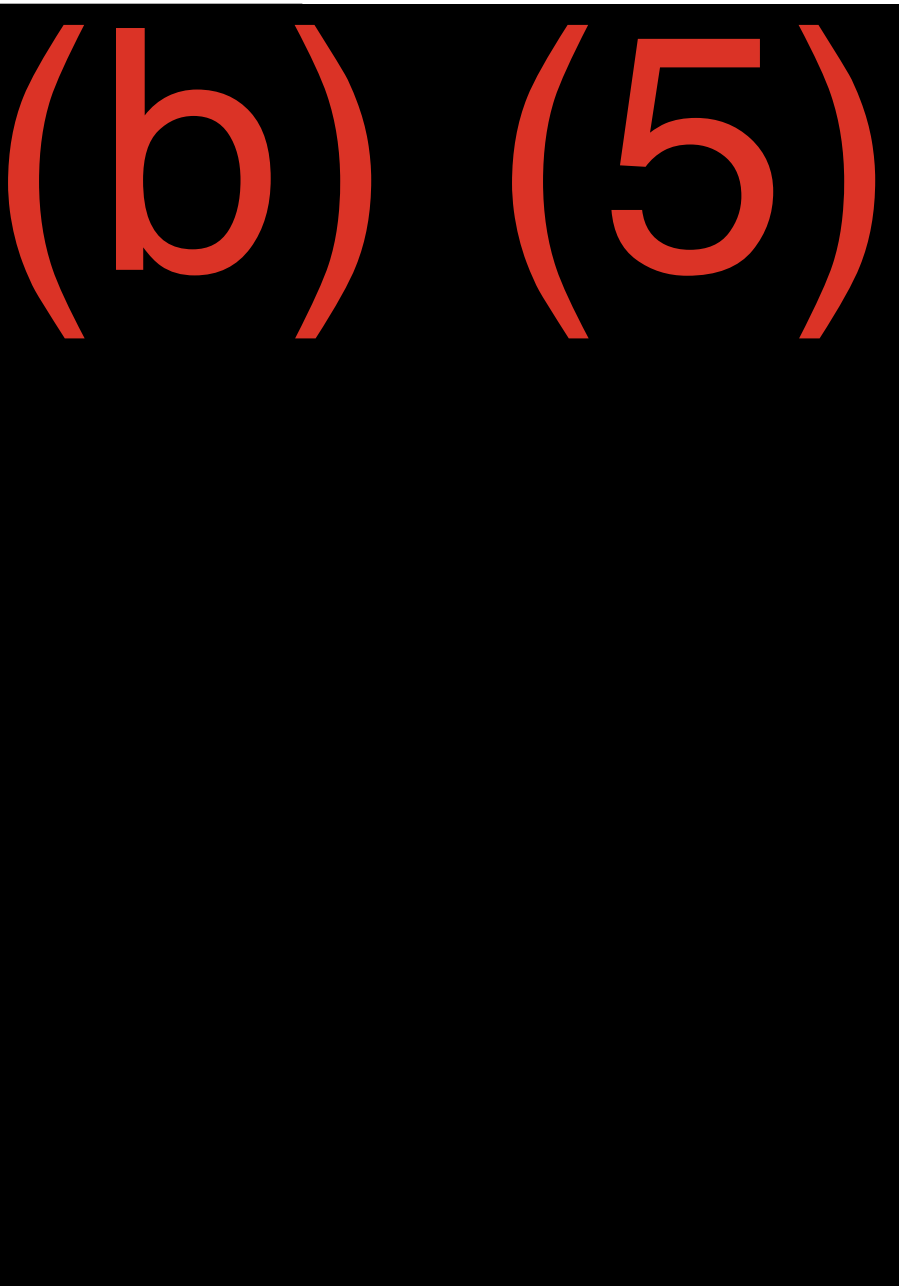
### **Additional Information:**

Generally, a reference in the IA Directives System to an EO or DM is typically used as a reference in terms of how it guides IA's work under a broad "authority." IA bureaus/programs/offices will continue to review all Directives to ensure they align with the policy goals and objectives of the new administration and revise as necessary. In some cases, IA bureaus/programs/offices will need to update directives' content to address more than just the removal of revoked EOs or SOs, to streamline processes to maximize efficiency due to potential changes to energy priorities and other actions. IA will continue to track these directives and work with bureaus/programs/offices to ensure these documents are updated appropriately.

## Assistant Secretary Indian Affairs Action Plan for SO 3418 – Unleashing American Energy

<b>Responsive to</b>	Assistant Secretary Indian Affairs Action Plan for SO 3418 – Unleashing American Energy				
<b>Accountable</b>	OBPM, DAS-M, RACA, OIED, OTS				
<b>Initiative</b>					
All Assistant Secretaries are hereby directed to promptly review all agency actions and submit an action plan to me in 15 days to consider how to comply with the policy in section 3. (Section 4a-c. Submit list all actions taken to implement the revoked EOs (4a), and an action plan to recommend steps to either suspend, revise, or rescind each listed document appropriate for your corresponding bureaus and offices (4b-c).					
<b>Policy goal(s)</b>	<b>Legal Authority</b>	<b>Recommendation</b>	<b>Barriers to Overcome</b>	<b>Metrics for Success</b>	<b>Final Due Date</b>
<u>Directive A. Terminate:</u> EO 14057 of December 8, 2021, titled "Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability"	N/A	(b) (5)			
<u>Directive B. Suspend, revise, or rescind:</u> In conjunction with the emergency actions outlined above in response to SO 3417 and the Alaska specific actions in SO 3422 below, review and revise all Energy, Mineral, and Fluid Mineral development policies and regulations to align IA processes and approvals with the policies and priorities of this Administration.	All underlying statutory authorities allowing/su pporting agency action and applicable agency discretion.				

	<p>As it conducts further review and planning, IA will identify these with more specificity.</p>
<p><u>Directive B, Suspend, revise, or rescind:</u>  Review and revise NEPA policies and regulations to increase the speed of permitting approvals as it relates to the policies and priorities of this Administration.</p>	<p>All underlying statutory authorities allowing/supporting agency action and applicable agency discretion. As it conducts further review and planning, IA will identify these with</p>



	more specificity.	(b) (5)
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Milestones	Due Date	Measurable Metrics
(b)	(5)	

(b) (5)

**Title:** Assistant Secretary Indian Affairs Action Plan for SO 3419 – Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis

**Summary:** This Order implements the January 20, 2025, Presidential memorandum titled "Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis" (Cost-of-Living Memo) by ensuring that the Department of the Interior (Department) promptly identifies appropriate actions to cut red tape that will reduce costs for Americans. The Department's Bureaus and Offices shall promptly conduct a review of their programs and regulations to identify those that may result in higher costs for the American people. While this review must broadly consider the effects of Departmental policies and decisions that directly or indirectly increase costs of housing, healthcare, and home appliances, it should particularly focus on coercive "climate" policies that increase the cost of food or energy. It shall also consider how to create employment opportunities for American workers, including drawing discouraged workers into the labor force.

*Each such Bureau and Office will develop a plan for use of these authorities for the described purposes and submit those plans to the Secretary within 15 days.*

**Top priorities:**

1. Conduct a review of programs and regulations to identify those that may result in higher costs for the American people. Specifically, housing, healthcare, home and appliances, climate policies that increase the cost of food or energy. Justification: Initial plan will ensure engagement across all IA programs. Reevaluate every quarter to ensure accuracy, applicability, and compliance.

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(b) (5)

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**Additional Information:**

43 IAM 2: Energy and Mineral Development

48 IAM 1: Indian Energy Service Center (Overview)

Part 50: Irrigation & Power — these 2 chapters have to do with irrigation and electric power utilities

Part 52: Real Estate Services-- possibly several (ROW, etc.)

80 IAM 6: Energy Conservation and Energy Management Program

59 IAM 3: NEPA

## Assistant Secretary Indian Affairs Action Plan for SO 3419 – Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis

<b>Responsive to</b>	Assistant Secretary Indian Affairs Action Plan for SO 3419 – Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis				
<b>Accountable</b>	OBPM, DAS-M, and all IA programs				
<b>Initiative</b>					
Review all Departmental and bureau policies to identify those that may result in higher costs for the American people.					
<b>Policy goal(s)</b>	<b>Legal Authority</b>	<b>Recommendation</b>	<b>Barriers to Overcome</b>	<b>Metrics for Success</b>	<b>Final Due Date</b>
Goal 1, AS-IA/DAS-M will establish a coordination group to reduce inflationary impacts as noted under Priority 1	N/A	(b) (5)			
Goal 2: Immediate relief, Waivers	5 U.S.C. 301; 18 U.S.C. 437; 25 U.S.C. 2, 9, 261, 262, 264; sec. 5, 19 Stat. 200, sec. 1, 31 Stat. 1066, as amended; and sec. 701, Pub. L. 114-74, 129 Stat. 599,				

	unless otherwise noted.				
Goal 3 Increased Relief, Building Capacity in Systems and Programs	TBD	(b) (5)			
Goal 4 Contractual reforms (Near-term): Create employment opportunities for American workers, including drawing discouraged workers into the labor force	TBD				
Goal 5 Infrastructure assessments and investments	TBD				

Milestones	Due Date	Measurable Metrics
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**Title:** Assistant Secretary Indian Affairs Action Plan for SO 3422 - Unleashing Alaska's Extraordinary Resource Potential

**Summary:** This Order implements provisions of President Trump's January 20, 2025, Executive Order (EO) 14153, titled "Unleashing Alaska's Extraordinary Resource Potential," which directs the Secretary of the Interior to exercise all lawful authority and discretion available and take all necessary steps to unleash the State of Alaska's abundant and largely untapped supply of natural resources.

Directive A: *Within 15 days of the issuance of this Order*, the Assistant Secretary -Land and Minerals Management, in coordination with other Assistant Secretaries, will submit an action plan to me describing the necessary and appropriate steps to execute the direction regarding all agency actions in section 3(a)(i)-(ii) and section 3(b)(ii)-(x), (xii)-(xiv), (xv-xviii), (xxi), and (xxiii) of EO 14153. This plan will include steps to expedite the permitting and leasing of energy and natural resource projects in Alaska (including the rights-of-way and easements for roads that enable this development to occur).

Directive B: Does not apply to IA.

Directive C: *Within 15 days of the issuance of this Order*, the Assistant Secretary-Policy, Management and Budget, in coordination with all Bureau and Office Heads, will submit an action plan to me to immediately take the appropriate steps to execute the direction with respect to the agency actions in section 3(b)(xxii) of EO 14153.

**Top priorities:**

(b) (5)

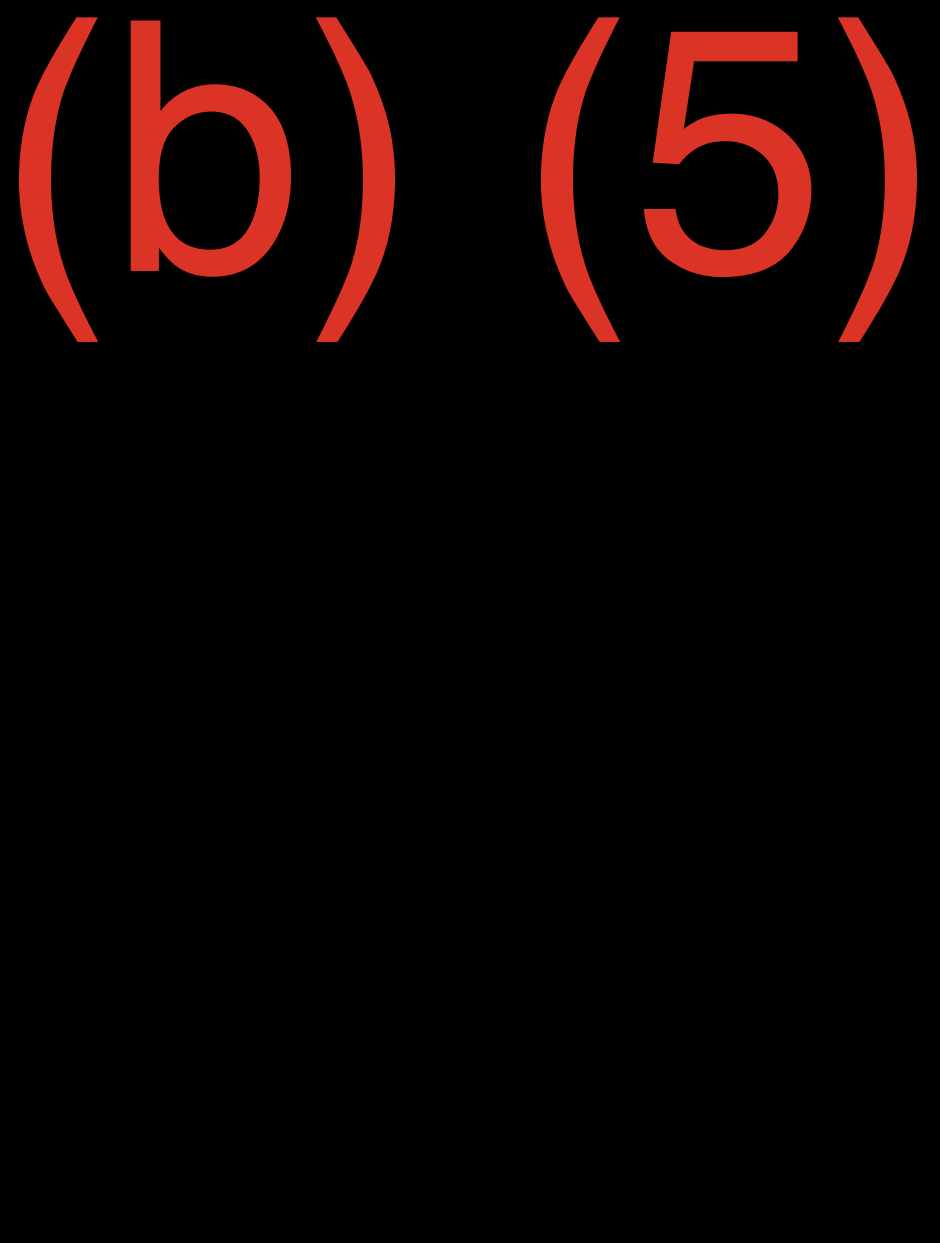
**Additional Information:**

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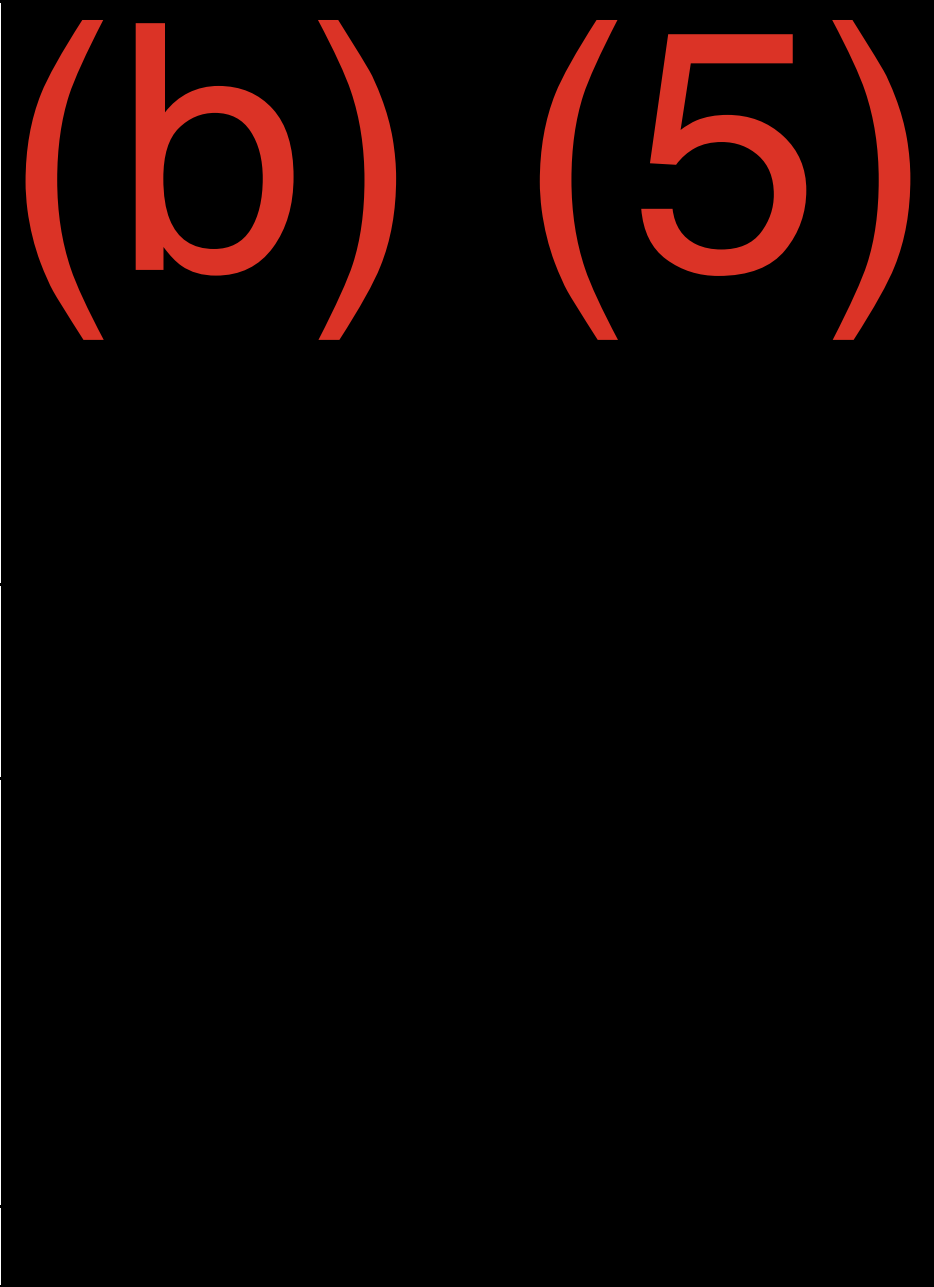
(b) (5)

## Assistant Secretary Indian Affairs Action Plan for SO 3422 - Unleashing Alaska's Extraordinary Resource Potential

<b>Responsive to</b>	Assistant Secretary Indian Affairs Action Plan for SO 3422 - Unleashing Alaska's Extraordinary Resource Potential				
<b>Accountable</b>	OBPM, DAS-M, RACA, IESC, OTS/DRES/DEMD				
<b>Initiative</b>					
Unleashing Alaska's Natural Resource Potential					
<b>Policy goal(s)</b>	<b>Legal Authority</b>	<b>Recommendation</b>	<b>Barriers to Overcome</b>	<b>Metrics for Success</b>	<b>Final Due Date</b>
Section 3(a)(i) rescind, revoke, revise, amend, defer, or grant exemptions from any and all regulations, orders, guidance documents, policies, and any other similar agency actions that are inconsistent with the policy set forth in section 2 of this order, including but not limited to agency actions promulgated, issued, or adopted between January 20, 2021, and January 20, 2025;	EO 14153				
Section 3(a) (ii) prioritize the development of Alaska's LNG potential, including the permitting of all necessary pipeline and export infrastructure related to the Alaska LNG Project, giving due consideration to the economic and national security benefits associated with such development.					
<b>Section 3(a) (ii) (b) In addition to the actions outlined in subsection (a) of this section, the Secretary of the Interior shall exercise all lawful authority and discretion available to him and take all necessary steps to:</b>					
(ii) rescind the cancellation of any leases within the Arctic National Wildlife Refuge, other than such lease cancellations as the Secretary of the Interior determines are consistent with the policy interests					

<p>described in section 2 of this order, initiate additional leasing through the Coastal Plain Oil and Gas Leasing Program, and issue all permits, right-of-way permits, and easements necessary for the exploration, development, and production of oil and gas from leases within the Arctic National Wildlife Refuge;</p>		
<p>(iv) place a temporary moratorium on all activities and privileges granted to any party pursuant to the record of decision signed on December 8, 2024, entitled “Coastal Plain Oil and Gas Leasing Program Record of Decision,” which is referred to in “Notice of Availability of the Record of Decision for the Final Supplemental Environmental Impact Statement for the Coastal Plain Oil and Gas Leasing Program, Alaska,” 89 <i>Fed. Reg.</i> 101042 (December 13, 2024), in order to review such record of decision in light of alleged legal deficiencies and for consideration of relevant public interests, and, as appropriate, conduct a new, comprehensive analysis of such deficiencies, interests, and environmental impacts;</p>		
<p>(vii) evaluate changes to, including the potential rescission of, Public Land Order 5150, signed by the Assistant Secretary of the Interior on December 28, 1971, and any subsequent amendments, modifications, or corrections to it;</p>		
<p>(viii) place a temporary moratorium on all activities and privileges granted to any party pursuant to the record of decision signed on June 27, 2024, entitled “Ambler Road Supplemental Environmental Impact Statement Record of Decision,” which is referred to in “Notice of Availability of the Ambler Road Final Supplemental</p>		

<p>Environmental Impact Statement, Alaska,” 89 <i>Fed. Reg.</i> 32458 (April 26, 2024), in order to review such record of decision in light of alleged legal deficiencies and for consideration of relevant public interests and, as appropriate, conduct a new, comprehensive analysis of such deficiencies, interests, and environmental impacts; and reinstate the record of decision signed on July 23, 2020, by the Bureau of Land Management and United States Army Corps of Engineers entitled “Ambler Road Environmental Impact Statement Joint Record of Decision,” which is referred to in “Notice of Availability of the Record of Decision for the Ambler Mining District Industrial Access Road Environmental Impact Statement,” 85 <i>Fed. Reg.</i> 45440 (July 28, 2020);</p>	
<p>(xi) facilitate the expedited development of a road corridor between the community of King Cove and the all-weather airport located in Cold Bay;</p>	
<p>(xii) place a temporary moratorium on all activities and privileges granted to any party pursuant to the record of decision signed on April 25, 2022, entitled “National Petroleum Reserve in Alaska Integrated Activity Plan Record of Decision,” (NEPA No. DOI-BLM-AK-R000-2019-0001- EIS), in order to review such record of decision in light of alleged legal deficiencies and for consideration of relevant public interests and, as appropriate, conduct a new, comprehensive analysis of such deficiencies, interests, and environmental impacts;</p>	
<p>(xvi) immediately review all Department of the Interior guidance regarding the taking of Alaska Native lands</p>	<p>ANCSA</p>



into trust and all Public Land Orders withdrawing lands for selection by Alaska Native Corporations to determine if any such agency action should be revoked to ensure the Department of the Interior's actions are consistent with the Alaska Statehood Act of 1958 (Public Law 85-508), the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3101 *et seq.*), the Alaska Native Claims Settlement Act of 1971 (43 U.S.C. 1601, *et seq.*), the Alaska Land Transfer Acceleration Act (Public Law 108-452), and the Alaska Native Vietnam- era Veterans Land Allotment Program under section 1629g-1 of title 43, United States Code.

(xxi) immediately conduct a review of waterways in the State of Alaska and direct the Bureau of Land Management, in consultation with the State of Alaska, to provide recommendations of navigable waterways subject to the equal footing doctrine and the Submerged Lands Act of 1953, as amended, 43 U.S.C. 1301 *et seq.*, and prepare Recordable Disclaimers of Interest pursuant to section 315 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1745, to restore ownership of said waterways to the State as appropriate;

(b) (5)

<p>(xxii) direct all bureaus of the Department of the Interior to consider the Alaskan cultural significance of hunting and fishing and the statutory priority of subsistence management required by the ANILCA, to conduct meaningful consultation with the State fish and wildlife management agencies prior to enacting land management plans or other regulations that affect the ability of Alaskans to hunt and fish on public lands, and to ensure to the greatest extent possible that hunting and fishing opportunities on Federal lands are consistent with similar opportunities on State lands;</p>		<p>(b) (5)</p>			
<p>(xxiii) identify and assess, in collaboration with the Secretary of Defense, the authorities and public and private resources necessary to immediately achieve the development and export of energy resources from Alaska— including but not limited to the long-term viability of the Trans-Alaska Pipeline System and the associated Federal right-of-way as an energy corridor of critical national importance—to advance the Nation’s domestic and regional energy dominance, and submit that assessment to the President.</p>					

Milestones	Due Date	Measurable Metrics
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