

NPR Performance Agreement - Interior

PHOTOCOPY
PRESERVATION

THE WHITE HOUSE

WASHINGTON

October 15, 1993

MEMORANDUM FOR TOM COLLIER - NPP

THROUGH: CAROL RASCO, ASSISTANT TO THE PRESIDENT FOR
DOMESTIC POLICY

FROM: DONSLA STRONG, DOMESTIC POLICY COUNCIL
MIKE SCHMIDT, DOMESTIC POLICY COUNCIL

SUBJECT: PERFORMANCE AGREEMENT BETWEEN THE
PRESIDENT AND THE SECRETARY OF THE
DEPARTMENT OF INTERIOR

This memorandum is in response to the request for comments on the Performance Agreement Between the President and the Secretary of the Department of Interior. Our comments are limited to Section 5, "Government to Government Relationship With Indian Tribes," and are as follows:

- In 5a, it mentions the "Administration's Indian policy position." To our knowledge, no such position has yet been formally established.
- In 5b, it talks about the Secretary "initiating consultations with Congress" on the management of the Indian trust funds. The Secretary has already begun this process of consultation, and in fact, Interior has already testified on this issue.
- Under the section marked "Delegation," it states that "the President should designate Interior as the lead agency in resolving problems with coordination and cooperation across federal agencies on matters relating to tribal affairs." We agree that inter-departmental coordination is important and useful, however, we believe this coordination should be carried out by the Domestic Policy Council.

Thank you for the opportunity to comment on this agreement. If you have any questions, do not hesitate to contact us at 456-7777.

cc Elaine Kamak

- sent to Paul
- sent to Collier

**PERFORMANCE AGREEMENT BETWEEN THE PRESIDENT AND THE
SECRETARY OF THE DEPARTMENT OF INTERIOR**

1. ESTABLISH THE NATIONAL BIOLOGICAL SURVEY

The Secretary is committed to establishing a new organization that will serve as the single most important repository for biological data for government customers and the public, and provide for an integrated natural resources scientific database, including a national status and trends survey. This information will be used to develop sound natural resource management and development decisions.

Performance Measures

- a. The Secretary commits that the National Biological Survey will be a functioning organization as soon as FY 1994 appropriations become available. The National Biological Survey will maximize its programmatic work and minimize its administrative structures as it draws upon existing resources across the Department.
- b. The Secretary will delegate to the Director of the National Biological Survey responsibility for expanding the current Department research program to include projects related to populations and ecosystems. The Secretary will publish clear research priorities for the National Biological Survey by the end of FY 1994.
- c. The National Biological Survey will develop an implementation plan by the end of FY 1994 to integrate the Department's biological database systems with other federal and state databases.
- d. By the end of FY 1994, the National Biological Survey will publish a generally accepted definition of natural resource status and trends that will provide information needed by the Nation to help avert endangered species crises and to aid in wise management and development decisions.
- e. National Biological Survey will provide population and ecosystem information to those government agencies that rely on biological data to administer programmatic activities and will work with such agency customers to insure their needs can be met.

Delegation

The Secretary requests that the White House support passage of authorizing legislation to establish the National Biological Survey that will include a requirement for the Secretary of Interior to appoint a Director for the National Biological Survey.

2. REFORM LAND MANAGEMENT AT THE DEPARTMENT OF INTERIOR

The Secretary is committed to reforming rangeland programs administered by the Bureau of Land Management to restore and improve the ecological condition of the rangeland; manage for biodiversity and sustainable ecosystems; and establish a fair and equitable grazing fee for private use of public lands.

Performance Measures

- a. The Secretary take final action on the administrative proposal that was first announced in August, 1993, to improve management of rangeland ecosystems and provide for more effective administration of livestock grazing on public lands, subject to outcomes of the Conference Committee.
- b. By January, 1994, the Department will publish a draft Notice of Proposed Rulemaking for public comment and a draft Environmental Impact Statement for rangeland reform. The Secretary is committed to implementing changes in the grazing fee formula that will be used to set fees for grazing on federal lands. The Secretary will also eliminate the existing Grazing Advisory Boards and District Advisory Councils and replace these with new Resource Advisory Councils that can better respond to the needs of rangeland managers within specific geographical areas.
- c. The Department will develop an experimental set of outcome measures for successful changes in grazing management. These will be included in the final Administrative Proposal that will be published by the end of FY 1994.

The Secretary is committed to implementing a comprehensive reform of mining activities on public lands in order to eliminate land patent giveaways, charge a fair royalty for public minerals, and provide strong environmental protection for public lands.

Performance Measures

The Secretary will commit significant personal time and appropriate staff resources during FY 1994 to insure passage of mining law reform legislation, under the principles that have been enunciated by the administration.

Delegation

The President delegates the lead responsibility for mining law reform to the Department of Interior to work with all affected federal agencies. In addition, the White House will establish a mechanism to provide effective liaison with the Department during mine legislation conference proceedings.

3. REINVENT THE BUREAU OF RECLAMATION

The Secretary is committed to transforming the Bureau of Reclamation from a civil works agency into a preeminent water management agency that is cost-effective in serving its customers.

Performance Measures

- a. A policy directive will be published in early FY 1994 that will articulate a new mission and structure for a streamlined Bureau of Reclamation. This mission will commit the Department to shift its emphasis from large civil works to water and environmental management.
- b. In conjunction with the President's Executive Order to improve customer service, the Bureau of Reclamation will strengthen relationships with the environmental community, urban water users and other customers during its transformation. In FY 1994, the Bureau will experiment with customer opinion surveys to measure the level of service expected and received.

Delegation

The President delegates to Interior authority to design and implement opinion research instruments for the Bureau of Reclamation.

4. NATIONAL PARK SERVICE COMMITMENT TO EMPLOYEES AND THE AMERICAN PUBLIC

The Secretary is committed to providing leadership to improve the morale and working conditions of employees in the National Park Service. The Secretary is committed to resolve professional discrepancies between full time and seasonal and temporary employees and enhance professional development opportunities for Park Rangers and other Park Service employees.

The Secretary is also committed to entrepreneurial management of the national parks through improved fee applications and collections and contract negotiations. Creative use

of private funds to mitigate the problems of employee housing is an important goal of the Secretary.

Performance Measures

- a. The Secretary will develop a mechanism to afford seasonal and temporary employees greater benefits in line with the contribution they have made to the National Park Service. The National Park Service will publish new employee guidelines for these employees during FY 1994. Benefits shall be granted in accordance with this policy. In addition, the Secretary will propose a plan to transfer eligible seasonal and part-time employees to Full Time Equivalents.
- b. The Secretary will delegate to the Director of the National Park Service responsibility to finalize the Ranger Futures concept and initiate comparable employee career development activities for other Park Service employees by the end of FY 1994.
- c. The Secretary will prepare legislation to eliminate prohibitions which restrict the collection of entrance fees at national parks, and to raise entrance fees in those parks where fees are currently charged. In addition, concession reform will commence with new negotiations of current contracts early in FY 1994.
- d. A portion of increased fee revenues will be used to complete infrastructure improvement projects. The National Park Service will develop by the end FY 1994 on-going visitor opinion surveys to assess satisfaction with park services and facilities.
- e. The problems of inadequate employee housing will be addressed during FY 1994 with a major Department initiative to fund needed housing improvements through private sector partnerships.

Delegations

The Secretary requests that the Office of Personnel Management maximize delegated authority to the Department of Interior to create a flexible and responsive personnel system for the National Park Service that will accomplish the above.

The President delegates to Interior authority to design and implement opinion research instruments for the National Park Service.

5. GOVERNMENT TO GOVERNMENT RELATIONSHIP WITH INDIAN TRIBES

The Department of Interior will demonstrate this Administration's commitment to fulfillment of the federal Indian Trust responsibility and the creation of a mutually respectful, beneficial government to government partnership by achieving progress necessary to accomplish national Indian self-determination objectives and address the concerns of Congress.

Performance Measures

- a. In order to assist the tribes to position themselves to compete and prosper in the 21st century, the Department will develop mechanisms required to support the renewed federal/tribal partnership envisioned in the Administration's Indian policy position. To carry out this commitment, the Secretary will finalize and implement PL 93-638 regulations as soon as possible in FY 1994 and will continue expansion of the self-governance initiative.

what is this we have not developed or:

- b. The Secretary will initiate consultations with the tribes and Congress to develop an appropriate vehicle for the management of Indian trust funds including alternatives other than operations within the Bureau of Indian Affairs.

Interior wants to move the accounts

The Secretary has already begun the process - Interior has testified.

- c. The Department will develop a sound legislative plan for education of all Indian children in concert with the tribes, Indian parents, Congress, the Department of Education and other federal agencies which have funding and responsibility for Indian Education, and other concerned organizations and individuals. The vehicle for accomplishment is the reauthorization process for the Indian Education Act in 1994.

what does this mean? you can not legislate education

Should Tribes have the lead on Education? Why?

Delegation

The President should designate Interior as the lead agency in resolving problems with coordination and cooperation across federal agencies on matters relating to tribal affairs.

Absolutely - Not DPC is the interagency political issue

The Secretary requests that the Office of Personnel Management maximize delegated authority to the Department of Interior to create a flexible and responsive personnel system for the Bureau of Indian Affairs to accomplish these commitments.

From not always about this meaning

6. COMMITMENT TO AN ENDANGERED SPECIES ACT WHICH WORKS

The Secretary is committed to reforming the administration and implementation of the Endangered Species Act to minimize conflicts, maximize flexibility for conflict resolution, and conserve our Nation's ecosystems for future generations.

Performance Measures

- a. The Secretary will initiate key administrative reforms to the Endangered Species Act of 1973, as amended, by issuing four policies before the end of FY 1994:
 - 1) A directive that provides a definition of *species* for listing purposes.
 - 2) A directive that establishes standards for evaluating and accepting proposals to list species as threatened and endangered.
 - 3) A directive that streamlines the Habitat Conservation Planning process.
 - 4) A directive that stresses the need to conserve candidate species and the ecosystem in which they occur before further declines occur.
- b. The Secretary delegates to the Director of the Fish and Wildlife Service in consultation with the Assistant Secretary for Indian Affairs, the responsibility for expanding and clarifying the role of States and Tribal Governments in implementing the Endangered Species Act of 1973, as amended.
- c. The Secretary also commits to develop a Departmental strategy to reauthorize the Endangered Species Act. The Department of Interior will provide leadership in developing the Clinton Administration strategy to reauthorize the Endangered Species Act by February 1, 1994.
- d. The Department will provide leadership with the White House to promulgate an Executive Order by February 1, 1994, which directs Federal agencies to use their authorities to promote conservation of listed species.
- e. The Secretary of Interior commits to timely action on individual species including a section 4(d) rule for the Northern Spotted Owl by March 1, 1994 (subject to the alternative timetables dictated by the completion of the FEMAT "Option 9" FEIS); a section 4(d) rule for the California Gnatcatcher by February 1, 1994; and an expedited processing of the Travis County, Texas, incidental take permit upon receipt of a completed permit application from Travis County.
- f. Interior will measure its commitment to avoiding impasses by qualitative analysis of the Northwest summit and the California gnatcatcher outcomes. The Balcones, Texas, bond election represents an independent, quantifiable measure of early local intervention in the resolution of an endangered species/water management conflict.

7. DEPARTMENT-WIDE COLLABORATION

Interior will champion this administration's commitment to a government which works better by demonstrating that a cabinet agency can adopt creative patterns of collaboration, organization and communication with employees, other agencies, and citizens.

Interior will develop one of the best appraisal processes among federal agencies for its SES managers, measuring progress on three common departmental elements: increased cross-organizational cooperation and action, increased employee diversity, and improved matching of decision-making level to decision needed.

Performance Measures

- a. In carrying out the performance commitments of this agreement, Interior managers and employees will work across traditional organizational boundaries, whether internal or external. All implementing plans will establish working groups with cross-bureau and cross-agency membership, common goals and common measures of success.
- b. The Secretary delegates to the Deputy Assistant Secretary for Human Resources the responsibility for initiating in FY 1994 measures of accomplishment including exit interviews with employees; analysis of appraisal data; and use of baseline employee opinion research.
- c. Interior's Minerals Management Service will pilot opinion research with employees and external customers in FY 1994. The research will identify areas for future change.
- d. In FY 1994, Interior will sponsor a pilot under the Government Performance and Results Act to develop and test results-based performance measures for a single function carried out across at least four bureaus.

Delegation

The President delegates to Interior authority to design and implement opinion research instruments.

NEED TO ADD BULLET ON

1. BUDGETING - FY '94 OR FY '95 COMMITMENT.
2. HOW TO ACHIEVE FEDERAL WORKFORCE DOWNSIZING.